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the *free* **radical**

politics, economics & life as if freedom mattered

By the time this magazine is published, proceedings will have been issued in the High Court in Wellington against Helen Clark and the other members of the Labour Party who were in Parliament in the run-up to the last election. They are charged with breaching the Constitution Act and the Bill of Rights – the very laws that mark the difference between a dictatorship and a liberal democracy.

Bernard Darnton, pg, 10

It emerged after the last election that Helen Clark's party had over-spent by \$418,000 their limit of \$2,300,000 as laid down in the Electoral Act. The Police were asked to investigate by the electoral authorities, and in a decision which stunned many they decided not to prosecute.

In this article written for *The Free Radical*, David Farrar analyses how Labour got away with what some are calling a stolen election.

David Farrar, pg. 11



How Labour Stole The Election

And What One Man Is Doing About It!

*To steal from one person is theft.
To steal from many is taxation.*
- Jeff Daiell

It's sad to realise that most citizens do not even notice the irony of being bribed with their own money.
- Anon.

The man who produces while others dispose of his product is a slave.
- Ayn Rand

Taxation without representation is tyranny.
- James Otis

Taxation WITH representation ain't so hot either.
- Gerald Barzan

Giving money and power to government is like giving whiskey and car keys to teenage boys.
- PJ O'Rourke

A traffic jam is a collision between free enterprise and socialism. Free enterprise produces automobiles faster than socialism can build roads and road capacity.
– Andrew Galambos

If liberty means anything at all, it means the right to tell people what they do not want to hear.
– George Orwell

My definition of a free society is a society where it is safe to be unpopular.
- Adlai Stevenson

The building codes of the democracies embody, of course, only what the previous generation knew or thought about building...
- Frank Lloyd Wright

TFR Special Reports:

How Labour Stole The Election, And What One Man Is Doing About It

Making promises to win elections is no new thing. Making your election promises on a Pledge Card is no new thing. But making the taxpayer pay for that Pledge Card, and then knowingly, calculatingly and flagrantly spending half-a-million dollars above the legal spending limit for elections ... well, there's a word for that, and that word is about to be tested in court.

Blogger *David P. Farrar* lays out the case against Labour, giving chapter, verse, timeline and paperwork showing how they did it, and how they knew what they were doing. And Libertarianz leader *Bernard Darnton* talks about the High Court case he's taken against the Government charging they stole the election, and might want to think about giving it back.

Darnton vs. Clark: *Bernard Darnton*, 10

The Stolen Election: *David P. Farrar*, 11

The Immigration Debate: Letting Peaceful People Pass Freely

America, Australia and New Zealand were all built on immigration, yet they're now progressively barring their doors. "Illegal aliens" is a new pejorative. The immigration debate is on again, and the two elephants in the middle of the room now are 1) terrorism, and 2) welfare.

James Valliant argues that it is the fear of terrorism that has thrust immigration onto the front pages, and only legalising immigration once again can fix that. *George Reisman* points out the 'welfare elephant' stampedes through all the moral arguments for open immigration, hardening the hearts and minds of those who should be the natural supporters of open immigration. His point is pithily summarised in the title of his piece.

Fighting Terrorism Requires Legalizing Immigration
James Valliant, 15

Immigration Plus Welfare State Equals Police State
George Reisman, 17

The Cullen Budget: Tax and Tax, Spend and Spend

Said Finance Minister Michael Cullen in Budget 2006, as he's done in every Budget since election 1999, "Thank you very much for your high taxation!" With NZ's tax take at an all-time historic high, three pieces on Michael Cullen's post-election Budget examine the taxation bubble he's produced and that he'd rather not burst – and that he definitely doesn't intend to give away. "With all the bleating from taxpayers and journalists" he seems to say, "You'd almost think they owned the damn money in the first place!"

Phil Rennie from the Competitive Enterprise Institute points out -- in the document that really began the recent call for tax cuts – just how overtaxed we are. *Greg Edwards* looks at what Cullen served up; a Prozac Budget is his estimate – it's so bad it's got Greg reaching for his pharmaceuticals and heading for a bender. Meanwhile *Scott Wilson* takes a sober look at the asphalt monster being unleashed by the

Wastemaster General's great gobs of cash, and asks: Does it stack up? Does it make sense? And will it achieve what's really needed, or just produce even more waste? And *Janet Albrechtsen* asks why this bloody budget obsession anyway – it's the result, she says, of the "what can you do for me?" addiction to big government.

Are New Zealanders Paying Too Much Tax?
Phil Rennie, 49

The Prozac Budget.
Greg Edwards, 52

Better Roads or Not?
Scott Wilson, 54

Our Pathetic Addiction to Big Government
Janet Albrechtsen, 20

Sedition 2006!

Sedition is generally a war-time offence somewhat akin to treason, so why has an Auckland man just been convicted for the crime, and what does his conviction mean for free speech and political debate?

Blogger *Idiot/Savant* investigates the history of sedition trials in New Zealand, while *Peter Cresswell* concludes the guilty verdict is a chilling one for free speech – any political opposition worth their salt should be in threat of a sedition charge every day of the week, he says.

Sedition Verdict Gives New Meaning to 'Helengrad'
Peter Cresswell, 22

A Shameful Verdict
Idiot/Savant, 23

Objectivist Rage—Objectivist Evasion

Challenged by the publication of James Valliant's book The Passion of Ayn Rand's Critics (see the last TFR), Barbara Branden has ignored the challenge and retreated instead to railing against the anger she sees directed towards her. Branden B. is now angry about anger.

In a speech delivered in Los Angeles, *Lindsay Perigo* defends the pursuit of passionate valuing, the virtue of justice in action, and the virtues and merits of passionate and rational anger when directed at the appropriate targets. One of those targets is Barbara Branden.

In Praise of Objectivist Rage
Lindsay Perigo, 24

No Power!

An earth strap breaks, and New Zealand's biggest city is left without electricity. A few feet of snow, and South Island farmers are plunged into darkness. New Zealand's power generation is barely adequate, and New Zealand's transmission lines are barely satisfactory – and the problem is not just that the Resource Management Act makes construction of new infrastructure nearly impossible.

Scott Wilson explains the problem: despite the reforms of the power industry carried out in 1999 by Max Backward, too much of the power industry is still in government hands.

Power for the People?
Scott Wilson, 38

Current Controversies:

Have you heard the one about the doctor, the libertarian and the two hookers. No? Then listen up to Dr Neil Benson, former GP, pillar of the community, and now owner of the Far North's most well-known brothel.

The GP Who Became a Brothel Keeper

Dr Neil Benson talks to Lindsay Perigo, 6

Meet the developer who got in trouble with the planners for mowing his lawn. I swear we are not making this up.

The Man Who Wasn't Allowed to Mow His Lawn

David Henderson talks to Lindsay Perigo, 8

The Climate Science Coalition has been formed to refute "what it believes are unfounded claims about anthropogenic (man-made) global warming." The group includes many well-known NZ climate scientists, and convenor Owen McShane expects big thing from them.

The New Zealand Climate Science Coalition: the Birth of a Gad-fly

Owen McShane, 18

Double amputee Mark Inglis climbed Mt Everest and came back down to a storm of controversy. As if to demonstrate that amputees have now achieved complete equality, even in the expectation of the impossible, Inglis's achievement was largely ignored and he was eviscerated instead for supposedly leaving another climber on Everest to die. Peter Cresswell stands up for a hero.

Mark Inglis. Hero.

Peter Cresswell, 21

When animal-rights activists began threatening scientists and burning down buildings, one teenager said enough was enough, and he kicked off a rational backlash against the thugs. Marcus Bachler profiles Oxford teenager Laurie Pycroft, the face of Pro-Test.

Taking a Stand

Marcus Bachler, 28

A large number of NZ's and Australia's military are now in East Timor, sent there with little debate even by the Parliament that sent them there. Why are they there, and who are they really helping? Trevor Loudon tries to make sense of the situation.

Why New Zealand is Building the Timorese Revolution

Trevor Loudon, 32

As Montessori educators look forward to the centenary of the opening of the world's first Montessori school in 2007, Carol Potts offers a brief introduction to the Montessori Method, and Peter Cresswell argues that Montessori education is the antidote to the braindead factory schools of the state

Montessori: The Rational Alternative

Peter Cresswell, 30

The Montessori Philosophy – How Did it Start?

Carol Potts, 31

'Urban sprawl is bad' we hear. Not so, says author Robert Bruegmann. In his new book from which this excerpt comes. Sprawl is good: "In its immense complexity and constant change, the city -- whether dense and concentrated at its core, looser and more sprawling in suburbia, or in the vast tracts of exurban penumbra that extend dozens, even hundreds, of miles-is the grandest and most marvellous work of mankind."

Attack of the Snobs: How Sprawl Got a Bad Name

Robert Bruegmann, 40

Auckland's Tank farm offers the biggest and most exciting urban design opportunity in recent Auckland history. But will the result be open space, eyesore or iconic? Peter Cresswell and Owen McShane examine the prospects.

Rebuilding Auckland's Tank Farm.

Peter Cresswell, 46

Don't Go Near the Water!

Owen McShane, 47

There are two basic views of economic life, says economist George Reisman. The fundamental problem of economics is either production, or it is consumption. "So thoroughly and fundamentally do these two views determine economic theory," he says, "that they give rise to two completely different systems of economic thought." Economist George Reisman explodes the most basic myths of economics in this ground-breaking paper. If you want to understand economics, your reading begins here.

Production versus Consumption

George Reisman, 57

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By the time this magazine is published, proceedings will have been issued in the High Court in Wellington against Helen Clark and the other members of the Labour party who were in Parliament in the run-up to the last election. Bernard Darnton, pg. 10

The implementation of the rights both of the immigrants and of the taxpayers requires the abolition of the Welfare State. Ending the Welfare State will end any problem of immigrants being a public burden. George Reisman, pg. 17

One of Rand's distinctive tenets is refusal to bestow what she calls the "sanction of the victim"—when you are wronged, do not sanction the wrong by acquiescing to it. It's the opposite of turning the other cheek. Lindsay Perigo, pg. 24

First, scientific validity is not determined by a show of hands. Second, there is probably no area of science which is less settled than the theory of anthropogenic global warming. Owen McShane, pg. 18

Mark Inglis's heroism consisted in fully preparing himself, and in doing everything that was necessary to get up the mountain and to get back down again - a return journey without which no mission can have any success -- and his efforts and his planning were fully and necessarily focussed on that goal.. Peter Cresswell, Pg. 20

Many members of cultural elites are not interested in hearing about the benefits of increased choice for the population at large--because they believe that ordinary citizens, given a choice, will usually make the wrong one. Yet sprawl has certainly increased choices for ordinary citizens. Robert Bruegmann, pg. 40

The National Billboards about what Labour uses petrol tax for can no longer be repeated. Labour is embarking on a big old-fashioned road-building and public-spending programme that hasn't been seen since the 1960s. Scott Wilson, pg. 54

Contributors



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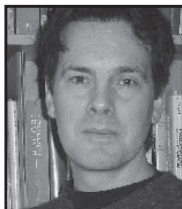
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TREVOR LOUDON

Around The Barricades

Dispatches From The Front Line



Dogs Look For Work

Satire from Moenui's world-famous in New Zealand: 'The Kiwi Herald'

The number of dogs seeking work has risen sharply following the passing of legislation which makes micro-chipping of dogs compulsory except in cases where they are working.

From first light this morning local farmers reported stray dogs turning up to help with mustering and a Moenui woman who is blind told the *Herald* that she has been overwhelmed by offers of help.

"Everytime I step outside there's a huntaway bringing me yet another unwanted copy of the *Herald* or a border-collie trying to drag me off to catch the bus."

Moenui dairy farmer Ossie MacDonald said that the three extra dogs at milking this morning created chaos. "They were completely untrained for the job. Every time I called 'get in behind' there was a scramble between them to be last in the queue behind the herd. As much as I'd like to see every dog that wants to work get a job, I had to see them off the property in the end."

Meanwhile a number of Moenui residents have expressed outrage at the new law.

"This law is just is just so unfair," said Melodie-Ann Lewis who chairs the Area School Student Council. "It is just like discrimination against some dogs. I mean my dog (pictured below) is a Chinese Crested and way the coolest, cutest pet I've ever had and she just couldn't go out to work, unless maybe in the fashion industry. But there's no fashion industry in this stink town. In fact most people here wouldn't know fashion if it bit



them on the bum."

Local commentator Frank Lush, speaking this morning from the Sports Bar of the Masonic Hotel, said that the law-makers had created a legal mine-field.

"I reckon there are more loopholes in this act than you'd find at a tax-lawyers' convention. Already I hear that the louts who run the dog-fights down at the car graveyard are applying to register their pit-bulls as working dogs. And I reckon that being best friend to some buggers in this town must be real hard work."

Meanwhile a number of residents have reported an upsurge of pet dogs bringing their owners' slippers and menacing Jehovah's Witnesses. "I suppose some good has come of the law," says Lush.



Dogs studying the Work Offered postings on the Moenui community noticeboard this morning.

You can find *The Kiwi Herald* on the web at www.kiwiherald.blogspot.com.

Around The Barricades . . .

Dispatches From The Front Line

The Outcome of State theft

Telecom shares are near a 13 year low - closing at 4.02 from 5.55 on the day before David Cunliffe announced the theft, excuse me the 'unbundling,' of Telecom's private property. The marked decrease in Telecom's share price is largely the result of one thing: investors see government regulating; investors sell. Telecom will be forced to share its private property with moochers. These mooching ISP's are getting something for nothing - nothing, that is, beyond their shrill support for Cunliffe's theft.

If the government really wanted to make broadband competitive; they should:

- a) encourage the moochers to invest in their own infrastructure by refraining from further promises of infrastructure theft;
- b) decrease tax so as to further encourage investment in infrastructure;
- c) get out of the interest rate market;
- d) repeal the RMA so that ISP's who *want* to build their own networks *can* build them.

This Labour government seems intent on returning New Zealand to some socialist banana state where companies cannot do what they like with their own private property. Judging by the lack of opposition from the Opposition, it's not entirely clear that *their* plans are any different.

Sedition on the Order Paper?

In the wake of Tim Selwyn's sedition trial (reported elsewhere in this issue) the blogger revelling in the *nom-de-plume* Idiot/Savant from *No Right Turn* has been preparing a Member's Bill on the issue to remove sedition from the books, and he's found a party willing to raise it. He now faces two problems. The first is getting the Bill out of the ballot. The second problem is more fundamental: finding support among the two major parties for such

a Bill. National's Tories are inherently authoritarian, and Labour's occasional 'civil liberties tendencies' will be silenced by loyalty to Helen, whose own civil liberty credentials are in the bin after standing by and letting Tim Selwyn be charged and convicted of sedition simply for breaking her window and then boasting about it.

But as one commentator says, "Its worth putting up anyway, simply to embarrass the fuckers." True.

Getting Rand on Reading Lists

A few years ago, the Ayn Rand Institute surveyed high school teachers and discovered the major reason many don't teach Ayn Rand's fiction in their English classes is the simple lack of books. The bureaucracy makes it difficult to obtain them from the school, and they are expensive to buy out-of-pocket. So ARI started its "Free Books for Teachers" program to remedy that problem. With the help of directed donations, the teachers in a given area are notified of the program by a lovely brochure. They can order any number of free copies of *Anthem* and *The Fountainhead* from ARI, along with teacher's manuals. In return, all that the teachers must do is agree to actually teach the novels.

The project has been enormously successful: demand for the books has been very strong, teachers are delighted with the enthusiastic response of their students, and many more students are submitting to ARI's essay contests. Most importantly, *thanks to this program hundreds of thousands of high school students are reading Ayn Rand in their classes*. And soon, those students will be voting -- and shaping our culture and politics. If you are interested in changing the culture for the better by introducing young people

to Ayn Rand's ideas, ARI's "Free Books for Teachers" is a program that you ought to support. Ayn Rand is her own best salesman -- and the impact of hundreds of thousands of high school students reading Ayn Rand's fiction every year will be enormous. Even if you're still wary of ARI, you can support this program without endorsing all that ARI does. Your donation could make all the difference in the world -- and also to the world.

For more information, visit: www.aynrand.org/site/PageServer?pagename=education_classroom_books

ACTing libertarian?



Helen Simpson:
She's dead right you know

What's this from the ACT Party? Sense on ending the War on Drugs? Instead of dancing around the issue as Rodney Hide has done so often and so embarrassingly (see this report for instance at www.pc.blogspot.com/2006/03/rodney-hide-legend.html), ACT On Campus President and ACT Party Board Member Helen Simpson just comes right out and speaks the truth. Speaking after NORML's annual J-Day event, Helen had this to say, all of it good:

...Although I'm not too concerned with "celebrating cannabis culture," I'm a strong believer in individual freedom - that is, the freedom of individuals to do as they please as long as no one else is harmed in the process. That also means taking personal responsibility for your own actions should you come to harm as a result of your own (irresponsible) actions. If you want to drink copious amounts of alcohol until your liver needs replacing, or smoke until your rotted lungs require extensive cancer treatment, you are free to do so, even now. But in a truly free society you should also be prepared to pay for your own health insurance; otherwise you're placing the financial responsibility on others, a.k.a. taxpayers, to fund your stupidity.

Prohibition doesn't work; it just punishes a majority of responsible individuals and encourages deception and criminal behaviour. We need only remember the 'Six O'Clock Swill' or alcohol prohibition in the U.S. to know that making criminals out of responsible adults is both absurd and counterproductive. I spent a year in Sweden, where alcohol sales are still heavily restricted and controlled by the state. Other than bars, only the Systembolaget, a government owned and heavily taxed (more so than here) liquor chain, is allowed to sell alcohol over 3.5%. Yet despite all these restrictions, large numbers of alcoholics plagued the streets, buses, bus shelters and pretty much everywhere I went while I was there. And, despite heavily restricted youth drinking laws, young people still got drunk. I realised it then. NORML acknowledged it yesterday. So when will governments finally realise that the 'War on Drugs' (alcohol included) is futile?

She's dead right, you know. Meanwhile, dancing off Rodney Hide's site comes a surprisingly good piece on the nonsense of 'sustainability' and the implementation by the Nats'

Around The Barricades . . .

Dispatches From The Front Line

Simon Upton of that nonsense in the RMA -- the Act, he says, "that totally usurps private property rights in favour of the political management of natural resources for 'sustainable use'." And he's right. It does. As Rodney says, 'sustainability' is "an empty phrase, but those who get to define it get to control all resource use." And he's right. They have. *TFR* looks forward to hearing Rodney adopt the repeal of the nonsensical RMA as sensible party policy-- but then *TFR* has been looking forward to that for ten years now...

Regulations Strangling Housing Affordability

The 2006 Report on Worldwide Housing Affordability produced by Demographia Institute (website is www.demographia.com) has delivered the stinging finding that "housing affordability continues in crisis intensity in many markets," and reported that the clear culprit for this galloping unaffordability is the over-regulation of land and building.

The report measures the price of housing in various western markets as compared to incomes in those markets, and on this measure New Zealand scores poorly.

All the major urban property markets of New Zealand are severely unaffordable, as is the major city of the Republic of Ireland, Dublin. Of the Australian urban markets, six are severely unaffordable, with two being seriously unaffordable...

All the affordable markets are in North America, with three in Canada and twenty one in the United States. There are no affordable major urban property markets in the United Kingdom, Ireland, Australia and New Zealand...

The 2006 Demographia International Housing Affordability Survey illustrates

how affordable most urban markets of the countries surveyed were five, ten and twenty years ago. Its findings suggest that the major cause of the loss of affordability within these markets is due to artificially strangled land supply.

That graph on page 5 shows just how unaffordable Auckland housing is compared to cities without the restrictive planning regime 'enjoyed' in New Zealand.

So, how about a show of hands in ending the land strangulation effected by local councils under the RMA: Those for abolition of the RMA, replacing it with common law protections of property rights, hands up now. Any opposed?

'Unbundling' trial balloon works a treat

A 'trial balloon' is a bit like slipping your toe into the water at the beachfront to see whether you can risk a dip with your whole body. In politics, a trial balloon tests the political weather to see what you can get away with.

Unfortunately, after the rapt reaction to the trial balloon of 'unbundling' Telecom -- ie, effectively nationalising Telecom's lines network - - the Clark Government now apparently think they can get away with more, much more:

Public Law expert Mai Chen, in an article to be published in the 'NZ Law Journal' next month, says the environment created by the Government's broadband package "has resulted in a push for greater regulation of monopoly or dominant incumbents in other areas such as the postal market and in airport pricing".

As 'The Whig' says on his blog, with which *TFR* agrees completely:

The minute you let the government get away with one bit of regulation, it craves more. And if Mai Chen is saying so, you know it's more than mere speculation.

How much more private property will soon be "unbundled"? And what moral high ground will Tory unbundling advocates stand on when it happens?

A fair question, isn't it? Perhaps Tory advocates for unbundling might consider Thomas Jefferson's warning, that "a government big enough to give you everything you want is big enough to take it all away again." And Annette Presley might want to think about that one too.

Looting the Liberals for the Blue Team

A Young Nats function at Parliament a few weeks ago saw MP Chris Finlayson put forward his ideas for what he calls a new "urban liberals" grouping within National. Said one observer, "While it was somewhat encouraging to hear such ideas from a National MP, the responses from many of the Young Nats was much less encouraging. It wasn't that they were too conservative, just that they seemed to completely lack principled thought about politics..." "I think if this group achieves anything at all it will be very limited. I suggested the RMA as a specific goal, but I suspect the goal will be simply to create the appearance of liberal views within National." Probably true.

There is another theory doing the rounds about the new group. Before the last election there was much talk around the traps of preparing 'Operation Loot-The-Corpse' in case ACT collapsed. Could Finlayson's group be no more than the National Party version of Operation Loot-The-Corpse?



Too liberal for John Howard's Liberals?

One Australian Rand fan is having trouble becoming a candidate for John Howard's Liberal Party. Prodos Marinakis (above) -- busker, singer, punk performer, internet host, interviewer, Rand fan and quintessential classical urban liberal -- is apparently just too much liberal for *some* Liberals to handle, but it hasn't stopped him offering himself as a Liberal candidate for safe the Labor seat of Richmond in Melbourne. Asked why he wanted to stand for the Liberals, he said the party was a broad party and there was plenty of room for characters like him. "For me, they're fundamentally the party of free enterprise and individual rights," he said.

Prodos is a well-known Objectivist rabble-rouser and street activist, and neither quality is calculated to endear him to Australia's Blue Team. Some within the Blue-Rinse ranks have already called him "a loose cannon," and have moved to have his candidacy set aside. But not all Liberals feel so threatened. One told *The Age* "Prodos is exactly what the party needs and the members will be really unhappy if he misses out on preselection. Even though there is no way we can win Richmond, they won't endorse him because they are afraid of what he might say." Crikey. Imagine if he started using that other 'I' word: liberty. That would really get the blue-rinses standing on end!

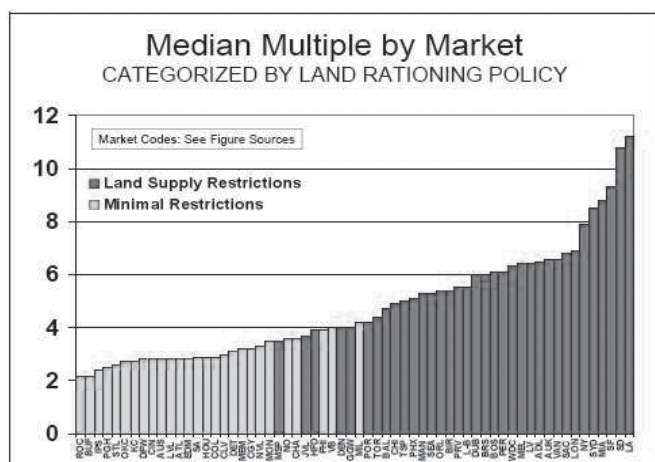
Around The Barricades . . .

Dispatches From The Front Line

The people's water

Auckland Regional Council has voted to push the Government to return bulk water and sewerage provider Auckland Watercare Services to its control. For many people, this act would return the nasty privatised Watercare and Metrowater to 'public ownership.' How about an NZX listing? That would do it.

situation in Australian cities: We have the ludicrous situation in Australian cities where urban growth boundaries cause land on one side of the boundary - residentially zoned land to sell at \$100 a square metre while land outside the boundary zoned agricultural thereby prohibiting residential development, sells for \$10 a square metre. These absurd zoning practices drive land prices through the roof and



Affordability Index for selected housing markets. The vertical axis shows how many years' average income is needed to buy the average housing in that market. Auckland is tenth from the top.

Newsworthy indeed: Good sense on bad planning

Sometimes people surprise you, but even *TFR* was unprepared to be surprised by Richard Worth, MP. In his latest weekly missive Worth makes this entirely worthwhile observation: There has been a fierce internet debate on urban sprawl versus the determination of the Auckland Regional Council to fix urban limits to growth. Along comes an interesting speech by Bob Day of the Housing Institute of Australia, comparing Sydney where the medium house price is just over A\$500,000 and Houston Texas, where the medium house price is a mere A\$140,000.

In affordability terms that is an extraordinary difference and why might it be? Well Houston has no zoning. Day cites the

worst of all, lock low and middle income earners out of the home ownership market.

So it is too in New Zealand's major cities. There are three primary reasons for *TFR*'s astonishment at reading this: first that Worth has noticed and understood Day's points; second, that he's been following the "internet debate on urban sprawl¹ versus the determination of the Auckland Regional Council to fix urban limits to growth"; and third ... well, have another look at that jpeg of RMA villains² put together by PC a couple of years ago after a certain party leader told him just *who* needed to be persuaded for real RMA reform to happen from that direction... So this is promising.

(Footnotes)

¹ www.del.icio.us/NotPC/Urban_Design

The RMA: Who's Responsible?



Geoffrey Palmer:
He wrote it ...



Ken Shirley:
He promoted it ...



Simon Upton & Jim Bolger:
They introduced it ...



Nick Smith: He defended it,
(and added the Hauraki Gulf Marine Park Act!)



Marian Hobbs:
She 'amended' it,

If you want it 'fixed', these are the three you now need to persuade:
The Environmentalist, The Lawyer & The Politician



National's Nick Smith



National's Richard Worth



ACT's Ken Shirley

Can You Spot The Problem?

Dont 'Fix It'

Abolish It!

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The GP Who Became A Brothel-Keeper

Lindsay Perigo Interviews Dr Neil Benson

Have you heard the one about the doctor, the bureaucrat and the prostitute? The doctor, GP Dr Neil Benson, was put out of business by the bureaucrat – in fact, many of them, from the Northland District Health Board.

Consequently, he started up a new business in his previous premises, which is called Whalers. It's a brothel. Dr Neil Benson spoke to Lindsay Perigo about the battle, the brothel, and his decision to make major and unexpected change in his career.

TFR: So Neil, remind us - what drove a pillar of the community such as yourself from the world's most respected profession to its oldest?

My problem was that I found myself in the wrong place at the wrong time and I was driven out of business by the PHO (Primary Health Organization).

TFR: Tell us the thumbnail version of your battle with the bureaucrats.

I was located in a community that the DHB (District Health Board) and PHO were not willing to support for after-hours cover. Further, the PHO is a Maori-dominated organization and was, I believe, keen to have a Maori-run health service in place. The PHO was politically correct and supported the nurse-practitioner model, which they viewed as being more in step with government policy. Basically, I had a thriving practice that was good for the community and provided after-hours call on weekdays. I was in the process of expanding this service, with the view to having 3 doctors in Coopers Beach and providing 7-day after-hours call coverage. This was in direct conflict with the DHB's plan of having all after-hours call done from Kaitia (30 minutes away).

Over the year prior to closing the practice, we appealed to every level of government and many related agencies such as the Commerce Commission and the Health and Disability Commissioner. The government chose to deny there was a problem, while the other agencies didn't have jurisdiction, but noted that there was a problem. My only option was to sue the PHO, which is a laughable concept, given their deep publicly-funded pockets.

TFR: And your battle with the local God-squad?

A very small group comprised of local Baptists and others, as expected, were in opposition to the concept of 'sex for sale' in their community. They brought in a speaker from the Maxim Institute who described the negative aspects of the sex industry that can be attributed to poorly run brothels and low-end services such as streetwalkers. Clearly, making such a comparison with our planned high-end, legal, well-managed bordello was erroneous. I was not invited to the meeting, so no attempt was made by them to discuss the issue; instead, it was a smear campaign meant to discredit the endeavour, and raise the anxiety level of the public through misinformation.

TFR: Have you been hounded or harassed since opening?

Yes – just before the opening, the Baptist church sponsored a 'Good Vibrations Celebration.' held next to the brothel, with the aim of opposing the brothel opening. The celebration failed to galvanise public opinion against us and there was really no media coverage, which the organisers had been relying on. The local cable and radio broadcaster did provide coverage of the event, which is now the subject of a complaint to the Broadcast Standards Authority due to bias and breach of privacy.

TFR: You had difficulty attracting reliable staff?

Yes – I found it very difficult to find reliable people. This, I understand, is typical of the industry and I have been told by other operators that it takes about the first year to sort out the appropriate ladies. I have come to the conclusion, backed by discussions with experienced operators, that a woman is necessary in the human resources role. I have been pleased to hand this role over to my wife, who is able to communicate more effectively with the women than I was.

TFR: How is business right now?

The reliability factor has been a problem in the first few weeks, but now we are looking forward to a more stable workforce, and are looking forward to more regular opening hours.

TFR: Do you agree with the libertarian contention that the state has no place in the bedrooms of the nation?

Yes – as long as it involves consenting adults.

TFR: And no place in the health system, either, save its proper role of protecting from force and fraud?

I think that the government has shown poor leadership in the health sector and seems to be reliant on micromanaging health professionals, rather than setting standards and allowing the professionals to rely on their own judgment and get the job done. The traditional GP-run private clinic will, in





the long run, be recognized as having been stable, effective and cost-efficient. Alas, this model is going through its death throes at the moment and will not be able to be resurrected in the future. Do we really need more levels of management between the funding body and front-line GP's? All I hear is increasing dissatisfaction from patients and fellow doctors and I have witnessed considerable waste of precious resources. The maternity situation is a previous example of our government's folly and destruction of a portion of the GP workforce.

TFR: Many, myself included, believe that next to laughter, or maybe ahead of it, a good shag is the best medicine. In that sense, aren't your premises still a 'medical centre'? Shouldn't your former colleagues be prescribing your new services?

I think most doctors would realize that sex is an important part of the health and well-being of most adults. They are welcome to make referrals, but at present there is no government funding, so no discount for Community Services Cards! We are, however, considering issuing our own 'High User' cards!

Attack of the God Squad

Libertarianz deputy Julian Pistorius spoke at the meeting Dr Benson mentioned. Here's his account from his blog www.julianpistorius.com:

The meeting was organised by The Doubtless Bay Christian Centre, and was addressed by Scott McMurray, former communications director of Maxim Institute.

I tried to reach Sue Bradford, or any other representative of the Greens. Like the Libz, they supported the Prostitution Reform Act, with Sue Bradford being a particularly strong promoter. The Greens based their support on the principle of harm minimisation - that criminalising prostitution causes more harm than legalising it - which is true but not enough.

The libertarian view is that it's nobody's business what you do with your body or your property, as long as you don't initiate force against anybody else, and as long as you bear the consequences of your actions. If you want to enjoy your freedom and your property rights, then you must respect those same rights of everybody else. So Dr Benson should enjoy the right to do with his private property what he wants, as long as he does not violate the equal rights of his neighbours.

When I got in touch with the Greens, they had already been contacted by the NZPC. Though Sue Bradford was very sympathetic, nobody from the Northland Greens

wanted anything to do with this hot potato.

At the packed Mangonui Hall, Scott McMurray presented a large number of slides detailing his research into prostitution. There was a lot of fear-mongering and hysteria: Doubtless Bay, he implied, will become "the sex-capital of Northland" and become "a huge sex-tourist destination" - all because of one humble little brothel. [*I'm sure that's Dr Benson's hope - Ed.*] Oddly, it was never mentioned that prostitution almost certainly already exists in the area.

Scott tried to prove that prostitution was always harmful, and that this harm could be 'prevented' by criminalising prostitution. He presented studies showing how both prostitutes and clients of prostitutes are harmed by prostitution. He said that legalising prostitution, normalises it. He failed to mention that criminalising doesn't stop it; it just drives it underground.

In any case, nobody there seemed to realise that laws are not there to protect people from their own bad choices, but only to protect the individual's rights from being violated by others. When the floor was opened to the public, I had my say:

The issue at stake is a crucial one. It is one of *morality* as opposed to law. Scott had already admitted that one can't change human nature by force. Assume, however, that you are forced to behave in a certain way by restrictive laws, *by laws that dictate morality*. Firstly, who decides what's moral? The majority? The minority that claims to be most offended? Everybody is offended by certain things they consider immoral.

Secondly, if due to morality laws, you are not free to choose between a moral action and an immoral action, then can you really be moral? *Only a free choice, can be a moral choice*. Immoral choices do have negative consequences, but you can only learn what is moral by looking at other people's examples, by learning from your own mistakes, and by leaving people the *moral space* to make their own choices for themselves.

So the only way for you to change society for the better is not to ban things you don't approve of, but instead to leave others their own moral space, to live morally yourself, to set a good example, to let people be free to make their own mistakes and to learn from the consequences of their own actions, and -- if you really do wish to change the behaviour of others -- to use moral persuasion instead of government force.

A free society has to be a tolerant society, and a tolerant society doesn't ban. It persuades. And when it can't persuade, it lives, and it lets live.

Libertarianz is turning 10 years old. Come and celebrate your party at the



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Russell Watkins – The Voluntary City Project.

Peter Cresswell – Property Rights and Common Law

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Julian Pistorius – Technology, the internet, privacy and freedom – what does the future hold?

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Time/Date:

Saturday the 15th of July 2006 commencing 9:30am.

Venue:

The Centra Auckland Airport Hotel, corner of Kirkbride and Ascot Roads, Mangere, Auckland. It is 5 minutes from Auckland Airport.

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Register:

Register online at www.libertarianz.org.nz
Don't miss out on a party to remember.

Cost:

Discounted rate of \$35 per person if you register before the 15th of July. \$45 if you register on the day of the conference.





The Man Who Wasn't Allowed To Mow His Lawn

Lindsay Perigo Interviews Dave Henderson

Dave Henderson is a developer, entrepreneur, gadfly, victor over the IRD (and then the IRD's landlord --before he evicted them). He talked to Lindsay Perigo about his latest battle with bureaucracy, in which he offended Queenstown planners by mowing his lawn . . . in the shape of a sign advertising his new development, Five Mile. The planners were outraged, and the passengers in planes overhead were able to visit the website promoting the development, www.fivemile.co.nz.

guys, 'listen, I've just had a guts-full of this, why don't we take the opportunity, given that we're close to the airport to mow a huge big sign for our property into the grass, and then at least we've got something there' So that's exactly what we did.

TFR: So when did you discover there was a problem with it?

Well, the next day. There's a guy down there who; the regulatory authority if you understand Queenstown, they've contracted out all their regulatory functions to a private body called Civicorp. And there's the compliance officer at Civicorp, a guy called Tim Francis who, as you can imagine, him and I have banged heads on a few occasions. And dear old Tim, if I'd scripted it and handed to him, he couldn't have done better. He turns around and says, 'Oh look...' -- he writes me a letter saying the sign has to go, threatens me with the usual things a \$200,000 fine or two years in jail, just minimal things like that. He says the signs gotta go, and if it doesn't go then he's going to start prosecution. But he makes this wonderful observation that he read in one of the local newspapers, that the sign, in fact, could be seen from the air and he's determined that the air's a public place, and because the air's a public place then the sign has to go.

TFR: Yes, but what's the ostensible reason, I mean do they go through the motions of putting up some kind of plausible reason?

No, there's no plausible reason. Look they generate fees, this group Civicorp they generate fees, that's all they were doing. I mean he just gets excited on anything that's the slightest bit different. What I've done, quite frankly, is I've done the menfolk of New Zealand a huge favour. Because there would have been hundreds of men who woke up yesterday morning with their wives elbowing them in the ribs. And they would've been able to explain to them that there's no point getting out of bed to mow the lawns because they didn't have a resource consent.

TFR: You say that humorously, but we're just about at that point aren't we?

It is. Look it's funny and you and I have had these conversations before. I mean, 20 years ago if I'd said to you couldn't sit in a cigar bar in Auckland and have a cigar, we would have just rolled around the floor laughing that

TFR: Dave Henderson, you rogue!

Lindsay Perigo, what have you been doing for hundreds of years?

TFR: The same old thing and I still haven't made any progress.

You must still be at Sanson. Can you hear me okay? I'm on a cell phone at the damn airport so I apologise for that. But I'm here and I'm talking to you.

TFR: Right, and you didn't get sent to jail for that sign.

No I didn't get sent to jail. I mean I'm sure there are a lot of people who would have loved me to have got sent to jail for that. But I managed to survive another day.

TFR: I'm sure there's something you should be sent to jail for Dave?

Oh, look I'm sure there is, and I'm sure that there's a number of people who have got that on their list.

TFR: I had to laugh the other night you were on TV3 with John Campbell, and hand on heart, with a straight face, you said 'John, I don't like confrontation, I try to avoid confrontations.' I mean all your life you've been in a scrap.

Oh look, you know, funnily enough, you're no different. I mean, I love a peaceful existence. All I want is for people to leave me alone and just be able to live my life. I won't bother anyone else and they won't bother me. Unfortunately it's a fantasy. And particularly this industry -- property development -- you live your whole life, you wake up in the morning and you're fighting, and you come home at night and you're fighting. My wife often asks me why I'm so aggressive towards her at the end of the evening. I had to explain that I've had a day

having scraps -- you just end up fighting with everyone. And unfortunately it's a statutory or legislative environment that we've created, that makes it that way.

TFR: Who the hell was mad enough to marry you, Henderson? Have I met this person?

Yes you have met her, you had dinner at my place with her.

TFR: Why didn't I warn her!

Well she's asked that question several times, and she's probably got the basis for some sort of action against you.

TFR: Lack of due diligence on my part. So tell us the story of the sign, how did you end up...?

It's what happens every day of your life. About 6 months ago I made an application to put a sign up on the roadside, for this development we're doing and it's a sensational development. And it's a very sizeable development, so it's not unreasonable to want a sign up to tell everyone that's going past this is where that development is happening. And so, you put in your sign application and away it starts. First of all you've got to get your neighbours to sign off on it, that they're happy with it. Then you've gotta get Transit to sign off on it. And Transit's a hoot, because Transit owns all the State Highways up and down the country. And this is on the boundary of a State Highway, or it has a State Highway running by it. SO the council on one hand is saying it's gotta be a small sign, cos we don't like big signs, because they're ugly. And Transit's saying well it's gotta be a big sign, because we don't like small sign, cos you can't see them. So that argument goes on for about 6 months, quite literally. And I was just getting to the end of my tether on it. And I said to some of my

that was even a possibility. But the Resource Management Act will just get worse. The application of it will get interpreted and applied in ways that you and I can't begin to imagine at the moment and it will just become more and more insane until it's just unworkable. And then at that point, something will break before we'll have to change and the legislation will be amended. But until then it causes countless harm and -- the crazy thing -- countless cost. And what the politicians and local officers in Queenstown don't get is that all this comes with a massive cost. And it's not the developers that pay the cost -- at the end of the day it's the consumer that pays the cost. And Queenstown, for example, has a huge problem with affordable housing -- housing down there is enormously expensive. One of the reasons it is expensive is because nonsense like this adds all sorts of costs to the cost of development, and ultimately [to] the cost of the housing.

TFR: I can't help thinking of my grandmother's place in Himintangi, that had the word 'Wine' cut out in the hedge.

That's delightful

TFR: This was a landmark for years and years and may well still be there like that, but I'm just wondering if the current proprietors have been told that if they don't get resource consent then they have to let it grow out or go to jail. I mean, it's just absurd.

You need to highlight these things and people need to make a stand. I have people in my office and property consultants who say 'don't rock the boat, don't do it' but I just don't want to get up in the morning if that's going to be my attitude.

TFR: So what is this Five Mile thing that the sign was pointing to?

It's a whole new town that we're building there, it's going to be stunning town. On the entrance way heading towards Queenstown between the airport and the state highway. We're building a classic, wonderful, mixed-use development. It's going to have a heap of commercial in there, a lot of office space, it's got a whole heap of residential products in there, we're putting tertiary institutions in there, educational facilities and amenities. And it's a great site in a magnificent setting as you know Queenstown is. We're really committed to doing something pretty special. I'm very passionate about the concept of good urban planning, which we don't have in New Zealand. So we're committed to creating something that from an urban planning and ultimately architectural point of view will just be stunning and gorgeous. Our principal hurdle to doing something stunning and gorgeous is the regulations we have to deal with.

TFR: Is there going to be an IRD office there, Dave?

Lindsay, you'll be pleased to know there will not be one government department office there. They will write it into the constitution

that they can never occupy any of the space there.

TFR: Oh, this is going to be a little libertarian El Dorado!

You'd hope so wouldn't you? It's going to be a very permissive place that inspires and encourages creative pursuits and entrepreneurial pursuits. Some good opportunities for good entrepreneurs there.

TFR: Broadcasters?

Well we absolutely need that! In fact we need a Five Mile radio station, so there's a great opportunity there.

TFR: Well it's getting really noisy where you are.

Sorry mate, I actually chose a quiet place in someone's office who's staring at me wondering what the hell I'm doing. I apologise for that.

TFR: A bunch of rowdy women day, I mean where are the Muslims when we need them?

[laughs] They are quite active and lively I have to say, I don't know what they're doing but they're making a lot of noise and waving their hands around a lot. As women tend to do.

TFR: As women do. They don't know what they're doing either. Thanks for joining us.

Thanks a lot.



FREE RADICAL SPECIAL: How



BERNARD DARNTON

Darnton Vs Clark

Helen Clark is about to find herself in court, defending herself against charges that the Labour Party bought the election. Plaintiff and Libertarianz leader Bernard Darnton explains why he's taking the case, and what it's all about.

Something the government often forgets is who is in charge. They seem to think they are. They forget that the government is the servant of the citizens, not their master. The current Labour government seems especially forgetful. In a case that will make legal history, they are about to be reminded of their place courtesy of the Libertarianz.

The front of every Libertarianz brochure produced in the last decade has been graced with this quote from Ayn Rand:

The source of the government's authority is 'the consent of the governed'. This means that the government is not the ruler, but the servant or agent of the citizens; it means that the government, as such, has no rights, except the rights delegated to it by the citizens for a specific purpose.

We're about to prove that we mean it.

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By the time this magazine is published, proceedings will have been issued in the High Court in Wellington against Helen Clark and the other members of the Labour party who were in Parliament in the run-up to the last election. They are charged with breaching the Constitution Act and the Bill of Rights – the very laws that mark the difference between a dictatorship and a liberal democracy.

Specifically, they are charged with taking money that was appropriated by Parliament for one thing and spending it on another – something that has been illegal since the Bill of Rights laid down the relationship between Parliament and the Crown at the time of the “Glorious Revolution” of 1688.

Appropriation

The Bill of Rights resulted from the 17th Century struggle between the English Crown and Parliament. It is one of the landmarks that separates a dictatorship from a modern, civilised, constitutionally-limited government. In an absolute monarchy the king rules as a dictator. He has total power and the public are nothing more than his property, subject to his whim. In a parliamentary democracy the people elect the members of parliament, those members then form a government. In the dark ages, or in the third world, government power is absolute and the government is a bully. In a civilised society the government is the servant

of the people and its actions are limited.

As Parliament gained control over the Crown, it put in place a series of protections, one of which was to limit the Crown's spending. Article 4 of the Bill of Rights 1688 (and subsequently, in New Zealand, the Constitution Act 1986) prohibits the Crown from spending any money except under an Act of Parliament.

Every year Parliament passes an Appropriations Act that authorises the Crown to spend money. Under the appropriations rules, all of the money that the government intends to spend during the financial year is divided up and allocated to various areas. The Crown is not permitted to spend anything that isn't allocated in the Appropriations Act and is not allowed to spend money appropriated for one thing on anything else.

Misappropriation

Towards the end of the 2005 election campaign, Labour produced a “pledge card” and brochure containing Helen Clark's election promises. These were not paid for by the Labour Party, as election advertising should be, but out of the leader's parliamentary budget. This budget is taxpayer money allocated to support the running of the leader's office. It is supposed to be spent on “parliamentary business” – things like postage, magazine subscriptions, and research. It can be spent on advertising, the sort of advertisements that appear in local newspapers advising a member's office hours, for example, but it explicitly can not be spent on party political, promotional or electioneering material.

The Clark regime has apparently decided that Parliament's decisions about how taxpayers' money should be spent are irrelevant, and in doing so has crossed the line from liberal democracy back into dictatorship.

[Helen Clark] by the assistance of diverse evil Councillors Judges and Ministers employed by [her] did endeavour to subvert and extirpate [...] the lawes and liberties of this Kingdome.

The Case

The claim lodged with the High Court is quite straight-forward. Money was allocated in the 2005/06 Appropriations Act to “Vote Parliamentary Service”. A part of that was specifically appropriated for “Party and

Member Support – Labour”. This is the budget mentioned above. The pledge card and brochure were paid for out of this budget and this is not what the money was appropriated for thus breaching the Constitution Act, the Public Finance Act, the Bill of Rights, and the principles of Administrative Law.

The claim asks for a declaration from the Court that the expenditure was illegal.

Conclusion

‘The governed’ did not consent to the buying of the last election with misappropriated money. In the absence of any complaint from the so-called opposition, Libertarianz is taking on the job of reminding both the government and the public who is the servant and who is the master.

A declaration will be a clear reminder to the Clark regime that they are not above the law and that they are still answerable to their masters, the public. Despite their disregard for the rules that protect us from them, they can still be brought to account.

Someone who has no respect for the principles that separate a modern civilised state from the medieval world of absolute rule is unfit to govern the country. Helen, the game is up. Soon your caucus colleagues and the public at large will know it. Will you jump, or do you have to be pushed?



Labour Stole The Election

DAVID P FARRAR

Trial website: www.DarntonVsClark.org

The Stolen Election

It emerged after the last election that Helen Clark's party had over-spent by \$418,000 their limit of \$2,300,000 as laid down in the Electoral Act.

The Police were asked to investigate by the electoral authorities, and in a decision which stunned many they decided not to prosecute.

In May the Police released over 1,000 pages of files relating to all their election investigations. What emerged from those documents was shocking – not only were Labour let off their over-spending, but they had ignored clear warnings prior to the election from the Chief Electoral Officer, and also reneged on an agreement with the Chief Electoral Officer.

Despite all this the Police took no action. Why? The only answers are either incompetence, or timidity towards the Government bordering on corruption.

The Police made mistakes so basic that the author has concluded that they should lose their power to investigate and decide upon prosecutions relating to the Electoral Act.

In this article written exclusively for The Free Radical, David Farrar analyses how Labour got away with what some are calling a stolen election.

The Pledge Card

In late August 2005 Labour produced and delivered to every household in New Zealand their pledge card, and an accompanying brochure. The cost was \$448,000. It was produced and paid for by the Office of the Labour Party Leader – in other words Helen Clark.



Both these tricksters get others to do their dirty work, interfere with investigations and broke the law to stay in power. Only one took responsibility for it.

The pledge card was not a peripheral part of the Labour re-election campaign – it was arguably the focal point of it. It was a list of election commitments it was promising to implement if people voted for them. It shared the same branding as other Labour Party campaign material.

First Contact

On the 30th of August, eight days before the election, the Chief Electoral Officer phoned the Labour Party Secretary, Mike Smith. He was concerned that the pledge cards and pamphlet had not been authorised as a campaign advertisement – as required by Section 221 of the Electoral Act.

Such authorisation would also indicate it was an election expense, and part of the \$2.3m limit under Section 214 of the Act.

The Chief Electoral Officer, David Henry, recorded in a file note that *he explicitly told Labour that the card may be an election advertisement and expense regardless of who pays for it.*

Pre-Election Correspondence

The Chief Electoral officer formally wrote to Labour on 2 September. In this letter he states he believes the pledge card and pamphlets are election advertising, because:

- they have the same logo and the same slogan as Labour's campaign advertising;
- It makes commitments in respect of the future;
- It is being distributed within three weeks of Election Day.

It is very difficult to disagree with Henry's conclusion that *"the statements made in the advertising encourage or persuade, or appear to encourage or persuade, voters to vote for the Labour Party"* and hence *"The advertising is therefore subject to the provisions of Section 221"*.

Labour's Mike Smith tried to make the matter go away by insisting it was nothing to do with him, and one should speak to Helen Clark's office as it was they who produced it. The Chief Electoral Officer was obviously unimpressed with this response and wrote again on 12 September giving Labour a final chance to convince him as to why he should not refer this matter to the Police.

The big lie

It was now the Monday before the election, and Labour knew they were in trouble. The polls had National and Labour neck and neck. They were fighting desperately for re-election, and they knew it. An announcement in the final week of the campaign that their pledge cards were being referred to the Police by the Chief Electoral Officer could have been the difference between remaining in Government and losing power.

So they backed down. While still arguing that the pledge cards were not election material, *Labour wrote back to the Chief Electoral Officer on the 14th of September saying that they would "be happy to include the cost of the material in the return furnished by the New Zealand Labour Party"*.

This offer, later withdrawn, was extraordinary. There are really only two possibilities to explain why it was made:

- (a) The Labour Party was so incompetent with its campaign expenditure that they did not realise that including the \$449,000 cost of the pledge cards would put them over the \$2.3 million limit. As this offer was made three days before the election, and parties historically are extremely careful to track expenditure commitments, the degree of incompetence involved for this to have been a good faith offer is almost unimaginable.

FREE RADICAL SPECIAL: How

(b) The offer was not genuine. Labour knew they would breach the limit if they agreed to include the cost of the pledge cards, but they were so desperate to stop the issue going public they made the offer as a delaying tactic, and never ever intended to honour it. In other words they blatantly lied to the Chief Electoral Officer.

18 days after the election, Labour wrote again to the Chief Electoral Officer saying they were now withdrawing their offer to have the cost of the pledge cards and brochures counted as an election expense. They delayed this letter until a few days after special votes were finalised and National conceded to Labour.

The Electoral Act

Before we deal with the Police investigation, it is important to understand the Electoral Act. Different agencies deal with different sections, and only the Police can actually bring charges.

Labour were investigated for two different, but connected, offences under the Electoral Act.

One offence is that of not correctly authorising an election advertisement. These matters are enforced by the Chief Electoral Office as and when they occur.

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The other offence is that of over-spending. And this is enforced by the Electoral Commission and can only be decided upon once the party files its return after the election.

Looking at Section 221 of the Act [emphasis is added]:

(1) Subject to subsections (2) and (3) of this section, no person shall publish or cause or permit to be published in any newspaper, periodical, poster, or handbill, or broadcast or cause or permit to be broadcast over any radio or television station, any advertisement which—

(b) Encourages or persuades or appears to encourage or persuade voters to vote for a party registered under Part 4 of this Act.

(3) A person may publish or cause or permit to be published an advertisement of the kind described in subsection (1)(b) of this section if—

(a) The publication of that advertisement is authorised in writing by the Secretary of the party or his or her delegate; and

(b) The advertisement contains a statement setting out the true name of the person for whom or at whose direction it is published and the address of his or her place of residence or business.

Now we turn to Section 214B which is quite long. Firstly it defines election activity as:

(a) Which is carried out by the party or with the party's authority; and

(b) Which comprises—

(i) Advertising of any kind; or

(ii) Radio or television broadcasting; or

(iii) Publishing, issuing, distributing, or displaying addresses, notices, posters, pamphlets, handbills, billboards, and cards; and

(c) Which—

(i) Encourages or persuades or appears to encourage or persuade voters to vote for the party

(d) Which takes place within the 3 months immediately preceding polling day:

Now note the key definition is the same as for Section 221 [emphasis is added again]. You see, Section 221 is designed to work with Section 214B to stop over-spending.

Section 214B goes on to define an election expense as

(a) Means expenses that are incurred by or on behalf of the party in respect of any election activity;

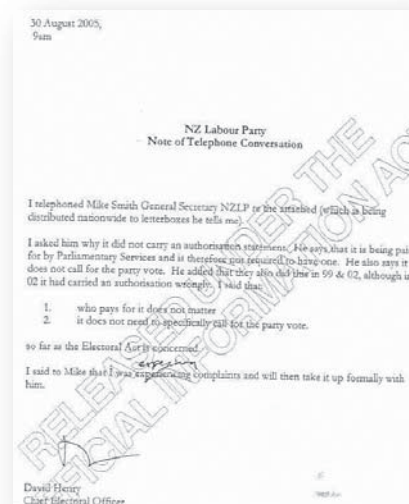
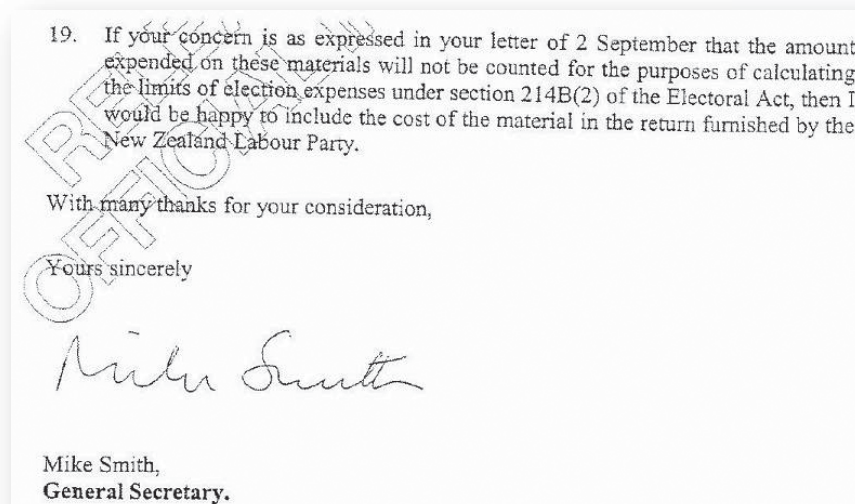
So Section 221 defines an “electoral advertisement”, Section 214B uses the same definition to define “election activity” (if within three months of the election) and to also define an “election expense” as the cost of said election activity.

It is obvious that the over-spending is the major issue. In fact one of the whole reasons you have the rules on authorisation is so over-spending can not be avoided by just claiming you don't know who authorised a pamphlet etc. It is quite common for there to be the odd *minor* breach of the authorisation requirements.

Hence, when it comes to the two offences Labour were investigated for the authorisation issue is actually the minor one. It was obvious that the pledge cards were authorised either by Helen Clark or by someone acting for her. No-one would be too worried about the failure to spell this out directly if the costs of the cards had been included as an expense. In fact, the Chief Electoral Officer only referred it to the Police after Labour reneged on their agreement to include them as an expense on 5 October 2005.

The Complaints

On 20 October 2005, the Chief Electoral Officer referred the lack of authorisation to the Police. He did this after having sought legal advice from both Crown Law and the Ministry of Justice. In his letter he labels Labour's actions “a clear breach of the requirements of the electoral legislation.”



Labour Stole The Election

The complaint on the over-spending itself did not come until 10 February 2006. The Electoral Commission has to wait until the returns are filed, before it can take action.

The important thing to note from above is that *the full Electoral Commission concluded there had been a breach, not just the Chief Executive*. The Commission include two Judges (one retired) and the Secretary of Justice.

So at this point it might be useful to review who has formed an opinion that Labour broke the law:

Chief Electoral Officer, David Henry
Electoral Commission CEO, Dr Helena Catt
Hon. Anthony (Tony) Ellis QC
Chief Judge Joe Williams
Secretary for Justice, Belinda Clark

And from the way the agencies refer to their legal advice, it is implicit that similar advice came from:

Crown Law
Ministry of Justice

The Police Investigation

At this stage, one wonders how on earth could the Police have come to any decision other than undertaking a prosecution, so that a court could get to decide.

A perusal of the papers released from the Police show they made three fundamental errors. These were:

- (a) They confused the issue of whether the pledge card should have been funded from a parliamentary budget with the issue of whether it constituted election advertising

- (b) They didn't even investigate the more serious over-spending offence, instead focusing all their efforts on the lack of authorisation

- (c) They failed to realise that an offence under Section 221 is one of strict liability, where intent is not necessary

Who pays is irrelevant

The Chief Electoral Officer noted from day one that the issue of who pays for election advertising is totally separate as to whether it constitutes an election expense. This opinion has the benefit of case law behind it -- in the 1988 Wairarapa electoral petition, the court found that a number of what were deemed election expenses were in fact incurred by the MP's parliamentary budget.

There is a separate legal issue over whether the pledge cards were an appropriate use of taxpayer funding. But that has no relevance to the Electoral Act offences. The only test under the Electoral Act is whether a card *"Encourages or persuades or appears to encourage or persuade voters to vote for the party."*

So it is clear their status under parliamentary funding rules has no bearing on their status under the Electoral Act. This is according to the Wairarapa Electoral Court, the Chief Electoral Officer, the Electoral Commission and the Secretary of Justice.

The only person who disagreed was Helen Clark's Chief of Staff -- Heather Simpson. When it was put to her that the Electoral Act over-rides the Members Handbook, she said her lawyers have a different opinion.

Amazingly the Police gave more weight to Heather Simpson's unnamed lawyers to the weight of legal opinion in the opposite direction. And it is important to note the Police sought no independent legal advice of their own.

In fact the Members' Handbook itself refers to the fact that some parliamentary printing and postage costs may be deemed election expenses.

No investigation into over-spending

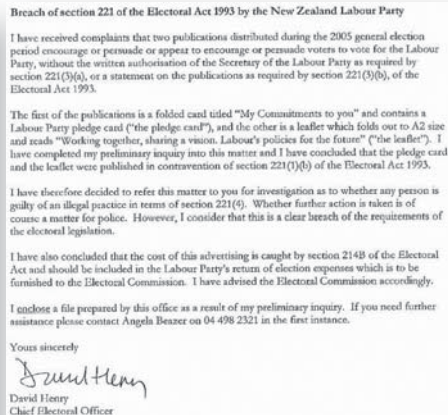
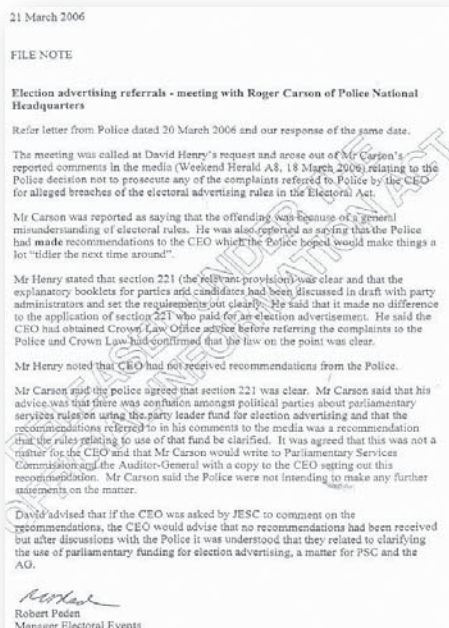
Of the 1,500 or so pages released by the Police, *not a single page refers to any investigation of the over-spending offence*. There is a detailed job sheet for the 'lack of authorisation' offence, but no job sheet exists for the Section 221 investigation. There were no interviews, no legal advice, no records -- nothing at all.

During the period of the investigation, many senior police officers were applicants for the roles of Police Commissioner and Deputy Police Commissioner -- which are personally appointed by the Prime Minister. One can only wonder how much of an impact this had on the police decision making.

Different standards of proof

The Police overlooked two very different standards of proof for the two offences. The less important offence of authorisation states in Section 221A(3):

Every person is guilty of an illegal practice who wilfully contravenes any provision of subsection (1) of this section.



I discussed with her the Members Handbook and the Electoral Act and the concept that the Electoral Act would override the Handbook. She said her lawyers have a different opinion of that and believes the Handbook overrides the Electoral Act.

FREE RADICAL SPECIAL: How Labour Stole The Election

The standard of proof is to “wilfully” publish an election advertisement without authorisation.

In Section 214B(3), the key clause is very different:

Every person who directly or indirectly pays or knowingly aids or abets any person in paying for or on account of any election expenses any sum in excess of the maximum amount prescribed by this section is,—

(a) If the act is done with knowledge that the payment is in excess of the maximum amount prescribed by this section, guilty of a corrupt practice; and

(b) In any other case, guilty of an illegal practice unless the person proves that he or she took all reasonable steps to ensure that the election expenses did not exceed the maximum amount prescribed by this section.

An over-spending offence is seen as so serious that the law is worded so that even accidental over-spending constitutes an illegal practice, while deliberate over-spending is a corrupt practice.

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Considering that Labour were warned 18 days before the election that their pledge cards were considered advertisements, there is no question in my mind that at a minimum they were guilty of an illegal practice, and in all likelihood a corrupt practice.

The Police conclusion on over-spending

As previously mentioned, the Police did not investigate charges under this section. They conducted no interviews. Hence it is no surprise they concluded there was “insufficient evidence to indicate an offence.”

The Announcement

The Police further demonstrated their inadequacies when they failed to notice that there was a six-month deadline for any charges (despite it being mentioned in the investigation itself). Suddenly the media on Thursday 16 March were asking questions about the deadline being the next day and the Office of the Police Commissioner quickly put together a media release announcing the next day that no charges would be laid against Labour (or any other party for other potential infringements).

In that release they said they had made recommendations to the Chief Electoral Officer for changes to make things “tidier” in future. This came as a huge surprise to the Chief Electoral Officer who had not received any such recommendations.

A meeting was quickly held between the Chief Electoral Officer and the Police. This file note clearly shows that the Police had blundered massively by once again confusing the rules around taxpayer funding of publications with the rules of the Electoral Act.

What the Police should have done

The Police inquiry was superficial, badly researched and confused. The main complaint wasn't even investigated and the other was dealt with by way of a few e-mails, a written set of questions and two short meetings. A proper Police investigation would have included the following:

- Ask for minutes of campaign meetings where the pledge card was just discussed (in electoral petitions, campaign minutes are included as part of the evidence).
- Ascertain the full list of people involved in the decision making.
- Seek early legal advice on the Electoral Act vs the Parliamentary Service Commission internal rules.
- Investigate why the 2002 pledge card was authorised under the Act, rather than just accepting the statement it was done mistakenly.
- Ask Labour to account for all their discussions and decision making after the Chief Electoral Officer first contacted them on 30 August 2005.
- Specifically inquire as to who was consulted on and agreed to the letter offering to include the pledge cards in the party's election return.
- Actually investigate the Section 214B breach, not just Section 221!
- Inquire as to the knowledge of Labour's campaign spending to date, when Mike Smith made the offer to include the pledge cards in the party's election return.

And the final thing the Police should have done is taken this obvious hint from the Labour Party General Secretary as to who authorised the over-spending, and actually asked the Prime Minister the extent of her involvement in the decision making. She is, after all, very well known for her thoroughly hands on management of political issues.

The sad sad summary

The overall case is damning. In summary:

- Labour were told 18 days before the election that the Chief Electoral Officer considered the pledge cards electoral advertisements.

- Labour offered, prior to the election, to include the pledge cards in their election return.

- That offer was withdrawn almost immediately after the election. The large cost of the pledge cards makes it difficult to reach any conclusion other than that the offer was made with bad faith to stop the CEO referring them pre-election to the Police. In other words they lied to the CEO.

- The overwhelming view of the top electoral and legal authorities, including the Secretary of Justice and the Chief Electoral Officer, was that the pledge cards were very clearly electoral activity and expenses.

- The Police investigation was superficial, and did not even investigate the over-spending charge.

- The Police bought into the view of Heather Simpson that the Parliamentary Service Commission rules over-ride the Electoral Act. This is despite the PSC rules themselves referring to the fact that some parliamentary expenditure can be electoral expenses under the Electoral Act

- The Police kept confusing the two issues, right up until after the public release, when the Chief Electoral Officer put them right.

- The Police failed to consider that Section 214B offences have strict liability, where intent is not required.

So Labour got away with electoral over-spending of \$418,000. They got warned in plenty of time to adjust their spending to stay within the law. Instead they tried to deflect the electoral authorities in a game of bluff. Finally a few days before the election Labour blinked and agreed they would include the expenditure in their return. However this turned out to be a lie, and they reneged on their agreement. The electoral authorities, blocked from taking direct action, turned to the Police to prosecute Labour for what they saw as very clear breaches of election law.

The Police came to Labour's rescue, bungled the investigation in every way possible, and -- despite the over-whelming specialist and legal opinions -- decided not to prosecute

Whether it was incompetence or timidity bordering on corruption we may never know. The one thing we will know is that it certainly wasn't justice!

Closing The Borders

Immigration is on the whiteboard both here in New Zealand and in the US, and many people in both NZ and the US seem to have forgotten that it was and is immigrants who built both countries.

In New Zealand, "the Government is looking at tough new immigration rules that will make it harder to get into New Zealand and easier to kick people out." [Source, NZ Herald]

In the States, George W. Bush seeks to "pass legislation that includes a temporary worker program but avoids amnesty for an estimated 11 million illegal migrants..."

[An earlier bill passed through the House in December] has sparked nationwide protests by Hispanic groups and their supporters. It defines illegal presence in the country as a felony, instead of a civil offense, and calls for the construction of a fence along the U.S. border with Mexico. [Source, Reuters]

What a slap in the face to the people who built both countries. Just over a century ago Emma Lazarus's famous poem was engraved on a plaque and fixed to the Statue of Liberty's pedestal:

*...Give me your tired, your poor,
Your huddled masses yearning
to breathe free,
the wretched refuse of your
teeming shore.
Send these, the homeless,
tempest-tost to me,
I lift my lamp beside the golden door!*

Since 1903, those words have been forgotten by many Americans. They are words that many New Zealanders might also take to heart. We too are a country that immigrants built.

Immigration, it is often said, is complicated. Well, no it isn't. As Michael Hurd explains¹, "There are so many platitudes about immigration--some cloaked in sincerity, and others completely meaningless. The truth really isn't that complicated. The answer is not open immigration, or a closed society. The answer is a free society." True enough. Let peaceful people pass borders freely -- there's about an uncomplicated and as *moral* an immigration policy as you'd need. Open immigration is the answer, *not* open borders². Open immigration to peaceful people is, argues Harry Binswanger, both moral *and* practical. Therein is the way to remove the complication, he argues: "Entry into the U.S. [and New Zealand] should ultimately be free for any foreigner, with the exception of criminals, would-be terrorists, and those carrying infectious diseases." I urge you to read the argument in its entirety [you can find it at www.capmag.com/article.asp?ID=4620].

As I've said this myself before, on this very topic:

As a corollary of the principle of freedom of movement libertarians favour completely open borders, while acknowledging that terrorism, refugees and welfare systems have complicated the implementation of this principle. The refugee ship Tampa symbolised the latter two complications, and showed up the hard heart of welfarism. Ahmed Zaoui symbolises the last. Ending welfarism and commencing private sponsorship of entrants solves both 'complications.'

...[L]ibertarians recognise however that as author Robert Heinlein suggested, successful immigrants demonstrate just by their choice and gumption in choosing a new life that they are worthy of respect. As one writer says, "God damn you if the only two words you can find to put together when talking about people who leave their homelands to seek a better life for themselves and their families are 'illegal aliens.'"

Letting peaceful people pass borders freely is both moral and practical. Just over one hundred years since Emma Lazarus's poem was laid at the foot of Liberty's stature, it would be good to think that its simple sentiments were once more heard throughout the world. Let freedom reign once again -- and God damn to hell those who would close off freedom to peaceful immigrants.

This piece originally appeared at the blog 'Not PC,' at www.pc.blogspot.com/2006/04/closing-borders.html



JAMES VALLIANT

Fighting Terrorism Requires Legalising Immigration

Immigration has become a very hot issue in the United States these days. It is estimated that there are something like ten to fifteen million illegal immigrants living in America – and more keep streaming across the border every day.

Of course, immigration is nothing but a boon to any free market economy, as has been repeatedly demonstrated, and there is every reason for a capitalist society to eagerly welcome every last immigrant. And, of course, so long as the immigrant is not a direct threat to the physical safety of the country, such migration to and from a place is a RIGHT.

One cannot hope to convince neanderthals, such as Bill O'Reilly of Fox News, who complain that immigrants steal jobs, hurt the economy, and violate the rights of "us" natives.

Whatever part of this opposition to immigration is actually rooted in misguided but sincere economic fears, less credible cultural fears, or ugly racism, none of these "concerns" has had any reason to 'heat-up' lately, and, I suspect, these emotions would have remained on a slow simmer, as they had for so long – but for 9/11 and the fear of terrorists.

It is the fear of terrorism that has thrust immigration onto the front pages of newspapers – and into debates on the floor of the Senate.

This is just one more example, to be sure, of what happens when you have an American leadership unwilling to do what's needed – the overthrow of terrorism-supporting states – starting with Iran – and which, instead, makes further retreat on personal freedom for the illusion of increased security.

As many others have observed, the enemies of immigration are using the "terrorism issue" as a bootstrap to push their own abiding agenda to "stem the tide." If thousands of undocumented and untraceable aliens are slipping into this country every day, how on earth can we prevent more mass-murderers from getting in?

Unfortunately, this increase in nativist fury at illegal immigration has inflamed recent immigrants themselves – as the recent and sizeable demonstrations

across the country show – and is working to polarize, not acculturate this community.

In all the give-and-take on the issue, everyone seems to have missed the obvious error in the logic in the anti-immigration argument on terrorism, the error of its fundamental premise – since, in fact, the only way to actually prevent terrorists from slipping in is to legalize as much "illegal immigration" as possible.

If one is looking for a needle in a haystack, as the saying goes, one has a hell of a job. Finding that needle on a relatively clean floor, however, presents an achievable goal.

If every person who wanted into America in order to find work was legally permitted into America, I'll bet they'd be happy to stop by the front gate, show some i.d., get checked against a terrorist watch-list, etc. Only those with criminal records, or reasons to flee justice, those with contagious diseases, and, well... terrorists would have any reason to "jump the gate" at all.

This would concentrate our resources on those who actually posed a threat to the country. Thousands of border patrol agents would, then, not be going after thousands – ultimately, accumulated millions – of people everyday, but just a few hundred – ultimately, a few thousands. I, personally, prefer those odds when it comes to catching terrorists and mass-murderers.

Besides, we wouldn't be violating anyone's rights – and that might be a good thing, too.

But would somebody tell these yahoos that it would be a whole lot EASIER for the border patrol to stop a terrorist from oozing in if we LEGALIZED as much immigration – and as many illegals – as possible. And the sooner the better, please.

Cue Card Libertarianism

- Immigration



As with compulsory income tax, it is salutary to remind ourselves that extensive border controls are a recent invention. Prior to this century, the United States in particular was a model of unfettered right of entry (the forced entry of black slaves and exclusion of Chinese being ignoble exceptions). The paraphernalia of immigration, or mere travel – passports, visas, exit permits, quota numbers, etc – were not required. People made the journey at their own expense and risk, knowing that on arrival they would have to support themselves. Not all enjoyed or conquered, so that between a quarter and a third of all pre-1920 immigrants left again voluntarily.

When America developed a welfare state and immigrants entered expressly to take advantage of it, the familiar arguments ensued. Numerical restrictions were established, and various criteria for entry – skills, family ties, need, refugee status, etc – were experimented with. The welfare state is the death of open immigration. The otherwise laudable Schengen agreement in today's Europe is only possible by enforcing the paraphernalia of welfarism across all the countries of modern Europe.

As a corollary of the principle of freedom of movement libertarians favour completely open borders, while acknowledging that terrorism, refugees and welfare systems have complicated the implementation of this principle. The refugee ship Tampa symbolised the latter two complications, and showed up the hard heart of welfarism. Ahmed Zaoui symbolises the last. Ending welfarism and commencing private sponsorship of entrants solves both 'complications.'

Despite these complications, libertarians recognise however that as author Robert Heinlein suggested, successful immigrants demonstrate just by their choice and gumption in choosing a new life that they are worthy of respect. As one sober commentator says, "God damn you if the only two words you can find to put

together when talking about people who leave their homelands to seek a better life for themselves and their families are 'illegal aliens.'"

In the New Zealand context, *TFR* rejects the envy-ridden xenophobia of those who fear they might pick up 'diseases' from immigrants like hard work and enterprise, and supports letting all peaceful people into the country who are prepared to present an open return air ticket and sign a declaration that they will not request or accept any form of financial assistance from the state (on pain of having to use the return ticket!). Programmes for private sponsorship are also possible of immigrants and refugees are also possible, which was essentially, if belatedly, the solution found for Zaoui.

Such a policy, in conjunction with the progressive removal of government from most areas and attendant reduction in tax levels, would encourage people keen to make a success of their lives to come to New Zealand to do so. Equally, it would discourage the deadbeats and loafers who have often been the beneficiaries of our immigration system. And it would challenge two particularly pernicious forms of collectivism that are rife in New Zealand – racism and xenophobia. That too would be no bad thing.

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GEORGE REISMAN

Immigration Plus Welfare State Equal Police State

Illegal immigrants are overwhelming the resources of the Welfare State: government-funded hospital emergency rooms are filled with them; public schools are filled with their children. On the basis of such complaints, many people are angry and want to close the border to new illegal immigrants and deport those who are already here.

They want to keep new illegal immigrants out with fences along the border. It is not clear whether the fences would contain intermittent watchtowers with searchlights and machine guns. The illegal immigrants who are already here would be ferreted out by threatening anyone who employed them with severe penalties and making it a criminal offense not to report them.

This is a classic illustration of Mises's principle that prior government intervention into the economic system breeds later intervention. Here the application of his principle is, start with the Welfare State, end with the Police State. A police state is what is required effectively to stop substantial illegal immigration that has become a major burden because of the Welfare State.

The philosophy of individual rights and capitalism implies that foreigners have a right to come and to live and work here, i.e., to immigrate into the United States. The land of the United States is owned by individuals and voluntary associations of individuals, such as private business firms. It is not owned by the United States government or by the American people acting as a collective; indeed many of the owners of land in the United States are not Americans, but foreign nationals, including foreign investors.

The private owners of land have the right to use or sell or rent their land for any peaceful purpose. This includes employing immigrants and selling them food and clothing and all other goods, and selling or renting housing to them. If individual private landowners are willing to accept the presence of immigrants on their property as employees, customers, or tenants, that should be all that is required for the immigrants to be present. Anyone else who attempts to determine the presence or absence of immigrants is simply an interfering busybody ready to use a gun or club to impose his will.

At the same time, however, the philosophy of individual rights and capitalism implies that the immigrants do not have a right to be supported at public expense, which is a violation of the rights of the taxpayers. Of course, it is no less a violation of the rights of the taxpayers when native-born individuals are supported at public expense. The immigrants are singled out for

criticism based on the allegation that they in particular are making the burden intolerable.

The implementation of the rights both of the immigrants and of the taxpayers requires the abolition of the Welfare State. Ending the Welfare State will end any problem of immigrants being a public burden.

Of course, ending the Welfare State is much easier said than done, and it is almost certainly not going to be eliminated even in order to avoid the environment of a police state.

But the burdens of the Welfare State and the consequent resentment against immigrants could at the very least be substantially reduced by means of some relatively simple, common-sense reforms in the direction of greater economic freedom.

In a future posting, I'll explain how not only the problem of chronically crowded hospital emergency rooms but also the whole so-called crisis of the medically uninsured, which certainly applies to all illegal immigrants, could be radically reduced, if not entirely eliminated, by introducing some simple economic freedoms into medical care.

This article is copyright © 2006, by George Reisman, author of *George Reisman is the author of Capitalism: A Treatise on Economics* (Ottawa, Illinois: Jameson Books, 1996) and is Pepperdine University Professor Emeritus of Economics..

His homepage is www.capitalism.net, and his blog www.georgereisman.com/blog.



Hirsi Ali: Rejected, but not dejected.

Solving Illegal Immigration

In what seems to be the last straw for courageous Ayaan Hirsi Ali, the Dutch Immigration Minister has now revoked her passport, following which Ali has resigned her seat in parliament and suggested it's time to move to the States. US Assistant Secretary of State Robert Zoellick said she's welcome any time. As Andrei says at Sir Humphrey's, "Holland's loss will be America's gain." Sure will.

Which raises two questions, the first both asked and answered by the *Washington Post*: "Is it possible to condemn Muslim extremism and still live among the Dutch? Maybe not."

And here's my question for Americans: Why doesn't the US treat all prospective immigrants with such warmth?

The case of Hirsi Ali highlights again the great immigration debate, and on that subject Harry Binswanger cuts to the chase once again. You want a solution to the 'problem of illegal immigration? Here it is':

The problem of "illegal" immigration can be solved at the stroke of a pen: legalize immigration. Screen all you want (though I want damn little), but remove the quotas. Phase them out over a 5- or 10-year period. Grant immediate, unconditional amnesty to all "illegal" immigrants.

As America considers the 'problem' of illegal immigration, there's no better time for the US to have offered a safe haven to Hirsi Ali -- America once again performs the role for which it was born: a safe haven from oppression; and Europe once again performs the role it has chosen for itself: bureaucratic bungling. Ali's bureaucratic ejection from the Netherlands has at a stroke made her a poster woman for open immigration, just as she was before the poster woman highlighting Muslim oppression of women.

This piece originally appeared at the blog 'Not PC' www.pc.blogspot.com (Footnotes)

¹ Harry Binswanger, 'The Solution to "Illegal Immigration," www.capmag.com/article.asp?ID=4675



The New Zealand Climate Science Coalition: The Birth Of A Gad-Fly

Earlier this year Victoria University played host to the “*Climate Change and Governance Conference*.”

The brochures announced:

“There is now little doubt that climate change represents one of the greatest and most urgent challenges faced by the world community.”

The organisers really meant it. Some local “climate change skeptics” expected to be invited to speak but soon found they were not welcome. The organisers had decided that “the science was settled” and that anyone who remained unconvinced was “in denial” and unworthy of a platform.

This bothered me, but my general unease turned to anger as more and more news releases and commentaries following the conference confidently announced as “fact” that the science of anthropogenic global warming was now “settled”, and that anyone remaining in denial was in the pay of the oil companies, or a member of some lunatic fringe.

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I objected to this slur on my own integrity and the integrity of so many of my friends and colleagues, both here and overseas. I had been reading several papers from the US and the UK arguing the need for a “B team” to be in place and ready to audit and critique the next report to be issued by the International Panel on Climate Change (IPCC) early in 2007.

I was prepared to convene such a group in New Zealand but did not have the time to administer the process. To my delight, Terry Dunleavy said “Let’s do it!” and offered to be the Honorary Secretary and handle the administration and the web page. Contrary to Greenpeace mythology none of those who supported the idea were in the pay of oil companies or other “big business” and so the whole operation had to be financed on a shoe-string.

The *New Zealand Climate Science Coalition* was born.

What Consensus?

First, scientific validity is not determined by a show of hands.

Second, there is probably no area of science which is less settled than the theory of anthropogenic global warming. A visit to any of the climate science web pages and blogs reveals an ongoing debate full of sound and

fury. The only competitor would be the debate between the evolutionists and the creationists – and that is more a debate between science and religion than between conflicting science. But we could say the same about global warming.

Furthermore, the insistence that “consensus” has now settled the matter is part of a larger attack on science, lead by a group of post-modernist sociologists and the like. Most of the recent history of science theory is a series of attempts by one camp after another to demolish the basic principles of science and install a new order based on political and sociological collectivism.¹ They all seek to replace the scientific method, driven by individuals testing theory against the real world, with a new model in which scientific truth is established by a “community” arriving at a consensus. Once consensus is reached, the majority rules, and any skeptics are declared to be heretics and excommunicated.

It all sounds so depressingly familiar – and of course it is.

What’s the Deal?

There are two main camps on global warming – the true “believers” and the “skeptics”. The true believers are committed to a “global warming creed” that goes something like this:

- The planet is warming.
- This warming is more rapid, and temperatures are higher than has been experienced over the last few thousand years.
- This warming is caused by human activity and the burning of fossil fuels in particular.
- The *International Panel on Climate Change* has gathered together all necessary expert opinion and has reached a consensus view – the matter is settled.
- The survival of the human race and indeed the “planet” is at stake.
- The “precautionary principle” requires immediate action.
- The Kyoto protocol is a first of many steps we must take to avert catastrophe.

On the other hand, global warming skeptics may reject all, some, or only one of these beliefs. For example, Bjorn Lomborg was charged with scientific heresy and had pies thrown in his face – quite literally -- for accepting that anthropogenic global warming

is real, but suggesting that Kyoto is a wrong-headed response.

Some of my colleagues reject all but the first statement above – they acknowledge that the earth is warming, but insist that such warming (and cooling) is nothing unusual, and it’s not catastrophic. The end result is that the skeptics tend to be tolerant of dispute and dissent because we do not necessarily agree among ourselves. The believers are not only intolerant of dissent – they are convinced that all skeptics must be motivated by greed or other evil forces. Greenpeace in particular assumes that anyone who is not a true believer in the global warming faith is in the pay of Exxon or other “multinationals.”

The “believers” even attack skeptical groups like our Climate Science Coalition because we may not agree among ourselves. They see this as a weakness. They are angry because it undermines their belief that we are all paid stooges of Big Oil. If the oil companies really were paying us they would surely expect us all to sing the same song, presumably from their own song-book. Naturally, they are not, and we don’t.

The Debates outside the Science

Many of us are inclined to leave the debate to experts because climate science is so specialised and complex.

When the issue first came up for discussion I tended to accept the theory and focused my attention on proposed policy responses such as the Kyoto protocol, carbon credits and so on.

My doubts became seriously “concrete” when I heard a NIWA officer make a presentation based on the Mann “Hockey stick.” This “hockey stick” describes a graph which presents stable world temperatures over the last two thousand years but which suddenly flip upwards around the mid-twentieth century. This sudden upward turn (the end of the hockey stick) is then projected forwards in time to predict high global temperatures in future. (Which actually has not happened.) When this had sunk in I asked the obvious question: “What about the medieval benign period and the Little Ice Age which followed?”

The reply was truly stunning – evidently these historical events never happened, or if they did, they were extremely local and confined to maybe England and France.

Standard history tells a different story. During the benign period of the 11th to 13th

centuries, Europe was certainly, and the rest of the world probably, some few degrees warmer than today. This benign period saw civilisations flourish in Europe, Asia and South America. Europeans used their agricultural surplus to build the great cathedrals, the Cambodians built their temples, and the South Americans built their Mayan and Aztec monuments. The Polynesian navigators explored the Pacific, reaching as far south as New Zealand. The Norsemen crossed the North Atlantic and settled Iceland, Greenland and Newfoundland.

Then came the “Little Ice Age” of the 14th century. Europe’s food production collapsed and an under-nourished population was vulnerable to a wave of plagues that wiped out 40% of the European population. Agricultural surpluses dried up, temple building stopped, and tribal warfare flourished as people fought over scarce food resources. The Polynesians stopped visiting New Zealand and the Norseman retreated from Iceland, Greenland and North America. The Viking long ships were iced up in their harbours and the English, Portuguese and Spaniards came out to play. This is common knowledge. My library contains some 5,000 books; I suspect that over half of them bear some testament to these historical events.

Most educated people should know that the benign medieval period and the little ice age *really did happen*. Indeed the plagues of the mini-ice age helped destroy faith in the established Church, and hence helped trigger the Renaissance, and drove up the price of labour, which helped trigger the Agricultural and Industrial Revolutions.

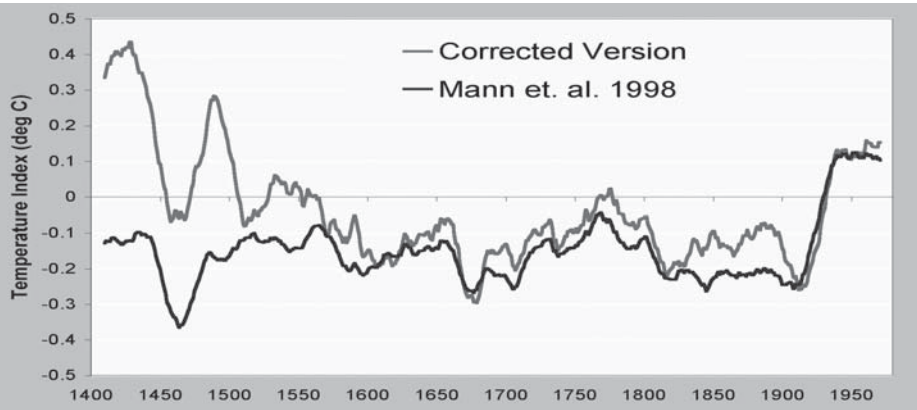
That’s why we are all where we are today.

The McIntyre and McKittrick Rebuttal

This notion that warming may be good for us posed a serious challenge to the IPCC and the climate-change industry. The IPCC needed to re-write history. Dr Mann and his colleagues were only too willing to oblige and in 1998 they came up with the “hockey stick” theory. (*Proxy Data Base and Northern Hemispheric Average Temperature Series*.)

Then, *Energy and Environment* published a paper by McIntyre and McKittrick which revealed fraud on an unsuspected scale. These statisticians have had access to the base data which Mann, Bradley and Hughes used to generate their famous “hockey stick”, and have checked out their methods. Their abstract, which is a damning indictment of the Mann research methodology reads:

ABSTRACT: *The data set of proxies of past climate used in Mann, Bradley and Hughes (1998, “MBH98” hereafter) for the estimation of temperatures from 1400 to 1980 contains collation errors, unjustifiable truncation or extrapolation of source data, obsolete data, geographical location errors, incorrect calculation of principal components and other quality control*



defects. We detail these errors and defects. We then apply MBH98 methodology to the construction of a Northern Hemisphere average temperature index for the 1400-1980 period, using corrected and updated source data. The major finding is that the values in the early 15th century exceed any values in the 20th century. The particular “hockey stick” shape derived in the MBH98 proxy construction ... is primarily an artefact of poor data handling, obsolete data and incorrect calculation of principal components.

In other words the “hockey stick” diagram is a fraud.

When McIntyre and McKittrick re-worked the basis data, using honest analysis and constructions, they found that the base data revealed just what any historian would expect.

The benign period did exist, was followed by a Little Ice Age, and the globe has been slowly warming ever since.

This debate over the Hockey Stick was a revelation to me because it demonstrated that the debate went well outside the debate about climate science. This was about statistics and their interpretation. Bjorn Lomborg was attacked for being “just a statistician” but most of the running debate is about statistics and their interpretation.

The next revelation came from the papers by Henderson and Castles² which looked at the economic inputs to the models and found them equally flawed. Castles declared the inputs had been manipulated to generate the more extreme scenarios. Henderson agrees, and both insist that Government demand their Treasuries and Economic advisers become more involved in the IPCC process.

The benign medieval period is real. The mini-ice-age is real. The “Hockey Stick” is a fraud.

The New Zealand Climate Science Coalition has a major “point of difference” when compared to similar groupings round the world. Our Coalition has a science panel, an economics panel, and a policy panel. This allows us to separate out the science, economic and policy debates.

The Coalition web page suggests that the only real “consensus” is that the economic input into the IPCC process is junk. No one has challenged the Henderson essays which say so.

So, please visit our site and explore the essays. In particular, if you are not a scientist or statistician read the papers by Henderson, Dutton and Kasper, and Lord Lawson.

You will find there are many reasons to be skeptical without having to enter the realms of climate science and advanced statistics. After all, if the world population goes into collapse around the turn of the century, and if we continue to improve energy efficiency per unit of production we will meet all manner of Greenhouse gas targets. We will not need to make current generations poorer for some claimed benefit of people in future whose annual incomes will make them all “income millionaires.”

And if you want, please join our Coalition.³

(Footnotes)

¹ See Terry Corcoran: *Climate Consensus and the End of Science*, at: www.canada.com/nationalpost/news/story.html?id=d35ca1eb-50b8-4546-8950-ca9ad18eb252

² All the papers and authors mentioned here can be found on the NZ Climate Coalition web page or on the links.

TFR encourages your visit to: www.climate-science.org.nz

³ Go to the web page and click on “Contact”.





JANET ALBRECHTSEN

POLITICS

Our Pathetic Addiction To Big Government

WHAT is it with this country's budget obsession? Newspapers devote entire sections to tracking the winners and the losers. Being rather canny, presumably editors know what readers want. But the "what's in it for me" obsession is matched only by that other obsession that rarely gets any attention.

It's the "what can you do for me?" addiction to big government.

If you look around, big government surrounds us. And we seem to love it. If significant tax reform has eluded us again, it's because there is no constituency for putting our bloated governments on a diet. Indeed, the opposite seems to be true. Everywhere we turn, there is a clamour for governments to step in, hand out, lift up. For every evil, there must be a government remedy.

Instead of pushing for small government, the Howard Government continues to draft more and more people to the cause of big government by collecting taxes and handing them back, somewhat redistributed, in the form of family tax benefits. But this is not simply, or even mainly, a complaint about the federal Government's failure, once again, to bring about real tax reform. As government spending goes, a churning exercise that sends money back to taxpayers is at the soft drug end of the addiction spectrum because at least people receiving welfare benefits get to choose how they spend it.

What's worse is the growth in the government beast. Here, the real culprits are the state governments; especially NSW. A Kiwi friend told me recently he was astonished at the nanny state he discovered when he landed on our shores. It sounded a bit rich coming from a citizen of Helengrad. Until you add some numbers to the accusation.

NSW has about 380,000 state and local public servants servicing a population of 6.7 million people. And that's not counting more than 40,000 public servants working in government-owned businesses. With a population of about four million, that should mean that New Zealand should have about 225,000 public servants. Right?

Wrong. According to Statistics New Zealand, our cousins across the Tasman have fewer than 69,000 public servants. That's one public servant for every 58 New Zealanders, compared with one NSW public servant for every 17.5 NSW residents. The comparison only gets worse when you realise the NZ figure includes almost 12,000 defence force personnel and other public servants who, in Australia, would be working for the federal Government.

The comparison was even more embarrassing for NSW before Helen Clark took office and began quietly rebuilding the state edifice, boosting the public service by about 25 per cent, or 10,000 extra bureaucrats, in the past five years alone. It's getting to the point where Kiwis call their tax department the "tax army" because it's growing at a faster rate than the NZ defence forces.

Delivering big government is an expensive business. Just ask a NSW resident. Ballooning public expenditure - spending on health and education is about 50 per cent higher than it was five years ago - has left no room for tax cuts. In its latest report, Access Economics sums it up in five words: "How the mighty have fallen." Squandered taxes; falling economic growth; rising unemployment; people and businesses are moving to other states.

And increased public spending and the abundance of NSW public servants have not translated into an abundance of public services. Ask any Sydneysider about public transport or public schools, or a resident of regional or country NSW about public hospitals.

With a hungry public service to feed, it's no wonder that NSW has been dragged kicking and screaming to the table over the GST deal. That deal meant a new tax, the GST, would replace a plethora of other taxes. Last week, the slow-moving NSW Government finally agreed to abolish five stamp duties. But with a six-year timetable for abolition, all the lemma Government is doing is bequeathing tax cuts to its successor in power.

Big government is not smart government. In fact, big government is usually dumb government. Why? Because it can be. Remember P.J. O'Rourke's *All the Trouble in the World*? He quoted Milton Friedman on the four ways money is spent. When you spend your money on yourself, you're keen to get the thing you want most at the best price. Think middle-aged men haggling with a Porsche dealer. When you spend your money on other people, you still want a bargain but you're less interested in pleasing the recipients of your spending. That's why children get underwear at Christmas.

When you spend other people's money on yourself, you get what you want but price

concerns go out the window. O'Rourke points to second wives, riding around with the middle-aged men in the Porsches, who shop at Neiman Marcus (think girl heaven) as this type of spender.

And finally, when you spend other people's money on other people you don't give a damn. That would be government. It's so bad that even the Fairfax press is editorialising on the dopey Government running the country's largest state economy.

Last week The Australian Financial Review suggested the NSW Government "should be looking to the example of the former Kennett government in Victoria, which transformed the then rust-belt state's economy by shaking up state-owned businesses and hospitals, privatising the energy and transport industries and slashing state debt".

Unfortunately there are two reasons why the lemma Government probably won't do that. First, the NSW Labor Government is beholden to its union paymasters. Cutting the state's bloated public service means cutting off campaign finance. That's why attempts at reform, to date, have been only half-hearted. Recall former treasurer Michael Egan being booed off stage at the 1997 state Labor conference for proposing privatisation of the state's electricity industry. The reforms were duly canned.

The second reason brings us full circle. Australians, sadly, seem to like big government. They won't vote to slash the size of government until, as in Victoria, big interventionist government has brought the state to the door of the bankruptcy court. Then, as Jeff Kennett discovered, as soon as voters have forgotten about the last crisis, they will vote the taxers and spenders back into government.

So don't blame politicians for your tax bills. If we want lower taxes, we need to wean ourselves off government services and the belief that the answer to every problem is that the government ought to "do something". As a Massachusetts governor, William Weld, once said, it's not just a case of governments doing more with less. It's about governments doing less with less. When that realisation dawns, we may discover that most things the government can do, we can do better and a whole lot cheaper.

This column originally appeared in *The Australian*, May 2006

Correction: In her column Janet Albrechtsen compared the size of the public services in Australia and NZ using figures put out by the Australian Bureau of Statistics and Statistics NZ. The comparison was incorrect because the figures from SNZ did not include some public sector areas that were included in the ABS figures. As a result, the size of the public service in NZ is much larger than indicated in the column.

Cue Card Libertarianism -- Government

Government: Ideally, the agency that protects our freedom; in practice, the agency that most routinely violates it.

If political freedom is the absence of compulsion, then a free society must have laws defining and banning compulsion, which are in effect an extension of each individual's right of self-defence. To formulate such laws and oversee their administration – that, in a free society, is the proper role of government. Government should be confined to this role by a constitution. It should be chosen and financed by the citizens whose freedom it is to defend, and their vote should be restricted to conferring a mandate to uphold freedom, not extended to a mandate to deny it. All citizens should then be equally beholden to the laws that are promulgated.

To put this another way:

"All men are created equal [before the law]; they are endowed by their creator with certain inalienable rights; among these rights are the life, liberty, and the pursuit of happiness; to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." (US Declaration of Independence.)

Or:

"Every individual has the right to use force for lawful self-defence. It is for this reason that the collective force – which is only the organised combination of the individual forces – may lawfully be used for the same purpose; and it cannot be used legitimately for any other purpose." (Frederic Bastiat)

Or:

"If physical force is to be barred from social relationships, men need an institution charged with the task of protecting their rights under an objective code of rules.

This is the task of government—of a proper government—it's basic task, its only moral justification and the reason why men do need a government. A government is the means of placing the retaliatory use of physical force under objective control—ie., under objectively defined laws." [Ayn Rand]

That is the moral justification for government. In practice however, government does not so much protect its citizens from coercion as impose it upon them. It sends them to war (conscription), confiscates and debases their earnings (taxation and inflation), imposes distorting constraints on their trade (tariffs, subsidies, needless regulations) places conditions on their freedom of movement (immigration and customs controls) restricts their access to ideas and information, their freedom of thought and speech (censorship) tries to dictate their values (anti-discrimination legislation) and destroys their property rights [environmental and planning legislation].

Historically, Government is the Mafia made legal. *"It forbids private murder, but itself organises murder on a colossal scale. It punishes private theft, but itself lays unscrupulous hands on anything it wants."* (Albert Jay Nock.)

New Zealand governments have departed little from this general picture.

The violent overthrow of governments that initiate force against their citizens is always morally justifiable, even if not practically feasible.

PETER CRESSWELL

HEROES



Mark Inglis. Hero

A brief word on the issue of Mark Inglis, his heroic climb and the tragic death of David Sharp.

Many people including Sir Ed have questioned the morality of Mark Inglis walking past the dying David Sharp. Many details have emerged of what happened 8000m up in the death zone -- a place so inhospitable to human life that at times just surviving is all you can do -- including the news that other expeditions and Inglis's own sherpas did investigate David Sharp and concluded no help was possible to him.

Morality pertains to actions over which you have a choice, over which it is possible to do something. David Sharp chose to ascend the mountain unaccompanied, and it seems insufficiently prepared. That seems to have been a bad choice. As for Mark Inglis, given the challenges he faced as a double amputee in just getting back from the summit himself, I'm not sure what he could possibly have done anyway. Inglis's heroism consisted in fully preparing himself, and in doing everything that was nec-

essary to get up the mountain and to get back down again - a return journey without which no mission can have any success -- and his efforts and his planning were fully and necessarily focussed on that goal.

Inglis's heroism consisted in fully preparing himself, and in doing everything that was necessary to get up the mountain and to get back down again - a return journey without which no mission can have any success -- and his efforts and were fully and necessarily focussed on that goal.

That goal took all his work. He physically had no capacity for anything more. He knew that, he knew how close to the edge his own climb was even with all the preparation he had done, and his subsequent frost-

bite is testament to how fine that line was.

And given the dozens of other fully able-bodied people in Inglis's party and on the mountain that day, I'm not sure why Inglis became the focus for the fury in any case, even if it were deserved. Which it isn't. Mark Inglis, you are a hero. Explorers like Robert Falcon Scott, whose own preparation was suicidally shoddy, could have learned a lot from you.



FREE RADICAL SPECIAL: Sedition Trial



PETER CRESSWELL

Sedition Verdict Gives New Meaning To 'Helengrad'

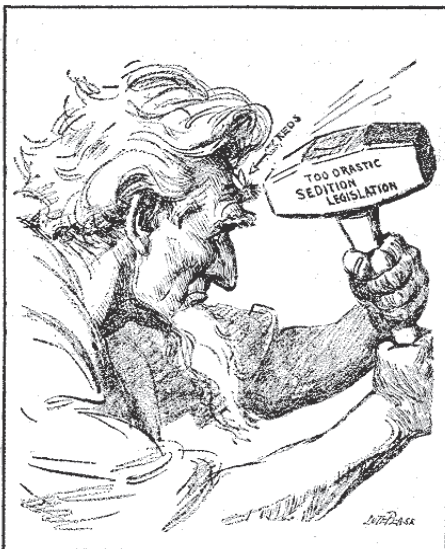
Another nail in Liberty's great coffin: A man has been charged and convicted of, wait for it, sedition

Not in the nineteenth century, but today. Not in time of war or great conflict, but in the "benign strategic environment" that is the South Pacific. Not in a third-world banana republic -- not in a Kafka-esque, Eastern European Soviet hell-hole -- not even in Mugabe's Zimbabwe -- but here, today, in Auckland's District Court. Convicted of sedition for an act of vandalism in Sandringham Rd eighteen months ago that was accompanied by five -- count them, five -- five leaflets scattered down Ponsonby Rd early one morning that tried to explain the vandalism, and invited NZers to "commit their own acts of Civil Disobedience" in opposition to the Foreshore and Seabed Act.

It's not exactly Michael Collins or Lord Haw Haw, is it? It's not even John Minto or Mike Smith.

22

But for those actions, a jury this afternoon found one Tim Selwyn guilty of an intention to "bring into hatred or contempt, or to excite disaffection against" the Queen or the government and to incite "violence, disorder, and lawlessness." In other words for vandalising the PM's electorate office, and then boasting about it, Mr Selwyn now faces two years in prison. Not for simple vandalism, for which he's already been properly convicted. But for sedition.



SWAT THE FLY, BUT USE COMMON SENSE.
—Pease in the Newark News.

Now, note too that this charge has not been brought under the Prime-Ministership of William Massey, nor under that of Robert Muldoon -- nor even under the wartime Prime-Ministership of Peter Fraser -- but in peacetime under the leadership of Helen Elizabeth Clark, who herself just over twenty-five years ago was engaged in her own acts of vandalism and civil disobedience up and down Sandringham Rd and various other streets around the Eden Park of 1981 that was then 'occupied' by a Springbok team. The same Helen Clark who then appeared to value open and vigorous debate -- even with flour bombs, broken glass and lengths of four by two. The same Helen Clark who herself was once said to value the civil disobedience of Henry David Thoreau, of Martin Luther King, of Mohandas Karamchand Gandhi.

How easy it is to become a dictator.

Free speech and open political expression were once considered a great value by Helen and her ilk. Free speech and the right to the free expression of political views were once something supported by the left. With one or two noble exceptions however, the blog *No Right Turn* heading the list, *not one has raised a decent voice in opposition to this case*. It seems that free speech as a left-wing value is dead. Carry out the coffin. And then shoot the pall-bearers.

As *No Right Turn* has noted before, the legal definition of sedition is so broad as to criminalise virtually *any* criticism of the government. If today's political opposition were doing their job properly, they should fall guilty of sedition every day of the week. Not likely today, however. And not one word either in opposition to this case from any of today's supine, brain-dead, morally-castrated, principle-free opposition.

A sedition trial is rare. So rare most people can't even remember the last time a troublesome political opponent was tried for the offence. The only thing really stopping prosecution under this Act has been the odium in which cases of sedition were held. With this case and this verdict however -- and given the ease

with which it occurred and the paucity of real opposition -- it now seems the 'trial balloon' has been a success, and the way is clear to threaten all manner of political opposition.

And who in all fairness could now rise up in protest?

It's hard to express the necessary outrage at this verdict. For political debate in this country, it is chilling. It is a clear, frontal assault by the executive on political expression in this country -- and the judiciary has just handed Helengrad an outright victory. I would like to call on all of you to rise up in protest at this outrageous abuse of state power. I would like to, but I can't. The law doesn't allow me to.

That's how chilling it is.

As former Labour Prime Minister Geoffrey Palmer said back in 1989, "*Libelling the government must be permitted in a free society*." It is apparent from today's verdict that the label 'free society' to describe this country would from this time on be erroneous. And how many people really do give a shit about that.

Ake! Ake! Ake!

Tim Selwyn makes his own comment on the verdict at his blog, Tumeke. You can read it at www.tumeke.blogspot.com/2006/06/enemy-propaganda.html.

WANTED!



FOR SEDITION!

Her treasonous talk creates Dissent!

A MESSAGE FROM THE MINISTRY OF HOMELAND SECURITY



IDIOT/SAVANT, FROM THE BLOG NO RIGHT TURN

A Shameful Verdict

Tim Selwyn has been found guilty of sedition. This is a shameful verdict, and a major step backwards for freedom of speech in this country.

Punishing people for their words and intentions rather than their actions should require meeting a very high threshold, and one which our sedition law, with its vague references to "violence, disorder, and lawlessness" simply does not come close to. While superficially covering incitements to riot and such, historically this law has been used to cover such "incitements" as encouraging civil disobedience of unjust laws (for example, those relating to conscription, or Depression-era unemployment taxes), encouraging political opposition to government policy (for example, of Depression-era welfare policies which discriminated against unmarried workers), and selling or publishing communist literature which advocated global revolution and an end to capitalism at some undefined point in the future.

Directly inciting a riot may be "yelling 'fire' in a crowded theatre" - but none of this is. And neither were Selwyn's pamphlets. While encouraging "like-minded New Zealanders to take similar action of their own", no specific crime is being incited. Instead, it's just a strongly-worded call to action - and it should be protected as such.

By finding Selwyn guilty, the jury have effectively revived sedition in New Zealand, and opened the door to further prosecutions for what is effectively a political crime. And that is not something any of us should welcome.

I've been told that Selwyn will likely appeal to the High Court on BORA grounds, and we just have to hope he succeeds.

Some History

This was the first prosecution for sedition in this country for at least 75 years.

Selwyn was charged with "seditious conspiracy" and "making a seditious statement". Both charges revolve around the concept of a "seditious intention" - defined in New Zealand law as an intention to "bring into hatred or contempt, or to excite disaffection against" the Queen or the government, to "incite... or encourage violence, lawlessness, or disorder" or any offence that is "prejudicial to the public safety", to incite "hostility or ill will" between different classes or groups of

people, or to incite the public to bring about constitutional change by unlawful means. Numerous legal commentators, including Sir

Kenneth Keith and the great British constitutionalist Albert Venn Dicey, have noted that this definition is so broad as to criminalise virtually any criticism of the government. And historically, that is exactly how the law of sedition has been used in this country: as a tool of persecution for those whose political opinions were deemed "non-mainstream".

The Maori leaders Te Whiti and Tohu were detained - but never tried - on sedition charges following the sack of Parihaka. Later, the Maori prophet Rua Kenana was prosecuted for supposed disloyalty to Britain. Various Irish leaders were also prosecuted for speaking out against Britain's persecution of the Irish - including Bishop James Liston of Auckland, who was prosecuted in 1922 after criticising British atrocities during a St Patrick's Day speech. The Samoan independence leader Olaf Frederick Nelson was also prosecuted for daring to suggest that Samoans could run their own country. But the primary targets were members of the labour movement - and later the Labour Party. Future Labour leader Harry Holland was prosecuted and jailed for a speech he gave during the Great Strike of 1913 - as were unionists Edward Hunter and Tom Barker. Later, during WWI, future Prime Minister Peter Fraser, and future cabinet ministers Bob Semple, Tim Armstrong, and future Labour MP James Thorn were all jailed for speaking out against the government's policy of conscription. One - Paddy Webb - was even an MP at the time; he was jailed for speaking out on the issue during a local body election campaign in his electorate.

It is supremely ironic then that the political heirs of those persecuted and victimised under this law - the Labour Party - are now using it to persecute and victimise someone who has spoken out against them. For that is what Selwyn is being prosecuted for: speaking out. The actual act of attacking the electorate office with an axe has been dealt with under a charge of "conspiracy to commit criminal damage", to which Selwyn has already pleaded guilty. The sedition charges relate solely to his words, not his actions.

What of those words? Aren't they an incitement to violence? The best response to this comes from US Supreme Court Justice Oliver Wendell Holmes in his famous dissent in *Gitlow v. People*. Holmes pointed out the simple truth that:

Every idea is an incitement. It offers itself for belief, and, if believed, it is acted on unless some other belief outweighs it or some failure of energy stifles the movement at its birth. The only difference between the expression of an opinion and an incitement in the narrower sense is the speaker's enthusiasm for the result.

In a free society which affirmed the right to freedom of speech, Holmes believed that only speech which attempted to induce immediate and concrete action (on the level of yelling "fire" in a crowded theatre) could be prosecuted. Anything which fell short of this - for example, urging the violent overthrow of government at some indefinite time in the future - was protected. Selwyn's flyers clearly fall into the latter category. Unfortunately, New Zealand law does not have any similar provision to that established by Holmes, and he is facing up to two year's jail for them.

I'll leave the final words to former Prime Minister Sir Geoffrey Palmer. In a 1989 paper discussing proposed reforms to the Crimes Act, Palmer pointed out that speech which poses a threat to public order can be prosecuted under existing laws relating to incitement, and that the only role of the law was to criminalise criticism of the government. This, he felt,

...should not be a crime in a democratic society committed to free speech. Libelling the government must be permitted in a free society.

I agree wholeheartedly. This law is an archaic holdover from feudalism which should have been relegated to the dustbin of history long ago. Its revival to prosecute those encouraging opposition to government policy is not just an outrage - it is a significant step backwards for freedom of speech in this country.

This commentary originally appeared at the blog 'No Right Turn,' www.norightturn.blogspot.com. You can find the 'NRT: Sedition Index' at www.norightturn.blogspot.com/2005/08/sedition-index.html, and the 'NRT: Sedition by Example' index at www.norightturn.blogspot.com/2005/08/sedition-by-example-index.html.



LINDSAY PERIGO

OBJECTIVISM

In Praise Of Objectivist Rage

Delivered July 6, 2006, at Borders, Orange, California, as part of a book-signing event featuring Mr. James Valliant autographing his recently-published 'The Passion of Ayn Rand's Critics.'

I speak to you tonight as an enthusiastic adherent to the philosophy that will save western civilization: Objectivism. I speak as an ardent, though not blind, admirer of the woman who formulated that philosophy: Ayn Rand. I speak as someone whose admiration for Ayn Rand was tempered for many years by a belief that her character was significantly flawed. This belief was derived from two books: *The Passion of Ayn Rand*, by Barbara Branden, and *Judgement Day*, by Nathaniel Branden. These books painted a picture of Ayn Rand as a genius with monumental shortcomings—a propensity to divorce logic from reality, engage in moral hysteria, substitute intimidation for argument, cut her friends off without good reason, manipulate her protégés into doing her bidding (including, in one case, her *sexual* bidding, thus driving her husband to drink) and then dishonestly rationalize her shortcomings as virtues and call them part of her philosophy.

For two decades, inexplicably, Ayn Rand's defenders made no comment on these portraits, inclining people like me to think they must be accurate, and thus always to temper our advocacy of Objectivism with disclaimers about the conduct of its founder. As one of us put it recently, without saying so or even recognizing it explicitly we looked upon Ayn Rand as "the wicked witch of Objectivism." To which I would add, we saw the Brandens as its Hansel and Gretel—innocent, intellectually-starved children lured into the witch's house, ostensibly for philosophical nourishment, but really to be eaten up ... except that in this case they pushed her into the oven *after* she died of natural causes!

Let me reiterate that there is someone Barbara exempts from her anti-anger regime: herself.

Reading James Valliant's book, *The Passion of Ayn Rand's Critics*, made me realize the Brandens' accounts were a self-serving bunch of bull. Prosecutor Valliant makes the

case conclusively that it was the children who were—and are—wicked and Ayn Rand who was the innocent party. Her own journal entries, reproduced in the book, establish that beyond reasonable doubt.

Why does it matter? Isn't what's important Ayn Rand's philosophy, not her character; whether it's true, not whether she happened to live up to it? Well, you might say that of any other philosopher, but you may not say it about Rand. Fundamental to Rand's whole approach to philosophy is that if you can't live by it, it's useless and can't be good; if you

Fundamental to Rand's whole approach to philosophy is that if you can't live by it, it's useless and can't be good; if you can live by it and it is good and you don't live by it, you're a hypocrite.

can live by it and it is good and you don't live by it, you're a hypocrite. For her there is no theory/practice dichotomy; the moral is the practical—so there's no excuse not to behave with integrity. As she put it, "Integrity is loyalty to one's convictions and values; it is the policy of acting in accordance with one's values, of expressing, upholding and translating them into physical reality." She famously said that her personal life was a Post-Script to her novels, whose heroes embodied her values, consisting of the words, "And I mean it!" So if Ayn Rand did not live according to her philosophy, by her own lights we are entitled

with a forked tongue.

Objectivism's cardinal virtue is rationality, living by one's mind, neither at the expense of one's emotions nor controlled by them, so if its founder spent a significant portion of her waking hours displaying an irrational anger, let's say, then she could not be said to be living by her philosophy.

That is precisely what the Brandens do say about Ayn Rand. My contention is that they're wrong, and that they're not wrong innocently—under the guise of repudiating irrational anger, the Brandens, Barbara in particular, are really campaigning against *rational* anger, against the very possibility of such a thing, against anger as such, period. Why? Because the Brandens, in their own anger against Ayn Rand, do not wish

Objectivism to succeed, all their protestations to the contrary notwithstanding, and *wish it to declare the unilateral moral and emotional disarmament to which the repudiation of anger would be tantamount.*

Right now, as I speak, the Brandens are literally over the road, peddling their angerless version of Objectivism to an ostensibly Objectivist gathering in a group-grope session called "Objectivist Community." I say "ostensibly" because the organization whose honored guests they are recently saw fit to change its name from The Objectivist Center (TOC) to The Atlas Society (TAS), since they deem the term "Atlas" to be less "intimidating" than the word "Objectivist." "Objectivist" apparently frightens the horses, and as the sensitive souls over the road might say: oh my, we can't have that. I can't help contrast the tepid, timorous timidity of this coven of cowards with the boldness displayed by Objectivism's adversaries. Marx and Engels in *The Communist Manifesto*, for instance: "Communists disdain to conceal their views and aims. They openly declare that

their ends can be attained only by the forcible overthrow of all existing social conditions. Let the ruling classes tremble at a Communist revolution." Over the road, they disdain *not* to conceal the very name of their philosophy, lest naming it should cause anyone to tremble, them most of all!

In any event, not only are the Brandens right now touting their supposedly kinder gentler version of the philosophy that dare not speak its name, but Barbara has already given a presentation on "Objectivist Rage." Now for some obscure reason I was not invited to attend, so I cannot report on its precise content. I can, however, disclose how the talk was billed by the organization formerly known as The Objectivist Center in its promotional material:

It is lamentable but true that a great many Objectivists—although certainly not all—have been very angry people, given to excessive moralizing and condemnations of those who disagree with them. Over the years, Barbara Branden has identified some of the fundamental reasons for this rage, such as the beliefs—as David Kelley has noted—that ideas as such can be evil, that evasion rather than simple error, naivety, or confusion is the predominant source of philosophical mistakes, and so on. Error has become the original sin of Objectivism. In this talk, Ms. Branden will discuss the effects of excessive rage, and will suggest ways in which anger can be addressed and brought into balance with rational judgment and reason.

When I read that, and started to prepare this talk, I wondered if Ms Branden was going to be including in her presentation something I found on the Internet:

How to Fix Anger Problems—An easy way that gets rid of anger almost instantly. Guaranteed. Free CD.

Now, just so we're clear on this, Ms. Branden includes in the category of "very angry people" Ayn Rand herself. To quote but one passage from her biography, *The Passion of Ayn Rand*, after she cites Mimi Sutton saying Frank was sometimes upset over Ayn's breaks with people:

In this last statement, Mimi was noting a phenomenon that no one who knew Ayn well failed to observe: a series of angry ruptures with people who had been her friends, accompanied by condemnations

of them for irrationality or moral treason. Ayn often was warm and generous with her friends, generous with her concern, her time and her attention. But when, in her view, a line had been crossed, when

she saw an action as unjust to her, or as intellectually dishonest, or as morally wrong, she became an avenging angel and the relationship ended in a burst of rage.

Elsewhere in her book, Ms. Branden faults Rand for erupting at questioners during public

lectures, and for turning on a questioner during an appearance on the *Donahue* TV show. This is as good an example as any to cite of Ms. Branden's mindset on the matter at hand. She writes:

It was a disaster. A young woman in the audience asked Ayn a question which made it clear that she thought her former admiration for Ayn's work had been an aberration of youth—and Ayn, offended and insulted, pounced angrily, shouting at the girl; a substantial part of the show was devoted to the exchange.

Now, I've watched that show many times. It could only be deemed a "disaster" by someone who takes the view that one should *never* get angry, no matter the provocation, how justified one's anger might be. Yes, Ayn got angry. The young woman, exuding insolence, prefaced her intended question with the remark that she used to be impressed by Ayn's work but now that she was better educated ... That's as far as she got. Ayn, alone on the stage since Donahue was with the young woman, stepped in to say she would not answer a question framed in that way. Pandemonium ensued, with Donahue taking the questioner's side. "Don't be so sensitive," he scolded Ayn. "I am going to be. I intend to be!" she shot back. She was shouting, not because she was out of control but because the

crowd's jeering or cheering—mainly jeering—was so loud. In defending her refusal to answer a question prefaced with an insult Ayn said the woman had displayed "the quality of her brain" in asking it that way. She also

To campaign against anger is to campaign against passion; to campaign against passion is to campaign against values; to campaign against values is to campaign against the mind; to campaign against the mind is ultimately, of course, to campaign against human life itself.

said she had no intention of being the victim of "hippies" who had abandoned politeness and manners. After a few minutes of mayhem, Donahue himself asked the woman's intended question politely, and normal transmission was resumed.

The incident occupied a few minutes of a 60-minute show. To call it a “substantial part” of the show is precisely the kind of hyperbole Barbara engages in when faulting folk for their anger, as she did with my own in calling

your beliefs to me, for fear of learning the exact value I find in them. This is my last communication with you.

I suppose we are to conclude that that sort of icy anger expressed loftily is acceptable, while

attitudes from childhood on up, and then to hear Ayn Rand take a firm position and defend it with conviction – this was cause for cheering. The audience response was not only to the content of her ideas, but to the manner of expressing them. She was medicine for the soul.

One of Rand’s distinctive tenets is refusal to bestow what she calls the “sanction of the victim”—when you are wronged, do not sanction the wrong by acquiescing to it. It’s the opposite of turning the other cheek.

it “endless.” The show was vintage Rand—although looking unwell, she was sharp, focused, earnest, funny, relentlessly logical ... and yes, angry. But no one who knew Ayn or was familiar with her philosophy would expect her to react to a rude question in any other way. One of her distinctive tenets is refusal to bestow what she calls the “sanction of the victim”—when you are wronged, do not sanction the wrong by acquiescing to it. It’s the opposite of turning the other cheek. “I saw that here comes a point,” says John Galt, hero of *Atlas Shrugged*, “in the defeat of any man of virtue, where his own consent is needed for evil to win—and that no manner of injury done to him can succeed if he chooses to withhold his consent. I saw I could put an end to your outrages by pronouncing a single word in my mind. I pronounced it. The word was ‘No.’” In the *Donahue* context, Ayn simply said “No” out loud—and a bit more besides. By conventional standards, including Barbara Branden’s, she handled the situation badly, by displaying her anger (never mind how legitimate). No doubt she would have won accolades for handling it well if she’d said something like, “First let me say how bummed I am to learn that you think less of my work now than you once did. But I guess I can understand where you’re coming from, and, hey, I’m cool with it. I’d sure be stoked if you gave me another chance, though.”

Let me reiterate at this point that there is someone Barbara exempts from her anti-anger regime: herself. Here she is on my SOLO site for Sense of Life Objectivists, when she was still posting there, responding to someone who had taken her to task over a few things—in each case, I might say, completely justifiably:

Glenn, do you really suppose that I would engage in a discussion with someone who begins it by accusing me of evading, being driven by my emotions, and ignoring evidence? In future, you might spare yourself the effort of announcing

raising one’s voice is ... uncouth.

How would Ms. Branden feel about the following, from *Atlas Shrugged*’s pianist/composer Richard Halley to Dagny Taggart, attacking proponents and practitioners of the mind/body spirit/matter dichotomy?

This, Miss Taggart, this sort of spirit, courage and love for truth—as against a sloppy bum who goes around proudly assuring you that he has almost reached the perfection of a lunatic, because he’s an artist who hasn’t the faintest idea what his art work is or means, he’s not restrained by such crude concepts as ‘being’ or ‘meaning’, he’s the vehicle of higher mysteries, he doesn’t know how he created his work or why, it just came out of him spontaneously, like vomit out of a drunkard, he did not think, he wouldn’t stoop to thinking, he just felt it, all he has to do is feel—he feels, the flabby, loose-mouthed, shifty-eyed, drooling, shivering, uncongealed bastard! I ... know what discipline, what effort, what tension of mind, what unrelenting strain upon one’s power of clarity are needed to produce a work of art....

Do not be afraid to fuel your emotions with profound convictions; do not be afraid to convey your convictions with intense emotion.

Barbara’s response would no doubt be the plaintive whine she once posted to SOLO: “There’s enough anger in the world already. Why add to it?” And as I said, *mealy-mouthed speakers afraid to take a position – or suggesting that there were always two sides to a question – or that nothing is black and white. To have been subjected to these*

Mary Ann: *All those adults who taught us never to get angry, or if we did, not to express it, to hide our emotions when we were offended or felt we were being treated unjustly, to remain calm, to maintain an even keel, for God’s sake don’t blow up, no matter what – these people didn’t do us any favors by urging us to suppress, to live like glazed, non-reacting creatures.*

Charles: *When she got angry, it was precisely because she was a thinker and an evaluator who was certain of her convictions. She judged something as right or wrong, good or evil—and she responded accordingly. She didn’t simmer and stew; she came to an immediate boil. Her thinking was not hampered and slowed down by chronic doubt, and her emotions were not suppressed or muted by it either. Moreover, her emotions never distorted or clouded her thinking. And the anger didn’t last. It was over almost as soon as it began.*

Mary Ann: *I miss knowing that there is someone in the world who always speaks out, unequivocally, against irrationality and injustice, and who not only denounces evil but defends the good. She was mankind’s intellectual guardian, a soldier in the battle of ideas. Her banner was always flying high. When she died, someone made the following comment: now anger has gone out of the world. And I thought, it’s true. And it’s the world’s loss. And mine.*

Ponder all of the above, I say, and, when next incandescent at the unspeakable deeds of terrorist maggots, at the spewings of their apologists and appeasers, at the amplified jungle cacophony of musical terrorists such as rap “artists,” at the sneering nihilism of the latest postmodern “painting,” etc., *qua* Objectivist and *qua* decent human being, salute yourself for

feeling that way—and for the thinking that led you to.

I quoted, in that excerpt, the anti-slavery campaigner Frederick Douglass. Another such was William Lloyd Garrison, who, like Ayn Rand, upset everyone on all sides of the divide. He was a radical abolitionist, demanding the immediate repeal of slavery, unlike the gradualists of his time, but not advocating the shipping of freed slaves back to Africa, unlike some other abolitionists. For 35 years he fulminated fulsomely in his weekly newspaper, *The Liberator*. He stopped only after the signing of the 13th amendment abolishing slavery. In his first issue, he wrote about it:

jailed once for libel, almost lynched twice and had a bounty on his head of \$5000 from the legislature of Georgia who wanted to try him for sedition. *The Liberator* was outlawed in many states, with jail for anyone subscribing.

Samuel May, a friend and fellow-abolitionist, once entreated him to be more temperate. "O, my friend, do try to moderate your indignations, and keep more cool; why, you are all on fire." Looking him straight in the eye, Garrison replied: "Brother May, I have need to be all on fire, for I have mountains of ice about me to melt."

Ladies and gentlemen, Ayn Rand took on a battle much bigger even than the battle

Objectivism above all else is a philosophy for living on earth; if its founder didn't live by it, then either it couldn't be lived by or she was speaking with a forked tongue.

On this subject I do not wish to think, or speak, or write, with moderation. No! No! Tell a man whose house is on fire to give a moderate alarm; tell him to moderately rescue his wife from the hands of the ravisher; tell the mother to gradually extricate her babe from the fire into which it has fallen; but urge me not to use moderation in a cause like the present. I am in earnest; I will not equivocate; I will not retreat a single inch; and I will be heard.

He was heard, all right! So ardently did he attack the defenders of slavery that he was

against slavery—the battle, as she put it, against the cultural tradition of 2,500 years, the battle against man's enslavement to unreason in all its forms. How much more on fire did she have to be, and those who carry the torch in her wake—and how squalid and small to fault her and them for it, just because, occasionally, the anger was misdirected or inappropriate?!

The true agenda and import of Barbara Branden's campaign against "Objectivist rage" is perfectly captured in William Watson's *The Woman with the Serpent's Tongue*:



*She is not old,
she is not young,
The Woman with the Serpent's Tongue.
The haggard cheek,
the hungering eye,
The poisoned words that wildly fly,
The famished face,
the fevered hand,
Who slights the worthiest in the land,
Sneers at the just, condemns the brave,
And blackens goodness in its grave ...*

Thanks to the valiant Valliant, we now have the antidote to the serpent's venom.

I salute him.

And to Objectivists everywhere I say, "We have mountains of ice to melt, an ocean to conquer. Stay on fire! Maintain the rage!"

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Taking A Stand

"As the opposite of bestiality it will be most suitable to speak of superhuman virtue, or goodness on a heroic or divine scale..."

So said Aristotle in the *Nicomachean Ethics*.

In the drive to get elected in 1997, UK Prime Minister Tony Blair made a stupid and cowardly promise: "a reduction and eventual elimination of animal experiments." This was in spite of the fact that there was and still is no good alternative to animal experimentation for studying human diseases, or for assessing the safety and efficacy of newly developed drugs.

Given that animal-rights terrorists at the time were said to have caused more damage to property on mainland Britain than the IRA, this was cowardly as well as stupid. As it turns out, it was also a promise that was impossible to deliver. And once that fact became clear after Tony Blair's election in 1997, the animal-rights terrorists got back to work with a vengeance.

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Fuelled by the reluctance of Blair's Government to take any action against them, the terrorists were perversely successful. After an outbreak of violence and escalating damage to property, the results of the campaign of intimidation could be seen and surveyed: more than half the farms producing laboratory animals were closed; the private research facility Huntingdon Life Sciences suffered attacks to its premises and staff; Cambridge University was forced to abandon plans to build a primate research laboratory; and work on Oxford's Biomedical research lab was temporarily stopped owing to death threats to builders, contractors and shareholders.

Under pressure, British Airways stopped the transport of laboratory animals. Across the country, university biology departments that conducted animal research were camouflaged

and turned into high-security enclaves. Indeed, after years of sustained harassment of their employees, the Government agreed to allocate police to monitor and restrict the illegal activities of the terrorists only after major pharmaceutical companies last year threatened to locate overseas if they didn't.

Animal-rights groups however were fired up by these triumphs. When confronted with Oxford University's renewed resolve to continue the building of its animal research facility last December, they announced that *anyone* associated with Oxford University—students, academics or staff—were legitimate targets for their property damage and their violence.

The animal-rights activists claimed that all animal experiments carried out are unnecessary, and that all experiments are perpetrated by a conspiracy of scientists, at the behest of big business, who justify continuing with animal experiments only under the cover of a conspiracy of wilful fraud. Anyone associated with the scientists or companies involved (so runs their logic) must support the self-same conspiracy.

Terrorist groups often come to such 'conclusions' on the basis of no more evidence than can be found in their own paranoid fantasies, and the animal-rights variety are no exception -- finding enemies everywhere, and lashing out indiscriminately and with bestial force at anyone they can. For a while, things looked very bad indeed.

Heroically though, the British have a long history of defiance when under threat of violence and intimidation by thugs. The plucky 'Blitz' spirit that saw a policy of 'business as usual' adopted in the face of the Nazi bombing of London, and of the IRA bombings, was seen again last year after the Islamic bombs were detonated on London trains, emboldening a campaign of resistance that courageously proclaimed to the bombers, "We're not afraid!"

It was almost inevitable that the violent and bestial attacks by these animal-rights terrorists would provoke a similar response. And so it proved. The public backlash finally came on the 25th of February, when a large

crowd in favour of animal testing, vastly outnumbering anti-research protestors, came to demonstrate outside the half-finished lab in Oxford. Their cause had coalesced around a heroic sixteen-year-old boy, Laurie Pycroft, who led a pro-animal testing demonstration of over 1,000 members of the public, including students, academic staff and scientists. Laurie's organisation started as a website and blog campaign, called "Pro-Test," dedicated to fighting back against the terrorist Animal Liberation Front (ALF) and the activist group Speak. These two groups between them have led the violent campaign to halt the building of the £20 million animal research laboratory in Oxford. ALF activities in Oxford have ranged from superglueing locks on building sites, to an arson attack on Corpus Christi College's boathouse, to vandalism of an Oxford-based architect's office—while Speak has week-on-week gathered outside the building site and heckled and shouted at the builders and passers-by.

On the day of the "Pro-Test" only the presence of hundreds of police, some on horseback, prevented the marchers from being attacked. On two occasions, anti-vivisectionists broke out towards the main march before being surrounded by police and moved away. One demonstrator stood behind police with a placard saying "Pick on someone your own size" while shouting: "Animal-abusing scum, where is your conscience?"

John Stein, professor of physiology at Oxford University, told the crowd of supporters: "This is a historic day; we are drawing a line in the sand." Professor Stein runs a laboratory where research into Parkinson's and dyslexia is carried out. "You have to be really passionate about this to put your head above the parapet, and not many do. Some of these [animal-rights people] are loonies and do the most awful things. Let's be clear, we are all taking a risk, but I feel it is so important,



I am prepared to take that risk." Nor have the loonies intimidated his wife, Clare. "I just want the world to know I think my husband is a brave man and I am so proud of him," she shouted to the crowd.

"I think that it is important to speak out," said Prof Aziz, another scientist involved in the demonstration, whose research into Parkinson's disease involves the use of primates. "Animal research is absolutely essential to medical progress, and a lot of research being done in Oxford is critical."

"It was incredibly rewarding to share the same platform as these great minds," said Laurie. "They have been extremely supportive and all of them are very nice guys, despite being 'animal torturers!'"

Not only was the march attacked at three points by Speak protestors, who even used spray paints against the demonstrators, but activists are now sending Laurie abusive e-mails such as "Get a life you pervert" and "We're going to kill you."

This has led the family to step up security in their house, installing a "panic button," and they have been advised to forward all threats received to the police. But despite the potential dangers and invasion to the family's privacy, Laurie's parents accompanied him to the march, and have stood by their son throughout.

"We're extremely proud of him and what he has done—he is very brave and has conducted himself really well," Laurie's mother said. "The march was hugely successful and very peaceful. We shouldn't give in to fear and terrorism from the Animal Liberation Front."

Laurie's mother further explained that Laurie has always been passionate about medicine and science, and that he feels strongly that animal testing needs to go on. He now wants to be a neurosurgeon because he thinks the advances he is reading about are very exciting.

And so it is. Animal research conducted at Oxford University has led to advances in blood transfusions, insulin treatments, anaesthetics, antibiotics, high blood pressure medication, heart and lung machines for open heart surgery, chemotherapy and life-support systems for premature babies. And that's just the start of the tangible benefits to human life flowing from this research.

Yet animal-rights campaigners continue to place animal welfare above that of human welfare, and seem to have a ready supply of fanatical followers and financial support for their activities.

"Part of the problem," says Professor Aziz, "is that British society, more than any other I have encountered, sees animals in almost humanistic terms. People here ascribe human emotions to animals that they don't have. That's why they are very ready to believe animal extremists and rally to their cause." Indeed, on the website of Speak, they ask you to "imagine yourself in a laboratory" as an experimental animal.

Yet animals do not even have a "sense of self" in the same way humans do. The Macaques that Aziz experiments on see another monkey when they look in a mirror, not themselves. Chimpanzees do show some evidence of self-recognition -- and this is probably shared by other great apes -- but experimentation on them is illegal in the UK. Aziz agrees with this, though more because they are endangered species than because of their suspected sentence. He believes in the primacy of humans and is impatient of charges of "speciesism."

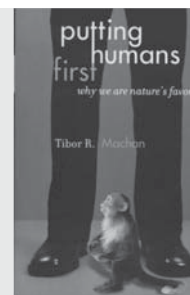
"The gazelle does not argue speciesism when the lion is tearing its throat out. It's a natural fact of life. We are a natural creation, we modify the earth through our increased capabilities intellectually and that cannot be unnatural . . . What separates us from the animals is that we can do that."

Aristotle would have happily agreed.

Laurie Pycroft has shown intelligence and virtue on a heroic scale and already the mood in Oxford is changing. The life of a heroic 16-year-old boy has been threatened for daring to disagree, and the "bestial" nature of animal rights protestors has been laid bare for all the British public, and the world, to see. And as the battle he begun continues onwards, there is now a tangible feeling in the air that the animal-rights protesters have lost, and that people are no longer afraid to confront them. The tide of support has turned. Oxford residents can be seen regularly picking arguments with the animal-rights protestors, and public opposition to animal experiments nationwide has started to seriously dwindle.

Not that Laurie Pycroft is a passive victim. His stellar career goes from strength to strength, having recently won the motion against "this house would not test on animals" at the famous Oxford Union debate. He also has been invited to speak in the US and plans to transform "Pro-Test" into an international organisation.

I salute the heroism of Laurie Pycroft in his war against the "bestiality" of the animal rights movement, and all those courageous voices of reason that have rallied to support him and to defend the necessity of animal experimentation.



Putting Humans First: Why We Are Nature's Favorite

by Tibor Machan
Rowman & Littlefield

They're "liberating" chickens and minks... smashing med labs... setting fire to condos and SUVs -- all in the name of animal rights and mother earth. How can such vandals feel their actions are justified? And how do we answer these guys?

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Montessori, The Rational Alternative

As an enthusiast for the Montessori method of education, I get a little annoyed when the Montessori philosophy of 'freedom within a prepared environment' is mis-characterised as *un-schooling*, as I've seen occasionally from people who should know better.

It's about as far from the truth as it's possible to be.

Montessori education is not 'chalk-and-talk' - except when it needs to be, such as in some aspects of the adolescent programme -- instead it sees teachers as guides who direct children to the 'prepared environment' of the classroom, within which they will find materials from each part of the curriculum that allows them to teach themselves. Such is the unique nature of the Montessori materials, and the Montessori classroom. You can get an idea of the Montessori pre-school classroom in this video transcript¹ by Educational Video Publishing. And an example of how the materials work for one part of the curriculum, maths, can be found in this transcript².

Dr Maria Montessori began her work in education almost by accident. Graduating as a doctor in 1896 - the first woman doctor in Italy -- she was assigned to care for retarded children, for whom she devised a method of education that allowed them to sit, and to pass very well, the state education exam. Praised for her mentally-deficient charges doing so well, Montessori was more concerned with why so-called 'normal' children were doing so badly. Thus, her life's work began. The Montessori Method is the result.

The Montessori classroom -- what Montessorians call The Children's House - is as unlike a 'normal' classroom as it's possible to be. Children work quietly and in full focus, on their own or in small groups. Work is self-selected, self-completed, and self-cleaned up afterwards. The prevailing classroom management technique is respect for the children, and the idea: "Help me do it by myself." Explains one Montessorian, "At no times does a Montessori child sit passively. A Montessori child needs to learn to be in focus, to make choices, to take responsibility for her own learning, and to explore her natural curiosity. Understanding becomes a pleasure, not a duty." The Method and the Montessori materials are the means through which this is achieved.

The materials are unique to Montessori, and - almost unique to any educational philosophy -- they fully reflect the hierarchy of knowledge³ that is at the basis of learning. As Montessorian

Marsha Enright explains,

Like all thinkers in the Aristotelian tradition, Montessori recognized that the senses must be educated first in the development of the intellect. Consequently, she created a vast array of special learning materials from which concepts could be abstracted and through which they could be concretized. In recognition of the independent nature of the developing intellect, these materials are self-correcting—that is, from their use, the child discovers for himself whether he has the right answer. This feature of her materials encourages the child to be concerned with facts and truth, rather than with what adults say is right or wrong.

I would recommend Marsha Enright's article⁴ as an introduction to the Montessori philosophy.

Why is this important? At a time when the state's factory schools approach philosophic and pedagogical bankruptcy, the need for a rational alternative becomes ever more urgent -- Montessori schooling is that rational alternative, as Ayn Rand herself once argued:

The academia/jet-set coalition is attempting to tame the American character by the deliberate breeding of helplessness and resignation in those incubators of lethargy known as "Progressive" schools, which are dedicated to the task of crippling a child's mind by arresting his cognitive development. (See "The Comprachicos" in my book The New Left: The Anti-Industrial Revolution.) It appears, however, that the "progressive" rich will be the first victims of their own special theories: it is the children of the well-to-do who emerge from expensive nursery schools and colleges as hippies, and destroy the remnants of their paralyzed brains by means of drugs. [NB: This was written before the 'progressives' took over the Teachers Colleges.]

The middle class has created an antidote which is perhaps the most helpful movement of recent years: the spontaneous, unorganized, grass-roots revival of the Montessori system of education -- a system aimed at the development of a child's cognitive, i.e., rational, faculty.

The Montessori Association of New Zealand

website (www.mmef.org.nz) will give you an indication of where you may find such a rational alternative for your child. NZ's Maria Montessori Education Foundation (MMEF) has a summary of the history of Montessori in NZ. Unfortunately, there are too many 'Monte-something' schools about -- something MMEF are aiming to change with the introduction to New Zealand of sound Montessori training -- so do be careful in your choice.

Former head of the Ayn Rand Institute Michael Berliner is also a Montessori educator, and he has bawled for a long time the misunderstanding of the Montessori philosophy, even by its practitioners. Explaining in 1982, he said⁵:

Despite the success of Montessori schools, there is amazingly little understanding of the reasons for that success. As a consequence, the method is either dismissed as nothing more than a series of clever techniques for teaching specific skills, or attempts are made to ground the method in Maria Montessori's personal philosophy, a mixture of Catholicism and Indian mysticism. At present, the supporters of the Montessori method are unable to defend it against either the educational establishment or compromisers from within Montessori ranks. Teachers and parents need to understand the real philosophic meaning of the Montessori method. Ayn Rand's philosophy makes that understanding possible.

This is true, and Berliner goes on to give a ten-point summary explaining how, specifically, Ayn Rand's philosophy makes it possible. Good reading.

Welcome to the Montessori adventure. *Un-schooling* it definitely is not.

This originally appeared at the blog Not PC, www.pc.blogspot.com/2006/06/montessori-rational-alternative.html

(Footnotes)

¹ 'Full transcript for 'An Introduction to the Montessori Math Curriculum', Educational Video Publishing, www.edvid.com/matr1.asp

² 'Full transcript for 'An Introduction to the Montessori Philosophy & Materials,' Educational Video Publishing, www.edvid.com/matr1.asp

³ 'The hierarchy of knowledge: The most neglected issue in education' - Lisa van Damme, The Objective Standard, www.theobjectivestandard.com/issues/2006-spring/hierarchy-of-knowledge.asp

⁴ 'Foundations Study Guide: Montessori Education' - Marsha Enright, TOC, www.ios.org/showcontent.asp?ct=48&h=44

⁵ Ayn Rand and her thoughts on rational education - Michael Berliner, Ayn Rand Institute, www.aynrand.org/site/News2?page=NewsArticle&id=6151



The Montessori Philosophy - How Did It Start?

The first woman with a medical degree from an Italian University, on graduation Dr. Montessori became director of a school for intellectually disabled children. When 'her children' scored better in public examinations than did the 'normal' children, Dr. Montessori began to wonder what was wrong with the existing mode of teaching. So began her life's work.

In 1907 she opened her *Casa dei Bambini* (or 'Children's House') in Rome, and discovered children's wondrous - almost effortless - ability to learn, and to actually teach themselves! Thus was sparked the Montessori philosophy still followed today.



A day in a Montessori classroom

Montessori's guiding principle is 'follow the child.' The daily activities in the Montessori pre-school closely follow the needs and interests of the child.

From their first day in the Montessori 'environment' children are introduced to a variety of materials helping them master things for themselves and develop essential skills. The early activities promote independence, and develop the child's hand eye co-ordination and concentration skills. Children have a natural tendency for order, so Montessori materials are beautiful and enticing, and are displayed in an orderly and accessible way,

allowing children to engage in purposeful, self-directed activity.

Each Montessori school operates differently, but generally sessions run without interruptions. Other than the basics of arriving, departing and having lunch, the children are free to choose their own activities and work with the materials.

When visiting a Montessori pre-school you may see children busily engaged writing or reading stories; preparing lunch for a communal meal; feeling the geometric shapes; polishing their shoes; scrubbing a table; building a Roman arch; or preparing fruit for the snack-table. Or they could be flower-arranging, building the trinomial cube, or counting a long chain of 1000 golden beads and more. Their activities are directed by themselves!

You may see small spontaneous groups gathering where children engage in a science activity, share their news or take part in music or drama.

Nature and culture also play a significant role in the Montessori environment. Children are introduced to their world through hands-on exploration of the indoor and outdoor environments.

It is not that these are 'special children' that allows them to work like this. The Montessori philosophy simply encourages *all* 'little scientists' to explore the world around them.



How will my child benefit from attending?

The Montessori philosophy encourages independence. Children do things for themselves, make their own choices and are instrumental in their own learning. The result is confident, responsible children, and with this comes self-motivation. Children become self-disciplined and self-directed: Dr Montessori described her philosophy as 'education as an aid to life', encouraging a love of learning which continues from pre-primary school throughout life.

Child / Staff Ratio

You will generally see children aged from 2½ -6 harmoniously working together in the same classroom. On average there is a ratio of 9 children to 1 adult for this mix of ages.

How and When to Enrol

Generally children start at a Montessori pre-school around two-and-a-half to three. For full benefits to be enjoyed, children should stay for three years in the pre-primary environment. That last year is a vital one for the five- to six-year-old. By this time not only do the children know so many things, more importantly they KNOW they know it. They are *then* ready to move on.

For more information on Montessori schools in your area, from pre-primary through adolescent, please visit www.montessori.org.nz/memberschools.shtml.

For more information on choosing Montessori as a career, visit the website of the Maria Montessori Education Foundation, www.mmef.org.nz.

Carol Potts is a Montessori Directress, and a trustee of the Maria Montessori Education Foundation (NZ).





Why We Are Building The Timorese Revolution

I doubt that one in a hundred New Zealanders would have any appreciation of the political situation in East Timor. Yet we have indefinitely committed taxpayers' money and troops to that troubled, tropical mini-state, we have put those troops in harm's way -- and it has been done with virtually no public debate.

At least 160 Kiwi soldiers are now in East Timor, a goodly proportion of our denuded armed forces, and Prime Minister Clark says they will probably be there "for at least a year." That our troops should be there at all remains unquestioned by the mainstream media. That they should be there for some time is not questioned at all. The risk to our troops' lives is accepted on the assumption that they are there on some kind of worthwhile or noble mission. The cost to the taxpayer doesn't even rate a mention. The potential risks in involving ourselves in a "hotspot" well outside our 'sphere of influence' go completely unexamined.

So why are our troops in East Timor? What is this noble mission for which so many of New Zealand's soldiers are risking their lives? And if our troops are successful in saving the current regime, will it really be in the long term interests of the Timorese? Or of Malaysia, New Guinea, Australia and most importantly, New Zealand?

A Little History

In the early 1960's, Indonesia's Communist Party, the PKI, was the biggest outside the socialist bloc. Some estimates put membership at one million strong. In 1965 civil war broke out in between forces loyal to then-President Sukarno and his ally the PKI, and forces loyal to General Suharto. The army, under Suharto, massacred up to 500,000 alleged PKI supporters and toppled Sukarno. Suharto, still dripping blood, became the Indonesian president in 1967, and the blood continued to flow.

Switch now to Portugal, whose colony Timor was. In 1974, Marxist military officers staged a coup against Portuguese dictator Marcelo Caetano., following which all Portuguese colonies, including East Timor, were put on the path to independence, ready or not. Most soon fell under Marxist-Leninist control. Indonesia was gravely concerned by events in the former colony of East Timor. They were afraid a revolutionary state on their border would spark all sorts of internal problems for their own less than benevolent dictatorship.

Fretilin

In late 1974, Portugal legalised political parties in East Timor. In March 1975 local elections were held. The Revolutionary Front for Independence in East Timor (*Fretilin*) emerged as the largest and most militant party. Indonesia was highly suspicious of

So why are our troops in East Timor?

What is this noble mission for which so many of New Zealand's soldiers are risking their lives?

Fretilin and rightly regarded it as a communist organisation. On 28th November 1975, *Fretilin* unilaterally declared East Timorese independence. Neither Portugal, nor Indonesia nor Australia recognised the declaration. Nine days later, Indonesia invaded East Timor and killed about 200,000 out of a total population of 600,000. In July 1976, the remaining East Timorese were formally made subjects of Indonesia, and *Fretilin* and its armed wing *Falantil* took to the hills and began a long and bloody guerrilla war against the invaders.

Fretilin's Kiwi Friends

Fretilin weren't the good guys, however. *Fretilin* was a Maoist organization at the time Maoism was at its peak in Western Universities, where it won much support. In Australia and New Zealand in particular, radical students and various communist sects and parties were big supporters of the Timorese cause. The pro-Soviet parties also backed *Fretilin*, but its biggest supporters were the Maoists.

Joris de Bres, for example. The October 21st, 1975 issue of *Truth* carried this article about young Maoist radical, Joris De Bres and his support for the Timorese cause:

CORSO: Back to its Left Swing.

Radical left-wing politics appear to have caught up with CORSO again. Propaganda from the leftist Revolutionary Front for Independence of East Timor - Fretilin - has been distributed in Auckland on cyclostyled paper bearing CORSO's

name and letterhead. CORSO's area organiser and CARE spokesman Joris de Bres put out the statement, which comprises a political tirade purporting to come from Jose Ramos Horta, Fretilin's secretary-general in East Timor... De Bres said CARE had been concerned with the situation in East Timor for some time, supported Fretilin and were in touch with its representatives in Australia and New Zealand.

Helen Clark moved in the same circles as De Bres in the early 'seventies, as did several current Labour and Green MPs. For many years some of them were leaders of the Parliamentary East Timor support group. Richard Prebble's then wife Nancy has

memories of a "long-haired Phil Goff arriving at the door talking excitedly about East Timor..." Presumably this was a little after he'd flown the Vietcong flag at Auckland University on the day Saigon fell to the communists.

Green MP Keith Locke, his sister Maire Leadbetter, Wellington anarchists Sam and Joe Buchanan, Christchurch based self-styled communist Joe Davies, Radical Society, CORSO, the East Timor Independence Coalition, all have worked tirelessly for the Maoist cause of *Fretilin*. I quote from a September 8th 1999 press release:

The Communist Party of Aotearoa urges the broadest mobilisations of people to demand an end to the terror and genocide in East Timor... We stand, as we have for the last 25 years, alongside the people of East Timor in their just struggle for national liberation and socialism. In the words of Xanana Gusmao, "the nature of the East Timorese struggle is a socialist one."

Fretilin are not the good guys. They are the same socialists they always were, attracting support from the same quarters as they always have -- except those supporters are now much higher up the political food chain than they once were, and they now have our armed forces to play with.

Independence

After many years of international pressure, Indonesia granted the Timorese a UN-

monitored referendum on independence in 1999. After an overwhelming 'yes' vote, pro-Indonesian "militias" went on the rampage and plunged the country into anarchy. ANZAC forces played a major role in restoring order and rebuilding the country's infrastructure. East Timor officially became an independent state in May 2002. *Fretilin* became the ruling party lead by Prime Minister Mari Alkatiri and President Xanana Gusmao. There was an enforced peace, it's true, but the Maoists were in the saddle, and our troops had helped to put them there.

Prime Minister Alkatiri

Timorese rebel leader Lt. Commander Alfredo Reinaldo had this to say about the Timorese Prime Minister, Mari Alkatiri: *"He is a communist, a strong Marxist. I know these people well and I do not like them."* Alkatiri was a *Fretilin* Central Committee member in the 70's when the party was openly Marxist-Leninist. He then spent the next twenty-four years based in Marxist-Leninist controlled Mozambique.

Alkatiri has longstanding links too with Australia's largest Marxist-Leninist organisation, the Democratic Socialist Party. In April 1998, he was a keynote speaker at the DSP's Asia Pacific Solidarity Conference held in Sydney.

International participants came from the Japanese Communist Party... the Indonesian People's Democratic Party, the Free Aceh Movement; Fretilin, the New Socialist Party of Sri Lanka, the Communist Party of India-Marxist Leninist (Liberation); the Communist Party of Nepal (United Marxist-Leninist), Melanesian Solidarity

Fretilin are not the good guys. They are the same socialists they always were, attracting support from the same quarters as they always have – except those supporters are now much higher up the political food chain than they once were, and they now have our armed forces to play with.

from Papua New Guinea; the Bougainville Interim Government; the New Zealand Alliance and New Labour Party; Maori representatives from the New Zealand non-government organisation Corso; the Polynesian Liberation Front from Tahiti; and the Free West Papua Movement.

The conference also received a special video message of solidarity from José Ramos Horta, East Timorese Nobel Peace Prize laureate. The New Zealand East Timor Independence Committee also sent solidarity greetings.

From outside the Asia-Pacific region there were representatives from the Party of Democratic Socialism, the Revolutionary

Communist League of France, and the Norwegian Indonesian and East Timor Committee.

The conference was also privileged to hear Dr Mari Alkatiri, vice-chief of Fretilin's external delegation, speaking alongside Sutarji and Edwin Gozal from the PRD about the struggle to overthrow Suharto and free East Timor.

According to the Communist Party of Australia's *Guardian* 15.2.06:

Towards the end of last year East Timor's Prime Minister Mari Alkatiri paid a visit to Cuba and held talks with Fidel Castro and

There was an enforced peace, it's true, but the Maoists were in the saddle, and our troops had helped to put them there

other Ministers in the Cuban Government. Cuba is to receive another 400 young people from East Timor to be trained as doctors and teachers.

Castro also announced that a group of 300 Cuban doctors are to travel to East Timor. They will help train health professionals in Timor and work at the Faculty of Medicine recently opened in Dili.

Nice company these 'liberators' keep. Meanwhile, the Australian Communists believe the Howard government is plotting to overthrow their comrade Alkatiri. According to *The Guardian* of 14.6.06:

... the Australian Government has for some

time been interfering in the internal affairs of East Timor, has attempted to destabilise its democratically elected government, encouraged dissident military and political forces within East Timor to stage a military coup to overthrow the elected government headed by Prime Minister Mari Alkatiri.

Alkatiri's Government adopted a policy for the debt-free development of East Timor and resisted pressure to accept World Bank loans. His Government opposed the privatisation of electricity and started to rebuild public institutions such as health and education systems. Mari Alkatiri fought hard to win a justified share of oil revenues in opposition to the stand taken by the

Australian Government. His Government sought to build a state-owned petroleum industry. It adopted a poverty reduction program and accepted medical aid from Cuba.

When the coup attempt by some dissident military and police forces failed the Australian Government sent in a powerful contingent of military forces to help create a situation in which regime change could be brought about.

Gusmao

Alkatiri's main rival for power is Timorese President Xanana Gusmao. The president's role was intended to be largely symbolic, but

Gusmao doesn't see it that way. Observes one leftist blogger:

Gusmao's attempt to gain control of these forces can thus been seen as a direct challenge not only to Alkatiri but to the constitution, at least it has been commonly interpreted in East Timor. It might not be going too far to say that, by unilaterally asking East Timor's security forces to disregard Alkatiri's authority and recognise his own, Gusmao is effectively attempting to stage a coup.

If true, it means ANZAC troops in East Timor are simply pawns in someone else's power struggle – a power struggle in which the winner will be one of two different Marxist-Leninists, and the loser the East Timorese once again. Because Gusmao is no more a liberator than Alkatiri.

Gusmao dates his leadership of the 'struggle back to 1981, when a conference was held between surviving military commanders and political cadres to map out an organisational structure for the ongoing resistance. Gusmao emerged as a leading light.

At the conference, the members of the Central Committee decided to establish the Fretilin Marxist-Leninist Party, the Revolutionary Council of National Resistance (Concelho Revolucionário de Resistência Nacional) to form new structures for Falintil (Fretilin's armed wing.) Xanana Gusmao said that what they did was only to "ratify" the decision taken by the "pioneers" at the Laline Conference in 1977 when, following the lead of the Central Committee's Department of Political Orientation and Ideology, Marxism-Leninism was officially declared the party's ideology.

Fretilin officially ditched their Maoist version of Marxist-Leninism in 1984, but you would hardly notice. Contacts were kept up with many communist parties, including the Australian Democratic Socialist Party (DSP), and the Timorese Socialist Party (PST), which is openly Marxist-Leninist and one of nine

Following opening remarks by the rally coordinator, singers and musicians gave a lively rendition of the party's anthem. The crowd — with raised arms and clenched fists — sang along enthusiastically and ended with calls of "Viva PST" and "Viva Socialisme" ...

Laughing Their Tits Off

The present crisis erupted after PM Alkatiri sacked a third of the Timorese Army for protesting treatment and conditions. The former soldiers rebelled and fought with the loyal Timorese police, who were shot by the army, precipitating the crisis.

As I write this, East Timor is now seething with rumours that Prime Minister Alkatiri once ordered massacres and commissioned death squads. There are abundant conspiracy theories focusing on Australia directing rebels, secretly co-ordinated rioting, plots to seize Timor's oil wealth and to replace PM Alkatiri with President Gusmao. Very little is certain.

What does seem clear however is that Marxist-Leninist Alkatiri does not want to surrender power to Marxist-Leninist Gusmao. It is also clear that whoever wins is going to have their regime stabilised and their country rebuilt by the soldiers and taxpayers of New Zealand and Australia. And whoever wins is going to be a Marxist-Leninist.

Those old Seventies radicals who now rule our country, (the same ones who once raged against New Zealand's war against communism in Vietnam) must be laughing their tits off right now.

The same tits they used to pin their Mao badges on.

**Whoever wins is going to have their regime stabilised and their country rebuilt by the soldiers and taxpayers of New Zealand and Australia.
And whoever wins is going to be a Marxist-Leninist.**

parties which nominated Gusmao for the presidency. The PST is widely regarded as a breakaway from *Fretilin*, but DSP Timor expert Max Lane thinks otherwise. From the DSP's quarterly journal *Links*:

The PST traces its origins as a socialist current to 1981, when a small group of youth established OJETIL, Youth Organisation for an Independent East Timor, as a communist youth group. This occurred at the same time that Xanana Gusmao, as president of FRETILIN, led a move to remake FRETILIN as a Marxist-Leninist party.

An article in the DSP's *Green Left Weekly* September 12th 2001 demonstrates the close affinity between Gusmao and the PST, with Gusmao appearing at a 5000-strong PST rally in Dili:

To many people's surprise the first speaker was resistance leader Xanana Gusmao ... Gusmao began by thanking PST general secretary Avelino Coelho da Silva, party president Pedro da Costa, the party's international representative Azancot de Menezes and party spokesperson Nelson Correia, who he referred to as "respected comrades."

In his address, Gusmao stated that Marxism was a part of a social and democratic society and indicated his support for the PST as a Marxist-Leninist party. He emphasised the importance of non-violence — a condition upon which he agreed to accept a nomination for the presidency — and said that if socialism can change a society it should be accepted. He closed with the call, "Viva PST," to cheers and applause from the crowd.

STOP PRESS:

Prime Minister Alkatiri has now stepped down, but the essential analysis here remains the same. The result of NZ and UN intervention in Timor Leste is very likely to be a Marxist-Leninist regime.

The big chill hits the Desert Road





GRAHAM CLARK

DESIGN

A Passion For Design: Going Back To The Future

He who dies with the most radios wins!

Rock'n'Roll and good design are two things I have become very passionate about over the years, however it was not until fairly recently I began to understand how closely the two different art forms were linked, and how much one was responsible for the development of the other.

I have loved pop music as long as I can remember. I vividly remember sitting on the lounge floor of my grandmother's semi-detached in Guildford in 1966 at the age of 8, with my aunty's 45's scattered all around me, singing along at the top of my voice to a song called "Seventh Son" which was the B-side of a Georgie Fame single.

My enthusiasm for the art form hasn't dwindled to this day. When I left school I got into the printing industry, and as the years went by I gravitated to what has been my life's work - that of a graphic designer. I have an 'eye,' for style and cool design and I do not know how I got it - I do however know where it 'came' from!

As a teenager growing up in the 1970s I have strong memories of the really cool design work that is synonymous with the era. It

was cutting-edge stuff at the time, much of it experimenting with the new and exciting man-made materials being developed - all the new types of plastic, nylon and fibreglass really allowed the new era of designer to let their imaginations run wild, and combined with the psychedelic drugs around at the time many of the old design "standards" were bent, broken and twisted! For example, plastic chairs with just one central leg, instead of the standard four; chairs made out of a single piece of moulded plastic; entire houses made of fibreglass.

It was quite a few years before this however that set the scene for the 1970s design explosion.

In 1945, the Tokyo Telecommunications Company was founded by Masaru Ibuka and Akio Morita in a bombed out building

in Tokyo. In 1952, and at great expense at the time, they purchased the license to manufacture transistors from TN&T, America. In 1955 the Tokyo Telecommunications Company changed their name to SONY (although it was not changed officially until 1958). In 1957 Sony introduced the first real shirt-pocket transistor radio - the TR63 - and with the explosion of Rock n Roll in the USA and Great Britain at this very moment in time, these small, colourful, inexpensive transistor radios were snapped up in their millions by youngsters who were ready to Rock'n'Roll.

Thus began the Japanese technology explosion that fully hit the world just a few years later when SONY and PHILLIPS collaborated to develop the Compact Disc - introduced to the world in 1982, and which is a fascinating story in itself, but I am getting a bit sidetracked here.

The first time a really cool piece of design work really came to my attention was in the early 70's when a friend of mine had the coolest telephone I had ever seen. Everybody else had the old, standard New Zealand Post Office white tabletop dial-phone with the handset on the top, but not him - nope - his phone was a

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Pictured from Left to Right: Aquatron 8-track cartridge player and FM Radio. Braun Coffee Grinder. Startone Flip clock and light. Toshiba Flip clock alarm/radio. New Zealand made formica dining table with 4 satellite stools attached to table legs. Kartell roundup. Timco led digital clock (the top half is a light). Joe Columbo lamp. PYE Isotronic stereo.



one-piece thing with the dial on the bottom, and it was bright red. Man, was it cool - I used to visit him just so I could use the telephone! It was of course the very cool Ericson Cobra phone. Anyway, many years later I saw one at an auction, and I just had to have it. That was the start of my passion for collecting 1970s design artifacts. Transistor radios, clock-radios, telephones, eight-track cassette players, hand-held video games, televisions, stereos (complete with turntables), lamps - you name it, I've probably got at least two of them!

To most people all this stuff is just junk - out-of-date old technology, and it's not worth anything so they just throw it away. For this reason many items have become scarce, and consequently quite valuable. Take the old Formica tables of the 1950s. In New Zealand at the time you could have one of three things - an oak extension dining table, a huge great Kauri country kitchen table, or a red or green Formica table with chrome legs and edges.

These things were sold by the millions. People became so sick and tired of the sight of them they couldn't get them to the dump fast enough when alternatives arrived. Nowadays however, you can pay good money for one in good condition. I feel very fortunate to have come across a very unique example as pictured. It has 4 satellite stools attached to the legs of the table, that swing out from underneath when required.

Another of my coolest scores is the Stereo or Egg-Chair. Originally designed by Thor Larsen and popularised in uber-hip sixties TV series *The Prisoner*, I found it advertised for sale in my local classifieds - in the stereo section no less. I couldn't believe my luck when it turned

out to be what I hoped it was - the Holy Grail for modern furniture design fans like me.

I have recently taken possession of a couple of New Zealand design classics: the Nautilus Pye Vidmatic, 22inch colour Television which is finished in white vinyl, and sits atop a white tulip pedestal base; and a Pye Isotronic stereo system, also finished in white vinyl, atop a pedestal base. Both of these were originally manufactured in the Pye factory in Waihi, New Zealand, and believe me are extremely hard to come by.

In 1965, a Finnish architect by the name of Matti Suuronen designed a fibreglass house in the form of a flying saucer that is known as the FUTURO - billed at the time as 'a house of the future.' For me this would have to be the ultimate 70s design collectible, and I have actually tracked one down. Although admittedly it's a little worse for wear, and not quite ready to fly, I have a landing space already levelled on my property all ready for the day I can get enough money together to afford to purchase it.

It does however lack space to store all my, um, stuff.



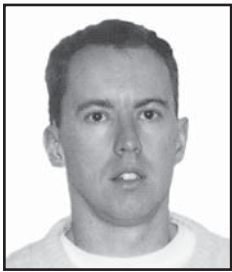
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Images by artist David Knowles. You can find David on the web at www.Homestead.Com/RealArt





SCOTT WILSON

Power For The People?

If a detailed, factual study were made of all those instances in the history of American industry which have been used by the statisticians as an indictment of free enterprise and as an argument in favour of a government-controlled economy, it would be found that the actions blamed on businessmen were caused, necessitated, and made possible only by government intervention in business. The evils popularly ascribed to big industrialists were not the result of an unregulated industry, but of government power over industry. The villain in the picture was not the businessman, but the legislator, not free enterprise, but government controls.

Ayn Rand

One earth strap broken and New Zealand's largest city is plunged into chaos; a few feet of snow and South Island farmers are plunged into chaos; a few dry weeks and the empty hydro lakes send shivers of fear and fright through the country's electricity users -- and with each impending crisis we hear the cries that the deregulated and privatised electricity industry is to blame, and it's those big foreign evil capitalist monsters who are turning off the power of little old ladies struggling to stay warm and huddled in front of one-bar heaters.

But there's just one problem with this analysis. Electricity in New Zealand has NOT been deregulated, and it sure hasn't been privatised. Bits of it have been, but most has been effectively nationalised. To understand this, one needs to trace the history of electricity reform in the past twenty-five years.

Early reforms

Back then, as the Prime Minister fondly remembers, there was an Electricity Department called NZED -- a government department directed by its Minister that knew how to build dams. Big dams. The engineers ran it much the same way as the Railways were run. Dams were built, electricity pumped through the national grid (also run by the Department) and sold to local lines-and-retail monopolies owned by local councils who oversaw and under-invested in these cash cows.

These local power boards were Keith Locke's born-again ideal -- 'democratic' control of the means of production. And, like all democratic entities they did what pleased the majority - in this case overcharging business customers and subsidising residential ones. Businesses, you see, don't vote. So even though his

power bill increased every year, Joe Citizen in his happy democratic home was kept happy in his ignorance.

Meanwhile, central government (i.e. that same unwitting Joe Citizen wearing his Taxpayer's hat) bore the growing cost of the dam-building NZED, with all those 'Think Big' dam projects being funded by Crown borrowing.

The Ministry of Energy succeeded NZED, and the Lange/Douglas Labour Government began the reforms by splitting this into two parts: the the Electricity Corporation of New Zealand (ECNZ) to operate the Crown's generating and transmission business, and the Ministry of Energy to advise on policy. As a State Owned Enterprise (SOE), ECNZ was now required to operate as a business, and to make a profit.

ECNZ was to be split a further three times in the next decade.

Generators and the grid

The national grid was sloughed off in 1994 into a separate SOE called Transpower, allowing ECNZ to be further split in 1996:

- 22% of ECNZ's generating capacity was placed into a new SOE - Contact Energy Ltd - which in March 1999 was privatised (40% being sold to Edison Energy and the remainder to small investors on the stock market);
- in April 1999, ECNZ was further split into three smaller SOEs: Genesis Power Ltd, Mighty River Power Ltd and Meridian Energy Ltd - the intention being to privatise these small power-generating SOEs. The election of the Labour/Alliance minority coalition at the end of 1999 quashed that dream.

To this date the sale of Contact Energy has been the only privatisation of electricity generation in New Zealand - with Contact sold and Transpower and three generating companies remaining in state ownership, central government's privatisation scorecard shows only 1 hit from 5 at bats!

Retailers and lines

So much for the big generators and Transpower. As for the local retailers, the retail electricity market was originally a mongrel mixture of municipal electricity departments (owned by local authorities) and energy boards. In 1992, energy boards were 'corporatised,' and a range of local power retail entities created which would have been able to be privatised by the trustees or local authorities. Some remained as trusts, some remained as local authority-owned companies, and some -- very few -- were privatised by the various boards and councils.



Corporatisation was accompanied by stringent regulations requiring public disclosure of the costs and pricing for local lines activities - which were seen as natural monopolies despite competitors regularly using each other's lines. It was then that the wholesale electricity market was established, allowing individual power retailers to purchase electricity from ECNZ according to long-term and spot wholesale prices.

Max Bradford forces them apart

Enter National's then Energy Minister 'Max Backward.' Fresh from a trip overseas and against advice, Bradford introduced legislation in 1999 separating retail electricity companies into local lines companies on the one hand, and retailers of electricity on the other. Speaking at the time, Libertarianz energy deregulation spokesman Michael Murphy noted that: "Energy distribution was complex enough even before [this] ill-advised and invasive legislation separating line and energy companies. It will now take the wisdom of Solomon to solve the problems being created by Mr Bradford."

And so it proved. All that's now missing on Helengrad's horizon is the figure of Solomon. (What we have instead is David Parker, whose policy mix if it were a pool game could best be summarised as 'hit and hope.' We are yet to see anything from Parker beyond a retraction by Trevor Mallard of Parker's promise that there will be "no rolling black-outs this winter." If terminal wetness could fill hydro lakes, these two could assure power capacity on their own.)

Bradford was convinced that retail companies could now operate competitively in the market in which they were already competing! Lines companies meanwhile continued under heavy regulation, with the Government keeping a wary eye on line charges - and let's not forget that certain National Party members advocate a not dissimilar approach to Telecom!

So to summarise:

- Following this split (are you keeping up?) New Zealand had just 7 electricity retailers (down from 38 in 1987) and 32 lines companies.
- Most local authority/trust owned entities remained in the relatively safe lines business, retail operations soon becoming a veritable home of the brave in this land of the un-free, with few retailers large enough to drive a hard bargain on wholesale power prices.

Retards who say privatisation caused the various power crises should reflect that before 1999 central government owned exactly zero retail power companies; they now own three. If this is privatisation, then I'm a mushroom.

Just add bureaucracy...

Large state-owned behemoths now dominate the wholesale electricity market. The era of building large power stations is over, partly because of a more efficient market and newer technologies that mean that generators can be smaller and built closer to demand; partly because the Resource Management Act makes such building well-nigh impossible; and partly because the state-owned power companies are seriously under-capitalised.

None of the three state-owned power generators or retailers really has that much capital it can draw upon to build new power stations. Nor does state-owned Transpower who controls the national grid. They all rely on borrowing against future cash flow, or begging the Finance Minister for one-off lumps of cash. Fortunately for them, with each successive crisis, the prices they can charge on the wholesale market increases. A report completed after the 2001 power crises caused by lack of rain to fill South Island's hydro lakes in 2001 caused Labour some angst. It concluded in part:

"The electricity price spot market worked much as expected during winter 2001, with very high prices signalling an increasingly tight supply situation and record demand..."

The market would have worked better if the reforms specified in the Government Policy Statement had been fully implemented (such as improved information disclosure, demand-side participation in the market, and mechanisms to invest in the grid to relieve transmission constraints).

Information disclosure would have done little; 'demand-side participation' means that prices are increased to reduce demand; and investment in the grid - well that needs capital - and the government wasn't providing any. Warned that 2001 report,

New Zealand is facing the need to build new generation capacity in the next few years to meet rising demand. This means that wholesale market prices on average are likely to trend towards long run marginal cost (LRMC) which is set by the cost of new generating capacity. This will also lead to upwards pressure on retail prices, as retail margins adjust back to long-term averages. "

In other words, said the 2001 report, new capacity will be built and paid for by rising prices to cover the long-term cost of that capacity. Wonderful. Only, it didn't happen. The RMA shut down one of the largest project, Meridian's Project Aqua, and effectively shackled two others - Genesis Energy's Tongariro Hydro and Mighty River Power's Marsden B projects -- with conditions making further long-term investment well-nigh impossible ("the restrictions are some

of the toughest ever imposed in Australasia," boasted the Northland Regional Council after the Marsden B decision, as if that were a good thing).

And just at this point, the Electricity Commission was set up to monitor things - it holds meetings, hires consultants, produces reports, assesses and decides on industry projects, it monitors the industry, it recommends regulation ... and while it produces a mountain of hot air and a ton of paper, it doesn't generate a single watt of power. Quite what its role is, no-one really knows, but it's quite clear it's not there to oversee deregulation or privatisation.

Conclusion

What's wrong with this industry can be given in five words. Government interference, and government ownership. Deregulation? Not here. Privatisation? Not in this country. Chaos and crisis? That's been the result.

Where we once had an over-capacity for which we were struggling to pay and an industry in which the vast majority of generators were either in local government or local trust hands, around one third of electricity generation is now in private hands - these include Contact and a number of small generators. But -and it's a big but -- the vast bulk of power generation, over 60%, is still in the hands of central government, and while a majority of local lines companies are council or community trust-owned, the national grid is still owned by the state.

Meanwhile, reliability and the future capacity of power production and transmission are in serious doubt.

The big problems are unnecessary regulation; unwelcome meddling; and an unwieldy market with too many state-owned competitors with too little concern for their bottom lines, and too little capital to invest. Mostly the problem is in generation capacity -- the lack of the capital with which to build more, and the lack of freedom to do so. The biggest culprits here are those twin nemeses, the Kyoto Protocol and the Resource Management Act which virtually stops the construction of new power stations. Warned Alan Jenkins from the ENA last year after the decision that effectively killed Genesis Energy's Tongariro hydro scheme, "It's very hard to invest in coal [because of Kyoto], nuclear's a sort of four letter word... hydro is suddenly becoming too hard...what's left...we can't do everything on windpower." Industry is the country's lifeblood, and if there's no power, there's no industry. But as demand continues to grow, supply will inevitably have to increase.

And how that will happen, nobody really knows, Ministers Parker and Mallard least of all.



ROBERT BRUEGMANN

URBAN DESIGN

Attack Of The Snobs: How Sprawl Got A Bad Name

There is overwhelming evidence that urban sprawl has been beneficial for many people. Year after year, the vast majority of Americans respond to batteries of polls by saying that they are quite happy with where they live, whether it is a city, suburb, or elsewhere.

Most objective indicators about American urban life are positive. We are more affluent than ever; home ownership is up; life spans are up; pollution is down; crime in most cities has declined. Even where sprawl has created negative consequences, it has not precipitated any crisis.

So what explains the power of today's anti-sprawl crusade? How is it possible that a prominent lawyer could open a recent book with the unqualified assertion that "sprawl is America's most lethal disease"? Worse than drug use, crime, unemployment, and poverty? Why has a campaign against sprawl expanded into a major political force across America and much of the economically advanced world?

I would argue that worries about sprawl have become so vivid not because conditions are really as bad as the critics suggest, but precisely because conditions are so good. During boom years, expectations can easily

run far ahead of any possibility of fulfilling them. A fast-rising economy often produces a revolution of expectations. I believe these soaring expectations are responsible for many contemporary panics.

Consider, for a moment, the thunderous din of complaints about traffic in Los Angeles. From one perspective, this reaction is bizarre. Even when speeds on the freeway decline to 20 miles per hour, drivers throughout the Los Angeles area move much more quickly than they do by car or public transportation at the center of almost any large, older industrial city in Europe or the U.S. It is clearly not that congestion is objectively worse in Los Angeles; it is that the highway building program of the 1950s and 1960s was so successful in reducing congestion that people became used to being able to drive across the entire metropolitan area at a mile a minute, dramatically expanding their choices in living, working, and recreation in the process.

Since then, L.A.'s population has grown dramatically, but road building has slowed because of political pressures. This squeeze produced the inevitable result: more congestion.

Some Los Angeles residents now find themselves even more frustrated about traffic than residents of Paris or New York City. This has little to do with the traffic itself, however, and everything to do with the fact that Parisians and New Yorkers never entertained the possibility that they could drive through the center of the city at 60 miles per hour. The problem in Los Angeles is a deflation of greatly raised expectations.

Today's unprecedented concern about sprawl is similarly an indication of how much expectations have risen among ordinary urban dwellers. Metropolitan

Attack Of A Snob

Much well-deserved and inflammatory language has been used to describe ARC Parks chairman Sandra Coney's use of ratepayers' money to ensure that caterer Rae Ah Chee cannot build his retirement house on his own 4.8 hectares of Pakiri land. What Rae Ah Chee calls his dream home Coney calls "an intrusion of a trophy house on the landscape."

Coney has the RMA and ratepayers' money on her side. Ah Chee has only his property rights and his dream. In the current environment, the winner is Sandra Coney and her high-handed meddling in order to acquire a 'public open space' at the expense of Mr Ah Chee, the ratepayers of Greater Auckland, and the property rights some New Zealanders still think they enjoy.

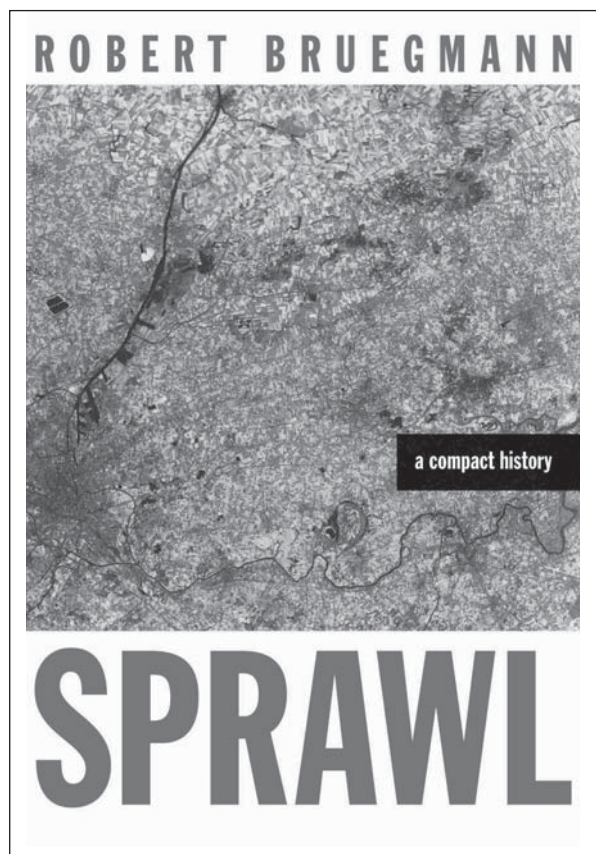
The Employers and Manufacturers Association declared in response to Coney:

"Ms Coney's attitude to Mr Ah Chee is anti-success and anti-development. "Her derogatory description of the plan as a 'trophy house' shows she is unable to think of a serious environmental objection to it.

Good for them. Owen McShane suggests "the history of central planning is almost entirely a history of an elite standing in the way of change," which in the present context means "the planners are anti countryside living and want to crowd the people into cities even at the expense of increased congestion and pollution." Mr Ah Chee, he says, is perhaps the "victim" of a new kind of "class prejudice" in which class and the architectural taste of that class has become a surrogate for race, and "intrusive trophy houses" [intrusive to whom, by the way?] become "the local surrogate for McMansions."

This attitude has been en-capsulated by Robert Bruegmann, author of Sprawl: A Compact History as "the attack of the snobs" -- of which Coney is clearly one.

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changes have become such an issue in Los Angeles and Atlanta not because these are inherently undesirable places to live. Quite the contrary. These places have become so attractive that many new residents have flooded in. This has been beneficial for much of the population. These cities have generated enormous numbers of jobs and vast wealth for a tremendous number of people. Of course, as in all other cities throughout history, there have been problems.

For some of these problems, there are solutions. Others will simply disappear as boom periods fade and citizens adjust their lives to avoid the dislocations and imbalances. For yet other problems there are no real solutions, because they involve a clash in goals and desires among different parts of the populations. In these cases, most people will eventually learn to live with the consequences.

Trying to ameliorate longstanding urban trials is a sensible course of action. What is far less sensible is directing so much critical energy at conditions that don't really qualify as traumatic, or circumstances that can't be changed without causing severe unintended consequences. This is particularly so in the case of urban sprawl--where a clampdown would cause severe losses among the less savvy and well-connected parts of our population.

As comfort spreads, blame the other guy

When asked, most Americans declare themselves to be against sprawl, just as they say they are against pollution or the destruction of historic buildings. But the very development that one individual targets as sprawl is often another family's much-loved community. Very few people believe that they themselves live in sprawl, or contribute to sprawl. Sprawl is where other people live, particularly people with less good taste. Much anti-sprawl activism is based on a desire to reform these other people's lives.

Affluent exurban residents are among the most zealous guardians of the status quo. They are often adamant about preserving their area exactly as it was when they arrived. Yet rural areas, after a century of losing people as farmers abandoned their land for the cities, are now being repopulated, often at nineteenth-century densities. The new residents are urban families who want the look of old rural New England, but with all of today's urban conveniences. They demand the aesthetic experience of "traditional" settlements without all of the inconveniences associated with that kind of landscape.

This trend, while much accelerated by affluence, has been going on for a long time. Among the best documented inhabitants of exurbia are a number of early American prophets of what

we now know as environmentalism. Think of Henry David Thoreau in his shack at Walden Pond just beyond suburban Boston, John Muir in a house across the Berkeley hills from San Francisco, Aldo Leopold at his weekend retreat near Madison, Wisconsin. These were all exurbanites, individuals who loved what they considered a rural life but who also wanted ready access to the city.

Many members of cultural elites are not interested in hearing about the benefits of increased choice for the population at large--because they believe that ordinary citizens, given a choice, will usually make the wrong one. Yet sprawl has certainly increased choices for ordinary citizens.

At the turn of the century, it was primarily wealthy families who had multiple options in their living, working, and recreational settings. An affluent New York banker and his family could live in many different communities in the city or its suburbs. They could summer in the Adirondacks or at Newport, winter in Florida or on the French Riviera. They had the luxury of ignoring their neighbors and choosing their friends elsewhere.

Today, even the most humble American middle-class family enjoys many of these choices. The privacy, mobility, and freedom that once were available only to the wealthiest and most powerful members of society are now widespread. So if the question is, "Why has sprawl persisted over so many centuries and accelerated in the modern era?" the most convincing answer seems to be that growing numbers of people have discovered that it is the surest way to obtain the rich, satisfying life all citizens crave.

Class bias is the key

Class-based aesthetic objections to sprawl have always been the most important force motivating critics. It seems that as society becomes richer and the resources devoted to securing basics like food and shelter diminish, aesthetic issues loom larger. Certainly the number of people complaining about the visual impact of sprawl, and the vehemence of their rhetoric, have increased with each successive campaign against it.

There is an obvious class bias in these judgments. The indictments against sprawl almost never target architecture or landscapes acceptable to upper-middle-class taste, no matter how scattered or consuming of land. One doesn't hear complaints about the spectacular British villas, the private gardens of the French Riviera created in the 1920s, or the great country houses built by American industrialists at the turn of the century on northern Long Island or in the Brandywine Valley in Delaware. "Sprawl" means subdivisions and shopping centers for middle-and lower-middle-class families.

Today it is notoriously "McMansions"--houses judged by some observer to be excessive in size or stylistic pretension.

In both the U.S. and elsewhere, the driving force behind complaints against sprawl at any period seems to be a set of class-related tastes and assumptions, almost always present but rarely discussed. In the nineteenth century, for instance, London exploded outward as developers threw up mile upon mile of brick terrace houses. The resulting cityscape horrified highbrow British critics of the time, who considered the new districts to be vulgar, cheap, and monotonous. Nevertheless, the houses continued to be built, because so many middle-class inhabitants of central London saw them as a vast step upward for their families. Within the last generation or two, elite opinion finally came around, and today these row houses are widely considered to be the very model of compact urban life.

Similarly, during the 1920s the built-up area of greater London underwent a doubling, creating an outward sprawl at least as great as anything seen in recent America. Much of the growth consisted of rows of semidetached houses. These sturdy homes, like the row houses of the nineteenth century, were deprecated by much of the British cultural elite. But they were highly appreciated by ordinary Londoners. And now, ironically enough, these neighborhoods are considered the antithesis of sprawl, and the homes are being lovingly restored by members of the aesthetic elite of the current generation.

If history is any guide, the current revolt of the "sensitive minority" against sprawl will soon seem a quaint product of a bygone era. Highbrow critics loudly castigated the landscape created by "vulgar masses" fed by "greedy speculators" in cookie-cutter postwar American suburbs like Daly City, California. But now that their landscapes have matured and their original plastic-shaded floor lamps have become collectible, many of these vintage neighborhoods have become trendy. In like manner, as hard as it is to imagine today, by the time the landscape around the now-treeless subdivisions of look-alike stucco boxes at the edge of suburban Las Vegas fully matures, these subdivisions will likely be candidates for historic landmark designation. Most urban change, no matter how wrenching for one generation, tends to be the accepted norm of the next, and the cherished heritage of the one after that.

Beware of faulty fixes

Although sprawl obviously causes considerable problems of all kinds, the same could be said of any kind of settlement pattern, and there is precious little evidence that the dislocations caused by sprawl are as serious as activists would have us believe. More important, many of their proposed

reforms would likely create fresh difficulties. Some of the anti-sprawl remedies tried thus far have been highly ineffective; others have led to unintended consequences arguably worse than the problems the reformers set out to correct. Whether in London immediately after World War II, or in Portland, Oregon during the last couple of decades, previous anti-sprawl policies have failed to stop the outward spread of people and jobs, and may well have aggravated the very things they were supposed to alleviate, like highway congestion.

The history of political treatments for urban woes is rife with traumatic side effects. In the mid twentieth century, for instance, there were panicky responses to the "crisis of the central city." Proclaiming that they would put an end to declining property values and the flight of residents and jobs, planners instituted "urban renewal," public housing expansions, "neighborhood revitalization," and such. In the end, many of these efforts to "cure" urban woes ended up triggering and worsening them. Difficulties that could have been short-lived blips were actually exacerbated.

This is not surprising. In very complex systems like a city, any intervention in one place is likely to cause changes, often unintended, throughout the entire mechanism. Besides, anti-sprawl policies tend to be highly inequitable. They are usually most beneficial to an "incumbents' club"--families who already have many of the urban amenities they want, and who benefit from the rise in land prices that accompanies any regulation discouraging new growth. These same policies can place a heavy burden on exactly the part of the population least able to protect itself.

Many anti-sprawl plans are based on a simple and static view of the proper shape of an urban area. There is a desire to repudiate the untidiness of the democratic, industrial city of the nineteenth and twentieth centuries, and return to the order of the European city from medieval times through the era of absolutist monarchs--when city form was dictated by central authority and the building of successive walls.

Like the common schematics of electrons racing around the nucleus of an atom, or diagrams of planets circling the sun, planners love to push a "natural" order. But everyone now knows that none of those natural phenomena is as tidy as the diagrams suggest, and systems of human social life are even more complex and chaotic. Yet many urban reformers continue to reject the inevitable human messiness of cities, which they try to manipulate with blunt controls.

Two of the most important American attempts to create utopian "garden cities" illustrate the difficulties of artificially planning and then manufacturing an ideal community. The towns of Reston, Virginia and Columbia, Maryland were privately developed "new communities" intended to be compact and transit-oriented, with a balance of jobs and housing. In the end, Reston and Columbia managed to attract an enthusiastic resident population. What they did not do was to provide models for stopping sprawl.

In both of these cases, the original master-planning team failed financially, and the projects had to be reorganized. Nor were these two communities notably successful in their central goals. The planners had hoped that residents would take jobs adjoining their housing, and drive less. They pushed

elaborate public transit. Neither effort was successful. As planners of new towns in Britain had discovered decades earlier, ambitious residents of any given community are quite likely to find better jobs somewhere else in the region than in the place where they happen to live. The result was that a high percentage of the residents of Reston and Columbia ended up working elsewhere. Given the overall low densities of both towns--around 3,000 people per square mile--it's not surprising that residents use the automobile much like suburbanites anywhere. In the end, despite all of the careful planning and high-minded architectural design, these towns function very much like any other middle-class suburb.

Leaping to judgment

Unfortunately, we don't understand our new urban areas very well because many of the individuals best equipped to describe them--historians, social scientists, planners, urban theorists--have been so quick to condemn that they've never really looked carefully. Aesthetic biases and failures of analysis and fair description of suburbs have created a prejudicial hierarchy that looks down on suburbia as a lower form of urbanity. I suggest we set aside the traditional distinctions between urban, suburban, and rural and think instead of settlements across a vast landscape as if they were celestial bodies, each exerting a force field, stronger or weaker according to their size and density, and changing in intensity across time.

For instance, many people have viewed suburbia as antithetical to the old downtowns. But it is probably more useful to think of the two locales as siblings, always reacting to one another. After seeing the success of office parks in the suburbs, for instance, developers in the central city created large new office and hotel complexes with extensively landscaped grounds. Conversely, developers of suburban places like the Reston Town Center in Virginia or the Easton Town Center in Ohio watched downtown business associations improve their competitive position by capitalizing on their historic heritage, restoring buildings, and installing traditional street furniture, and countered by creating new suburban "downtowns" meant to look and function like old city centers.

This competition is healthy.

Another misunderstanding grows out of the provincialism of critics living in fast-growing urban areas. Many such people have the impression that the entire country is fast being paved over. But in truth, cities and suburbs occupy only a small percentage of our country's land. The entire urban and suburban population of the United States could fit comfortably into Wisconsin at suburban densities. Moreover, the amount of land set



aside permanently for parks and wildlife areas has grown faster than urban land.

Self-interest and fear of change

Although opponents of sprawl believe they are making rational and disinterested diagnoses of urban problems, their actions usually involve powerful, often unacknowledged, self-interest. The self-interest is clear in the case of the New Yorker who owns a weekend home in the Hamptons and rails against the continuing development of Long Island. In similar fashion, families who have recently moved to the suburban periphery are often the most vociferous opponents of further development of exactly the same kind that created their own house, because that would destroy their views or reduce their access to the countryside beyond their subdivision.

The power of self-interest can also be seen in individuals who press for mass transit yet are very unlikely to use it themselves. They assume someone else will ride, and free up highway space for themselves. Here again, members of the incumbent's club form alliances to protect their advantages, sometimes in unexpected and ephemeral ways.

The anti-sprawl campaign might bring together, if only temporarily, a conservative retired couple in Maine worried about a shopping center outside their village and a young New York City social worker of radical political inclinations infuriated by what she perceives as a government tilt toward SUV owners over subway riders. A small farmer worried that new suburban neighbors in Des Moines might complain about farm odors, crop spraying, and agricultural vehicles on local roads could easily find himself backing the same kind of stringent land controls as a large residential developer in San Diego who knows that he will be able to pass on the cost of additional regulatory hurdles to his homebuyers, and that his lawyers will be able to negotiate the bureaucracy more easily than his smaller competitors. Opposing sprawl could well be the only issue on which all of these people would agree.

There seems to be no strong correlation between political affiliation and anti-sprawl activism. The most important factor in pushing individuals toward an anti-sprawl position is class. In general, like the City Beautiful and Prohibition movements before it, the anti-sprawl project has been heavily supported by upper-middle-class professionals. The reform leaders come overwhelmingly from an elite group of academics, central-city business executives, and employees of non-profit organizations.

One of the oddest aspects of the anti-sprawl campaign is the way it has altered the relationship between progressive and conservative ideas. Within the past several

decades, many of the people who still think of themselves as progressive have turned pessimistic and have concluded that social trends have actually gotten worse rather than better. They look to conservation and preservation rather than the development of new resources or technologies, they want to limit growth rather than aid it, and they prefer to recreate urban forms of previous eras rather than experiment with new settlement patterns.

This position puts them squarely in the camp of many traditional conservatives, who have always been more interested in maintaining what exists than forging toward the possibility of progress. The anti-sprawl movement is a powerful compound of this new progressivism and a traditional conservatism. It seems to be part of a widespread erosion of confidence in the future, and a desire to sentimentalize the past.

The reality is that, rather than declining, many suburbs are actually becoming increasingly gentrified. One of the most visible aspects of this has been the dramatic rise in the number of teardowns: the replacement of smaller houses with much larger ones. One might have thought that teardowns would be welcomed by anti-sprawl forces because they represent a desire to reuse and revitalize older communities. But many of the same organizations that fight sprawl also want to discourage teardowns, claiming they destroy the character of communities. This suggests that the real target might be less sprawl than change itself.

The world is right behind us

Enemies of sprawl often hold up dense European city centers as alternatives. But it's not so much the actual preferences of the inhabitants that make those areas the way they are, as simply the fact that their settlement patterns were fixed generations ago in a way that would be hard to alter now. Though many Europeans still live in small apartments in high-density districts, polls consistently confirm that the vast majority of them, like most people worldwide, would rather live in single-family houses on their own piece of land than in an apartment building.

And now that they are becoming affluent enough to act, Europeans are moving into suburbs in increasing numbers. They are bringing jobs and retail with them. In country after country across Europe, consumers are demanding the convenience of longer store hours, shops closer to where they live, and easier access by automobile. The result is a proliferation of large supermarkets, shopping centers, discount centers, and Big Box retail outlets like Wal-Mart or Target.

While the suburbs of European cities or those of Australia or Canada have not developed

exactly like those of the U.S., the patterns have been similar. The shift of population from the center of Paris to its suburbs, for instance, has actually been sharper in recent decades than in Chicago. Between 1962 and 1990 the city of Paris slipped steadily in population from 2.8 million to 2.2 million. The inner suburbs first gained in population, overtaking the population of the city and reaching over 3 million by 1975. Then the outer suburbs witnessed an accelerating growth, rising from 1.7 million to 2.6 million in 1990. Beyond that, an "exterior zone" including the rest of greater Paris grew from 1.2 million to 2.9 million. At present, the city of Paris accounts for fewer than a quarter of all Parisians.

Despite efforts by the French central government to channel growth, the outer Parisian suburbs and exurbs, with their low-density subdivisions of single-family houses, shopping centers, industrial parks, and freeways, function and look increasingly like those in the United States. This process of rapid dispersal has been visible in virtually every major city on the globe where incomes have risen and there has been an active real estate market—from Boston to Bangkok and from Buenos Aires to Berlin.

Cars win everywhere

Given the low overall densities in European suburbs, it's not surprising that the private automobile has become the most common way for residents to get around in recent decades. Even in the Paris region, which has one of the most extensive systems of public transportation in Europe, public transit does not play much of a role through large parts of the territory. Public transit accounts for only about 30 percent of vehicular travel in the area, and this figure declines further with each passing year.

Use of the private automobile, in contrast, has been rising quickly throughout Europe—even faster, in fact, than in the U.S. This makes sense, since, outside the central core, the automobile is almost always a quicker means of getting from one place to another. The average commute to work in greater Paris, for example, is 27 minutes by car, 53 minutes by public transport. A massive switch from public transit to the automobile has taken place even though the French government, along with those of all the other Western European nations, has levied very high taxes on autos and gasoline to discourage car use and finance public transport.

The same pattern is visible in the Tokyo area. Despite one of the best public transit systems in the world, Tokyo has some of the world's longest commuting times. And the public systems are the slowest option.

Even if travel times were longer by automobile

than by public transportation (which is rarely the case in any city) the comfort and convenience of the automobile would probably make it the transportation mode of choice for many middle-class urban dwellers. That's why the automobile had become the dominant mode of travel in all affluent nations. Even in a country like the Netherlands, which has one of the highest densities of any country in the world, less than 10 percent of commuting trips are now on public transportation.

Getting what we wished for

For generations, almost all urbanists who critiqued the ills of the modern city ended up advocating dispersal of tightly packed populations. When that really happened on a large scale, the next generation of planners were horrified. Without a doubt, suburbanization has created many problems, as fast change always does. But, on the whole, it appears to have been very beneficial to most urban dwellers.

It's hard for us today to really grasp the nature of city life a hundred years ago, when millions of urban dwellers were obliged to endure cramped and unsanitary tenements, dangerous traffic, pollution-choked streets, and deadly factories. The cleaner, greener, safer, more private neighborhoods that most metropolitan residents now live in would astound our great-grandparents. At very least, our highly dispersed urban regions deserve a bit of respect, before we jump to the conclusion that they are terrible places in need of total transformation.

Intellectuals often resist the notion that ordinary citizens play a large and healthy role in the creation of cities and societies. They argue that the average urban family actually has few

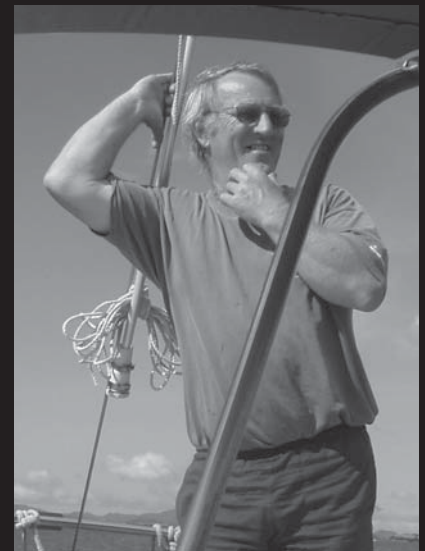
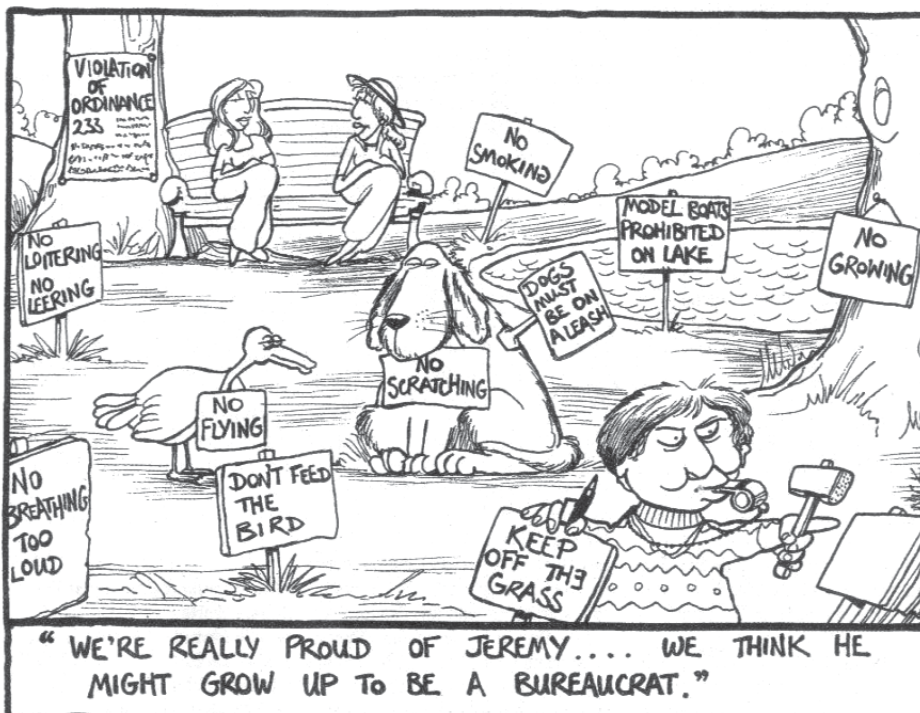
choices, because options are dictated by vast economic, political, and social systems. The family can only buy what the merchant offers, or the developer builds, or the government allows.

Of course everyone's choices are constrained by what is available. Yet it seems fair to say the average American family today has more real options than a similar family in any other society or previous era. Moreover, the power to make decisions capable of reshaping society is highly decentralized at present. Even a billionaire willing to spend every penny would only be able to buy about 2,000 moderately expensive houses in most big U.S. cities.

At the same time, every individual has some role in determining how the city looks and functions. If I shop at a suburban Wal-Mart rather than a downtown department store, or choose to live in an apartment near the old downtown rather than in a single-family house on five acres in exurbia, these actions have an effect on urban form. It is precisely these kinds of choices, echoed and re-echoed by millions of independent citizens, that have profoundly reshaped America's urban areas.

More than any other human artifact in the world today, our urban areas are the result of the everyday actions of each person, each group, each institution. In its immense complexity and constant change, the city--whether concentrated at the core, looser and more sprawling in suburbia, or extending into the vast exurban penumbra--is the grandest and most marvelous work of mankind. Tear up and start over at your own risk.

Excerpted from the book, 'Sprawl: A Compact History,' by Robert Bruegmann. This excerpt originally published in 'American Enterprise' magazine. Reproduced by permission.



OBITUARY

Ed Welander:

aircraft engineer, libertarian, Objectivist, and a man of rare common sense.

Ed inspired and motivated those around him, encouraging them to: "Just get on with it." He loved Nancy, and he believed in liberty. He hated bureaucracy, spouting of hot air, meetings, laziness, incompetence and stupidity. He kept busy, mentally and physically, and his sleeves were always rolled up. He was a voracious reader on a wide range of subjects. He felt at home amongst complex machines, particularly boats and aeroplanes. It seemed he could do anything if he put his mind to it, and if he took that first step, which so many people seem afraid to do. He had a gentle and quiet demeanour which reflected his self-confidence and inner strength.

The world is poorer for his leaving, but very much richer for his having been here.

*We will miss you.
Nancy, Jasmine and Julian*

Cue Card Libertarianism, Introduction

'TRANSLATOR'S' NOTE

Many years ago, Free Radical editor Lindsay Perigo put together a set of 'Cue Cards' to help newbies understand all those difficult concepts that we libertarians use that leave everyone else slack-jawed with confusion. I'm thinking here of such phrases and ideas as the "non-initiation of force principle," "Galt's Speech," "altruism is evil" and "the world will be a better place when the last politician is strangled with the guts of the last bureaucrat."

Libertarians meanwhile stand around slack-jawed in wonder that others don't grasp these simple and obvious ideas as self-evident, particularly the last. How could anyone not understand the truth of that, we wonder quietly to ourselves?

So for those who need help understanding what libertarians mean when they say these things (and to paraphrase Dame Edna Everage, we do mean them lovingly), over the next few issues TFR will update this series, beginning this issue with the entries below and around this magazine.

Hopefully as the series progresses you will find yourself understanding -- if not necessarily agreeing with -- these simple and timeless libertarian concepts. And perhaps there will dawn the day when you too will come to realise that the auto-asphyxiation of politicians and bureaucrats may not be such a bad thing. (But as always with such things, readers are advised not to try such things at home.)

We'll begin with the introduction that appeared in this very magazine all the way back in 1993:

EDITOR'S NOTE, Wanganui, 1993

Some people encountering "The Free Radical" for the first time are reporting a difficulty coming to grips with its statement of editorial policy, evidently finding it too "abstract" and not easily applicable to everyday issues. Mindful of this, I decided to embark on an A-Z of everyday, and not so everyday, issues, to show how the non-initiation of force principle applies in each case.

The "non-initiation of force principle" is that no one should force anyone to do anything -- all our dealings with each other should be voluntary. This formulation is derived from Galt's Speech in Ayn Rand's *Atlas Shrugged*. Non-Randian libertarians commonly refer to the 'non-aggression principle' -- which amounts to the same thing but without the principled justification. The following are the first part of a thumbnail introduction to the libertarian perspective on matters of moment, which I hope will make clearer, implicitly or explicitly, how the non-initiation-of-force principle applies and from whence it is derived.

When the series is complete, we shall release it in its entirety as a small book.

Cue Card Libertarianism

-- Abortion

Abortion is frequently a matter of dispute among libertarians because of conflicting views on the status of the foetus. There is acceptance by both sides that if the foetus is a human being, then abortion is murder, a violation of the right to life, properly to be outlawed.

TFR takes the Objectivist view that the foetus is not yet a human being, but a *part* of a human being -- the mother -- who has rights over it. To be an actual, rather than merely potential, human being is, among other things, to be physically separate, which a foetus is not. As Leonard Peikoff has argued, "That which lives within the body of another can claim no prerogatives against its host."

Thus we uphold the right to abort as part of the mother's right to ownership of her own body. We do not, however, support state-funded abortion, since anything at all funded by compulsory-acquired money is a violation of the rights of the involuntary funders.

Cue Card Libertarianism

-- Altruism

Not to be confused with simple kindness and benevolence, as in common usage, but defined literally as "other-ism" or "living for others," precisely as the term's originator, Auguste Comte the founder of sociology, conceived it.

Altruism is the ethic of subordinating one's own interests as a *matter of principle* to those of others in particular and to 'society' in general has been the lifeblood of tyrannies throughout history. All tyrants have invoked "the common good" and extolled (and forcibly imposed) the "virtue" of self-subordination and self-sacrifice as a means of ensuring a docile, acquiescent population.

Altruism is the ethical foundation of collectivism in politics.

Said Joseph Goebbels (approvingly), "To be a socialist is to submit the I to the Thou; socialism is sacrificing the individual to the whole." One *Volk*, with one neck.

Libertarianism deems altruism to be incompatible with individual self-ownership, and upholds instead an ethic of rational self-interest (see *Objectivism*). As David Kelly argues in his book *Unrugged Individualism*, an ethic of rational self-interest does not exclude benevolence towards others, it simply recognises that this may only come about once the acting party has secured his own flourishing. "Is it better to give or to receive?" asks Kelley rhetorically, answering, "It is better to produce."

Cue Card Libertarianism

-- Anarchy

Anarchy is the absence of government and law. Some anarcho-libertarians maintain that anarchy is the only state consistent with liberty, or that if we are to have government at all, it should take the form of private, competing governments. Most, including TFR, emphatically oppose these positions, arguing that whatever the nominal starting position of such a society the result is gangsterism en route to something worse. Any anarchist utopia is by its nature impermanent -- it is merely a transition to something else.

All that is spoken about by anarcho-capitalist 'hippies of the right' about the systems of anarchy amount in TFR's view to no more than wishful thinking about the state of things and the nature of men. Some men.

As James Madison said, "If all men were angels no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary." But all men ain't angels, hence the need both for government and for controls on that government. We call those controls a constitution, just as Madison did.

Government and law then, ideally speaking, exist to protect the individual from physical coercion and from its derivative, fraud; in the absence of government and law there can be no such protection, and no proscribing of coercion in the first place. One cannot rely on spontaneous benevolence to effect a miraculous disappearance of compulsion from human affairs; human beings are volitional, and as such, capable of error and evil, from whose coercive forms it is legitimate to institute protection.

The agency of protection can be likened to a referee, beholden to no particular player, ensuring with scrupulous impartiality that the rules of the game (in this case, no murder, theft, rape, etc) are observed. To advocate anarchy is tantamount to saying that each player may make up his own rules and then enforce them as best he can -- by enlisting anyone he chooses, in the case of advocates of private governments -- clearly a prescription for the rule of brute force.

The need for an objective, neutral agency to which citizens can repair in the event of force being initiated against them is inescapable. That agency is government; good government is the means by which the retaliatory use of physical force is placed under objective control.

And just remember what P.J. O'Rourke said was the first thing an anarchist would be saying when visiting mid-eighties Beirut: "Uh, more police please."



Rebuilding Auckland's Tank Farm

Auckland's 'Tank Farm' on Wynyard Point is Auckland latest political football, and looks likely to be so for the next thirty years or so. As oil company leases expire there (on land co-owned in the main by Ports of Auckland Ltd, and on the margins by Viaduct Harbour Holdings Ltd and Americas Cup Village Ltd) forces are gathering to re-develop the area.

As always in New Zealand, there are forces opposed to development, forces opposed to competition, and forces opposed to anything beyond the bland and mediocre.

'When in doubt, plant a tree' seems to be all too common a theme. There are demands for parks, demands for open space, demands to ban "shops, offices and apartments," demands to ban profits... All too predictable, and all so much nonsense.

"The new development should be democratic, not just for the elite," says ARC councillor Sandra Coney, making the point for most of those opposed to mostly everything that makes any sense. "The Tank Farm will become a playground for the rich with the poor emptying the bins," says Heart of the City's Alex Swney, summoning up working-class envy on behalf of Queen St retailers opposed to competition out to the west. Swney it is who has set up the dripping wet WeOnlyGetOneChance. Com in an effort to mobilise forces against business competition (you probably heard his sneering radio ads). What a pair.

Many of the comments from most of the usual suspects ignore the reality of the proposed (and much-needed) second harbour crossing, for which Wynyard Point is an obvious and already mooted candidate. And too many ignore the excitement that a hard-edged urban landscape generates when done well.

For once in Auckland, on a site representing such an enormous opportunity, that opportunity exists. It would be good if – just for once – the bland and the mediocre and the merely suburban were overlooked, and a *real hard-edged, working, exciting, urban waterfront could result*. Think downtown Manhattan and Battery Park, downtown Sydney and the Rocks. Or London's Docklands and Greenwich; Stockholm's Old Town, or Venice and St Marks Square. Better yet, think things not yet seen elsewhere, or yet thought about in this funny little city of the South Pacific

Oddly, unexpected sense and a portion of good thoughts have been rolled out by Port's Design Team¹, whose concept (right and below) is simple but surprisingly strong despite some occasionally bland illustrations, a somewhat suburban scale (particularly at the point's tip), and five grave errors: 1) not taking account of the second harbour crossing, 2) assuming there are enough people in Auckland to fill even more bars and restaurants, 3) ignoring almost totally, it seems, the needs of the existing marine industry located in the area, and the attractiveness of an urban area combined with a working marine industry; 4) insufficient commercial activity to generate people and excitement for the area; and 5) offering no scope for iconic tall buildings, and about as much excitement as an empty beer fridge. Aside from those major oversights, Port's concept works. What might make it fail is the lack of an iconic centrepiece to capture

the public imagination, without which the 'open space and more trees' brigade might have the upper hand in the public mind.

There are lessons from the success of the Viaduct renovations, as the Herald's John Roughan pointed out when the concepts were released²:

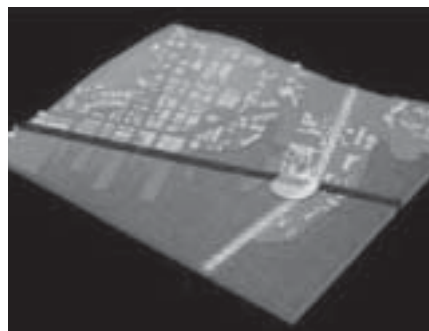
But the success of the Viaduct is not due simply to the human scale of the place. It owes at least as much to the way commercial activity is combined with public areas there. That is the formula to follow.

It does not necessarily mean more apartments, restaurants and bars but if there is a demand for them, let it happen. More likely the commercial activity would change as you proceed west from the Viaduct. The high life would give way to marine industries much as it does now.

Possibly the best thing the designers could do would be to find ways that the fish markets, boatyards and every sort of marine servicing depot could continue to operate there with more generous public access to the same waterfront.

I'm sure this would present more of a problem to planners than it would to people working or walking on the waterfront. Planners abhor chaos, but left alone people would quickly resolve so-called issues of conflicting use.

Quite right. One thing almost all parties seem to agree upon is that the area needs a landmark building -- an iconic building to do for Auckland's harbour what the Opera House does for Sydney's. Even Councillor Coney agrees, albeit rather wetly: "A number of people say this area needs an iconic building or structure - art galleries and museums have been mentioned. Whatever



is chosen should meet a number of criteria - and be of interest to the city's diverse communities... The concept of an Arrival Museum could well fit the bill..." Good grief. For mine, John Roughan sums it up well:

All week we've been reading of ideas for the redevelopment of the waterfront from the Viaduct to Westhaven, including the removal of the tank farm and using that commanding site for a building of Sydney Opera House significance.

I haven't heard a more exciting subject for a long time. Auckland could erect something there that would define the place, dominate the harbour and swell the hearts of its citizens forever. Sydney has done that so well that anything we do might look imitative, but give us time.

The iconic building is literally the last thing we should do. That is to say, we should do it, but not until somebody comes up with the idea that is so good, so right and natural for that location that we'll all wonder why we didn't think of it.

We'll know it when it happens...

Maybe no other construction could match the tower for grandeur but that tank farm site will inspire something exceptional. But no matter how grand the design let's not consign it to a cultural purpose as Sydney did. Let's come up with something that will have commercial life. That's where people go.

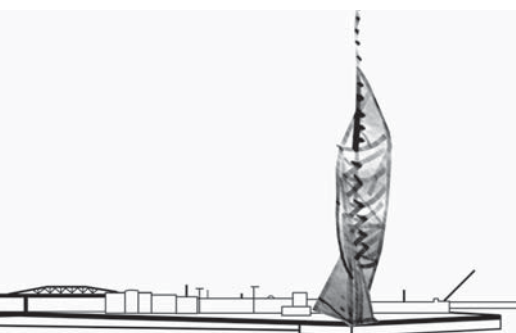
As you can imagine I agree almost completely, except to say that I see both the last few paragraphs and that piece of land beside the Harbour Bridge as a challenge. ("No other construction could match the tower for grandeur." You ain't seen nothing yet!) Landmark buildings are sadly not something Auckland has thick on the ground -- iconic and distinctively *New Zealand* tall buildings even less so. But on that, more soon.

Watch these spaces.

This originally appeared at the blog Not PC, www.pc.blogspot.com/2006/03/rebuilding-aucklands-tank-farm.html (Footnotes)

¹ www.tankfarm.co.nz/design_team.htm

² www.nzhppremiumcontent.blogspot.com/2006/03/john-roughan-timely-re-jig-for-harbour.html



Don't Go Near the Water!

Owen McShane

In 1972 I stood on the edge of Stockholm's harbour with Sir Dove Myer Robinson – better known as "Mayor Robbie", even when he wasn't actually Mayor. We were both attending the first *United Nations Human Environment Conference*, as "Citizens' Observers". We stood on a long paved series of steps leading down into the water, in front of a small square within the "Old Town".

We looked down and both noticed that if the tide was coming in our shoes would soon be wet.

We took in the view and after a few seconds Robbie turned to me, fixed me with his beady eye, and asked "Why can't we enjoy the waters' edge like this at the bottom of Queen Street?"

I explained that the Auckland Harbour Board owned the waterfront, and regarded the whole area as its private domain secured behind high steel fences. Under this arrangement there was no competition for best use and hence the most valuable land would be used for storing cars, containers and so on forever.

Of course, while I was partly right, I was more than half wrong. The old Harbour Board has since been replaced with a Ports Authority, Queens Wharf is now a multi-use development, and the America's Cup has transformed the Viaduct Basin.

But there is still nowhere to enjoy that intimacy with the sea, that Robbie and I both experienced, all those years ago in Stockholm.

This deprivation is not unique to Downtown. Indeed the Viaduct Basin is probably as close to the water as any Aucklanders can ever get. If you sit down for coffee or lunch in Mission Bay, Devonport, or Orewa, can you push your toes into the sand, or watch the waves break on the waters' edge? No – you have to look at a car-park or a road.

In most of our "seaside" areas we are further separated from the sea by a daunting area of "public open space". This last stretch of no man's land ensures that any glimpse of the water is truly distant. If any entrepreneur attempts to provide some dining or other facilities closer to the water they will be stopped in their tracks by demands that the waterfront must be protected "for the public" – and so the public remains isolated.

These strange priorities are best demonstrated at Whangarei's "Town Basin" where harbour-side buildings and wharves have been restored to accommodate coffee bars, restaurants, galleries and chandleries. The last time I had lunch at the Basin there must have been a hundred or so of us, all looking towards the harbour and marina,

enjoying the sunlight and the birds. Sadly, we could hardly see the boats at all, because not only were we well back from the water's edge, but the Council had erected a long raised "public viewing platform" which blocked our view. No members of this "privileged public" were anywhere to be seen.

This determination to keep the real public away from the water so that some mythical public can enjoy the water is the curse of waterfront development everywhere in New Zealand.

This perverse policy is further compounded by our love affair with "open space" which allows for buildings, provided they sit in the middle of a grassy paddock. We destroy our rural landscape with rows of houses stuck in the middle of ten acre blocks and even make this worst solution compulsory under RMA law.

These two perversities now seem destined to destroy the Tank Farm's opportunity to create true urban spaces on, and even suspended over, our waters' edge. Already the Auckland Regional Council and the Auckland City Council are engaged in an "open space" war in which both assume that success is measured by how much "open space" is left over. Their scheme plans show large areas of open space at the end of the peninsula and cordons of open space isolating every building from the water's edge.

No diners will hang over the water here. No visitors will get their feet wet as the tide comes in.

The Waitemata Harbour is a great sailing harbour because most of the time there is a reasonably strong wind blowing from the North East or from the South West. So when you create a large piece of open space at the end of a peninsula sticking out into the harbour it will in fact be windswept – and rainswept too. You might be able to drink your coffee but forget about reading the paper.

If real people are to enjoy the Tank Farm it will need a number of small town squares surrounded by verandahs (colonnades if you like) and be of a scale which is more like a room than an open space.

Think of St Marks Square in Venice – not Aotea Square. St Marks is on the harbour's edge but provides intimacy, bustle, and shelter. Clearly people love it.

The Tank Farm is our last chance to learn something from Robbie's question. A group of Councillors and staff are going on a grand tour to get some ideas of their own.

If I had my way they would go to Stockholm's Old Town, then to St Marks Square – and then come straight home.



PHIL RENNIE

Are New Zealanders Paying Too Much Tax?

The ever increasing tax burden has become a heated issue in New Zealand. At the 2005 election, over-taxation was hotly debated with the Government arguing that high taxation is a myth despite clear indications to the contrary.

- New Zealand's taxation burden is high by world standards. It is higher than Australia and the dynamic economies of Asia and America, and only slightly lower than the stagnant European economies.

- Anyone earning under \$180,000 is likely to pay more personal income tax in New Zealand than in Australia.

- While our top tax rate (39%) is one of the lowest in the world, its application is one of the most inequitable. New Zealanders pay the top rate at 1.4 times the average wage compared to the weighted average for OECD countries of 5.6. This affects professionals such as teachers, nurses and police and, ironically, some families that also qualify for Government assistance.

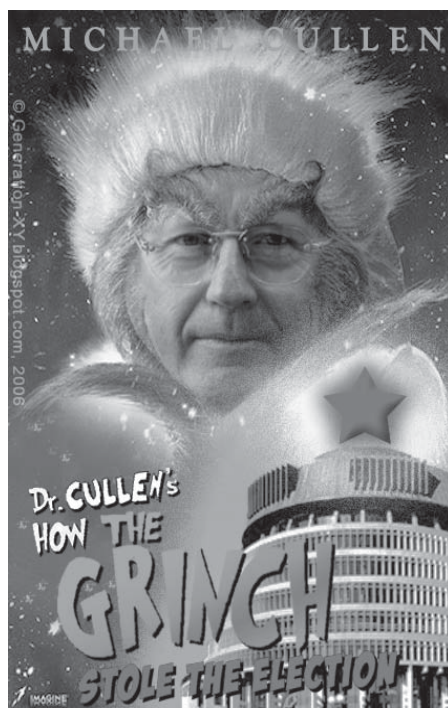
- In nominal terms, New Zealanders pay 50% more tax than they did in 2000. The Government's tax revenue has increased at twice the rate of inflation and well ahead of all predictions.

- The Government is taking far more revenue than it needs. We have record budget surpluses which present a once-in-a-generation chance to cut taxes significantly without even touching spending.

- By changing accounting methods, the Government has been able to argue that the cash surplus (as opposed to the operating surplus) is, in fact, relatively minor and will go into deficit in coming years. While this is fiscally conservative and a commendable way to manage the accounts, it also indicates the very strong condition of the nation's economy. In such a healthy environment it defies comprehension that tax relief is not on the Government's agenda.

- Much of the increase in revenue has gone unnoticed because of 'bracket creep'. Our tax thresholds haven't changed in ten years, but the average worker is earning more and therefore paying tax at a higher rate.

- As a first step our income tax thresholds should be indexed to inflation, as is done for welfare benefits. Otherwise the Government is increasing taxation by stealth.



Introduction

The question of whether New Zealand is over-taxed was a heated election issue in 2005 with strongly conflicting opinions. Critics argue that the Government can afford tax relief, but in response the Minister of Finance, Michael Cullen, has attacked what he calls the 'myth of high tax':

First and foremost is the misperception that taxes are too high ... and that New Zealanders pay far more tax than other countries. There is simply no truth to this.

This paper looks at some of the main arguments and indicators for and against the proposition that New Zealand is a highly taxed nation. It examines how we compare to other countries, including Australia, our top rate, the problem of bracket creep, and how much tax revenue has increased in recent years.

Before deciding if New Zealanders are paying too much tax, we need to ask: what do we actually pay tax for?

A popular slogan is that 'taxation is the price we pay for living in a civilised society'.

But this is too simplistic. If this were true, then we could raise taxes to 100% and have the most civilised country in the world. The optimal level of taxation is arguable, and higher taxes are no guarantee for a civil society.

Most experts agree that the point of tax is to raise enough money to cover spending in a fair way ('fairness' being open to debate) with the least distortion possible. This paper argues that the Government has gone well beyond this brief.

How much tax do we pay?

According to the most recent update, the Government's core crown tax revenue for 2006 will be \$49.7 billion, which is 31.3% of Gross Domestic Product (GDP). With local Government taxes and rates added on, the OECD has estimated our total tax burden at 35.4% of GDP for 2004 (the most recent available year). This means that over a third of all wealth produced in New Zealand is taken by government.

To make these numbers more comprehensible, based on these figures every man, woman and child pays an average of \$262 in tax every week.

Another way of expressing the tax burden is with Tax Freedom Day, the symbolic day when workers have paid their share to government and can finally start working for themselves. In New Zealand's case, Tax Freedom day for 2006 was on 10 May.

While personal income tax is the most visible form of taxation, it makes up less than half (43%) of the Government's tax revenue. New Zealand has a relatively broad tax base so that much of our revenue is collected in other ways, such as GST, corporate tax, and excise tax on things like petrol, alcohol and tobacco.

How do we compare with other countries?

At first glance our tax burden might seem reasonable compared to other countries. In 2003 (the most recent comparable year) tax made up 34.9% of GDP, slightly lower than the OECD average of 36.3%. This made us the 12th lowest taxing country in the OECD, with 18 countries above us—a fact often promoted by defenders of the status quo.

FREE RADICAL Budget Special

But this kind of comparison doesn't give the true picture because it measures small countries like Luxembourg equally with the United States, Japan and other large economies. If we weight the OECD figures for the size of their economies the average is closer to 31%.

There are also significant regional differences within these figures. European countries tend to be much more highly taxed (and economically stagnant), with an average ratio of 38.9%. This compares with 26.1% for the Americas and 29.3% for the Pacific, which includes Japan and Australia. For English speaking countries, the weighted average is 28.7%.

And the OECD is only a sample of 30 countries. Many of our regional trading partners have much lower ratios, like Singapore and Hong Kong, who were at 22% and 15% respectively in 2002. Even in communist China, taxes account for just 19% of their GDP.

New Zealand is out of step with our nearest neighbours and our main trading partners. Instead, we are dangerously close to the big-spending, stagnant European economies.

How do we compare with Australia?

Looking at the economies of New Zealand and Australia as a whole, there is no doubt that New Zealand collects a greater proportion of tax. OECD figures for 2003 (the most recent

comparable year) show total tax revenue as a percentage of GDP as 34.9% for New Zealand and 31.6% for Australia.

When it comes to basic personal income tax Australia's system is more progressive. It has a tax-free threshold of \$6000 along with higher rates for top income earners, although these apply at higher thresholds than in New Zealand.

Using the basic rates, and adjusting for the respective Medicare and ACC levies, Australia will have a lower level of taxation for all incomes under \$180,000 from July of this year. The tax free threshold of \$6000 makes a big difference for lower incomes, but as incomes increase the gap narrows and is never more than 3%. For example, a person earning \$50,000 in New Zealand will pay 23.9% of their income in tax compared to 21.3% in Australia.

New Zealand

(does not include ACC earners levy)

\$0-\$9,500

15c (with low income rebate; 19.5c without)

\$9,501-\$38,000 21c

\$38,001-\$60,000 33c

\$60,001+ 39c

Australia

from 1st July 2006 (does not include Medicare levy)

\$0-\$6000 0c

\$6001-\$25,000 15c

\$25,001-\$75,000 30c

\$75,001-\$150,000 40c

\$150,001+ 45c

There are some more important caveats though.

The above comparisons are only for single workers, but both countries have various schemes for giving tax credits and other forms of rebates to families with children.

There is also a difference in non-income taxes. Australia has capital gains and estate duties, compulsory superannuation (paid by the employer) and different indirect taxes.

Even though Australia is a lower taxing nation than New Zealand, it is still a highly taxed nation when compared to its trading partners and other similar countries. Like New Zealand there is strong public demand for tax cuts and reform.

How does our top tax rate compare?

Our top personal tax rate of 39% is one of the lowest in the world. Australia has a top rate of 46.5%,¹⁵ while most European countries are between 40% and 50%. New Zealand's major anomaly, though, is that our top rate kicks in at a very low level: at \$60,000, which is just 1.4 times the average wage—one of the lowest ratios in the world. For the OECD, the weighted average is 5.6 times the average wage.

As a result our top rate affects people in professions like teaching, nursing and the police—a far cry from the 'tax the rich' calls of the 1990s. Ironically, many families paying the top rate now also qualify for Government assistance as part of the Working for Families scheme.

In hindsight, the increase in the top tax rate in 2000 to 39% for incomes over \$60,000 was completely unnecessary. The original goal was to raise an additional \$450 million a year, which pales in comparison with the total increased revenue since then. In fact the Government could have cut income tax and still be receiving far more revenue than it ever expected. This will be discussed in more detail below.

What about the tax wedge?

A recent report by the OECD *Taxing Wages* (March 2006) looked at the size of the 'tax wedge' in various countries, by calculating the tax and social security contributions (if any) paid by employees and employers, minus any cash benefits received from the Government. For a single person on the average wage, New Zealand's rate is 20.5%, while for the average family with two children the rate is 14.5%. This is the third lowest rate in the OECD for the

Yes, Mr Turpin, but at the point you robbed the money from me, it became your earnings, and since you're a sole trader and yet are not registered as such, I had to insist on an initial tax rate of 50%. Being a Highwayman is not without its feasting, revelry and general gustatory compensations, so I had to add a substantial fringe benefits tax, which came to another 50%. Then, when we had a further look into your records, we discovered the more serious matter of tax still owing, and this brought with it three-years' penalty fees for late payment. So even if I took into account capital depreciation on your horse, you would still owe me several thousand gold sovereigns...



Dick Turpin meets the Taxman.

average worker, and one of the few positive signs regarding New Zealand's tax burden.

Again there is an important disclaimer to this study. As noted before, New Zealand has a relatively broad tax base which means that personal income tax is not the Government's biggest source of revenue. Personal income tax makes up just 43% of the Government's revenue, which is lower than the OECD average of 49.6%. Therefore this study doesn't give the full picture because it doesn't include indirect taxes (which are substantial in New Zealand).

The recent trend

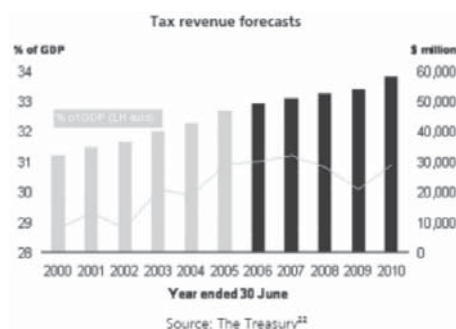
Comparing the tax take to GDP is not the sole measure of how big a Government is, and it can even be misleading. It is a relative measure, so that increases in taxes can be hidden by increases in GDP.

For example, at first glance it might seem that New Zealand's tax burden has only gradually increased since 2000, up from 33.9% of GDP to 34.5% by 2004.

Looking at the *actual* amount of tax revenue gives a very different view. It has increased massively: from \$32.2 billion in 2000 to a forecast \$49.2 billion in 2006. By 2010 it will reach \$58 billion.

New Zealanders are now paying over 50% more tax than they were in 2000. If tax revenue growth had followed the inflation rate of 3% a year it would only have increased by half that amount.

Treasury's own graph below clearly shows the massive increase.



This decade has been a boom time for the Government's coffers. Last year alone, tax revenue increased by 9.6%, or \$4 billion. Much of this windfall has been unexpected, with tax revenue consistently ahead of all forecasts. For 2007 the forecast revenue is nearly \$5 billion ahead of what was originally predicted in 2002.

Why are we paying so much more?

Since 2000, the Government has done little

to visibly increase taxes, apart from increasing the top personal rate to 39% for incomes over \$60,000. This now raises an estimated \$780 million a year in extra revenue.

The National Party calculates that there have been 41 new taxes or increases to existing taxes, levies and fees since 2000. Many of these have been minor, with only four increases generating significant revenue:

- tobacco excise;
- petrol excise (several times);
- road user charges for light diesel vehicles; and
- ACC motor vehicle levies.

By 2005, these had raised an extra \$415 million a year in revenue, so new and increased taxes don't really explain the Government's surge in tax revenue.

Table 1: Contributing factors to the growth in total direct tax between 1999 and 2004

Contributing factor	Contribution
Corporate tax growth	34%
Personal income growth	34%
Employment growth	24%

39 per cent top personal income tax rate 8% The Treasury has determined the four main factors why tax revenue has increased so much in recent years, all of which are due to strong economic growth:

New Zealand's unemployment has halved since 1998 and a large number of new employees have entered the workforce. More people in employment obviously mean more taxpayers and more tax.

On top of this, the more people earn the more they spend, which leads to an increase in GST and other indirect tax revenue.

Corporate tax returns have also been well ahead of all forecasts and are a sure sign of a strong economy. Corporate tax now constitutes 17% of the total tax take, up from 12% in 2000, while the share of income and indirect taxes in the total tax take has slightly declined.

The problem of bracket creep

People's wages and salaries tend to increase over time, be it from promotions, new jobs, working extra hours, or from regular pay rises to meet the cost of living. This is especially the case in a tight labour market like New Zealand, where there is a shortage of workers in many industries.

Higher wages mean that people move into higher tax brackets. This is the problem of 'bracket creep': wages naturally rise over time, but the tax levels don't. In real terms, our tax rates increase subtly every year.

For example, in 1999 an annual income

of \$60,000 only applied to the top 5% of taxpayers. This has now doubled to 11% of taxpayers, or 20% of full-time workers, affecting 330,000 people.

The problem of bracket creep applies to nearly all taxpayers, not just the higher income earners. In 1996 (the last time the thresholds were changed) a person on the average wage paid a top marginal rate of 21 cents in the dollar, but now a good chunk of their income is taxed at 33%.

These marginal rates—the amount of tax a person pays on the next dollar they earn—are hugely important because they influence people's behaviour, such as whether to return to the workforce, work more hours, or invest in education and training.

This taxation by stealth is particularly unfair given that welfare benefits are adjusted on 1 April every year to match inflation. Why are workers—people who actually earn their money—treated differently?

Even more galling for taxpayers is the fact that excise duty on petrol, tobacco and alcohol is also increased every year in line with inflation.

Bracket creep is one of the most insidious ways a government can increase the tax take with no debate or public acknowledgement. Westpac chief economist, Brendan O'Donovan, labels it 'theft by fiscal creep ... an increasing proportion of people pushed into higher tax thresholds.'

The Government's had a choice—to pay down debt, to decrease taxes or increase spending. What they've done is paid down debt, increased spending and actually increased taxes [by not adjusting tax thresholds to keep pace with wage movement].

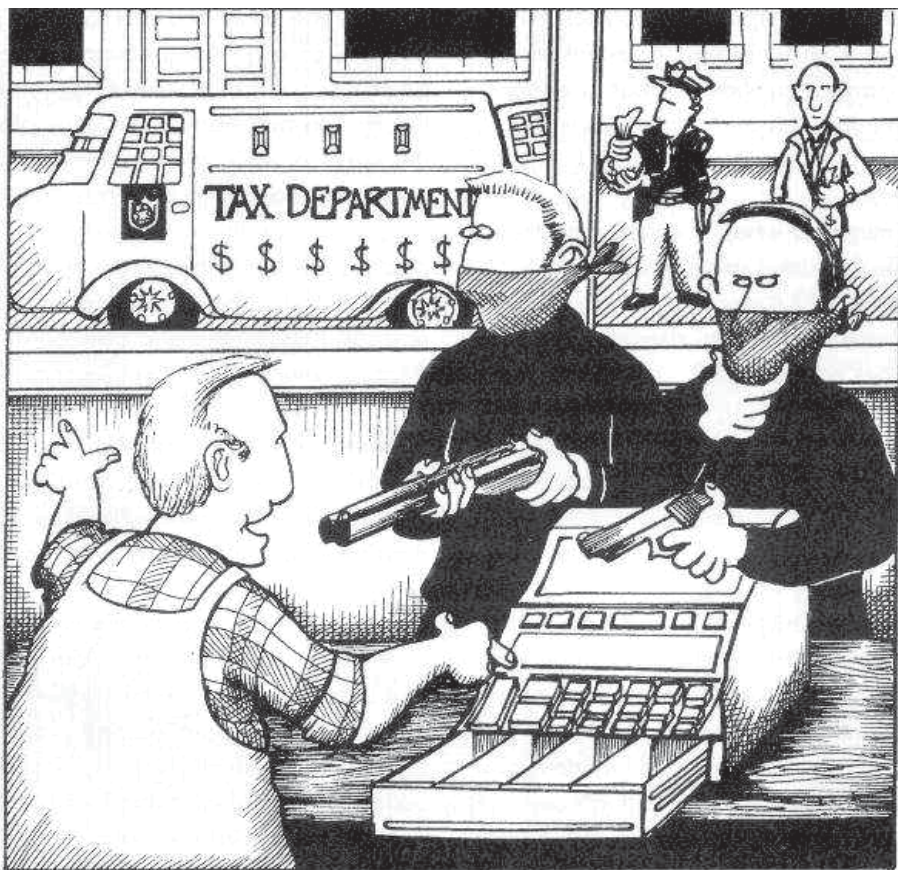
Belatedly, the Government announced in the Budget last year that tax thresholds will be adjusted for inflation on a three-yearly basis, but not until 2008. In the wait for adjustment O'Donovan says the Government 'will collectively rob us of another \$1.4 billion'.

After widespread derision (the media labelled it the 'chewing gum tax cuts'), Dr Cullen has now signalled the adjustments may not go ahead after all: 'There is no final decision on that', he told the finance select committee in February.

Bracket creep will always be a problem with progressive tax rates. Ultimately, lower and flatter tax rates (as recommended by the Government Tax Review of 2001) are preferable, and this will be covered in future papers.

A surplus of riches?

'Surpluses deny people their reward from work through over-taxing.'
Gareth Morgan, Infometrics.



"Sorry fellas, you're too late....Your colleagues beat you to it."

Perhaps the ultimate sign that a government is taking more than it needs is the budget surplus—the gap between what it collects and what it spends.

The big increase in tax revenue has led to a subsequent increase in budget surpluses, again well ahead of all forecasts. Tax revenue is rising faster than the Government can spend it.

Last year the operating balance was \$6.2 billion, about \$500 million ahead of what was forecast and equivalent to 4% of GDP. In effect, one eighth of the Government's tax take is left over after spending is accounted for.

The trend looks set to continue in 2006. In the nine months to March, the operating balance had already reached \$9.4 billion, \$3.5 billion higher than forecast.

This is an absolutely enormous amount of over-taxation, unprecedented in New Zealand history. It works out at \$1600 per year for every New Zealander, or around \$30 each a week.

If we include the \$1.9 billion allowance for unallocated spending as part of the surplus then the numbers get even bigger. Remember, too, that all this is in the context of big increases in Government spending. If spending had increased at the rate of inflation (or even say

1–2% above) since 2000 then the amount of excess taxation would be enormous.

But is there really spare cash?

Minister of Finance, Michael Cullen, has consistently argued that the surplus is a misleading figure because most of the money has been already allocated. He has berated the media, saying: Unfortunately the media—and obviously political opponents, for purely tactical reasons—couldn't get it through their heads that the operating surplus wasn't the amount you could spend.

Dr Cullen points out that much of the surplus has been allocated towards the Government Super Fund (\$2.1 billion for 2006), for District Health Boards, and for buying land for schools and prisons. He argues that the cash surplus is the most appropriate figure, which is \$3.1 billion for 2006 and will actually go into minor deficits in coming years.

Critics have argued that debt should be used for big capital projects because the benefits will last a long time and be enjoyed by future generations, rather than saddling the taxpayers of one year (ie, 2006) with the whole cost.

Putting arguments about definitions aside, the money for capital expenditure still has to come from somewhere and Dr Cullen has chosen to use the surplus.

Avoiding debt, and repaying it, is fiscally conservative and a commendable way to manage the accounts. But it beggars belief that room can't be found for tax relief when the accounts are so healthy.

Even using the cash surplus of \$3.1 billion would allow for significant cuts. For example, the top, middle and corporate tax rates could all be dropped to 30% and the middle rate could be lowered to 18%, costing \$3.15 billion, according to Treasury's estimates.

All this could be done without even touching current spending or debt repayment.

Conclusion

No matter how you look at it, tax revenue has increased massively in recent years. The Government is taking more revenue than it ever expected and more than it needs to cover spending and investment.

Some argue that New Zealanders have deliberately chosen higher taxes and spending.

To some extent this is true—a Labour-led Government has been elected three times now with promises of higher spending. However there was only ever one specific tax increase promised, in 1999, and last year saw a strong groundswell for tax cuts.

Moreover, the amount of extra tax the Government now takes from us is so huge that it could be returned to taxpayers without even *touching* the issue of spending.

Even if the Government refuses to lower taxes, adjusting the tax brackets for inflation would be a small but important first step in reducing our tax burden to a fair level. It would change the presumption in favour of the state back towards the individual, and ensure that when the country does well the creators of that wealth get to keep a fair share of it.

Countries such as Canada, the United States and Netherlands automatically index their national personal income tax thresholds, while many others have partial indexation.

Clearly New Zealand is a highly taxed nation by world standards and by our own standards. Future papers will look at why and how we could reduce our tax burden.

Tax, and over-taxation, is an issue that won't go away. The 2006 Budget provides a unique opportunity to do something about it.

Are New Zealanders PAYING TOO MUCH TAX can be seen in full, complete with footnotes, at the website of the Competitive Enterprise Institute, www.cis.org.nz/IssueAnalysis/ia71/ia71.pdf



GREG EDWARDS

The Prozac Budget

Imagine for one moment that you are a dairy farmer. Recently your cow had a calf, but you still require the milk for your own purposes. You work out how much the calf needs to keep it alive, and you take the rest. You are careful to feed the cow, but only enough to keep it alive and producing milk. Always eager for more you invent new and wonderful ways of getting as much milk from your beast as possible—after all it must be in the cow's best interest. And it's all because you actually love the cow.

Done that?

Congratulations!!! You're now qualified to be the Minister of Finance! (or at least get 3 NCEA credits to go towards the job.)

Having been involved in some way in either working on, working around or reporting on 13 budgets in Australia, the United States, Britain and here, I do realize that the first rule of critiquing a budget is that you need some catchy phrase that encapsulates it. The Greens branded it "the flat Earth budget"; National, "the Bondi budget." Not to be outdone on the pointless slogan stakes, I've read the budget and the reaction to it from the major political parties, and if I had to characterise the budget in one word, it would be: *depressing*.

So disturbingly depressing it's quite possibly an OSH hazard. Even more dangerous than loose carpets and kids' toys on the stairs! Quite simply, the most depressing budget in all human history, ever, of all time . . . that's what we got. In other words, more of the same.

Any self respecting liberty-head or defender of small government would need to start on a serious programme of Prozac just reading the Budget Notes. In fact, after reading the whole thing, considering the reactions and the lost opportunities -- and analysing the New Zealand Psyche that makes it possible -- I really need some serious pharmaceuticals -- lots and lots of them, preferably illegal -- in order to escape the awful truth.

I'm not just talking antidepressants now, I'm talking about the good stuff. Nothing has ever made me want to turn to class-A drugs more than this budget. I'm talking Syd Barrett/Hunter S.Thompson drive-a-big-red-car-to-Las-Vegas type wasted here folks. That's how bad this Prozac budget is for liberty.

Oddly, most depressing is not the most ideologically driven tax-and-spend government running the show, but the pitiful resistance and critical reaction to it. We have a public that is truly madly and deeply in love with the money being dished out, a media in love with those dishing it out, and an "opposition" that can only read the fine print, and never what should be hitting it full in the face.

This Budget should be considered carefully, if for no other reason than the anger it will impart on you can be used for motivational purposes.

Note for instance the curiously Soviet overtones in relation to Telecom:

Many will argue these changes are overdue. Certainly, successive governments have been very patient with Telecom. But national interest must prevail.

"National interest must prevail"?? Isn't that a licence to plunder if there ever was one?

Sadly, there is very little hidden in this budget -- it's all right out there. Remember before the election when Labour waved their hands around and declared that there would be no increase in the number of people taking up student loans? They had "done the maths" and they "weren't at all concerned" that the numbers would balloon. The maximum extra it would cost, we were assured, would be about 200 million? Compare that to this line in the budget speech, just eight months later:

Uptake of student loans so far this year has been less than forecast and this is reflected in forecast new lending being \$600 million lower over the forecast period than previously estimated.

The figures show that the actual cost of the student loans scheme *is at least 8-9 times what they said it would be*. Hence the smoke and mirrors now employed to stop a blow out -- on the one hand by getting rid of interest on student loans, and on the other by cutting the number of Eligible private providers.

There are no deep dark secrets in *this* Budget. The only really dark thing I can find came a few days after the budget in documents that Treasury released to pre-empt Official Information Act requests.

It seems that Treasury are in a bit of a minor panic because all those new bureaucrats and programmes have taken on a life of their own and now they have to keep them employed and pay for their desks. Labour has spent up, not thinking about how to pay for that spending after the election. This seems to have taken up a lot of Cabinet's time in the months leading up to the Budget.

The truth is that at this point in this young country's history, *government spending has never been bigger*. Cullen makes Muldoon look like Ebenezer Scrooge. The government's make-work policy of moving unemployed into the bureaucracy is now starting to come home to roost.

This budget was different to previous Cullen budgets. The basic thrust of this Budget is that the economy isn't in great shape, it's going to slow-down and unemployment is on the rise, so to get out of it we're going to do what statists have been doing ever since they tried and failed to spend their way out of the Great Depression: they're going to increase spending.

This Government does not intend to react to this situation by slashing government expenditure, thus making the slowdown worse. The fiscal prudence adopted over the previous six years, in other words allowing the automatic stabilisers to work on the upside, means they can now be allowed to work on the downside.

Compare that to previous budgets, when the theme was that because things are going well, the best thing to do is to increase spending. Now, when clouds appear on the horizon, the remedy is the same: more spending. It would seem that Michael Cullen has never

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seen a tax-and-spend programme he didn't like. Spend when things are good, spend when things are bad. I can't help but wonder if the prescription has been written before the patient has been seen.

Cullen loves calling himself fiscally conservative and uses the word 'prudent' so many times in his budgets that they now take pools on how many times he'll say it. The truth is something quite different.

This year Cullen announced a staggering \$9.6 billion in new spending for intangibles and \$2.7 billion (*billion!*) for new 'assets' over the next four years. If that is "prudent" and "conservative," then I'm a Munchkin. If that's "prudent" and "conservative," then what I wonder would be considered to be a spend-up. That's *over \$6.5million every day to be spent over and above what the government was already going to spend* (and that's presuming there's no more new spending promised).

So things are not good for the prudent liberty-lover.

And where is all this spending going? It seems there isn't an itch going that won't get scratched. The logic behind much of the spending in this budget is that there is no affliction which the salve of taxpayers' funds can't fix.

Slobs getting too fat?
Give 'em \$76 million.
Kids acting up in school?
Throw out \$9.5 Million.
Artists not selling anything?
Flick them \$15 million.
Not enough organic-farmers?
Dole out \$2.2million in subsidies.

"This Government does not intend to react to this situation by slashing government expenditure, thus making the slowdown worse," says Cullen, showing that his grasp of the role of capital in making an economy work is just totally beyond him. His constant presupposition is that government spending *in and of itself* is what keeps the economy rolling along, and therefore it does not matter on *what* the money is spent, just as long as it *is* spent. The bung has certainly been pulled out of the pork barrel.

The spend-more mindset is not restricted to the Red side of the House either, as shown when National called for the resignation of the Minister of Maori Affairs because "he hadn't sought more funding" for his Department. In the rarefied world of Parliament, this action is considered an example of failure.

On and on it goes. Very depressing. Have another pill.

So what of the other side of the ledger? Can we afford tax cuts? As the Americans would say: "do the math."

It is an act of utter arrogance when a government decides to spend an *extra* \$12.3billion, when it *still* makes a surplus on budget day of 8.5 billion (later updated by more than another billion) *and still has the front to plead poverty and the unaffordability of tax cuts.*

If Cullen had decided to take the surplus and not spend a cent more then he could have given \$5787 to every taxpayer in New Zealand. Perhaps that's just over-simplified, but let's also look at two areas that I think have been over-looked. This year will be the first year that the government will have cleared its net debt, which is to be applauded, but it means that next year a major cost will no longer exist for the government. But still no glimmer of tax cuts.

Something else about the Government's finances has got very little attention. It is that component called 'net worth.' This is the accumulated value of assets held by the government, both tangible and intangible. Hence, the higher the surplus is, the greater the net worth, similar to a savings account.

Now, the New Zealand Government has not run a deficit since 1993. To read the government reports you would think that once a fiscal year is ended, that money disappears. But it hasn't, and by definition it has not been spent. It has not gone onto servicing debt, but has gone into the consolidated fund and then into equity in the Government's name. Currently, that fund sits at \$148.2 billion dollars. That's \$148.2 billion dollars. What's more, the proportion of net worth to GDP continues to grow.

Why is the Government continuing to insist that tax cuts can only be funded out of this year's surplus alone? According to Treasury's own numbers, the Government currently owns 'property, plant and equipment' that is mostly schools, prisons, buildings worth \$73.9billion, \$18.1billion under the heading of 'other' and a staggering \$56.2billion in cash, marketable securities, bonds, currency and outstanding loans.

That's \$14,000 for every man woman and child in the country, and they still plead poverty.

You see now why I'm reaching for those pills. Why is there so-much in the savings account? It cannot be for superannuation — the super fund is expected to reach assets of over \$20billion by 2015. It cannot be for roading and infrastructure — since we are told that adequate funding has been ear-marked.

The accumulated surpluses over the years have lead me to wonder if the government super-fund has been used as a sump to make net worth seem less of an embarrassment. Why would you have such a stack of cash

if you never intend using it? The money is currently being used simply as equity and is not readily available, but it does beg the question: would you rather this money be in the private capital market and available for fuelling the economy, or sitting in a low value government slush fund? The loss of potential from over-taxing to such a degree is staggering, and it demonstrates all-too well the government talent for bloating itself on tax, and its mistrust of the economic machinery of capitalism.

To me, the whole issue of the affordability of tax cuts comes back to this point. We haven't just been over-taxed in recent times, we have been *grossly* over-taxed — and for so long now that the opportunity cost is now taken as a given, and is worked around by the economy.

Right smack in the middle of the build-up to this year's budget build-up we got a stark reminder of what we're missing. Despite having run surpluses for half as long as New Zealand and having an average surplus per-capita of about a half of ours, Australian Treasurer Peter Costello delivered Australian taxpayers substantial tax cuts right across the board.

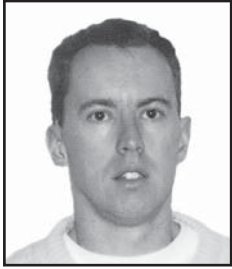
Cullen's automated response has been to say that their accounting principles are different to ours and therefore the two cannot be compared.

Oh really? I've worked in Australia on budget coverage and as far as I could tell the means of collecting the raw data was the same. The difference is that New Zealand doesn't count things that Australians use and vice-versa. But the categories are all available. If we put the Australian data into NZ's OBERAC model then something interesting happens: Australia's surplus is still far smaller than New Zealand's, but now only by just under two times instead of three. What's more, their reserves are nowhere near the amount as a proportion of GDP as ours.

I believe the maths is conclusive. If there was the will, then tax cuts are easily affordable. No matter how Mr Cullen protests about unaffordability, any casual observer can only conclude that the decision to not make tax-cuts now is a matter of ideology, rather than on lack of opportunity. A grossly ideological burp. The means are there — the will is not.

George Bernard Shaw once famously asked a woman if she would sleep with him for £1000000 she said that she possibly would, but when he asked her if she would do so for £5. "Of course not!" she exclaimed. "What do you take me for?" to which came the reply: "We've established what you are, now we're merely haggling over price."

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SCOTT WILSON

Better Roads Or Not?

\$618 million a year – that's the money that goes from petrol tax into the Crown Account. That's the money most of you think the government rips off from motorists to pay for everything but roads. Well, with Budget 2006 those days are now gone.

While around 18.7 cents a litre in petrol tax used to go straight to the Crown Account and stay there, Dr Cullen will now be taking that money, turning it around and putting it BACK into roads (with just a little for public transport). The Greens are not impressed – Transit New Zealand, the asphalt monster so derided by the Green of hue, has seen its admin budget increase dramatically and is now awash with cash – and the road contracting industry could hardly be happier. The National Billboards about what Labour uses petrol tax for can no longer be repeated. Labour is embarking on a big old-fashioned road-building and public-spending programme that hasn't been seen since the 1960s.

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Keynes is back. And so is the pork barrel.

Show me the money

Labour has increased petrol tax twice, and introduced inflation indexing for petrol tax – and all of those increases have now been dedicated to the National Land Transport Fund. Dr Cullen started ploughing money from the Crown account into transport back in 2003, with an additional \$900 million for Auckland transport over ten years, then \$225 million for Wellington, \$660 million for Wellington's "Western Corridor", \$150 million for Bay of Plenty transport and most recently \$215 million for Waikato.

The 2005 budget also saw an additional \$800 million of general funding over five years. Now while all that money is voted specifically for transport, and can be cut at any time, it meant that, for the next five years at least – of the 18.7c/l petrol tax taken for the Crown account, about 11.4c/l was being redirected back into transport.

This latest, 2006 budget, however, signals an enormous increase in funding. In this budget, roading has been promised *an additional \$1.3 billion in funding over five years*. That takes *all* of the remaining petrol tax revenue, and another \$30 million a year and ploughs it

into Land Transport NZ (the funding agency) to spend on roads. The result? Motorists are no longer being robbed at the petrol pump to pay for things other than roads, though they are still being robbed with GST on petrol taxes -- in fact, the government is now subsidising roads. People who don't drive will now be paying for those who do.

Never mind the roads, feel the cost

The increase in funding for roads has been enormous. The 1999/2000 National Roothing Programme budget was \$950 million. The 2005/06 one was \$1.8 billion, and the 2006/07 one will top \$2 billion. That increase is dramatic, and inflationary. The huge increase in spending on road construction (particularly on state highways) has meant that the contracting industry is milking your road tax dollars. While increased oil prices have put up construction costs, through bitumen and cost of running equipment, engineers and labour are in short supply and getting shorter.

At present, every contractor is finding it difficult to acquire skilled labour, and wages being paid are commensurate with that problem – (meanwhile, plenty of lazy people remain on welfare not interested in a career working on roads). So the cost of labour goes up. As Transit has effectively been told that it WILL build a whole host of road projects across the country, contractors bidding for these jobs ask for higher prices. On top of that, Transit used to be bad at estimating project costs for really big projects. Some project costs have doubled in two years (the Te Rapa Bypass for example went from \$90 million to \$180 million and is still climbing). In short, the increase in funding has been TOO much too quickly – and it is already producing a bubble. A bubble that Dr Cullen has promised will last for five years, after which funding will drop once again.

The contracting sector fears this, so it needs to amortise over the next five years all the

costs of new equipment and training – and who'd blame them? This isn't a market – this is government doling out funding, and like US defence department hardware purchases, everything bought starts to have large zeroes attached. Labour know this, and that's why acting Transport Minister Pete Hodgson announced in April a Ministerial Advisory Group on Roothing Costs to explain the rising costs, if not avert them. It's demand and supply – government wants more roads built, more expensively – the builders oblige!

Why roads? Why Labour?

So why is Labour embarking on the biggest road building programme of any government in around forty years? Aren't they flaky train and bus-loving public-transport-promoting statist centralisers? Why are they encouraging car use?

Here's why. On the one hand, the Government -- and Dr Cullen in particular -- sees road building as beneficial economically and that there is a lot to gain politically from building more roads. On the other hand, he has such a growing surplus he doesn't want to throw more money down the black holes of worthless extra health and welfare spending. And he sure as heck doesn't want to give it back. He listened to Treasury, which advised that the money poured into health in recent years isn't paying off in better health and a more productive state health sector – it's being sucked up in higher wages and cost inflation. The RMA has killed the chance of other big infrastructure projects, as the death of Project Aqua showed. So, given that Labour won't give tax cuts, that means if you want to spend big, it's got to spend that money for roads.

Roads once built cost little to maintain, they save lives, reduce congestion and tend to produce economic benefits, so they are better than continually boosting health, education and welfare – or so thinks Dr Cullen.

Good, or not?

So this is all good isn't it? All of the petrol tax is going into roads – seems fair – user pays. Well, it's far from as simple as that. For starters, had Dr Cullen wanted to redirect the money into roads, he could have simply changed the rate of diversion of petrol tax

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so that all of that money goes directly to the National Land Transport Fund. That would make it more difficult to reverse, and would have seen the money get allocated nationally according to the best projects around the country, rather than the best *politically*. Instead, he has voted it through budgets, with SIX separate output classes – dedicated money for Auckland, Wellington, Waikato, Bay of Plenty and then money for the whole country including those regions. Politically it looks like special funding is granted to those regions, and makes it hard to pull that money back if the region doesn't need it. It puts far greater political control on that spending – political control that the Labour and National governments of the 80s and 90s were trying to remove.

You see New Zealand is unique in the world in having a dedicated fund for roads – where money collected from road users through fuel tax, road user charges and motor vehicle registration/licence fees is dedicated for funding road maintenance, construction, traffic enforcement, road-safety advertising, and in subsidising public transport that is meant to benefit motorists. Other countries send the money straight to Treasury, and every year the transport department has to request a budget for annual approval. In New Zealand, by contrast, Land Transport New Zealand is meant to be an independent funding agency – it receives almost all of the money from the National Land Transport Fund (after admin costs are deducted and money for the Police enforcement of traffic laws) which it then allocates in the National Land Transport Programme.

It is meant to allocate funds according to bids it receives from Transit New Zealand (which operates the state highway network) and from local authorities for road maintenance and construction, and for public transport subsidy assistance.

Much of the funding is allocating according to fairly objective criteria, designed to ensure the best projects get funded first and that not

too much money is spent on maintenance or subsidies. However, this objectivity has been blurred by this Labour government.

First: The Land Transport Management Act ("the Act") changed the criteria for funding land transport in several ways. It first got rid of economic efficiency as the primary measure for testing quality of spending – it now uses "multi criteria analysis," much too complicated to explain, but it essentially means that benefit/cost ratio is *only one* measure establishing whether a project is worth funding; also taken into account now is the "seriousness" of the problem and its "strategic importance." For "strategic" read politically-driven. "Strategic" is how for example Peter Dunne describes Transmission Gully – it is how you justify funding projects when it isn't your money you are spending. This has meant that some good projects have not been advanced, like the Ruby Bay Bypass in Nelson, while some poor quality ones have – like Transmission Gully. It also meant that public transport projects weren't judged by the same criteria as road projects – so double tracking the railway line to Henderson gets funding when it is doubtful that the benefits exceed the costs.

Second: That Act introduced far greater weighting to consultation, and to the views of minor political middle-weights on local government. This has meant that poorer projects (like Transmission Gully) get advanced over lower cost projects that produce most of the same benefits – because people lobby for them.

It has also meant that project costs have increased, as people and councils lobby for such things as "environmental mitigation" – things like a tunnel on the ALPURT bypass being built behind Orewa where a cutting was the previous plan; or like a tunnel under Victoria Park in central Auckland to carry extra lanes, where the widening of the existing viaduct would have done the same job, for just half the cost. So project costs have skyrocketed as Transit New Zealand, following

the legislation, has tried to embark on social and environmental mitigation writ large.

One view of this is that projects are no longer built "on the cheap." Another is that those benefiting from a tunnel instead of a wider viaduct (local property owners) pay nothing for that benefit – while money is spent which could have been better spent on fixing another section of road. Overall it delays projects – 6-laning the motorway across Victoria Park to Spaghetti Junction is probably the most important congestion relief project in Auckland, and it has been delayed for years due to consultation, redesign and cost escalation brought on by prevarication, and "environmental mitigation."

Third: Instead of just letting Land Transport NZ fund the best projects overall and decide how best to spend the money collected from motorists – the Act allowed the Minister of Transport to direct how much money would go into specific activity classes, such as state highway construction, public transport – and he could define them – such as "Wellington Western Corridor" to fund Transmission Gully. This meant that, indirectly, Land Transport NZ and Transit were being directed to fund specific projects. With the government appointing the boards of both Crown entities (with Mike Williams, President of the Labour Party on the Transit Board), there was increasing political direction through the backdoor. One of the early decisions of those boards when Labour came to power was to NOT fund the ALPURT B2 motorway north of Silverdale, and redirect funds to upgrading Spaghetti Junction. Maybe not a bad decision of itself – but it did mean that the independence of funding, and the use of objective criteria to decide what projects would get funded was being blurred.

So all in all – a funding system that WAS designed to fund the best projects, without political direction (and Ministers used to delight in saying that decisions on specific projects were NOT up to them, unlike Australia, US and the UK), is now funding poorer projects, with a great deal of indirect political direction. For example, you'll hear a lot about the Auckland Western Ring Road, but you won't hear how the last section – the Avondale extension, has a benefit/cost ratio below 1 – meaning it isn't worth building (at least not until traffic levels have increased substantially or if the cost was brought down by not tunnelling). Full-speed ahead, and damn the consequences is the current thinking ... or lack thereof.

But it's all worth it, isn't it?

So roads are being subsidised, some poor projects get funded, some good ones get neglected, the cost of projects is skyrocketing, but it's all worth it in the end, isn't it?

What's your petrol tax for?

Hip-hop tours, prisoner compo, welfare bribes, bureaucrats, taniwha, NCEA inquiries, Treaty lawyers, twilight golf...

Roads.

National

Authorised by Simon Jones, 14th Floor, 57 Willis Street, Wellington

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Well, no. It isn't. You see there are two major flaws in all of this. The first is that roads are being funded from money collected from current road users. The \$169 million extension of State Highway 20 through Mt Roskill when it is opened will have been paid for by money collected from road users that hadn't used it – the ones that do use it will only pay for its maintenance, for and the next new project somewhere. In other words, when a new road is opened, the users don't pay for the capital cost of that road – it's already been paid for by other people.

Other infrastructure is generally funded through borrowing, with money recovered from the users when it is opened and the cost spread through the economic life of the asset. Roads however are paid for in advance, with current funds, limiting the roads that can be built, but more importantly distorting the cost of roads. Secondly, and this is critical to managing roads like other infrastructure, what road users pay doesn't reflect the costs or benefits they get from particular roads. Petrol tax is the same across the country, and it only varies per km according to whether you drive fast, slow or in congestion.

Unsealed rural roads cost a lot to maintain, but you pay the same as if you were on a cheap to maintain motorway. Congested inner-city streets are jammed because demand for something that is 'free,' is not limited by price. Like airlines, hotels and phone calls, using roads at peak times should cost more (reducing demand, and producing revenue that could be used to provide extra capacity when it is economic to build), while

off-peak it should cost less. Empty roads are a waste of capacity, and making it cheaper to use them will make better use of those assets. More importantly, if the owner of the roads could charge road users, then the owner could borrow off that revenue to invest in improvements.

Instead we have the pay-as-you-go system, with most car owners paying a tax on fuel – and roads being decided on a bureaucratic process that either sees too much being built, or not enough. The National government had a report prepared that said that NOT changing this system would mean either big growth in congestion and inadequate roading, with the only response being to increase funding well beyond the capacity of the contracting sector to efficiently use it. So now we have inadequate roads and huge amounts of money being poured into fixing them, with not a great deal of value from that investment. National can't promise more spending, and nor should it.

The next ten years should be New Zealand's last great road building adventure.

So what SHOULD happen? Does the recently released study on Auckland road pricing provide an answer? Are the Greens right and the increased price of oil means demand for roads will decline over the long term because the cost of motoring has gone up? Should we just all watch all the roads getting built and feel lucky that at least it isn't going into welfare? Or was the National Party right in 1999, and the roads should be run as businesses? That's all in the next issue of *The Free Radical*.

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National's plight can be similarly summed up.

While it is true that they would offer token tax cuts, without significant spending cuts one is left with the feeling that we are just haggling over the price of being screwed over. Given the post-Budget speeches from the Blue Team, there is no evidence that National realises that spending cuts must accompany tax cuts, nor that they would do anything different to Labour on the spending side.

A Blue Minister of Finance will still look at you as if you were a cow just waiting to be milked.

Two points to always remember:

1. How many times did National cut tax when they were last in power, or the time before that; and
2. no party has ever won an election in New Zealand by promising tax cuts.

The eagerness to be milked by Nanny runs deep in the New Zealand psyche it seems.

And what of ACT? After dancing around the issue for some time, they did eventually decide that we *should* have been able to cut tax, but there really *isn't enough spending* on roads.

And the media? Well, their combined, considered conclusion was that Cullen had a nice tie this year and that he should give press gallery journos personal tax-cuts. Or not.

Perhaps the most depressing thing of all about this budget is that it is not out of step with New Zealand politics. They all want your money, this is just their overt plan of how they plan to do it.

I have to stop there; the pills are wearing off and the animals have nearly stopped climbing up the walls. I clearly need to go find more pharmaceuticals.

Au revoir.

I want to be a consumer, sir

As a tribute to the Keynesian idea being resuscitated by Michael 'Keynes' Cullen, TFR offers this tribute to Keynes by Patrick Barrington, originally published in 'Punch' in 1934. See if you can spot the logical fallacy exploited by Barrington:

"And what do you mean to be?"

The kind old bishop said

As he took the boy on his ample knee
And patted his curly head.

"We should all of us choose a calling
To help society's plan;

Then what do you mean to be, my boy,
When you grow to be a man?"

"I want to be a consumer,"

The bright-haired lad replied

As he gazed up into the Bishop's face
In innocence open-eyed.

"I've never had aims of a selfish sort,
For that, as I know is wrong,
I want to be a Consumer, Sir,
And help the world along.

"I want to be a Consumer

And live in a useful way;

For that is the thing that's needed most,
I've heard Economists say.

There are too many people working
And too many things are made.

I want to be a Consumer, Sir,
And help to further trade.

"I want to be a Consumer

And work both night and day,

For that is the thing that's needed most,
I've heard Economists say.

I won't just be a Producer

Like Bobby and James and John;

I want to be a Consumer, Sir,
And help the nation on."

"But what do you want to be?"

The Bishop asked again.

"For we all have to work, as must,
I think, be plain.

Are you thinking of studying medicine
Or taking a bar exam?"

"Why, no!" exclaimed the lad
As he helped himself to jam.

I want to be a Consumer

To do my duty well;

For that's the thing that's needed most,
I've heard Economists tell."

And so the boy resolved,

As he lit a cigar, to say:

"I want to be a Consumer, Sir,
And I want to begin today."



Production Versus Consumption

There are two fundamental views of economic life. One dominated the economic philosophy of the nineteenth century, under the influence of the British Classical Economists, such as Adam Smith and David Ricardo. The other dominated the economic philosophy of the seventeenth century, under the influence of Mercantilism, and has returned to dominate the economic philosophy of the twentieth century, largely under the influence of Lord Keynes.

What distinguishes these two views is this: In the nineteenth century, economists identified the fundamental problem of economic life as how to expand production. Implicitly or explicitly, they perceived the base both of economic activity and economic theory in the fact that man's life and well-being depend on the production of wealth. Man's nature makes him need wealth; his most elementary judgments make him desire it; the problem, they held, is to produce it. Economic theory, therefore, could take for granted the desire to consume, and focus on the ways and means by which production might be increased.

In the twentieth century, economists have returned to the directly opposite view. Instead of the problem being understood as how continuously to expand production in the face of a limitless desire for wealth resulting from the limitless possibilities of improvement in the satisfaction of man's needs, the problem is erroneously believed to be how to expand the desire to consume so that consumption may be adequate to production. Economic theory in the twentieth century takes production for granted and focuses on the ways and means by which consumption may be increased. It proceeds as though the problem of economic life were not the production of wealth, but the production of consumption.

These two diametrically opposed and mutually exclusive basic premises concerning the fundamental problem of economic life play the same role in economic theory as do conflicting metaphysics in philosophy. Point for point, they result either in opposite conclusions or in the advancement of opposite reasons for the same conclusion. So thoroughly and fundamentally do they determine economic theory that they give rise to two completely different systems of economic thought.

Two Views of Employment

If one is on the nineteenth century, productionist premise, one realizes first of all that there is no such thing as a problem of "creating jobs." There is a problem of creating remunerative

jobs, but not jobs. At all times, the productionist holds, there is as much work to be done—as many potential jobs to be filled—as there are unsatisfied human desires which could be satisfied with a greater production of wealth; and as these desires are limitless, the amount of work to be done—the number of potential jobs to be filled—is also limitless. The employment of more and better machinery, therefore, argues the productionist, does not cause unemployment. It merely allows men, to the extent that they do not prefer leisure, to produce more and thus to provide for their needs more fully and in a better way. Nor does the working of longer hours or the employment of women, children, foreigners, or people of minority races or religions deprive anyone of employment. It simply makes possible an expansion of production.

If one is on the twentieth century, consumptionist premise, one takes another view of machinery and the employment of more people. One regards every expansion of production as a threat to some portion of what is already being produced. One imagines that production is limited by the desire to consume. One fears that this desire may be deficient and, therefore, that an expansion of production in any one segment must force a contraction of production in some other segment. Hence, one fears that the work performed by machines leaves less work to be performed by people, that the work performed by women leaves less work to be performed by men, that the work performed by children leaves less to be performed by adults, that the work performed by Jews leaves less to be performed by Christians, that the work performed by blacks leaves less to be performed by whites, and that the extra work of some means a deficiency of work available for others.

Neither the productionist nor the consumptionist desires long hours or child labor. Here, to this extent, both reach the same conclusion. But their reasons are completely different. The consumptionist does not desire them because he thinks there is a problem of what to do with the resulting products, unless other products are to cease being produced and

other workers are to become unemployed. The productionist does not desire long hours or child labor because he attaches no value to fatigue or premature exertion. The problem, in the eyes of the productionist, is not what to do with the additional products produced by longer hours or by child labor—only the intense need for the additional products calls forth this additional labor—but how to raise the productivity of labor to a level at which people can afford to have time for leisure and to dispense with the labor of their children.

Wealth Through Scarcity?

Because he imagines production to be limited by the desire to consume (rather than consumption being limited by the ability to produce), the consumptionist values not wealth but the *absence* of wealth. For example, after World War II, he imagined that the relative absence of houses, automobiles, television sets, and refrigerators in Europe was an asset of the European economy because it represented a large supply of unused consumer desire, thereby supposedly ensuring a strong consumer demand. By the same token, he imagined that the relative abundance of these goods in the United States was a liability of the American economy because it represented a depleted supply of consumer desire, thereby supposedly ensuring only a weak consumer demand. Prosperity depends on the absence of wealth, and poverty follows from its abundance, the consumptionist concludes, because that priceless commodity, consumer desire, more limited in supply than diamonds, is produced by the absence and consumed by the presence of wealth. It is on this principle that the consumptionist relishes war and destruction as sources of prosperity and attributes the poverty of depressions to "overproduction."

The consumptionist does not believe that the destruction of wealth is the only means of achieving prosperity. Though he believes it difficult of accomplishment, he has hopes that the supply of his commodity, consumer desire, may nevertheless be increased by positive measures. One such measure is a high birth rate. By bringing more people into the world, one brings more consumer desire into the world. The existence of a larger number of people, the consumptionist tells businessmen, will make it possible for business to find someone upon whom to unload its otherwise superfluous goods. Business will prosper because its supply of goods will find a counterpart in an adequate supply of desire for goods. In the absence of a high birth rate, or along with a high birth rate, the consumptionist believes advertising may suggest to the otherwise fully sated consumers

some new desire. And, on a somewhat different plane, technological progress, the consumptionist argues, may provide new uses for an expanding supply of capital goods, which otherwise would find no “investment outlets.” Or, if all else fails, the government may be counted upon to supply an unlimited consumption—even in the absence of desire. Or perhaps, the consumptionist hopes, a country may be fortunate enough to be in danger of attack by foreign enemies and therefore stand under the necessity of maintaining a large defense establishment. In either case, the consumptionist imagines that the government will be able to promote prosperity by exchanging its consumption for the people’s products.

Production Limits Consumption

The productionist, of course, takes a different view of matters. He argues that the birth and upbringing of children always constitutes an expense to the parents. In raising children, the parents must spend money on them which they otherwise would have spent on themselves. Of course, the parents may, and hopefully will, consider the money better and more enjoyably spent on their children; but still, it is an expense. And if they have a large enough number of children; they will be reduced to poverty. This is a fact, the productionist argues, that anyone may observe in any large family which does not possess a correspondingly large income. The presence of children does not make the parents spend more than they otherwise would have, but only spend *differently* than they otherwise would have. They buy baby food, toys, and bicycles instead of more restaurant meals, a better car, or costlier vacations. There is no stimulus given to production. Production is merely differently directed, to the different distribution of demand.

The only increase in production that could take place, the productionist maintains, would be as a result of the parents having to take an extra job or work longer hours to support their children and still be able to maintain their own previous standard of living. And when the children grow up, the additional market which they are supposed to constitute for houses and automobiles and the like will only materialize to the extent that they themselves are able to produce the equivalent of these things and thereby earn the money with which to purchase them. It will only be by virtue of their production, and not by virtue of their desire to consume, that they will be able to constitute an additional market.

Advertising and the Consumer

Advertising, the productionist holds, does not create consumer desire where no desire for additional goods would otherwise have existed. It is not the case that, in the absence of advertising, people would be at a loss as to how to spend their money. Advertising is not required, and would not be sufficient, to rouse vegetables into men. What advertising does is to lead people to consume differently and in a better way than they otherwise would have. Advertising is a tool of competition, and, as

such, for every competing product whose sale is increased by it, there is another competing produce whose sale is decreased by it.

The consumptionist’s attitude toward advertising brings into clear relief some further corollaries and implications of his basic premise. His estimate of advertising, like that of war and destruction, is ambivalent, and necessarily so. On the one hand, he approves of it, on the grounds that by creating consumer desires, it creates the work required to satisfy those desires. However, this very belief, that advertising creates desires where absolutely no desires would otherwise exist, also makes him condemn advertising. For if it were true that, in the absence of advertising, men would be perfectly content with very little, the desires created by advertising must appear to be only superficial and basically unnecessary and unnatural.

And this is precisely how the consumptionist regards such desires. In his eyes, all desires men have for goods, beyond what is necessary to make possible bare physical survival and a vegetative existence, represent an unnatural taste for “luxuries.” These desires the consumptionist considers to be inherently unimportant. Their only justification is the creation of work. The consumptionist’s conception of the greater part of economic activity, therefore, is that it represents senseless motion, with deceit and deception required to make people desire goods for which they have no need, in order to enable them to pass their lives in the production of those very same goods.

Paradoxical as it may first appear, it is the productionist who attaches importance to consumer desires. In his view, the desire for “luxuries” is important; it is necessary and natural; for it is nothing but the desire to satisfy one’s inherent needs (including the need for aesthetic satisfaction) in an ever more improved way. It is from the importance which attaches to the satisfaction of the desire for “luxuries,” the productionist maintains, that the importance of the work required to produce them is derived, and not vice versa.

Technology and Capital Goods

The value of technological progress, the productionist holds, does not lie in the creation of “investment outlets” or “investment opportunities” for an expanding supply of capital goods. If the concept of capital goods is properly understood, as denoting all goods which the buyer employs for the purpose of producing goods which are to be sold, then, the productionist maintains, there is no such thing as a lack of “investment opportunity” for capital goods. So long as more or improved consumers’ goods are desired, there is need of a larger supply of capital goods.

For example, ten million automobiles of a given quality require the employment of twice the quantity of capital goods—twice the quantity of steel, glass, tires, paint, engines, and machinery—in their production as do five million

automobiles. If the quality of the automobiles is to be improved, then a larger quantity of capital goods is required for the production of the same number of automobiles. For example, a given number of cars of Chevrolet quality require a larger quantity of capital goods in their production than the same number of cars of Volkswagen quality; the same number of cars of Cadillac quality require still a larger supply of capital goods; and the same number of cars of Rolls Royce quality require yet an even more enlarged supply.

The identical principle applies to houses of different size and quality. A given quantity of eight-room houses of a given quality requires the employment of a larger supply of capital goods than the same number of seven-room houses of the same quality. A given number of brick houses requires a larger supply of capital goods than the same number of wooden houses of the same size; the bricks or any more expensive material constitute a larger supply of capital goods because a larger quantity of labor is required to produce it. The principle applies to food and clothing, to furniture and appliances, to every good. So long as more of any consumers’ good is desired, so long as not every consumers’ good that is produced is of the very best known quality, there is a need for a larger supply of capital goods.

As Technology Advances

It is not the case that in the absence of technological progress, the supply of capital goods would continue to expand, but find no “investment outlet.” It is not the case that what we have to fear from a lack of technological progress is a flood of goods in which every car produced will be the equivalent of the finest known model Rolls Royce, in which every house that is built will be a palatial mansion, in which every suit of clothes produced will be fit for the Duke of Windsor, and in which every morsel of food will be a rare delicacy, and that then we shall be at a loss as to how to employ our expanding supply of capital goods. On the contrary, what we have to fear from a lack of technological progress, the productionist argues, is that we shall *not* have an increase in the supply of capital goods, that we shall not be able to exploit any considerable portion of the virtually limitless “investment outlets” which already exist, *within the framework of known technology*.

The value of technological progress, the productionist maintains, consists in the fact that it enables us to *obtain* a larger supply of capital goods, and not that it solves the problem of what to do with a larger supply. The technological advances which made possible the canal building and railroad building of the nineteenth century and the development of the steel industry were valuable, not because they *absorbed* capital goods, as the consumptionist maintains, but because they made possible the *accumulation* of capital goods. The consumptionist does not realize that capital goods can only be expanded in supply by means of an expansion in their

production, and that precisely this is what technological progress makes possible. Had the technological advances which made possible the first railroads in the 1830s not taken place, the supply of capital goods required for the expanded and improved railroad building of the 1840s would not have been obtainable; or, if obtainable, only at the price of the expansion of some other industry. Had no technological advances been made in railroading in the 1840s, the supply of capital goods in the 1850s would have been less, both for railroads and for all other industries. And so it would have been decade by decade, had the technological advances made in railroading or in any other industry not taken place

For capital accumulation to continue for any period of time, technological progress is indispensable. Only it can make possible continued increases in production, and only continued increases in production can make possible continued capital accumulation. The consumptionist is not aware that the very thing which he considers to be the solution to his imagined problem is the source of what he imagines to be the problem. Nor is he aware that when he advances technological progress as the solution to the problem of what to do with more capital goods, he is confronting himself with the problem of what to do with the larger supply of consumers' goods, which even he admits results from technological progress. The consumptionist is faced, in addition to other quandaries, with the dilemma of explaining how it is that technological progress may raise the rate of profit by, as he puts it, "increasing the demand for capital," while at the same time, as he admits, it increases the production of consumers' goods, which, he maintains, lowers the rate of profit through "overproduction."

Consumptionism and Parasitism

The idea that by consuming his product, one benefits the producer, by giving him the work to do of making possible one's consumption, is absurd, the productionist holds. Only the use of money lends it the least semblance of plausibility. If it were true, then every slave who ever lived should have cherished his master's every whim, the satisfaction of which required of him more work. A slave should have been grateful if his master desired a larger house, an improved road, more food, more parties, and so on; for the provision of the means of satisfying these desires would have given him correspondingly more work to do.

The belief that the consumption of the government benefits and helps to support the economic system is on precisely the same footing, the productionist argues, as the belief that the consumption of the master benefits and supports the slave. It is a belief the absurdity of which is matched only by the injustice it makes possible. It is the means by which parasitical pressure groups, employing the government as an agent of plunder, seek to delude their victims into imagining that they are benefitted and supported by those who take

their products and give them nothing in return.

The only economic benefit which one can give to a producer, argues the productionist, consists in the exchange of one's own products or services for his products or services. It is by means of what one produces and offers in exchange that one benefits producers, not by means of what one consumes. To the extent that one consumes the products or services of others without offering products or services in exchange, one consumes at their expense.

The use of money makes this point somewhat less obvious but no less true. Where money is employed, producers do not exchange goods and services directly, but indirectly. The buyer exchanges money for the goods of a seller. The seller then exchanges the money for the goods of other sellers, and so on. But every buyer in the series must either himself have offered goods and services for sale equivalent to those he purchases, or have obtained his funds from someone else who has done so.

The fact that in a monetary economy everyone measures his benefit by the amount of money he obtains in exchange for his goods or services is interpreted by the consumptionist to imply that the mere spending of money is a virtue and that economic prosperity is to be found through the creation and spending of new and additional money—i.e., by a policy of inflation. In rebuttal, the productionist argues that for everyone who spends newly created money and thereby obtains goods and services without having produced equivalent goods and services, there must be others who suffer a corresponding loss. Their loss, says the productionist, takes the form either of a depletion of their capital, a diminution of their consumption, or a lack of reward for the added labor they perform—a loss precisely corresponding to the goods and services obtained by the buyers who do not produce.

The consumptionist's advocacy of consumption by those who do not produce, to ensure the prosperity of those who do, is, the productionist argues, a pathological response to an economic world which the consumptionist imagines to be ruled by pathology. The consumptionist has always before him the pathology of the miser. His reasoning is dominated by the thought of cash hoarding. He believes that one part of mankind is driven by a purposeless passion for work without reward, which requires for its fulfillment the existence of another part of mankind eager to accept reward without work. This is the meaning of the belief that one set of men desire only to produce and sell, but not to buy and consume, and the inference that what is required is another set of men who will buy and consume, but who will not produce and sell. In the consumptionist's world, the producers are imagined to produce merely for the sake of obtaining money. The consumptionist stands ready to supply them with money in exchange for their goods—he proposes either to take from them the money he believes they would not spend, and then have someone else spend it, or to print more money and allow them to

accumulate paper as others acquire their goods.

Hoarding is not the only phenomenon upon which the consumptionist seizes. Where nothing in reality will serve, the consumptionist is highly adept at bringing forth totally imaginary causes of economic catastrophe. Invariably, the solution advanced is consumption by those who have not produced, for the sake of those who have. Always, the goal is to demonstrate the necessity and beneficial effect of parasitism—to present parasitism as a source of general prosperity.

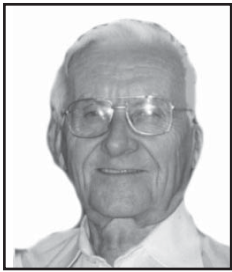
The Rationality of Economic Life

In view of the overwhelming absurdities and contradictions of consumptionism and the gross perversion of values which it engenders, one may only conclude that its support is founded on the interest which it obviously serves: parasitism. This, of course, does not relieve the economist of the duty of identifying the particular errors of every consumptionist argument. It does, however, disqualify every consumptionist as an economist. No scientist, in any field, can accept the view that reality is irrational or that irrational action is required to deal with it.

Those economists of the present day who openly and defiantly proclaim that the economic world is "non-Euclidean," do so happily. That is the way they would like the economic world to be. If they merely believed that economic life *appeared* to be irrational, and did not at the same time desire it to be irrational, they would never proclaim it to be so in fact. Instead of leaping to the support of consumptionism after only the most casual examination of their subject, they would not rest until they had identified the errors which could make them believe that economic life possessed the appearance of irrationality; and the greater such an appearance might be, the greater would they realize their own ignorance to be, and the harder would they work to overcome it and expose the errors. It is this which distinguishes an economist from a Lord Keynes.

*This essay originally appeared in the October 1964 issue of The Freeman. It is available as a pamphlet from The Jefferson School of Philosophy, Economics, and Psychology. This edition appeared at George Reisman's Blog on Economics, Politics, Society and Culture, www.georgereisman.com/blog/2006/03/production-versus-consumption.html. The author wishes to note that his book *Capitalism* contains a far more comprehensive treatment of the subjects dealt with here. (See in particular, Chapter 13 "Productionism, Say's Law, and Unemployment.")*

The interested reader may also be interested in a historical background to Reisman's thinking on this most basic of topics in economics. Reisman has also posted on line the valuable if sadly little-known paper by James Mill (John Stuart's father) 'On the overproduction and underconsumption fallacies,' available for download at www.capitalism.net/Jamesmil.pdf. Copyright © 1964, 1991 by George Reisman. Read George Reisman's Blog, www.georgereisman.com/blog/



Climate Change Propaganda For The Faithful

The Weather Makers by Tim Flannery. 2005; 332 pages.

Text Publishing Company Melbourne ISBN 1 920885 84 6

Tim Flannery is a fair dinkum Aussie bloke, a best-selling writer, Humanist of the Year, Director of the South Australia Museum, and discoverer of 29 new species of kangaroo. He is also an enthusiastic environmental activist, and, egged on by the likes of Jared Diamond and Bill Bryson, he has now published "The Weather Makers" a propaganda tract in support of the widely accepted belief that human greenhouse gas emissions are responsible for "climate change". It can be seen as a counterweight to the recent best-selling sceptical novel by Michael Crichton, "State of Fear".

"The Weather Makers" starts off swimmingly with the foreword by Robert Purvis, who claims that "Quite simply, climate change is a threat to civilisation as we know it" Tim Flannery has rather a hard job living up to this claim, but he does his best.

60 As one who has tried it (on the sceptical side) it is not easy to master all the scientific and economic disciplines required for this book. Flannery falls down rather badly in his Physics when on page 23 he claims that the greenhouse effect is due to the heating of the trace gases in the lower atmosphere by the sun, rather than the more orthodox, and widely publicised explanation, that they are heated by radiation from the earth. This correct view does admittedly appear later on. He also considers carbon dioxide to be the chief greenhouse gas when it is water vapour, but many others seem to be afflicted with this blunder. I am glad, however, to find that he understands the Principle of Archimedes which implies that the ocean level will not rise when the icecap melts..

His view of science is also rather unorthodox "a theory is only valid for as long as it

has not been disproved " (page 2). So it is a scientifically valid theory if I state that Flannery will go to a special monkey heaven when he dies. Who could ever disprove that? No wonder he has trouble assessing the reliability of the theories he discusses.

He also has trouble with predictions. On page 114 we read "not a single species is definitely known to have become extinct because of climate change" Surely by "Occam's Razor" we should, from this, deduce that future climate change is unlikely to cause extinction. Yet he tries to persuade us, at great length, that the situation has suddenly changed, and future climate change will cause massive extinctions, including those of several beautifully illustrated creatures.

He joins many climate scientists in believing that computer models can be reliably used to predict future climate, and he proves it by showing us (page 157) a successful simulation

of the weather for 1 July 1998, obtained by tweaking the many poorly- known parameters in one of the many models to get it to fit. Yet there has never been a successful prediction of any future climate from a model, and until there is, there is no reason to think that any of them could do so..

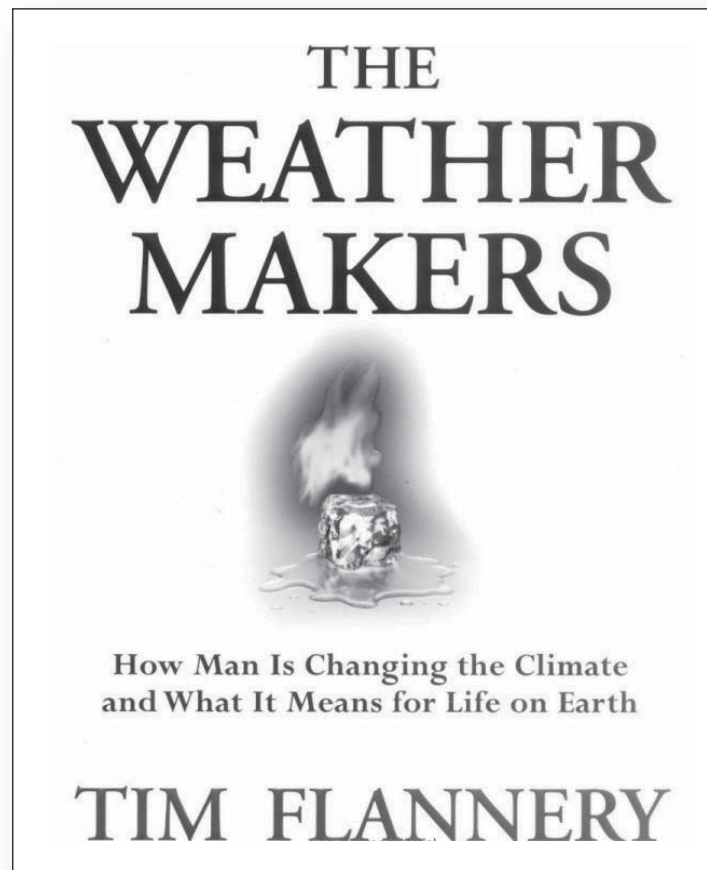
As one who has recently spent many weary hours, and fifty pages, commenting on the First Draft of the Fourth Scientific Report of the Intergovernmental Panel on Climate Change (IPCC) I was shocked to be told by Mr Flannery that the IPCC is in the pocket of the large oil producers. He is, admittedly, one of the few I have met who realises that the "consensus" statements of the IPCC have never actually agreed that there was a proven relationship between greenhouse gases and "climate change", but I had always assumed that this was because the scientists themselves could not agree. However, I do support Mr Flannery's view that the IPCC Reports are "dull as dishwater".

Mr Flannery has refrained from confronting the views of Michael Crichton and the scientists who support him, and has chosen to try and persuade us that the chief sceptic is Fredrick Palmer, a US Coal executive. He does, however, mention the doyen of Email sceptics, Fred Singer, whom he falsely accuses of being a member of the Unification Church of Sun Myung Moon!

The last chapters are almost acceptable.

He thoroughly debunks the "hydrogen economy", supports nuclear energy, and ends by recommending a series of unexpectedly easy ways of evading the coming disasters, involving walking or biking to work and buying solar panels. But he does not yet advocate buying a horse!

Mr Flannery's book will reinforce the faith of the converted, but it might send many others to read Mr Crichton, if only for the exciting thriller plot..





Riveting Rand

I've spent the past day reacquainting myself with Ayn Rand, via the recently-published *Ayn Rand Answers—the Best of her Q & A*.

I've spent the past day in Atlantis.

I thought of leaving it at that. What more is there to say? But of course, I *want* to say more, in gratitude if nothing else.

Q: What is your purpose in life?

A: My purpose is to enjoy my life in a rational way: to use my mind to the greatest extent possible; to pursue, admire and support human greatness; to make all my choices rationally; to expand my knowledge constantly. That's a pretty ambitious programme, and I've achieved most of it.

These are off-the-cuff answers, appearing for the first time in print, given by Ayn Rand to various questions at various venues, over the period 1958-1981. Editor Robert Mayhew confesses that "some (but not much) of my editing aimed to clarify wording that, if left unchallenged, might be taken to imply a viewpoint that she explicitly rejected in her written works." I want to join those who have said to Editor Mayhew, "You should have left the wording as it was. We can figure things out for ourselves." The original transcripts, he tells us, are available to "serious scholars." Well, I'm not a serious scholar; I'm an intellectual ruffian and a polemicist; I can still figure things out for myself. If Ayn Rand contradicted herself while thinking on her feet, no big deal. She shouldn't be edited to say something she didn't. Still, especially for those of us who've heard many of these answers on tape, this is unmistakably Ayn Rand we are encountering.

Q: Which composers do you recommend today?

A: Buy yourself some classical records. I cannot listen to modern music. I can't hear it. It's anything but music.

And:

Q: Could you comment on the current status of literature?

A: No. I don't have a magnifying glass.

She is everything she always was—fearless, forthright, and frequently funny:

Q: Have you seen Milton Friedman's program Free to Choose on public television?

A: I saw five minutes of it. That was enough for me, because I know Friedman's ideas. He is not for capitalism; he's a miserable eclectic. He's an enemy of Objectivism, and his objection is that I bring morality into economics, which he thinks should be amoral. I don't always like what public television puts on, but they have better programs than Free to Choose—the circus, for instance.

And:

Q: Could you comment on Robert Nozick's *Anarchy, State, and Utopia*?

A: I don't like to read this author, because I

don't like bad eclectics—not in architecture, and certainly not in politics and philosophy—particularly when I'm one of the pieces butchered.

Or:

Q: What is the Objectivist view of free verse?

A: That it's lower than free lunches.

It's all here—the soaring eulogies to human achievement, the searing excoriations of evil and mediocrity, the unrelenting mind-and-man-worship, her batty views on a woman president and Beethoven—this is the Ayn Rand we all know and adore, for all her occasional barminess. There are no surprises.

Let me amend that—it's not *quite* all here, and there is an *occasional* surprise. Missing is her infamously silly response on homosexuality. Instead, there's a relatively mild answer on the subject on a different occasion, where she advocates the repeal of all laws against homosexual acts, even though "I do not approve of such acts or regard them as necessarily moral ..."

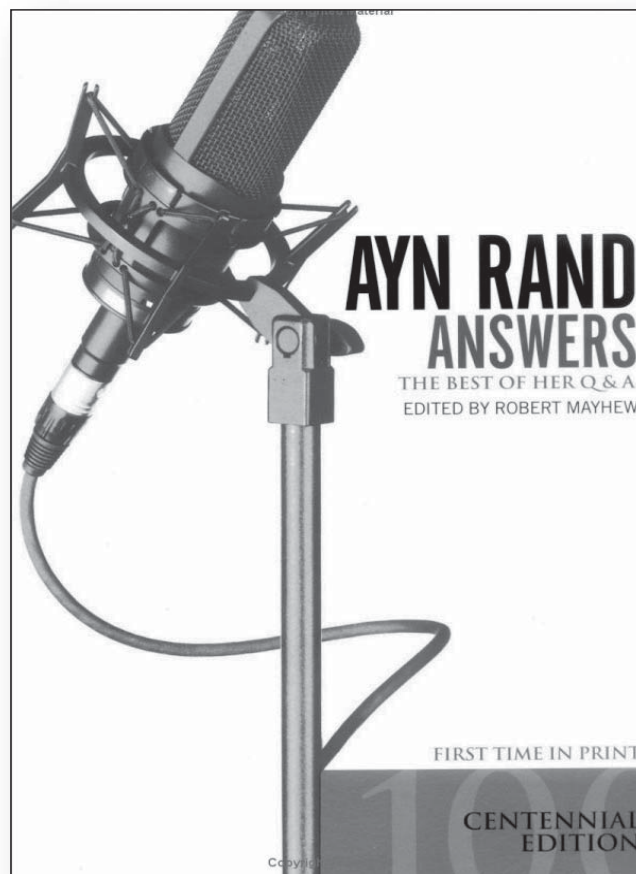
Surprising, at least to me, is her answer on voluntary euthanasia. She's against a law allowing it "because of the safeguards needed to prevent unscrupulous doctors in cahoots with unscrupulous relatives killing someone who is not dying and not in pain." Well, what if such safeguards were to be put in place?

Surprising also her agnosticism on gun control:

I do not know enough about it to have an opinion, except to say that it's not of primary importance. Forbidding guns or registering them is not going to stop criminals from having them; nor is it a great threat to the private, non-criminal citizen if he has to register the fact that he has a gun.

And:

I do not know how the issue is to be resolved to protect you without giving you the privilege to kill people at whim.



Not at all surprising, and extremely relevant to our contemporary context, is this, on whether freedom of speech includes the right to advocate genocide:

When you lose the distinction between action and speech, you lose, eventually, the freedom of both. ... The principle of free speech is not concerned with the content of a man's speech and does not protect only the expression of good ideas, but all ideas.

Obviously, space prohibits my quoting the lengthier responses. And there are many—on the correspondence theory of truth, free will, Kant, sense of life, romantic realism in the arts, for instance—where Rand really hits her stride and shows her intellectual mettle. One of her discussions of Kant appears to debunk the claim often made about her that she never read his actual text but relied on how interpreters, including Leonard Peikoff, presented him. And it's remarkable that every time she's asked about a movie or a book, she's seen it and read it and is able to discuss it in impressive detail. Still, one of my favourite answers is the briefest:

Q: *What do you think of the works of the artist Maxwell Parrish?*

A: *Trash.*

It was not just the spectacle of a brilliant, nimble mind in action that transported me to Atlantis—it was the magnificent spirit that animated it. In an age of weasel-words, hand-wringing and touchy-feely political correctness, Rand's sizzling-hot, unapologetic, in-your-face candour in pursuit of reason, freedom, the best within, and life as it might be and ought to be is more than simply refreshing, more than a mood-lifter, more than an inspiration—it's a lifeline, especially for those like Steven Mallory in *The Fountainhead* who allow themselves to be ground down by it all.

It's a reminder that when we hear the caterwaulers' headbanging, see the poseurs' splotches and splurges, read the nihilist philosophers telling us philosophy cannot provide answers—we don't have to take any of them seriously. They are "trash"—and this woman is a hero.

Q: *What do you think will happen when you die?*

A: *I assume I'll be buried. I don't believe in mysticism or life after death. This doesn't mean I believe man's mind is necessarily materialistic; but neither is it mystical. We know that we have a mind and a body, and that neither can exist without the other. Therefore, when I die, that will be the end of me. I don't think it will be the end of my philosophy.*

Six Ways To Handle Bad Customer Service

• Rude convenience store clerk:

Ask what the fuck is so convenient about pouring your own soda. Then take all the pennies in the little tray and buy gumballs.

• Bad taxi driver:

Tell the driver his potential tip has just dropped to 5%, and for each additional driving infraction, as determined by you, you will dock his tip one percentage point, even if it means he ends up owing you money. And then say, "Hey buddy, could you hurry the fuck up? If I wanted to sit motionless in one place with my legs cramped and inhale foreign body odors all night, I would have made another visit to your wife's bedroom."

• Slow fast-food restaurant cashier:

Walk up to the counter, take out a piece of paper, and write the word "Fast" on it with a red magic marker. Hold it up and say to the cashier, "See this, asshole? This is what your mother should have done while she was pregnant with you, so maybe then your fetal brain wouldn't be comprised of fucking animal lard. It's also the speed at which you should be bagging my cheeseburgers."

• Slow movie theater ticket agent:

"They made a movie about you. It's called 'Dim-Witted Fuck' and it's now playing in theater seven. How about you give me my tickets so I can go catch the ending? I don't want to miss the part when the pissed-off customer takes out an Uzi and blows the guy's fucking head off."

• Rude waiter:

"Can I please see the menu again? For some reason, I don't remember the creme brulée coming with an arrogant prick."

• Rude bus driver:

"I'm not going to insult all other bus drivers by naming all two skills required to drive a bus, just for the sake of emphasizing your inability to master these two skills. Instead, let me just say that whatever these two unmentioned skills are, you, sir, not only do not possess them, but, as you might recall, there are only two skills to possess. And, fine, if you insist: driving and not being a fucking cunt."

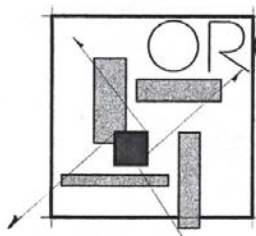
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"Architecture is the scientific art of making structure express ideas; the triumph of human imagination over materials, methods and men to put man in possession of his earth."

Frank Lloyd Wright

If you are looking to get 'a flower instead of a weed' out of the system, if you're interested in design that integrates the architecture with your site then maybe you should give me a call: Peter Cresswell at Organon Architecture.



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Ten or Eleven Commandments by God (as told to Jason Roth)

1. Thou shalt not dance while white.
2. Thou shalt not molest children with your mouth open.
3. Thou shalt not practice mindless rituals your parents taught you because you're scared shitless to question anything important.
4. Thou shalt not break into a church in the middle of the night above the age of sixteen and piss in the holy water.
5. Thou shalt not use the name of the Lord in close proximity to words depicting acts of animal sodomy, except for the occasional "goddamn horse-fucking motherfucker". Especially in traffic.
6. Honor thy father's and mother's requests for incest when they're holding a gun.
7. Thou shalt not wonder how long it took Adam to get under Eve's fig leaf. Or whether they let Satan watch.
8. Two false gods make a positive. Thou shalt only worship an even number of false gods. Zeus and Dionysus are a good start.
9. Thou shalt not check out the tits on the chick in the third pew while the priest is lecturing you about poor people.
10. Thou shalt not peep on thy neighbor's wife longer than five seconds at a time before ducking beneath thy windowsill.
11. Thou shalt not obey these commandments.

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SUSAN RYDER

COLUMN

Chewing The Fat

AKA Libertarian Sus

Known to talkback listeners across the country as Libertarian Sus, in what promises to be a regular column here, Susan chews the fat.

Perhaps this would be better titled, 'Living off the Fat of the Land.' Ministry of Health statistics (yes, it's enough to make you yawn, but read on nonetheless) suggest that one in three New Zealanders are overweight.¹ In response, the government has recently allocated some \$75 million to attempt to combat the problem.

No doubt the usual suspects who believe the state is there to make things better, and/or generally look after us, nodded in collective approval -- excepting our friends in the Green Party of course, who probably thought that \$75 million was not enough.

However the news reminded me of an argument I once had with a caller to a radio news talk-back programme. It was very much a 21st century argument conducted as it was for my part via email, but this particular caller became most irate with my written comments. The story went like this.

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The day's topic was the unhealthy combination of fast food and overweight children. Inevitably, it wasn't long before some genius suggested that *kids were eating far too much fast food and wouldn't it be a good idea if commercials for fast food were banned; if not outright, then certainly during kids' viewing hours, (whatever they might be in this age of 24-hour television).*

I rolled my eyes and was probably guilty of wishing momentary harm upon the hapless individual, but decided to be the bigger man and let it go. Alas, several more, doubtless well-intentioned, but terribly painful callers quickly joined this call-to-arms and before long there was a four-strong movement planning to storm the Bastille (alright then, The Beehive) to demand that the government step in and stop children from being exposed to the apparent evils of the likes of Macs, Wendy's and KFC on TV. (Presumably driving past them was still okay -- for the time being, anyway).

As a libertarian, I could take no more. I made the polite point that banning fast-food ads in the name of improved health was about as ludicrous as plastering health warnings all over cigarette packets in the hope that it would deter smokers, which it patently doesn't. I less politely added that the said warnings ultimately achieved bugger all except to keep

useless, parasitical bureaucrats in an artificially created job, which was obvious to all but the truly stupid, and furthermore, nobody should have the right to make impositions upon others' companies. (And I might have also made a disparaging comment about the hilarious-if-I-wasn't-paying-for-it politically correct warnings additionally translated into Maori).

That's when Pandora's Box opened. In short order a GP from South Auckland, (let's call him Dr X.), rang in and blasted anybody who, said he, *was naïve enough to believe that the solution was largely a matter of parents turning off the TV!* He ranted and raved about the insidious advertising practices of large corporations, particularly where children were concerned. *'The government should ban fast food advertising as a matter of urgency'*, said this paragon of virtue and self-proclaimed protector of South Auckland's collective health.

The programme host asked him why he thought that way. *Some people just can't help themselves!* declaimed this man of the people. *Besides, in some South Auckland industrial suburbs, there were no other lunch options aside from fast food outlets! You can't change bad habits!* he concluded, and anyway, *anything has to start at the top with the government!*

Well, free-thinkers, what would you say? Me, too. So here's what I rang and said to Dr X:

Dr X seems to not understand that it is possible to ignore advertising. He was scathing of people who have the strength of mind to do so. He was scathing of the callers who don't have diabetes, heart or lung disease, etc and disagree with his call-to-ban. To think like that, though, defies logic as a doctor. Far from criticising, he should be promoting that sort of thinking. Promoting strength instead of excusing weakness.

Fast food outlets are everywhere and they're not going away in a hurry. They're a fact of life and the sooner you accept that and simply choose not to eat there if disinclined, instead of grizzling about their existence, the better. If there are only fast food places where you work, what's

to stop you from taking your own home-made lunch. I would agree that many of the television ads targetted toward children are nauseating. They are certainly powerful. So take a leaf from the book of the sensible lady who called earlier and educate your children accordingly. Or here's a radical concept: just say 'no, we're not eating that tonight'. Or turn the damned TV off. Contrary to popular belief it is possible to do that.

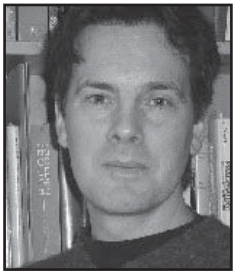
Banning TV ads will not change the situation one iota. I find it ironic that Dr X mentioned the banning of cigarette advertising in terms of trying to prove his point. Well now, hasn't that just worked a treat. I haven't seen anyone smoke in years, I don't think. (I would also point out that watching professional cricket for years never once made me scream down to the dairy during tea for a packet of B&H!)

The source of this problem can largely be traced back to statism, but that's a topic in itself and far too big to cover today. However, as long as we keep paying no-hopers to have babies, you're going to see this sort of neglect - and poor nutrition in a first-world society is a form of neglect. And if the state was removed from broadcasting altogether, allowing the public to pick and pay for channels the way we pick and pay for, say, our reading material, it is reasonable to expect television companies to meet family-friendly demand, including carefully selected advertising content. Dare I say it, that's the power of the marketplace when the state isn't around to pollute it.

But as for his ridiculous comment that one cannot change bad habits, get out of here. Where's your faith in the power of the human spirit, man? Are you resigning everybody to stay where they are in life? It's not easy to make changes, but you cannot say it can't be done. That's an excuse, purely and simply. And an excuse is a lie wrapped up in a reason.

My point is this. There is no quick fix for the ramifications of several decades of state-sanctioned irresponsibility. Responsibility can only be encouraged by discouraging irresponsibility -- and that's never going to happen as long as other taxpayers foot the bill.

And lastly, as for saying that 'anything has to start at the top with the government',



A Brief History Of Philosophy

A Compilation Of Student 'Research' Edited By Stephen Hicks

Is philosophy a waste of time? Ethical debates have been around for a long time, but nobody seems to have any answers. Ethics are very important. Ethics are a code of values to guide human life. Basically, what you do with your life comes down to your personal ethics. For the world to be good means having strong Altruistic people to help the society survive in this doggy dog world.

To Socrates, having a good life meant dying. Socrates was completely opposed to the Sophists. Not only did the Sophists not have reasons, they also did not have reasons. Sophists felt that there were no real reasons.

For Aristotle, the virtuous person can be known as temperate, someone who is under complete control. Aristotle thinks the Principle of Noncontradiction is an axiom is because it is one.

The existence of God is questionable since evil does have some good points to make. John Hick rebukes the concept that God would not allow suffering if he existed in the third paragraph of his essay. Because of evil there

is said to be another force in the universe, a dark force. His name is Satan.

Mysticism is the direct and immediate experience of the sacred.

In feudal times, jobs were passed on from fathers to sons. For example, if your father was a priest, you would probably become a priest too.

Priests vow poverty and while money isn't everything a priest should be able to have a little of life's enjoyments just like every other human being. Priests also take the vow of celibacy. On the conventional view, sex without the possibility of recreation is immoral. Priests want to sustain themselves from sex so they can have eternal childhood in the Lord's eyes. One thing religions teach is that you should pray regularly.

Basically, we need to decide what's best for society as a whole. That is the purpose of laws. Some states have laws that if broken cause one to be a criminal. In our country, the Deceleration of Independence sets the basic rights and laws. Some people have the right to liberty, but are unable to exorcize it. Shall I go against the laws put forth by my four fathers, who wrote, "All men are entitled to certain unalienable rights"?

In modern times, Utilitarianism is the doctrine

that we should all strive to pleasure our neighbors. John Stuart Mill said that even if what is being said is true, it is still wrong to censor it. Of course, we cannot take it for granted that all of Mill's assumptions are true.

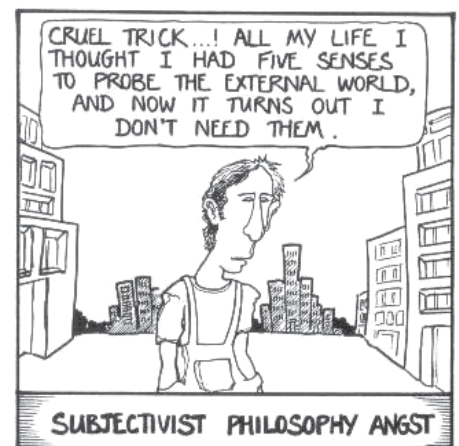
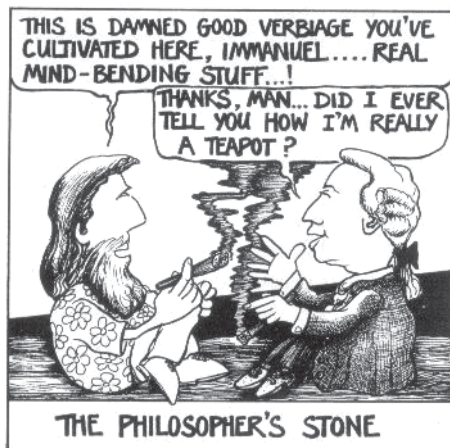
According to Freud, the child has lust during the breast-feeding stage. Eventually his mother stops, and his lust is suppressed until his adultery stage.

Marx says the bourgeoisie who employ the workers can and do enslave the proletariat workers. So Marx promoted socialism which operates the production of products produced by the society. Socialism is an ideal, but come on now! Let's be realistic!

Against Marx, Rand advocates free enterprise and selfishness, but her philosophy is sort of controversial, in a sense. She commits the fallacy of *hoc poc der doc*.

Stephen Hicks is professor of philosophy at Rockford College, Illinois.

© Stephen Hicks



Continued from previous page

oh, for God's sake. The last thing I need is a bureaucrat telling me what to eat. The bastards are busy enough telling me how to live as it is – and worse, at my damned expense! Handing responsibility over to the state is only going to worsen the situation, and is precisely why we are in the situation we find ourselves.

I understand the doctor's professional frustration. But you don't improve a situation by foisting regulation upon all and sundry. Regulation does not create Utopia. If it did, the former Soviet Union would have been a paradise. It was nothing of the sort. But it was full of useless bureaucrats making useless laws to keep themselves employed.

Think about that, Doc.

I don't know whether he did or not, but I certainly felt better for the rant. And the discussion was, after all, about health.

(Footnotes)

¹ Ministry of Health, 'Obesity in New Zealand'; 2002-3



Architecture Is The Scientific Art Of Making Structure Express Ideas

"Architecture is the scientific art of making structure express ideas." A friend asked me recently just what the hell that quote from Frank Lloyd Wright actually means -- to answer him, I had to go all the way back to the Middle Ages. Back specifically to Gothic cathedrals, perhaps the clearest and most powerful example of ideas being expressed through structure.

Prior to the development of Gothic cathedrals, the prevailing mode of construction was Romanesque, ie., in the form of Roman architecture, and the overwhelming things being constructed in this manner were churches. This was after all the Dark Ages, and Romanesque churches reflected that: dark interiors, few windows, little life in the proportions or rhythm of the building -- in short they were overwhelmingly gloomy, reflecting the overwhelming mood of the times (see below for example).

Yet after the turn of the millennia, a new mood was afoot. The year 1000 AD had passed and the world hadn't ended. The church still sucked the life out the peasantry, but more wealth and more intellectual inquiry were pursued. And a new, more optimistic conception of 'God's light of illumination' being at the heart of the town or city was formed (see for example Ulm Cathedral at right).

A new architecture was needed to express the new idea, but the prevailing Romanesque

form was insufficiently supple to do it. The problem, you see, was the semi-circular or *Roman arch*, after which the style was named. Specifically, the semicircular arch couldn't easily transfer loads vertically to the ground without significant sideways buttressing - the sideways thrust is significant with a semicircular arch or dome, as Michelangelo was to find later when he had to throw a chain around the base of St Peter's dome to keep it intact -- and also with a semicircular arch the height and width of the arch are inextricably linked, which meant variation in floor plan was difficult to achieve. Taken together, these two features on their own meant the Roman arch itself, the very motif of the imperial Romanesque style, was keeping churches low and gloomy, and stale and dull -- perfect for the Dark Ages but not so good for a more optimistic age. The Roman arch had to go.

Enter the '*pointed arch*,' an Islamic innovation brought back from the Crusades and from journeys to Moorish Spain. The pointed arch solved both these problems at a stroke and

was adopted wholesale, and with its adoption a new idea was able to be expressed.

You see, since the height of the arch no longer determined its width on the ground, the floor plan could become more supple and more lively. And since the pointed arch transferred loads more efficiently and with a smaller sideways thrust, the buildings could become tall, *really tall* -- reaching to heaven you see, "linking the heavenly and earthly spheres" as Christian Norberg-Schulz puts it -- and the walls and buttressing could become ever thinner. And one more thing now entered, the invention of a Paris priest, Abbot Suger of St Denis: something called the *flying buttress*.

Rather like the stone scaffolding a spider would erect to support an outside wall if he were a great stonemason, Suger's flying buttresses took the load path away from the enclosing walls, allowing them to be even thinner, and held them aloft so the building could become *even taller*, and so *thin* that vast holes could be punched through for 'God's glorious light' to flood in and overwhelm the supplicant within.

The effect was stunning and profound (see picture p68 of the St Denis interior), and the idea exploded around Europe -- with great spiders-webs of stone erected around ever higher and ever more glorious creations of man (see for example the choir of Reims cathedral at the bottom of the page). To take the sideways thrust of these

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The typically gloomy Romanesque interior.



Flying buttresses surround the choir at Rheims Cathedral



buttresses great piers were then erected, away from the outside walls and their vast stained glass windows, and on top of these piers enormous spires were then erected to counter-balance the sideways thrusts from the buttressing -- and with that the windows could be made much larger and *the buildings even taller and ever more transparent!* This was an exciting time to be a stonemason, with trial and error and much collapsing of stone producing ever taller and ever more transparent structures expressing the great idea of the age, such as it was. Never was so much of mans' ingenuity used for so long in the service of such a shabby idea.

The great idea of the Gothic cathedral was the expression of 'the age of faith,' of God's light illuminating man and the world, this idea itself being illuminated and expressed to an illiterate population through the means of architecture. The age of the Gothic Cathedral and the age of blind faith and illiteracy it represented was eventually killed by the printing press, and by the 'Age of Reason' that the printing press and the Renaissance between them helped to bring about. As Victor Hugo put it in his famous essay on the demise of the Gothic

cathedral in his novel *Notre Dame de Paris*, 'This Will Kill That,' an essay much admired by Frank Lloyd Wright and which expressed much the same idea as had Wright in the quote with which we began:

Human thought, in changing its form, was about to change its mode of expression; ... the dominant idea of each generation would no longer be written with the same matter, and in the same manner; ... the book of stone, so solid and so durable, was about to make way for the book of paper, more solid and still more durable. In this connection the archdeacon's vague formula had a second sense. It meant, "Printing will kill architecture." ... The great accident of an architect of genius may happen in the twentieth century, like that of Dante in the thirteenth. But architecture will no longer be the social art, the collective art, the dominating art. The grand poem, the grand edifice, the grand work of humanity will no longer be built: it will be printed.

And henceforth, if architecture should arise again accidentally, it will no longer be mistress. It will be subservient to the law

of literature, which formerly received the law from it. In India, Vyasa is branching, strange, impenetrable as a pagoda. In Egyptian Orient, poetry has like the edifices, grandeur and tranquillity of line; in antique Greece, beauty, serenity, calm; in Christian Europe, the Catholic majesty, the popular naivete, the rich and luxuriant vegetation of an epoch of renewal. The Bible resembles the Pyramids; the Iliad, the Parthenon; Homer, Phidias. Dante in the thirteenth century is the last Romanesque church; Shakespeare in the sixteenth, the last Gothic cathedral.

Thus, to sum up what we have hitherto said, in a fashion which is necessarily incomplete and mutilated, the human race has two books, two registers, two testaments: masonry and printing; the Bible of stone and the Bible of paper. No doubt, when one contemplates these two Bibles, laid so broadly open in the centuries, it is permissible to regret the visible majesty of the writing of granite, those gigantic alphabets formulated in colonnades, in pylons, in obelisks, those sorts of human mountains which cover the world and the

past, from the pyramid to the bell tower, from Cheops to Strasburg. The past must be reread upon these pages of marble. This book, written by architecture, must be admired and perused incessantly; but the grandeur of the edifice which printing erects in its turn must not be denied.

At least one architect of genius did appear in the twentieth-century who understood what Hugo meant, and he put it much more simply: "Architecture is the scientific art of making structure express ideas." Architecture may never again compete with literature for pre-eminence in the expression of ideas, but it

behooves both the reader of literature and the student and practitioner of architecture to understand how architecture can and has expressed ideas in the past, and how it still does just occasionally.

You can find Peter on the web at: organonarchitecture.co.nz

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Interior of Abbot Suger's St Denis.



Mario Lanza's Secret, Kick-Arse Nessun Dorma

Fifty-one years ago, long before Luciano Pavarotti made it a household aria, Mario Lanza had recorded the great and demanding *Nessun Dorma* for the soundtrack of one of his movies.

Serenade has a *Fountainhead*-like plot, except that the Dominique who wishes to destroy Roark-Lanza really means it, and only ever cultivated him with a view to destroying him, as she had destroyed a long line of artists before him just because they were talented and in danger of being successful. How had she done it? By sponsoring them, seducing them, declaring her undying love, securing their besotted devotion—and then, just when they were poised for a career breakthrough, dumping them ignominiously from a great height. When Roark-Lanza survives her attempt to wreck him thus, and shows every sign of having gotten over her and being on the comeback trail, she goes after him again.

Impresario Vincent Price remarks, “I’m curious, my dear. It’s not like you to work your victims over a second time.” She (Joan Fontaine) responds, “Has it ever occurred to you that I might *really* love him?” Price, wryly: “Frankly, my dear, no, it hasn’t.” (Price has already commented to Lanza on Fontaine’s predilection for buying up masterpieces just to hide them in dank cellars.) You will readily appreciate, dear reader, how it was fitting that melodramatic arias like *Nessun Dorma* should abound in *Serenade*. Damnably, Mario’s rendering of it was below par.

Some context: *Nessun Dorma* is sung by the hero of the opera (*Turandot*), Calaf, after he has given correct answers to the notorious three riddles posed by the icy Princess Turandot to all her would-be suitors. He has thereby saved himself from the fate that befalls all who give *wrong* answers, execution (the opera begins with a hapless, failed wannabe being carted off to meet his demise). Calaf, however, has given the man-hating Turandot an out—if she can discover his name by dawn, he’ll forfeit his life anyway. In the aria, he muses on the edict that Turandot has sent out: *None shall sleep* [*“Nessun Dorma”*] *until his name is revealed*, and looks forward to victory at dawn: “Vincero!” (“I shall conquer!”)

For the benefit of those who might like to play the aria while following the lyrics, here they are:

*Nessun dorma! Nessun dorma!
Tu pure, o, Principessa,*

*nella tua fredda stanza,
guardi le stelle
che fremono d’amore
e di speranza.*

(None must sleep! None must sleep!
And you, too, Princess,
in your cold room,
gaze at the stars
which tremble with love
and hope!)

*Ma il mio mistero e chiuso in me,
il nome mio nessun saprà!
No, no, sulla tua bocca lo dirò
quando la luce splenderà!*

(But my mystery is locked within me,
no-one shall know my name!
No, no, I shall say it as my mouth
meets yours when the dawn is breaking!)

*Ed il mio bacio scioglierà il silenzio
che ti fa mia!*

(And my kiss will break the silence
which makes you mine!)

*Dilegua, o notte!
Tramontate, stelle!
Tramontate, stelle!
All’alba vincero!
Vincero, vincero!*

(Vanish, o night!
Fade, stars!
At dawn I shall win!)

So just what was wrong with Mario’s recording? Little things that cumulatively meant disappointment. He blares sharp (above the note) on the opening phrase; he breaks the vocal line in the first succession of High As (“bocca lo dirò”); he mangles the pronunciation of “tramontate” in the *second* batch of High As; he is horribly sharp in the second two syllables of the first “Vincero”; he loses intensity on the penultimate, climactic note and veritably falls off the very last one. Those of us who love Lanza and know what he could have done with this aria have remonstrated with his ghost for years, “Dammit, Mario, why didn’t you do a second take?!”

Well, blow me down with a High C, it turns out that he *did*. Or rather, he’d *already* done it. Yes, the take that was used in the movie and released on the soundtrack recording was a *second* take—that was much inferior to the first! In the first, there’s still the occasional (slight) sharpness, but none of the other problems of the second parlay. As I’ve had occasion to remark elsewhere, in this glorious first attempt he kicks Principessa’s cold ass to the other side of the moon, dramatically speaking; musically, it’s a treat, with delightful *rubati* and an electrifying climax. As he alights on the last syllable of the penultimate *Vincero!* Mario is fair exulting, “Here I come, ready or not!” Then he duly “comes,” orgasmically nailing the last *Vincero!* in a way that would drive a live audience delirious.

I played this take the other night to a live audience that included *The Free Radical*’s resident esthetician, Peter Cresswell. His reaction? “Fuck! Where has *that* been all these years?!” Like so many Mario (or Elvis, or anyone) treasures, it’s been hidden away in the RCA vaults. But now it’s out there, thanks to Damon Lanza Productions, who’ve released the *Serenade* soundtrack *with* the first take as well as the second. (Damon is Mario’s son.) Write to dlanza622@comcast.net.

So why was the inferior second take the one that was released? Who knows?! Maybe it’s the better voice/orchestra balance (they brought Mario’s voice forward the second time). Maybe it’s because the first take was under-bassed. Maybe it’s because the second take deleted the *rubati* and galloped through the thing at a sizzling pace for a movie that was over-shot.

Or maybe Dominique Francon-Fontaine was in charge of the selections!

STOP PRESS: A Lanzaphile by the name of Vince di Placido has “matched” this take of *Nessun Dorma* to the scene in the movie *Serenade* in which Lanza lip-synchs to the *other* take. Therefore, of course, the lip-synching *doesn’t* match, but Vince covers a lot of it up with very cleverly selected snippets from other parts of the movie that match the lyrics or pulse or both of what Mario is singing. For the full experience, visit www.youtube.com/watch?v=PoN8Q71TYIA.

***Turandot* plays in Sydney from 14 July through September. Visit www.sydneyoperahouse.com for details.**



NEIL MILLER

BEER

Beer And Elsewhere: One Man's EPIC

Neil Miller from RealBeer.Co.NZ begins a regular column on the pleasures of one of mankind's finest creations: Beer.

Perhaps the toughest question a beer writer can be asked is "So, what's the best beer then?" This is the equivalent of demanding Lindsay Perigo identify his favorite Ayn Rand quote, and the answer in both cases will usually depend on the context.

At the recent New Zealand International Beer Awards a panel of distinguished judges focused their laser-like palates on 199 domestic beers to find the best beer entered.

They finally crowned one beer as Supreme Champion – EPIC Pale Ale from Auckland's Epic Brewing Company.

EPIC Pale Ale (5.4%) is a burnished golden beer which throws a punchy citrus nose. It has an immaculate balance of rich creamy malt body with lashings of summerfruit and citrus notes before a lingering, almost oily, bitterness dries the mouth.

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EPIC actually won the top award in its competition debut on the eve of its nationwide launch. Brewer Luke Nicholas says "We are confident that New Zealand beer drinkers will enjoy it just much as the judges."

Luke's track record suggests that confidence is justified. The quality of his beers have been recognized with bags of awards and trophies including twice brewing previous Supreme Champions.

He is always prepared to tweak his recipes to "keep the drinkers thinking" and to always move the beer towards being the "perfect pint" – a beer that you totally enjoy all evening, pint after pint.

Luke also likes hops – lots of hops. He uses hops from around the world but particularly relishes the intense flavours and aromas of American hops. His beers are all generously hopped and he says he aims to "keeping pushing the envelope out to see how much hops people can handle. I haven't found the limit yet."

Luke admits that many brewers would consider the "shedload" of hops used in EPIC to be insane. "I call that flavour," he smiles. Hopheads like me can only applaud such an attitude.

The Epic Brewing Company is a new brewing entity which grew out of the operations of the *Cock and Bull* English Pubs and Brewery. The five Cock and Bull pubs - Ellerslie, Botany, Lynfield, Hamilton and Newmarket – all serve Luke's handcrafted beers.

The flagship *Cock and Bull* beer is **Monk's Habit** (7%) – an American Pale Ale. This rich copper beer has been described as the country's most decadent pint with a full body of grapefruit, orange and soft honey flavours followed by a beautifully intense bitter

finish. Twice Supreme Champion, this is a breathtakingly good beer.

Fuggles (4.75%) straddles the Best Bitter and Pale Ale style but does so with such flavour that it hardly seems an issue. Often served through a traditional handpump, this slightly creamy British style beer combines a mouthwatering malt and fruit body with a punchy bitter finish. Roll out the barrel indeed.

The darkest beer in the range is **Dark Star** (5%) which is broadly in the style of an English Porter. This beer has a toasty nose, a body laced with chocolate, roast coffee and burnt toast flavours followed by a firm, cleansing bitterness. This is a distinctive dark beer and a fine drop.

The *Cock and Bull* also cater for more mainstream tastes at their pubs. Luke ensures that these more familiar styles of beer are still fresh, well-made and full flavored.

The **Blue Goose** (4.6%) is an extremely popular Premium Lager. This pale golden beer has a subtle aroma of dry grass and clean smooth body.

The bar-coaster most likely to go home with a visitor belongs to the **Buxom Blonde Wheat Beer** (4.8%). Very pale, it has hints of lemon, wheat, citrus and honey along with a soft, slightly tart finish. A highly refreshing beverage.

Inspired by the traditional New Zealand style of "draught beer", the **Classic Draught** (4%) brings a little more class and flavour with imported English malts contributing to the bustling biscuity body. This is closely followed a clean finish with just a hint of hops (by Luke's standards). A good session beer for even the terminally unadventurous.

With EPIC, Luke has created a massively flavored beer which retains drinkability. At my own tastings, most drinkers found it easier to step up to EPIC than to step back down to their mainstream lagers after trying it.

A bottle of EPIC would be a good place to start the search for New Zealand's best beer.

You can find Neil offering regular beer commentary at RealBeer.Co.NZ, or at his weekly Beer O'Clock posts every Friday afternoon at Not PC, www.pc.blogspot.com



Helen blows the froth off a Monk's Habit.
(Insert obvious punchlines here.)

Photo Caption Contest

GENERATION

Rantings of an endangered species
- the Kiwi Bloke.

XY



Taito Philip Field was disappointed to be caught up in the passports-for-blowjobs scandal.



Guess which one has the brownest nose?



Later in court Mallard pleaded: "It was only a hickey!"



I know we're both desperate to please the leader but I recall it was YOUR idea for us to come here and have a civil union.



Only one of the attendees paused to consider the wisdom of naming the party's youth arm 'Child Labour'.



Using the latest technology, Steve Chadwick hopes to track down the people who gave her a boy's name.

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Photo Caption Contest

Now it's your turn. Send your caption for the photo below to: editor@freeradical.co.nz by July 31. The best caption wins a book of cartoons courtesy of GenerationXY.blogspot.com





Reporting Now From The Soviet Socialist Republic Of Aotearoa

Ronald Reagan used to tell the story, though not to Mikhail Gorbachev, of the fellow in the late unlamented Union of Soviet Socialist Republics, who bought a car. He was told by a clerk behind a desk that delivery would be seven years three months and five days away. "Morning or afternoon?" asked the buyer. "Morning or afternoon?" echoed the clerk ... what difference does it make when it's seven years three months and five days away?" "Well," said the buyer, "it has to be the afternoon. The plumber's coming in the morning."

CivicCorp to decide how big a conventional sign he could erect. Now, the Queenstown Lakes District Council chief executive has magnanimously declined to seek Mr Henderson's imprisonment and agreed to let the sign stay until it grows over naturally. For Mr Henderson to have a permanent sign he would have had to seek the community's agreement. We're waiting for the Queenstown Lakes District Council to take over all the land in its jurisdiction outright, and bring back the glory days of Stalin's collectives, here in the Soviet Socialist Republic of Aotearoa. Be very fat.

That's about what it's like now in the Soviet Socialist Republic of Aotearoa. No, you don't have to wait for a plumber. You don't have to queue for bread. There's no toilet paper shortage. You can buy a CD of your choice—or computer, or book, or mobile phone, or TV, or car, or pair of shoes—pretty well straight away, because these things are produced and supplied by private enterprise, for a profit. In the old USSR they were produced, if at all, by Nanny State, supposedly for service—and service was surly or non-existent. Here in the Soviet Socialist Republic of Aotearoa, Nanny State runs the electricity system. Nanny State's Transpower operates the national grid, overseen by Nanny State's Electricity Commission and Nanny State's Commerce Commission. What do they give us? Blackouts. Blackouts without back-ups. This supposedly First World country's biggest city was without power for a day because supply was literally hanging by a thread, which snapped. Nanny State's Resource Management ACT is one of the reasons our grid is on a par with Chernobyl. The Beehive Commissars are promising reports, reviews and revamps. Be very afraid.

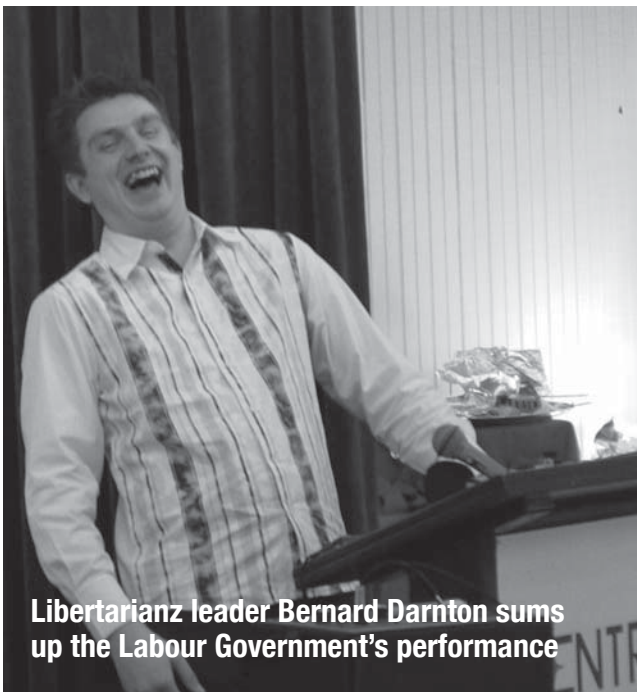
Here in the Soviet Socialist Republic of Aotearoa, Nanny State runs the health system. What does she give us? Waiting lists. How does she reduce the waiting lists? By tearing them up! You don't get your surgery but you're no longer on a waiting list because Nanny says you're not. She's sent you back to your GP. Now isn't that reassuring when you've got skin cancer. Fat lot of use your GP is there, but Nanny is saying you have to wait till your tumour is really big, by which time it's more difficult to remove and will probably have metastasised. Nanny's die-while-you-wait health system is also currently serving up chronic staff shortages and, of course, strikes. Be very ... healthy.

Did someone say RMA? Here in the Soviet Socialist Republic of Aotearoa, property developer Dave Henderson, the man who beat the IRD, was told he couldn't keep the sign, "fivemile.co.nz" he had had mown into a paddock on his Frankton Flats land. He didn't have resource consent, and could be jailed for two years or fined \$200,000. He had mown the sign into the grass because he'd become sick of waiting for Nanny State's Transit New Zealand and her local bossyboots

Or might that be ... the Islamic Republic of Aotearoa? Abu Bakar Bashir, the cockroach cleric who inspired the Bali bombings, had a message for Australian Prime Minister John Howard when he came out of jail this week: become a Muslim or burn in hell. This to a crowd of thousands of fellow Islamo-fascists screaming and flailing and generally doing what they do so well—behave like crazed monsters. Yes, that was Indonesia, and he was taunting Australia's Prime Minister, not ours. But let us not forget that the Islamo-fascists over the ditch have demanded Sharia Law be implemented there, and our lone Muslim MP has said it would be proper to stone homosexuals to death. How long before the deeply stupid but vicious and insistent voice of Islamo-fascism is raised concertedly here? Islam is the locus of totalitarian evil in the modern world—and the price of liberty is eternal paranoia. Our Soviet Socialist Republic at least allows a significant degree of free speech still, such as mine right now. An Islamic Republic would allow none, and I and many of you would be beheaded by these super-superstitious savages. Be very alert.

RADIO LIVE

Lindsay Perigo on Radio Live - 0800 723 465



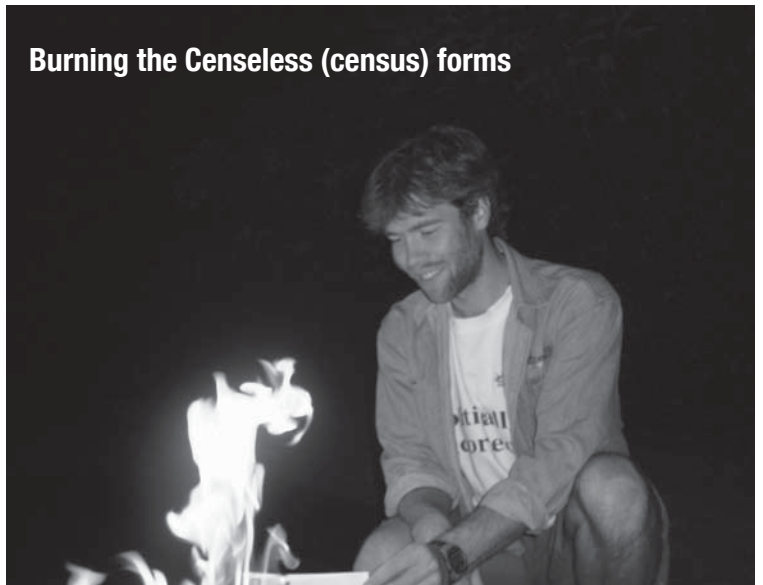
Libertarianz leader Bernard Darnton sums up the Labour Government's performance



Burning the Censeless (census) forms



Another census form hits the shredder



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