

November 1, 2011

Just how much tyranny is abroad in our land? That question is asked by [Myron Magnet](#) in the current issue of City Journal. He uses the Kelo decision and its enumerated precedents to show how aghast the founders might be if they could see what has been wrought in their names.

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The NY Times with the [memoir of Steve Jobs' sister](#).

*I grew up as an only child, with a single mother. Because we were poor and because I knew my father had emigrated from Syria, I imagined he looked like Omar Sharif. I hoped he would be rich and kind and would come into our lives (and our not yet furnished apartment) and help us. Later, after I'd met my father, I tried to believe he'd changed his number and left no forwarding address because he was an idealistic revolutionary, plotting a new world for the Arab people.*

*Even as a feminist, my whole life I'd been waiting for a man to love, who could love me. For decades, I'd thought that man would be my father. When I was 25, I met that man and he was my brother.*

*By then, I lived in New York, where I was trying to write my first novel. I had a job at a small magazine in an office the size of a closet, with three other aspiring writers. When one day a lawyer called me — me, the middle-class girl from California who hassled the boss to buy us health insurance — and said his client was rich and famous and was my long-lost brother, the young editors went wild. This was 1985 and we worked at a cutting-edge literary magazine, but I'd fallen into the plot of a Dickens novel and really, we all loved those best. The lawyer refused to tell me my brother's name and my colleagues started a betting pool. The leading candidate: John Travolta. I secretly hoped for a literary descendant of Henry James — someone more talented than I, someone brilliant without even trying.*

*When I met Steve, he was a guy my age in jeans, Arab- or Jewish-looking and handsomer than Omar Sharif.*

*We took a long walk — something, it happened, that we both liked to do. I don't remember much of what we said that first day, only that he felt like someone I'd pick to be a friend. He explained that he worked in computers.*

*I didn't know much about computers. I still worked on a manual Olivetti typewriter.*

*I told Steve I'd recently considered my first purchase of a computer: something called the Cromemco.*

*Steve told me it was a good thing I'd waited. He said he was making something that was going to be insanely beautiful. ...*

*... He told me, when he was saying goodbye and telling me he was sorry, so sorry we wouldn't be able to be old together as we'd always planned, that he was going to a better place.*

*Dr. Fischer gave him a 50/50 chance of making it through the night.*

*He made it through the night, Laurene next to him on the bed sometimes jerked up when there was a longer pause between his breaths. She and I looked at each other, then he would heave a deep breath and begin again.*

*This had to be done. Even now, he had a stern, still handsome profile, the profile of an absolutist, a romantic. His breath indicated an arduous journey, some steep path, altitude.*

*He seemed to be climbing.*

*But with that will, that work ethic, that strength, there was also sweet Steve's capacity for wonderment, the artist's belief in the ideal, the still more beautiful later.*

*Steve's final words, hours earlier, were monosyllables, repeated three times.*

*Before embarking, he'd looked at his sister Patty, then for a long time at his children, then at his life's partner, Laurene, and then over their shoulders past them.*

*Steve's final words were:*

*OH WOW. OH WOW. OH WOW.*

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## City Journal

### [On Tyranny and Liberty](#)

#### ***Would the Founders approve of the nation we've made?***

by Myron Magnet

A U.S. Supreme Court justice recounted over cocktails a while ago his travails with his hometown zoning board. He wanted to build an addition onto his house, containing what the plans described as a home office, but he met truculent and lengthy resistance. This is a residential area, a zoning official blustered—no businesses allowed. The judge mildly explained that he would not be running a business from the new room; he would be using it as a study. Well, challenged the suspicious official, what business are you in? I work for the government, the justice replied. Okay, the official finally conceded—grudgingly, as if conferring an immense and special discretionary favor; we'll let it go by this time. But, he snapped in conclusion, don't ever expletive-deleted with us again.

Isn't that sort of petty tyranny? I asked.

Yes, the justice replied; there's a lot of it going around.

Tyranny isn't a word you hear often, certainly not in conversations about the First World. But as American voters mull over the election campaign now under way, they're more than usually inclined to ponder first principles and ask what kind of country the Founding Fathers envisioned. As voters' frequent invocations of the Boston Tea Party recall, the Founding began with a negation, a statement of what the colonists *didn't* want. They didn't want tyranny: by which they

meant, not a blood-dripping, rack-and-gridiron Inquisition, but merely taxation without representation—and they went to war against it. “The Parliament of Great Britain,” George Washington wrote a friend as he moved toward taking up arms several months after the Tea Party, “hath no more Right to put their hands into my Pocket without my consent, than I have to put my hands into your’s, for money.”

With independence won, the Founders struggled to create a “free government,” fully understanding the novelty and difficulty of that oxymoronic task. James Madison laid out the problem in *Federalist* 51. “Because men are not angels,” he explained, they need government to prevent them, by force when necessary, from invading the lives, property, and liberty of their fellow citizens. But the same non-angelic human nature that makes us need government to protect liberty and property, he observed, can lead the men who wield government’s coercive machinery to use it tyrannically—even in a democracy, where a popularly elected majority can gang up to deprive other citizens of fundamental rights that their Creator gave them. In writing the Constitution, Madison and his fellow Framers sought to build a government strong enough to do its essential tasks well, without degenerating into what Continental Congress president Richard Henry Lee termed an “elective despotism.” It’s to ward off tyranny that the Constitution strictly limits and defines the central government’s powers, and splits up its power into several branches and among many officers, all jealously watching one another to prevent abuse.

When we ask how our current political state of affairs measures up to the Founders’ standard, we usually find ourselves discussing whether a given law or program is constitutional, and soon enough get tangled in precedents and lawyerly rigmarole. But let’s frame the question a little differently: How far does present-day America meet the Founders’ ideal of free government, protecting individual liberty while avoiding what they considered tyranny? A few specific examples will serve as a gauge.

The Supreme Court’s 2005 *Kelo v. City of New London* decision is notorious enough, but it bears recalling in this connection, for the whole episode is objectionable in so many monitory ways. In the year 2000, the frayed Connecticut city had conceived a grandiose project to redevelop 90 waterfront acres, in conjunction with pharmaceutical giant Pfizer’s plan to build an adjoining \$300 million research center. A conference hotel—that inevitable (and almost inevitably uneconomic) nostrum of urban economic-development authorities—would rise, surrounded by upscale housing, shopping, and restaurants, all adorned with a marina and a promenade along the Thames River. Promising to create more than 3,000 new jobs and add \$1.2 million in revenues to the city’s declining tax rolls, the redevelopment authority set about buying up the private houses, mostly old and modest, on the site.

Several homeowners refused to sell, however. They loved their houses and their water views. In response, the determined city seized their property under its power of eminent domain. One resident, Susette Kelo, wasn’t giving up her little pink house without a fight, though, and she, along with a few neighbors (including one who’d lived in her house since 1918), sued the city in the state courts, claiming that its action violated the Fifth Amendment’s guarantee that no person shall “be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.” The trial court agreed with Kelo’s reasonable assertion of the government’s fundamental duty to protect rather than invade private

property, but the state appeals court disagreed, and ultimately the U.S. Supreme Court upheld the city's seizure, 5–4.

The Supreme Court's opinions, on both sides, lay out a dreary history of how a fundamental liberty shriveled. The justices cite a 1954 precedent that imperiously expanded the rationale for eminent domain from the Fifth Amendment's public *use* to public *purpose* to justify urban-renewal projects that tore down vast swathes of supposedly blighted property in order to turn the land over to private developers of better housing. Even if you grant the constitutionality of the new rationale, argued the petitioner in this case—who owned a prospering, unblighted department store within the redevelopment area—creating a “better balanced, more attractive community” was not a valid public purpose. Wrong, said the Supremes, in Justice William O. Douglas's trademark fatuously whimsical language: the legislature, invoking values that are “spiritual as well as physical, aesthetic as well as monetary,” has the power “to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled.” Nor need officials, evidently empowered to define public purposes beyond the Constitution's limited and enumerated scope, deal with property owners on an individual basis in imposing their aesthetic vision on already existing property, so the department-store owner's liberty and property rights merit no protection from the redevelopment juggernaut.

The *Kelo* Court also cited a precedent, appropriately from 1984, that is hard to distinguish from a Latin American Communist-imposed land-reform scheme. Because the government owned 49 percent of Hawaii's land and 72 private landlords owned another 47 percent of it, the state legislature passed a law forcing the private property owners to sell their land to their lessees, for just compensation. The public purpose of this social-engineering megaproject: “eliminating the ‘social and economic evils of a land oligopoly.’ ” Trying to explain his notion of “the tyranny of the majority,” the great democratic danger that he'd designed the Constitution to prevent, Madison began by observing that “those who hold, and those who are without property, have ever formed distinct interests in society.” As the propertyless will always outnumber the propertied, the essence of democratic tyranny is for the poorer many to expropriate the richer few by such “improper or wicked” schemes as voting “an equal division of property,” the furthest-out extreme of tyranny that the Father of the Constitution could imagine. What would he have said about the Hawaii legislature's property-redistribution edict and the U.S. Supreme Court that ratified it on such a rationale?

*Kelo*, as the dissenting justices pointed out, makes almost limitless the government's eminent-domain power. While the Fifth Amendment envisioned transferring one private owner's property to another—for reasonable compensation—for a turnpike or a canal to which the entire citizenry had access (or, later, a railroad or electricity-transmission line), the 1954 and 1984 precedents that the Court cites at least claimed that the transfer accomplished the direct public purpose of ending a harmful use of property, if only by association in the case of the unblighted department store surrounded by blight. But no one claims that Susette Kelo's house—or her neighbors'—is blighted, the dissenters observed. The public purpose of “tak[ing] private property currently put to ordinary private use, and giv[ing] it over for new, ordinary private use” is the indirect, secondary one of raising New London's tax base, meaning that government could order any property razed for a higher-value one, sweeping away single-family houses (especially humble

ones) for apartment buildings, churches for stores, or small businesses for national chains. And, the dissenting justices might have added, it makes government officials interested, rather than neutral, parties, since more tax revenue means better pay, health care, and pensions for them.

In 1812, the nation's retired first chief justice, John Jay, commented on a proposal to take by eminent domain some fields near his Westchester farm and flood them to make a millpond to turn a factory waterwheel. "When a piece of ground is wanted for a use important to the State, I know that the State has a right to take it from the owner, on paying the full value of it; but certainly the Legislature has no right to compel a freeholder to part with his land to any of his fellow-citizens, nor to deprive him of the use of it, in order to accommodate one or more of his neighbours in the prosecution of their particular trade or business," he wrote. "Such an act, by violating the rights of property, would be a most dangerous precedent." As for flooding the fields: "It may be said that the pond, by facilitating manufactures, will be productive of good to the public; but will it not produce more loss than gain, if any of the essential rights of freemen are to be sunk in it?" By 1885, however, many states had passed "mill acts," permitting just such a use of eminent domain to power gristmills—required, like turnpikes and railroads, to serve all comers.

As it happened, getting rid of Susette Kelo's house—ultimately, New London moved it from its waterfront site rather than demolish it—produced no gain to anyone. In the wake of a merger, Pfizer moved its research facility elsewhere; the redevelopment agency couldn't raise the necessary financing for the rest of the project, which Pfizer's withdrawal rendered problematic; and the land sits vacant, generating not a nickel of tax revenue. The only good the decision produced was a slew of laws in many other states severely limiting the use of eminent domain for economic development. In New York, one of eight states without such limits, the official wresting of unblighted property from one ordinary private owner to another politically powerful one for private use continues unabated.

In framing the Constitution, once the Revolution had stopped the tyranny of taxation without representation, Madison realized that even in a self-governing republic, taxes remained the chief source of potential abuse. "The apportionment of taxes on the various descriptions of property, is an act which seems to require the most exact impartiality," he wrote, "yet there is perhaps no legislative act in which greater opportunity and temptation are given to a predominant party, to trample on the rules of justice. Every shilling with which they overburden the inferior number, is a shilling saved to their own pockets." A steeply "progressive" tax system, in which the rich pay not just a higher amount but pay at a higher rate than the less affluent, would have troubled him as much as a system whose loopholes allow some rich citizens to pay proportionally less, and he would have heard with dismay—though not with total astonishment, since it was just this kind of danger he knew the country faced—that 47 percent of tax filers now pay no income tax.

But what he could never have imagined is that judges—rather than the legislature—would impose a new system of taxation without representation, a modern tyranny of which the most outrageous of several examples is the New Jersey Supreme Court's *Abbott v. Burke* case, still going on after more than a quarter-century. Based on the state constitution's boilerplate call for the legislature to "provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in the State between the ages of five and

eighteen years,” the court, in a string of 21 decisions starting in 1985, set out to use the schools to rescue the children of New Jersey’s urban underclass, cost be damned.

The court claimed to know just how Herculean a task it was taking on. Inner-city kids in Newark, Trenton, Camden, and so on had “needs that palpably undercut their capacity to learn,” the judges noted. “Those needs go beyond educational needs[;] they include food, clothing and shelter, and extend to lack of close family and community ties and support and lack of helpful role models.” The children live “in an environment of violence, poverty, and despair, . . . isolated from the mainstream of society. Education forms only a small part of their home life,” and dropping out of school “is almost the norm. . . . The goal is to motivate them, to wipe out their disadvantages as much as a school district can, and to give them an educational opportunity that will enable them to use their innate ability.”

What will accomplish this vast work of cultural and social repair? The judges had read their Jonathan Kozol, they noted, and what they took away from the fanciful, far-left education ideologue’s *Savage Inequalities*, which compares some of the worst urban high schools—including one in Camden, New Jersey—with some of their very best suburban counterparts, is that the chief difference between successful schools and failed ones is money.

So, flinging aside the concept of separation of powers, the court ordered the legislature to hike its support for specified inner-city districts—and not by the relatively modest amount that the legislature calculated would help these schools meet performance standards it thought reasonable, but rather by the huge amount of money needed to make their per-pupil expenditure equal that of the state’s richest suburban districts. In fact, the court reasoned, the 31 so-called *Abbott* districts should receive *more* than the rich districts, because inner-city kids have “specific requirements for supplemental educational and educationally-related programs and services that are unique to those students, not required in wealthier districts, and that represent an educational cost.” Before long, the court had included in these extra programs all-day kindergarten, half-day preschools for three- and four-year-olds (though the state constitution calls for free education to start at age five), and special transition programs to work or to college, plus a ton of money to improve “crumbling and obsolescent schools,” since “we cannot expect disadvantaged children to achieve when they are relegated to buildings that are unsafe”—and that, as Jonathan Kozol would say, contemptuously proclaim that a racist society doesn’t value the kids it dumps there.

Perhaps not averse to shoveling lots more money to unionized teachers and construction workers while claiming to have no other choice, the legislature didn’t resist the court’s encroachment on its constitutional prerogative to set taxes and spending priorities, and it obediently began to fleece the Garden State’s taxpayers with abandon, pushing New Jersey’s state and local tax burden to 12.2 percent of the average taxpayer’s income, the highest in the nation in the Tax Foundation’s latest ranking. As spending on the *Abbott* districts skyrocketed from 8.9 percent of the state budget in 1985 to 15.5 percent of a much bigger budget last year, suburban taxpayers found themselves paying for two school systems: their own, through property taxes (higher since the suburbs now get much less state aid); and the *Abbott* schools, through their state income taxes—to the tune of almost \$37 billion in the decade from 1998 to 2008, according to a Federalist Society study. Suburbanites with kids in private or parochial

school shoulder a third system as well. To fund construction of gleaming new inner-city schools, the legislature authorized \$8.6 billion in bonds that pirouetted around constitutionally mandated voter approval—and that covered only half the ultimate cost, given the inefficiency and corruption that riddles the contracting process. And last spring, the court demanded yet another half-billion dollars for the *Abbott* archipelago, at a time when the sagging national economy makes curbing out-of-control government spending, and separating essential from frivolous efforts, more than usually urgent.

What are New Jersey taxpayers accomplishing with the \$22,000 to \$27,000 they spend per pupil each year in the big inner-city districts? On test scores and graduation rates in Newark, the needle has scarcely flickered. As the E3 education-reform group's report *Money for Nothing* notes, high schools in the state's biggest city can't produce substantial numbers of juniors and seniors who can pass tests of eighth-grade knowledge and skills, and the report quotes testimony to the same effect before the state legislature about Camden's schools.

A remark the Jersey justices made in one of their *Abbott* decisions suggests why. "Approximately twenty security guards are required to ensure the safety of high school students in Trenton," the judges say, compared with three or fewer in a suburban school. What kind of school culture does this statement imply? The judges know that "many poor children start school with an approximately two-year disadvantage compared to many suburban youngsters"—because, even with court-mandated preschool, they have vocabularies a fraction the size of middle-class children's, and they lack a middle-class-level mastery of cognitive concepts like cause and effect, or social skills like sharing, taking turns, sitting still, and paying attention, or a middle-class knowledge base of everything from dinosaurs and donkeys to Rapunzel and Rumpelstiltskin.

And money for a 20-man troop of guards is supposed to help shrink that disadvantage rather than expand it, as the schools do now? To work that rescue, the schools need a vast reformation in their institutional culture so that, as in much less costly parochial schools that succeed with the same youngsters whom the public schools fail, kids behave not because they have a phalanx of guards coldly eyeing them but because they identify internally with the purposes of the school and genuinely want to meet its standards. They need teachers rewarded for merit, not longevity, and a curriculum that stresses skills, knowledge, and striving, not grievance and unearned self-esteem. They need a school culture that expands their sense of opportunity and possibility strongly enough to counteract the culture of militant ignorance and failure that surrounds them in the narrow world they know.

Laudable ends generally don't justify improper means; but when illegitimate means come nowhere near achieving their indisputably noble goal—when, to paraphrase Chief Justice Jay, government drowns our liberties in a pond that can't even turn a mill wheel—what justification can there be?

One of the greatest dramas of President Washington's first term was the showdown between House of Representatives leader James Madison and Treasury secretary Alexander Hamilton over how to interpret the Constitution of which Madison was the moving spirit, and which he and Hamilton had defended and explicated together in *The Federalist*. Hamilton wanted the

government to charter a national bank; Madison argued that doing so would be unconstitutional because chartering a bank was not one of the limited and enumerated powers given to the federal government. It was no good, he said, for Hamilton to claim that the Constitution's clause empowering Congress to make any law "necessary and proper" for carrying out its enumerated powers would permit it to charter the bank, since a bank wasn't "necessary" but merely "convenient." Once you start saying that the Constitution's "necessary and proper" clause, or commerce clause, or clause to provide for the general welfare gives Congress implied powers, you are setting off on a course that will in the end "pervert the limited government of the Union, into a government of unlimited discretion, contrary to the will and subversive of the authority of the people."

Nonsense, replied Hamilton: the "criterion of what is constitutional . . . is the *end* to which the measure relates as a *mean*. If the end be clearly comprehended within any of the specified powers, & if the measure have an obvious relation to that end, and is not forbidden by any particular provision of the constitution—it may safely be deemed to come within the compass of the national authority." Congress and President Washington agreed; the bank, once established, sparked an era of golden prosperity; and even Madison learned when he became president that a central bank was indeed necessary, and that interpreting the Constitution requires "a reasonable medium" between trying to "squeeze it to death" and "stretch it to death." Men of goodwill can disagree on where the line is that would "convert a limited into an unlimited Govt," but all agree that one can't overstep that line.

So it was with a certain astonishment that one heard then—Speaker of the House Nancy Pelosi's reply, when asked two years ago whether President Obama's health-care plan, which she and her colleagues had just passed into law, was constitutional. "Are you serious?" she said with incredulous contempt. "Are you *serious*?" With apparently no idea of where her authority came from, she seemed to assume that Congress had power to do whatever it wanted, though her office later announced that the power to force citizens to buy health insurance was implicit in the Constitution's commerce clause. Congress has, of course, grotesquely stretched the doctrine of implied powers many times since Madison conceded such a thing existed, but here, almost unthinkingly, it stretched it to the breaking point and left the Constitution in fragments on the legislative floor. A year later, federal judges in Florida and Virginia declared the requirement to buy health insurance unconstitutional, as did a Pennsylvania judge this September: the commerce clause, they held, can't be stretched to make people buy something. If it could, wrote Florida federal judge Roger Vinson, "Congress could require that everyone above a certain income threshold buy a General Motors automobile—now partially government-owned—because those who do not . . . are adversely impacting commerce and a taxpayer-subsidized business." Now that one federal appellate court has backed Judge Vinson and two others have upheld the requirement to buy health insurance, it will be for the Supreme Court, which received two appeals in the case in late September, to declare whether this time Madison's nightmare of "unlimited" government finally becomes real.

Nor is this Obamacare's sole constitutional outrage. To rein in Medicare spending, Obamacare has authorized an appointed panel of 15 "experts," the Independent Payment Advisory Board, whose power, said Obama's ex-OMB director, Peter Orszag, will represent "the largest yielding of sovereignty from the Congress since the creation of the Federal Reserve." To control costs,

the board will set reimbursement rates for doctors—which in effect will ration care for Medicare beneficiaries, though the Orwellian law simultaneously forbids explicit rationing—and Congress can overturn the board’s edicts only if it legislates another way to cut Medicare by the same amount. Under some circumstances, which the murkily ambiguous law sets forth in a confusingly vague and broad way, even that congressional tinkering could require 60 votes in the Senate. Nor can Congress kill the board (which, unlike other such agencies as the FCC or SEC, needn’t be even nominally bipartisan) unless it introduces a resolution in January 2017 and enacts it by mid-August by a three-fifths supermajority of all members in both houses—and even then, the resolution can’t take effect until 2020. The Obamacare law isn’t embarrassed to call the executive-branch board’s edicts “legislation,” and it exempts them from judicial or administrative review. So much for the separation of powers.

There’s indeed a lot of petty tyranny going around. The question is, at what point do many little tyrannies add up to Tyranny? Likely voters suggested a troubling answer in an August Rasmussen poll: 69 percent of them said they didn’t think today’s U.S. government enjoys the consent of the governed. And in September, 49 percent of respondents, an unprecedented high, told Gallup pollsters that “the federal government poses an immediate threat to the rights and freedoms of ordinary citizens.”

*Myron Magnet, City Journal’s editor-at-large and its editor from 1994 through 2006, is a recipient of the National Humanities Medal and the author of The Dream and the Nightmare: The Sixties’ Legacy to the Underclass.*

## **Ottawa Citizen**

### **Europe is Beyond Rescue**

by David Warren

Europe's latest summit rescue plan appeared to score with the markets, last week, on both sides of the Atlantic, and yet this appearance is deceptive. Many investors were covering short positions.

They had bet the summiteers could agree on nothing at all; and they were wrong. This alone was probably enough to propel everything back upwards for a day or two. Now we watch for the hangover.

The first telltale sign of reality sinking back in, was the bond pressure accumulating on Italy. The "theory" behind the European politicians' "final" and "groundbreaking" agreement (their third so far this year) seems to be, to create a rescue fund so large it never has to be used; for its mere existence assures everyone of stability. But in the present environment, one trillion euros is chump change. Any one of the several Mediterranean powers could swallow that, and be burping for more.

There were minor accomplishments, such as getting the private banks to write down Greek debt by 50 per cent. This was as close to a no-brainer as financial overseers could get. The banks have themselves to blame, but not only themselves, for having taken in more sovereign debt

than they could ever handle. Given experiences with Brazil and other countries in previous decades, everyone should have learned by now that sovereign debt itself requires as much security as private: if not more, given the worthlessness of politicians' promises.

Taking Greece for our point of departure, more and more of its bottomless debt has anyway been assumed by international agencies such as the European Central Bank and the IMF. Even after writedowns that begin to seriously limit the ability of European banks to finance the European economy (which is where the wealth comes from), Greece is left owing more than 100 per cent of GDP.

And then we turn not only to Italy but to Portugal, Spain, France, Britain, and finally even to Germany - that foolish country which surrendered its Deutschmark for the sake of European comity, and now has rioters calling them "Nazis" by way of thanks.

The private banks, for their pains - which include having to fill yawning pits with recapitalizations - have demanded and received new government guarantees to see them through a period of real danger. But again: such guarantees are smoke and mirrors. They in turn depend ultimately on confidence in sovereign debt, which will not survive a little arithmetic.

And once again, let me emphasize: no banks, no economy. No economy, no jobs; and incidentally, no tax revenue. The fatuous "Occupy Wall Street" movement is premised on the notion that this isn't true, that all bank lending should be taken for free money, if the borrowers aren't in a mood to repay. And while they represent the lunatic fringe, a substantial part of every western electorate nods approvingly towards them, without bothering to think through what they are approving.

It was upon such electorates the Nanny States were built; and in turn, within such Nanny States that incredibly irresponsible public attitudes were cultivated. The very impulse to blame everything that has gone wrong on the greed of "bankers" and "capitalists" betrays a world view that is essentially insane, and now shifting, under pressure, towards malice.

Which is hardly to say bankers and capitalists are without blame. They played along with fanciful regulatory regimes, from short-term self-interest. They knowingly accepted a dream world in which paper is backed by paper in infinite recession, and applied all their wits to devising the clever instruments by which they themselves were fooled.

We, and they, live "equally" in this economic dream world, concocted originally by central bankers, tasked by the politicians nearly half-a-century ago with conjuring pure-paper currencies to replace the direct and indirect gold standard the politicians had abandoned - because hard currencies limited the expansion of Nanny States. The idea, now coming even out of a much-publicized position paper from one of the Vatican bureaucracies, that the solution is to create a bigger central bank, is the latest extension of this nonsense.

There will be a fourth European summit-to-end-all-summits, almost certainly, before the end of the year. Like the previous ones, it will try to save the short-term situation, at the cost of mounding the accumulated slag-pile higher. The solutions are, in every case so far as I can see, of a piece with the background causes of the problem. They are paper solutions, and worse, paper solutions the markets can now see through.

Which is not to say that paper solutions aren't worth trying, as stopgaps while we try to conceive real solutions.

But truly radical thinking is required, to imagine how genuinely hard currencies might be restored, and with them, the discipline of finite budgeting; while letting defaults happen. And to do this before nature supervenes, to impose her own remedies for human dreaming. Assuming she hasn't already made her move.

## NY Times

### [A Sister's Eulogy for Steve Jobs](#)

by Mona Simpson

I grew up as an only child, with a single mother. Because we were poor and because I knew my father had emigrated from Syria, I imagined he looked like Omar Sharif. I hoped he would be rich and kind and would come into our lives (and our not yet furnished apartment) and help us. Later, after I'd met my father, I tried to believe he'd changed his number and left no forwarding address because he was an idealistic revolutionary, plotting a new world for the Arab people.

Even as a feminist, my whole life I'd been waiting for a man to love, who could love me. For decades, I'd thought that man would be my father. When I was 25, I met that man and he was my brother.

By then, I lived in New York, where I was trying to write my first novel. I had a job at a small magazine in an office the size of a closet, with three other aspiring writers. When one day a lawyer called me — me, the middle-class girl from California who hassled the boss to buy us health insurance — and said his client was rich and famous and was my long-lost brother, the young editors went wild. This was 1985 and we worked at a cutting-edge literary magazine, but I'd fallen into the plot of a Dickens novel and really, we all loved those best. The lawyer refused to tell me my brother's name and my colleagues started a betting pool. The leading candidate: John Travolta. I secretly hoped for a literary descendant of Henry James — someone more talented than I, someone brilliant without even trying.

When I met Steve, he was a guy my age in jeans, Arab- or Jewish-looking and handsomer than Omar Sharif.

We took a long walk — something, it happened, that we both liked to do. I don't remember much of what we said that first day, only that he felt like someone I'd pick to be a friend. He explained that he worked in computers.

I didn't know much about computers. I still worked on a manual Olivetti typewriter.

I told Steve I'd recently considered my first purchase of a computer: something called the Cromemco.

Steve told me it was a good thing I'd waited. He said he was making something that was going to be insanely beautiful.

I want to tell you a few things I learned from Steve, during three distinct periods, over the 27 years I knew him. They're not periods of years, but of states of being. His full life. His illness. His dying.

Steve worked at what he loved. He worked really hard. Every day.

That's incredibly simple, but true.

He was the opposite of absent-minded.

He was never embarrassed about working hard, even if the results were failures. If someone as smart as Steve wasn't ashamed to admit trying, maybe I didn't have to be.

When he got kicked out of Apple, things were painful. He told me about a dinner at which 500 Silicon Valley leaders met the then-sitting president. Steve hadn't been invited.

He was hurt but he still went to work at Next. Every single day.

Novelty was not Steve's highest value. Beauty was.

For an innovator, Steve was remarkably loyal. If he loved a shirt, he'd order 10 or 100 of them. In the Palo Alto house, there are probably enough black cotton turtlenecks for everyone in this church.

He didn't favor trends or gimmicks. He liked people his own age.

His philosophy of aesthetics reminds me of a quote that went something like this: "Fashion is what seems beautiful now but looks ugly later; art can be ugly at first but it becomes beautiful later."

Steve always aspired to make beautiful later.

He was willing to be misunderstood.

Uninvited to the ball, he drove the third or fourth iteration of his same black sports car to Next, where he and his team were quietly inventing the platform on which Tim Berners-Lee would write the program for the World Wide Web.

Steve was like a girl in the amount of time he spent talking about love. Love was his supreme virtue, his god of gods. He tracked and worried about the romantic lives of the people working with him.

Whenever he saw a man he thought a woman might find dashing, he called out, "Hey are you single? Do you wanna come to dinner with my sister?"

I remember when he phoned the day he met Laurene. "There's this beautiful woman and she's really smart and she has this dog and I'm going to marry her."

When Reed was born, he began gushing and never stopped. He was a physical dad, with each of his children. He fretted over Lisa's boyfriends and Erin's travel and skirt lengths and Eve's safety around the horses she adored.

None of us who attended Reed's graduation party will ever forget the scene of Reed and Steve slow dancing.

His abiding love for Laurene sustained him. He believed that love happened all the time, everywhere. In that most important way, Steve was never ironic, never cynical, never pessimistic. I try to learn from that, still.

Steve had been successful at a young age, and he felt that had isolated him. Most of the choices he made from the time I knew him were designed to dissolve the walls around him. A middle-class boy from Los Altos, he fell in love with a middle-class girl from New Jersey. It was important to both of them to raise Lisa, Reed, Erin and Eve as grounded, normal children. Their house didn't intimidate with art or polish; in fact, for many of the first years I knew Steve and Lo together, dinner was served on the grass, and sometimes consisted of just one vegetable. Lots of that one vegetable. But one. Broccoli. In season. Simply prepared. With just the right, recently snipped, herb.

Even as a young millionaire, Steve always picked me up at the airport. He'd be standing there in his jeans.

When a family member called him at work, his secretary Linetta answered, "Your dad's in a meeting. Would you like me to interrupt him?"

When Reed insisted on dressing up as a witch every Halloween, Steve, Laurene, Erin and Eve all went wiccan.

They once embarked on a kitchen remodel; it took years. They cooked on a hotplate in the garage. The Pixar building, under construction during the same period, finished in half the time. And that was it for the Palo Alto house. The bathrooms stayed old. But — and this was a crucial distinction — it had been a great house to start with; Steve saw to that.

This is not to say that he didn't enjoy his success: he enjoyed his success a lot, just minus a few zeros. He told me how much he loved going to the Palo Alto bike store and gleefully realizing he could afford to buy the best bike there.

And he did.

Steve was humble. Steve liked to keep learning.

Once, he told me if he'd grown up differently, he might have become a mathematician. He spoke reverently about colleges and loved walking around the Stanford campus. In the last year of his life, he studied a book of paintings by Mark Rothko, an artist he hadn't known about before, thinking of what could inspire people on the walls of a future Apple campus.

Steve cultivated whimsy. What other C.E.O. knows the history of English and Chinese tea roses and has a favorite David Austin rose?

He had surprises tucked in all his pockets. I'll venture that Laurene will discover treats — songs he loved, a poem he cut out and put in a drawer — even after 20 years of an exceptionally close marriage. I spoke to him every other day or so, but when I opened The New York Times and saw a feature on the company's patents, I was still surprised and delighted to see a sketch for a perfect staircase.

With his four children, with his wife, with all of us, Steve had a lot of fun.

He treasured happiness.

Then, Steve became ill and we watched his life compress into a smaller circle. Once, he'd loved walking through Paris. He'd discovered a small handmade soba shop in Kyoto. He downhill skied gracefully. He cross-country skied clumsily. No more.

Eventually, even ordinary pleasures, like a good peach, no longer appealed to him.

Yet, what amazed me, and what I learned from his illness, was how much was still left after so much had been taken away.

I remember my brother learning to walk again, with a chair. After his liver transplant, once a day he would get up on legs that seemed too thin to bear him, arms pitched to the chair back. He'd push that chair down the Memphis hospital corridor towards the nursing station and then he'd sit down on the chair, rest, turn around and walk back again. He counted his steps and, each day, pressed a little farther.

Laurene got down on her knees and looked into his eyes.

"You can do this, Steve," she said. His eyes widened. His lips pressed into each other.

He tried. He always, always tried, and always with love at the core of that effort. He was an intensely emotional man.

I realized during that terrifying time that Steve was not enduring the pain for himself. He set destinations: his son Reed's graduation from high school, his daughter Erin's trip to Kyoto, the launching of a boat he was building on which he planned to take his family around the world and where he hoped he and Laurene would someday retire.

Even ill, his taste, his discrimination and his judgment held. He went through 67 nurses before finding kindred spirits and then he completely trusted the three who stayed with him to the end. Tracy. Arturo. Elham.

One time when Steve had contracted a tenacious pneumonia his doctor forbid everything — even ice. We were in a standard I.C.U. unit. Steve, who generally disliked cutting in line or dropping his own name, confessed that this once, he'd like to be treated a little specially.

I told him: Steve, this is special treatment.

He leaned over to me, and said: "I want it to be a little more special."

Intubated, when he couldn't talk, he asked for a notepad. He sketched devices to hold an iPad in a hospital bed. He designed new fluid monitors and x-ray equipment. He redrew that not-quite-special-enough hospital unit. And every time his wife walked into the room, I watched his smile remake itself on his face.

For the really big, big things, you have to trust me, he wrote on his sketchpad. He looked up. You have to.

By that, he meant that we should disobey the doctors and give him a piece of ice.

None of us knows for certain how long we'll be here. On Steve's better days, even in the last year, he embarked upon projects and elicited promises from his friends at Apple to finish them. Some boat builders in the Netherlands have a gorgeous stainless steel hull ready to be covered with the finishing wood. His three daughters remain unmarried, his two youngest still girls, and he'd wanted to walk them down the aisle as he'd walked me the day of my wedding.

We all — in the end — die in medias res. In the middle of a story. Of many stories.

I suppose it's not quite accurate to call the death of someone who lived with cancer for years unexpected, but Steve's death was unexpected for us.

What I learned from my brother's death was that character is essential: What he was, was how he died.

Tuesday morning, he called me to ask me to hurry up to Palo Alto. His tone was affectionate, dear, loving, but like someone whose luggage was already strapped onto the vehicle, who was already on the beginning of his journey, even as he was sorry, truly deeply sorry, to be leaving us.

He started his farewell and I stopped him. I said, "Wait. I'm coming. I'm in a taxi to the airport. I'll be there."

"I'm telling you now because I'm afraid you won't make it on time, honey."

When I arrived, he and his Laurene were joking together like partners who'd lived and worked together every day of their lives. He looked into his children's eyes as if he couldn't unlock his gaze.

Until about 2 in the afternoon, his wife could rouse him, to talk to his friends from Apple.

Then, after awhile, it was clear that he would no longer wake to us.

His breathing changed. It became severe, deliberate, purposeful. I could feel him counting his steps again, pushing farther than before.

This is what I learned: he was working at this, too. Death didn't happen to Steve, he achieved it.

He told me, when he was saying goodbye and telling me he was sorry, so sorry we wouldn't be able to be old together as we'd always planned, that he was going to a better place.

Dr. Fischer gave him a 50/50 chance of making it through the night.

He made it through the night, Laurene next to him on the bed sometimes jerked up when there was a longer pause between his breaths. She and I looked at each other, then he would heave a deep breath and begin again.

This had to be done. Even now, he had a stern, still handsome profile, the profile of an absolutist, a romantic. His breath indicated an arduous journey, some steep path, altitude.

He seemed to be climbing.

But with that will, that work ethic, that strength, there was also sweet Steve's capacity for wonderment, the artist's belief in the ideal, the still more beautiful later.

Steve's final words, hours earlier, were monosyllables, repeated three times.

Before embarking, he'd looked at his sister Patty, then for a long time at his children, then at his life's partner, Laurene, and then over their shoulders past them.

Steve's final words were:

OH WOW. OH WOW. OH WOW.

*Mona Simpson is a novelist and a professor of English at the University of California, Los Angeles. She delivered this eulogy for her brother, Steve Jobs, on Oct. 16 at his memorial service at the Memorial Church of Stanford University.*

I'LL HELP WITH  
YOUR MORTGAGE,  
YOUR CAR AND  
STUDENT LOANS.  
I'M A "HANDS-ON"  
PRESIDENT.



THE PROTESTERS  
ARE JUST  
FRUSTRATED WITH  
THOSE IN POWER  
WHO RISK OTHER  
PEOPLE'S MONEY  
FOR THEIR OWN  
SELFISH INTERESTS.



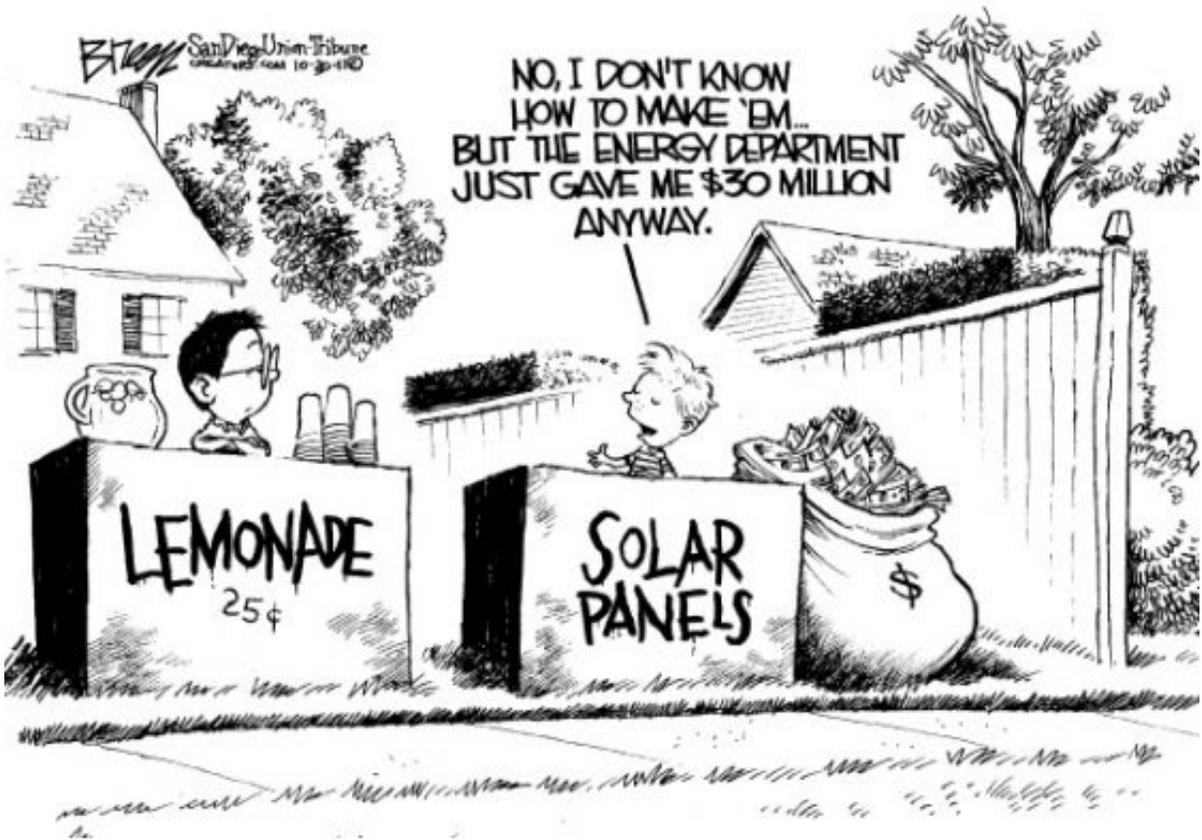
LOOK WHO'S  
TALKING.



NEWS ITEM: "OCCUPY WALL STREET" APPLIES TO TRADEMARK ITS NAME...



NO, I DON'T KNOW  
HOW TO MAKE 'EM...  
BUT THE ENERGY DEPARTMENT  
JUST GAVE ME \$30 MILLION  
ANYWAY.



WHITE  
MOTHER

+

WHITE  
FATHER

=



Bill Clinton

BLACK  
ENOUGH

WHITE  
MOTHER

+

BLACK  
FATHER

=



Barack Obama

BLACK  
ENOUGH

BLACK  
MOTHER

+

BLACK  
FATHER

=



Herman Cain

NOT  
BLACK  
ENOUGH

Media MATH