Ronnie's peers in the faculty and the university administration. And, contrary to many neo-cons, the problem is not with the existence of such new-fangled subjects as Black Studies or Women's Studies. There is nothing wrong in principle with studying any discipline about our world. The problem is that, in practice, these new departments became fast-tracks for trendy nitwits.

There is also a deeper problem at work. Many of the critics of Jeffries pointed out that his speech was paid for by special councils of black studies operated by the New York State government, and therefore paid for by the hapless taxpayers of the state. Very true, but in raising the taxpayer issue the anti-Jeffries critics are taking on more than they've bargained for. For, of course, not just this particular lecture, but the entire New York university system is financed, in all of its glory, by the taxpayers of the state.

(And partially by all Americans, as Senator D'Amato pointed out when he threatened to remove all federal funds from the City University unless Jeffries is removed.) It is absurd to think that taxpayers are competent in hiring or firing professors; but taxpayers *are* entitled to balk at so much of their money being extracted to pay for this circus. But this is an issue that centrist liberals and neo-cons—the major critics of Dr. Jeffries—are not going to raise. For, if anything, they favor extracting even more educational dollars from the taxpayers than do the partisans of Dr. Jeffries. ●

Wichita Justice? On Denationalizing the Courts

by M.N.R.

One baleful feature of American political debate is its trivialization by the mass-dominated and left-liberal media. The media, and the American public, seem to be incapable of keeping more than one issue or more than one aspect of any issue in their noodle. And so the only issue that anyone talks about in the Wichita Operation Rescue case is abortion, whether one is pro or con abortion rights. And since the media are almost totally pro-choice, we then have the inevitable personalization of the issue: in this case, the grandstanding white-haired Judge Patrick Kelly, a supposedly heroic Irish-Cherokee Catholic, willing and eager to rise above his religion to obey the 1973 (*Roe v. Wade*) Supreme Court version of the Constitution. The media, anxious to clear Operation Rescue of any "higher law" connection with their beloved civil rights disobedients of the 1960s, claim that the civil righters were violating the law in behalf of "constitutional rights" whereas the Operation Rescuers are defying such rights. Well, it all depends which, or whose, Supreme Court you're talking about. In the days of the Founding Fathers, no one believed that the Supreme Court, much less the Court on any given day, always spoke the last word on the Constitution. Every public official, indeed, almost every person, had his own view of constitutionality, and was willing to battle for it. No one proposed to leave such vital matters up to nine oligarchic hacks in Washington.

The Department of Justice has raised a vitally important issue, one overlooked by all sides.

Humphrey Democrat Judge Kelly, leftist Harvard constitutional lawyer Lawrence Tribe, and many others profess their outrage at the Department of Justice's weighing in against Kelly's injunction against Operation Rescue, and his calling out the federal marshals to enforce that order. They accuse the D.J. of being "legalistic." Perhaps. But in their legalism the Department of Justice has raised a vitally important issue, one overlooked by all sides eager to slug it out on the abortion fray. This may indeed be a "legalistic" issue, but it is no less a vital one, especially since the *legal* question of when any particular organization or institution may use violence is the very heart of libertarian political theory.

To put it bluntly, I am firmly pro-choice, and here I agree with most libertarians. But, and I particularly direct this question to fellow pro-choicers: *which institution* is entitled to protect abortion

rights? To put it another way: most libertarians, including myself, are strongly opposed to foreign intervention and to world government. But in that case, would you favor the United States, or what is very similar, the United Nations dominated by the United States, sending troops into Communist China to prevent them from engaging in compulsory abortions? The point is that just because an institution proposes to do something that libertarians agree with, must not automatically mean that we should favor such power. For we are strongly opposed to foreign intervention or world government to impose human rights, even libertarian rights, on some foreign country. We believe that each nation should work out its own destiny.

But in that case, where is it written that the swollen United States imperium must inexorably be treated as one unitary country, with one army, one set of courts and police, etc.? On the contrary, one of the great imperatives of our time is the decentralization of the swollen Great Powers, and in particular the decentralization, and denationalization, of the U.S. imperium. As libertarians, and as paleos, we must strive to roll back the monstrous centralization that has increasingly afflicted us since the Civil War. And that means to denationalize the court system. We must return to the radical Jeffersonian view of the U.S. government and hence of the federal courts. That is, to watch with deep suspicion any attempt to aggrandize its power and reduce the rights and powers of the states. And yet that aggrandizement has been one of the main features of this century.

In contrast to, say, France or the United Kingdom, we possess, in the heritage of the U.S. Constitution, a powerful instrument to take up the cudgels for the grand old cause of denationalization and the devolution of the federal government into the states and localities. Libertarians have always, and correctly, been strong on the great libertarian Ninth Amendment to the Constitution. But it is time to realize that we must also take up the old paleo-conservative cause of the Tenth Amendment, the decentralization aspect of the Bill of Rights.

Let us take specifically the Wichita case. It is clear in our Constitutional heritage that the "police power" in this country belongs only to the state and local governments, and in no sense to the federal government. There is and should be no federal police in the United States, although we unfortunately have the FBI as an approach to such a power. Therefore, the power to defend, say, the Wichita abortion clinic belongs solely to the state of Kansas. The federal courts should not have a darn thing to say about it. If I were a Kansan, I would be calling upon the Wichita authorities or the Kansas state police to devote more resources to defending the Wichita abortion clinic. But I am not a Kansan, and Judge Patrick Kelly, in his capacity not as a Kansan but as a federal judge, has no proper jurisdiction in this case. All the rest of us, non-Kansans and feds, should butt out. Decentralization and denationalization must mean that we come to look upon any use of force by Washington, D.C., or by federal marshals against Kansas as just as illegitimate as the use of force by Washington against Romania or Kuwait. The slogan here should be "U.S. Out of Kansas," or "Kansas for the Kansans"; let the Kansans settle their own affairs.

But what of the beloved precedents? What of President Eisenhower sending federal troops to Little Rock? The answer is that he shouldn't have done it. Schools, like police, are purely a state jurisdiction, and are no proper concern of the federal government, in that case, of non-Arkansans. And what of the old federal "anti-Ku Klux Klan law" of the 1870s which Judge Kelly invoked to send in federal marshals? In the first place, this was a Reconstruction Era law which itself was a period when the Constitution was systematically violated and states' rights trampled on. It is an obsolete law that should be repealed rather than invoked. And secondly, the law was ostensibly designed to move against the KKK "crossing state lines" to harass blacks—a flimsy excuse to bring in federal jurisdiction.

No; libertarians should no longer be complacent about centralization and national jurisdiction—the equivalent of foreign intervention or of reaching for global dictatorship. Kansans henceforth should take their chances in Kansas; Nevadans in Nevada, etc. And if women find that abortion clinics are not defended in Kansas, they can travel to New York or Nevada or many other states where abortion rights are more in tune with local

sentiment. But then, of course, there is the inevitable retort—the exact same retort that is made to pro-choicers such as myself who are also strongly opposed to government funding of abortions: what are poor women who want abortions going to do? But this argument from the poor has nothing to do with abortion; it is a way for leftists and egalitarians to sneak in a plea for total socialization of all consumption. After all, how can poor men or women afford *anything*, whether it be food, clothing or TV sets? The left-liberal plea for free abortion on demand is tantamount to a plea for the free supply of *everything* on demand—all to be supplied by the hapless and exploited taxpayer. ●

Who Dissed Whom? Or, Do Africans Hate Blacks?

by M.N. R.

One of the most amusing, because idiotic, examples of Political Correctness in action occurred at the once-distinguished University of Wisconsin. It seems that last year, the university imported a distinguished Nigerian professor, Umara Ahmed, with twenty years of teaching experience, to teach the assembled Wisconsonians his own language, Hausa. (The course was numbered Hausa 303, though it is not clear if there are any other numbered Hausa courses there.) It should be, but unfortunately is not, irrelevant to add that Professor Ahmed is a black African. Professor Ahmed's class consisted of 31 whites and 17 blacks. He was obviously a tough grader: more than half the students received "failing or near-failing" grades.

Knowing students—or at least American students—it should already be clear that a lot of resentment was stirred among the assembled young scholars about their grades. But this time there was a new, typically modern, twist: the black students got themselves a lawyer, one Lee Cullen, who charged that Professor Ahmed had systematically engaged in—yes, you have it—anti-black discrimination! The students complained that Ahmed's anti-black discrimination took the form of expecting them to do better at the Hausa language than the whites. None of the complaining students could give any specific instances of this "pattern of different and adverse treatment," but they were very sure that the "discriminatory pattern" was there, "expressed repeatedly . . . in words and gestures." Well, hell, blacks now call themselves "African-Americans" and claim that they have a "black soul," a "black thing" that whites can't possibly understand; maybe Professor Ahmed expected some of that black soul to be translated into ability to learn Hausa. If so, he was clearly disappointed.

Maybe Professor Ahmed expected some of that black soul to be translated into ability to learn Hausa.

The University of Wisconsin, as might be expected, reacted in what is now a typically whiny way to the student-aggressors. The spokeswoman for the black students, Renee Payne, charged that the university gave the students a runaround throughout the dispute, and, moreover, showed the students a "total lack of respect." Dean of Students Roger Howard countered that "the university tried to accommodate the students as much as possible." And how. In the meantime, Professor Ahmed, who has returned to Nigeria after completing his term, is understandably "very bitter"; Ahmed charged that the black students acted toward him in a "disrespectful" manner. Somehow, the charge rings true. Maybe we need a massive federal investigation to figure out who, if anyone, was "dissing" whom?

What the black students really wanted, of course, when the smoke had cleared, was to raise their grades. The ultimate decision in the case was made, *not* by Professor Ahmed or even by the University of Wisconsin, but by that university's ultimate ruler: the Office of Civil Rights of the Department of Education [OCR], which seems to have nationalized the country's educational system. In a latter-day version of a Solomonic decision, the OCR decided, yes, indeed, Professor Ahmed had "violated the civil rights" of his black students by holding them to higher academic standards than whites" but No,