

TAKING SIDES



EXPANDED
with Two
New Issues

Clashing Views on Controversial

Political Issues

THIRTEENTH EDITION

George McKenna
Stanley Feingold

Student Web Site



See inside front cover for details

TAKING SIDES

Clashing Views on Controversial

Political Issues

THIRTEENTH EDITION

Selected, Edited, and with Introductions by

George McKenna

City College, City University of New York

and

Stanley Feingold

McGraw-Hill/Dushkin

A Division of The McGraw-Hill Companies

Photo Acknowledgment
Cover image: © 2003 by PhotoDisc, Inc.

Cover Art Acknowledgment
Charles Vitelli

Copyright © 2004 by McGraw-Hill/Dushkin,
A Division of The McGraw-Hill Companies, Inc., Guilford, Connecticut 06437

Copyright law prohibits the reproduction, storage, or transmission in any form by any means of any portion of this publication without the express written permission of McGraw-Hill/Dushkin and of the copyright holder (if different) of the part of the publication to be reproduced. The Guidelines for Classroom Copying endorsed by Congress explicitly state that unauthorized copying may not be used to create, to replace, or to substitute for anthologies, compilations, or collective works.

Taking Sides ® is a registered trademark of McGraw-Hill/Dushkin

Manufactured in the United States of America

Thirteenth Edition

56789BAHBAH654

Library of Congress Cataloging-in-Publication Data

Main entry under title:

Taking sides: clashing views on controversial political issues/selected, edited, and with
introductions by George McKenna and Stanley Feingold.—13th ed.
Includes bibliographical references and index.

1. United States—Politics and government—1945–. I. McKenna, George, *comp.*
II. Feingold, Stanley, *comp.*

320'.973

0-07-293307-0
ISSN: 1080-580X



Printed on Recycled Paper

Dedication

In memory of Hillman M. Bishop and Samuel Hendel, masters of an art often neglected by college teachers: teaching.



Preface

Dialogue means two people talking to the same issue. This is not as easy as it sounds. Play back the next debate between the talking heads you see on television. Listen to them try to persuade each other—actually, the TV audience—of the truth of their own views and of the irrationality of their opponents' views.

What is likely to happen? At the outset, they will probably fail to define the issue with enough clarity and objectivity to make it clear exactly what it is that they are disputing. As the philosopher Alasdair MacIntyre has put it, the most passionate pro and con arguments are often “incommensurable”—they sail past each other because the two sides are talking about different things. As arguments proceed, both sides tend to employ vague, emotion-laden terms without spelling out the uses to which the terms are put. When the heat is on, they may resort to shouting epithets at one another, and the hoped-for meeting of minds will give way to the scoring of political points and the reinforcement of existing prejudices. For example, when the discussion of affirmative action comes down to both sides accusing the other of “racism,” or when the controversy over abortion degenerates into taunts and name-calling, then no one really listens and learns from the other side.

It is our conviction that people *can* learn from the other side, no matter how sharply opposed it is to their own cherished viewpoint. Sometimes, after listening to others, we change our view entirely. But in most cases, we either incorporate some elements of the opposing view—thus making our own richer—or else learn how to answer the objections to our viewpoint. Either way, we gain from the experience. For these reasons we believe that encouraging dialogue between opposed positions is the most certain way of enhancing public understanding.

The purpose of this 13th edition of *Taking Sides* is to continue to work toward the revival of political dialogue in America. As we have done in the past 12 editions, we examine leading issues in American politics from the perspective of sharply opposed points of view. We have tried to select authors who argue their points vigorously but in such a way as to enhance our understanding of the issue.

We hope that the reader who confronts lively and thoughtful statements on vital issues will be stimulated to ask some of the critical questions about American politics. What are the highest-priority issues with which government must deal today? What positions should be taken on these issues? What should be the attitude of Americans toward their government? Our conviction is that a healthy, stable democracy requires a citizenry that considers these questions and participates, however indirectly, in answering them. The alternative is apathy, passivity, and, sooner or later, the rule of tyrants.

Plan of the book Each issue has an issue *introduction*, which sets the stage for the debate as it is argued in the YES and NO selections. Each issue concludes with a *postscript* that makes some final observations and points the way to other questions related to the issue. In reading the issue and forming your own opinions you should not feel confined to adopt one or the other of the positions presented. There are positions in between the given views or totally outside them, and the *suggestions for further reading* that appear in each issue postscript should help you find resources to continue your study of the subject. We have also provided relevant Internet site addresses (URLs) on the *On the Internet* page that accompanies each part opener. At the back of the book is a listing of all the *contributors to this volume*, which will give you information on the political scientists and commentators whose views are debated here.

Changes to this edition Over the past quarter century *Taking Sides* has undergone extensive changes and improvements, and we are particularly proud of this 13th edition. There are seven new issues in this volume, more than we have ever added during a revision: *Do the Media Have a Liberal Bias?* (Issue 4); *Should the Electoral College Be Abolished?* (Issue 6); *Was Bush v. Gore Correctly Decided?* (Issue 7); *Is America's War on Terrorism Justified?* (Issue 17); *Is Free Trade Fair Trade?* (Issue 18); *Must America Exercise World Leadership?* (Issue 19); and *Should Terrorist Suspects Be Tried by Military Tribunals?* (Issue 20). In addition, for seven of the issues that were carried over from the previous edition (democracy for every country, campaign spending, gun control, affirmative action, abortion, taxes, and immigration), we have freshened up the debate by changing one or both of the selections. All told, 24 of the selections in this edition are new—more than half the book.

We worked hard on what we hope will be a truly memorable 13th edition, and we think you will like the result. Let us know what you think by writing to us care of McGraw-Hill/Dushkin, 530 Old Whitfield Street, Guilford, CT 06437 or e-mailing us at GMcK1320@aol.com or stanleyfeingold@mindspring.com. Suggestions for further improvements are most welcome!

A word to the instructor An *Instructor's Manual With Test Questions* (multiple-choice and essay) is available through the publisher for the instructor using *Taking Sides* in the classroom. A general guidebook, *Using Taking Sides in the Classroom*, which discusses methods and techniques for integrating the pro-con approach into any classroom setting, is also available. An online version of *Using Taking Sides in the Classroom* and a correspondence service for *Taking Sides* adopters can be found at <http://www.dushkin.com/usingsides/>.

Taking Sides: Clashing Views on Controversial Political Issues is only one title in the *Taking Sides* series. If you are interested in seeing the table of contents for any of the other titles, please visit the *Taking Sides* Web site at <http://www.dushkin.com/takingsides/>.

Acknowledgments We are grateful to Laura McKenna for her help and suggestions in preparing this edition. Thanks also to the reference departments of

City College's Morris Raphael Cohen Library and the public library of Tenafly, New Jersey—especially to Agnes Kolben.

We also appreciate the spontaneous letters from instructors and students who wrote to us with comments and observations. Many thanks to Ted Knight, list manager of the Taking Sides series, for his able editorial assistance; to David Brackley, senior developmental editor; and to Rose Gleich, administrative assistant. Needless to say, the responsibility for any errors of fact or judgment rests with us.

George McKenna

City College, City University of New York

Stanley Feingold





Introduction

Labels and Alignments in American Politics

George McKenna

Stanley Feingold

Like a giant tidal wave crashing ashore, the September 11, 2001, attacks on the United States seemed to wash away some of America's most recognizable political landmarks. Suddenly, America's competing political parties, interest groups, and ideologies—whose outlines had been prominent in congressional debates, political campaigns, and media talk shows—seemed irrelevant. In the face of these murderous attacks, who cared about petty political differences? In the most remarkable display of national unity since Pearl Harbor, Congress, with only one dissent, voted to authorize President George W. Bush to use "all necessary and appropriate force" against those he considered responsible for the attacks and even those nations harboring them. On September 20 some of Bush's harshest congressional critics were on their feet cheering his dramatic speech before a special joint session of Congress. As the Republican president left the chamber, he approached the Democratic Senate majority leader, Tom Daschle, and in a moment the two were locked in a fervent embrace. The act symbolized the embrace of all Americans at that moment. Democrats, Republicans, liberals, conservatives, moderates, radicals—none of these labels seemed to matter anymore: all Americans were in the trenches together.

But even the mightiest tidal wave must recede at some point. When it does, some of the features of the old landscape may start to reappear. Very gradually, something like this happened in America between the fall of 2001 and the summer of 2002. Some Democrats who had assured the president that he could count on their total support in the war now began to question the way the war was going. Some Republicans who had assured their Democratic brethren that the war effort would be bipartisan now began talking as if their party had a monopoly on patriotism. And on domestic issues the two parties were even more clearly divided, as the old battles over Social Security, the environment, taxes, welfare, and other divisive issues resumed.

Some deplore this reemergence of "partisan wrangling." We regard it as the inevitable expression of political differences. Americans vote for different political parties because, however loosely, American parties help to give expression to competing ideologies embraced by Americans. In this introduction we shall attempt to explore these ideologies, put some labels on them—labels such

as *liberal*, *conservative*, *moderate*, *extremist*, and *pluralist*—and see how they fit the issue positions presented in this book. We have sought to do our labeling gently and tentatively, not only because Americans generally shy away from political labels but also because, as we shall see, the meanings of some of these terms appear to have shifted over the past two and a half centuries.

Liberals Versus Conservatives: an Overview

Let us examine, very briefly, the historical evolution of the terms *liberalism* and *conservatism*. By examining the roots of these terms, we can see how these philosophies have adapted themselves to changing times. In that way, we can avoid using the terms rigidly, without reference to the particular contexts in which liberalism and conservatism have operated over the past two centuries.

Classical Liberalism

The classical root of the term *liberalism* is the Latin word *libertas*, meaning “liberty” or “freedom.” In the early nineteenth century, liberals dedicated themselves to freeing individuals from all unnecessary and oppressive obligations to authority—whether the authority came from the church or the state. They opposed the licensing and censorship of the press, the punishment of heresy, the establishment of religion, and any attempt to dictate orthodoxy in matters of opinion. In economics, liberals opposed state monopolies and other constraints upon competition between private businesses. At this point in its development, liberalism defined freedom primarily in terms of freedom *from*. It appropriated the French term *laissez-faire*, which literally means “leave to be.” Leave people alone! That was the spirit of liberalism in its early days. It wanted government to stay out of people’s lives and to play a modest role in general. Thomas Jefferson summed up this concept when he said, “I am no friend of energetic government. It is always oppressive.”

Despite their suspicion of government, classical liberals invested high hopes in the political process. By and large, they were great believers in democracy. They believed in widening suffrage to include every white male, and some of them were prepared to enfranchise women and blacks as well. Although liberals occasionally worried about “the tyranny of the majority,” they were more prepared to trust the masses than to trust a permanent, entrenched elite. Liberal social policy was dedicated to fulfilling human potential and was based on the assumption that this often-hidden potential is enormous. Human beings, liberals argued, were basically good and reasonable. Evil and irrationality were believed to be caused by “outside” influences; they were the result of a bad social environment. A liberal commonwealth, therefore, was one that would remove the hindrances to the full flowering of the human personality.

The basic vision of liberalism has not changed since the nineteenth century. What has changed is the way it is applied to modern society. In that respect, liberalism has changed dramatically. Today, instead of regarding government with suspicion, liberals welcome government as an instrument to serve

the people. The change in philosophy began in the latter years of the nineteenth century, when businesses—once small, independent operations—began to grow into giant structures that overwhelmed individuals and sometimes even overshadowed the state in power and wealth. At that time, liberals began reconsidering their commitment to the *laissez-faire* philosophy. If the state can be an oppressor, asked liberals, can't big business also oppress people? By then, many were convinced that commercial and industrial monopolies were crushing the souls and bodies of the working classes. The state, formerly the villain, now was viewed by liberals as a potential savior. The concept of freedom was transformed into something more than a negative freedom *from*; the term began to take on a positive meaning. It meant "realizing one's full potential." Toward this end, liberals believed, the state could prove to be a valuable instrument. It could educate children, protect the health and safety of workers, help people through hard times, promote a healthy economy, and—when necessary—force business to act more humanely and responsibly. Thus was born the movement that culminated in New Deal liberalism.

New Deal Liberalism

In the United States, the argument in favor of state intervention did not win an enduring majority constituency until after the Great Depression of the 1930s began to be felt deeply. The disastrous effects of a depression that left a quarter of the workforce unemployed opened the way to a new administration—and a promise. "I pledge you, I pledge myself," Franklin D. Roosevelt said when accepting the Democratic nomination in 1932, "to a new deal for the American people." Roosevelt's New Deal was an attempt to effect relief and recovery from the Depression; it employed a variety of means, including welfare programs, public works, and business regulation—most of which involved government intervention in the economy. The New Deal liberalism relied on government to liberate people from poverty, oppression, and economic exploitation. At the same time, the New Dealers claimed to be as zealous as the classical liberals in defending political and civil liberties.

The common element in *laissez-faire* liberalism and welfare-state liberalism is their dedication to the goal of realizing the full potential of each individual. Some still questioned whether this is best done by minimizing state involvement or whether it sometimes requires an activist state. The New Dealers took the latter view, though they prided themselves on being pragmatic and experimental about their activism. During the heyday of the New Deal, a wide variety of programs were tried and—if found wanting—abandoned. All decent means should be tried, they believed, even if it meant dilution of ideological purity. The Roosevelt administration, for example, denounced bankers and businessmen in campaign rhetoric but worked very closely with them while trying to extricate the nation from the Depression. This set a pattern of pragmatism that New Dealers from Harry Truman to Lyndon Johnson emulated.

Progressive Liberalism

Progressive liberalism emerged in the late 1960s and early 1970s as a more militant and uncompromising movement than the New Deal had ever been. Its roots go back to the New Left student movement of the early 1960s. New Left students went to the South to participate in civil rights demonstrations, and many of them were bloodied in confrontations with southern police; by the mid-1960s they were confronting the authorities in the North over issues like poverty and the Vietnam War. By the end of the decade, the New Left had fragmented into a variety of factions and had lost much of its vitality, but a somewhat more respectable version of it appeared as the New Politics movement. Many New Politics crusaders were former New Leftists who had traded their jeans for coats and ties; they tried to work within the system instead of always confronting it. Even so, they retained some of the spirit of the New Left. The civil rights slogan "Freedom Now" expressed the mood of the New Politics. The young university graduates who filled its ranks had come from an environment where "nonnegotiable" demands were issued to college deans by leaders of sit-in protests. There was more than youthful arrogance in the New Politics movement, however; there was a pervasive belief that America had lost, had compromised away, much of its idealism. The New Politics liberals sought to recover some of that spirit by linking up with an older tradition of militant reform, which went back to the time of the Revolution. These new liberals saw themselves as the authentic heirs of Thomas Paine and Henry David Thoreau, of the abolitionists, the radical populists, the suffragettes, and the great progressive reformers of the early twentieth century.

While New Deal liberals concentrated almost exclusively on bread-and-butter issues such as unemployment and poverty, the New Politics liberals introduced what came to be known as social issues into the political arena. These included: the repeal of laws against abortion, the liberalization of laws against homosexuality and pornography, the establishment of affirmative action programs to ensure increased hiring of minorities and women, and the passage of the Equal Rights Amendment. In foreign policy, too, New Politics liberals departed from the New Deal agenda. Because they had keener memories of the unpopular and (for them) unjustified war in Vietnam than of World War II, they became doves, in contrast to the general hawkishness of the New Dealers. They were skeptical of any claim that the United States must be the leader of the free world or, indeed, that it had any special mission in the world; some were convinced that America was already in decline and must learn to adjust accordingly. The real danger, they argued, came not from the Soviet Union but from the mad pace of America's arms race with the Soviets, which, as they saw it, could bankrupt the country, starve its social programs, and culminate in a nuclear Armageddon.

New Politics liberals were heavily represented at the 1972 Democratic national convention, which nominated South Dakota senator George McGovern for president. By the 1980s the New Politics movement was no longer new, and many of its adherents preferred to be called progressives. By this time their critics had another name for them: radicals. The critics saw their positions as

inimical to the interests of the United States, destructive of the family, and fundamentally at odds with the views of most Americans. The adversaries of the progressives were not only conservatives but many New Deal liberals, who openly scorned the McGovernites.

This split still exists within the Democratic party, though it is now more skillfully managed by party leaders. In 1988 the Democrats paired Michael Dukakis, whose Massachusetts supporters were generally on the progressive side of the party, with New Dealer Lloyd Bentsen as the presidential and vice-presidential candidates, respectively. In 1992 the Democrats won the presidency with Arkansas governor Bill Clinton, whose record as governor seemed to put him in the moderate-to-conservative camp, and Tennessee senator Albert Gore, whose position on environmental issues could probably be considered quite liberal but whose general image was middle-of-the-road. Both candidates had moved toward liberal positions on the issues of gay rights and abortion. By 1994 Clinton was perceived by many Americans as being "too liberal," which some speculate may have been a factor in the defeat of Democrats in the congressional elections that year. Clinton immediately sought to shake off that perception, positioning himself as a "moderate" between extremes and casting the Republicans as an "extremist" party. (These two terms will be examined presently.)

Conservatism

Like liberalism, conservatism has undergone historical transformation in America. Just as early liberals (represented by Thomas Jefferson) espoused less government, early conservatives (whose earliest leaders were Alexander Hamilton and John Adams) urged government support of economic enterprise and government intervention on behalf of certain groups. But today, in reaction to the growth of the welfare state, conservatives argue strongly that more government means more unjustified interference in citizens' lives, more bureaucratic regulation of private conduct, more inhibiting control of economic enterprise, more material advantage for the less energetic and less able at the expense of those who are prepared to work harder and better, and, of course, more taxes—taxes that will be taken from those who have earned money and given to those who have not.

Contemporary conservatives are not always opposed to state intervention. They may support larger military expenditures in order to protect society against foreign enemies. They may also allow for some intrusion into private life in order to protect society against internal subversion and would pursue criminal prosecution zealously in order to protect society against domestic violence. The fact is that few conservatives, and perhaps fewer liberals, are absolute with respect to their views about the power of the state. Both are quite prepared to use the state in order to further *their* purposes. It is true that activist presidents such as Franklin Roosevelt and John Kennedy were likely to be classified as liberals. However, Richard Nixon was also an activist, and, although he does not easily fit any classification, he was far closer to conservatism than to liberalism. It is too easy to identify liberalism with statism and conservatism with anti-

statism; it is important to remember that it was liberal Jefferson who counseled against “energetic government” and conservative Alexander Hamilton who designed bold powers for the new central government and wrote, “Energy in the executive is a leading character in the definition of good government.”

For a time, a movement calling itself *neoconservatism* occupied a kind of intermediate position between New Deal liberalism and conservatism. Composed for the most part of former New Deal Democrats and drawn largely from academic and publishing circles, neoconservatives supported most of the New Deal programs of federal assistance and regulation, but they felt that state intervention had gotten out of hand during the 1960s. In foreign policy, too, they worried about the directions in which the United States was going. In sharp disagreement with progressive liberals, they wanted a tougher stance toward the Soviet Union, fearing that the quest for détente was leading the nation to unilateral disarmament. After the disappearance of the Soviet Union, neoconservatism itself disappeared—at least as a distinctive strain of conservatism—and most former neoconservatives either resisted all labels or considered themselves simply to be conservatives.

The Religious Right

A more enduring category within the conservative movement is what is often referred to as “the religious right.” Termed “the new right” when it first appeared more than 20 years ago, the religious right is composed of conservative Christians who are concerned not so much about high taxes and government spending as they are about the decline of traditional Judeo-Christian morality, a decline that they attribute in part to certain unwise government policies and judicial decisions. They oppose many of the recent judicial decisions on socio-cultural issues such as abortion, school prayer, pornography, and gay rights, and they have been outspoken critics of the Clinton administration, citing everything from President Clinton’s views on gays in the military to his sexual behavior while in the White House.

Spokesmen for progressive liberalism and the religious right stand as polar opposites: The former regard abortion as a woman’s right; the latter see it as legalized murder. The former tend to regard homosexuality as a lifestyle that needs protection against discrimination; the latter are more likely to see it as a perversion. The former have made an issue of their support for the Equal Rights Amendment; the latter includes large numbers of women who fought against the amendment because they believed it threatened their role identity. The list of issues could go on. The religious right and the progressive liberals are like positive and negative photographs of America’s moral landscape. Sociologist James Davison Hunter uses the term *culture wars* to characterize the struggles between these contrary visions of America. For all the differences between progressive liberalism and the religious right, however, their styles are very similar. They are heavily laced with moralistic prose; they tend to equate compromise with selling out; and they claim to represent the best, most authentic traditions of America. This is not to denigrate either movement, for the kinds of issues

they address are indeed moral issues, which do not generally admit much compromise. These issues cannot simply be finessed or ignored, despite the efforts of conventional politicians to do so. They must be aired and fought over, which is why we include some of them, such as abortion (Issue 12), in this volume.

Radicals, Reactionaries, and Moderates

The label *reactionary* is almost an insult, and the label *radical* is worn with pride by only a few zealots on the banks of the political mainstream. A reactionary is not a conservator but a backward-mover, dedicated to turning the clock back to better times. Most people suspect that reactionaries would restore us to a time that never was, except in political myth. For many, the repeal of industrialism or universal education (or the entire twentieth century itself) is not a practical, let alone desirable, political program.

Radicalism (literally meaning “from the roots” or “going to the foundation”) implies a fundamental reconstruction of the social order. Taken in that sense, it is possible to speak of right-wing radicalism as well as left-wing radicalism—radicalism that would restore or inaugurate a new hierarchical society as well as radicalism that calls for nothing less than an egalitarian society. The term is sometimes used in both of these senses, but most often the word *radicalism* is reserved to characterize more liberal change. While the liberal would effect change through conventional democratic processes, the radical is likely to be skeptical about the ability of the established machinery to bring about the needed change and might be prepared to sacrifice “a little” liberty to bring about a great deal more equality.

Moderate is a highly coveted label in America. Its meaning is not precise, but it carries the connotations of sensible, balanced, and practical. A moderate person is not without principles, but he or she does not allow principles to harden into dogma. The opposite of moderate is *extremist*, a label most American political leaders eschew. Yet there have been notable exceptions. When Arizona senator Barry Goldwater, a conservative Republican, was nominated for president in 1964, he declared, “Extremism in defense of liberty is no vice! . . . Moderation in the pursuit of justice is no virtue!” This open embrace of extremism did not help his electoral chances; Goldwater was overwhelmingly defeated. At about the same time, however, another American political leader also embraced a kind of extremism, and with better results. In a famous letter written from a jail cell in Birmingham, Alabama, the Reverend Martin Luther King, Jr., replied to the charge that he was an extremist not by denying it but by distinguishing between different kinds of extremists. The question, he wrote, “is not whether we will be extremist but what kind of extremist will we be. Will we be extremists for hate, or will we be extremists for love?” King aligned himself with the love extremists, in which category he also placed Jesus, St. Paul, and Thomas Jefferson, among others. It was an adroit use of a label that is usually anathema in America.

Pluralism

The principle of pluralism espouses diversity in a society containing many interest groups and in a government containing competing units of power. This implies the widest expression of competing ideas, and in this way, pluralism is in sympathy with an important element of liberalism. However, as James Madison and Alexander Hamilton pointed out when they analyzed the sources of pluralism in their *Federalist* commentaries on the Constitution, this philosophy springs from a profoundly pessimistic view of human nature, and in this respect it more closely resembles conservatism. Madison, possibly the single most influential member of the convention that wrote the Constitution, hoped that in a large and varied nation, no single interest group could control the government. Even if there were a majority interest, it would be unlikely to capture all of the national agencies of government—the House of Representatives, the Senate, the presidency, and the federal judiciary—each of which was chosen in a different way by a different constituency for a different term of office. Moreover, to make certain that no one branch exercised excessive power, each was equipped with “checks and balances” that enabled any agency of national government to curb the powers of the others. The clearest statement of Madison’s, and the Constitution’s, theory can be found in the 51st paper of the *Federalist*:

It may be a reflection on human nature that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary.

This pluralist position may be analyzed from different perspectives. It is conservative insofar as it rejects simple majority rule; yet it is liberal insofar as it rejects rule by a single elite. It is conservative in its pessimistic appraisal of human nature; yet pluralism’s pessimism is also a kind of egalitarianism, holding as it does that no one can be trusted with power and that majority interests no less than minority interests will use power for selfish ends. It is possible to suggest that in America pluralism represents an alternative to both liberalism and conservatism. Pluralism is antimajoritarian and antielitist and combines some elements of both.

Some Applications

Despite our effort to define the principal alignments in American politics, some policy decisions do not fit neatly into these categories. Readers will reach their own conclusions, but we may suggest some alignments to be found here in order to demonstrate the variety of viewpoints.

The conflicts between liberalism and conservatism are expressed in a number of the issues presented in this book. One of the classic splits, and one that revisits an argument famous during the New Deal era, concerns the reach of federal power. The Tenth Amendment states that all powers not delegated to the federal government nor denied to the states “are reserved to the States respectively, or to the people.” Yet the federal government passes laws affecting many entities *within* states, from businesses to educational institutions. How

can it do that? One of the main “hooks” for federal power within states is the constitutional clause authorizing Congress to regulate commerce “among the several states.” The Supreme Court has interpreted the commerce clause to mean that any entity within a state that substantially “affects” interstate commerce can be regulated by the federal government. But how close should the “effect” be? Conservatives insist that the effects on interstate commerce must be quite direct and tangible, while liberals would give Congress more leeway in regulating “intrastate” activities. This liberal/conservative dichotomy is crisply illustrated in the majority opinion versus one of the dissents in the Supreme Court case of *United States v. Lopez* (1995), both of which we present in Issue 5. The immediate question is whether or not the federal government has the authority to ban handguns from the vicinity of public schools, but the larger issue is whether or not the federal government can regulate activities within a state that do not directly and tangibly affect interstate commerce. Liberals say yes, conservatives say no.

The death penalty is another issue dividing liberals and conservatives. Robert Lee’s defense of the death penalty (Issue 8) is a classic conservative argument. Like other conservatives, Lee is skeptical of the possibilities of human perfection, and he therefore regards retribution—giving a murderer what he or she “deserves” instead of attempting some sort of “rehabilitation”—as a legitimate goal of punishment. Issue 14, on whether or not the gap between the rich and the poor is increasing, points up another disagreement between liberals and conservatives. Most liberals would agree with Paul Krugman that socioeconomic inequality is increasing and that this undermines the basic tenets of American democracy. Christopher DeMuth, representing the conservative viewpoint, maintains that Americans are becoming more equal and that virtually all people benefit from increased prosperity because it takes place in a free market. Then there is the battle over taxes, the hardest perennial of all the issues that divide liberals and conservatives. Issue 13 features Amity Shlaes, who advances the conservative argument that “the greedy hand” of government is taking too much from taxpayers, versus Liam Murphy and Thomas Nagel, who reject the idea that the pretax money was “theirs,” in any meaningful sense, in the first place. Issue 3, on campaign spending, also divides liberals and conservatives. Senator Paul Wellstone (D-Minnesota) voices the liberal view, which has now become law, that the flow of “soft money” into political campaigns must be stopped, while John Samples, of the Cato Institute, takes a position favored by conservatives when he contends that people have the right to contribute large sums to the candidate or party of their choice. Affirmative action (Issue 10) has become a litmus test of the newer brand of progressive liberalism. The progressives say that it is not enough for the laws of society to be color-blind or gender-blind; they must now reach out to remedy the ills caused by racism and sexism. New Deal liberals, along with conservatives and libertarians, generally oppose affirmative action. One major dispute between liberals and conservatives concerns liberalism itself: whether or not it pervades news coverage in the media. In Issue 4, Bernard Goldberg, a former CBS reporter, takes a position often held by conservatives when he argues that it does. Radio talk show

host Jim Hightower argues that, on the contrary, the media are dominated by conservative viewpoints.

This book contains a few arguments that are not easy to categorize. The issue on hate speech (Issue 11) is one. Liberals traditionally have opposed any curbs on free speech, but Charles Lawrence, who would certainly not call himself a conservative, contends that curbs on speech that abuses minorities may be necessary. Opposing him is Jonathan Rauch, who takes the traditional liberal view that we must protect the speech even of those whose ideas we hate. Issue 1, on whether or not liberty and democracy is good for all countries, is also hard to classify. President Woodrow Wilson, a liberal, regarded World War I as a war to "make the world safe for democracy," but some latter-day liberals worry that exporting democracy to the ends of the earth is just as bad as pushing capitalism or other aspects of American life on other peoples. Robert Kaplan, who does not think democracy and civil liberties are good for all countries, is not necessarily a conservative, then, any more than Michael McFaul is a liberal for thinking that they are. Issue 12, on whether or not abortion should be restricted, also eludes easy classification. The pro-choice position, as argued by Mary Gordon, is not a traditional liberal position. Less than a generation ago legalized abortion was opposed by liberals such as Senator Edward Kennedy (D-Massachusetts) and the Reverend Jesse Jackson, and even recently some liberals, such as the late Pennsylvania governor Robert Casey and columnist Nat Hentoff, have opposed it. Nevertheless, most liberals now adopt some version of Gordon's pro-choice views. Opposing Gordon is Robert George, whose argument here might be endorsed by liberals like Hentoff.

Issues 15 and 16 return us to the liberal/conservative arena of debate. Issue 15 revisits the China debate, which periodically surfaces between liberals and conservatives. In 1972 President Nixon astounded friend and foe alike when he visited China and started melting the ice that had frozen the two countries into postures of confrontation. But Nixon was an exception among conservatives. Most have never stopped regarding "Red China" as a menace to world peace and stability. This is the position taken by Lucian Pye, while David Lampton takes a more liberal view in minimizing the danger posed by today's China. In Issue 16, "Should America Restrict Immigration?" Patrick Buchanan worries about the effect of "newcomers" on the U.S. economy and culture, which is not a surprising view for someone who is deeply committed to stability and continuity of culture, as conservatives are. Daniel Griswold argues that America thrives on the energies brought to its shores by immigrants.

Obviously one's position on the issues in this book will be affected by circumstances. However, we would like to think that the essays in this book are durable enough to last through several seasons of events and controversies. We can be certain that the issues will survive. The search for coherence and consistency in the use of political labels underlines the options open to us and reveals their consequences. The result must be more mature judgments about what is best for America. That, of course, is the ultimate aim of public debate and decision making, and it transcends all labels and categories.