

"But we are not asked to say whether we think this law is unwise, or even asinine. We are asked to hold that it violates the United States Constitution. And that I cannot do."

benzene #54

August 13, 1989

Special Hugo Black issue

Mr Black is the last supreme court justice I'm familiar with who was rigorous in defending the individual rights which are written into the Constitution, but resisted the urge to invent rights that aren't. But he wasn't one the Court's wittier writers, so I've taken the lead-in not from his comprehensive but tedious *Griswold* dissent, but from his younger colleague Justice Potter Stewart's similar but more succinct one, in which Justice Black concurred. (Interestingly, Justice Stewart later changed his mind and came to accept the *Griswold* decision and proceeded to concur in its descendant, *Roe v Wade*.)

This is *benzene*, an approximately monthly amateur newsletter, loosely associated with the postal diplomacy hobby, published primarily for the amusement of the editor and consisting primarily of a dialogue between the editor and the readers about politics and anything else that interests them. Also in *BZ* are games of postal scrabble (open to kibitzers) and postal monopoly. *Benzene* is published by Mark D "Ig" Lew, 438 Vernon #103, Oakland, CA 94610; telephone (415) 268-8626. Sub rates are 60 cents per issue in Canada and the United States, and \$1 per issue elsewhere.

To my amazement, I now have readers in five different countries. In fact, the sun never sets on the *Benzene* readership. The same can still be said of the British empire, by the way. It's not such a great claim. One needs only have so much territory that it can't be fit into a single hemisphere. With Diego Garcia (in the Indian Ocean) and Pitcairn Island (in the Pacific) Britain covers the globe easily. France does it even more efficiently, requiring only Futuna Island (longitude 178°W, directly opposite Orleans) to complement its main homeland. The Soviet Union comes only about five degrees short of covering a hemisphere with its contiguous territory alone. I believe that the sun does set on the American empire. As far as I can tell, there is no American territory east of 60°W and west of 120°E. I don't count Antarctic claims for anybody.

In the United States my readership seems to be more and more made up of Southerners. Twelve of my 32 U.S. subbers live below the Mason-Dixon line. (It's 13 if you count Melinda H. I believe that WV is technically below the line. The hobby's resident American history scholar Brad Wilson can verify that for me.) A few days ago I figured the geographical center of my U.S. subscribership (an easy thing to calculate, really) to be a few miles west of Nashville. Since then two Midwesterners have resubbed, so I imagine now it's well into Kentucky, heading for the tip of Indiana.

I didn't quite win the Runestone Poll (I came in fourth) so I won't have to fold. I am going to raise my sub rates though. I have come to the conclusion that *Benzene* will be frequently exceeding the 12-page limit which I've been pretending to impose on myself. Because of that, because everyone else is doing it, because I want a little more money, and because I'm confident that I can get away with it, sub rates will increase, as of Sept. 1, to a still modest 80 cents per issue in the United States, 85 cents in Canada, and \$1.25 overseas. You can still boost your sub balance at the old rate if you send money before the end of the month, but I won't accept subs past #70 at the old rate. If your trade is likely to be cut soon, you might want to switch to a sub now.

I am in the habit of speaking frankly and often bluntly, in conversation and here in *Benzene*, and I don't consider that a flaw. However, it is never my intention to genuinely offend someone -- not even someone who I know frequently offends others. Last issue, some of my comments in response to Chris Carrier's letter (p.3, #7) were a bit harsh, but I judged them to be not unduly offensive so I printed them. Chris has made it known to me that I judged incorrectly. In light of that, I regret the remarks and I am sorry I included them.

Note, however, that I don't agree with Chris's opinion, expressed frequently in *MegaDiplomat* and elsewhere, that hobby discussions should never be about private, non-hobby matters. I find that I like the discussions here in *Benzene* more when participants use their personal experiences to illustrate their opinions.

IMPRESSIONS OF DIPCON

Jim Burgess likes to report how the people he meets at cons don't look like what he imagined them to look like. I didn't experience that with respect to any people, but the con itself was not at all what I expected. In some ways I liked it more than I expected to and in other ways I liked it less, but I'm now convinced that going was a good idea whereas before I went I wasn't so sure, so I guess that means that on the whole I liked it. In fact, I might even fly to North Carolina next year.

For some reason I was expecting to meet a lot of people whom I know well, though looking back on it I'm not sure why. Dipwise, I hang out with a predominantly Eastern crowd. As it turned out there were only two people there with whom I had corresponded much (both from East of the Rockies, too). About a dozen more were people with whom I have corresponded only slightly or only recently. Of the rest, about a third had names which I could vaguely recalling seeing somewhere, and the remainder were complete strangers. Nonetheless I liked the group of people. The mood was such that it was natural to pop out and get a bite to eat with some former

strangers with whom one had just finished a game. And though there were a few bozos, it quickly became evident that most of the people there were smart. I made a point of avoiding any intellectual discussions, and with one exception I succeeded, but even so the clever people could be recognized -- trying to sneak hints into supposedly casual conversation during a loosely enforced gunboat game, trying to argue that a certain statement technically shouldn't be called a "lie," or just by the way they look at you when you try to read their thoughts.

As you may have heard, the Chapel Hill, N.C., bid was chosen for next year's Dipcon. The voting was a little odd because the same group of people was going to end up organizing it regardless of where it ended up, even though each of them seemed to have a favorite site. If I go to Dipcon next year I'll be flying in any case so the location isn't very relevant to me, but I'm glad the David Hood bid won. I went to the meeting so that I could vote for him in case it was close. (It wasn't.) My impression from nine years in the Diplomacy hobby is that the leading figures in the hobby are the quirkiest members, who are more interested in their goofy organizational ideas than they are in just getting together to play a lot of Diplomacy. These people end up running the Dipcons and put their own peculiar stamp on the event. It so happens, however, that these are the only people with the energy and organizational talent to do the dirty work of putting on a con, and so the hobby willingly puts up with whatever imperious mood, hobby politics, silly events or other weirdness the con organizers impose. David strikes me as someone who has the organizational capability without the drawbacks that come with someone like Larry Peery or, worse, Robert Sacks. (I'm also glad Dipcon won't be associated with a general gaming con. Of the people I met, the ones who were heavily into non-Dip games tended to be the ones who were least interesting to meet and least fun to play Diplomacy with.)

Larry turned out to be more charming than I expected. In spite of his insistence on making the same stupid jokes and puns over and over, he was a pleasant person to have hovering around. He was even cute, in a goofy sort of way. But I still don't care for all the silly official events he put into the tournament. Others have complained that the scoring system for overall best player was ridiculously skewed because of the importance given to things like beating a computer program at Dip or answering questions on a trivia quiz. I didn't care how things are scored, but I sometimes resented that the other events were there to distract those who may have otherwise been persuaded to join in a game with me.

The big pleasant surprise for me was the game itself. Until we started playing, I had forgotten that I really do enjoy playing Diplomacy. The big disappointment was how difficult it was to get a game started. I would have thought that everyone would want to play, but that wasn't the case. I was always trying to get a game started between rounds, or when I had been eliminated early from a tournament game (that seemed to happen a lot). Potential players would say they didn't want to waste time on a game that didn't count toward their score, or they'd rather play some non-Dip game, or they wanted to get some sleep so they'd be fresh for tomorrow's official game, or whatever. I'm not sure what can be done about it, but I sure wish players would be less concerned about the tournament and more interested in playing a game. Or given that people are interested in the tournament, I hope to see a tournament that squeezes in more games and less fluff. This year, Friday night was variant night and only variants would count toward a player's score. For a while it looked like it would be impossible to get a game on a normal board, but eventually enough people turned up who wanted to play gunboat on a normal board.

I wonder if there would have been any pick-up games at all if it weren't for the gunboat tournament. Gunboat was scored in such a way that a player's best games counted for his score and other games did no harm. Thus tournament-minded players were motivated to play as many gunboat games as possible. This was doubly fortunate for me because, as I gradually came to realize over the weekend, I really do like gunboat dip better than regular dip. ("Gunboat" refers to a Dip game in which players aren't allowed to negotiate.) Critics of gunboat say that it removes all the psychological aspects of the game, but I find that completely untrue. To succeed in gunboat a player needs to be able to determine which players will help him and which won't, to cooperate with allies and to anticipate the intentions of enemies, just as in regular dip. The difference is that in gunboat, players don't trivialize the sophisticated psychological challenge by turning to such a crass resource as talking to one another about it. Gunboat is much a game of mind-reading than regular dip, and this is true whether you play know the other players' identities or not.

(Warning: The following narrative contains descriptions of actual Diplomacy games and may not be suitable for all audiences.)

Of course, some will say my high regard for gunboat has something to do with the fact that I'm pretty good at gunboat while I'm terrible at regular dip. In my three games of regular dip I was wiped out twice and ended up in a many-way draw in the third. Game number one featured a Western triple, which later became a Western double -- sans me. I was France and soon I found Italy to be particularly competent in defending himself. Figuring I was not going to get anywhere otherwise, I decided to pull all my fleets back toward England (I think this was in fall 1902), only to turn around again and go back at Italy. (Though I wasn't unaware of the other possibilities, it was my intention all along to stay after Italy.) The point of this was to confuse Italy and

gain a tactical advantage. At that the ploy succeeded, but unfortunately it also confused my allies. I told England what was going on and I think he understood my reasoning, but I foolishly neglected to tell Germany. Consequently he thought I was a flake, so I couldn't really approach him about maybe later turning against England. At the same time, I had determined (mistakenly, as it turns out) that England was one of those strongly type players who likes to stick with an ally and is offended by cutthroat type play, so although I generally don't like to pursue Western or Eastern triples past 1903 or 1904, I decided to stick this one out. The attack on Italy was proceeding well. Austria had an opportunity to make a very efficient stab of Italy and he took it. In one year we brought Italy from four centers to zero (for which the Italian player won "Best Poland," a Peery-blah award for quick elimination). This was good and bad -- good because I was in a position to take the Italian centers away from Austria, bad because just as I was starting to make progress, England and Germany ran up against a solid wall of Eastern armies. So they stabbed me instead. I was pretty vulnerable so it didn't take long to wipe me out. I tried to get myself in Portugal hoping to position myself between the two alliances so that neither would want to eliminate me, but it didn't work. I think this one ended in a AEGT draw.

In all three of my regular games my nemesis was Italy. One was too competent; the other two were too incompetent. In game number two I drew Russia. After some fooling around in the Balkans it worked out that Austria and Turkey were ganging up on me. Normally the recourse in such a situation would be to ask Italy for help, but in this game Italy was a bozo. In fall 01 he misordered his Ionian fleet and didn't get a build, and in general he seemed pretty clueless when it came to negotiation or game strategy. So it was two against one in the east. England saw that I was going down so he figured he may as well get a piece of me, too. In the previous round I had seen a couple of Russias reduced to War and Mos (including the one on my board), whereupon they were supported by one side or the other for a few hours until it was time to cut them out of the draw. I had better things to do than be a lame duck Russia. In one of many desperate attempts to break up the A-T alliance I had threatened to suicide against Austria, so I followed through on my threat. I'm not sure if it made a difference. I tried to give my centers away to Turkey but she wouldn't take them. I think this one ended in an AEGT draw also. Or maybe it was AEPT.

At next year's Dipcon I think there should be a qualifying test for the tournament. Anyone wishing to play must write a set of spring and fall 1901 orders for Italy which result in the capture of Tunis. If he can't do it, he can't play in the tournament. Don't laugh -- two of my Italian opponents couldn't do it. In game number three I was Austria. For some intangible reason, Turkey's playing style got on my nerves and I didn't feel I could trust him, so I decided I definitely wanted to get in an alliance against him. Italy said he wanted to be my ally and participate against Turkey, but for some goofy reason he wanted to move to Tyrolia. I told him that was a stupid idea (well, I didn't say it quite like that) but he was stuck on it. The other army was going to Apulia so I figured I may as well let him have his fun. Well, this guy didn't wait until fall to misorder his fleet; he did it in spring. In fall he came to me saying that since he wasn't going to get Tunis I should give him Vienna. I told him yes, figuring that's what I'd say regardless of what I decide to do. I actually contemplated giving it to him, but eventually I decided that there was little point in trying to appease him, because having a friendly bozo as a neighbor was almost as dangerous as having an unfriendly bozo -- after all, here he was, supposedly my ally, giving me more grief than any enemy was. In consultation with Russia I was fretting over having to fight a two-front war when he suggested that we put off the attack on Turkey for a while. Looking back I think it was a big mistake, but I agreed. In 1902, Russia got himself involved in some action up north. I had bad memories of the last time I was involved in a triple alliance, so I started to worry that I'd be the odd man out. Russia had built a northern fleet and was in no position to pursue the attack on Turkey which was supposedly only postponed, so I reluctantly allied with Turkey to stab Russia. Looking at the board, it looked like an ideal alliance. We stomped over our enemies and got to about 10 centers each. The Western powers had failed to organize against us and their stalemate line was collapsing on land and at sea. It looked like it would be a 17-17 draw or, more likely, a race for the win. However, the chemistry between us was very bad. He was very pushy and had me on edge all the time. I was always paranoid and I think that annoyed him. He kept insisting on little favors and gave nothing in return, but it never seemed worth stabbing him over. After a few years I felt like the dependent partner in an alliance I never really wanted in the first place. One fall turn, England pointed out to me that Turkey was in a good position to stab me. I looked at the board and decided it was true. He was due to get two builds and I was due to get one. Most of his units were nowhere near me, but he had one army in Greece which could take Serbia unopposed. That would give him three builds against zero for me with all my home centers empty. I figured if I were in his position I'd stab. He was already in the Atlantic. He could hold his current position plus Serbia against me and still pick up a few builds in the disorganized west and have a reasonable shot at a win. I couldn't stop the move to Serbia, but I figured I could at least move my forces back to prepare for the upcoming war. I still don't regret pulling back, but as it turned out he didn't stab me. He didn't profess any moral outrage, as I expected, he merely

told me I was stupid to have allowed my paranoia to make me give up a tactical advantage. He asked if I wanted to resume the alliance and I said okay, but by this time I was so frustrated and resentful that I kept after him anyway. Germany wasn't going to bother me, so I figured I could handle a long drawn-out war with Turkey. Thereupon he got frustrated and lost interest in the game. Someone proposed a many-way draw. Turkey said he hated big draws and wanted no part in it, but he'd concede to one, so we passed something excluding him. I forget exactly what it was.

I played in four gunboat games, one of which didn't count for the tournament. I don't know of anyone else who had three games counted in the gunboat tournament though I'm sure there were a few. As I mentioned, the tournament was scored so that being in many games was helpful. Well, it worked for me. I won the gunboat tournament. I know of two others who had a single win, and I know there was at least one more, but apparently I had the best score in my second-best game. How 'bout that.

The pre-tournament game was at Larry's house on Friday night. A bunch of us who had nothing better to do were there talking and puttering around aimlessly while some others were playing Empire Builder in the other room. All the while I was thinking, "This is stupid, why aren't we playing Diplomacy?" but at that point I was too timid to bring it up. Most of the others must have been thinking the same thing because when someone (Hohn Cho, who later won the tournament) finally suggested it we all agreed pretty quickly to start a game. Time was short so we called it gunboat, but there was no GM so we agreed not to negotiate even though we all knew who was playing which country. I don't recall much about this game. All I recall is that I was France and I went after Italy right away. I don't remember how it ended.

Official gunboat game number one was the best game of the weekend for me. I was Germany. F, R and A were three L.A. area guys who had played together a lot. They were good players and I wish I had had a chance to play with them more. I opened A Mun-Bur. As I later explained to France (who also thought this game was the best of the weekend) unless one expects France to go to Bur with support, there's no reason for Germany to do anything else with A Mun. If France sends an unsupported unit to Bur, you definitely want to bounce him, because he'll make you nervous and oblige you to cover Munich anyway, and if for some crazy France doesn't go to Bur, you get in. For some crazy reason France didn't go to Bur and I got in. I stayed there a long time but never attacked France directly, though I certainly made his position problematic. Russia got off to a good start and after 1902 (I think Russia grew to 10 that year) England made an almost innocuous comment about how difficult it is to organize an alliance against the leader in gunboat. I thought this comment was out of bounds, but it was in my interest so I subtly encouraged England to speculate further. It was about this time that Russia and his two friends decided that the guy who was actually the English player was playing Germany, and thus they later concluded that I was playing England. Toward the end of the game, after I had figured out everyone's identity, Russia was making a lot of silly comments about who was playing what, trying to confuse the others who still didn't know. I assumed that he was only pretending to think I was England. Likewise he thought I was only pretending to be Germany. After the game I was astonished to find out that all three of the L.A. guys really did think I was England. They were pretty astonished too.

In spite of the stop-the-leader hints I wasn't at all confident that the 1903 anti-Russia alliance would coalesce, so I figured I'd better lead it. I was in a pretty healthy position (six, I think, with that army in Bur), so even though I wanted to move in on France I went after Russia. Russia told me afterwards that at that point he was hoping to work with me, and I think he meant it, but once the war was started it wasn't so easy to stop. Russia got his revenge on the German player (even though I wasn't who he thought) by making an some almost-innocuous comments of his own about how Germany was in a position to grow. The subsequent war was the highlight of the game and of the weekend. It ranged from Swe to Sil to StP to Bel and lasted about five game years. Scandinavia is far and away the most interesting part of the board tactically, I think. The Russian player was a very clever tactician and I enjoyed trying to outguess him by looking for hints in his orders and his reactions. I was successful more often than not, maybe because (as he later suggested) my opponent was looking for reactions from the wrong player. Eventually Russia fell apart on the home front, but he never let up on the war with me. Instead, for some reason he tried to explain but I still didn't understand, he chose to try to give the game to his buddy Austria. Unfortunately for me, just as he was about to be eliminated he either lucked or finessed himself into a position where he owned Smy and Con, Austria had an army in Bul, and Turkey's last unit was F Ank. He removed his two units in Turkey and kept his units up north. Turkey and Austria continued to bounce in Con until the final year of the game, keeping two Russian armies alive to pester me. Russia's armies pushed through all three of my home centers at one time or another and eventually ended up in France, where they were finally removed when Austria took his 18th.

In gunboat game number two once again I was Germany, once again I opened to Bur, and once again France foolishly let me in. This time I did attack him, but not for long. I got into Mar in 02 and in 03 he annihilated me. After that France and I became allies for the rest of the game. (Yes, you can have allies in gunboat. It's a matter interpreting each other's intentions and positioning your units so that alliance forms

naturally out of the board position.) England was already off to a slow start, so we wiped him out quickly. I progressed quickly against Russia, but France got stuck against Italy. I think France should have stabbed me, but I can see why he didn't. He was never in a good position, or even a mediocre position, to do it. Nonetheless, it had to be done if a German win was to be stopped, but France and the Southern powers never managed to organize themselves in such a way that an alliance would be possible. This game almost got ugly toward the end. It was almost time for the next round of the regular tournament to begin. Everyone but Turkey wanted to concede to me. Turkey thought I could be stopped. If it were a regular game, he would have been right, but he wasn't considering the nature of gunboat. I think it really was too late for them to stop me without open tactical coordination. We all yelled at him a bit when he refused to concede, but he wouldn't budge. So we played a few more turns and I moved on France (who was wide open to me by then) to make it quicker. France wanted to concede to me anyway, so he assured Turkey that he'd give me all his centers. The tournament director was beginning to assign positions for the next round. At the last minute, Turkey finally gave up but he clearly wasn't happy about it.

Gunboat game number three was crucial for me, tournament-wise, though I didn't know it at the time. I later found out that two of the other players in the game, like me, already had one win. It was only because I accidentally outscored them that I won the gunboat tournament. I was England and I opened to the Channel. This move isn't quite as crucial as A Mum-Bur is for Germany, but it's prudent and besides I thought I could make it in (Already I was pretty sure who the French player was) so I went for it. Sure enough I got in, and though I never devoted much force to the fight, I caused France a whole lot of trouble by outguessing her four times in a row. Well, actually one of those wasn't really an outguess. On one turn (I think it was fall 02), France, who was sitting next to me, showed me her orders. I assume it was an accident, but it was done in such an obvious way that it almost seemed intentional. I approve of lots of devious tricks in gunboat, including probing the limits of non-negotiation, but I don't consider it appropriate to look at opponents' orders (because other players never know about it, like a "cloaked" error), and I wouldn't have done it on purpose. But the damage had already been done. I only saw the first order written before I looked away, but although it wasn't a crucial move, it was one relevant to my position. I hadn't yet decided what to do with the pertinent fleet so I couldn't make a conscience-salving agreement with myself to not change the order. I was left with the choice of telling her I had seen the order so she could change it -- sully the guessing game there, letting the others know that I knew what country she was playing, and possibly opening up an irregularity debate -- or I could keep my mouth shut and move my fleet into the space left open. I chose the latter.

Also attacking France -- more determinedly than I was, in fact -- was Germany. Germany and I had great alliance potential. We had identified each other and were in a position to move against both France and Russia. He was clearly sending cooperative signals to me and I intended to follow up, but unfortunately in spring 03 I misinterpreted his intentions and moved in such a way that got our units in uncomplementary positions and we got stuck in a war that neither of us really wanted. In the confusion Russia had gotten control of Nwy, Swe and StP all at once and since he hadn't built a fleet on the north coast of StP I made peace with him and went after Germany. Later, France, who had gotten off to a terrible start, was recovering and had the sense to work out a peaceful position with Germany who by this time was falling apart. An ART alliance was forming on the other side of the board, so I managed to get into an EPG alliance, even as I parked a fleet in Bel. In the subsequent east vs. west battle, Germany took most of the heat. When Germany collapsed, we moved in to take our share of the spoils -- rather, I moved in. Because of that fleet I had in Bel, everything from Bel on up was in the English sphere of influence. France was too busy fighting over the remains of Italy to contest it.

This game had started very late, at almost midnight. But my motto was "dip till you drop," so I joined anyway. Well, now it was 2:30 and I was ready to drop, and so were France, Germany and Italy. The latter two were eliminated soon enough, but France and I still had units on the board, so we had to play on. Around now I was the biggest on the board, having made some progress against Russia (I can't remember if I made it all the way to StP). Nevertheless, I wanted to end the game so I started voting for all the draws which were being proposed. Someone was vetoing them, presumably Russia. After a while Russia found an opportunity to stab Turkey and did so. Russia told me after the game that that was supposed to inspire me to stab France. As I told him the next morning (later that same morning, that is), I might well have done so had I been attentive, but by that time I wasn't thinking much. France and I were just ordering units, hoping the game would end soon so we could go to bed. Eventually it entered our feeble minds to propose a draw excluding France and England. (I later discovered that we both made the proposal on the same turn.) I guess it was an AR draw. I had thought that we let Turkey in on it, but we must not have because he was one of the guys who had a win from another gunboat game. If he were in the draw, his one-center draw would have beat my 10-or-so-center survival and he'd be the gunboat champ.

SCRABBLE

I have some new observers, so let me reiterate the rules: There are two racks. Each has an assigned player, but all spectators are invited to suggest a play on any turn. If a kibitzer's play is clearly superior to the one submitted by the player, that play is used and the kibitzer takes over as player of that rack. What constitutes "clearly superior" is up the GM's judgment. I have made a point of construing "clearly" very strictly.

This is an open game. Tiles in racks are not kept secret, but a rack is replenished only before its turn. All commentary and suggested plays are likely to be printed. After a play, the GM will comment on the game, frequently at length. (Note that I comment only before tiles are drawn for the next turn.) Dictionary of authority is Selchow & Righter's *Official Scrabble Players Dictionary*. Consulting it for ideas is not discouraged.

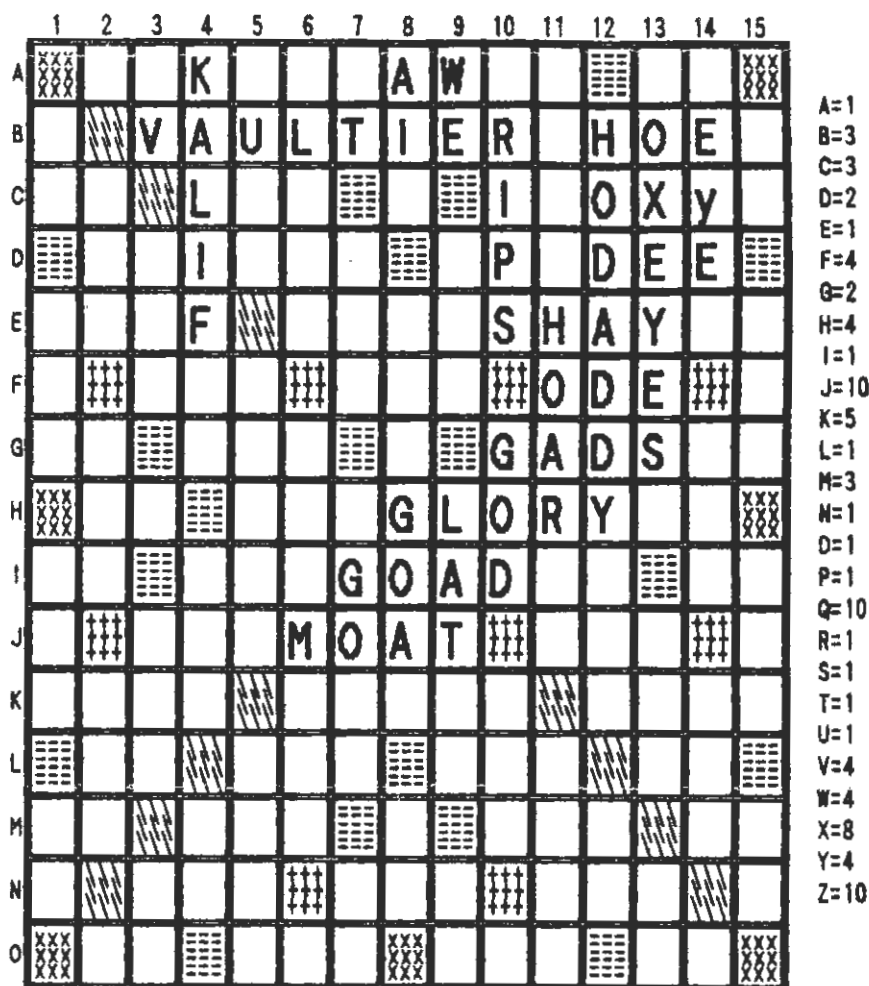
Mike Barno checks in this time, saying, "I can't seem to find a bingo, but maybe one is possible. I think the blank is too valuable to give away in a six-letter batch of one-pointers (even with double-word) (e.g., K8:TIDIER, TINIER, TIERCE or TIERED), so I vote for K8:TIRE;GOAT,LAT=17, or its near-equivalent K8:TIER."

Chuff, who is playing the rack, says, "For the first time, I'm sacrificing points for position. 38:VETIVER;EL,TI,IF scores 31, but it leaves open the triple-word H1. (Lower-case letter is the blank.) So instead I'll play 148:EYE;HOE,OXY,DEE for a mere 29 points. Since I'm going to lose my blank on this play. I might as well take advantage of that X -- both Y's are gone and nothing else will play there. A nice score for three letters, as opposed to six for VETIVER."

I'm inclined to agree with Mykey on this one. I don't think a 29-point play justifies using the blank in this position, especially when K8:TIER is available as a reasonable alternative. For 12 points less it leaves the board no more open and leaves IE* in the rack rather than than IIRT with that difficult double I. Still, the difference has much to do with playing style, so I don't consider it "clearly superior" and Chuff's play stands.

One interesting aspect of 148:EYE bears noting. (And Chuff's going to hate me for pointing this out. Judging from some cryptic comments he made to me I'm sure he saw this but didn't tell me, hoping that I'd miss it.) By playing the E at D14, Chuff has opened up the possibility of a play going down from 15D to the triple-word score. (DEE can be followed by D, M, P, R or S.) Presumably, he is figuring that, even after I revealed the possibility, he's more likely to be able to use it than his opponent, because rack A already holds a letter which can be played at D15 and rack B does not, and even if rack B draws one (I calculate 57.57% that he will: eight tiles out of 43, with four chances to get one), the excess of vowels there makes it likely that it won't be possible to make a five-letter word there.

Lexicology Department: Vetiver, uncommon even in Scrabble games, is a type of grass grown in tropical India, used most notably for perfume derived from its oils. The word is Tamil; in Hindi the grass is called khuskhus. Oxy describes a chemical containing oxygen. Apparently the word can stand alone as an adjective, though I've



A=1
B=3
C=3
D=2
E=1
F=4
G=2
H=4
I=1
J=10
K=5
L=1
M=3
N=1
O=1
P=1
Q=10
R=1
S=1
T=1
U=1
V=4
W=4
X=8
Y=4
Z=10



Triple
Word
Score



Double
Word
Score



Triple
Letter
Score



Double
Letter
Score

Your rack contains: I I J N P T U The other rack contains: I I R T
The score is 157 (you) to 240.

only seen it used as a prefix. Tierce is one of many variations of the Latin word for three. In this spelling, it is still used for some specific terms, in card games and in music for instance. Lati is the plural of lat, which last turn we learned was the monetary unit of the short-lived Latvian Republic.

The score is now 240-157. Mark Larzelere is the current player for rack B. Rack A contains IIRT. Mark draws four tiles and rack B now contains IJNPTU.

MONOPOLY

Apparently, the NMR situation on the monopoly games wasn't quite as bad as I thought. It seems that many players figure that if they aren't eligible to buy any property on a turn, there's no reason to send in orders, since the rents and stuff are going to be paid anyway. OK, that makes sense (though I still prefer that you check in each turn). I've concluded that my usual laxness won't do in the monopoly games, so I'm going to be a bit more strict with the deadlines, even if that means NMRing some players.

Not everyone responded to the suggestions for speeding the games by combining turns. In Geest, Melinda H and Mark L indicated interest in switching to two simultaneous moves per turn; Chris and Pete made no indication. In DeBeers, Mike B indicated acquiescence to any of the speed-up proposals, with a preference for three simultaneous moves per turn; the other players made no indication. Mykey's preference is my preference too, but of course I won't change the rules of the game unless every agrees to it.

GEEST

Turn Three Activity: No deals. PJG gets his salary and dividend (\$250 total). CC mortgages Boardwalk for \$200. MH pays hospital \$100. No rents.

CC buys Indiana for \$220 and Ventnor for \$260. ML buys New York for \$200. Nothing goes to auction.

Turn Four Movement: CC lands on Pennsylvania Ave. ML lands on Atlantic. PJG lands on Virginia. MH lands on Chance #2 (blue). MH's card says, "Advance to Go," so she does.

MH will get \$200 salary. CC is eligible to buy Pennsylvania Ave. ML is eligible to buy Atlantic. PJG is eligible to buy Virginia.

Summary of Position:

	CC	ML	PJG	MH
Windfalls coming (from):	--	--	--	\$200
Debts owed (to):	--	--	--	--
Purchase eligibility:	Pen	Atl	Vir	--
Current position:	Pen	Atl	Vir	Go
Current possessions:	\$58;Ori,StC,Ind Ven,(Boa),EC	\$1,050;Bal,StJ,NY	\$1,650;Ver	\$1,200;Rea

Gards Discarded: CC: Inh,Hosp. Ch: AdvBoa,Div,AdvGo.

Properties listed in parentheses in the chart are mortgaged. Deadline is Saturday, September 2.

DeBEERS

Turn Two Activity: No deals. EW pays \$6 rent to MLB. MPB pays \$14 rent to RBW.

EW buys Reading for \$200. RBW buys New York for \$200. Nothing goes to auction.

Turn Three Movement: EW beats his last three rolls added together by rolling double fives which lands him on Tennessee (sorry Brad), then he's back in form with snake eyes to land on Free Parking, and finally he lands on Ventnor. MPB lands on Chance #2. MLB lands on Community Chest #3. RBW lands on Indiana.

MPB's card is "Advance to Go," so he does. MLB's card is "Pay Hospital," so he owes \$100. Both cards have been drawn by Melinda Holley in the other game, but I really did reshuffle the deck. EW is eligible to buy Tennessee and Ventnor. RBW is eligible to buy Indiana. MPB will collect his salary. No, you don't get any money for landing on Free Parking. Read the rules if you don't believe me.

Summary of Position:

	EW	MPB	MLB	RBW
Windfalls coming (from):	--	\$200	--	--
Debts owed (to):	--	--	\$100	--
Purchase eligibility:	Ten,Ven	--	--	Ind
Current position:	Ven	Go	CC3	Ind
Current possessions:	\$1,234;Bal,Rea	\$1,486	\$1,115;Ver,PRR	\$1,134;StJ,NY

Cards Discarded: Ch: Repair,AdvGo. CC: Hosp.

Deadline is Sauturday, September 2.

LETTERS

My sister tells me that the script type is too hard to read and I should print letters in ordinary italic instead. Is she right?

(This first one was supposed to go in last issue, but it got out of order. Sorry.)

Brad Wilson (Jan. 20): "The kind of vitriolic abuse of Bush and most Republicans that surprised you is common -- even gospel -- on most college campuses, in most editorial board rooms, and in most white urban neighborhoods. Blacks don't care as much. I live in a university, white, urban area, and not a week goes by without some hysterical frenzy about some GOP policy, Reagan, or 'fascism.' Of course it's OK for leftists to call GOPers fascists, but the converse is called McCarthyism.

"Why should any public official coddle the press? Most aren't thoughtful people -- the TV types are 'haircuts,' no brains, all flash, while the print types are generally left-leaning cynics. I'd like to see a senator or governor tell reporters to go fuck themselves, just to watch the reaction! [Didn't John LeBoutillier do something like that?]

"You're largely correct about [George] Mitchell -- in general, 'Northeastern liberal' excludes northern New England as a whole (maybe not Vermont these days, but even Vermont is more frugal and sensible than 'Northeastern liberal' would imply).

"I thought the Democrats would be better off with a Southerner as majority leader, like Johnston.

"Certainly the railroad industry -- which I follow pretty closely, being a rail fan -- illustrates your point that labor and management have more in common than is commonly thought. On some carriers, labor and management have been quite good, and they're the profitable ones (Southern, BN, UP). The ones with constant labor strife are marginal (C&NW, MEC) or bankrupt (D&H, P&LE).

"Your analysis of the Did-Quayle-make-people-vote/not-vote-for-Bush question is absolutely brilliant. I agree with your conclusion. [My point, briefly, was that all the fuss over Quayle was a trivial problem and served to draw attention away from a lot of non-trivial problems which could have given Bush real trouble (BZ#46, p 11).] A lot of my centrist/moderate friends who voted for Bush said they wished Bentsen had been the Democratic nominee. These people might well have voted for Gore, too, and certainly for Bradley or Nunn. I think the Democrats missed a chance to pick up the White House by predictably going left, but I also am beginning to wonder if Gore, Bradley, Nunn or any other non-left Democrat ([Pla. Sen.] Bob Graham or [Nev. Sen.] Dick Bryan, to name two future Democratic hopefuls) can win the primaries.

"The only Cabinet pick that really made me smile was -- guess who -- Jack Kemp. He'll be a breath of fresh air, fresh ideas, and energy in the stagnant housing bureaucracy, if he survives the beating the press is sure to give him as a conservative. Notice that the press went after RR's most conservative Cabinet members while giving the others free rides....

"Glad to see you debunk the 'intentional' checks and balances vote theory [that voters choose a Republican president and Democratic Congress to balance each other]. It's utterly silly, because most U.S. voters don't have nearly that subtle an appreciation of their government, if, indeed, they have any at all. And people tend to vote for whoever's promising the bigger bribe -- in this case, the incumbent congressman with his laundry list of 'I brought this xxx to our district.'

"The presidential vote contest [Bruce Linsey's betting pool] was embarrassingly easy. I'm taken aback when I read about how much time you and Carrier put into it and I know you two follow politics a little closer than I do. I got most of my ideas from an early October McLaughlin Report and a couple of Wall Street Journals. I sent just one entry in that took 15 minutes, maybe, to prepare. A case of luck, I'm afraid, not skill, overcoming hard work. 'Twas nice, though!"

[It's not as if Chris and I took time out of our busy schedules to do it. Even if Brux hadn't run a contest, I know I would have spent a few hours coming up with my guesses anyway, just because such games amuse me. I suspect the same is true for Chris. I remember that McLaughlin episode, but the gang split their predictions 3-2 on seven or eight states, so you still had to pick which panelists to trust.

[Nunn can't win the primary. The others you mention are (or in Gore's case, were) sufficiently unknown to the public that any one of them could present himself as a liberal and have a chance to win the primary. The question isn't whether some specific individual can win the primary, but whether any candidate can do so without running as a liberal (and thus putting himself at a disadvantage for the general election). There are some predictions of a showdown in the party in 1990, which could make a difference if it results in changes in the rules for campaign financing and delegate selection. Otherwise it looks to me like '92 will be a rerun of '84 and '88.

[You mentioned on the phone that you think Sen. Chuck Robb (Va.) is in a good position to win the primary. Oh? Do you think he'll have a chance in the general? How do you expect him to portray himself in the primary?]

Chuff Afflerbach (April 19): "Boy is my face red, thanks to Ted Turner's colorization process. Yes indeed, he has actually re-colored *Gone with the Wind*. Evidently it was fading or something. But now it's better than new. But I still say it's a great joke...."

[I'm glad my comment turned out to be accurate after all, but I still think I was confusing GWTW with some other classic Ted was colorizing.]

Mark Larzelere (Early April): "Your odds on the 1992 race were interesting. What about Ted Kennedy? (I think the odds are about 1-3 he announces early that he's not running again). Also, I think Dukakis's chances have got to be much better than 500-1. He's still got some rich friends.

"How about odds for Bush and Quayle?"

"Re: Marlboro Man. I recall that in earlier advertisement he had a horse, but now I'm seeing him without a horse. I suspect that the horse died from the effects of second-hand cigarette smoke."

[I recall reading the the Marlboro Man campaign was directed at young women. That seems odd to me, but if there's a horse it starts to make more sense.

[Quayle's chance to repeat as running mate is well above 50%. If you know any Quayle-bashers who like to bet, you can make a few easy bucks -- if you're willing to wait three years to collect, that is.

[Kennedy is not relevant. If nothing else, Chappaquiddick will be brought up again if he ever looks like he's going to run. But even without that, I don't think he'd have a chance. 500-1 for Dukakis was generous. He doesn't have rich friends. The big money came to him only after he had already raised a lot of small money. Most of the small money came from lawyers, developers, and other professionals in Massachusetts who had an interest in networking with the Dukakis organization because, win or lose, he was still governor of a highly bureaucratized state in which they wanted to do business. Dukakis almost certainly won't run for re-election as governor, and if he does he'll lose in the primary, because his popularity is way down even in his own party, due to his state's economic woes. (*The New Republic* reports that Massachusetts' credit rating is now 49th in the nation. Only Louisiana's is worse.) Most of the rest of Dukakis's small money came from the Greek community. They've had their opportunity to show their ethnic pride; I doubt they'll do it as devotedly again. There's a solid minority of the national population (maybe about 30%) that has a strongly positive opinion of Dukakis, but most of that sentiment could be easily redirected to a similarly marketed candidate. Those who really matter -- local party organizers and fund raisers -- see Dukakis as a known loser with almost nothing going for him.

[By the way, it's now almost certain that Gephardt won't run. I now rate Biden even higher than I did before, and I rate Bradley a little lower and Cuomo a lot lower. François C wants me to do a write-up on the likely candidates for *Passchendaele*. I intend to get around to it sometime, but I've been procrastinating. I may as well wait for the new *Almanac of American Politics* (highly recommended) and filch most of my material from it, as the professional political gossips do. It's due out soon, I think.]

Don Del Grande (May 4): "What is the Apartheid solution, if not economic (and I agree that it isn't that)? How about a raid on DeBeers to replace their gems with 'Diamelles'?"

[If I could answer that I'd be out winning a Nobel peace prize instead of editing this zeen.

[I said that the answer isn't economic sanctions against the government of South Africa, not that the answer isn't economic. Clearly, economic reforms are an essential part of any solution. As I've said before, sanctions aren't the answer because they are useful only to force a confrontation, which is still a cure worse than the disease. The safest and most constructive thing to do now is to return some authority over local issues to Blacks and to reintroduce them on an equal basis into the nation's economy. If the National Party is serious about wanting to end apartheid (but there is evidence to indicate that it isn't) it should immediately set about repealing those laws which give Blacks unequal rights as workers and restrict their freedom to trade and do business with each other. If government institutions and state-supported monopolies interfere with this policy, the Party should try to dismantle them. At the same time, the Party needs to begin the difficult task of devolving its very centralized federal government to grant more responsibility and authority to councils at the district and city level, with Blacks having full representation (i.e., majority) at those levels. This is the easiest way to beginning handing real power over to Blacks with the least amount of danger.

[The Whites are right to not give up majority rule immediately because it would lead to chaos. However, they can't keep putting it off. If they don't get started with some serious reform soon, the moment will be forced to a crisis and there'll be chaos anyways. Whites are afraid to give up control because over the past 40 years they have cultivated in their state a culture and a system of government which does not respect individual rights. They fear that majority rule would lead to what they call "swart gevaar," a vengeful black government which would evict whites from their homes, confiscate their property, and generally treat whites rather like whites have treated blacks. Thus, before whites will accept majority rule, the government must be changed so that it protects individual rights. This requires major restructuring of the entire South African system of government, and the best way to go about it is to call for the constitutional convention which the Progressive

Federal and Inkatha parties have been asking for.

[Once a convention is called there will be enormous pressure to go too far with it. There are many in South Africa and abroad who will be highly critical of anything short of dissolution of the government in favor of majority rule. That can't be helped, but the government can improve its position by outdoing the expectations of the more realistic observers. The government should set definite limits on what is and what isn't subject to change. The National Party can pretend to be more liberal than it really is by blaming any limits of the convention's power on the necessity of getting the Conservative Party to go along with it. It is crucial, however, that on whatever issues are being considered -- this would include reducing federal authority over local jurisdictions; establishing rights of movement, association, and property; reforming the legal, tax, welfare and education systems; and continuing the deregulation of government monopolies -- blacks are given genuine authority proportionate to their numbers. Otherwise the convention will be rightly called a sham. The major black parties, some of which would have to be recognized and legalized, should be asked to take the lead in designing a new government which they'd eventually inherit. The white minority should take a less creative and more critical role, contributing mostly by saying what is and isn't tolerable. I think it'd be a good idea for the government to state openly its motive for the constitutional convention, declaring something like this: "We, the white minority currently in power in South Africa, recognize that a change to a democratic government with full representation for all citizens is both just and inevitable. However, given the current state of South Africa's system of government, we are afraid to relinquish our hold on power because we know the government has too much power and does not sufficiently protect minority and individual rights. Therefore, in order make a peaceful transfer of power possible, we intend in this constitutional convention, without yet acceding to majority rule, to reform the government in such a way that we would be comfortable living under it even after all citizens are enfranchised."

[The future of South Africa will be put to a major test next month. The National Party has maintained a parliamentary majority for decades, in part by holding a position which is sort of against apartheid but sort of isn't really. Now it appears that the mandate for ambivalence has dissolved and it looks very likely that the NP will lose its majority in the upcoming elections on Sept. 6). If this happens, the NP will have to choose between a coalition government with the Democrats on their left, or with the Conservatives on their right. The former would indicate good prospects for real reform; the latter would indicate more reactionaryism, increasing the chance of more violence. Politically it makes more sense for the NP to go left, but their cultural roots are with their fellow Afrikaaners on the right, and not the predominantly English-speaking Democrats. (That's right, the whites have tribal divisions, too.)]

Tim Stabosz (May 4): "Super poison puts' are called just that because they give bondholders the right to sell in the event of the company attempting to issue a certain amount of additional debt. This right to 'put' the bond back to the company is 'super poison' in the sense that it makes the company much more unattractive to the potential corporate raider. Why? Because the raider will very often want to pay for the buyout by having the very corporation he wants to buy sell the junk bonds to finance the takeover! Investors are willing to buy the junk bonds because they feel the company's stock price is undervalued compared to its earnings capacity. So the 'super poison put' creates a problem for the raider in that he wants to use the proceeds from junk bond sales to buy out the current stockholders. However, he can't do this if a bond covenant (of bonds already issued by the company) says that he has to give the money to current bondholders before stockholders. Hence, the 'super poison pill' makes it quite difficult to finance a deal, as the interest rate on the junk bonds is higher than that of the old bonds, in most cases."

[I assume a super poison pill is the same as a super poison put. I take it that the essence of an SPP is an agreement by the company that it will repurchase the bond under certain conditions (notably before a junk bond issues), yes?]

"Which brings me to your sniping at F Ross Johnson. You argue that instead of simply buying out shareholders, Ross should fulfill his duty as president of RJR and get the stock price up. I agree with you that there was/is a conflict of interest in these situations, as Ross was trying to buy the company for as cheap as he could. (How could he fulfill his duty as president to maximize shareholder value at the same time) At the same time, though, Ross couldn't do much else about the fact that 'the market' was giving RJR Nabisco an unfairly low value. My sense is that the market put a damper on the price of RJR, as well as the other tobacco companies because of fears of liability lawsuits (related to smoking, of course). [In which case the value was not "unfairly low," yes?] If Ross thought that the market was overestimating this risk, and he liked the 'wonderful' cash flows thrown off the company, some would think that he was fulfilling his duty.

"Why can't [Ross] implement his money-saving ideas without a buyout,' you asked. The answer is that I suppose he could have by simply having the company take on tons of debt, and then pay out the proceeds to the shareholders as a dividend, or buy back stock with the proceeds. This surely would have increased the stock value over the short run. I guess the problem with this is that a lot of people (economists, intellectuals,

etc.) would then be vilifying Ross for making such a solid company top-heavy with debt. At least as it stands now, or at least would have stood if Ross would have been successful, the company would be owned by only Ross and his buddies in the former management of RJR. And they'd have no shareholders bitching at them, at least, unless they were schizoid. Not to belabor the point, I guess it comes down to the idea that Ross figured if he was going to be the butt of criticism for 'increasing America's debt load,' he was at least going to make some money off it. Whether or not he tried to 'steal' the company instead of trying to find a high bidder is something I'm not exactly sure of."

[I'm still wondering what leads the market to undervalue a company -- and what any management can do to prevent it. I would assume that a stock's essential value, upon which the speculation value is built, is the promise of dividends, so I suppose the way to keep stock value up is to offer lots of dividends. Thus a profitable company has more highly valued stock, because it is capable of giving out bigger dividends. Yes?

[What were Ross Johnson's plans for RJR anyway? Do we know? You imply that it's necessary for RJR to take on a lot of debt in order to achieve a "fair" value for its stockholders. Why is that? If a company really is worthy to be broken up and sold off, why don't the company's current managers decide to do so? Why must a raider come along and do it for them? Is the profit potential somehow different for a raider?]

"Finally, regarding the tax incentives that inspire takeovers, I know that some takeover targets have been losing a lot of money and hence have large 'tax-loss carry-forwards,' or amounts of losses they can use to offset future profits, when the profits occur (so that the company doesn't have to pay tax on those profits). Where a company is near bankruptcy and has virtually no chance of making it, and even in less dire situations, a healthy company might buy out the near bankrupt company just to 'acquire' the target company's tax-loss carry-forwards. However, let me say that I believe Congress has restricted this ploy, if you want to call it that, by various revisions of the tax code, but I'm not exactly sure how.

"There are also potential tax benefits tied in with the double taxation of dividends, although I don't know just how significant a factor this is in takeovers. As you mentioned, but didn't explain (perhaps figuring most readers already know) [No, I prefer to always explain things. The real reason I left it out was because I couldn't remember it.], corporations are taxed on their profits when earned. Also, when these profits are paid out to shareholders in the form of dividends, the dividends are taxed at the individual's marginal rate -- hence the double taxation. If an individual or group could take over a corporation and turn it into a partnership, S corporation [?], or sole proprietorship, the double taxation effect would go away, as all company income would only flow through the individual partner or owner's tax return(s). I don't know how easy it is to switch from corporate status to partnership or sole proprietorship, if possible at all."

[I believe the continuation of the argument is that double taxation discourages paying dividends, which would raise a company's stock price. Any earnings declared as profits are required to be paid as dividends (right?) so companies are motivated to instead reinvest earnings in the company by buying subsidiaries or having extra cash around. That makes the companies targets to be bought out and broken up for a profit.]

"Without going too much into it, it may be advantageous for a corporation to take over a company it owns shares in. For example, corporation A, by taking over corporation B, will pay no income taxes on the dividends it receives from B. (Without taking over B, there ends up being, in effect, a triple taxation of dividends: once when B earns them, the second time when A receives them as dividends (although corporations do get a partial tax deduction of dividends received from other corporations), and finally when A's shareholders are taxed as A distributes the 'goodies' received from B.)

"...Feel free to write if anything needs clarifying."

"P.S. There wasn't too much Duhakis stuff in Benzene. I loved it."

[A few years ago, I used to read science journals on a regular basis. I found that although there was a lot I didn't understand, by reading through it anyways and getting a vague idea of what was discussed, I came to understand a little better with successive articles on similar subjects. That's the sort of thing I'm hoping for here for both myself and my readers with the corporate takeovers discussion. If you or anyone else feel a desire to enlighten me further, you can start with some of the questions I've interjected.]

Chris Carrier (5/5): "Whether we like it or not, a fairly powerful government is a fact of life that the overwhelming mass of the population depends on. In a totally libertarian society, I think that your skills would bring you about half as much income for a 60-hour week; sure, the government wouldn't be taking a piece of your gross, but your gross under anarcho-libertarianism would be less than your net now. Even you depend on government to a very large degree, (although the dependence is much less than in my case, where the government is my employer). For example, you don't own a car. Are you aware that every public transit system in the United States is a notorious money loser that requires massive government subsidies? When you board a bus or BART, your fare is only 20-25% of the cost of running the system. If those subsidies did not exist you would have to own a car because the transit system would have to increase its fares by a factor of five, driving riders away, reducing revenues, and resulting in the collapse of the transit system. Also, you in your car,

"Now for an explanation of the stock market: A company goes public and puts a percentage of its shares on the common market, as much as 100% of the shares. If anyone controls 50.01% of the shares then they can completely control the company. [How?] When a company goes public, the founders make a fortune, this is the best way to become a centimillionaire in the world! But they tend to lose control of their company, which is a big trade off. (They normally only keep about 10% of the stock and sell off 90% of it.)

"A company's stock is usually valued higher than the net asset value of the company. If it drops below the net asset value it is a great takeover target. Someone can simply buy the company, sell its assets and make a ton of money. The stock market value is highly based on expectations. If people think the company is going down the tubes then its stock price can drop to 80% of net asset value. If they love the company, its price can reach 400% of net asset value or more! For example, about 20 years ago IBM had a higher stock value than GM, yet GM was about 10 times as big as IBM. Today IBM is twice as big as GM so the expectations were correct in this case.

"A company's profits are sometimes returned to stockholders in the form of dividends. I don't know why a company would want to do this. This is an extremely dumb practice. Companies that don't give dividends have their stock valued just about as well as companies that do give dividends. I guess that giving dividends has been a way of saying that the company is doing great. Well, if I'm doing great I'm not going to give away money to my neighbors, and I don't think companies should give away money to their stockholders."

[Your neighbors-stockholders comparison is not fair. The stockholders aren't just somebody else. Supposedly the stockholders are the owners of the company. So who are you talking about when you say the company shouldn't give away money? It should be the stockholders' decision whether they take their money as dividends or reinvest it in the company. If the managers don't do as they like in that respect, they should be able to throw them out.

[My understanding is that the rules of stock ownership require all money designated as profits is to be given out as dividends. Companies which choose not to give dividends do so by saying their earnings aren't "profits" but are needed to pay the "expenses" of the company's expansion or whatever. I'm intrigued by your statement that dividend size has little correlation with stock value. Is this really so?]

"As to Ross Johnson's attempt to buy RJR Nabisco, he is saying that the shareholders would never give him a big enough salary comparable to the money he could get as 100% owner of the company. This is true for all public corporations, which is why I would think twice before taking my company public. It would be fair to say that Ross Johnson is a greedy guy and that his action is not as altruistic as it could be. I would probably fire him and replace him with someone else."

[I agree, though I'd like to point out that one need not be altruistic to be a good manager.]

FASHION

My appreciation of my favorite magazine, *The New Republic*, is back up again, after having waned a bit. This is due partly to Michael Kinsley's return as TRB, and to a recent editorial on abortion policy, in which *TNR* espoused the pro-choice anti-Roe position, a seemingly mismatched point of view I had yet to find in anyone besides myself. Now, after the *Webster* decision, many pro-choicers are beginning to admit that they didn't really like *Roe* but they went along with it because it seemed to serve their purpose.

Critics have been trying to discredit *Webster* by eloquently proclaiming a woman has a basic fundamental right to choose whether to continue her pregnancy. I agree completely. Absolutely she does. However, it doesn't automatically follow that that right is protected by the U.S. Constitution. It's not.

After wandering back and forth a few times, I've finally decided that I'm pretty happy with the decision. If nothing else, for the first time I have a solid political identity on the issue. As long as the pro-choice movement was depending on *Roe*, I couldn't fully agree with them because I think *Roe* is wrong. Now that it's a question of whether states should allow abortion, I feel perfectly comfortable among those who say they should.

As most of my readers will recall, I had for a long time suggested that the Court could settle the issue with a compromise position, by reaffirming the privacy right and at the same time declaring that brain activity constitutes life. I first started questioning this position as a result of comments from two of my readers about menstrual cycles which caused me to realize such a settlement wouldn't leave quite as convenient a political situation as I had hoped for. Then it occurred to me that I was questioning my position on a legal issue because of a political nicety -- just the sort of thing I'm so quick to criticize others for doing -- and I realized that the reason I liked this judicial "solution" in the first place was because it was politically workable, not because it was legally correct.

Reconsidering, I have to wonder if allowing the Court to declare what constitutes life is any more justifiable than allowing it to declare what constitutes liberty. Worse than that is the problem of deciding how far the privacy right extends. I knew that the right was one not specified in the Constitution, but justified by the activist Court with the reasoning that the Ninth and Fourteenth Amendments indicate that Court should pro-

tect all fundamental individual rights whether specified in the Constitution or not (the same reason that the activist pro-business Court used in 1905 to justify their right of contract, by the way), but I figured that somewhere there would be a reasonably specific definition of this right which Justice Douglas calls "a right ... older than the Bill of Rights." However, in my (admittedly limited) research I have found this not to be the case.

Some critics of the recent *Webster* decision have talked about the "tearing down" of legal precedent, as if the privacy right of *Griswold* and *Roe* were some great edifice at which the Rehnquist crew had directed its wrecking ball. My opinion now is that, on the contrary, the makeshift privacy right is of such flimsy construction that it starts to fall apart if one simply looks at it too carefully. Suppose we grant that there is a constitutionally protected right to privacy. *Roe* demonstrates that it prevents states from prohibiting abortion. What else does it prevent? To demonstrate that privacy does indeed extend to the issues at hand (contraception and abortion respectively) the *Griswold* and *Roe* opinions each take a quick tour of the history of the privacy right, citing the various ways it has been applied. They mention that it covers privacy within the home, within marriage, and in raising one's children. Suppose some man beats his wife, and when the state arrests him for it he argues that his privacy of marriage has been violated. Or, somewhat more reasonably, suppose a couple believes that the way to strengthen a child's soul is through hardship, and consequently this couple subjects its children to a spartan regimen of nothing but their barest physical and psychological needs. When the well-meaning state seeks to protect the children from what it deems to be abuse, the couple argues that its privacy rights are violated. And although the Court never relied on the claim, many pro-choice advocates insist that the right to privacy means having the unrestricted control of one's own body. Would these activists argue that individuals have a constitutional right to take any drug, medicinal or recreational, they choose? Yet that is the logical extension of a body-based privacy right. If one grants that a privacy right exists, how does one answers privacy claims such as these? This is the sort of thing I'd like to see addressed by defenders of *Roe*.

One more thing. Some *Webster* critics have complained that the decision is unfair because it will have the result that it will be more difficult for poor people to obtain an abortion than it will be for rich people. Yeah, no kidding. Obtaining orthodontia is more difficult for poor people, too. Obtaining a car is more difficult for poor people. Obtaining nice clothes is more difficult for poor people. In fact, just about any material good is harder to obtain for a poor person than it is for a rich person. That's not just a fact of life, that's inherent in the definition of "poor." If poor people didn't have any trouble obtaining goods and services, we wouldn't have any reason to call them poor.

So go ahead and urge the Court to try to compensate for this inequity, but let's stop pretending that the Court created it.

CULTURE

In late summer a young man's fancy lightly turns to thoughts of....

This is the first time in a few years that I've been ready for the football season to start. The last couple of times my attentions were elsewhere and I didn't start paying attention until a month or two into the season. This must be be-nice-to-Jim-Bob week at Benzene. Not only did I give him three pages of Dip game summaries, now he's going to get another page and a half of football predictions:

Rams 11-5, New Orleans 9-7, San Francisco 9-7, Atlanta 7-9; Minnesota 11-5, Chicago 10-6, Tampa Bay 7-9, Green Bay 4-12, Detroit 3-13; Philadelphia 11-5, Washington 8-8, Phoenix 7-9, Giants 7-9, Dallas 4-12; Buffalo 12-4, Indianapolis 11-5, New England 9-7, Jets 7-9, Miami 5-11; Houston 10-6, Cincinnati 10-6, Cleveland 8-8, Pittsburgh 5-11; Seattle 9-7, Denver 9-7, Raiders 8-8, Kansas City 8-8, San Diego 5-11.

You may recall that last December (8/24/86, p.7) I boldly predicted that the Atlanta Falcons would not have the worst record in the NFC West this year. My predictions above abandon that claim, but the considerations that went into it are still there (except for the long-shot possibility that expansion would come early and there'd be a fifth team in the division, but that was a minor consideration). I had high expectations of the Saints last year, but I consider most of their success to have been due to psychological advantages. Such advantages are real, but they aren't as likely to last from season to season as things like talent and team organization, which I think the Saints don't have quite as much of. Accordingly, I've knocked them back a bit. I don't pretend to know why Super Bowl champs always do poorly in the following year, but they do, and the 49ers are definitely not the team to break the trend. I felt that last year they snuck out a few wins on some lucky breaks or from clumsy errors by the opponents, so their regular season standings look better than their play warrants. This year they won't be so lucky, and adjusting to their new coach will slow them up a bit (though the transition is pretty smooth), leading them to do a post-Super Bowl dive much like Washington's last year. For the last few years, the Falcons haven't been as bad as the other doormat teams. Now they're finally getting it together after a long and slow recovery. Next year they'll be a contender, this year they're at least respectable. The Rams are dull but solid. Their offensive line is so good that even a mediocre running back

will perform well with it. The staff has cleverly put this phenomenon to use by playing running backs of varying degrees of talent, making them look better than they really are, and trading them advantageously to other teams. As a result of the trades, now the Rams' defense and passing offense are good too.

In the NFC Central the interesting team is Tampa Bay. It takes a long time for a really lousy team to rebuild, but the Bucs have been doing it and this year it'll begin to show. If you want to bet against the spread, Tampa Bay is a good team to pick. The others in the division stay about the same. For Chicago that means good, and for Minnesota it means even better. For Green Bay and Detroit it means dismal (again).

I'm thrilled to discover that the Cardinals will continue to have one of my favorite quarterbacks in the league. At his peak, Neil Lomax was the best in the league, I thought. Unfortunately, he never had a good enough offense to showcase his talent. But he's on the far side of his career now, and his health -- never the best -- is worsening. I expect the coach to alternate him and Gary Hogeboom as starter with the clear intention of preparing Hogeboom as the new leader. Philadelphia performed very well last year and I see no reason why their success won't continue. Washington is a team that is so well organized that even when it's bad it only falls so far. A 7-9 season would be pretty good for a team like Green Bay, but for the Redskins it's a slump, and they're still in it. Unlike the Redskins, the Giants are capable of going all the way down, and they're on their way. They've been gradually deteriorating since their Super Bowl win, and they'll slip a few more notches this year. The Cowboys have hit bottom and now they'll start to recover. It'll be gradual, but not as slow as it is for some teams. In a few years Dallas will be back in contention with a new team bearing little resemblance to the teams of the Landry era.

Indianapolis began last year at 1-5 and proceeded to win eight out of the last 10 games. This indicates to me that in spite of missing the playoffs last season, the Colts can be expected to do well. Unfortunately for them, they are in the same conference as Buffalo, considered by many to be the best team in the AFC. I expect both teams to go to the playoffs this year, but unlike many of the professional predictors, I don't think the Bills are going to the Super Bowl. I think they still lack the maturity required to do well in post-season play. The other teams in this conference are hard for me to figure out. Both the Patriots and the Jets aren't very good but aren't really bad either, and they aren't clearly headed in one direction or the other. My not-very-educated guess is that the Jets will start the season well and then slump, while the Patriots will do just the opposite. I'm also not sure if Miami will reverse its decline or if Shula will follow Landry's lead and watch his team go into its first really bad slump in decades. I'm inclined to expect the latter.

Cincinnati isn't quite as good as its record indicates. No one took them seriously last year because the year before they had finished 4-11. Sam Wyche got much of his success from some clever offensive tricks, but the rest of the league has caught on. Now that the Bengals have gone to the Super Bowl he'll have a harder time being so clever. The Oilers aren't quite great but they're pretty good and I think they'll stay that way for a few years yet. Twice now they've just barely missed winning their division. This year I think they'll make it. I expect to see them in the Super Bowl by '92 -- but not this year. I've been a Cleveland fan for many years now and I keep thinking they should make the Super Bowl but they never quite do. Now it's too late. Sorry, but Art Modell blew it by not letting Marty Schottenheimer run the show his own way. Now Marty has defected to the Chiefs and taken half the coaching staff and even a few players with him, and Art is left with what -- Bernie Kosar and a few defensive backs? Big deal. Cleveland had the best defensive secondary in the league, but the reason Minnifield and Dixon kept going to the Pro Bowl was because of Schottenheimer's defensive genius. There are other good defensive backs in the league -- Kansas City's Deron Cherry comes quickly to mind. Pittsburgh will be back eventually, but not quite yet.

Generally teams follow an up-and-down cycle. Sometimes a special talent will prolong a team's stay at its zenith and sometimes a special flaw will prolong a team's stay at its nadir, but usually a team can be classified as good, bad, getting better, or getting worse. For a few years now Seattle hasn't fallen into any such category. The Seahawks never lived up to the promise that had journalists predicting their Super Bowl victory a few years ago, but they haven't really deteriorated either. Quarterback Dave Krieg still has a lot of potential, in his goofy and erratic way. Considering the problems in the other teams, it wouldn't be asking too much for Seattle to win the division again. Some are predicting greatness for the Raiders this year, but I don't buy it at all. I was unimpressed by their play last year. Their new coach may have settled in by now, but other than that I don't see what has changed for the better. The Raiders are a disorganized team, and the potential fuss over whether they'll be moving to a new stadium will only exacerbate the problem. Denver managed to stay among the top teams for a long time, but I they can't prolong it any longer. Last year's bad finish was no fluke, they're past their peak. Year after year of being near the end in the draft is finally catching up with them. Dan Reeves and John Elway are still good, but the Broncos are wearing thin everywhere else. They'll miss the playoffs again this year. San Diego is still rebuilding and they'll be the one left behind in the four-way race for the division this year. Kansas City is the team I'm really excited about this year. I'm a big Schottenheimer fan, so I'm convinced that any team would do well to get him as coach, but no team suits him better than Kansas City. For a few years now I've thought that the Chiefs had some good talent which could go

somewhere if only they had a good coach to organize it. Furthermore, the Chiefs' biggest flaw is their lousy defense, but that's just what Schottenheimer is best at fixing. And there's no lack of defensive talent, with pro-Bowlers Deron Cherry and Albert Lewis in the secondary and their new first-round draft choice linebacker Derrick Thomas. The only thing missing now is a new quarterback. I'm not sure who it will be, but it's very promising that the Chiefs have veteran Steve DeBerg, famous for having trained Joe Montana and John Elway. It'll be a few years before the Chiefs become great. For now, they at least have a chance in this muddled division.

In the playoffs, all of the NFC and none of the AFC division champs look Super Bowl bound to me. I'll guess that Buffalo loses its playoff game in an upset (to Seattle, in my scenario), and wild card Indianapolis squeaks past Houston to go to the big game. Once again the NFC championship will be the toughest game. I'll guess that Minnesota wins it, and goes on to win the Super Bowl. As for next year's Super Bowl (the one in January 1991, that is), the AFC finally breaks its losing streak and wins one. Most likely candidate to do the honors: Buffalo.

FILLER

I had planned to end the issue there, but since I have to pay Kinko's for this entire page I may as well fill it with something. Let's see what I have on file....

A few months ago, when a family died in a little plane crash near L.A., the local newspaper has a story about it with the kicker, "It was an ideal family, so full of love." Maybe it was, and maybe it wasn't, but how could the newspaper report it any other way? A reporter goes out asking the victims' friends and acquaintances what they were like. What do you expect them to say? That they were a bunch of jerks and it's no great loss that they died? Of course not. So disaster victims are portrayed much more nicely than are others we read about, giving the impression that bad things happen disproportionately to good people -- that fate doesn't merely leave virtue unrewarded, but actually punishes it. I wonder how much this adds to the anomic feeling that being good isn't worth the trouble.

There's a platitude which says, "Common sense isn't common." True enough, but not the paradox it appears to be. I haven't researched this, but I think you'll find that the other meaning of "common" is used to modify "sense" here. Church property belongs to the church, private property belongs to an individual, and common property belongs to everybody; business sense helps you in business, street sense helps you on the street, and common sense helps you everywhere.

In case anyone cares, these are the tokens I use when I set up the board in the monopoly games: Berch, thimble; Mykey, dog; Chris, hat; Ed Wheebel, wrobelbarrow; Melinda, shoe; Bradley, car; Mark L, iron; Pete G, cowboy.

Middle Names Dept.: James Claude Wright Jr., Thomas Stephen Foley, Newton LeRoy Gingrich, William Hubbs Rehnquist, Leah Ming Pei, Max Marlin Fitzwater, Thomas Boone Pickens, John Henry Sununu.

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- ☒ Your are mentioned on page(s) _____
- ☐ Your sub is up.
- ☐ Your sub is almost up.
- ☒ You don't have a sub.
- ☐ Your trade might be cut soon. ☐ Your trade is safe.

