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METAMORPHOSIS MUTATIS MUTANDIS

(Was this a great country, or what?)

By Erwin Fuchs

The record suggests that over the past thirty to forty years, the United States has not achieved nearly as much as one could reasonably have hoped in pursuit of the goals that most Americans hold dear. The question that remains is why the country has not been able to accomplish more.

(The State of the Nation, Professor Emeritus Derek Bok, Harvard University, p. 404)

The United States of America is not a nation. Nations are large tribes of humans that have been geographically isolated for millennia.... The United States of America is a crossbreeding integration of humans from all the nations of the planet Earth.

(Critical Path, R. Buckminster Fuller, p. 218)

When an Empire is dying, its dissolution is heralded by the waning, in this man and that, of his faith in the Empire. You would be wrong in holding him responsible for the Empire's death; he but signifies the disease which is sapping its vitality.

(The Wisdom of the Sands, Antoine de Saint-Exupéry)

When the cattle you have lodged in a shed start dying one by one, do not examine them... examine, rather, the cattle shed – and burn it.

(Ibid)

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1. INTRODUCTION

I hope Saint-Ex will forgive me for making a compromise concerning his suggestion regarding the cattle and cattle shed.

1. I did examine all the "cattle."
2. I did burn down the "cattle shed."
3. I drew up a basic plan for a better cattle shed.

When I finished all this I think I answered Professor Derek Bok's question he posed some five years later in his book *The State of the Nation*, p. 404: "The question that remains is why the country has not been able to accomplish more."

Somewhere along the way during my rather eventful life while living and working on five continents, and going now on eighty and counting slowly, I realized that whenever a machine, organization, system, call it what you will, keeps breaking down to the point that it barely manages to muddle through, the answer is always found in an old engineering axiom: "If the *basic* concept of a

project is *wrong*, no amount of fiddling with its parts will make it fly.”

Perhaps of all the books I have read, the one I could credit with crystallizing my ideas about the importance of the *basic* concept of a project concerning our problems is Bucky Fuller’s *Critical Path*, page 218, mentioned in my epigraph: “The United States of America is not a nation. Nations are large tribes of humans that have been geographically isolated for millennia.... The United States of America is a crossbreeding integration of humans from all the nations of the planet Earth.” When I finished reading this sentence, I knew immediately that in there is buried the answer to our “riddle, wrapped in a mystery, inside an enigma” (Churchill, re: USSR). All I have to do now is find the logical connection between Bucky’s dictum and the *wrong basic concept* of the old/new America.

I have very modest mental abilities but what little brain I do have is logical. After some lengthy pondering and wondering, I came to the following conclusion which is, as far as I am concerned, the only logical one.

What caused a once great nation, the envy of the whole world, to *metamorphose mutatis mutandis* into this gargantuan Potemkin Village, eliciting from our former admirers – friend and foe alike – not awe, but sadness, mixed with scorn and even contempt?

The basic concept of America became wrong, and a lot of the problems facing this nation now, large and small, are the direct or indirect results of the fact that the establishment never grasped the all-encompassing significance of the truth that after World War II in general, and after the Vietnam War in particular, the United States of America underwent a gargantuan metamorphosis such as no other country or nation has ever faced in recorded history. We became nothing less – in a relatively short time – than a perfect microcosm to the macrocosm of the world, or in Bucky Fuller’s words, “a crossbreeding integration of all the nations of planet Earth.” This means that we’re facing a completely new paradigm for which no rules, no regulations, no principles, no guidelines, no formulas, no doctrines were ever established or written.

The unforeseeable result of this unprecedented change which turned this country into a *sui generis* between the nations of the world was that our infrastructure became a dinosaur and a monstrous Potemkin Village, utterly unable to perform its allotted tasks and roles, with our entire bureaucracy in terminal gridlock. Unless you are the type of “none so blind as those who don’t want to see,” you cannot challenge this fact. I want to say a few relevant words regarding the most glaring and most important aspect of our lack of infrastructure which should have been the first priority of this microcosm of the world to organize and put in place.

I’m talking about the ignorance of our establishment and leadership which resulted in their not being able to grasp and realize the monumental metamorphosis this country underwent after World War II and the Vietnam war.

This kind of megascale ignorance can be overcome only by a massive education campaign dedicated and directed at the highest levels of our government and legislature. This education campaign is the very bedrock on which the reforms I’ll suggest will stand or fall. It is not something we can handle by the usual nibbling at the edges of problems or with the old approach of “more of the same,” nor with more of the old “feel good” solutions so dear to the hearts of our pols and legislators. This is especially true concerning the reforms of crime and the criminal justice system which have to be not only drastic but occasionally perhaps even Draconian if it will ever do what has to be done to make this country fit to live in for the proverbial average citizen also, not only for the aristocracia which is able to afford what are delicately called “gated communities,” guarded with elaborate high-tech security measures, guard dogs, and private guards toting automatic weapons.

None of the problems we’re facing now popped up overnight or by an act of God. The crime, the illiteracy, the inadequate healthcare system, the homeless, the welfare mess, et al, took years and decades to develop to its present magnitude and extent, and it’s safe to assume that every one of them could have been kept to a manageable level – even if not entirely solved – if we would have had a

competent infrastructure up to its task.

I think it can be accepted as a truism that we never lacked either in human or financial resources – the goodies. What we lacked was the infrastructure – the handle – to move the goodies.

I propose to discuss the most important aspects of this infrastructure in the following order:

1. Crime and Jurisprudence
2. Immigration
3. Education
4. Healthcare
5. Welfare and the Homeless
6. The Quality of Life

The very first task we're facing before we get into all the gruesome details is to realize – even if decades too late – that we are confronted with a modality and situation of such complexity and magnitude that it is without paradigm in the history of mankind, past or present. There never was a “nation” like the United States of America predating ours. This lack of a paradigm makes it impossible to find an even remotely similar framework we could use for a realistic and workable solution to our problems. Like it or not, we've to start from scratch.

Once we've grasped, at long last, the obvious fact that we are being faced with a unique situation and problems, we'll have no more difficulty to also accept the fact that unique situations and problems are solvable only by unique approaches and solutions.

Although this is true – to a greater or lesser degree – of all our laundry list of social ills and difficulties, it is especially relevant, in my opinion, to our major problem which also makes us unique among nations, our enormous amount of crime and mayhem which made this country as safe as a lunatic asylum for the criminally insane, with an ambiance and quality of life to match.

I'm convinced that the first thing we've to do is to bring our crime problem under control,

because this will level the playing field for bringing our other problems under control as it is crime which influences all our other aspects of life negatively. And once crime is under control, it will result in saving a vast amount of money which can be used to tackle other problems.

The obvious question is of course how to go about controlling crime. The first thing we have to do is to convince the population of the country, which became very disgusted and cynical after decades of “slogans,” feel-good projects and other toothless approaches of demagogues and politicians—interchangeable?—which resulted in more of the same, that this time we’re going to turn over a new leaf in the book which will speak a very different language.

Admittedly, some of the prescriptions will taste somewhat bitter, but we must keep in mind that just as this country’s problems are unique, the solutions will have to be likewise, amounting to nothing less than a very loud, perhaps even shrill, wake-up call if we are to make a dent in our problems in the foreseeable future.

To summarize the problem of bringing our crime problem under control now we should never for a minute forget to keep in mind that we’re faced with a gigantic, prodigious, gargantuan backlog of mismanagement going back to thirty-forty years as far as Jurisprudence is concerned at every echelon. This is an Augean Stable of residuals which is the consequence and repercussion of not only incompetence of the Management but also the catastrophic result of having sent the wrong *signal* for all these many years that in America crime not only pays but pays very well and with the minimum of risk.

Concerning the aspect of mismanagement I want to quote only two examples. The first, what Vincent Bugliosi said during his *Playboy* interview regarding the O.J. trial: “Americans are strange people. They detest both politicians and lawyers, but when the combination of the two can afford to buy a black frock and put it on and sit on a bench in a court of law they assume that by some kind of strange process they all instantly become Solomon the wise. In other words they assume that *if* they are judges they must be qualified to be one.” According to what I’ve read in the papers all these many

years I'd be more inclined to assume that some of them are not qualified to run an outfit of garbage collections.

The second example concerns the law brought in the recent past regarding sex offenders, which specifies that released from prison after serving their sentence, they are required to register with the local police. After I could stop laughing reading this I wrote a letter to the editor of the local paper asking whether the next thing we will expect is for the spies to register with the FBI. As you all know ever since this asinine idea became law we keep reading about sex offenders who did more of the same and promptly departed for destinations unknown. The reaction of the police: well, he was supposed to register with us.

What I cannot fathom with my modest mental gear is *how* did these pathetic, naïve imbeciles who brought these, and similarly idiotic, laws were ever able to come closer than a mile to become legislators/lawgivers? Was this a great country or what?

To assume that in a situation we find ourselves as the result of these kinds of deplorable capers it is possible to turn our status around while wearing white kidgloves, figuratively speaking, is a chimera nobody who is able and willing to face facts would consider for a second.

The status I'm talking about is that we're dealing not only with more than one and a half million felons behind bars but another five millions on parole, probation, half-way houses, electronic charm braceleted, etc. All these ambitious people already proved, most of them repeatedly, that they are unable or unwilling to function as law-abiding citizens.

Having been allergic to numbers all my life, I hate statistics as much, or more, as the next guy and agree with Mr. Khrushchev, who told Mr. Nixon with his usual delicacy that "statisticians are people who can melt shit into bullets" (*Seize the Moment*, Richard Nixon). Nevertheless I've to have the minimal amount of facts at hand to be able to demonstrate the enormity of sums we are spending on the above-mentioned felons.

The one and a half million felons behind bars (the largest numbers of any nation in the world) costs the taxpayers a cool *forty billion* dollars per year. Impossible? Not at all. According to best available info from impeccable sources, the upkeep of one felon per year costs $\pm \$25,000 \times 1,500,000 =$ forty billion.

Although no exact study was made of the cost for the other five millions on parole, probation, etc., the best available estimate is that they cost another twenty billion per year. (New York State alone logs in with \$168 million.) So the bottom line is sixty billion dollars per year are spent on these people who are producing nothing and contributing nothing but mischief to the nation's well-being. Ask your friendly neighborhood CPA to explain to you what this sum could buy in "worldly goods" and keep this in mind while you read the rest of my story. I can promise you it will put a very realistic slant on what I'm suggesting to do about this "strata" of our population.

So why are *we* putting up with all this nonsense for decades? This is exactly my point and the answer is that with our system of "government" (using the word carelessly) there is nobody who can say to anything "*stop this insanity! There is a better way.*"

Two years ago I asked the Social Security Administration why don't they pay the benefits on the first instead of on the third like now? For people who live on a very modest fixed income, three days can make the difference between being overdraft or not (with the darling people in the bank charging \$20 for a \$10 overdraft, but *that* is another story). The answer was (are you ready?) "because that is the way it started fifty years ago when the Post Office was flooded with checks on the first." OK, but that was fifty years ago, now we have "paperless" direct deposits to the bank. Answer (are you ready?): "It would take an act of Congress to change the law."

Can you *believe* this? A stupid little thing that would be done in private industry in one minute with a *fax* needs an act of Congress. Here you have the whole ball of wax in a nutshell, what it means in *practical* terms to have a system where everything has to be "outchecked and outbalanced," with the

bottom line becoming *zero*, resulting in *zero* action.

It is this very same system which turned this country from a "can do" country which won the war and then put Europe on its feet with the Marshall Plan and gave a new start for the guys coming home with the GI Bill, into the present "can't do" country. There is no "handle" anymore to grab for anybody to get something *done*, what needs to be *done*. Our situation reminds me of what the KLM pilot said a few years ago at Tenerife whose plane collided with another killing some 170 people. Said the KLM pilot: "I reached up for the fire handle and all I grabbed was air."

We have the same problem; whenever we need a "fire handle" to grab, all we can grab is air.

“No other modern nation, whether capitalist or socialist, or Christian, or Muslim, share the American tolerance for crime.”
(Lewis Lapham, Editor-in-Chief, *Harper's*, March 1991)

“The United States of America has the most elaborate, indeed overblown protection for criminal suspects in the world.”
(*The New Republic*/TRB, May 11, 1987)

“...A legal system perhaps a bit too exquisitely attuned to the rights of criminals.”
(*The New Republic*, July 13-20, 1987, p. 9)

2. CRIME AND JURISPRUDENCE

Before it was discovered that malaria was caused by the bite of anopheles mosquitoes carrying a parasite of four different kinds of plasmodium it was assumed that malaria was caused by bad air, also called miasma. (*Mala aria* is Italian for “bad air.”)

The cause of our enormous amount of crime (no other country can match) likewise seems to be surrounded by the same kind of mystery malaria was before its real cause was discovered. Ever since I came back here to retire in 1981 after a somewhat eventful life, I have heard and read a constant and consistent jeremiad, lamentation, moaning, and groaning about the reason of crime. Everything and everybody is blamed from the proverbial “frontier ethic” through the perennial favorite “the immigrants” with the possible exception of the Pantchen Lama. The truth is “none of the above.” It is again a perfect case of “none so blind as those who don’t want to see.” OK, if “none of the above,” what is it? Read my lips: The *signal* stupid! In the last thirty-fourty years this country was (and is) literally breeding, cultivating, encouraging, nurturing, and condoning a culture and zeitgeist of crime in all its various aspects and manifestations from purse-snatching and shoplifting through the time-honored shell games in all its permutations, combinations, and variations by the zillions of scam artists bedeviling the population in general and the senior citizens in particular, to the cold-blooded murders for fun and profit. Do I hear screams of “prove it, prove it?” As follows: First of all kindly look at the epigraphs above these lines, all quoting impeccable sources.

Now let’s do a fast-forward to the present while I’m typing this, OK? Headline in the *Seattle*

Times, August 2, 1997: Bounty Hunters Mistakenly Kill Phoenix Couple. Huh? Bounty hunters? In this time and age? Where are we? "They don't need a court order or warrant, or even a license to do what they do, police said." It is obvious that the guys who sign up for being bounty hunters are not exactly Rhodes scholars or members of the Salvation Army. They use "whatever force necessary," said Linda Ownberry of Liberty Bail Bonds. Result: shot first, ask questions later. As a friend of mine used to kid me after I "jumped off the plane," "good contry don't you Erwin?"

One more of the current news, OK? The latest number of *Consumer Reports* has a comprehensive article of all the latest electronics scams "available" for anybody who cares to "participate" with virtually no danger of being arrested or punished. "Neither lenders nor credit bureaus nor law enforcement authorities bother to pursue a case if the amount is not more than \$50,000." Remember The SIGNAL stupid I told you about? If the creep is not stealing from you more than \$50,000 nobody is even asking the creep questions. But hey – \$50,000 here, \$50,000 there adds up pretty fast for a very good living doing nothing more than fooling around with keyboards, etc. This is not exactly a very hard signal to decode for a smart creep who knows his/her way around the "electronic media," is it?

But there is just one little problem here, which is that with our usual flair we managed again to disregard one of the oldest axioms of sound law enforcement, which is to make the price of crime so high that the creeps will not be willing to pay it. In all fairness, as far as this is concerned we're nothing if not consistent. This whole new epoch started as you remember in the sixties with the (in)famous triumvirate of Earl Warren, Ramsey Clark, and David L. Bazelon, Chief Justice of the Supreme Court, the Attorney General of the United States, and the chief judge of the Circuit Court of Appeals for the District of Columbia, respectively. This sterling crew heralded in the era of "liberal judges" which proceeded to send the *signal* stupid for the next forty years that in America crime not only pays, but pays very well with the minimum of risk. The next newsworthy addition was in the

recent past when Wall Street sent the signal to the *arbitrageurs* that “greed is beautiful,” hatching the new breed of Ivan Boesky & Co. And now we’re “enjoying” the new era of electronics piracy in all its glorious combinations, permutations, and variations. Every creep with a little larceny in his/her heart and the necessary electronics read the Signal stupid loud and clear: jump right in, the water is fine! The rest is history.

By the time the victims, and Law Enforcement, realized what hit them it was the same sad story as usually, the creeps were so drastically ahead of the game that the best law Enforcement is managing to do is to say something like, OK, we believe in “live and let live” but don’t steal more than \$50,000 from the same victim, OK? Verily we are a poor pathetic bunch of ninnies who never learn on our own mistakes it seems. Was this a great country or what?

The bedrock of every modern jurisprudence should be to make the price of crime so expensive that the game is not going to be worth the candle. And this is exactly where American Jurisprudence came up short in the last thirty-forty years.

What masqueraded here as a Criminal Justice System in the last thirty-forty years was and is a national and international disgrace for a modern civilized country.

I’m willing to stick my neck out and say that neither the reason for all this mayhem and violence nor its solution is quite as complex or their cure as intractable as all the experts made it seem to be. I will even compound my crime and say that the main reason for not making progress is that only the voice of the experts and specialists are heard and listened to.

If I’d want to pick a typical example of how certain aspects of our Criminal Justice System was perverted by well-meaning but misguided people in the last thirty-forty years I couldn’t do better than to pick the non-enforcement of the death penalty which is without argument part of our Constitution.

The perennial subject of the death penalty is a perfect example and microcosm of the all-

encompassing ineptness, incompetence, and just plain asinine stupidity of the monstrosity masquerading as Criminal Justice System, Law Enforcement, in a word Jurisprudence. And incidentally, in no small measure responsible for this country ending up as safe as a lunatic asylum for the criminally insane with a quality of life and ambiance to match. Let me explain this tragic and pathetic chain of events which came about almost unobserved and unappreciated. With the same flair and panache our Jurisprudence did everything else in the above mentioned thirty-forty years, it managed to invent and originate The Death Penalty *à l'américain*. This marvel and ingenuity and one of a kind inspiration managed to come up with a system which succeeded in appropriating, worthy of a better cause, the *worst* of both worlds. On the one hand it borrowed another *sui generis* of our Jurisprudence, the *habeas corpus* ad infinitum and ad absurdum, again not seen or used anywhere else in the world, enabling a felon condemned to death to sit on death row up to fifteen years and even longer, effectively stripping and depriving the death penalty of its only *raison d'être*, its unique deterrent effect on capital crimes. As we all know the *habeas corpus* was written in medieval England to eliminate the possibility of railroading a criminal to the dungeons without having the right and opportunity to appear in a Court of Law first (to "have his body" in the presence of a Judge). However, and needless to say, this was strictly a one-shot deal. It was never meant to be used (much less abused) *à l'américain* by filing unlimited numbers of *habeas corpi* ad infinitum and therefore turning the death penalty willy-nilly into a farce, as no punishment can have a deterrent effect which is not enforced for years and sometimes for a decade or even longer, as it is here in the Land of the Free (criminals) and the Home of the Brave (murderers).

Another much-appreciated component of our Criminal Justice System by the felons are the Appellate Courts, which like the Habeas Corpus also degenerated into something what was never meant to be. The basic concept and idea was sound and laudable, taking into consideration that even bright and learned people are making mistakes occasionally.

The Appellate Courts were to be the “watchdogs/backups” of the Criminal Justice System, expected to sniff out the mistakes of the lower courts and take remedial actions. They were never intended to be a *sanhedrin* were the members of the Appellate Court, like my esteemed landsman Alan Dershowitz, and other handpicked worthies of his ilk were indulging in never-ending Talmudic hairsplittings and search for the most microscopic loopholes and technical skulduggeries to be used to overturn the sentences of a criminal, by hook or crook. And if everything else failed, the Court was not exactly averse to use a little judicious obstruction of justice either condoned by the system, as it happened in the case of our very own Mr. Campbell, star of death row of Washington State for fourteen years. The 9th Circuit Court of Appeals, which made no secret of it that they “didn’t like the death penalty,” was “contemplating” for four years Mr. Campbell’s case, adding another half million dollars of the taxpayers’ money to the previous ten years’ cost, until the poor lambchop was executed anyway at long last.

Yes, this was not the initially intended purpose of the Appellate Courts, no.

However, and in all fairness giving credit where it is due, none of this could or would have been accomplished without the wholehearted encouragement, cooperation, and support of the Warren Court during the 1960s, Richard A. Posner (Chief Judge of the Seventh Circuit of Appeals) called the watershed years, in his seminal book *Overcoming Law*.

What the Warren Court originated was another specialty of the house *à l’américain*, again no other country’s Jurisprudence can match. He authorized and advocated the establishing of a full-fledged *law library* no less, for the exclusive use of the inmates. This in turn resulted in a new and very respected substrata of the inmates which became popularly known (using the word in its best sense) as “jailhouse lawyers.” These Mandarins were the much-admired practitioners *par excellence*, the undisputed experts specializing in the above-mentioned *habeas corpus* writs ad infinitum and ad absurdum at the drop of any death penalty showing even the most microscopic loophole no other

shyster would even dream to exploit. As the saw goes, the rest is history. These streams of never-ending *habeas corpus* writs became the bane of Law Courts, necessitating hours and hours processing them to this very day.

Thus did the Death Penalty à l'américain lose its only valid *raison d'être*, its deterrent value to capital crimes.

On the other hand, as nothing made, invented, or practiced by humans can ever be 100% perfect, 100% of the time, even with these haphazard, lottery-type executions an occasional felon is executed who later turns out to have been innocent. This gives the anti-death penalty zealots a golden opportunity to start bleating about the injustice, unfairness, inhumanity, and evil of the death penalty in general, and to a certain extent with a valid reason, but no more so than the unfairness of the fatal cases resulting from the smallpox vaccinations which nevertheless eliminated this curse of mankind going back to the mist of antiquity, or the fatal cases resulting from polio vaccinations, or the fatal cases resulting from allergic reactions to penicillin shots which saved nevertheless millions of people's lives suffering from pneumonia and other infections, or the fatal cases resulting from the side effects of DDT which nevertheless saved untold millions of lives from dying of malaria.

My point is what Professor Thomas Sowell pointed out in his book *The Vision of the Anointed*, with his usual insight and perception, that there is no perfect solution to problems affecting humans. The best we can hope for are realistic and acceptable trade-offs.

The trouble is that for the death penalty zealots a realistic and acceptable trade-off is not good enough; nothing but 100% perfection will do, 100% of the time. Unfortunately this is a chimera. It would be of course wonderful if generals, doctors, and judges would be "made" from a different mold than the rest of us, not susceptible to "human errors" but at the state of the art of genetics this is not in the cards yet; and so the death penalty cannot be expected to be 100% perfect either. Nobody ever said this is a perfect world.

The simple fact is that no other modern country in the world has such a crazy-quilt, jerry-built, cobbled together, Rube Goldbergian, hodgepodge, no-system system masquerading as Law Enforcement as we do. For a start, we have two main categories: federal crimes and non-federal crimes. The federal crimes are the crimier crimes, if you will. For violating federal laws, you get a bigger spanking. For example, if you are dumb enough to stick up a federally insured bank and your take is \$1,000, you will serve more time in prison than if you stuck up a non-federally insured bank for \$10,000. Logical? Then, to make things more interesting, we have Heinz's 50 varieties, with all 50 states having their own scale of sentences for the same kinds of crimes. Is it any wonder people don't respect this Alice in Wonderland "Criminal Justice System?" If people don't respect a system, they don't obey it. Another sexy aspect of this judicial caper has to do with "truth in advertising," which turns every judge on the bench into a barefaced liar. When Uncle Judge says to the creep, "you have ten years in the poky," the judge knows, the creep knows, and everybody else knows that he won't serve more than three years. My mom told me that if I say something I know is not true, then I told a lie, which even goes for the judge – perhaps more so.

Perhaps Professor Thomas Sowell will forgive me if I start to discuss the subject of crime by quoting his book *The Vision of the Anointed*, p. 21: "Like so many negative social trends, soaring crime rates began in the 1960s, amid glowing optimism about how much better things could be if the traditional beliefs of the many were replaced by the special insights of the few. In the case of criminal justice, however, the policy changes did not originate so much in legislation as in judicial and administrative rulings and policies...Among the key people whose words and actions set the tone for the changes in the criminal justice system in the 1960s were the chief justice of the U.S. Supreme Court, the attorney general of the United States, and the chief judge of the Circuit Court of Appeals for the District of Columbia. By name they were, respectively, Earl Warren, Ramsey Clark, and David L. Bazelon."

By no means would I want to belittle these well-educated and basically very decent people concerning their worth as human beings. *Au contraire*, I'm convinced they were full of the milk of human kindness. The problem was that they were, like so many others, a well-meaning but sadly misguided bunch unable to see and realize that "goodwill without competence, or competence without goodwill, are both equivalent formulas for (political) disaster." (*In Search of History*; Teddy White, concerning the Marshall Plan).

All these well-meaning but misguided people were convinced that the problem of crime can be best solved by re-education, counseling by well-qualified mental health professionals, or by tackling the so-called "root causes" of crime — poverty, education, etc.

The sad fact is that just as a certain percentage of people are born with a visible physical (anatomical) flaw for reasons the present state of the art of genetics is unable to explain or pinpoint yet, another percentage of people are born with mental or moral flaws which are invisible and which no amount of counseling by the best qualified mental health professionals will be able to adjust or remedy.

The reason why even well-educated and highly intelligent people find it hard to realize this is very simple. It is the difference between what one can see and what one cannot see. What one can see is obvious and therefore not open to arguments or "interpretations" according to one's approach, orientation, or beliefs. No competent physiotherapist would attempt the hopeless task to exchange the "flippers" of a thalidomide baby into a normal arm. Everybody can see that this is a mission impossible. Unfortunately it is a completely different task to grasp and realize that a person has "something wrong" in his head, what cannot be changed or remedied by any amount of counseling or therapy, at the present state of the art, because this is something what one cannot see inside the person's head.

The unfortunate, and tragic, result of this fact is that well-meaning but misguided people are

inclined to come up with all kinds of hypothesis and “theories” to “try something” and if one approach does not work, try another and another. It is exactly this kind of insistence, bordering on zealotry, which resulted in the above-mentioned well-meaning people being convinced that “there must be” another, more humane solution to crime besides the old-fashioned approach of incarceration and other punitive methods. As these people were all in a position of authority they were ready, willing, and able to put their ideas into practice. As the old saw goes, the rest is history. Crime soared because the signal the new system of rehabilitation sent to the interested parties was: in America crime not only pays, but pays very well and with the minimum of risk.

Now perhaps it is time to put up or shut up, in other words tell you what to do about all this madness and how to fix this system gone bananas. I think an analogy of good and bad housekeeping will pinpoint our problem adequately. Even the best housekeeper will encounter an occasional rat on recon patrol from the slob down the hall, to find out if the grass is dirtier in your place. To get rid of such an occasional rat is no big deal. However, if you’re a lousy housekeeper who leaves half-eaten fruit lying around the place, doesn’t wash your dishes for days, leaving them in the sink (“I’ll wash ‘em when I need ‘em”), sooner or later your whole apartment will be overrun by rats, not only from your own floor but from the whole building because these guys communicate, believe it or not—just like bees do about the whereabouts of flowers. Even for a lousy housekeeper the time will come sooner or later when she will be bothered by the rats enough when they start nibbling at her ears. And when this happy time arrives, she will have to decide who is going to stay in the apartment—she or the rats. If she decides to stay, there will be only one solution: to call the professional exterminator and instead of having to get rid of an occasional rat the exterminator will have to kill dozens of them. So you didn’t do a favor to the rats either. Now we know what our problem is: we’ve got to get rid of the rats.

The criminal class—a.k.a. the rats—can be divided into two basic categories: violent and non-

violent criminals. There might be borderline cases which can be haggled out later on. (For example, a purse-snatcher who knocks down an old lady to grab her purse is of course a violent criminal. However, another purse-snatcher who just runs by and grabs another old lady's purse might be considered a non-violent criminal.)

The class of violent criminals will include, of course, all murderers and armed robbers where a deadly weapon was used with fatal or non-fatal results, because, as I will explain later, if a victim survived it was only "by the grace of God." I'll also explain later my definition of what is considered a "deadly weapon" when I will go into the handling of violent criminals. All "sex offenders" will likewise be considered violent criminals, although this category should be handled in a specific and appropriate way.

All others will be considered non-violent criminals to be handled as it will be discussed in some greater detail later.

This category of non-violent criminals will include two specific groups which will be handled differently than burglars, thieves, and other non-violent criminals. I'm talking about what are called "white-collar" criminals. This I'll also discuss later in more detail.

It must be obvious by now to anybody even modestly familiar with this subject that the system of warehousing millions of felons on a turnstile/space-available basis has been bankrupt for decades in every sense of the word – financially, technically, morally, and every other way. This is basically the same system used in the days of the dungeons even if the living conditions are in today's prisons better. Come to think of it, a valid point can be made that in some of the prisons the living conditions are much better than thousands of people can afford who are living under the so-called poverty line and therefore lost its deterrent value.

The following passage is excerpted from the article in *Reader's Digest*, November 1994, by Robert James Bidinotto: The Superintendent of Mercer's Regional Correctional Facility, Mr. Gilbert

Walters, explains: nothing cheap here, he says proudly pointing out the full-size basketball court, handball area, punching bag and volleyball net. Enough barbells to "bulk up" fifteen criminals at a time. Outside the men sharpen their tennis skills. Emotional problems? Five psychologists and ten counselors are there for Mercer's "clients."

Inside New York's maximum-security Attica Prison, there are three small white buildings the staffers call "the hotel" for eighteen inmates to have sex with their wives per week. In seven other states cottages, trailers, mobile homes, and tents are used for the same purpose.

Morgan County Regional Correctional Facility in Tennessee offers six vocational programs and four levels of academic education. To house all this it had to erect a new building costing \$1.5 million. In California the correction budget for 1993-1994 includes \$50 million for academic education, \$40 million for vocational training, and \$70 million for inmate employment.

At the Jefferson City Correctional Center in Missouri, inmates run their own around-the-clock closed-circuit television studio, broadcasting about sex, horror, and violence. Inmates who are willing to participate in education and therapy get time off their sentence, besides that for "good behavior."

Is all this money well-spent at least? Studies by the U.S. Bureau of Justice Statistics have shown that between 60% and 70% of inmates revert to crime after release. A model federal prison at Butner, North Carolina, applied every known rehabilitation technique for over a decade. The result: no reduction in recidivism and no improvement in convicts' employment prospects. Same story in Patuxent, Massachusetts.

Says Professor John J. DiLulio, a prominent political scientist at Princeton University, who has studied and written about America's prisons for fifteen years. Of all the books I've read about this subject by different authors, DiLulio is the only one as far as I know who took the trouble and time to "go down to the trenches" and interview hundreds of wardens and guards, instead of

quoting other "authorities" for his books.

Says DiLulio: "At least 40 percent of prison expenses go to rehabilitation programs and inmate amenities that have little bearing on institutional security, and that far exceeds basic standards of human dignity. Roughly speaking, prisons cost nearly twice as much as they should."

"The intellectual and bureaucratic forces that have turned prisons into resorts are deeply entrenched. They won't be changed unless there's a loud, persistent, and politically pointed public outcry." Amen.

As somebody said in another context, "a billion here, a billion there," and soon we talk about real money. And all these billions for this "worthy cause" in a country which claims not to have money for our laundry list of social problems. Is this a great country or what?

Our basic mission is, therefore, to clean out this Augean Stable of prisons with their inmates and ascertain that they never again will be reincarnated. Believe it or not, this is not at all the mission impossible it was made to appear by the experts and the specialists. *Au contraire*. All we've to do at long last is to use something called common sense, of which our jurisprudence and criminal justice system was stripped, denuded, and purged since decades with unabated devotion, fervor, enthusiasm, eagerness, and efficiency, worthy of a better cause.

The way we're going to accomplish this Operation Augean Stables will be done in a very systematic and logical way. We're going to separate the felons into different and specific categories according to the reasons which landed them in prisons and therefore the different sentences they received. Surely this makes good sense. Specific problems require specific solutions.

FIRST CATEGORY

The first category will consist of the following groups of felons:

Group 1. Violent criminals sentenced to death.

Group 2. Violent criminals not sentenced to death, not eligible for parole.

- Group 3. Violent criminals sentenced to more than one lifetime.
- Group 4. Violent criminals committing armed robbery in which a deadly weapon was used, with or without fatal results.
- Group 5. Violent criminals who escaped from prison but were recaptured.
- Group 6. Violent criminals on parole, probation, halfway-houses, and other so-called “bridges to freedom” who committed more crimes of any kind.
- Group 7. Violent criminals attacking a police officer with a deadly weapon of any kind: guns, knives, broken bottles, screwdrivers, “chako” sticks, sharpened chopsticks, etc.

I’m absolutely and completely convinced that all these felons should be summarily executed for the reasons explained below. They are all predators of the worst kind and they all outlived their victims with an average of eight years, and sometimes as long as fifteen. Society does not owe them anything more – not even fresh air. However, if their execution is not “politically” feasible I’m willing to transfer them to similar farming communities as the career blue-collar criminals but with the following differences (otherwise the non-violent career criminals would get the short end of the stick).

First of all the security should be airtight with the first and last item being the kind of electrified fence Buckingham Palace (and many other places) installed after some psycho tried to “date” the Queen some years ago. It is manufactured by my old outfit Israel Aircraft Industries to the specific requirement of clients with the most sophisticated state of the art items required from infrared sensors to remotely-controlled automatic weapons – you name it. Also, and unlike the farming communities for the non-violent career criminals, this would be patrolled on a 24-hour basis 365 days a year.

Obviously I’ve no intention to get into the nuts and bolts aspects of the security system (even

if I'd be qualified, which I'm not); the guiding principle should be to keep in mind that these predators should pay in some way for the tragedies they caused. For instance: the place should be sited in less pleasant climates than the other village communities. There should be ample water supply of course but only the cold variety. Food should be adequate, but not more than that. They should not be allowed to grow all their food, only potatoes and other "root" veggies, but not grains. And no fruits. The main part of their food supplies will be army rations air-dropped monthly. The only farm animals permitted should be sheep and rabbits, to supply their meat and clothing needs, which will be also supplemented by used, not new, army surplus clothes, blankets, and sleeping bags. In one word they should have no "luxuries" as they don't deserve it. Period. They should be grateful that they are still *alive*, unlike their victims. And there would be only one community for whites and blacks. Let them learn at long last to live and let live. Separate communities cost additional money and as I said they don't deserve one more cent. To make it short and sweet these people should have an "unpleasant" life. Come to think of it, the best place for them would be smack in the middle of the Okinofuckie swamp in Florida or perhaps in Death Valley. Or perhaps we could make some deal with China to let them be resettled in the Taclamacan desert. (The name means "you go in but don't come out.")

GROUP 1

All these felons are on death row for an average of eight years, some as long as fifteen. According to the best available estimate, the upkeep of one felon for one year on death row costs ±\$100,000, due to special security measures, suicide watch, etc. While I'm writing this there are ±3,300 felons on death row nationwide. Take out your little pocket calculator and multiply $100,000 \times 3,300 \times 8$. The number you got is what we spent so far on these 3,300 felons. This in a country which claims not to have money for our laundry list of social ills. If this isn't an obscenity mixed with lunacy in equal parts, let me know.

GROUP 2

They should have been sentenced to death in the first place if not for some "technicality" by a smart shyster.

GROUP 3

According to persistent rumors, we live only one lifetime. If he was sentenced to several lifetimes, he should have been sentenced by cold logic, to death.

GROUP 4

If this felon was willing to use a deadly weapon, there were two possibilities: 1. either the victim died or 2. the victim survived only by the grace of God. In either case, the felon was "willing and able" to commit cold-blooded murder for money and/or other goodies, meriting the death sentence.

GROUP 5

There is no doubt that this felon will go to any length necessary, including murder, to avoid being recaptured. Society can't be expected to take this risk, nor should this felon be given the chance for an encore.

GROUP 6

All these felons were given a chance to prove that they are trustworthy. Instead, what they proved was that they are "unsafe at any speed."

GROUP 7

This is the only way to send the signal that if they attack a police officer, they are history.

Do I hear loud screams of, "You are nuts!" "It cannot be done!" Relax. It can be done, and it should be done. There is no other way to turn around a situation which is as out of control as ours is. As the French say, you can't make omelets without breaking eggs. Besides, the Zeitgeist is on our side too. According to the latest poll, an unprecedented 80% of the population is for the death

penalty. Also, let's put these 10,000 executions in context, shall we? We're "executing" approximately 40,000 perfectly innocent people on the highways every year and all we do is shrug and raise the speed limit. I know, they are not executed legally. Nevertheless, they are not any less dead, and they are not any less mourned by their loved ones. So what is the big uproar in executing the worst and most ruthless predators on our society? I can't see it.

Before going on to the other, more constructive, categories of Operation Augean Stables, maybe I'll be allowed to say a few well-chosen words about present methods of execution now on the books. Right here I'm handed by our Criminal Justice System a perfect proof and example of how everything from A to Z which has anything to do within our jurisprudence is acceptable only if it is "stripped, denuded, and purged" of the least trace of common sense.

As every forensic scientist and neurologist will testify, there is no faster, simpler, more immediate, and painless—not to mention cheapest—way of execution than a slug in the mid-brain. All it takes is a .22 hollow point and it's all over but the cheering. If the executioner hates noise as much as I do, he can put a Hush Puppy (silencer) on the gun and all he will hear is "pfft." And as the hollow point doesn't exit from the wound, there will be no more blood than after a bad shave. Any registered nurse can check the vital signs, which is nothing but a formality as there is no case in medical history of a person having survived with a slug in the mid-brain. It is the equivalent of pulling the plug on a computer.

It is no secret that the more complicated and complex a system is, the more chances there are for glitches and malfunction. So what did we do with our usual great wisdom and flair? We chose a menu of alternatives between hanging (being phased out), electrocution, lethal injection, and gassing. Every one of these methods requires a team of medical personnel, including an MD and a highly-trained team of technicians, and, as we keep reading about it, every system suffers from malfunctions and glitches sooner or later, colorfully described by the media for best results. So, why don't we

shoot condemned felons? I'm willing to bet my next Social Security check that if we would ask this embarrassing question of the relevant authorities they would plead the Fifth Amendment. The real skinny is much simpler, if ridiculous. Shooting a felon has "bad press." Only Kommanizum and other naughty totalitarian regimes shoot people. (You remember Kommanizum, don't you? The Big Monolithic Evil Empire our legendary CIA kept warning us about for decades, the dreaded Missile Gap, etc.)

My own state, Washington, very considerately offers a choice between hanging and lethal injection for the convenience of the condemned. This in turn resulted in such hilarious complications as our star M. Campbell having pulled the system by its nose for no less than twelve years with the time-honored dodge of being the beneficiary of unlimited *habeas corpus*, refused to choose between being hanged and lethal injection with the impeccable logic that it would result in committing suicide, which is against the law. At long last the poor lamb chop was hanged anyway, the first execution in Washington in 26 years.

Our latest, most inventive wise-guy to bypass hanging is Mr. Mitchell Rupe, who was condemned to die in 1981 for the fatal shooting of two bank tellers in Tumwater, Washington. Mr. Rupe is tipping the scale at 410 pounds. Don Hannula, editorial columnist of the Seattle Times, writes, "Rupe cheated the noose with the help of cheddar chips, Chee-tos, Doritos, Almond Joys, Butterfingers, Snickers, Hershey Kisses, Mystic Mints, Nutty Bars, Kit Kats, Planters peanuts and cashews, Swiss Cake Rolls, striped shortbreads, and Oreos." U.S. District Judge Thomas Zilly ruled that "Rupe's heft on the end of the rope would create a significant risk of decapitation, violating basic human dignity." Chase Riveland, correction secretary, is asking, "Are we to slim down people to get the perfect execution weight?" As my late landsman Harry Golden said, "Only in America!" All this hilarity could be easily avoided by a well-placed slug into Mr. Rupe's fat head, as I advocated above, but this would violate the first commandment of American jurisprudence: Don't use common sense.

SECOND CATEGORY

This second category of felons can be considered the bedrock of the whole project as it comprises the largest numbers with the largest savings once they are established and functioning as planned.

This second category will consist of all the non-violent "blue collar" career criminals, who are bankrupting now the whole system of jurisprudence from the gridlocked courts unable to keep up with the traffic in a professionally acceptable fashion and manner to the prison system itself, which cannot keep up with providing sufficient prison space for the never-ending stream emanating from the courts.

The question is how to dispose of these people on a permanent basis and according to acceptable standards by a democracy?

The answer is so simple and obvious that when I tell you, you'll agree that this is one of those solutions which elicits the exclamation, "Why didn't we think of this before?" Why indeed. Exactly because it's so obvious and because "experts" and "specialists" hardly, if ever, think of the obvious which is too simple for them. And the answer is this: all these non-violent "blue collar" criminals will be transferred and permanently resettled to "hermetically sealed" and secured, 100% self-supporting, self-administered, self-governing, self-regulated agricultural villages. To put it another way, they will become for all practical purposes Third World communities. Here you have the whole ball of wax in a nutshell. They will "sow and reap" their own food using farm animals and hand tools exclusively, they will weave and sew their own clothes and blankets "donated" by their own sheep and their own cotton fields. They will make their own footwear from the hides of their own animals. They will organize their own police force and their own Barefoot Doctors (trained by former army medics and Peace Corps people). They will build their own habitat suitable for the climate where the villages are located while being temporarily sheltered by those big army tents.

There will of course be no electricity, just as there is no electricity even today in millions of Third World villages. Personally, I prefer only candles and oil lamps, but if the experts vote for kerosene lanterns, I won't veto it. As they will live a "dawn to dusk" existence, generally speaking, I can't see why they would need a whole lot of illumination. They will be able to accomplish everything in that time span that needs to be done for survival with a reasonable amount of hard work—as humanity did for millennia.

PERIMETER SECURITY

First of all, we have to keep in mind that we're dealing here with non-violent criminals. Second, we'll make it perfectly clear that if they escape and are recaptured, they are history. I'm convinced that a Berlin Wall setup will be more than adequate, combined with low-flying (helicopter) surveillance, or perhaps satellite pictures on a random basis. As perimeter security should be the only running expense once the project is underway, it should be kept to the minimum.

In case of natural disasters like drought, hurricane, etc., they will be resupplied by airdrops as needed.

By now you have realized, I assume, that this is not a project a couple of guys can doodle out on a cocktail napkin or on the back of an envelope. This is a project that will need what in the army is called "staff work," and plenty of it. And it will need bona fide specialists for a successful startup, avoiding such boo-boos as planting rye which is susceptible to a toxic parasite called ergot, if badly stored, which could wipe out the whole community, and needless to say, the management will be blamed, and correctly so.

Nor will anybody ever be transferred out for medical reasons. As I mentioned, they will have trained Barefoot Doctors and all kinds of manuals to handle healthcare, published for the Armed Forces and others. (*Where There Is No Doctor*, by David Werner; *Where There Is No Dentist*, by Murray Dickson, and others.)

It is realized that an occasional patient will be lost who could have been saved in Johns Hopkins or the Mayo Clinic. But this also happens in any of the millions of Third World communities – and the world keeps turning.

My guess is that due to organic farming, using the manure of the farm animals, the lack of all kinds of adulterated “junk food,” and the reasonable amount of hard work, they will be in better health than the rest of us.

CAVEATS AND MISCELLANEOUS REMARKS

To avoid the constant hassles and problems endemic in every prison, I think it would be best to eliminate the fights for the “pecking order” to establish “separate but equal” communities for black and white felons.

I neglected to make it perfectly clear that these communities will be a lifetime career. In other words, a one-way trip as all the inhabitants will be career criminals.

Unannounced inspections for the International Red Cross and Amnesty International will be accommodated to avoid rumors that the United States is running penal colonies for felons à la French Devil’s Islands, but the media will be permanently “persona non grata.” We all know how ready, willing, and able these dear people are to use a little spin control according to their orientation. The right wing will come up with a report of Club Méditerranée, while the left wing will riposte with a horror story about the “latest incarnation of Devil’s Island.” Let them plant their by-lines about something else.

As I mentioned, there will be no “in-out” traffic from-to these village communities, or the very minimum for resupplying them in case of natural catastrophes, but I still find it necessary to emphasize that under no – repeat, no – conditions will they be allowed to “volunteer” for blood donations and/or any – repeat, any – medical experiments and/or “product testing,” ever. Sooner or later, the management would be accused of having set up these communities for this very

purpose.

Yes, it is not a project which will lend itself to half-assed, hare-brained approaches, no. But then again if we want those kinds of solutions we have them already in abundance and great variety.

2.1 *SEX OFFENDERS*

As I mentioned previously, there is a specific category of violent criminals for whom I advocate a completely different and specific approach from others suggested above. These are the different kinds of sex offenders. This is the only group of criminals, violent or non-violent, for whom there is a punishment which fits the crime. As a matter of fact, it can be validly argued that sex offenses are not a "crime" in the usual parameters of the definition, but a pathology in a medical sense, because sex offenders are not choosing to commit a crime but are unable not to do so. It is a well-documented fact that sex offenders are incurable because the sex drive, whether normal or pathological, is "inborn." The only realistic, simple, fair, not to say cheap, solution of this problem would be to castrate all sex offenders.

Fortunately for me I can quote a sex offender himself, to argue my case for castration with more validity, and more vividly, than I ever could. I'm quoting Larry Don McQuay, Prisoner #547825 of the Coffield Unit Penitentiary in Tennessee Colony of Texas, as printed in The Washington Monthly, May 1994:

"Children's nightmares are haunted by demons, some imagined, others real. I'm one of the real ones; I haunt the dreams of scores of children. You'll find me in a Texas prison serving an eight-year sentence for molesting a single boy...but I've abused close to 200 children...In the United States, thousands of kids meet monsters like me each year...we wear the innocent-looking masks of a father, stepfather, uncle, cousin...all to molest unsuspecting boys and girls...Prison is not a deterrent for most sex offenders, and it will definitely not be a deterrent for me. I do not want to return to prison; I would like to be a law-abiding citizen. But the threat of being incarcerated for the rest of my life will

not stop me from re-offending when I am released. There is a civilized alternative to this tragic cycle: castrate repeat sex offenders. Now some good and decent citizens claim that castration itself is barbaric. What is barbaric is what I have done to so many children. Refusing to castrate me is barbaric to the children I will molest. *Mandatory* castration of sex offenders...is considered 'cruel and unusual punishment' ...*voluntary* castration is not unconstitutional, but no state allows it."

Republican state Senator Mario Diaz-Blart of Miami, Florida, introduced the so-called "Bobbit Bill" which calls for castrating rapists convicted twice of the crime (William Booth, *Washington Post*). So far, so good. But the good senator seems to think that 100% of rapists are apprehended 100% of the time. Nor did the good senator ever seem to have heard of serial rapists. The only safe way is to castrate 100% of the rapists the first time they are apprehended and the same goes for all sex offenders for the very same reason.

To make sure that I touched all the bases concerning the castration of all sex offenders, I'll do a preemptive strike regarding the objection of a certain group of female-type persons for whom nothing less than lifetime incarceration of sex offenders is acceptable, regardless of the cost. The objection goes something like this: "Yeah, but rape is not only a sex crime but just as much a crime of violence against women." I've good news for them. As every veterinarian will tell them, when a male animal is castrated, it not only renders the animal impotent, but also eliminates its aggressiveness. The fierce bull becomes the placid ox pulling the plow or oxcart, the stallion becomes the willing puller of beer wagons, etc., the randy tomcat spoiling for a fight becomes a pussycat. The "cock of the walk" has it even tougher; not only is his cock getting useless, but becoming a capon prized by "gormeys" for his flesh which is supposed to be much tastier than chickens—so his days are numbered.

The next objection goes like this: "Yeah, but there are cases on record of castrated men still able to have sex." Right, but the number of such cases is minuscule and most of the time they are

potent only for six to twelve months following the castration, using the testosterone remaining in the pipeline, pardon the pun. A case where a male was potent for years is a medical curiosity and could be handled—in the case of sex offenders—in two ways. Either by using the technique practiced in Imperial China for the Court Eunuchs: all external genitalia off—with nothing you can do only nothing—or by incarcerating this small percentage of sex offenders for life, which would be both technically and financially feasible.

Personally, I can't fathom what is the big hoo-ha about castration of sex offenders the ACLU and other bleeding hearts are screaming about. There are millions of perfectly decent men in America who are impotent for one reason or other, but this doesn't keep them from living a good, rewarding, and fruitful life. Don't get me wrong now. If I remember correctly, sex can be loads of fun, but it is certainly not the only *raison d'être*. I would even say that if it is—maaaan, you got a problem! I'm firmly convinced that if sex offenders would have a choice between spending their lives in/out of jail or being hunted and driven out from one community after the other as they are now, being obligated to register as sex offenders after being released, they would choose to be castrated as Larry Don McQuay said he would, and get on with their lives in peace. But this would need a modicum of common sense to be injected into our Jurisprudence which is, as we know, mission impossible.

2.2 *JUVENILE DELINQUENTS ("JUVIES")*

When articles started to appear a couple of years ago by the latest "feel-good" solution for reforming the juvies in "bootcamps," I wrote letters to every columnist and editor I could think of warning them that it would be a complete waste of money. I had the dubious pleasure and honor of serving in three different armies for nine years and going through three bootcamps and I think I am fairly well qualified to know what bootcamps are good at, which is to turn civilians into soldiers. What they are not good at is turning punks into law-abiding citizens. All they are going to achieve is

to graduate a bunch of young Rambos raring to prove how tough they are. As we say in my native country, Hungary, my letters did as much good as pissing in a violin. Well, by now everybody knows that I happened to be right. The envelope please: 60% of the kiddies were arrested doing more of the same as before. These 60% were the dummies who got caught. It's safe to assume that there were another 30% who were smart enough to avoid being caught. The other 10% were probably wannabe gangbanger kids who shouldn't have been there in the first place, which adds up to a perfect score of success for this brilliantly thought-out feel-good project.

So what is the right way to deal with this problem? It can be done successfully, I am sure, but it will cost a lot more money than the bootcamps because the man was right: there is no free lunch. However, by the time the prisons were emptied and the felons became Third World farmers behind a secure perimeter and the 3,300 on death row became history, we will have saved mucho money that we can then use for juvenile rehab. The way to go about it is basically as follows: obviously the details would take too much space to go into.

The only part of the bootcamp which was good was the part about wide-open spaces the project will need for these young people. But it will look like a campus, it will feel like a campus, and most important, it will function like a campus. It will probably have a four-year curriculum and it will educate and prepare young people to become useful and law-abiding citizens. If we are not willing and able to commit to a four-year curriculum, then all bets are off and forget about the entire project. Another boondoggle you don't need.

The campus will have secure perimeters, of course, but these perimeters will be camouflaged with trees, shrubs, etc. The last thing we want is to send the message to these youngsters that they are prisoners who can't be trusted. If we did this it would become a self-fulfilling prophesy and the entire project would fail. The buildings would be neat and attractive with bunk-beds for the majority but with some small private cubicles for the "Honor Students" (the old story about the carrot and the

stick). The food should be plentiful, tasty, and wholesome with varieties of several kinds of ethnic dishes. (I have never served in a well-fed army with low morale.)

The campus ought to be located in a large wooded area, if possible, with a lake or river, or if that is not available, with an Olympic-size swimming pool as well as a playground for baseball, football, and other fun.

The day should start with an hour of brisk physical activity, e.g. running, gymnastics, karate, judo, etc. This should be followed by a shower and an "all-you-can-eat breakfast." After that the work begins. Every possible skill needing the outdoors will be taught by the best qualified craftsmen money can buy. Stonemasonry, bricklaying, carpentry, log cabin building, blacksmithing, etc.

This will be followed by a hearty lunch and an hour of siesta. The afternoon would be taken up in vocational training of every kind available and likely to be in demand, again taught by the best teachers money can buy, from commercial art classes for advertising, to computer science, and on and on. A large part of these youngsters will need remedial classes for the "three Rs" which they should get (that is why the four-year curriculum). Light dinner at six and recreation on the playfield. Lights out at ten in the summer, at nine in the winter. A good library and reading room should also be provided.

How long should they be there? Until they graduate in their chosen field or skill. If they fail the first time, they will be allowed to repeat the same class or to choose another. If they fail a second time, they will be transferred to one of the Third World villages for life. Under no circumstances will they be released into society for more mischief.

I am in a quandary writing this essay. If I go into all the "gruesome details" it will be too long. If I don't tackle at least some of the more obvious difficulties, I will be accused of "overlooking" them. So, may I please have an addendum to the campus project? Thank you.

The very first thing all the youngsters will have to undergo right after their arrival is a

complete medical with blood test, urine test, kaka test and all. Sick people cannot be expected to perform either physically or mentally on the level we expect. Junkies even less, and obviously they will have their share of them. What to do with the junkies? I am very much against flunking them right then and there. Our purpose is to salvage these youngsters, not to throw them back on the streets. On the other hand, we do not want to turn this project into a "drug rehab" center either, which would need completely different setups. Once we promote this project to its level of incompetence, we cannot help but fail.

In other words, we should not try to bite off more than we can chew. So, what is the answer? I think what we should do is ask the medical department for a *realistic* evaluation for the changes of rehabilitation for each individual junkie. Those who have a good chance should be accepted and "dried out" cold turkey in a segregated part of the campus, but by segregated I don't mean a prison-like setup. The barracks should look the same and feel the same as the others; placed perhaps some 200 meters from the recreation area and picnic tables (meals should be served out of doors in the summer) so they can see what they are going to get once "dry" being able to observe all the fun the other youngsters have (again the time-honored "carrot and stick").

The other part of this addendum deals with the successful graduates. There should be a computerized placement service/employment agency on the campus getting leads for all over the country as vacancies become available. If we just send the graduates out to "sink or swim," we will have failed in our purpose. These youngsters already have shown a tendency for failure. We don't want them to fail again having spent all that time and money on them. But, once they are placed, they should be encouraged to "keep in touch" with the counselors of the campus for perhaps five years and we should request the employer to send an occasional progress report. It should be made perfectly clear that this is voluntary to avoid the impression that by giving a youngster a chance they are going to be "swamped with more goddamned paperwork and bureaucracy."

The campus should establish a file on every youngster from the minute he was admitted, or even better, from the minute he was “persuaded” to be part of it and follow him through until he was considered a success or failure. These files should be a complete picture and history of the youngster’s achievements, competence, attitude, etc. These records will give the campus administration a true and honest tool regarding the effectiveness of the campus, making it possible to evaluate how well the project lived up to its purpose. What it did right, what it did wrong, and what to do about it.

Sooner or later, “somebody up there” will say: show me what you achieved with the taxpayers’ money. Honesty will be the only way! This we did right, this we did wrong. The bottom line is definitely success.

2.3 *THE DRUG CULTURE – AS SHE IS CALLED*

Perhaps the most logical problem to be discussed after sex offenders is another aspect of antisocial activity, which is also more of a pathology than criminal activity in the usual sense of the word. As a matter of fact, the criminal part of the drug culture is the result of the suppression—or more correctly the attempt—of the pathological part, very similarly to the case of prohibition giving birth to the gangster era, for which we are still paying the price.

In my humble opinion, with all the various lunacies our Jurisprudence is liberally laced with, nothing was so tragically and disastrously mishandled than the War on Drugs. Nor did anything else even remotely cost such enormous sums of money and with less results to show for it. It is again a perfect example of how people who certainly should have known better, from where they sat, did the most mind-boggling idiocies, utterly disregarding the old axioms of statesmanship and foreign policy, one of which is that no country should be expected to act against its own interests ever, especially when it has absolutely no reason to do so. *Au contraire*, they have plenty of reason not to lift a finger.

Disregarding all of this, a solemn group of hydrocephalic mongoloids decided that the best way to fight our war on drugs is a two-pronged approach, both of them as likely to succeed as the war on prostitution, going back to recorded history at least—and counting. The first “prong” would be persuading and expecting the Colombian drug cartels and others in South America, Mexico, the Golden Triangle, in short, the supply side, to stop the cultivation of cocaine and opium which brings them billions of dollars of profit year after year. This we could reasonably expect them to do because they have hated our gringo guts with a passion for generations and with good reason.

The second “prong” of the War on Drugs would be the interdiction on land, air, and sea of drug shipments the governments of the supply side were unable or unwilling to stop. According to the logic of the above-mentioned solemn group of hydrocephalic mongoloids in charge of this “op” the interdiction on land, air, and sea should be a piece of cake, although we were never able to interdict on our own borders the Mexican *pendejos* coming through since years, using nothing more sophisticated than their own feet, and never mind that the drug cartels used the best and most sophisticated planes, fastest speedboats and state-of-the-art electronics money could buy. “In God we trust.”

After sacrificing for years billions of dollars—to say nothing about more than a few lives of our undercover agents—somebody with a genius IQ woke up one morning and spake thusly: this damn thing doesn’t work! We gotta solve our problems right here in the good ole U-Ass-Eh instead of expecting and hoping that those nasty unreliable South Americans and other primitive Third World nations will do it for us. As Charlie Chan used to say: Number One Son you said mouthful! The question was how can we do it? Simpler than falling off a cake. “Just say no!” Guess what? This didn’t work either, but at least it was cheap. Is there no way out of this vexing problem? There is. And we don’t even have to invent it; all we have to do is copy a system which works. The Chinese in their great wisdom studied the problem and came to the conclusion that the linchpin of

the problem is the dealers. If they eliminate from the equation the dealers, the supply side won't have buyers and the addicts won't have sellers. There you have it. What was the next step? They shot all the dealers they could catch and those they couldn't decided that there must be another way to make a living. (The Signal stupid!) Singapore is also drug-free. Why? Because they not only hang all the dealers they can catch, but they also advertise this, so there is no misunderstanding. On every incoming flight the P.A. system announces that according to the laws of Singapore, drug dealers will be executed. The British bloke who was hanged recently trying to import a commercial quantity of cocaine, assuming they are just kidding, found out otherwise, and it's highly unlikely that another Brit will give it another try any time soon. We could solve our own drug problems the same way the Chinese, Singapore, Saudi Arabia, et al did, if we wanted to. If we don't we should all shut the hell up, stop throwing good money after bad on our hare-brained schemes which won't work any better than those we've already tried. The only way to stop most crimes is to send the Signal stupid, that the game is not worth the candle.

2.4 *"WHITE COLLAR" CRIME*

I propose to divide this group into two distinct categories because the participants are falling into two very different classes of our society. As a matter of fact, the second group is unlikely to wear "white collars," but for lack of a better designation, I'll include them here as they don't fit into the parameters of either violent or non-violent criminals in the usual sense of the word.

The first group I'll call "The Big Boys" with big brains. These will include Ivan Boesky and his ilk, the CEOs of big outfits grossly overcharging the Pentagon on government contracts, the officers of the International Bank of Crooks, the participants in the S&L capers and all other big-time financial embezzlers, stock finaglers, et al.

The second group will consist of all the sorry crew of scam artists, the practitioners of the old "shell games" in all its variations, combinations, and permutations, the phony traveling "handymen"

and repairmen extracting “down payments” for work they’ll never show up for or, if they do, they’ll do a lousy job nowhere in line for what they charged for it; the plumber who charged an old lady \$8,000 for “fixing” her toilet, which amounted to her life savings; the telemarketers, the latest plague in this old game, promising services or merchandise they never deliver or that is grossly out of line with what they charged for it. The list is endless, as the saw goes.

The principle and practice of handling the Big Boys with big brains will be based on two different approaches. The first will be not only the complete restitution of their “ill-gotten gains,” but also the confiscation of all their financial assets, thus making them as financially destitute as feasible. The second will be their public humiliation in every aspect of the media making them into social pariahs, eliminating the possibility of ever again being employed by any bona fide organization involved in financial dealings and services. I assume there will be some sarcastic remarks now like: “Aha! One law for the rich – one law for the poor!” Not so fast. What we have to keep in mind is that the purpose of a realistic and fair criminal justice system should be to send the Signal stupid, that crime doesn’t pay because the game is not worth the candle. We also have to keep in mind that the same kind of punishment affects different felons very differently. While for the career criminal “doing time” comes with the territory and is considered something like “overhead expenses” of the job, to somebody like Ivan Boesky and his ilk, “doing time” even in a minimum security federal country club is nothing less than a devastating experience, both physically and mentally. We have to realize that these people had “very simple tastes – they were easily satisfied with the best,” to say nothing about being able on a whim to board their own Lear jets, or hire their own personal plane being served by their special crew hand and foot. For this class of people to be restricted in their movements behind barbed wire and served the same “slop” as the *hoi polloi*, it is a very different experience than for a career criminal to “do time.”

However, to make something perfectly clear, I’m not saying, implying, or otherwise

advocating that the Big Boys with big brains should not “do time” at all, but it should be used as part of the time-honored system of carrot and stick. In my opinion, the criminal justice system made a very big mistake releasing Boesky without making absolutely sure that he coughed up every cent he salted away from his “ill-gotten gains.” It is no secret that Ivan is not going to have to worry for the rest of his life where his next filet mignon and bottle of Chateau Lafitte is coming from. It is safe to assume that by the time the Feds finished combing through Ivan’s books with the proverbial fine-tooth comb, they had a pretty good idea how much Gelt he had stolen, give or take ten G’s. What they didn’t know was where the loot was stashed away. But I think there was an easy way to find out. The Feds should have put Ivan in that federal country club, furnished him with several pads of yellow legal paper and a pocket calculator and made the following suggestion: “Mr. Boesky, according to our investigation of your financial records, this is the amount you stole. What you handed us over is falling seriously short of our estimate. When your memory has improved regarding the whereabouts of the shortfall, please give us a ring, and you will walk out of here a free man.” I’m willing to bet my next Social Security check that Ivan’s memory would have made an amazingly fast recovery. I’m equally convinced that this very same method would have worked like the proverbial charm with all the CEOs and other Big Boys with brains also, because not one of them would have looked forward to spending the rest of his life deprived of all the comforts and luxuries he was accustomed to.

2.5 *THE SCAM ARTISTS (AS DEFINED ABOVE)*

Full disclosure: I’ve never been their chump so far and don’t intend to be in the future, either. Nevertheless, these are the creeps I really love to hate for two reasons. First, because what they do is on the level of taking candy from a baby or stealing money from a blind newspaper vendor. Verily, they are the dregs of the barrel and the crablice on the soft underbelly of the nation. Second, although I might have a certain respect for a stickup man of a bank or a burglar who is

willing to run the risk of being blown away if he picks the wrong subject, these scum are practically risking nothing. Their victims are the old, the lame, the naïve, the gullible, and the plain dumb, and by the time the victim realizes he's been had, these scam artists are gone with the wind. Also, the majority of these chumps are too embarrassed to go to the police, not as that would help a lot with all the "more important" violent crimes they have to handle. Even the few who are caught and "booked" will not get more than the proverbial slap on the wrist to "fight again another day" at their next destination of their career.

Exactly because these scum are natural-born cowards who have enough guts only to prey on the unwary and the "differently abled," they could be stopped cold by sending them the Signal stupid, that the game is not worth the candle. How? Well, if I'd have my choice, I'd take a leaf from the book of Singapore and shred their ass! But unlike in Singapore, where female-type persons are exempt, it should be Equal Opportunity Employment so Women's Lib would have nothing to bitch about. If this is "not on" I'd use an old and time-honored Chinese invention called "cangue," which is a heavy hardwood board about two inches thick and about three feet by three feet, held together by a latch, with a hole in the middle large enough to admit the neck of the "recipient" who will wear it for the specified time of the magistrate, except during the night. What it amounts to is a portable pillory of good old times in the West. Yes, it is pretty awkward, to say the least, and that is the point. An additional refinement was a sandwich board also worn, specifying the reasons for this "walk about." To retrofit this for the electronics age, they should also get a chance to appear on Ronaldo's and Oprah's shows and have their pictures on the front pages of the *Enquirer* and similar tabloids, because this scum cannot operate under all this publicity, which is the whole point of the system—to make them instantly recognizable by their future victims. What is most certainly not going to stop them is to book them and release them on parole due to lack of space in prisons. The telemarketers should be tracked down, which with our state-of-the-art gear should be no problem, and accorded

the same opportunity for a little publicity. Even if their faces were not previously seen, the public humiliation would probably work just as effectively if not more so as their cover would be blown between their friends and relatives who probably were told that they are working in the “electronics media.”

2.6 *DWI*

In this wall-to-wall madhouse of a country to expect the highways and byways to be immune from the off-the-highway mayhem would be unrealistic. And they are not. The result is that we're killing some forty thousand people on the roads. This is not only a disgrace for a so-called civilized country but a catastrophic waste of lives added to all the carnage of other crimes. I'm convinced that this carnage on the road could be—and should be—if not completely eliminated, at least reduced to the unavoidable minimum as in Europe, Japan, and other Western countries.

As with the other violent crimes discussed before, we have to find a specific aspect of this problem which could be used to send “The Signal Stupid” to the interested parties that this carnage will not be tolerated any longer. The obvious candidates for this honor are the DWI's, for two reasons. First, because they are causing the greatest number of fatalities and serious injuries; second, because DWI's are the easiest moving violations to avoid. No driver was ever forced to drive drunk. While it's true that when already drunk they are judgment impaired, it is also true that they started to drink while being cold sober and “well oriented,” being aware that they will drive later. I never heard of a case where somebody was tied down, booze poured down his throat, a gun held to his head and told, “Drive or else.” The simple fact is that there is no valid reason or excuse to drive while drunk.

Before getting into the nitty gritty of sentencing DWI's in “meaningful” ways they can't miss or misunderstand, I'd get their undivided attention by sort of firing a shot across the hoods of all drivers. I'd do this by outlawing all cellular phones from all cars. The simple truth is that phones in

cars are a convenience and not a necessity. Dr. Kildare et al are carrying beepers, anyway, which is adequate. There are more than enough daydreamers, airheads, cowboys, cowgirls, hotrodders, makeup-uptouchers, rearview-mirror shavers, etc., without drivers holding phones glued to their ears yackety-yacking. Come to think of it, if the relevant authorities would have had enough common sense to pour rain out of their boots, they would have outlawed the cellular phones at "The Creation." It is no great secret that it is easier not to buy a drum for Jimmy than to buy one and then take it away from him when he wants to use it. But as I mentioned before, common sense and law enforcement come under the same chapter as Kipling's dictum about East and West: the twain shall never meet. I realize of course that there will be crying and gnashing of teeth, but according to persistent rumors, cars were invented as means for transportation, not for fun and frolic, with the possible and occasional exception of the back seat. And, personally, I'm not even in favor of that because I'm convinced that this played a major role in American men, in general, having gotten a rep in the rest of the world as lousy lovers for obvious reasons. There is no way to make love with all your clothes on. Get your "rocks off" – to use the vernacular – yes – but not make love – no. Sorry, I digressed.

Let's get back now to the "principle and practice of sentencing DWI's in the land of the free (criminals) and the home of the brave (murderers).

First of all I'd like to know by what twisted and perverse "logic" is being drunk considered a mitigating circumstance? Since when is a fatal irresponsibility considered a mitigating circumstance? As I previously said, nobody was ever forced to get drunk and drive. Perhaps of all the manifold lunacies which have infiltrated our criminal justice system, nothing makes my tired blood boil like those concerning DWI. There are two possibilities: either the person who wrote these laws was drunk while doing it, or s/he is a habitual DWI afraid of getting a spoonful of his/her medicine. Is the fact that being drunk will be considered a mitigating circumstance supposed to send The Signal

stupid: Don't drink and drive? Or is it likelier to send the signal: If I get drunk and run somebody over, no problem, I'll get off easy because I was drunk? In my humble opinion, to consider being drunk a mitigating circumstance is not only a clear miscarriage of justice, but an obscenity unworthy of a civilized society.

Now let's get down to the nitty-gritty of what kind of actions and sentences we will need and use to turn this carnage on the roads around. The first thing we have to do is explain in a media campaign the new rules of the game so that the interested parties cannot say they haven't been warned: "Driving a car is not a constitutional right. It is a privilege. God giveth—God taketh away. The carnage of killing fifty thousand innocent people on the roads, year after year after year, will have to stop. The new rules of the game are this: You drive by the book, or you won't drive. Period."

Obviously, I don't intend to write here *The Book*, but I'll suggest the new laws for DWI. I'm convinced that once the drivers in general realize that there is a new ball game, the "trickle down" effect of this will have a very salutary impact in general on driving. "The Signal stupid" will work again as intended.

The practitioners of DWI will be handled by the same principle and practice as the previously discussed rapists: No second chance. If a DWI kills one person, s/he will be summarily executed. If the DWI's victim survives, the driver will be sentenced to five years in the poky and his/her driver's license will be revoked for life. If, once coming out of the poky s/he is apprehended driving without a license—drunk or not—s/he will be executed as a habitual scofflaw "unsafe at any speed." (Driving is a privilege, remember?) If a driver is apprehended DWI without having caused an accident, his/her license will be suspended for one year. If s/he is apprehended again driving without a license, the license will be revoked for life. If s/he is again apprehended DWI, s/he will be executed for reasons explained above.

Although this chapter was supposed to concern DWI's only, I think I would be delinquent in my duties if I didn't take this golden opportunity to say a few well-chosen words concerning the special aspects of driving—and the resulting mayhem from same—encountered here in America. What special aspects? The special aspects are the result of our special aspect as a nation/country discussed in abundant detail previously: we're a microcosm of the world. Let me explain why this is important as it concerns driving. It is important because the population of America consists of two very different groups of drivers: American-born and all the others. How so? Like this: the American-born driver starts learning to drive literally while still in diapers, sitting on Mommy's lap while Daddy is driving (or the other way around). Later s/he is allowed to drive the family car in a parking lot or other wide-open space supervised by the parent(s). By the time the kid about ten years old, s/he knows the traffic rules as well as his parents and probably pays more attention to them than they do. By the time s/he is old enough to pass the most sacred ritual of "Life in These United States," getting a driver's license, s/he is ready, willing, and able to drive, putting in practice all the years s/he learned from watching Daddy and Mommy drive.

The story is drastically and basically different for the new immigrant who came here from a Third World country, where he drove nothing but a bicycle or perhaps a scooter at best. They don't have the remotest idea of traffic rules in America to say nothing about actual driving skills in our kind of traffic. Nevertheless, as soon as they can scratch together enough for a rustbucket, they will buy one, as having a car is not only a way for getting around, but more important, it is a symbol of being an American. It is obvious that this group of inexperienced drivers are more accident-prone, at least for a few more years. Aha! Another immigrant basher! Not so fast. Paradoxical as it might sound, the native-born American drivers are also accident-prone, but for another reason, otherwise we wouldn't be able to kill some 40,000 people on the highways year after year with effortless ease. Why are the American-born drivers also accident prone? As I mentioned previously, their driving

lessons start when they are still in diapers. By the time they can buy their own cars, having used the family car for a few years, driving becomes as automatic to them as breathing, and here is where the doggie is buried. Everything that one can do "automatically" becomes booring! When one becomes bored, one is likely to daydream. I'm convinced that at least 80 of the drivers I see day after day running the stop lights are not because they are scofflaws, but because they were daydreaming and did not keep their mind and eyes on their driving. Add to this other extraneous activities, from shaving or touching up make-up, fiddling with the radio, yackety-yakking lately on the cell phone, etc., to such more esoteric activities, as giving/getting blowjobs, and you can start understanding the reason for our "slaughter on the highways" generously contributed free of charge by our two basically different groups of drivers.

There is a specific aspect of driving besides DWI which is causing more than its share of accidents specific of inner-city driving, and that is the running of red lights. This is becoming lately something of an epidemic even in a city like Seattle with a reputation of polite drivers. I'm convinced that the major part of red runners are not doing it "willfully and with malice aforethought," but because they are daydreaming, fiddling with the radio, touching up lipstick, rubbernecking, etc. (The cell phones were taken out by this time, remember?) This specific problem could be solved literally from one day to the other once the system was in place. What system? The system of installing at every inner-city crossing the same kind of gates used at railroad crossings. The traffic lights would be synchronized with the lowering of the gates. When the green light would change to yellow the gate would start on its way down and when the gate would hit the switch on the receiving pole, the light would change to red. Simple? Simpler than falling off a cake. For best results the gate would have harpoon-type one-foot-long titanium spikes at windshield level. I'm only kidding, hey! We don't want to kill the poor suckers, just to wake them up. The poles would have rubber facing at radiator/wheel level. This system would stop all the red runners cold. The