



Independent

NEWSLETTER OF THE INDEPENDENT INSTITUTE

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Bipartisan Healthcare Reform

By John C. Goodman*



Republicans won't vote for a health reform that increases federal government spending, and Democrats won't vote for a reform that reduces the number of people with health insurance. Is there a way to untangle the Gordian knot?

A new health reform plan called the Fair Care Act might do just that. It aims to fix what's wrong with Obamacare and continue the task of reforming the health care system. Proponents estimate it would give more than 100 million people greater choice and better insurance options than under the current system, and drop the number uninsured to 17 million—a nice improvement.

The bill has many good features that reduce inefficiencies in the healthcare system, lower premiums in the individual market, make it easier for employees to obtain their own insurance (rather than buy it through their employer), and allow some Medicaid enrollees to obtain private coverage. Since many of these ideas have already been endorsed by dozens of right-of-center think tanks, it's easy to see how this proposal could garner support from across the political spectrum.

Still, I can think of a few improvements. Here are two.

Universal Coverage. One of the strange features of Obamacare is its all-or-nothing offer: If people are unwilling to buy the whole benefits package, they are forced to remain uninsured—a course taken by about 30 million people. But, why not let people opt for a partial tax credit that would pay for, say, all primary care? If they want more generous catastrophic coverage, they could pay for it with their own funds. Government would be the payer of last resort if patients had a major medical bill they could not pay from their own resources (which is what happens anyway if they remain uninsured).

Smart Risk Adjustment. Obamacare has accelerated a race to the bottom, with health plans trying to attract healthy subscribers and avoid the sick. By contrast, Medicare Advantage plans actively seek customers with expensive health problems, such as diabetes, heart disease, and lung disease. The reason: The plans get a risk-adjusted payment that makes taking care of the sick profitable.

With proper risk adjustment we could have centers of excellence that compete to attract the sick. We could also have continuous open enrollment, instead of six-week periods in which you can only buy policies that begin next January.

Tragically, many people who come to the individual market with a preexisting condition are worse off today than they would have been before Obamacare. To solve that problem, we must change how plans are compensated when someone in the plan gets sick. This change is essential for any reform effort worthy of the name.



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*John C. Goodman is Senior Fellow at the Independent Institute and President of the Goodman Institute for Public Policy Research. His latest book is *New Way to Care: Social Protections that Put Families First* (Independent Institute, 2020). This article draws from his column in *Forbes*, 11/5/20.

EXECUTIVE DIRECTOR'S LETTER

Election Subtext: Most Voters Still Love American Liberty



Graham H. Walker
GRAHAM H. WALKER
Executive Director

Are you dissatisfied with the November 2020 elections? If you value constitutional liberty, the results may actually give some reason for hope.

I don't care much about party labels, but during the campaign season one of the major parties tended to embrace large doses of socialism in practice if not in name: Medicare for all, free college, government takeover of economic activity in a "Green New Deal," etc. Some of their most prominent candidates practiced race-based identity politics and peddled a "woke" view of America as congenitally unjust.

Their presidential candidate may have won the popular vote, but voters did not ratify his party's posture. Instead of gaining, his

party lost seats in the House of Representatives, and the other party—the one that, despite its faults, vociferously rejected woke socialism—held statehouses and governorships across the country and may likely hold its U.S. Senate majority. The blue wave was a ripple against a red crosscurrent.

Moreover, the siren song of identity politics rang false to many. African-American and Hispanic voters gave the Democratic candidate a lower percentage than in any recent election. To be sure, 80% of Black men voted Democrat. But this was down from 95% support for Barack Obama in 2008, 87% for Obama in 2012, and 82% for Clinton in 2016. Forget the partisan dimension: it is healthy when citizens reject race-driven identity politics.

Election results held surprises even in California, supposedly the bastion of Big Government. Even while they voted two-to-one for the Democratic presidential candidate, California voters rejected measures he endorsed on the state ballot. They rejected expansion of rent control (Proposition 21), race-based affirmative action (Proposition 17), increased property taxes on businesses (Proposition 15), and the essence of California's Assembly Bill 5 re-

stricting independent contractors (by supporting Proposition 22).

The Independent Institute had something to do with this. We had already won key arguments in the court of public opinion. For example, our "Open Letter to Suspend AB-5," signed by 153 Ph.D. scholars across California and widely covered, successfully made the case against California's war on the "gig economy"—thus enhancing momentum for Proposition 22.

Likewise, we argued against a state-mandated "ethnic studies" curriculum, which would have taught high-schoolers that "capitalism is racist" and accused Jews, Koreans, Armenians and other minorities of "white privilege" for simply working hard and succeeding. Our arguments in the *Los Angeles Times*, *Wall Street Journal*, and many other outlets, then influenced Gov. Gavin Newsom to veto the mandated curriculum. And, this victory against the folly of racialism carried over into voters' rejection of Proposition 17.

In California, as elsewhere, Americans were not sold on woke, nor on socialism. Most Americans like America—including individual liberty and the rule of law. This is good news indeed and shows the power of good ideas over bad ones!

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NEW BOOK

Hot Talk, Cold Science, 3rd Edition

Is global warming harming Earth’s biosphere and human well-being? How should policymakers respond to the possibility that greenhouse gases emitted by human activity, chiefly from the burning of fossil fuels, can lead to climate change?

Incorporating recent developments in science, economics, and public policy, *Hot Talk, Cold Science: Global Warming’s Unfinished Debate, 3rd Edition* (Independent Institute, 2021) is a badly needed de-coding device to a sprawling, highly technical literature, giving readers a clear understanding of what scientists and policymakers know about climate change—and what they don’t.

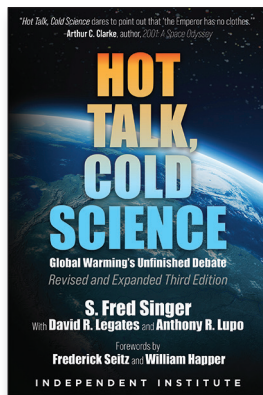
Written by the late atmospheric physicist **S. Fred Singer**—the founding director of the U.S. Weather Satellite Center—with climatologist **David R. Legates** (University of Delaware) and atmospheric scientist **Anthony R. Lupo** (University of Missouri), this update and expansion of Dr. Singer’s classic, 1999, anti-alarmist climate-science book enables readers to cut through the overheated, politicized rhetoric that has misinformed the public and misdirected so many policymakers.

Here are sample highlights:

- The fact of observed global-warming—roughly 0.5 degrees Celsius over the past 130 years—is not conclusive proof of either a greenhouse effect or human activity. We must accept the possibility that this warming had the same causes as the unexplained Medieval Warming Period (900-1300 AD) and natural recovery from the Little Ice Age (1450-1850 AD). Additional warming of about 1°C may occur over the next few centuries regardless of what humans do.
- Claims about a recent global warming trend are based on the surface temperature record, but this record is inconsistent with data from other sources. Warming alleged to have occurred from 1978 to 1997, for example,

is based on just one database of surface observations, whereas data showing no trend during this period come from oceans, lower-atmosphere satellite-based readings, and proxy data.

- The heavily manipulated surface-based temperature record is contaminated by local urban effects and covers only a small fraction of the globe. Satellite-based temperature readings are accurate and truly global, and they show a tiny warming trend well below that predicted by the models.
- The existence of the global warming “pause” from the early 2000s to the mid-2010s—and the failure of dozens of IPCC models to predict it—cannot be ignored by scientists or responsible political leaders. The present models cannot properly handle clouds and other important climate factors.
- Catastrophic sea level rise is not a foregone conclusion. Sea level has been rising since the Ice Age, 18,000 years ago, but theory alone can’t predict whether additional warming will accelerate sea level rise. It’s conceivable that sea level could fall due to increased evaporation, precipitation, and accumulation of ice on Greenland and Antarctica. From 1915 to 1945, when surface temperatures warmed by about 0.5°C, sea level rise did not accelerate.
- If global warming becomes a real threat, a strategy of adaptation would yield far more benefits than carbon mitigation or sequestration. By providing readers with important but neglected findings, *Hot Talk, Cold Science, 3rd Edition* can stimulate fresh discussion on one of the leading scientific and policy issues of our times.



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Independent Institute in the News

Center on Law and Justice

“[Ruth Bader Ginsburg] embraced a Living Constitution that evolved as the elites demanded additional powers, always couched as ‘rights,’ to address their ever-changing grievances and concerns—even if it meant, as it always does, nullifying the decisions of democratically elected lawmakers. For Ginsburg, activist lawyers always knew best—especially those in robes. That’s her legal legacy.”

—**William J. Watkins Jr.** in *The American Spectator*, 9/23/20

Center on Entrepreneurial Innovation

“Millions of low-wage workers have fled California because of policies such as higher minimum wages and mandated benefits that make it unprofitable for companies to hire them.”

—**Lawrence J. McQuillan** on *FoxNews.com*, 9/30/20



LAWRENCE MCQUILLAN ON
ONE AMERICA NEWS NETWORK, 9/14/20

Center on Health Choices

“What the Trump administration has done administratively could be undone by a less sympathetic future administration... When the virus emergency goes away, the freedom to enjoy the benefits of telemedicine will also go away, unless Congress acts.”

—**John C. Goodman** in *National Review*, 10/18/20

Center on Culture and Civil Society

“60,000 to 70,000 Americans were forcibly sterilized.... Students are not taught this dark history of the United States and the role that people like Margaret Sanger played, and more importantly the role that the Progressive movement played in the connection between them and Nazi Germany.”

—**Thomas F. Cargill** on *The Federalist Radio Hour*, 9/18/20

Center on Educational Excellence

“Perhaps worst of all, [critical ethnic studies] gives short shrift to minority achievement and deprives students of the optimistic view of America. Following this curriculum, students would have no basis on which to understand Frederick Douglass’s defense of the U.S. Constitution as ‘a glorious liberty document’ and his celebration of the potential of a country based on natural and inalienable rights.”

—**Williamson M. Evers** in *The Wall Street Journal*, 8/29/20



WILLIAMSON EVERS ON KUSI-TV, 8/31/20

Center on Global Prosperity

“Chief executives and boards that take corporate social responsibility seriously must recognize their duty to protect and enhance the health of the open societies in which they flourish and the democratic processes and the rule of law on which they depend.”

—**David J. Teece** in *The New York Times*, 10/12/20

“The absence of individual rights is the root cause of the Lebanese tragedy.... Only when individual rights are recognized as the basis of political authority will Lebanon, a bewitchingly beautiful country—a mosaic that reconciles some of the highest Western virtues with some of the best of the East—liberate itself.”

—**Alvaro Vargas Llosa** in the *Washington Times*, 9/10/20

Center on Peace and Liberty

“Frequent executive orders have become part of a bigger problem. The Presidency has become too powerful. This happened way before Obama or Trump. The three branches of government have become imbalanced. The founders clearly intended for the legislative branch to be the dominant branch.”

—**Ivan Eland** on *Sirius XM Breitbart News Tonight*, 8/11/20

THE INDEPENDENT REVIEW

Police Unions, Ethics, and Polycentric Systems

Independent Institute's acclaimed journal of political economy continues to shed light and blaze new trails. Here are examples from our Fall 2020 issue:

Unionized police departments have been more successful than their non-unionized counterparts in remedying the grievances of the rank and file. In "Police Unions and Officer Privileges," however, **Tate Fegley** (University of Pittsburgh) explains that they've also weakened the ability to hold police officers accountable for misconduct.

Decades ago, economist Bruce Yandle observed that local bans on alcoholic beverage sales enjoyed support from groups with anti-theft values: moral crusaders ("Baptists") and lawbreaking opportunists ("bootleggers"). In "Bootleggers and Baptists Go Digital," **Carlo Stagnaro** (Istituto Bruno Leoni) explains how similar ironic political coalitions have called for regulating the digital economy in Italy.

Social philosopher Herbert Spencer (1820–1903) found worldwide fame by promising to provide a systematic and complete scientific account of human reality, culminating in a moral code oriented around the principle of equal freedom. In "Herbert Spencer's Principle of Equal Freedom: Is It Well Grounded?," **George Bragues** (University of Guelph-Humber in Toronto) argues that although Spencer's attempted proof of this principle is fundamentally flawed, it is possible to remove its defects and make Spencer's moral theory viable.

Market economies with private companies and autonomous consumers are examples of polycentrism—social systems with multiple and overlapping chains of command and authority. In



THE INDEPENDENT REVIEW
FALL 2020

his introduction to our Fall 2020 symposium, **Christopher J. Coyne** (co-editor, *The Independent Review*) argues that we must better understand the nature and benefits of polycentrism if we are to better promote human freedom and flourishing.

Public school districts in the United States have some authority and control over how they operate, but factors such as federal collective-bargaining law and technological inertia constrain what they can do, independent scholar **Michael D. Strong** explains in "Is the U.S. Education System Adequately Polycentric?" A full-blown polycentric education system, he argues, would yield major benefits, such as enabling school districts to discover better ways to educate students and to customize educational content to better meet the needs of a diverse student body.

Central bank monopolies are rife with informational and incentive problems that make it unlikely for them to prevent economic bubbles and recessions from ever occurring, according to **Alexander William Salter** (Berry College). In "Malignant Monetary Monocentricity," he

argues that monetary systems with many centers of authority and control—something akin to historical free banking—are inherently less prone to such problems and therefore are more capable of ensuring prolonged macroeconomic stability.

It's easier for individuals to escape domination when they can choose among multiple, overlapping systems of governance, according to **Jayme Lemke** (Utah State University). In "Withdrawing Consent: Polycentric Defenses against Domination," she offers as an example the plight of women in nineteenth-century America.

Orthodox economics has long treated defense from threats foreign and domestic as a public good requiring provision by a central nation-state. In "Polycentric Defense," **Christopher J. Coyne** and **Nathan P. Goodman** (both of George Mason University) argue that both theory and history show how polycentric defense systems, with dispersed groups of people searching for context-specific solutions, have provided collective security.

Cryptocurrency communities offer a rich laboratory for investigating questions about centralized authority versus self-government. In "Distributed Self-Government in Protocol Communities," **Tom W. Bell** (Chapman University) introduces the Distributed-Governance Index, which defines several measures of governance on a scale of *safe*, *caution*, and *danger*, and enables an analysis of ten of today's most innovative distributed-governance communities.

This issue also includes 14 web-exclusive book reviews! See www.IndependentReview.org.

NEXT GENERATIONS

America's Foundation vs. Common Core and *Catalyst*

The American Republic owes a lot to Ancient Greece and Rome—their philosophies, political and legal institutions, and artistic and literary achievements—but educating children about this legacy has fallen out of favor.

Teaching about the Greco-Roman world has been in decline since before World War II, but the problem has worsened under the Common Core K-12 educational standards, according to **Morgan E. Hunter, Williamson M. Evers, and Victor Davis Hanson**, who make their case in *Is It Time for a “490 B.C. Project”? High Schoolers Need to Know Our Classical Heritage*, an Independent Policy Report published in September.

Common Core, their report explains, treats history and literature chiefly as a means for developing reading skills—and downplays their content. Students might gain proficiency in analyzing a text yet not learn that, for example, the Greeks defeated an invasion by the Persian Empire at the Battle of Marathon in 490 B.C., a victory that ushered in the Golden Age of Athenian democracy.

The shortcomings become evident by comparing textbooks published before and after California’s adoption of Common Core in 2013 and a related curriculum in history and social science in 2016. “It is striking that the earlier book is much easier to read and has fewer errors,” Hunter, Evers, and Hanson write. “Far from improving the teaching of the ancient world, the Common Core has made it far more difficult.”

The report’s recommendations are straight forward. For younger students, the authors urge educators to make classical civilization more anecdotal and to tie it more directly to the American experiment. For high school, they call for two years of instruction—easily doable using modern translations of ancient texts and adopting standards and coursework used successfully in Britain.

“Without classical knowledge, Americans are likely to misconstrue the achievements of 1776—not to mention other significant historical

moments,” Hunter, Evers, and Hanson write. “Unfortunately, contemporary school curricula leave students with major gaps in their knowledge of classical history and the humanities more broadly.”

***Catalyst*: Unifying Ideas for the Next Generations**

Not only has the pandemic complicated so many aspects of everyday life, but it arrived when society was already sharply divided along partisan lines. Seemingly everything, from virology to privacy, is now up for debate and highly politicized. No wonder so many American youths have an acute sense of anxiety and despair!

Through our web magazine *Catalyst*, the Independent Institute is helping to remedy the problem by empowering bright young minds with optimistic perspectives and solutions that lead to real progress. Recent topics include affordable housing, postal reform, road pricing, and pandemic lockdowns.

Here are samples of recently trending pieces:

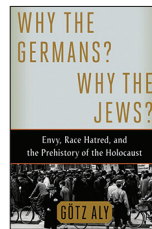
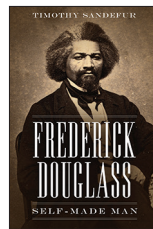
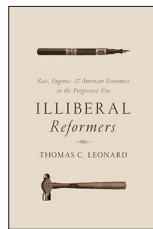
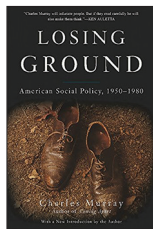
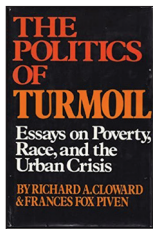
In “Don’t Look Now, but American Entrepreneurship Is Roaring,” **Luka Ladan** writes, “Despite the current threat to financial security, hundreds of thousands of entrepreneurs are trying their luck at small business ownership, compounding pandemic-era insecurity with the long-established unpredictability of private innovation.”

In “Bipartisan Support for Licensing Reform,” **Conor Norris** writes, “There might not be much that the left and right agree on in 2020, but licensing reform is the rare area of agreement that transcends partisanship. While we have so much division and anger over this election, at least there is one bright spot of agreement, and one that can make a large impact on people’s daily lives.”

With website optimization specialist **Gavin Hanson** as *Catalyst*’s full-time Editor-in-Chief, tens of thousands of viewers now find their way to *Catalyst* articles every month. *Catalyst* is fueling change. Follow us at www.catalyst.independent.org/

CIVIL RIGHTS

The Crisis in Civil Rights: Best Books and Articles on Race, Police, and the Welfare State



America’s current discussion on policing, civil rights, race relations, and the welfare state holds great potential to advance “liberty and justice for all.” But our march toward this goal will stall unless we acquire and act on a deeper shared understanding of the relevant achievements that scholars have made in the fields of history, economics, law, and political philosophy.

In pursuit of this aim, Independent Institute Senior Fellow **Williamson M. Evers** has created one of the most exhaustive annotated reading lists ever assembled on these and related issues. His list relies heavily on exemplary but lesser-known scholarship that draws on America’s heritage of individual rights, equality under the law, free markets, and freedom of opportunity.

Here are the top two “must-reads” for each of the list’s four categories.

Readings on Police Reform

“Police Unions and Officer Privileges,” by Tate Fegley in *The Independent Review*, Fall 2020. Fegley’s analysis should take center stage in police reform discussions. It argues that police unions in America’s largest cities have succeeded, through collective bargaining, in securing protections that make it harder to discipline officers for misconduct.

Victims’ Rights, Restitution, and Retribution, by Williamson M. Evers. In this Independent Institute Policy Report, Evers argues that crime would be reduced—and greater justice done to victims—if the criminal justice system were changed to emphasize punitive restitution and put the crime victim at the center of the process.

Readings on Poverty and the Welfare State

“The Great Society as Political Strategy,” by Frances Fox-Piven in *The Politics of Turmoil: Poverty, Race, and the Urban Crisis*, by Richard Cloward and Frances Piven. President Johnson’s Great Society spending put federal money directly into urban neighborhoods, thus bypassing state and city governments. The strategic aim, Piven explains, was

to make African-American voters increasingly loyal to the national Democratic Party.

Losing Ground: American Social Policy, 1950-1980, by Charles Murray. In the words of David Frum: “This is the book that was the intellectual antecedent of the welfare reform of the middle 1990s that now most people regard as one of the great successes of American public policy.”

Readings on Race and Civil Rights

Illiberal Reformers: Race, Eugenics, and American Economics in the Progressive Era, by Thomas C. Leonard. In *The Independent Review*, Patrick Newman writes: “Leonard describes how the collectivist ideology of the progressives, who viewed society as an organism that needed to be top-down planned and maintained, facilitated racism and the science of eugenics.”

Frederick Douglass: Self-Made Man, by Timothy Sandefur. As Jonathan Bean notes in *The Beacon*, Sandefur’s biography of Frederick Douglass “depicts the African-American ex-slave and social reformer as a classical liberal who championed individual liberty based upon natural rights, self-reliance, and the Rule of Law.”

Readings on Anti-Semitism

Why the Germans? Why the Jews?: Envy, Race Hatred, and the Prehistory of the Holocaust, by Götz Aly. From the book’s dust jacket: “Aly shows that German anti-Semitism did not originate with racist ideology or religious animosity, as is often supposed. Instead, through striking statistics and economic analysis, he demonstrates that it was rooted in a more basic emotion: material envy.”

“The Socialist Calumny Against the Jews,” from *Omnipotent Government: The Rise of the Total State and Total War* by Ludwig von Mises. “If one put together everything that various Nazis have stigmatized as Jewish,” Mises writes, “one would get the impression that our whole civilization has been the achievement only of Jews.”

For the full annotated list of 283 entries (and growing), see www.independent.org/issues/article.asp?id=13224.

MISSION

Inspiring Young People with Liberty

A poll from *Axios* published before November's elections found that Americans under age 35 are increasingly less inclined toward free markets, limited government, and related principles. All the more reason for the Independent Institute to prioritize reaching out to young people through vehicles such as our *Catalyst* website and *Love Gov*, our award-winning satirical video series. If you haven't seen it yet, be sure to visit YouTube and watch it!

Love Gov, which has garnered 31 film awards and laurels, has been extremely successful in exposing the folly of socialism and Big Government to youthful audiences. Using the power of humor—a tool proven to open minds—the two-season series follows the lives of (fictional) young adults as they encounter overreaching government in the person of Scott “Gov” Govinski (played to the obnoxious hilt by the talented Jonathan Flanders).

Private cooperation and free enterprise, *Love Gov* shows, are *far* better than coercive government for securing affordable healthcare, housing, employment, innovation, and privacy.

For the past several months, this message has been reaching a much larger audience than anyone originally thought possible. The pandemic stay-at-home

orders have contributed to record numbers of viewers. Seizing the opportunity, in April we launched a new targeted YouTube advertising campaign which has resulted in over 10 million additional views. Consequently, *Love Gov* has garnered over **35.5 million combined views!**

Our success would be impossible without the generous support of our members. With 2021 ushering in new challenges to liberty—and new urgency for engaging Millennials and Gen Z—please consider supporting Independent Institute in your year-end giving. No matter what time of year, your tax-deductible contribution will help us advance freedom, peace, and opportunity for all.

Empowered by your support, we will continue to engage and inspire younger generations.

To learn more about how together we can make a difference, please contact our Development Team at (510) 632-1366.



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