

length than any other American of his time, not even excepting Henry Ford, Robert M. LaFollette, Clarence Darrow, and Sacco and Vanzetti. Here there is room only to offer some salient specimens of this anti-Mencken invective—mainly single sentences or phrases torn from their incandescent context. Some were chosen for their wit—for there are palpable hits among them!—some for their blistering ferocity, and some for their charming idiocy."

The examples chosen for this cornucopia of vituperation range from frustrating stupidity to blind hatred:

•"Mencken is connected with the *New York World*, the attitude of which toward Romanism and Rum the reader should know full well. From his name, he seems to be a Jew, or at least a German, and recently in an Alabama daily he was sneering at Genesis." (*Alabama Christian Advocate*)

•"A MONUMENTAL jackass. A liar supreme. A bomb-thrower. His loyalty during the late war was questionable." (*The Easton [Maryland] Star*);

•"When H. L. Mencken assails the Rotarian of today he is attacking the American people." (Rabbi Louis Binstock, the *Charleston [W. Virginia] Gazette*)

For his brilliant posthumous attack on one of history's most sanctimonious, puffed-up, demagogic wind-bags, William Jennings Bryan, ("If the fellow was sincere, then so was P. T. Barnum."), Mencken earned the lofty contempt of Iowa's *Cascade Pioneer*: "Of such a man this bloodless vivisectionist would viciously dismember with play of words and phrases

and destroy the memory of the honorable American citizen as he lies dead, and strike at him with the fell purpose of destroying the ideals of men who believe in something dearer than the beliefs of the Darwins and the Darrows and the Menckens, and all that tribe of scoffers and scorners, who seek to make of the world as Godless chaos."

Then there was Professor Edwin Sim, writing in the *Santa Monica Evening Outlook*, who took up the cudgel for the man who tricked us into war: "What can be said of a man like Mencken who, in the presence of the broken body and spirit of the still living Woodrow Wilson, could refer to him frequently as 'the late Woodrow?'" What indeed? Only that Mencken had been legally barred from the mails by Wilson's war censorship, and had not been taken in by his tenuous claim to civility; that he saw Wilson for the wicked, little war-monger that he was, willing to sacrifice countless lives for his insipid yet fanatical Anglophilia.

Octagon has, in recent years, reprinted a veritable treasury of Mencken. Other Mencken works which have been rescued from inaccessibility and reprinted in library editions (in the original type, printed on cream paper, bound in sturdy, red cloth) include *Treatise on Right and Wrong*, *Notes on Democracy*, *In Defense of Women*, *A Book of Prefaces*, *The Bath-tub Hoax and other Blasts and Bravos*, and the entire six volumes of Mencken's famous *Prejudices*. Republication of the *Schimpflexicon* is a fitting tribute, a *festschrift* which Mencken would have welcomed.

The sky is falling! *The sky is falling!*

by Jeff Rigenbach

Literary Politics in America: The End of Intelligent Writing, by Richard Kostelanetz. Sheed, Andrews and McMeel, 500 pp., \$5.95.

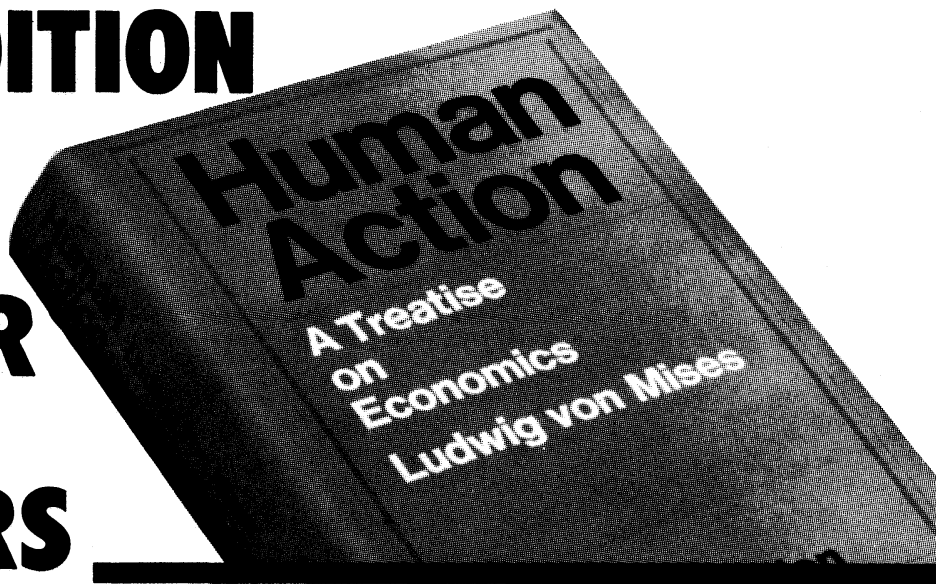
Richard Kostelanetz, according to his own generously detailed description, "stands six feet tall, weighs 180 pounds and loves especially to swim and read." Also, presumably, to write and edit and compile. *Literary Politics* is Kostelanetz's eighth book, not counting the fifteen or so he's edited and the five or six he's compiled. And what with his contributing poems and stories and essays to periodicals, and writing and producing and narrating TV programs, and delivering lectures, and staging "illuminated demonstrations of his creative work," it seems incredible that he should find any time for swimming. In fact, when you reflect on Kostelanetz's tender years (he was born, he says, on May 4, 1940), it seems incredible that he should have found time even to emerge from his apartment in recent years.

But wait a minute. Maybe that's it. Maybe he *hasn't* emerged from his apartment in years. Maybe that's his secret—the perspective on things which has enabled him to sustain such a tone of outrage for more than four hundred closely printed pages, while arguing a thesis as nearly self-evident as that taxation is theft or that involuntary military "service" is slavery.

Kostelanetz's thesis, put simply, is that an American literary "establishment," headquartered in New York, has been working actively for years to promote the reputations of its members, while keeping nonmembers, especially the young and innovative, out of print. This has been going on, according to Kostelanetz, since the 1930s, when certain Southern writers, all of them friends or acquaintances (and in some cases husbands and wives) of each other, launched what he calls an "invasion" of the American literary community. In the next two decades, they founded "a network of magazines sympathetic to one another, with overlapping lists of editors, contributing editors, contributors, reviewers—magazines in which the star critics were frequently quoted, both in the essays and in



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the ads, and their contributions featured over those by a supporting cast." They concocted and promoted a "reinterpretation of the intellectual and literary traditions to emphasize (and often resurrect) appropriate predecessors for themselves." They displayed "decided penchants for mentioning each other in the same breath with the greatest figures of Western literature and for measuring both earlier or contemporary writers against . . . [their own] ideology."

Of course, all this posturing and self-promotion would have come to nothing if certain of the Southern writers (notably William Faulkner, Robert Penn Warren, Erskine Caldwell and Carson McCullers) hadn't won some measure of popular acclaim and academic acceptance. "In the evolution of an establishment," Kostelanetz writes, "collective success begins when the group's stars earn recognition outside their immediate sphere (where acclaim had previously been guaranteed), when its pet 'ideology' gains increasing acceptance, when its academic colleagues are chosen as professors in the major universities . . . and so forth."

By the early 1950s, the Southern literary establishment had seen its "most touted novelist" win the Nobel Prize, and its critics and poets "established as professors at first-rank universities, their textbooks best-sellers, their essays and poems frequently anthologized." But a new generation of readers with a different taste in literature was now buying books. And by the mid-1960s, there was a new, Jewish, literary establishment, with Saul Bellow as its William Faulkner and Irving Howe as its Allen Tate.

By "literary" writing, I should quickly point out, Kostelanetz does not mean poetry, fiction, and literary criticism. "Literature" he says "is simply that writing which is appreciated long after its first publication, as well as that writing which emerges from distinctly 'literary' traditions. 'Intelligent writing' particularly includes poetry and fiction, and also criticism that is more substantial and considered than glib reviewing, and, to a lesser extent, other serious non-fiction expository forms that inhabit a realm between special knowledge and the general interests of the educated public."

Thus Kostelanetz includes writers like Irving Kristol and Daniel Bell in his three-page membership list of "The New York Literary Mob." And his profile of how the Southern and Jewish literary establishments went about establishing themselves may be applied with equal justice to even such predominantly nonliterary groups as the intellectual elite of the libertarian

movement. There are the magazines with the overlapping lists of editors and contributors; the publishing, reviewing, promoting and advertising of each other's books; the reinterpretation of modern intellectual history; the resurrection of neglected precursors (like Nock, Tucker, Spooner and Stirner); the tendency to mention each other "in the same breath" with the greatest figures in Western thought; even the "eccentric who pursues idiosyncratic, often contrary extremes, and yet remains loyal because no one else will publish him," and whose "waywardness and intellectual indulgences" are "often cited by group spokesmen as evidence of their 'openness'."

The same profile fits the science-fiction community in this country, for all that science-fiction is ordinarily (if erroneously) thought of as subliterary. As far as I can see, the profile fits *all* groups of intellectuals who have interests, ideas, and personal friendships in common, and who win sufficient support from readers to "establish" themselves with those readers. Having established themselves, they are motivated to stay established. And like the most successful competitors in any other market, they make use of advertising and public relations to secure their positions, and they refrain from knowingly helping their competitors. Typically they become conservative and resistant to change.

But none of this is new. It is the way of the world. How could anyone live to be 34 years old (Kostelanetz's age when the original edition of his book was published three years ago) without having observed this pattern in human affairs? Unless . . . but my original hypothesis is surely too fanciful; surely Kostelanetz *has* been out of his apartment; surely he *has* experienced life. Even if he hasn't, surely he has read some of the judgements rendered on this self-same issue by the elder statesmen of earlier literary generations. George Moore, for example, in 1925: ". . . each generation, dissatisfied with the literature that preceded it, is inspired to write another literature . . . a literature which seems to the writers more permanent than the literature their fathers wrote, but which is destined to pass away as silently. Of the passing of literature there is no end; the world is littered with dead literature as with leaves. . . ."

Or James Branch Cabell, in 1928: "From the beginning, it would seem, all really matured opinion has been at one on the point that the younger generation was speeding post-haste to the dogs. Since the commencement of recorded literature, oldsters everywhere, in every known era, have drawn a snarling comfort from this

pronouncement, just as pertinaciously, and just as pathetically, as the world's current youth has always been positive that, when once everybody over fifty was disposed of, the human race was bound for the millenium. . . ."

But if Kostelanetz has read such judgements, he hasn't inferred from them that contemporary literary politics is only the latest act in an ageless, endless drama. Far from it. "All pertinent discussion of what to do," he writes, "must begin by acknowledging the imminent death of literature. . . ." That's what the older generation—the establishment—has accomplished. And as for the younger generation, "No writer born after 1939 has been an initiator of the type of literary scandals this book describes."

Maybe Kostelanetz should spend more time swimming and less time writing and editing and compiling. Maybe he should try public pools, where he'd meet people and have a chance to observe them interacting with each other. Kostelanetz has a large talent. Informed by a somewhat more realistic attitude, he could go far.

Jeff Rigenbach teaches criticism at UCLA and practices it in a number of magazines, including LR.

Protectionism

(Continued from page 6)

Take this path one step further: A disintegration of world trade along these lines not only would lead to acute economic suffering around the world but also would intensify the likelihood of war. One needs to think back only a few years to the oil embargo of 1973-4, when world trade virtually ground to a halt and American policymakers began to talk seriously about invading the Middle East to get oil, to get a whiff of what might ensue.

Thus prospects for free trade are not bright. As Macaulay once said, "Free trade, one of the greatest blessings which a government can confer on a people, is in almost every country unpopular."

There is always the possibility that the traditional liberal support for free trade may hold—although some prominent free traders in Congress (like Representative Charles Vanik, chairman of the Trade Subcommittee) have called openly for quotas—and that groups with vested interests in free trade, like farmers and other exporters, may offset the pressure for protection. In the end, though, the most important beneficiary of free trade is the consumer. If this fact can be made clear to the American people, then we may yet avoid a trade war.

Busting the antitrust trust

by D. T. Armentano

The Antitrust Paradox, by Robert Bork. Basic Books, 462 pp., \$18.00

To mention the subject of antitrust is to conjure up images of good government battling bad business monopoly, all in the name of the consumer interest. These images are widely believed to be accurate by the public, but they are simply not correct. Indeed, the antitrust vision is so overwhelmingly accepted that the Congress is likely to expand the scope of the antitrust laws themselves and approve legislation that would allow the "break up" of supposedly concentrated American industries. Antitrust is a sacred cow almost without precedent in public policy.

Now it is certainly true that few members of the general public really understand antitrust theory or have ever read an antitrust case. But who could reasonably expect such behavior? There are many areas of our lives that are too complicated (costly) for direct investigation and so we rely on experts or specialists to make the complications comprehensible. If a trained academic economist tells you, for instance, that a particular business arrangement extends and expands monopoly power from one market to another, and thus injures consumer welfare, you are very likely to accept his judgment. You are even more likely to "believe" if almost the entire community of academic economists chimes in with agreement. And you certainly will believe if prominent and respected justices of the Supreme Court sanction such a theory in case law for sixty years. The theory may be entirely incorrect but it is, nevertheless, legitimate because it has been systematically legitimized by the people who (should) know and by the people who count. Indeed, over time the theory and the law tend to build up a social immunity to any serious criticism and the matter is, for all practical purposes, settled.

In the area of antitrust theory and law this immunity is wearing off, fast. In recent years scholarly articles highly critical of antitrust theory and court decisions have appeared in leading law journals. In addition, respected economists such as Harold Demsetz and Yale Brozen have been increasingly critical of conventional theories of concentration and of the empirical studies that claim to justify the atomizing of much of big business. Finally, John

McGee's *In Defense of Industrial Concentration* (Praeger, 1971) and my own *The Myths of Antitrust* (Arlington, 1972) were head-on, systematic assaults on antitrust theory and history. The criticisms were clearly building for a final confrontation with the conventional wisdom that would bring the entire controversy out into the open.

Robert Bork's *The Antitrust Paradox* will shake the smug paradigm of orthodox beliefs to its very foundations. No longer will it be possible to ignore the critics of existing antitrust policy or dismiss their arguments as fanciful and their facts as contrived. Indeed, the Bork book is so well-argued and persuasive, so comprehensive in its scope, so penetrating in its depth of analysis, and so remarkably clear that it cannot help but shift the burden of proof to the establishment economists and lawyers. This is the most important antitrust book of the last twenty years and even the most enthusiastic advocate of regulation will have to come to grips with its arguments and facts.

The modus operandi of *Paradox* is both simple and straight-forward: First, demonstrate that the only legitimate concern of antitrust legislation is to insure that consumer welfare is maximized; and second, demonstrate that our present antitrust policies—excepting the prohibition against "naked" price-fixing—are not consistent with that legitimate purpose. A good part



Robert Bork

of the book is devoted to demolishing arguments that consumers must be protected from price discrimination, or exclusive dealing, or (most) mergers, or oligopoly, or even monopoly if attained through internal growth rather than combination. Bork is convinced that consumers require no such alleged protection, that such prohibitions tend to perpetuate or increase inefficiency, and that the laws tend to protect high cost firms at the general consumer expense.

Many lay readers of this book may not understand or be entirely convinced by the relentless logic, sound though it may be; what will convince them is the absolute and obvious nonsense of the leading antitrust cases. And it is the knowledge of how antitrust *really* works in practice—as Bork so correctly observes at the start of his book—that is so necessary for public understanding, debate, and eventual reform.

There are some important and subtle discussions in *The Antitrust Paradox* that deserve to be highlighted. One such significant discussion is Bork's analysis of exclusionary practices and alleged "barriers to entry" in the market. Both ALCOA and the United Shoe Machinery Corporation were chided by the court because they engaged in certain business practices that "excluded" competition. And mergers are frequently struck down by the courts on the argument that they tend to create barriers to the entry of new competition and, thus, restrain trade in violation of the law. Yet Bork correctly argues that all such exclusions and (most) barriers are in actuality *efficiencies* that some firms have instituted while others have not. Not to understand this—and most industrial organization theorists do not—is to turn antitrust on its head, to end up employing the law to attack the very market arrangements that advance consumer welfare. As Bork correctly concludes, "Until the concept of barriers to entry is thoroughly revised, it will remain impossible to make antitrust law more rational or, indeed, to restrain the growth of its powerful irrational elements."

Bork closes his book with his own suggestions for reform. He would have antitrust laws that only:

- prohibit "naked" price-fixing and market division agreements between competitors;
 - limit horizontal mergers that create very large market shares (those that leave fewer than three significant rivals in the market);
 - and prohibit "direct" predation, employing governmental processes, that are designed to drive rivals from a market or delay the entry of new competitors.
- All the rest of antitrust should be aban-