

money spent on schools and divide it among all school-age children, whether they now attend public or private schools. (Larger scholarships might go to poorer children.) Public-school districts wouldn't receive any money they couldn't raise by attracting students. Many of those schools that we now call public would remain open, but they would be very different institutions.

This vision threatens powerful interests. Teachers' unions are unlikely to die out, but choice would certainly weaken them. Independent schools, whether you call them public or private, are harder to organize than gargantuan school districts. And they are much harder to hold hostage

to contract demands. But school choice might give teachers something the unions haven't been able to deliver—the chance to be treated like valuable professionals, not interchangeable cogs in an educational machine.

In response to this prospect, the *Los Angeles Times* proposes that any school that participates in a choice program should have to unionize its teachers. This idea suggests the major threat posed by choice: that it will recreate private schools in the image of public schools. This threat will appear in many areas—from admissions to curriculum to hiring. It can be overcome. But, first, we must watch out for it. ■

whose politicians have held up the delivery of cable. At about \$20 a month, basic cable—including CNN, CNBC, the Discovery channel, and other sources of news—is within the means of even the poorest Americans.

But Markey is right about one thing: Pay-per-view will hurt the broadcast networks. Network viewership has dropped dramatically over the last decade because of cable, and more pay-per-view channels will accelerate this decline. In an April "Nightline" report, Dave Marash gave us the network view of this trend: "As recently as 20 years ago, ABC, CBS, and NBC owned 90 percent of the TV audience. Today the three broadcast networks' share is down below 60 percent and dropping....You've got a growing audience *stolen* from free TV." (Emphasis added.)

Despite these losses, the networks earn over \$10 billion each year. And if Markey's rumblings about pay-per-view ultimately turn into legislation, it will benefit these corporate titans, not Joe Sixpack.

Washington protects established businesses (and established campaign donors) at the expense of newer ones. Look at how Congress dealt with the issue of cable regulation last year. Noting that virtually all cable systems are monopolies that can gouge their customers, Congress decided to pass legislation to stop this. Some wanted to let local governments regulate cable rates; some wanted the FCC to do it.

But the policy pushed by every economist who has studied the situation—abolish the exclusive franchises that give cable systems monopolies—was ignored. Sure, more competition means lower prices, but it also means more competition for broadcasting—and for established cable companies. But rate regulation robs systems of the money they need to expand and holds down competition with the networks.

Politicians love to crow about helping to keep prices down and helping the common man. But what they propose would help only their friends in broadcasting boardrooms—and screw all of us who want better and more extensive cable service. ■

PAY AS YOU GO

CHARLES OLIVER

To those watching this month's big fight, pay-per-view television is a godsend. Previously, the only way to see a top boxing match was either to go to Las Vegas, which was very expensive, or to go to a closed-circuit theater, which was crowded with drunks and only slightly less expensive than the trip to Vegas. But with pay-per-view, several people can get together, split the cost, and for less than the price of a movie ticket watch the fight in the comfort of someone's home.

But some people in Washington, D.C., don't like pay-per-view. They talk about halting its expansion. To those who aren't into professional wrestling, boxing, and soft-core adult films (the current mainstays of pay-per-view), this may not seem very important. But this flap is about more than whether fans will get to see Ric Flair, Evander Holyfield, and Marilyn Chambers. It's about how telecommunication is regulated in this country.

The problem is that in the future more and more events will go to pay-per-view. In 1992, for example, some summer Olympic events, such as swimming or equestrian sports, will be on pay-per-view, live and in their entirety. (NBC will

still offer traditional coverage of the highlights of the most-popular sports.)

But more events on pay-per-view mean more competition for over-the-air television. And Rep. Edward Markey (D-Mass.), chairman of the House Telecommunications subcommittee, worries that the expansion of pay-per-view "will mean the gradual erosion and potential destruction of the free over-the-air television system as we know it."

Markey paints a "nightmare" world where over-the-air news disappears and "only the wealthiest" can watch sports or movies on television. We will become a society of information haves and have-nots. And that bodes ill "for the lower part of the socioeconomic part of the spectrum" (whatever that means).

Actually, we aren't likely to see the death of broadcast television any time soon. But even so, why should we care? Markey would have us believe that only the rich can afford cable. In fact, over 60 percent of all American households have cable. Virtually everyone who has access to cable has purchased it. The 40 percent of Americans who don't have it mostly live in very remote rural areas or in cities

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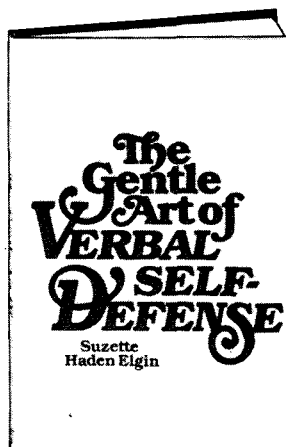
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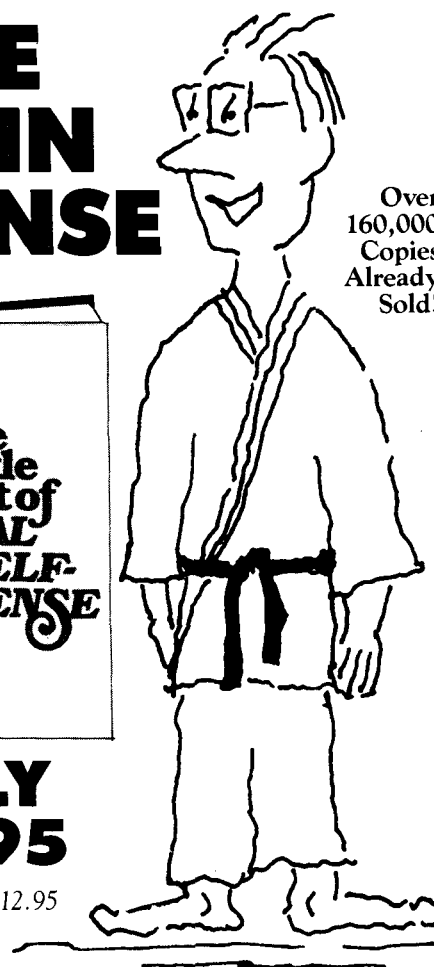
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Psycholinguist Suzette Haden Elgin has presented her innovative self-defense principles in a variety of formats. She has given workshops and seminars all over the U.S., including verbal self-defense sessions for doctors, lawyers, and other professionals.

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Editorial, Advertising, and Production Offices

2716 Ocean Park Blvd., Suite 1062
Santa Monica, CA 90405
(213) 392-0443

Washington Office

P.O. Box 8093
Silver Spring, MD 20907
(301) 565-7820

Circulation Service

P.O. Box 526
Mt. Morris, IL 61054
(815) 734-6309

Founding Editors:

Manuel S. Klausner, Tibor R. Machan,
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LETTERS

Bogged Down

The concerns of those who have experienced the brute force of wetlands regulations are not going unheard. (See "The Swamp Thing," Apr.) Currently pending in the United States Senate is S. 50, the Private Property Rights Act, counting over 30 senators as its cosponsors. This bill ensures that agencies such as the Corps of Engineers establish appropriate procedures for determining whether or not their regulations tread on an individual's private property rights.

The existing wetlands regulations are issued under the authority of Section 404 of the Clean Water Act. And yet, by undermining property rights, these regulations may well discourage the kind of environmental stewardship necessary to get "clean water." A case in point would be the rancher who attempts to repair a washed-out fence. Aggressive application of Section 404 could prevent such repair, even if that repair prevented cattle from invading a neighbor's property or damaging a sensitive riparian area. In this case, the rancher who keeps his property in good shape is rewarded by fines, imprisonment, or both. It is a ludicrous and counterproductive way to achieve environmental protection.

S. 50 will help prevent such ill-conceived regulation. The act forces federal agencies to evaluate their regulations, identifying those that could be rewritten to impose less on private property, and requiring that "just compensation" be offered for those that can't. The result is less litigation between individuals and their government, reduced costs to everyone involved, and added respect for a constitutional right on the part of government regulators.

Steve Symms
U.S. Senate
Washington, DC

THE SEVEN FEDERAL agencies that administer, rule, regulate, and tinker with real property meeting their individual criteria for "wetlands" have created a situation in which only Franz Kafka would be totally comfortable.

When I have a client who is facing wetlands problems, I usually explain the future in terms of a card game with the United States government. The government begins by telling you:

"You will now play the Wetlands Game with us. We will tell you when, where, and how long you will play.

"The government will shuffle the cards and deal them each time, and we reserve the right to not tell you the rules we play by until each hand is completed. We further reserve the right to change the rules retroactively and tell you that a move we previously approved was an error and rescind that approval.

"We also reserve the right to not tell you how many players there are, who they are, and what rules they play by."

"You will put everything you own into the pot, including your property, your time, and your peace of mind."

One clarification: Lest anyone mistakenly think that the compensation for takings Mr. Henderson cited is automatic, let's set the record straight: When the government imposes property-use restrictions due to the presence of "wetlands," the only people who receive compensation for the reduced value of the land are those who sue the federal government and win. There is no automatic compensation because the government believes the wetlands regulations are

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