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CREATOR: Jim Fleming (Jim Fleming <JimFleming@doorstep.unety.net> [UNKNOWN])

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SUBJECT: Don't Forget GAR

TO: Alec H. Peterson ("Alec H. Peterson" <ahp@hilander.com> [UNKNOWN])
READ:UNKNOWN

TO: Karl Denninger ('Karl Denninger' <karl@mcs.net> [UNKNOWN])
READ:UNKNOWN

CC: antitrust ("antitrust@usdoj.gov" <antitrust@usdoj.gov> [UNKNOWN])
READ:UNKNOWN

CC: bburr ("BBURR@ntia.doc.gov" <BBURR@ntia.doc.gov> [UNKNOWN])
READ:UNKNOWN

CC: weisberg ("weisberg@TEXOMA.NET" <weisberg@texoma.net> [UNKNOWN])
READ:UNKNOWN

CC: arin-council ("arin-council@arin.net" <arin-council@arin.net> [UNKNOWN])
READ:UNKNOWN

CC: Antitrust List ('Antitrust List' <antitrust@essential.org> [UNKNOWN])
READ:UNKNOWN

CC: Don Heath ('Don Heath' <heath@isoc.org> [UNKNOWN])
READ:UNKNOWN

CC: Don Mitchell ('Don Mitchell' <dmitchel@nsf.gov> [UNKNOWN])
READ:UNKNOWN

CC: Tony Rutkowski ('Tony Rutkowski' <amr@chaos.com> [UNKNOWN])
READ:UNKNOWN

CC: Ira C. Magaziner (CN=Ira C. Magaziner/OU=OPD/O=EOP [OPD])
READ:UNKNOWN

CC: John Curran (John Curran <jcurran@bbnplanet.com> [UNKNOWN])
READ:UNKNOWN

TEXT:

On Sunday, April 12, 1998 2:49 PM, Karl Denninger[SMTP:karl@mcs.net] wrote:

<snip>

@

@I know darn well what I'm talking about because I do it every single day

@Alec, unlike the people who have had a "free ride" within ARIN and NSI

@before them for MANY years.

@

Lets not forget GAR, the Global Address Registry that ARIN claims

has been in the works for over a year.

<<http://www.arin.net/greenpaper.html>>

Not only is ARIN not looking to reduce costs, they are encouraging the creation of MORE tax collecting structures. This appears to be a political move to divert attention away from ARIN and to make it appear as if ARIN is entrenched and can not be changed.

The U.S. Government needs to re-open all of the matters related to the InterNIC. ARIN was not created out of any need to offer a unique service.

ARIN was created to allow NSI (and SAIC) to divest itself of the bad publicity

that has surrounded the IANA's policies for many years. SAIC needed to get rid of ARIN because it was causing spotlights to be turned on their other government contracts which was not desirable. NSI was happy to shed ARIN to allow it to make its IPO and to get ready for their DOJ orchestrated WorldNIC/InterNIC transition. ARIN was a good place to store the IANA hot potatoes. Now NSI is free to enter the market and ARIN has to deal with the fundamental issues of fairness and resource allocation.

In my response to the Green Paper I point out that it is better to face these facts and to minimize costs rather than continuing to build one

beauracracy after another to try to cover up the problems. The Green Paper proposes to move the IANA to a corporate structure. I claim that the IANA is already there, in the form of Jon Postel being on the Board of ARIN. ARIN then pops up with GAR, as yet another group to fund. I suppose this will require another 15 people and another plush office in Virginia and yet another "CEO". This would be in addition to the proposed IANA Inc.

What is amazing about all of this is that the Internet Society sits around and writes papers asking the U.S. Government not to tax the Internet while the Internet insiders spend their time trying to cook up the next way to extract taxes from ISPs and users. All of this drives the costs up and there is not inherent benefit or new services. Also, most of the taxes flow into the same small group of people's hands in and around Washington, D.C. No surprise here.

Meanwhile, companies are making investments and placing capital at risk building registries and the necessary facilities to operate those registries and these people are derailed from bringing their investments on-line. Who derails them ? The same people who are working to build their own little society complete with its own tax agencies all funded from capital and facilities provided by the U.S. Government and all shielded from risk of failure by monopoly guarantees of market share.

Surely someone in the U.S. Government that understands capitalism will see that the Internet socialism is a dead-end path and discourages investors and attracts people who will attempt to live off of the taxpayers

and will continue to feather their nests all in the name of doing the right thing which really amounts to paying them money and allowing them to play all day long. That is not a productive direction to head...

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Jim Fleming

Unir Corporation

IBC, Tortola, BVI

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READ:UNKNOWN

Thomas A. Kalil (CN=Thomas A. Kalil/OU=OPD/O=EOP [OPD])

READ:UNKNOWN

TEXT:

----- Enclosure number 1 -----

THE MONDAY REVIEW - 1/2

A Free Weekly News Digest of Intellectual Affairs

May 25, 1998 - Issue #4

I care about truth not for truth's sake but for my own.

-- Samuel Butler

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1. ON THE MENOPAUSE OF GLOBAL EMPIRE

Over the years, the writer and commentator Gore Vidal has evolved into a rebel archetype graced with the double talents of wit and intelligence, talents recognized even by Vidal's enemies. Vidal recently presented a speech at the National Press Club in Washington, DC (18 March 1998), and an article based on that speech has recently appeared, with Vidal making the following points: 1) The 20th century and the second Christian millennium are heading hand in hand for the exit, and Vidal says that, personally, he thought they would never go without taking us with them. 2) The US is the last self-styled global empire, loaded down with nukes, bases, and debts. 3) The national security state, the NATO alliance, the forty years Cold War, were all

created without the consent, much less the advice, of the American people. 4) For two generations, Americans have been conditioned by their overlords so that at the word "communism" there is a Pavlovian reflex as the brain goes totally dead. 5) Unlike Roosevelt, Truman was not a philatelist. Had he been a stamp collector, he might have known where the various countries in the world were and who lived in them. 6) As early as the American election of 1848, socialism -- imported by comical German immigrants with noses always in books -- was an ominous spectre calculated to enrage a raw capitalist society with labor unions, health care, and other devil's work. It is still being fiercely resisted a century and a half later. 7) The message now pounding in over the Internet is the irrelevancy, not to mention the sheer danger, of the traditional nation-state, much less empire. The optimum economic unit in the world, Vidal suggests, is now the city-state.

(The Progressive May 1998) (The Monday Review 25 May 98)

2. INCREASING ARRESTS FOR DRUGS AND ALCOHOL ON US CAMPUSES

A recent survey indicates that alcohol arrests on US university campuses increased by 10% in 1996, with drug arrests rising 5%. This is apparently the 5th consecutive year that alleged violations of substance laws have increased. The survey involved 500 college and university campuses with more than 5000 students. Universities with the most alcohol arrests: Michigan State University, University of California Berkeley, University of

Wisconsin Madison, University of Minnesota Twin Cities, Purdue University. Universities with the most drug arrests: University of California Berkeley, San Jose State University, Michigan State University, Arizona State University, Southern Illinois University Carbondale. Here are the percentage increases and decreases in various campus crimes in 1996, according to the survey results:

Murder	+26.7
Forcible sex offenses	+14.6
Non-forcible sex offenses	+61.2
Robbery	-6.0
Aggravated assault	-7.1
Burglary	-5.1
Motor-vehicle theft	-3.7
Liquor-law violations	+10.0
Drug-law violations	+5.0
Weapons-law violations	-16.1

(The Chronicle of Higher Education 8 May 98)

(The Monday Review 25 May 98)

3. WESTERN CHINA SCHOLARS AND THE CHINESE GOVERNMENT

Michael Steinberger, a journalist who has lived in Hong Kong, in a review of the current state of China studies in the US, asks the following questions: Access by US China scholars to China is now at an all-time high, but has that access come at too steep a

price? Are intellectual integrity and professional solidarity being sacrificed in the rush to take advantage of new research opportunities? The problem, as Steinberger sees it, is that access to China is of crucial importance for the evolving academic career of any China scholar, but such access usually depends on that scholar avoiding criticism of the government of China, especially concerning human rights, Tibet, and the military threat to Taiwan. Many US China scholars evidently agree with Steinberger's statement of the problem, and the US community of China scholars is apparently in deep controversy over this issue and the question of whether US China scholars should speak out more forcefully against the policies of the Chinese government. Steinberg says life for most Chinese has improved dramatically in the two decades since Beijing abandoned Marxist economics and began to embrace the free market, but now China stands at a crossroads. Capitalism has arrived; democracy has not. "Political dissent is still not tolerated. Over the past decade, the Chinese regime has deported or jailed nearly all of its most prominent critics. Thousands of prisoners languish in Chinese labor camps. Christians, Muslims, and Tibetans continue to feel the sting of oppression." On the other hand, considering that China is a country with a 5000-year history of autocracy, the political, social, and economic changes that have unfolded in China in just this century are thought by many China scholars to be quite remarkable.

(Lingua Franca May/Jun 1998) (The Monday Review 25 May 98)

4. KARL MARX AND LATE MODERN CAPITALISM

In a review of several republications of the 1848 Communist Manifesto by Marx and Engels, John Gray (London School of Economics) says that less than 10 years ago there were two economic systems in the world, but now there are only varieties of capitalism. The Soviet collapse was "a final demonstration that in modern economies there is no alternative to market competition. The fall of Communism destroyed Marxian socialism as a political project." But, Gray proposes, "at the same time, it gave Marx's analysis of capitalism a new lease on life." Gray's idea is that now that any alternative economic system has been removed from the world, a truly global capitalism is developing, one already described in its essentials by Marx 150 years ago, and that the destructive consequences of this global capitalism for social cohesion are prefigured in Marx's thought. The author suggests: "As we near the end of the century, we cannot escape the paradox that, partly as a consequence of the implosion of Marxian socialism, Marx's view of capitalism has been in some crucial aspects vindicated." Gray concludes: "Marx's achievement was to identify a contradiction in liberal civilization. His economic theories went hopelessly astray. His doctrine of classes is thoroughly inadequate as an account of social stratification. His Promethean attitudes towards nature led to environmental catastrophes. His political prescriptions were a recipe for tragedy. But in illuminating, a century and half ago, a widening gap between the imperatives of capitalism and the prerequisites

of a stable liberal society, Marx identified a problem to which a solution has yet to be found."

(The Times Literary Supplement 8 May 98)

(The Monday Review 25 May 98)

5. ON DEMOCIDE: INTENTIONAL GOVERNMENT KILLING OF UNARMED PEOPLE

R.J. Rummel (University of Hawaii, US), in a review of mass murder by governments and quasi-governmental political regimes and groups, proposes the concept "democide", which the author defines as killing carried out as a purposive act, policy, process, or institution of government -- i.e., democide is defined as government murder. Genocide (in its killing aspect) is defined by the author as a subcategory of democide that involves government murder (or liquidation by any means) of people because of their ethnicity, race, religion, language, or nationality.

Rummel has collected and tabulated data on this century's democides by all state regimes, quasi-state regimes (e.g., the Communist Soviet enclaves in Nationalist China or the White army territories in Russia during the civil war in 1920), and group regimes (such as the Palestine Liberation Organization). In this century fifteen governmental entities alone have murdered over 151 million people -- men, women, and children -- almost four times the 38.5 million war-dead involved in this century's international and civil wars 1900-1987. The most totalitarian regimes, that is the Communist U.S.S.R., Communist China and the preceding Mao guerrillas, Khmer Rouge Cambodia, Vietnam, North

Korea, and Yugoslavia, as well as Nazi Germany, account for nearly 128 million of the total, or 84 percent. In addition to these democides, 203 lesser government entities have killed nearly 17.7 million more people. Rummel proposes that power kills, and that the more the power the more the killing, the degree of a regime's power along a democratic to totalitarian scale being a direct underlying cause of domestic democide, including genocide. Moreover, acting through war and rebellion, power is an indirect cause of foreign democide as well. The more power a government has, the more it can act arbitrarily according to the whims and desires of the elite, the more it will make war on others and murder its foreign and domestic subjects. The more constrained the power of governments, the more its power is diffused, checked and balanced, the less a government will aggress on others and commit democide. Rummel suggests that at the extremes of power, totalitarian governments have slaughtered their people by the tens of millions, while many democracies can barely bring themselves to execute even serial murderers.

QY: WWW

(Idea 1 May 98) (The Monday Review 25 May 98)

6. THE KLEMPERER DIARIES: GERMANY 1933-1945

The twelve years between 1933 and 1945 have a special significance for the world, Europe, and particularly for Germany. Whole libraries have been filled with accounts of the history and analyses of the history of this period of twelve short years

during which a nation of 60 million people mobilized itself for war, murder, and suicide. Victor Klemperer was a German Jew who lived in Dresden, converted to Protestantism, fought as a German in the First World War, earned a Distinguished Service Medal, married an Aryan, became a specialist in the French Enlightenment, and taught at Dresden Technical College until he lost his job in 1935. The Klemperers were ambivalent about remaining in Germany, but soon the borders were closed to them and it was impossible to leave. They remained in Germany and survived in Dresden, Victor Klemperer avoiding arrest and probable death only because he was in a mixed marriage. During that time, Victor Klemperer kept a diary, thousands of handwritten pages comprising a daily account of the life of an academic in Nazi Germany, and particularly in Dresden. The diaries were never published during the author's lifetime (Klemperer died in 1960), and they have now been translated and are offered as a unique view of Dresden during the Third Reich years of 1933-1945. An extract from the diaries recently appeared in a magazine. On March 30, 1933, Victor Klemperer writes: "I feel shame more than fear, shame for Germany. I have truly always felt German. I have always imagined that the twentieth century and Mittel-Europa were different from the fourteenth century and Romania. In a toy shop: a children's ball with the swastika." And on May 15, 1942: "Jews with the stars and anyone who lives with them are, effective immediately, forbidden to keep pets; they are also forbidden to give the animals away to be looked after." Thus the Klemperers were forced to kill the cat they had

nurtured for eleven years.

(New Yorker 27 Apr 98) (The Monday Review 25 May 98)

7. ON EMANUEL SWEDENBORG

Emanuel Swedenborg (1688-1772) was trained as a scientist, achieved some fame as such, but then in 1747, at the age of 59, he became a theologian and philosopher, apparently after a conversation with an angel of the Lord in a hotel dining room in London. Swedenborg wrote voluminously in theology, founded a church with himself as its prophet, and today there are evidently 8000 professed "Swedenborgians" in the US and 40,000 elsewhere in the world. Had Swedenborg started talking to angels before he achieved some reputation as a scientist, his theological views would probably have been lost in the theological din of the Enlightenment. But theology as topping on a scientific pudding always commands an audience, and Swedenborg and his talking angels had 25 years as a theological presence in Europe. That is the first part of the story. The second part of the story concerns the makings of a doctoral dissertation. Writing in the journal **Lingua Franca**, Scott McLemee presents Gregory R. Johnson (Georgia State University Atlanta, US), who has completed an as yet unpublished doctoral dissertation which is apparently to be defended "later this year" at Catholic University Washington (US), the essential thesis of the dissertation a claim by Johnson that Swedenborg was a seminal influence on the philosopher Immanuel Kant. Johnson's evidence, however, is

apparently more innuendo than fact, since Kant's published views of Swedenborg consist of disdain heaped on ridicule, and Johnson's argument is that Kant publicly ridiculed Swedenborg because Kant at that time did not yet have a tenured professorship and feared the philosophy establishment would be critical of him if he expressed approval of Swedenborg. Thus is a doctoral dissertation constructed. Here are Kant's words, in 1766, concerning Swedenborg: "If a hypochondriac is troubled by gas in the stomach, it all depends on which direction it takes -- if it goes downward, then it comes out a F___, but if it rises upwards, it is an apparition or a holy inspiration." Gastrointestinal complexities aside, the major evidence for Swedenborg as a "seminal influence" on Kant is apparently that Kant continued for many years to mention Swedenborg in his lectures, but with Kant's precise remarks not recorded and remaining unknown. The subtitle of the article in *Lingua Franca*: "The Long Shadow of Emanuel Swedenborg".

(Lingua Franca May/Jun 1998) (The Monday Review 25 May 98)

(continued in Part 2)

----- Enclosure number 2 -----

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May 25, 1998

8. ON VISUAL ANTHROPOLOGY In the next century or in the century after that, there will be debates among scholars about the role played by new technology in revising 20th century intellectual affairs and investigations.

Paul Henley (University of Manchester, UK) reviews the developmental history and current status of the field of visual anthropology. The author immediately points out that although visual anthropology is a fashionable academic subject with enthusiastic advocates all over the world, it is far from certain what this "visual anthropology" actually is, nor what it should become. The root of the uncertainty is that it is not clear whether the adjective "visual" refers to the means whereby the anthropology in question is carried out or to its subject matter. If the former, does it involve photography, film, or simply the human eye? If the latter, what are the limits of the visual -- or does the term "visual" encompass all visible manifestations of human existence? Although visual anthropology first appeared as a definitive research area with Margaret Mead in the 1950s, these current problems summarized by Henley are certainly the problems of a dynamically evolving discipline. But added to the mix is the question of the extent to which the emphasis on the visual in the discipline is merely the expected consequence of a generation of anthropologists weaned on television and film. Commenting on the broadening of visual anthropology from methodology to visual

subject matter, Henley says that a skeptic could be excused for asking "what the specifically *intellectual* benefit of such a broadening of the field of visual anthropology might be." In the next paragraph, however, he adds that this "could be considered a premature criticism."

(The Times Literary Supplement 8 May 1998)

(The Monday Review 25 May 98)

9. A NEW ATLAS OF THE ANCIENT WORLD

It is not often that a book receives advance notice nearly two years before its publication date, but the book in this case is no ordinary book, and has been 11 years in the making at a cost of \$3.5 million. The book is *The Atlas of the Greek and Roman World*, to be published at the end of 1999 by Princeton University, comprising 99 color maps, most of them 24x34 inch double spreads, and covering an area from modern day Britain east to Afghanistan and from Northern Europe deeply south into the Nile Valley of Egypt. Peter Monaghan writes of the atlas and its production: "The atlas appears set to do what several other efforts have attempted but failed to achieve: It will cover the whole of the ancient world, making use of new techniques and resources in cartography and incorporating the latest scholarly findings about settlements, roads, geography, and the like." One of the more interesting features of the publication will be its cost, only about \$200, which will be a delight to many librarians in libraries with limited budgets. The head of the project is

Richard A. Talbert (University of North Carolina Chapel Hill, US), and the scholars in the project are enthusiastic about the topographic detail in the atlas. Roger S. Bagnall (Columbia University, US) comments: "On a blank page with no topography, scholars can draw impossible roads, make impossible marches. It has at times been impossible even to figure out with any convenience where an ancient city was."

(The Chronicle of Higher Education 8 May 98)

(The Monday Review 25 May 98)

10. ARCHEOLOGY: LOOTING MAYAN ARTIFACTS

Academic archeology and the commercial art world have a thin border that is apparently freely crossed by careerists, looters, profiteers, and even murderers. John Dorfman, in a review of the looting trade in Maya artifacts, writes: "Among scholars, it is widely acknowledged Maya artifact available for purchase by a collector has almost certainly been looted -- that is, stolen by bandits who rob graves in Mexico, Guatemala, Honduras, and Belize. These objects are then smuggled to the US and Europe, where art dealers and auction houses hawk them to collectors at enormous markups. Eventually these collectors may give them to museums (for a huge tax write-off), where they can at least be seen by scholars and the public." But that is not the end of it, since there is apparently a sharp and bitter division among scholars, with many academics considering looted artifacts both revolting and useless for research. Clemency Coggins (Boston

University, US) says Mayanists that draw inferences from decontextualized (e.g., looted) pottery are fooling themselves, "creating a self-referential science. It has a life of its own disconnected from any historical reality." On the other side, specialists like Michael Coe (Yale University, US) see nothing with the appropriation and study of objects originally looted. Coe, in fact, says he is more interested in archeological objects as art than as historical artifacts, and he apparently disdains the work of field archeologists. "Anyone can go and dig," Coe says. "I like making sense of what people have dug up." Most museums, including the museums at Harvard and Yale, apparently agree with Coe and readily display looted Maya objects that have no provenience (provenance). So the Maya looting trade flourishes, with an increasing criminality that includes the murder of site guards and others who threaten profits. And what are the profits? For a Maya ceramic vase, a local looter may receive \$200 from a higher-level looting kingpin, who breaks the law of his or her own country and sells the vase to a New York dealer for \$20,000, the dealer in turn sells the vase for \$100,000 to a US collector, and the collector ultimately "donates" the object to a museum for an inflated tax write-off. That major and prestigious museums (and academics like Michael Coe) implicitly participate in this sort of corruption is a sad reality. That there is no effective US law preventing a tax write-off on the stolen archeological property of other countries is a puzzle.

(Lingua Franca May/Jun 1998) (The Monday Review 25 May 98)

11. ARCHEOLOGY: LOOTING ITALIAN ARTIFACTS

Lest anyone think the looting trade in archeological artifacts is confined to a few Central American countries, Andrew L. Slayman reviews the archeological looting trade in Italy. Like most countries, Italy has strict laws concerning the removal of archeological artifacts, but the looting industry is evidently too big to control. In 1996, four warehouses in Switzerland were discovered to contain 10,000 artifacts smuggled out of Italy. Between 1983 and 1992, 1236 red figure vases from the southern Italian region of Puglia appeared on the international market, nearly all of them without documented proveniences. The most common route of archeological artifacts smuggled out of Italy is via Switzerland, where the sale of antiquities is largely unregulated, and where illegally excavated artifacts are given false bills of provenience listing Switzerland as their country of origin. After that the artifact is freely shipped to its final destination. Slayman quotes Thomas Hoving, former director of the Metropolitan Museum of Art in New York as saying that if a provenience describes a piece as from "an old Swiss private collection", the interpretation is that it is smuggled antiquity out of Italy or Turkey. Slayman's article includes an interesting appended interview with an Italian **tomberolo**, a robber of ancient tombs. The *tomberolo* says he cleans out four or five tombs a night, does it now as an avocation rather than as a job, that the law is for poor people and everyone does things against the law, and that as far as his country's heritage is concerned,

the Italian antiquities officials, when they find artifacts, put them in crates and leave them in warehouses for 100 years. He also says some *tomberolos* make a good living planting fake artifacts in already emptied tombs, and then charging a hefty fee for tourists to be guided to the "discovery" of a tomb, where they can experience the emotion of discovery of the tomb and the acquisition of its "artifacts". But such fakery operations are a mere footnote to the problem of large-scale looting of important archeological objects. Whether in Central America or in Italy, it is apparent that collectors and museums provide the demand required for the serious looting trade, and thus implicitly nurture it.

(Archeology May/Jun 1998) (The Monday Review 25 May 98)

12. ON THE MISOGYNY OF WOODY ALLEN

The filmmaker Woody Allen, a cultural icon in both the US and other places, has for some time posed a problem for many critics. Steven Vineberg (College of the Holy Cross, US) reviews Allen's film art and the relationship of that art to Allen the man and his widely-publicized hectic personal life. Vineberg makes the following points: 1) Despite a few scathing reviews and articles about his latest film *Deconstructing Harry*, Allen's fan club remains firmly in place. 2) Until the end of the 1970s, Allen maintained an ironic gap between his point of view and that of his characters. (Vineberg denotes these characters generically as "Woody", as opposed to Allen the filmmaker.) 3) Starting with the

film **Manhattan** (1979), Allen's self-preservation crossed the line into narcissism, with Woody more and more taking on the uncomfortable role of apologist for Allen, whose women problems were becoming as well-known as his movies. 4) A streak of misogyny took over beginning with **Husbands and Wives** (1992), and it pervades **Mighty Aphrodite** (1995). 5) The long-term love affair of American intellectuals with Allen -- often unjustified by both the quality of his films and the sensibility behind them -- seems perverse in the light of the Allen film **Deconstructing Harry**. The recent **Deconstructing Harry** is an ugly, unlikable film, a hate letter to every woman Allen has ever known, the women portrayed as screeching neurotics, venomous harpies, selfish bitches, emotional traitors, or just dumbbells. In this film, the first significant black character in any Allen film appears as a tiresome stereotype, a prostitute. 6) Vineberg says he did not have strong feelings about Allen's publicized domestic relationships with women, but watching **Deconstructing Harry**, Vineberg finds Allen "repulsive, his blemishes magnified as if they were honorable wounds sustained in the battle of the sexes." 7) Vineberg concludes that Allen cannot have it both ways. "He wants us to see in Woody all of his own agonies, to empathize and applaud his honesty and courage in revealing them so graphically. If we find what he displays for us unseemly and unsavory, he cannot whine that we are directing our jeers at the wrong man."

(The Chronicle of Higher Education 8 May 98)

(The Monday Review 25 May 98)

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Thomas A. Kalil (CN=Thomas A. Kalil/OU=OPD/O=EOP [OPD])

READ:UNKNOWN

TEXT:

----- Enclosure number 1 -----

THE MONDAY REVIEW

A Free Weekly News Digest of Intellectual Affairs

June 8, 1998 - Issue #6

To commit violent and unjust acts, it is not enough
for a government to have the will or even the power;
the habits, ideas, and passions of the time must lend
themselves to their committal.

-- Alexis de Tocqueville (1805-1859)

Contents of This Issue:

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2. On US Supreme Court Justice Antonin Scalia
3. US Republican Party: Captive of the South and NRA Dogma
4. The American Left on the Autopsy Table
5. Science News, Stock Prices, and Book Deals
6. German Science: Abderhalden's Fraud Revisited

Notices

1. ON THE LIMITATIONS OF ECONOMIC DIPLOMACY

Although completely familiar to historians of imperialism, particularly in connection with the British, French, German, Russian, and American imperialism at the end of the 19th century, the concept "economic diplomacy" has apparently been rediscovered by the popular media. In current parlance, US economic diplomacy is a diplomacy in which economic pressures in various forms are applied to foreign states in order to further US interests.

Journalist David E. Sanger, writes of recent events in Indonesia: "There may be no more vivid example of the power of what has come to be known as "economic diplomacy". Concerning the Indonesian upheaval, Sanger asks: "And who would have bet that the triggermen in this Javanese shadow play would include a bunch of PhD economists at the International Monetary Fund?" Mixed metaphors aside, Sanger suggests that as a US diplomatic instrument, economic weapons are imprecise at best, and are often

not in US exclusive control. The threat of economic sanctions did nothing to dissuade India from conducting five nuclear tests, or European firms from striking deals with Iran and Cuba.

Sanger proposes the following lessons from recent international events involving the attempted application of economic leverage:

1) The Ideology Rule: Passionate national causes almost always triumph over economic rationality (e.g., India, North Korea, Iraq, Serbia).

2) The Sanctions Rule: Unilateral sanctions almost never work, precisely because they are unilateral: in a global economy, there are too many producers of almost everything.

3) The Suharto Rule: The opening of an economy dominated by corruption and financial instability is likely to produce the 1990s equivalent of a military coup: the market coup.

(New York Times 24 May 98) (The Monday Review 1 Jun 98)

2. ON US SUPREME COURT JUSTICE ANTONIN SCALIA

Antonin Scalia (1936-) has been associate justice of the US Supreme Court since 1986.

In 1987, in **Edwards v. Aguillard**, he dissented when the Court ruled that states may not mandate the teaching of the theory of creationism to counteract the teaching of the theory of evolution.

In 1989, in **Texas v. Johnson**, Scalia concurred with the majority that ruled constitutional the burning of the US flag in

protest.

It is now 12 years after Scalia's appointment to the US Supreme Court by President Ronald Reagan, and most people believe that Scalia is charming, pugnacious, and highly intelligent. His many opinions have articulated conservative positions on hotly contested issues such as abortion rights and affirmative action. To the legal profession, Scalia is well-known for his insistent advocacy of the interpretive method known as "textualism". At this point in his career, Scalia's public image is that of a jurist whose jurisprudence is on solid, if sometimes unpopular, theoretical ground, and the public perception is that the legal profession, in general, admits the validity of this theoretical ground. Such, however, is not the case. There is considerable evident controversy concerning Scalia's theories of judicial interpretation, and philosophers, semanticists, and logicians, not to speak of many legal theorists, upon confronting Scalia's theoretical writings, are prone to begin scratching their heads while muttering that much of it does not make any sense.

Robert Post, Morrison Professor of Law at the University of California Berkeley (US), presents a closely reasoned review of a recent theoretical monograph by Scalia, revealing with admirable clarity both Scalia's theoretical positions and arguments, and the theoretical arguments and positions of those legal theorists of differing views.

Post informs us that "textualism" is a theory of the way judges ought to interpret legal documents, like statutes and the Constitution. Essentially, Scalia believes that judges who

interpret statutes should avoid all reference to legislative history, and that judges should interpret the Constitution strictly according to the original meaning of its language. In other words, according to Scalia, legal authority attaches to the text of law and not to the unenacted intentions of legislators.

In his essay, Post exposes what is perhaps the most fundamental aspect of Scalia's attitude necessary to understand Scalia's theoretical contradictions: Scalia apparently has an intense distrust of both judges and courts, and his various theoretical constructions follow from *that* premise, rather than from fundamental assumptions about humanity, polity, law, and so on. Since he distrusts judges and courts, Scalia sees no recourse but to insist on the dependence of judgments solely on the words of the law. Only when the words are patently ambiguous is there to be any consideration of legislative intent, and then only a consideration of unambiguous textually evident legislative intent.

This judicial attitude, then, is simply stated: In the beginning all was writ, and from all that was writ everything shall follow.

Scalia's judges and courts are not to interpret the statutes and the Constitution according to their own present places as human beings in a human society in a particular phase of its history. Instead, Scalia's judges and courts, in the ideal, are to be nothing more than juridical machines.

In a Scalia juridical utopia, all judgments are made by intelligent machines reading the text of dogmatic law, and thus

people are protected from judgments by human judges and human courts.

A huge theoretical problem, of course, is that there is a limit to the degree to which legislators of one century can write law that will continue to be "textually" appropriate for the next century, and if one is considering a 1000 year gap, then jurists will need more training in linguistics, history, and archeology than they have in law. In a 1000 years, in fact, the US Constitution as it is written today may not be readable at all to anyone still speaking English. Charming and pugnacious as he may be, Associate Justice Antonin Scalia has apparently painted himself into a corner of logico-philosophical absurdity. What is perhaps amusing is that these legal and philosophical conundrums have been amply debated in various fictions of the future, and in that arena of speculation, these conundrums have been so played out, they are already treated as cliches. Robert Post does not consider any of this, but it is certainly implicit in his evaluation of Scalia's theoretical position. One wonders if either Post or Scalia are aware that, although not named as such, "Scalia Utopias" exist by the many dozen in science-fiction, with extrapolated consequences spun out as thickly as can be imagined.

Post concludes his essay: "Our Constitution is an untidy and complex charter of governance which cannot be reduced to the purposes and prescriptions of any single interpretive method."

(The New York Review 11 Jun 98) (The Monday Review 8 Jun 98)

3. US REPUBLICAN PARTY: CAPTIVE OF THE SOUTH AND NRA DOGMA

Billed as a senior writer for the conservative *Weekly Standard*, journalist Christopher Caldwell reviews the current status of the US Republican Party. Caldwell proposes the following:

1) A stunning mid-1997 ABC/*Washington Post* poll, asking voters "Which party do you trust more to...", showed the Democrats besting the Republicans on practically all issues, including such Republican staples as taxes, crime, and budget balancing.

2) The Republicans have cause for worry. There is now no sense in which they are the sun of American politics. Far from it: they are a majority giving rise to second thoughts among those who made them one.

3) The Republican Party faces a crisis of confidence that has many symptoms -- repudiation in the most sophisticated parts of the country, widespread distrust of the Republican leadership, an inability to speak coherently on issues.

4) The Southern presence in the Republican Party has now passed a "tipping point". As southern control over the Republican agenda has grown, the party has alienated even conservative voters in other regions.

5) The most destructive interest group on the right is the NRA (National Rifle Association). The Republicans' rabidly pro-gun rhetoric has put the Democrats on the side of cops and crime control, the Republicans on the side of criminals and crime.

6) Successful parties create their own monsters. Reaganomics

helped to create a mass upper-middle class, "a national culture of childless yuppies who want gay rights, bike trails, and smoke-free restaurants."

Caldwell concludes his essay: "The Republican Party is an obsolescent one. It may continue to rule, disguised as a majority by electoral legerdemain. But it will be a long time before the party is again able to rule from a place in Americans' hearts."

(The Atlantic Monthly June 1998) (The Monday Review 8 Jun 98)

4. THE AMERICAN LEFT ON THE AUTOPSY TABLE

Journalist Alan Wolfe, reviewing two recent books on the American Left and American liberalism, suggests the following ideas concerning the recent history and present status of the Left in the US:

1) The Left in America invariably faces a choice between a course of moderation which may lead it to power but leaves its followers frustrated, and a heightened radicalization which reaffirms the faith but discredits it as too utopian.

2) Certain that any conflict between their vision and popular desires must be resolved in favor of the former, leftists all too often turn nasty, parochial, and sectarian.

3) The New Left of the 1960s, despite its early humanism and commitment to intellectual inquiry, eventually degenerated into violence and sectarianism. Suspicious of the larger society, it spawned collectives dedicated to democratic decision-making, which in turn led to paralysis and frustration. Guilty about the

middle-class backgrounds of its members, the New Left romanticized the lumpenproletariat and glorified its violence-prone way of life. Ashamed of its own country, it embraced the authoritarianism of Third World socialism. The New Left's anarchy bred irresponsibility, admitting through the back door the Leninism it had once forbidden to enter through the front.

4) At present, feminism and ecology, both of which view themselves as caring and protective of the vulnerable, in turn produced Catharine MacKinnon, surely the most illiberal thinker to have emerged in America in recent years, and Deep Ecology, an organization which would view the passing of the human race as not necessarily bad news.

5) To know why Americans are distrustful of liberalism, we need to acknowledge the unwillingness or inability of many liberals to look skeptically or critically at their own values and assumptions.

Wolfe concludes: "Liberalism has had a long and honorable tradition. Americans for a time supported its goals. Now they are no longer so sure."

(The Times Literary Supplement 22 May 98)

(The Monday Review 8 Jun 98)

(continued in Part 2)

----- Enclosure number 2 -----

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June 8, 1998

5. SCIENCE NEWS, STOCK PRICES, AND BOOK DEALS

A cogent example of the interaction of science, medicine, the media, the stock market, and personal riches came into public view recently. The scientific aspect involves "angiogenesis" in tumors, i.e., the origin and development of tumor blood vessels. This is an important consideration in the growth of cancerous tumors, since the tumor chemically provokes directed angiogenesis into itself with the end result that the tumor is supplied with oxygen and nutrients. Without angiogenesis, tumors can attain only a small size before becoming self-inhibiting.

The sequence of events in this episode was apparently as follows:

1) On Sunday, May 3, 1998, *The New York Times* ran a front page story by Gina Kolata, one of the chief science writers of *The New York Times*, and a reporter who has been writing about science for at least 30 years. The story concerned the two chemicals angiostatin and endostatin that have been known for some time to block angiogenesis in tumors in mice. The chemicals have never been tested in humans, they are not the only chemicals that achieve this effect, and they are not available as "drugs" that can be administered by a physician. But the thrust of the

story was that this was new information, the headline, "A Cautious Awe Greets Drugs That Eradicate Tumors in Mice." The story quoted Nobel Laureate James Watson as telling Kolata that Judah Folkman, one of the primary researchers in the field of anti-angiogenesis chemicals, "will cure cancer within 2 years" and "will be remembered along with scientists like Darwin as someone who permanently altered civilization. Kolata also reported that Richard Klausner, director of the US National Cancer Institute said the two chemicals were "the single most exciting thing on the horizon" for the treatment of cancer, and that they were the top priority of the National Cancer Institute.

2) On the afternoon of the same day the story was published in **The New York Times**, a New York book agent named John Brockman telephoned reporter Gina Kolata about the story and apparently told her he could get her a US\$2 million advance for a book on the subject. Kolata immediately began writing a book proposal, and sent the proposal via Email to Brockman within hours.

3) That evening, all major television networks highlighted the story that had appeared in **The New York Times**. Brockman sent the proposal to New York publishers at midnight of that first day, following the network news reports.

4) At 9:30 the next morning (Monday), Brockman informed Kolata that he already had the first offer from a major New York publishing house.

5) Also on Monday morning, the stock of EntreMed Inc. (US), the company that holds the rights to turn the two chemicals

angiostatin and endostatin into drugs, rose immediately from a previous Friday closing of US\$12 a share to a Monday morning

opening at US\$83 a share.

6) Also beginning Monday morning, oncologists and other physicians around the country found themselves deluged with inquiries from cancer patients, many of whom were saying they would be putting off chemotherapy to wait for the new drugs.

7) By the end of the week, the bubble had completely burst: Other reporters published stories revealing the chemicals named in the May 3rd *New York Times* story were already well-known, tested only on mice, and not available at all as drugs. Both Watson and Klausner backed off from their reported comments, saying they had been misinterpreted. The price of EntreMed shares fell back to \$30. Kolata withdrew her revealed book proposal after a discussion with her editors, and the agent Brockman already had a substitute deal in the works for a book on the subject by a reporter at another newspaper. Finally, around the country, physicians had the task of explaining to their patients that no, a miracle cancer cure was not yet available.

As expected, much is being written about this episode, with one question in the minds of many people: Why does this happen? Well, one reason why it happens is that these days news editors are prone to present features to their readers as "news". This was a feature article, and it should have appeared as an article in a magazine, and not on the front news page of *The New York Times*.

Secondly, the habit that reporters have of using direct sound-bite quotes from scientists to bolster the apparent

importance of their stories too often produces misinformation, inappropriate emphasis, and whatnot, and certainly there is a tendency to avoid quotes that reduce the significance of the "news". Science-news reporting propped and hyped to be "exciting" does a disservice to the public and can be dangerous as well. The James Watson comment, apparently, actually occurred during a conversation Kolata had with Watson *two months before* at a dinner table.

In summary, this so-called news story should never have appeared in the first place as "news", should never have included quotes from scientists with the quotes deliberately used to hype the material beyond any significance attributed by specialists, should never have been used as a prop for a quick lucrative book deal, should never have been reported the way it was by television broadcasters. The media, and in particular *The New York Times*, have been deservedly embarrassed by this episode, and the credibility of science-reporting by *The New York Times* has been seriously and unfortunately compromised.

[Editor's note: concerning the relevant science, background material can be found in the June 5th issue of SCIENCE-WEEK. For those who are not subscribers to SW, and who wish that material, it can be accessed (without charge) at:

<<http://scienceweek/sw980605.htm>>.

The anti-angiogenesis chemical endostatin was already noted in SCIENCE-WEEK in December 1997.]

(Science 15 May 98 280:996) (Science-Week 5 Jun 98)

6. GERMAN SCIENCE: ABDERHALDEN'S FRAUD REVISITED

Last year was not a good year for German biological and medical science, since 1997 was marked by a major fraud scandal involving two full professors apparently involved in the fabrication of data published in dozens of scientific papers during a 9-year period. That story is not yet finished (see background material below).

Now from Germany comes the publication of a "commentary" by two scientists, U. Deichmann and B. Muller-Hill, the commentary revisiting what has come to be considered the fraudulent career of German scientist Emil Abderhalden (1877-1950). Abderhalden was a biochemist involved in designing tests for various clinical disease entities, the tests involving what he called "defense enzymes" (Abwehrfermente), enzymes which he claimed to have identified, and which according to his analyses were specific proteases produced when humans were challenged by foreign proteins.

During the years 1912 to 1950, Abderhalden enjoyed the status of one of the most eminent scientists in Germany, was professor of physiology and physiological chemistry at Halle University, president of the oldest German academy of science (the Leopoldina), editor of several journals, and author of several books and more than 1000 research papers -- and all of this notwithstanding, the consensus today is that nearly all of his research on the so-called "defense enzymes" was completely fraudulent, with scores of colleagues and underlings either

explicitly or implicitly colluding in the fraud over a period of decades.

It is an ugly story with political tangents (e.g., Joseph Mengele, the notorious Auschwitz doctor, was one of Abderhalden's proteges).

In their commentary, Deichmann and Muller-Hill conclude: "The elite of today [the biomedical elite in Germany] are loyal students of the old elite, and they have learned and internalized the old values. Has medical, clinical science in Germany today really changed that much? We doubt it. The Brach-Herrmann-Mertelsmann affair provides a brief glimpse into the abyss of medical science in Germany. Will it be soon forgotten by the German medical elite, or will there be real change in the spirit of true science?" [Editor's note: Roland Mertelsmann, Professor Herrmann's department head, was co-author of 25 suspected papers produced by Herrmann, but has pleaded non-involvement in the research.]

QY: Ute Deichmann, Institute of Genetics, Cologne University, Weyertal 121, 50931, Koeln, DE.

(Nature 14 May 98 393:109) (Science-Week 5 Jun 98)

Related Background:

GERMAN RESEARCHER ADMITS FRAUD AND CHARGES ACADEMIC COVER-UP

Producing another chapter in the scientific fraud case that has caused an apparent sensation in Germany, Marion A. Brach, one of the accused scientists, has published a letter in the journal Nature in which she points out the following:

- 1) She has confessed to falsifying scientific papers;
- 2) she has resigned her position as a full professor at the University of Lubeck;
- 3) she does not believe further victimization is appropriate;
- 4) she has concluded that the various German investigating commissions met only with the intention of limiting damage to the German academic community rather than with the intention of discovering the full extent of culpability;
- 5) the German government has reneged on its legal agreement to provide her with severance pay following her early confession and resignation;
- 6) official bodies have found it expedient to imply that she was the major or only culprit in the affair.

QY: Marion A. Brach, c/o Walter F. Kalthoff, Pacellistr. 14,
D-80333, Muenchen, DE.

(Nature 2 Apr 98) (Science-Week 17 Apr 98)

Related Background:

MORE DEVELOPMENTS IN GERMAN SCIENTIFIC FRAUD CASE

The scientific fraud case that has been shocking the German intellectual community these past months, and which is claimed to be the worst case of scientific fraud in that country since 1945, continues to be a public spectacle.

The scandal involves two German molecular biologists, Marion Brach (who has resigned as a Professor at Lubeck University), and Friedhelm Herrmann (a suspended Professor at Ulm University).

Brach has admitted falsifying published data while she worked under the supervision of Herrmann at the Max Delbruck Center for Molecular Medicine a few years ago.

Herrmann claims he is only a clinician and had nothing to do with the laboratory bench work. Herrmann is a prominent hematologist and a leading genetic therapy researcher.

The two biologists had worked together for some time, and each received professorships on the basis of that work. (Herrmann's salary was apparently US\$278,000 per year).

Now it has been announced that Herrmann is suing various academic investigators in the case for DM10 million (US\$5.6 million) in compensation for damage to his career. In addition, there is now a claim by a new investigation team that the two accused researchers also published falsified data earlier in their careers.

(Nature 11 Sep) (Science-Week 26 Sep 97)

AN UPROAR OVER SCIENTIFIC FRAUD IN GERMANY

The German scientific community was rocked by scandal this spring, and the resulting repercussions are apparently not yet complete. The brouhaha involves two German molecular biologists, Marion Brach (recently resigned as a Professor at Lubeck University), and Friedhelm Herrmann (a suspended Professor at Ulm University). Brach has admitted falsifying published data while she worked under the supervision of Herrmann at the Max Delbruck Center for Molecular Medicine a few years ago. Herrmann claims he is only a clinician and had nothing to do with the laboratory

bench work. Herrmann is a prominent hematologist and a leading genetic therapy researcher. The two biologists have worked together for some time, and each received professorships on the basis of that work. All of that work is now being investigated, and the German government has established a commission of international scientific experts to discuss research standards and the procedures for scientific oversight in German and internationally.

(Science 11 Jul 97) (Science-Week 18 Jul 97)

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By GRETCHEN MORGENSON

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Stock market investors around the world, frightened by the depth of Russia's economic turmoil and its possibly contagious effect on Latin America, rushed for the exits Thursday in search of safer places to put their money.

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Yeltsin's Foes Seek Shifts In Policy and Presidency

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By CELESTINE BOHLEN

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MOSCOW -- Pressure mounted on President Boris Yeltsin to cede some of his powers or step aside as Russia's political leaders frantically negotiated over fundamental changes in the country's economic policies.

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Blast Suspect Held in U.S. Is Said to Admit Role

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By DAVID JOHNSTON

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WASHINGTON -- Federal authorities brought a suspect in the embassy bombings in Africa to the United States, saying he had admitted that he was trained at terrorist camps in Afghanistan by Osama bin Laden.

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Fatal Plane Crash Could Have Been Prevented, Officials Say>

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By MATTHEW L. WALD

</NYT_BYLINE>

<NYT_SUMMARY>

WASHINGTON -- A deadly commuter-plane crash near Detroit last year could probably have been prevented if the Federal Aviation Administration had put into effect the lessons learned from a similar crash two years earlier, Federal safety officials said Thursday.

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Bedfellows In Russia: Old Guard and Moguls

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<NYT_BYLINE>

By MICHAEL R. GORDON

</NYT_BYLINE>

<NYT_SUMMARY>

MOSCOW -- The Acting Prime Minister, Viktor Chernomyrdin, is trying to negotiate a sharing of power between the remains of the Communist Party and the tycoons who arose from the ashes of socialism.

</NYT_SUMMARY>

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<NYT_HEADLINE>
From U.S. to Russia, No Answers and No Money

</NYT_HEADLINE>
<NYT_BYLINE>
By JOHN M. BRODER AND STEVEN ERLANGER

</NYT_BYLINE>
<NYT_SUMMARY>
WASHINGTON -- With Russia in economic freefall and only four days before a planned summit meeting between President Clinton and Russian President Boris Yeltsin, U.S. officials said Thursday that Clinton would go to Moscow with words of encouragement but no new money.
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<NYT_HEADLINE>
To Much Relief, Hurricane Fails to Live Up to Potential

</NYT_HEADLINE>
<NYT_BYLINE>
By KEVIN SACK

</NYT_BYLINE>
<NYT_SUMMARY>
WRIGHTSVILLE BEACH, N.C. -- Although the National Hurricane Center reported that the category 3 storm carried maximum sustained winds of 115 mph, there were few physical signs that its power had been that intense.
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<NYT_HEADLINE>
Now, Conflicting Views From Women Who Supported Clinton

</NYT_HEADLINE>
<NYT_BYLINE>
By JANNY SCOTT

</NYT_BYLINE>
<NYT_SUMMARY>
Many women have difficulty reconciling the President they support
on issues with his acts.
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<!-- ALSO IN TODAY'S TIMES -->
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<NYT_HEADLINE>
Connecticut Killing Shows Limits of 'Megan's Law'

</NYT_HEADLINE>
<NYT_BYLINE>
By MIKE ALLEN

</NYT_BYLINE>
<NYT_SUMMARY>
WILLIMANTIC, Conn. -- Connecticut parents are complaining that
"Megan's Law" has failed them, and lawmakers of both parties are
pledging to go back to work next winter to make the law even
stronger after the death of an 11 year-old girl.
</NYT_SUMMARY>
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<!-- ALSO IN TODAY'S TIMES -->
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<NYT_HEADLINE>
New York Council Approves Stiff Campaign Fund Rules

</NYT_HEADLINE>
<NYT_BYLINE>
By CLIFFORD J. LEVY

</NYT_BYLINE>
<NYT_SUMMARY>
The New York City Council voted overwhelmingly on Thursday to
tighten the city's campaign finance rules, seeking to reduce the
role of money in elections and to free candidates from fund-raising
chores.
</NYT_SUMMARY>
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<a href="/yr/mo/day/front/corrections.html"><font size=+1><b>Corrections</b></font></a>
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I've been surprised by how profoundly this has shaken me. On behalf of the 24-year-old girl that I used to be and the 46-year-old wife that I am now, I feel very shaken and betrayed on a personal level.


<br>

NELL MINOW of McLean, Va., <a href="/yr/mo/day/news/national/clinton-women.html">on President Clinton's relationship</a> with Monica S. Lewinsky.

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