

When in L.A. do as the Romans

For the current fiscal year, for instance, Medicaid would cover all treatments down to No. 587 — treatment for inflammation of the esophagus. In future years, Oregon lawmakers may cover more or fewer medical treatments, based on the state's fiscal situation.

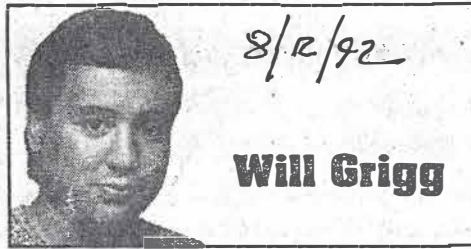
By no means is health-care rationing a panacea for all that ails America's health care system, but it deserves a trial run. The Bush administration should work with Oregon health officials to find a way to bring the state's rationing system into conformance with the Americans with Disabilities Act. Utah and all other states could then learn from Oregon's experience.

It often seems that America is determined to follow, point by point, the trajectory of other republics. The federal indictment of the four L.A. police officers who were acquitted in the Rodney King incident revives memories of similar incidents from the history of republican Rome.

Livy recounts the story of Caeso Quinctius, "A champion of the patrician cause," who effectively battled the mob. Roman politics were always volatile; by standing athwart the radical ambitions of the mob and the Tribune, Caeso earned a criminal indictment. (In Rome circa 461 B.C. — as in America, 1992 — it was not uncommon to criminalize Political Incorrectness.)

A Tribune named Aulus Verginius was Caeso's chief adversary. Predictably, Verginius was adept at mob politics. According to Livy, as Caeso's trial approached Verginius persuaded the mob that "Liberty depended upon Caeso's being found guilty." The trial was to take place in an atmosphere freighted with organized hostility; the verdict was never in doubt. Accordingly, Caeso fled into exile, leaving his father to forfeit a bail bond — and depriving Rome of a valuable citizen and war hero.

The persistent legal persecution of the acquitted L.A. policemen could have been transliterated from Livy. In the fondly-remembered days when America was a constitutional Republic, the prohibition against double jeopardy would have prevented the federal government from ignoring a legitimate verdict. But in Democratic, "pluralist" America, this is no longer



Will Grigg

At Home and Abroad

the case. Dirk Roggeveen of the Institute For Justice insists that the L.A. verdict has left an "unvindicated federal interest" that must be redressed, even at terminal expense to constitutional principles.

Writing in the current issue of Reason, Roggeveen protests that "to argue that 'double jeopardy' should prevent the federal government from conducting an independent prosecution is to argue for a system that allows local corruption to successfully thwart justice. It is to argue for a system where (protection against abuse of) state authority is secured only by that same authority."

But the problems cited by Roggeveen are not confined to government at the local level; they are magnified at every ascending level of government. Roggeveen would authorize the abuse of power by the central government in order to purchase "protection" against similar abuses by local authorities; how does liberty profit by

this transaction?

Furthermore, the concept of an "unvindicated federal interest" is troubling. How can the federal government act as a disinterested judge in a civil rights matter even as it strives to vindicate its "interests?"

When America was governed by the Constitution it was understood that the federal government derived its limited powers from the states. In the L.A. matter, and elsewhere in the tangled thicket of "civil rights" law, the contrary proposition prevails.

In this political melodrama, Compton City Councilwoman Patricia Moore has assumed the role of Verginius — the mob's designated accuser. During an appearance on "Nightline," Moore unbosomed herself of this erudite critique: "There's no question that the justice system sucks." Her abundant resentment overcoming her meager rhetorical skills, Moore ranged on:

"They (the policemen) must be found guilty; there is no question in our minds. How dare anyone say they were violated! ... How dare you sit there and tell us that we don't have a right to expect them to be found guilty?"

Livy informs us that when the masses overcame the law in republican Rome, the "fasces" (bundled rods that were the insignia of dictatorial authority) would appear. As Jose Ortega y Gasset observed, there is a name for a governing philosophy in which the masses impose their will through arbitrary state power: Fascism. No word better describes the temperament and approach of Moore and her comrades.

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UTA style

Editor:

I have been a faithful UTA rider (the Provo/Orem Salt Lake Express) and have enjoyed the service I have received. However, the way the riders are sometimes treated makes me think that UTA follows the motto of "inconveniencing the many to service the few or none at all."

First, the University of Utah started providing bus passes to their students which increased the number of riders on the route. On the first of May, another institution began providing bus passes to their employees and suddenly, it is standing room only on some of the buses.

Not only are the buses crowded going to and from Salt Lake, but many of the buses going to Provo are full after the first stop. I get off work at 4:30 p.m. and used to be able to catch the 4:40 to go home but now it is full at my stop and then I have to wait for the 4:50 and sometimes the 5:00 bus. I know of people who get on at the last downtown stop who have had to wait for the 5:10 bus in order to get a seat. The 5:10 doesn't arrive in Provo until 7:00 pm. UTA was aware of the problem and decided to run some test buses to see if they needed to be added to the

FBI's methods still fuzzy years after big case

WASHINGTON — A surprise visit by two FBI agents flicked the scab off an old wound for Yvonne Bushyhead — and in the process raised fresh questions about



engineering Peltier's extradition to the United States. Now he was in her living room seeking information.