



# Independent

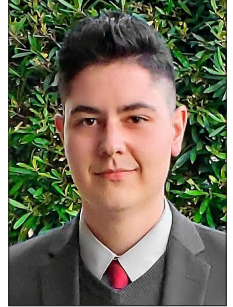
NEWSLETTER OF THE INDEPENDENT INSTITUTE

## IN THIS ISSUE

- 1 Lessons on Automated License Plate Readers
- 2 President's Letter
- 3 New Book: *The Right to Bear Arms*
- 4 Independent Institute in the News
- 5 *The Independent Review*: Symposium on Populism, Self-Government, and Liberty
- 6 Recommended Books on Higher Education
- 7 *El Independent*: Spanish-Language Website
- 8 Together, We Provide an *Independent Voice*

## Lessons on Automated License Plate Readers

By Jonathan Hofer



My newest report from the Independent Institute finds that automated license-plate readers (ALPRs) fail to justify their part in municipal mass surveillance. These cameras violate the liberties of the innocent and fail to catch the criminals—and they are seriously expensive. It's a lose/lose/lose situation America's cities don't need now—or ever.

In recent years, however, American cities have increasingly adopted license plate readers (ALPRs) for use by local police. The cameras are supposed to help deter vehicle theft, assist police in recovering stolen cars, and assist law enforcement in tracking down important investigative leads, such as locating a witness or identifying a suspect. But they have done nothing of the kind.

Analyzing sixteen years of numbers from Piedmont, California—a “super user” of ALPRs—we've found no statistical evidence that ALPRs are effective at giving law enforcement leads. In fact, less than 0.3% of ALPR scans on cars that were on active criminal databases provided meaningful information for police.

Moreover:

- We find that over 99% of total scans are useless;
- There is little correlation between ALPRs and stolen vehicle recoveries, let alone any apparent casualty;
- There is spurious evidence that ALPRs deter motor theft, despite fewer instances of car theft after Piedmont installed their cameras

And these failures were expensive. The city of Piedmont spent \$576,378.80 of taxpayer money for less individual liberty. And those costs don't even include regular maintenance. There is good news, however.

The report has already had an impact. City councils (for instance, in Urbana, Illinois, and Dayton, Ohio) recently rejected ALPR acquisitions as a result of the report. And, in Berkeley, California, the city council postponed further changes to the city's ALPR network and approval of their ALPR annual report after a tremendous show of force by community members referencing the paper during public comment. Heartening to see that good data can still drive out bad policy!

Stay tuned for my upcoming Policy Briefing which provides an in depth look into the practices and concerns of ALPR use in California. The report will be the Independent Institute's 13th report in the California Golden Fleece Award™ series, which focuses on highlighting waste, fraud, and abuse in California government.

Jonathan Hofer is a Research and Marketing Associate at the Independent Institute.



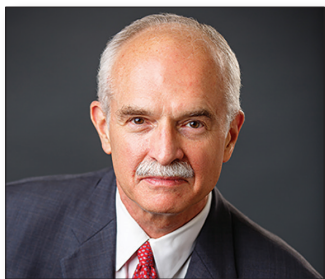
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## PRESIDENT'S LETTER

## "Never Let a Crisis Go to Waste"?



DAVID J. THEROUX  
Founder and President

I founded the Independent Institute 35 years ago, in order to boldly promote principled solutions rooted in limited government, free enterprise, civic virtue, the rule of law, and a respect for individual liberty and human dignity. Over time, our work has evolved, but our vision has not changed. We continue to light the way to liberty!

Over the years, we have witnessed challenges to these key principles, but the past two years have been exceptional in demonstrating just how vulnerable our freedoms and prosperity really are. The response of our government at all levels to the global pandemic threatens to undermine the very basis of our American way of life.

We've spent the past year

battling opportunistic politicians and bureaucrats who follow the motto "never let a good crisis go to waste." The greatest danger to our hopes for the future is the way our government is responding to the challenges before us.

At the Independent Institute, we have responded to this crisis—as to others before it—by creating rigorous studies with the key insights needed to effectively redirect public debate, building a consensus favoring market-based approaches and respect for individual liberty. It is one thing to identify a problem, but we also offer practical, enterprising solutions.

The change in federal administrations following the election in 2020 seems to be resulting in new challenges to our economic and civil liberties. Our researchers and fellows are uniquely positioned to bring their knowledge to bear, in exposing the government's "progressive" agenda and the negative outcomes of harmful policies.

Many of these government-created problems existed well before the global pandemic and were significantly exacerbated once lawmakers saw a window of political opportunity to override our freedoms and increase our

dependence on Big Government.

Thousands of businesses were deemed "non-essential" and forced to close. The healthcare crisis worsened. Unemployment skyrocketed to numbers not seen since the Great Depression. K–12 education was shut down. The federal deficit exploded by an additional \$3.7 trillion. And we watched as cities were looted and burned—and dozens of people were killed—as unchecked rioters took to the streets.

Through all of this, and in the face of turmoil, we have a real reason for hope. Your support helps us educate and inspire people—young and old alike—on how enterprising solutions can be crafted, a necessary alternative to witnessing the government take more control and accomplish less.

Thank you for being a key partner of the Independent Institute as we stand together in our quest for a better future, with compelling, innovative approaches for advancing civil society and opportunity-creating policies!

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NEW BOOK

# The Right to Bear Arms

*The Right to Bear Arms*, the latest, award-winning book by the nation's premiere scholar of the Second Amendment, Independent Institute Senior Fellow **Stephen Halbrook**, is an exhaustive historical treatment of the fundamental individual right to carry firearms outside the home. Halbrook traces this right from its origins in England, the American colonies, the American Revolution, and the Constitution's ratification debates through the antebellum and postbellum periods (including the history surrounding the enactment of the Fourteenth Amendment), as well as the twentieth century up to the present day. Halbrook makes clear that this right is central to our Constitutional order and dear to generations of Americans. Given the new Second Amendment case before the Supreme Court, *New York State Rifle & Pistol Association Inc. v. Bruen*, the book could not be more timely.

## What They're Saying:

"In *The Right to Bear Arms*, Halbrook has provided a comprehensive, up-to-date review of the New York case pending before the U.S. Supreme Court, while elaborating on the historical and principled meaning of the Second Amendment. This book could not appear at a more auspicious moment. The reality is that the decision in the prior *Heller* and similar cases that the Second Amendment is a personal right and not a privilege afforded by governmental units is perhaps in greater danger now than it was before *Heller*. The evident temptations to rescind from the broadest implications of *Heller* have courts and judges seeking ways to water down that fundamental principle, and there is more than a little reason to fear some of that tendency emerging at the Supreme Court in the guise of identifying historical developments as qualifying the plain language of the Second Amendment. Halbrook greatly diminishes the prospect of a satisfactory

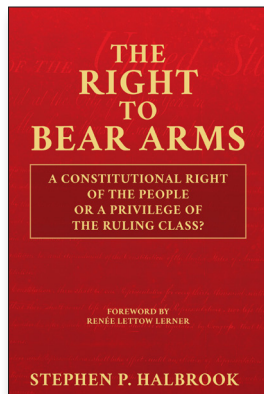
completion of that misguided task."

—**William B. Allen, Jr.**, Dean and Professor of Political Philosophy Emeritus, James Madison College, Michigan State University; former Chairman, U.S. Commission on Civil Rights

"In the extraordinary and timely book, *The Right to Bear Arms*, Stephen Halbrook—long a leading scholar on the origin and importance of the Constitution's Second Amendment—explains why the right to bear arms outside the home is not only fundamental to the individual's right to self-defense but is an indispensable foundation for popular sovereignty itself. For too long, 'liberals' and 'progressives' have denigrated the Second Amendment and fooled themselves into believing that if we could only regulate and ban guns, criminal activity could be curtailed. As we ought to have learned by now, this approach was naïve, dangerous, and counterproductive. Once again, and as the Supreme Court is poised to revisit interpretation of this most important amendment, Halbrook's wisdom is rare and invaluable."

—**Stephen B. Presser**, Raoul Berger Professor of Law Emeritus, Pritzker School of Law; Professor of Business Law Emeritus, Kellogg School of Management, Northwestern University; author, *Law Professors: Three Centuries of Shaping American Law*

"Stephen Halbrook's *The Right to Bear Arms* is a superb examination of a topic at the very core of Second Amendment controversies—the actual carrying of arms and the central role of self-defense in the American republic. His mastery of the legal and constitutional literature in this penetrating study is formidable and conclusive, presented in an historical



(continued on page 7)

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## Independent Institute in the News

### Center on Entrepreneurial Innovation

“We don't have a level monetary playing field. I do think that affects international trade and even hurts the case for free trade. What we did have under the Bretton Woods system, was increasing wages, we had excellent growth, that would be from 1944 to roughly 1973. We had less inequality of income. And President Obama referred to that era as 'the age of prosperity.' So there was much good to be said about that.”

—**Judy Shelton** on *Fox Business Network*, 8/5/21



JUDY SHELTON ON  
FOX BUSINESS NETWORK, 8/5/21

### Center on Health Choices

“Obamacare is the most flawed health system Americans ever created. If you combine the average premium and the average deductible people faced last year, a family of four with Obamacare insurance had to spend \$25,000 before getting any benefits from their Obamacare plan.”

—**John C. Goodman** in *Washington Examiner*, 9/13/21

“We should be concerned that health bureaucrats will frighten Americans with new variants to get us to continue to accept their “inconveniences” based on false claims of the safety they provide—much as the TSA has done with terrorism over the last 20 years.”

—**Benjamin Powell** in *The Hill*, 9/11/21

### Center on Educational Excellence

“Maybe we should use public policy to encourage more efficient, less costly ways to improve workplace success—teaching more people to be welders or long-distance truck drivers rather than gender studies majors.”

—**Richard K. Vedder** in *Forbes*, 9/1/21

### Center on Global Prosperity

“The lesson of Abimael Guzmán's life and death is not that Peru's rural poverty and urban marginalization created the conditions for Shining Path. The real lesson is that delusional fanatics armed with the ability to organize and motivate people can put the precarious foundations of civilization at risk.”

—**Alvaro Vargas Llosa** in *The Wall Street Journal*, 9/21/21

### Center on Peace and Liberty

“The Biden administration should realize the very fate of the republic could hang in the balance, push aside short-term and short-sighted power considerations, and wholeheartedly support a robust presidential reform agenda to rein in future excessive executive power—before the election season renders it too late for progress.”

—**Ivan Eland** in *The American Conservative*, 9/23/21

“While attention is currently focused on its withdrawal from Afghanistan, we must note that in prosecuting its war on terror, the U.S. government has also massively expanded its powers at home.”

—**Christopher J. Coyne** in *The Hill*, 9/3/21



ROBERT P. MURPHY ON  
THE JORDAN B. PETERSON PODCAST, 8/3/21

### Center on Law and Justice

“In (the upcoming Supreme Court case), New York government officials will likely argue that they should arbitrarily decide whether a person has ‘proper cause’ for self-defense. The Supreme Court will likely consider text, history, and tradition—which points to a right of the citizenry, one guaranteed by the Bill of Rights.”

—**Stephen P. Halbrook** in *The Hill*, 7/23/21



## THE INDEPENDENT REVIEW

## Populism, Self-Government, and Liberty Symposium

What is populism? Is it a threat to the republican experiment, or is authentic populism the animating spark that will keep our system vital?

Contributors to *The Independent Review*'s Fall 2021 symposium examine populism in crossing standard political boundaries and try to make some forecasts about the future. Here's a quick rundown.

**Pierre Lemieux** (Université du Québec en Outaouais) notes, quite rightly, that there is a logical contradiction at the heart of populism. Populism, a regime in which the people rule, is impossible, because it is not clear who "the people" are, and what they want is even less so. Little wonder populism often ends up requiring a ruler who claims to incarnate the people but who, in reality, favors just a selection of the people, to the detriment of the rest.

**Randall G. Holcombe** (Florida State U.) extends the idea that populist means can be inconsistent with populism's supposed ends. Populism begins with the promising idea that government seeks to act in the best interests of its citizens but ends with the unsavory notion that government should enact their will, shifting more, not less, power to elites.

**Bruce P. Frohnen** (Ohio Northern U.) points out that populism, defense of rule by and for the common people, emerged in response to a problem: how best to enjoy ordered liberty in a democratic society? Ordered liberty, however, requires a responsible citizenry steeped in faith and family and jealous of local freedoms. Unfortunately, the corruption of such a citizenry by a managerial elite has wrecked these things, endangering American constitutionalism itself.

Philosopher **John J. Thrasher**



THE INDEPENDENT REVIEW  
FALL 2021

**IV** (Chapman U.) focuses on three distinct but interrelated notions of populism. The first is a theoretical claim, which holds that the only legitimate political order is one that, through legislation and political leadership, directly represents the will of the people. The second goes further, deploying the "will of the people" to weaken political elites and insiders. Finally, the third form of populism de-emphasizes (but does not ignore) politics in favor of concerns for culture. Of the three, the third is the most benign, but all should be kept in their place, lest they threaten liberty.

**William J. Watkins, Jr.** agrees that the U.S. Constitution has built-in restrictions that limit the power of majorities but also argues that the rise of the administrative state has compromised the potency of elections. The people, however, possess what Watkins calls "constituent power," and it is quite effective. This constitutional populism adopted the Constitution, amended it, and may yet be used today to challenge the rule of the technocrats.

**Richard P. Adelstein** (Wesleyan U.) defines populism as a political movement animated

by the alienation of "the people" from the institutions of government. Members of such movements have come to see state institutions as dominated by a corrupt, self-perpetuating elite. He distinguishes two varieties: (1) reform populism, in which populists are brought emotionally and politically into the governing institutions; and (2) revolutionary populism, in which the populists separate to form a new government or try to use revolutionary tactics to bring down existing institutions, in hopes of replacing them with more responsive organs.

**Johan Wennström** (Research Institute of Industrial Economics) brings in a broader perspective, considering the roots of populism in European liberalism. He claims that the convergence (bordering on consensus) of the "mainstream" left and right parties around the core notions of liberalism is actually the most likely explanation of populist discontent.

**Jennifer Brick Murtazashvili, Ilia Murtazashvili, and Tymofiy Mylovanov** (U. of Pittsburgh) agree that Donald Trump's presidency raised fears about populist pressure on civil and economic liberties. But predictions about the death of democracy in the U.S. are considerably off the mark, because American institutions are robust. Trump was constrained by democratic norms, election procedures, an independent judiciary, and polycentric federalist governance—as is every American leader. Ironically, Trump did almost nothing to expand the institutional powers of the presidency—in fact, it can be argued that he reduced them.

Finally, **Jeffrey M. Carroll** (U. of Virginia) begins with the odd-

(continued on page 7)

## Recommended Books on Higher Education

By Williamson M. Evers

American colleges and universities have been facing major challenges for years: inadequate student achievement, graduates ill-prepared to meet employers' needs, high costs, a broken federal student loan program, falling enrollments, declining public support, and a rising number of school closures.

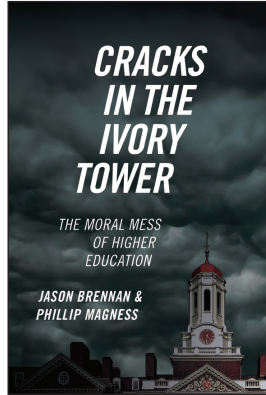
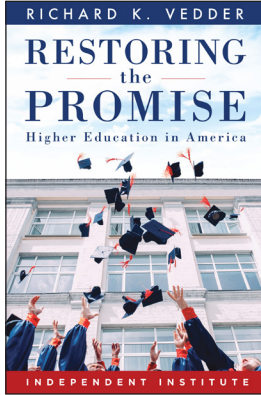
Although the cracks are increasingly apparent for all to see, the causes are usually out of public view and long in the making. Our higher education reading list comprises a wide range of issues and insights on such topics as the incentives and constraints of higher education; racial preferences in hiring and admissions; politicization and cancel-culture restrictions on speech; tenure; fraud and misconduct in research; adjudicating sexual assault cases on campus; "reform" calculus; the decline of traditional liberal arts education; and more.

If the dons of higher education are not willing and able to enact the reforms necessary to improve matters, it is incumbent on alumni and the general public to exert appropriate pressure. Our online bibliography on higher education, a project of the Independent Institute's **Center on Educational Excellence**, can serve as a springboard for fruitful discussion. It will be expanded and refined as important new scholarship and analyses come to light.

And, if you can read just one item on our list, make it *Restoring the Promise* by **Richard K. Vedder**. If you can read only two, make your second *Cracks in the Ivory Tower* by **Jason Brennan** and **Phillip W. Magness**.

*Restoring the Promise: Higher Education in America*, by **Richard K. Vedder**. Independent Institute, 2019.

Throw out your volumes from the Carnegie Commission, relegate William Bowen and Derek Bok to lower shelves. With *Restoring the Promise*, Richard Vedder, a true expert on the subject, has



given us in one book the facts and analysis we've long needed on all matters higher educational. Is too much indoctrination by college professors going on? Is the slogan "college for all" encouraging student-loan delinquency? Are colleges using monopoly

power and government funding to charge too much tuition? Are administrators building bureaucratic empires? Are there all too many university employees who do not contribute to student learning? The answers are in this truly excellent book.

*Cracks in the Ivory Tower: The Moral Mess of Higher Education*, by **Jason Brennan** and **Phillip W. Magness**. Oxford University Press, 2019.

This book is a data-rich investigation on how perverse incentives lead to institutions underperforming when it comes to imparting skills and knowledge to their students. Aeon J. Skoble says, "In general, Brennan and Magness think that we can understand the causes of most of what we complain about if we understand the way incentives matter to people's decision-making..."

"The role of incentives is one example; another is the reality of trade-offs. Since every dollar of the university's budget that is spent on Thing One is therefore not available to be spent on Thing Two, the justification for Thing One has to involve more than just 'it would be good,' but furthermore that it's a better use of funds than Thing Two. And the same is true with respect to government funding for higher ed—every dollar spent on higher ed is a dollar not spent on, e.g., health care. Are the trade-offs worth it? How would one know? ... Brennan and Magness do a thorough job showing why the problem isn't 'increased corporatization,' 'neoliberal ideology,' 'massive funding cuts,' or several other bugbears."

(For further information see [independent.org/higheredreadings](https://independent.org/higheredreadings).)

## El Independent: Spanish-Language Website

Almost 200 years after the Industrial Revolution, it is a tragic circumstance that half of the world's population lives in poverty and misery—many of them in Latin America.

The solutions to such poverty lie in institutional change, which can occur only when we shift what people think about individual liberty, private property, and market-based solutions. To foster these shifts—which then lead to changes in popular attitudes toward economic freedom—the Independent Institute created the **Center on Global Prosperity**.

Alvaro Vargas Llosa is a Senior Fellow of the Center on Global Prosperity and has been a nationally syndicated columnist for the Washington Post Writers Group. His book *Lessons from the Poor: Triumph of the Entrepreneurial Spirit* won the Templeton Freedom Award.

One of the Center's most important projects is its Spanish-language website and blog, which bring pro-liberty ideas in Spanish to the many countries in Latin America (and Spain...and the United



ALVARO VARGAS LLOSA



GABRIEL GASAVE

States) where these views might otherwise not be seen. Independent Institute Research Fellow Gabriel Gasave directs our Spanish website and blog and translates the Institute's articles into Spanish. In addition, he discusses liberty, peace, and prosperity at various

academic events and media appearances in Latin America. And his success has been pronounced.

Our website *El Instituto Independiente* ([elindependent.org](http://elindependent.org)) has almost 1,700 Spanish translations of commentaries and articles from our English website. Our Spanish-language blog *Voces de Libertad* ([independent.typepad.com](http://independent.typepad.com)) has nearly 50,000 posts, and since its inception in November 2005, it has drawn more than 9 million viewers.

As of early March 2022, the website and blog have 27,223 Facebook followers, and on Twitter, we have posted 37,167 tweets since we joined that network on 8/20/09. The top 10 countries from which visitors come are Venezuela, Colombia, Argentina, Peru, Ecuador, Mexico, Chile, Spain, USA, and Brazil.

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### THE RIGHT TO BEAR ARMS

(continued from page 3)

narrative rich in detail. It will be crucial reading for the legal community actively involved in the fight for the Second Amendment, as well as to all who are students of liberty. In his long and highly productive engagement with the right to bear arms, this great scholar has explored his subject from many angles in many books. This one is a powerhouse.”

—**T. Hunt Tooley**, Professor of History, Austin College; his books include *The Great War: Western Front and Home Front*, *National Identity and Weimar Germany: Upper Silesia and the Eastern Border, 1918-1922*, and *Ethnic Cleansing in Twentieth-Century Europe*

### POPULISM, SELF-GOVERNMENT, AND LIBERTY SYMPOSIUM

(continued from page 5)

ity that the term “populism” is pejorative, yet broad enough that it is used to denigrate both Donald Trump and Bernie Sanders, two 2020 presidential candidates who shared very few policy goals. But, of course, the notion that populism can be dangerous

is much older; Riker's 1982 juxtaposition of populism and liberalism simply resurrects a contention that dates to the Federalist versus Antifederalist debates of the eighteenth century, which have in some ways been with us ever since.

## OUR MISSION

Together, We Provide an Independent Voice

The Independent Institute remains firm in its commitment to steer clear of government funding of any kind. An *independent* voice—one guided by thorough research and the principles of a free society—is crucial for solving our most pressing social and economic challenges. This is why we rely solely on tax-deductible contributions from supporters like you. Your generosity ensures that we remain fully equipped to promote the innovative, robust, and liberty-affirming policy solutions that we are known for.

You can support our mission in a variety of ways:

- **Cash Gifts.** Your charitable donation can be made by check (see the enclosed envelope) or online at [www.independent.org/donate](http://www.independent.org/donate).
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- **Employee Matching Gift.** Double your impact by using your employer's matching gift program.
- **Stock Gifts.** Donate shares of publicly traded stock to Independent and avoid incurring a capital gains tax when the stock is sold. You will also receive a charitable income-tax deduction,



usually equivalent to fair-market value as determined by IRS guidelines.

- **Retirement Plan Gifts.** Your retirement plan assets (those in qualified plans and IRAs) are ideal for charitable giving.
- **Donor-Advised Funds.** More donors are increasing their impact by using charitable investment accounts to grow invested funds tax free!
- **Legacy Giving.** Members of our *Safe Harbor Legacy Society* ensure that future generations will learn and benefit from our work. Leave a bequest to the Independent Institute by adding us to your will or drafting a new one, and the assets will be exempt from estate taxes.

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