

SOLVING AMERICA'S GREATEST **CONFLICT**

THE PUBLIC
INTEREST **VS** **PRIVATE**
RIGHTS



MIKE GEMMELL

Solving America's Greatest Conflict: The Public Interest vs. Private Rights

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Solving America's Greatest Conflict:

The Public Interest vs. Private Rights

Mike Gemmell

Preface

This publication will identify the central issue causing the significant cultural ills America is experiencing in the early part of the 21st century and demonstrate how this issue has manifested its destructive influence in the U.S. over its 200+ year history. The purpose of identifying this central issue is to present the “what” and “why” of America’s cultural ills in today’s world as well as a discussion of how to address these ills. In developing this presentation, I hope to “prime” readers for a longer work to follow: *Grassroots Solutions: The Key to Restoring Our American Republic* which will elaborate and expand on the arguments presented here with specific approaches and measures to reform America’s cultural ills in the 21st century.

This work presents the necessary intellectual foundation for *Grassroots Solutions...* by demonstrating the unique destructiveness of the principle commonly known as the “public interest.” Due to its misuse, this principle has poisoned and corrupted U.S. culture over its history. It is also known by names such as: the “greater good,” the “common good,” the “general welfare,” and the “good of society” among other designations, and is loosely used to refer to “people in general but no one in particular.” Due to its nature as an abstraction, social commentators have nearly always failed to recognize the uniquely destructive nature of the “public interest.”

One final note before plunging into an explanation concerning its destructive nature: I wish to emphasize that there *is* in fact a legitimate—and vitally important—application of the public interest principle in a freedom-based society and that special case will also be presented in the text to follow.

Introduction

To understand the relationship of the principles “rights” and the “public interest” to the health and well-being of U.S. culture, we need a brief survey of mankind’s and America’s historical/philosophical roots. This survey will give us an understanding of mankind’s long, tortuous path from autocratic government to one based on preserving the individual’s freedom to act in his/her own self-interest. But to identify key mileposts on that tour, we, first, need a definition of “rights.”

A concise and definitive definition of rights was developed by novelist/philosopher Ayn Rand and presented in her seminal essay, “Mans Rights,” *Capitalism: The Unknown Ideal*, 1965 where she states:

A “right” is a moral principle defining and sanctioning a man’s freedom of action in a social context. There is only one fundamental right...a man’s right to his own life...Life is a process of self-sustaining and self-generated action...The concept of a “right” pertains only to action—specifically to freedom of action. It means freedom from physical compulsion, coercion, or interference from other men.

* * *

Most historians trace the birth of democracy to events that took place in Athens, Greece in the year 510 BC. At that time, the overthrow of a local dictator was followed by changes in the city’s legal structure allowing citizens to vote directly on

legislation and executive bills. The “citizens” who were eligible to vote were restricted to males and consisted of about 30% of the total population with women, slaves, and foreign-born residents being excluded. Prior to this time, the citizenry of Athens and every other community around the world had little say-so over civic affairs. Kings, monarchs, pharaohs, and those claiming to be of royal blood and/or descended from the gods ruled with almost complete autonomy.

Although Athens’ experiment with democracy gave more power to the citizenry than an oligarchy or monarchy, it was far from a political system that upheld the rights of the individual in any fundamental way. Its most famous victim was the philosopher Socrates (470-399BC) who was put to death when one faction within the city who felt threatened by Socrates’ ideas and influence on the city’s youth managed to trump up charges against him and manipulate the majority of Athens’ citizenry to vote for his execution.

The first signs in the historical record of the importance of an individual life and the pursuit of personal happiness appear to have been several generations later with the ideas of Greek philosophers Aristotle and Epicurus. Aristotle proposed the pursuit and achievement of individual virtue as an individual’s primary purpose of living. Epicurus expanded upon Aristotles’ ideas to propose that individual virtue was an essential part of achieving the primary purpose for the living of one’s life: the pursuit of one’s personal happiness.

Progress toward a system of government based on protecting the welfare of the individual was made during the Roman Republic of the first century BC with the creation of the Roman Senate, the predecessor for the British parliament and American Senate legislative bodies. Unfortunately, this progress was tragically reversed with the Roman Republic’s degeneration into

empire and the eventual fall of the Roman Empire ushering in the Dark Ages across the European continent and much of the rest of the world.

The two most prominent and influential intellects helping to lead humanity out of the darkness and into its “brightest” days of the 18th century Enlightenment era were Francis Bacon (“Nature to be commanded must be obeyed”), and Isaac Newton who with his experimental verification of several fundamental laws of physics swept aside the last vestiges of mysticism in the vast majority of educated people in the 18th century.

The Enlightenment era of the 18th century was one of the most dynamic in history and brought forth breathtaking advances in science, industry, and the humanities, all of which contributed to a phenomenal increase in economic prosperity in the Western world. The era was fueled by a spirit of boundless optimism emanating from a culture-wide respect for the human faculty of reason and paved the way for three cultural revolutions with the last of these leading to the birth of the United States of America, the world’s first constitutional republic. In the years prior to America’s birth, that spirit served as the fuel for the Scientific and Industrial Revolutions that demonstrated nature’s laws could be understood and utilized to greatly enhance human life. The American Revolution completed the Enlightenment metamorphosis of the Western world by demonstrating that mankind needs rights to flourish in a social context and a government whose primary function is to protect those rights.

Although there were conflicting ideas present among America’s Founding Fathers and our foundational documents such as The Declaration of Independence and the Constitution, the most obvious being the raging rhetoric over the legalization of slavery, the predominant sentiment was a rousing defense of personal freedom and the rights of the individual:

“A free people claim their rights as derived from the laws of nature, and not as the gift of their chief magistrate.” - Thomas Jefferson, “Rights of British America,” 1774

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With such an excruciating and storied climb taking over *two millennia* to reach the apex of human achievement and development as represented by the Enlightenment era and the birth of the world’s first constitutional republic, one would think that the United States would lead mankind upward in a path with little resistance from that point forward. Unfortunately, that has *not* been the case. Although many celebrated the optimistic outlook and dynamic atmosphere of the Enlightenment age, some feared the changes occurring and sought to stop the forward evolution of mankind by undermining its philosophical and moral foundations:

“Everything that is now most admired, the effect is certain, the depravity is real, and our souls have been corrupted in proportion as our sciences and arts have advanced toward perfection.” – Jean Jacques Rousseau

Compounding the tragedy of influential intellectuals such as Rousseau rejecting the Enlightenment’s dynamic nature was the fact that neither the Founding Fathers nor those that followed them were able to properly identify and/or address certain key omissions and contradictions in the philosophical foundation of the world’s first republic. As a result, Jefferson’s ringing endorsement of individual rights in the late 18th century—representing the apex of human evolution after a *two-millennia* struggle—was followed little more than 200 years later by a sentiment that was the polar opposite by Barrack Obama, the 44th President of the United States (2009-2017) with his proclamation:

“We must heed the call to sacrifice and uphold our core ethical and moral obligation to look out for one another and to be unified in service to a ‘greater good.’ Individual actions, individual dreams, are not sufficient. We must unite in collective action, build collective institutions and organizations.”

The differing perspectives expressed by Jefferson and Obama concerning the welfare of the individual vs. that of the “public,” or as Obama put it the “greater good” illustrate the contrasting ideas at the heart of the bitter cultural struggle now occurring across America.

This work will address and attempt to resolve this conflict once and for all so that the damage that has been done by the misapplication of the public interest principle to the rights and prosperity of the individuals throughout the U.S. can be stopped and eventually reversed. How this conflict is resolved will determine nothing less than America’s future because only by reversing the damage done to the foundation of individualism in America can the U.S. once again become a true republic.

I would like to express my most profound gratitude to Dr. Jay Lehr for bringing to my attention the need for stressing the sacred nature of rights, its philosophical/historical evolution prior to the birth of the United States, and its relationship to the theme of this publication. – Mike Gemmell

The Country of the Enlightenment

Rousseau—in addition to other philosophers and social commentators at the time of the Enlightenment and since—chose to reject the changes brought on by the dynamic age and did everything possible to undermine them. He was successful in France influencing the French Revolution and the anti-reason-fueled bloodbath it became. America, however, had a culture-wide respect for reason combined with a spirit of individual sovereignty that went much deeper and was consequently harder to undermine. The American Revolution was inspired by a respect for reason and an explicit belief in individual rights that was made an integral part of our Constitution:

“Fix reason in her seat and call to her tribunal every fact every opinion...” - Thomas Jefferson in a letter to a nephew.

“Rights are not annexed to us by parchments and seals...They are born with us, exist with us; and cannot be taken from us by any human power without taking our lives. In short, they are founded on the immutable maxims of reason and justice.” - John Dickinson

The Public Interest vs. Private Rights: The Origin of the Conflict

Although America's philosophical foundation was more firmly anchored than France's, it had an unrecognized problem that would, over time, cause an unraveling of U.S. culture:

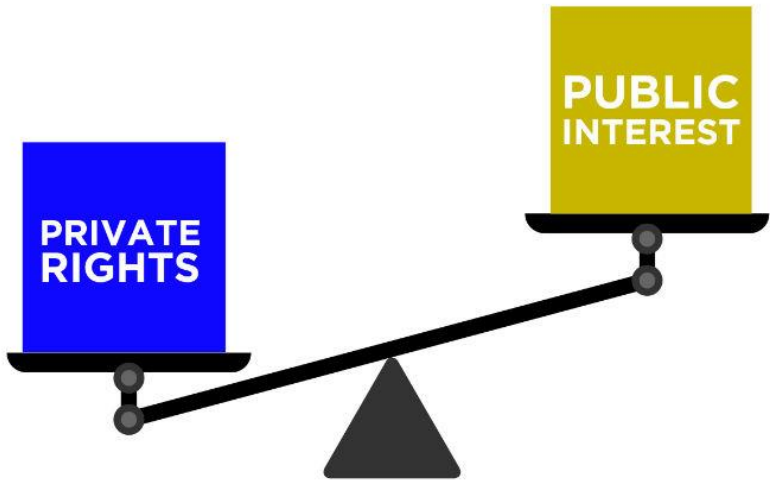
The necessary foundational ideas supporting the existence of private rights were not explicitly identified.

As a result of this oversight, over a period of years the moral status of the "public interest" became elevated above that of private rights. As we will see, this philosophical oversight eventually led to a series of actions that undermined the health and welfare of the U.S. economy and an ever-widening destructive swath across American culture into the present day.

The two key factors contributing to the granting of an elevated moral status to the public interest over private rights were:

1. The foundational ideas needed to properly support and defend the principle of individual rights had not been explicitly identified at the time of America's founding.
2. An influential group of European and American intellectuals e.g., Rousseau, were thoroughly committed to subverting the dynamic cultural changes of the Enlightenment era such as the emergence of the belief in the moral sovereignty of the individual.

As a result, the public interest over time has been given an elevated moral status above private rights (See figure below) thereby becoming the catalyst for a seriously deteriorating state of affairs in the politics/culture of the U.S.



Elevating the Moral Status of the “Public Interest” above Private Rights

Private Rights Without an Adequate Moral Foundation: A Recipe for Disaster

The principle of the public interest was known during the founding days of the U.S. as the “general welfare” and was mentioned explicitly in the Constitution. The General Welfare principle over time also became known by terms such as the “common good,” “greater good,” “good of society,” and the “public interest.” It was regarded as a “mere grammatical quibble” by Thomas Jefferson, but, unfortunately, history has shown it to be anything but that.

Virtually every expansion of government power at the local, state, and federal level has been justified by reference to the “general welfare” clause of the Constitution.

The conflict between the use of this clause and the principle of rights can be observed in statements by Justices Chase and Iredell in the Supreme Court decision of *Calder vs. Bull* in 1798—only *seven* years after the ratification of the Constitution and the Bill of Rights:

“It seems to me that the right of property, in its origin . . . is conferred by society. . .” – Justice Chase

“Some of the most necessary and important acts of Legislation . . . are founded upon the principle, that private rights must yield to public exigencies.” – Justice Iredell

These two statements essentially say the general welfare (*never* defined) of society trumps the rights of the individual on an issue of fundamental importance to the Founding Fathers: personal property. This raises the obvious question:

Why did two Supreme Court justices believe the rights of the individual were subservient to society, i.e., the public interest, only seven years after the Constitution became the law of the land?

Unfortunately, Justices Chase and Iredell did not understand the framework of ideas supporting the principle of rights. Because of that, they were not able to identify the proper context where the principle of individual rights should operate vs. the proper context where the public interest should be the proper operating principle. Their confusion echoed that of Founding Fathers such as Benjamin Franklin who stated that an individual had no right to his:

“superfluous property, whenever the Welfare of the Public shall demand such disposition. . . “

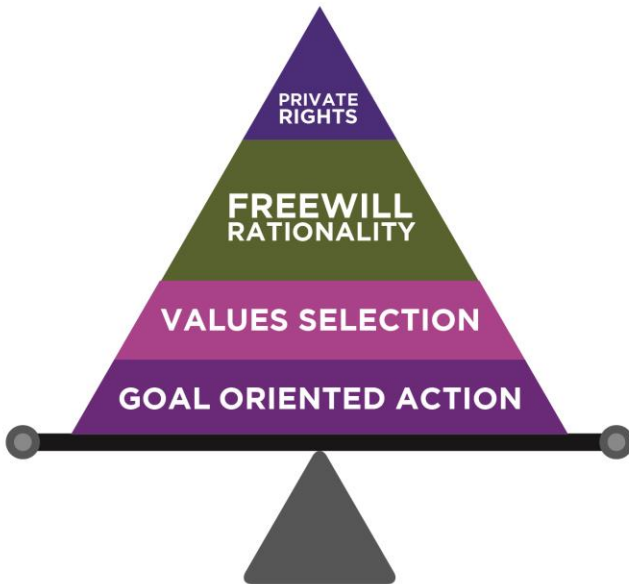
Franklin’s statement shows his lack of knowledge of what the “Welfare of the Public” is and how destructive it could be even though he was well acquainted with the dangers of unlimited majority rule from the history of ancient Athens and its use of a pure democracy in the time of Socrates and Plato.

Chase and Iredell’s legal opinions were among the first steps to chip away America’s intellectual foundation due to their lack of understanding concerning *the foundational ideas that rights rests upon*. That inadequate understanding prevented them from grasping the destructiveness of their decision.

We will now review that framework and its relationship to the principle of rights.

The Moral Foundation Needed to Support Private Rights

The framework of moral principles supporting private rights that Justices Chase and Iredell—in addition to Benjamin Franklin and the Founding Fathers—were unaware of is presented below and is described from the bottom layer progressing upward:



Foundational ideas supporting Private Rights

- *Goal oriented action* - needed to initiate activity to sustain life by animals and humans.
- *Values Selection* - guides the goal oriented action to specific values that sustain life.
- *Free Will combined with Rationality* as the unique set of characteristics that separates humans from animals and

has a profound effect on the values selected to sustain human life. (Source: Ayn Rand, “Mans Rights,” *Capitalism: The Unknown Ideal*, 1965.)

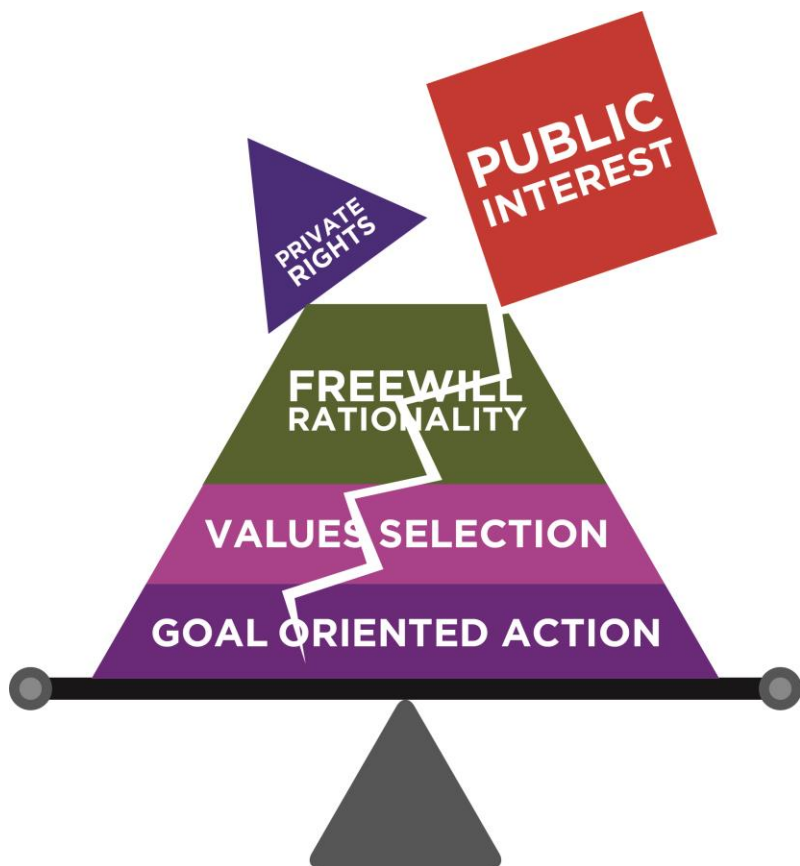
The proposition I will be presenting in the text to follow is that the full hierarchy of principles shown here *must* be intact and unharmed for the top of the pyramid, i.e., *Private Rights* to be supported. Without the full hierarchy maintained *intact and unharmed*, human life will be damaged, and even destroyed. With this as our beginning premise, we can now proceed.

Question: *What idea or principle would damage the foundation beneath our individual private rights and as a result threaten the function of rights?*

Answer: *Something that undermines the functioning of our rational faculty, thereby affecting our sense of personal responsibility; and nothing undermines that faculty more than the use of force or coercion.*

Individual humans cannot live without the use of a rational faculty. Either we use it to sustain our lives or someone else uses theirs to sustain our life for us. There are no exceptions to this truth. What we will see in the example to follow is that the single greatest force of disruption in the U.S. to the functioning of our individual rational faculties is the misuse and misapplication of the “public interest” principle in public policy. The figure below

illustrates what happens when the public interest principle is misapplied.



The misapplication of the public interest and its effect on private rights

Justices Chase and Iredell with their statements above have inadvertently shown us the way with their *favoring* of “society” and “public exigencies” over that of the private rights of the individual. Their statements reveal a serious error because:

Society as a whole is not a living entity; it is an abstraction, or concept. Society does not experience, feel, or reason, only individuals within a society can do that. Because society is not alive it cannot have moral status, something that Justices Iredell and Chase did not understand—in addition to many others before and since their time.

The example to follow concerning the public funding of science will show that granting moral status to “society” thereby elevating the public interest over private rights undercuts the rationality of the individual by destroying the ability to objectively assess costs vs. benefits. In addition, it leads to:

- Influence peddling and cronyism, and
- entrenching of an inflexible, largely unaccountable establishment (not to mention one that has a strong tendency toward dogmatism and insufferable arrogance)

The Public Funding of Science...and its Destructive Effects

The public funding of scientific research represents an historical episode where all of the abuses noted above occurred, e.g., influence peddling, and continues to occur in the present day. This episode has managed to entrench a largely unaccountable establishment that in turn has established unchallengeable scientific paradigms, e.g., human activity is causing “climate change” through increased CO₂ concentrations in the atmosphere from manmade sources. Those promoting this paradigm in particular have clung to it with incredible tenacity even in the face of overwhelming evidence that it possesses serious flaws. (Other paradigms that are similarly unchallengeable but less publicized are listed below in the section “**The Aftermath...**”) In addition to the damage to innovative and independent thinking that clinging to paradigms has caused in the scientific community, the public funding mechanism has also been instrumental in launching what has become one of the most destructive ideological movements in human history: *environmentalism*.

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The Climategate scandal of 2009 brought to light glaring problems in *publicly* funded science and is a grim example of what can go wrong when an issue i.e., the funding of science is wrongly designated as an issue of “public interest.” The “intellectual run-up” to the eventual public funding of science began in the early 20th century, via the gradual decline in individualism that had been accelerating for decades. Because of this decline, pursuits that had previously been conducted by private parties began to be placed in the public realm. Eventually, interested parties began to see scientific research as

an issue that belonged in the public realm and began to push for public institutions to reflect that belief. One of the leaders in that effort was Vannevar Bush.

Note: In the **Introduction**, I noted that “*there is in fact a legitimate—and vitally important—application of the public interest principle in a freedom-based society. . .*” The scientific research project led by Vannevar Bush during WW II is an example of the “legitimate” application of the public interest principle that I was referring to. The purpose of that application of the public interest principle was to protect and preserve American lives and the *rights* to live those lives in an environment without force or coercion, a universal human need. That distinctive characteristic—the universality of the need for rights—made Bush’s wartime research a legitimate example of an activity placed in the realm of the “public interest.” The specifics of that project and how it represents a proper example of the public interest principle being used to preserve rights are discussed in the following section.

The Honest Error of Vannevar Bush and its Effects

Vannevar Bush was able to greatly shorten the length of World War II and decrease American casualties by his leadership of the scientific research effort to achieve U.S. technological superiority in wartime operations via the National Research Defense Committee (NRDC). The creation of the NRDC was a vital aspect of the spectacularly successful effort of the U.S. to achieve technological superiority over the Axis forces of Germany, Italy, and Japan. There were two principal reasons for that achievement:

1. The economic system of America during WW II was much closer to a free enterprise system than the economic cartels present in Japan and the highly regulated economies of Germany and Italy.

2. The mission of protecting the rights of Americans was *reality-based* unlike the missions of the Axis powers that contradicted *reality* by their elevation of the moral status of the “State” or “Emperor” over that of the individual.

Because its mission was so “reality-based,” costs vs. benefits and other objective means of measuring its success could be properly applied.

* * *

At the end of WW II, America had achieved complete dominance of the skies above Japan. However, although the Japanese were virtually helpless against the American bombing assault at that point, they refused to surrender. Having a thorough understanding of this refusal to surrender is crucial to understand the reasoning behind America’s decision to drop the atomic bomb on Japan.

Conventional air superiority was not enough to induce the Japanese to surrender even after the firebombing of Tokyo cost the lives of 80,000 Japanese. This was because the spirit of the Japanese people had not yet been broken, and the American leadership realized they would not surrender until that occurred.

President Truman realized that there was no rational, moral basis for sacrificing additional lives of people who had *not* started the war, i.e., Americans, for the sake of those who *had* started the war, i.e., Japanese. Choosing an alternative ending to the war such as a blockade or a land invasion of Japan would have:

- Cost the lives of 10,000 U.S. POWs who were already on the verge of starvation in Japanese prison camps.
- Resulted in the loss of hundreds of thousands of American lives if a land invasion had been initiated.

- Cost hundreds of thousands of additional lives in a continuation of the Asian war started by the Japanese during the estimated 4-month period of time it would have taken for a blockade to take effect.
- Resulted in the deaths of 1 to 2 million Japanese who were already living on the edge of starvation.

Additional factors that helped Truman make the decision to drop the atomic bomb on Japan were:

1. The Japanese military machine was dispersed throughout civilian areas and was never limited to troops thereby making it impossible to bomb military targets without hitting civilians.
2. Civilians did not protest the thousands of troops dispersed in their cities and in fact many joined in the effort and prepared to die.
3. Truman and the American leadership reluctantly recognized the grim reality that due to the extraordinary level of indoctrination at that time in Japanese society there was essentially “no such thing as innocent civilians.”

Never was the need for being *reality-based* and to *objectively* assess costs vs. benefits more critical than in the decision to drop the atomic bomb on Japan, and President Truman made that gut-wrenching decision, one that I believe was the rational, *moral* decision to make.

Note: The story of the dropping of the atomic bomb on Japan is an undeniably horrific yet crucially important chapter in world history, particularly from the perspective of reaching an *objectively verifiable moral decision* for dropping the bomb. It is a story told with brilliant insight by John David Lewis in Chapter 7, “Gifts from Heaven: The American Victory over Japan, AD 1945,” in *Nothing Less than Victory*, 2010.

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So, what does the morality behind the dropping of the atomic bomb on Japan have to do with the public funding of science in peace time? In a word: *everything*.

Vannevar Bush did not fully understand the fact that even though the mission of the NRDC to achieve technological superiority in the American war effort was *reality-based*, that reasoning would not apply in a peacetime context when private rights were not being threatened by a foreign power such as the Japanese. Because of this, when the war was over Bush attempted to broaden the use of scientific research into peacetime activities. Unfortunately, he did not realize that the development of science during peacetime was *not* a universal interest, or need, of the public whereas

the scientific research effort during WW II concentrated on the saving of American lives and the rights needed to properly live those lives--a universal need.

As a result, his belief that costs vs. benefits and other objective means of measuring success for the public funding of science in peacetime could be properly applied was—mistaken. Unfortunately, catastrophically mistaken as will become evident...

He blurred the boundaries between wartime and peacetime science in “Science the Endless Frontier” where he contended:

“It has been basic policy that government should foster the opening of new frontiers... that new frontiers should be made available for development by all American citizens.”

In so doing, he ignored the distinction that making a frontier available, was not the same as funding it with public monies. Frontiers up to that time were typically tamed by individuals or small groups with well-defined interests rather than the entire public. Bush’s error was not challenged, and as a result widespread public funding of scientific research began in 1950 with the creation of the National Science Foundation and the National Institute of Health.

We exist as particular individuals, not as the “public.” The “public” refers to a collection of individuals but is not a separate entity. An analogy would be the use of the concept “table” that refers to specific instances of tables without the concept “table” being a separate existing entity. The public as a whole—with the exception previously noted— does *not* have an interest—only individuals have that.

Society as a whole is not a living entity; it is an abstraction, or concept. Society does not experience, feel, or think, only individuals within a society can do that. Because society as a whole is not alive, it cannot have interests or moral status.

Claiming that society, i.e., the public, has interests when it does not, leads inevitably to the following 4-step destructive process:

1. Declare an issue to be in the public interest.

Someone or some group of people publicly declare a particular issue is within the realm of the public interest and requires action.

2. Attempts at defining the issue lead to vague and/or arbitrary definitions.

The public as a whole—with the exception of the defense of rights, a universal need—does not have interests, only individuals do. Thus, trying to define an interest that does not exist is an exercise in futility and inevitably leads to vague and/or arbitrary definitions.

3. Limit the number of people/viewpoints in order to manipulate the decision-making process.

Without a clear definition of what the public interest is on any particular issue, *rational* decision making is impossible. Inevitably the situation degenerates into clashes between parties claiming to represent the public. The “establishment” becomes a magnet for every manner of corrupt practice, e.g., *influence peddling*, and because rational decision making is impossible, there is no choice but to limit proposals to those who are the most effective influence peddlers.

4. The situation degenerates with exploding costs and other problems leading to a final entrenchment of an establishment and purging of those with contrary viewpoints.

Costs vs. benefits in contracts between private parties are relatively easy to assess. The parties agree on a scope of work and a product to be delivered. The party purchasing the product designates someone or some group in particular to keep track of their interests. However, the entire public is, by definition, everyone in general but no one in particular. And when there is no one in particular to “mind the store” the situation invariably degenerates.

Arbitrary guidelines to try and control costs are inevitable, and the already entrenched establishment uses the crisis to further purge any remaining resistance.

The table below presents how this process has occurred in the public funding of scientific research in the United States.

Scientific Research in the U.S. Self-destructs via Public Funding

Step Identification	Resulting Effects From the Public Funding of Science in the U.S.
1. Declare an issue to be in the public interest.	Vannevar Bush led the way in placing the funding of scientific research into the public realm with the establishment of the National Science Foundation in 1950. He viewed science as a frontier that the government should open to all of the public.
2. Attempts at defining the issue lead to vague and/or arbitrary definitions.	In justifying the public funding of scientific research, Vannevar Bush arbitrarily, and mistakenly, claimed that public funding was necessary to achieve technological excellence in the marketplace. He ignored over a

century of scientific historical development via private sources in the U.S.

3. Limit the number of people/viewpoints in order to manipulate the decision-making process.

The beginning steps to limit the number of viewpoints for publicly funded science was the awarding of grants via the use of the prestige system. The prestige system had the most well-known authorities in each field serve on committees that reviewed grant proposals. Since proposals that deviated too far from an authority's views were unlikely to get funding, this approach served to entrench the views of the reigning authorities.
4. The situation degenerates with exploding costs and other problems leading to a final entrenchment of an establishment and purging of those with contrary viewpoints.

In 1950, average project costs in the National Institute of Health was \$9649, but by 1960 the average cost per project had skyrocketed to \$18,584.

Note: At the National Cancer Institute, the reigning authority was Wilhem Hueper and his “germ theory” of cancer. Hueper’s theory contended that cancer was largely created by industrial

society, but had very little evidence to support it. When Rachel Carson published *Silent Spring* in 1962 and launched the environmental movement, her anti-industrial perspective was based primarily on the views of Wilhem Hueper.

Note: the source material in this section concerning the 4-step degenerative process above, with some minor updates following its original publication, is: “Saving Science After Climategate: Recovering from the Loss of Scientific Credibility,” Jay Lehr, Ph.D. and Mike Gemmell, The Heartland Institute, May 2010.

The Aftermath: Entrenchment of the Anti-industrial perspective in Public Research Institutions

The public funding of science via the National Science Foundation and the National Institute of Health has led, among other things, to the entrenchment of Wilhem Hueper's theory of cancer that stated his *unsupported* belief that it was largely caused by industrial society. Edith Efron questioned this proposition and eventually demolished it in her scrupulously documented book, *The Apocalypitics*, (1984). However, by then the damage had already been done with the entrenchment of Huepers' and Rachel Carsons' anti-industrial views that became virtually unchallengeable in public research institutions, and have remained so into the present day:

"I consider cancer as a social disease, largely caused by external agents which are derived from our technology..." –
Umberto Saffioto, architect of the National Cancer Institute policy concerning carcinogen testing.

Other paradigms that have been entrenched in public research institutions include:

1. Cholesterol and saturated fats cause coronary artery disease.
2. Mutations in genes cause cancer.
3. Human activity is causing global warming through increased CO2 emissions.
4. A virus called HIV (human immunodeficiency) causes AIDS (acquired immune deficiency syndrome.)
5. The damaging effects of toxins are dose-dependent in a linear fashion down to zero. Even a tiny amount of a toxin, such as radiation or cigarette smoke, will harm some people.
6. The membrane-pump theory of cell physiology is based on the concept that cells are aqueous solutions enclosed by a cell membrane.

Source: “The Government Grant System: Inhibitor of Truth and Innovation? Donald W. Miller, Journal of Information Ethics, Spring 2007. Miller lists numerous scientists of significant standing that have voiced objections to each of these paradigms and have been denied grants and/or silenced e.g., Peter Duesberg, Willie Soon, U. Ravenskov, N. Hodgkinson, S. Lang, D.J. Calabrese, G.Ling, and G.H. Pollack, among others.

Summary and Conclusions

It should now be evident by this historical/philosophical review of the public interest's development and evolution that the misuse of the principle known as the "public interest" has caused catastrophic damage to the foundation of individualism and culture of the United States. Its misapplication began when it and other fundamental principles such as rights, equality, and justice were not properly defined in our founding documents.

The following truths should also now be evident:

- The misapplication of the "public interest" principle in the U.S. has caused enormous damage to our culture by elevating the moral status of an abstraction "society" above the private rights of individuals.
- The one legitimate use of the "public interest," i.e., an application consistent with the tenets of a free society, is in the defense of private rights such as occurred during World War II when Vannevar Bush led efforts to use scientific research to help the U.S. achieve technological superiority thereby shortening the war.
- The source of the problem behind the misapplication of the public interest principle is the lack of a proper definition of its meaning.
- The lack of a proper definition for the public interest principle played into the hands of intellectuals and social commentators who disliked the U.S. philosophy of individualism and the dynamic economy/culture it gave rise to. It gave them a tool to undermine the foundation of individualism in the U.S. and over time greatly

expand government intrusion into virtually every corner of American culture.

- The supporting foundation of principles underlying rights includes principles such as: goal oriented action, value selection, and free will/rationality. The entire foundation *must* be intact and unharmed for the principle of rights to function properly.
- The lack of a proper definition for the public interest undermines rationality by making it impossible to objectively evaluate costs vs. benefits.
- The public interest principle in its typical usage does *not* work and has caused catastrophic damage to America because:

Society as a whole is not a living entity; it is an abstraction, or concept. Society does not experience, feel, or reason, only individuals within a society can do that. Because society as a whole is not alive, it cannot have interests or moral status.

Recommendations

The philosophical foundation of the United States of America as specified in our founding documents, The Declaration of Independence and the Constitution, is the protection of our individual (private) rights. However, with our foundation seriously weakened by the misapplication of the public interest principle, our rights are now—and will continue to be--threatened until our foundation of individualism is restored and revitalized. The first step toward doing that is to reject further improper application(s) of the public interest principle and to begin rolling back its use where it has been wrongly applied. The most effective approach that I have found for this is framing reform proposals concerning cultural/political issues in terms of *fundamental personal values*.

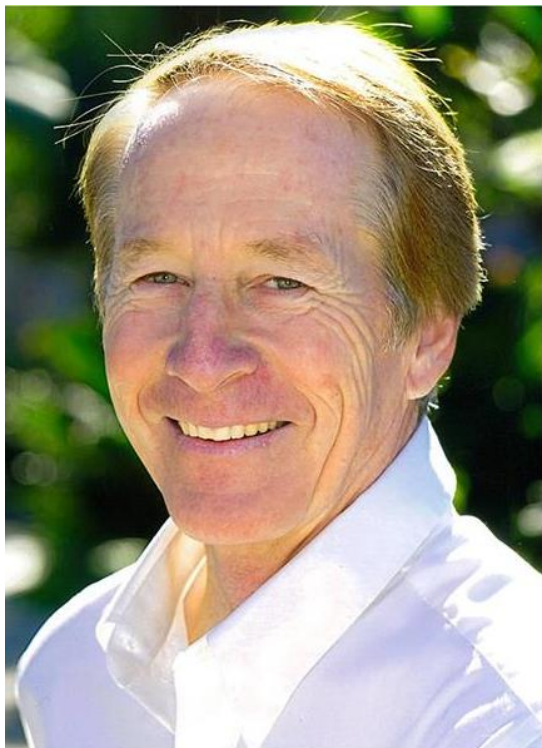
Framing cultural/political issues in terms of fundamental personal values is crucially important to achieve *transparency* on the part of all parties. The approach to reform outlined below and the use of fundamental personal values to motivate interested parties has a proven track record of success. Proper framing of policy issues helps to identify interests and premises held by all parties thereby achieving transparency. This transparency makes it possible to bring light to existing arbitrary and/or contradictory elements in existing or proposed policies that can then be corrected.

Although attempts by elected officials have usually failed to frame policy approaches in terms of fundamental values, grassroots groups in recent decades have recognized the effectiveness of this approach and adopted it in a number of areas including: education reform, property rights restoration from overreaching government agencies, defense and security issues, and protection of free speech and religious freedoms.

They have achieved their success by implementing three core principles in their reform efforts:

1. Framing public policy issues in terms of fundamental personal values, thereby taking the moral “high ground.”
2. Using the moral “high ground” to bring to light arbitrary and/or contradictory assumptions on the part of interested parties leading to transparency in policy proposals.
3. Utilizing the personal values involved in the framing of policy issues to motivate their constituencies to principled, effective action.

By using grassroots reform approaches to illuminate misunderstood or hidden truths, we can begin to restore our American republic, and in so doing help rekindle the dynamic spirit present at our founding and thereby foster an American cultural renaissance. How and why this is the case will be elaborated on in a number of case studies in ROAR’s second book due to be published in the summer of 2018: *Grassroots Solutions: The Key to Restoring Our American Republic*.



Mike Gemmell is the founder and president of Restore Our American Republic (ROAR). Prior to founding ROAR, he was a geologist specializing in groundwater resource development, a technical writer, and a freelance writer addressing environmental and other cultural issues.

For more information please visit:

<http://restoreouramericanrepublic.org/>



Restore Our American Republic



The term "public interest" or any of its variants is a thorny and persistent problem because it serves no public interest at all. It is used as an excuse to fund projects that this or that person or group or agency wishes to pursue by violating the rights of individual citizens who involuntarily pay for them through their tax dollars. Unfortunately, our Founding Fathers did not define the "General Welfare" clause in the Constitution, so those two words have been twisted and tweaked to serve special interests ever since. In his first short but pithy book, Mike Gemmell exposes both past and present damage caused by misuse and disabuse of this concept. Individual rights must always reign supreme in a constitutional republic, and this truth is well supported as he addresses the subject straight on.

Alexandra York

Author of LYING AS A WAY OF LIFE: Corruption and Collectivism Come of Age in America

I believe that were this simple pamphlet to be read by the average freedom loving, apolitical American, the creeping collectivism that has undermined so much of what our founding Fathers intended in the American Constitution could begin to be overturned. Over more than a century the public has been brainwashed into believing that some nebulous concept of public good takes precedence over the individual rights and freedoms that differentiated our nation from all others on earth. The individual has been cowed into believing that his or her rights are pursued only at the expense of that "public good." This allowed our citizens to be led into a socialist society not of his or her making or desire. It has been a clever and underhanded subterfuge that has come close to bringing down the entire nation. Fortunately, Mike Gemmell has the understanding and presence to address this issue head on in a manner that will be clear to any thinking American. His work is a "tour de force." I lecture to thousands of men and women across America every year. I would love the opportunity to put this important message into all of their hands.

Jay Lehr, Ph.D.

Science Director

The Heartland Institute