

## the book case

to be egalitarian but actually detrimental to women, so that more and more women need a paycheck. That paycheck, except for a very small percentage of women, is less than the average male worker's—there is a wage gap between men and women.

In the face of this situation, 48 percent of mothers of children *under one year* are now in the labor force. And only 40 percent

Instead, the '50s gave rise to a cult of motherhood as a full-time occupation, which cult still keeps American public policy from solving women's problems and set the sexes and the generations against each other in the late '60s and early '70s. So no one—not businessmen, not business women, certainly not politicians—is interested in doing anything to make life easier for working mothers.

The people who should be interested, feminists, began their feminism either as young radicals who had learned to hate men through their contemptuous treatment in left-wing politics or as former housewives who felt bitter because they hadn't emulated men in the job market. Neither group was concerned about children. The fight over the ERA in the '70s developed another set of activist women: traditional women determined to hang on to the economic security of the marriage pattern of the '50s. But, says Hewlett, "neither the feminist movement nor the antifeminist movement has yet had much success in improving women's economic security."

In the absence of a national movement to secure legislation gaining special privileges for working mothers, the only hope that Hewlett sees to better their lot is pressure from trade unions in collective bargaining. It's ironic that this book, calling for *social feminism* as in "social democrat," is being perceived as a middle-of-the-road, even conservative, document. After all, it criticizes the National Organization for Women (NOW), and it takes the side of antifeminist Phyllis Schlafly in the ERA fight—while deploring Schlafly's negative stand on equal pay for work of comparable worth. The challenge of the book is that the problems it identifies are real and the "solutions" do exist in European countries.

Never mind that part of what is working in those European countries is a tradition of *more stable marriage* ("The divorce rate in the United States is now double that in Sweden, Britain, and Germany; triple that in France; and twenty times as high as in Italy"). Never mind that our deficits couldn't support the kind of investment that federally supported child care, to mention just one item on the list, would cost—either economically or politically. Never mind that mandated paid maternity leave could also negatively affect the employment patterns of women, as it would add enormously to the cost of employing women. And never mind that a great deal of research was done in the early '70s showing that laws purporting to "protect" women in the labor market actually discriminate against them; maxi-

mum-hour laws forbid overtime and hence inhibit promotions; laws against nightwork or dangerous occupations keep women from competing for high-paying jobs; maternity leaves become prohibitions on working for certain periods before or after pregnancy. Dr. Hewlett's picture of the problem has the ring of truth, and her solutions seem realistic.

Those who care both for the family and individual freedom have been warned. The ball is now in our court.

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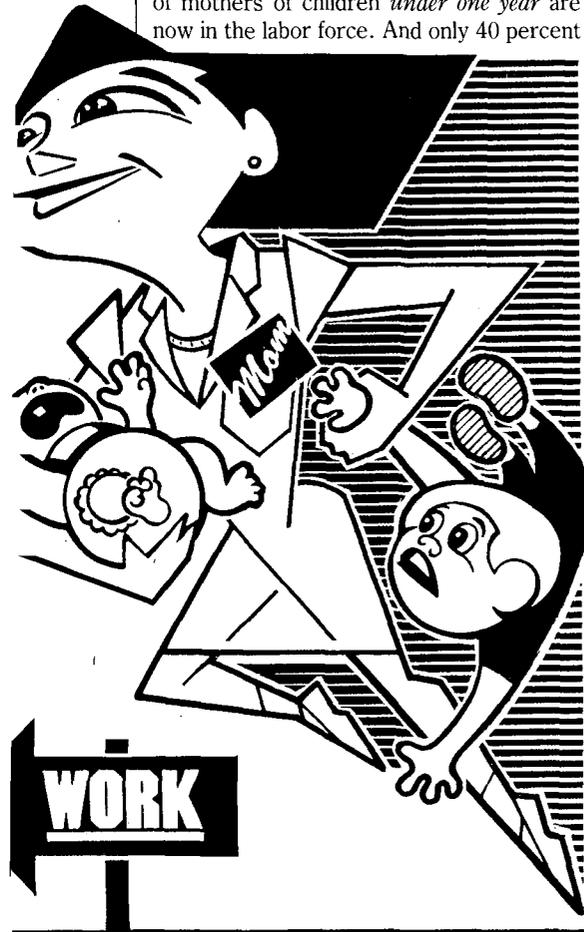
**The Undying Flame: Mariano Moreno of Buenos Aires, by Ellen Garwood, Washington, D.C.: American Studies Center, 227 pages, \$15.00.** Americans know far too little about Latin America. As a child, I remember reading about Simon Bolivar, the liberator, who led some of the colonies in revolt against Spain. But aside from Bolivar, how many of us have even heard the names of San Martin, O'Higgins, Belgrano, or Moreno?

This is the ignorance with which I opened *The Undying Flame*, Ellen Garwood's biography of Mariano Moreno, the architect of Argentina's revolution against Spain. What I found was the story of a genuine hero, an advocate of reason and liberty in an age when such principles were still considered heretical.

A lawyer, originally schooled by Franciscan monks (who smuggled in free-thought books from Europe despite the Inquisition), Moreno in 1809 was hired by Argentina's ranchers to present a brief to the colonial government arguing for free trade. At the time, only trade with Spain was permitted, and with the Napoleonic wars raging, the British navy was interdicting most Spanish vessels. As a result, the ranchers had virtually no market for their hides and tallow, yet the cost of their largely imported supplies was soaring.

Support for this mercantilist policy came from the local Spanish merchants, who were charging sky-high prices for a small volume of smuggled-in goods. But Moreno's *Representacion de los Hacendados* made such a persuasive case for free trade (in part by appealing to the government's self-interest in higher tariff revenues from a much larger volume of trade) that the monopoly was overturned, with highly beneficial results.

Much of Moreno's inspiration for the *Representacion* came from Adam Smith's *Wealth of Nations*, a Spanish translation of which had been given to him by his friend, Manuel Belgrano—later a fellow revolution-



SAM MCKAY

of these working mothers had any sort of maternity leave or job-back guarantee. They have uncertain child-care arrangements, and if they try to get flextime or part-time work while their children are little they usually lose job benefits. In Europe, on the other hand, "advanced democracies have instituted family-support systems such as paid maternity leaves, child allowances, subsidized day care, and free health services, all of which considerably ease the lives of working parents."

A large part of Hewlett's book examines why there is no national movement in favor of similar public-policy measures in this country. Hewlett's answer, in a nutshell, is the '50s. The '50s, she says, were so aberrant in the adoption of extreme "masculine" and "feminine" roles that they interrupted the move toward social feminism that might otherwise have surged here as it did in Europe.

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ary hero. Also influential in shaping Moreno's ideas were the writings of Rousseau, Paine, and Jefferson. In the Buenos Aires *Gaceta*, the newspaper he founded in 1810, Moreno reprinted portions of Jefferson's *Notes on Virginia*.

From these thinkers Moreno developed his philosophy of government. Sovereignty, he concluded, rests ultimately in the people, not in kings. When Ferdinand VII of Spain was captured by Napoleon's forces, Moreno saw his opportunity to undermine the concept of obedience to the crown. As a member of the Junta of Government which took over from the Spanish Viceroy in 1810, he expounded his views in a series of articles in the *Gaceta*. The displacement of Ferdinand, he argued, meant that the authority which had been granted him by the people no longer applied; hence, they were free to devise their own form of government. It should rely on a written constitution, with checks and balances on the use of power, he explained, rather than naively trusting in the goodness of various leaders.

Needless to say, in an age when monarchy was still the dominant order of things, blessed by the Church, these views were highly controversial. Although Moreno's influence was profound, as the principal strategist and expounder of the revolution, opposition forces remained strong even within the junta membership. Moreno resigned when the balance of forces turned against convening a constitutional convention, as he had long been urging. He was sent on a mission to London—actually into exile—and fell sick and died on the voyage, at the age of 33. Had he lived, perhaps the name *Moreno* would today be as well known in North America as that of Bolivar.

Garwood's well-researched biography illustrates once again the power of ideas to change the world, irrespective of borders. The ideas of (British) Adam Smith, (French) Jean-Jacques Rousseau, and (American) Thomas Jefferson inspired this brilliant young lawyer to bring freedom to his Argentinian countrymen.

—Robert W. Poole, Jr.

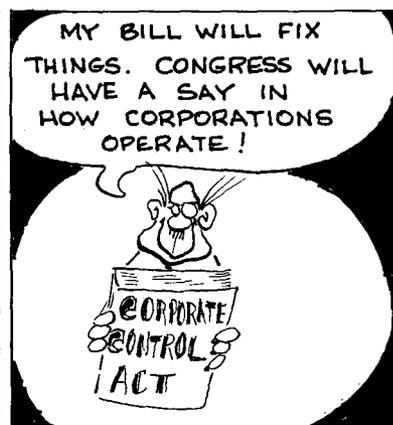
## quotable quotes

■ *Had America been a monolith...the defense of it would never have become a spiritual goal of modern humankind. Determination to stand for the United States is determination to stand for a new liberal civilization with all its multifariousness, with its "left wing" and "right wing," with its ideological and aesthetic kaleidoscope, with its hedonism and generosity, ...with its religious ecumenism and commercial paganism, with its bankers and tramps,...preachers and muscle builders, homosexuals and wrestlers, palm readers and mathematicians, street musicians, punks, Soviet dissidents, vogue models, Chinese cooks, go-go girls and even with its real-estate agents—all this enchanting marketplace!*

—Vassily Aksyonov,  
Los Angeles Times Magazine,  
June 29, 1986

## rudebarbs

Randall K. Hylkema



# viewpoint

By Jeff Riggerbach

## The War on Illegals Hits Home

**D**uring the last week of July, I was arrested in California, handcuffed, strip-searched, photographed, fingerprinted, and jailed for more than seven hours by the U.S. Border Patrol. My wife was subjected to all the same indignities. Our seven-year-old son was arrested, photographed, and jailed right along with us, though he was spared the handcuffs, the strip-search, and the fingerprinting. Our car was seized, and we were told we would not be allowed to reclaim it.

What had we done to bring this down on ourselves? We had picked up our 25-year-old Mexican housekeeper, Ana, in San Diego and driven north on Interstate Highway 5 toward our home in Orange, California, a suburban community about 35 miles southeast of downtown Los Angeles. Ana had spent the weekend in Mexico with her fiance and had reentered the United States that morning. When she reached San Diego, she had called to let us know where she was, and we had driven the 85 miles down to give her a ride home.

What we didn't reckon with was "Checkpoint Charlie," the permanent roadblock the Immigration and Naturalization Service operates on I-5 about 100 miles north of the border. The official reason for having a Border Patrol checkpoint so far north of the border is to catch Mexican nationals who are trying to violate the terms of their tourist visas. Such visas entitle the bearer to visit the United States, but only within 100 miles of the border. Many Mexicans obtain such visas, however, and travel beyond the 100-mile limit, whereupon they disappear into the Latino areas of cities like Los Angeles, where finding them is like finding a needle in a haystack.

Ana possessed such a tourist visa, but it had been canceled the day before, when she had attempted to enter the United States through Nogales (south of Tucson, Arizona). The Border Patrol had searched her purse and found an airline ticket that would have taken her from Tucson to Orange County's John Wayne Airport about 10 miles from our home. Now, therefore, she was an "illegal alien." And we were guilty of "transporting" her and of "aiding and abetting" her flight from the border, which she had illegally crossed.

We had not known that it was illegal to



"transport" an illegal alien—that is, to give an undocumented person a ride from one place in the United States to another. Since our arrest, we've been able to find only one person who did know it was illegal before hearing our story.

In the Los Angeles area, illegal aliens make up a substantial part of the adult work force. In Orange County, according to the *Los Angeles Times*, one adult worker in 10 is an illegal alien. And every day of the week, Monday through Friday, the contractors who employ those aliens on construction sites, in orchards, and in farmers' fields pick them up on street corners to transport them to their jobs. They are never arrested for doing so. But we were.

The question, of course, is why *anyone* should be arrested for helping an immigrant enjoy a better life. Ana regarded the salary she received for working in our home and caring for our children as more than generous. She in no way felt exploited by us. In fact, she regarded us as her benefactors. And we regarded her as a member of our family. She had a particularly close and loving relationship with our seven-year-old son, who was deeply hurt when she was taken from us.

We considered the work Ana did in return for her salary completely satisfactory. Both parties to the bargain were happy with what they got out of it. What business had government—or anyone else—to interfere with

our entirely voluntary transaction? Why is our government using violence to prevent capitalist acts among consenting adults? Whose rights did we violate? Whom did we damage?

Those who want to see our immigration laws better enforced—those who speak of the need to "protect the integrity of our borders"—often accuse illegal immigrants of entering this country in order to collect welfare. But Ana—and all the other illegals I have known over the years—had done no such thing. On the contrary, she had come here at some expense and not inconsiderable danger to herself in order to

earn her living and help support the members of her family in Mexico. The work she did was work no native American would do at a price her employers could afford to pay. Whose rights did she violate? Whom did she damage?

In the end, she was deported and warned not to come back. (She was back, however, within three weeks—back in this country, but not back in our home, where we all fear the Border Patrol might come looking for her.)

We were charged with one felony count and one misdemeanor count of violating U.S. immigration laws. But our attorney talked the federal prosecutor into offering us a "deferred prosecution." If we maintain a clean record for one year—if we are neither arrested nor charged with any violations of local, state, or federal laws for that length of time—the charges against us will be dropped and the \$1,000 bond we were required to post will be returned to us. Meanwhile, we have lost a close friend and valued employee, we have lost several thousand dollars in legal fees and other expenses, our young son has been needlessly traumatized, and we have been brutalized by government thugs.

Your income taxes at work.

Contributing editor Jeff Riggerbach is an editorial writer and columnist for the Orange County Register and a regular guest columnist for USA Today.

GWYN STRAWLER