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## TEAM CATO

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Jane Mayer has been chronicling the battle for control of the Cato Institute, which, in rough terms, pits the billionaire Koch brothers against the current leadership of the organization, whose board is chaired by Robert Levy. Thanks in large measure to Mayer, the Koch brothers are now well known. Levy is not as famous, so perhaps I can fill in the picture of him.

Robert A. Levy was born in 1941, and grew up in modest circumstances in Washington, D.C., where his parents ran a grocery store. He went to college at American University, earned a Ph.D. in business there as well, and went on to live the American dream. He founded a financial-information and software firm, CDA Investment Technologies, and sold it for many millions of dollars, in 1986. At that point, Levy conducted a careful reckoning about what he would do with the second half of his life—and decided to start law school, at the age of forty-nine. He chose to study at George Mason University, because it had a reputation for welcoming libertarian scholars and students. After graduating, Levy became a law clerk, first for Royce Lamberth, of the federal district court in Washington, and then for Douglas Ginsburg, on the D.C. Circuit. (Levy may be the only law clerk in history who was older than the judges he clerked for. The security guards at the federal courthouse, noting Levy's judicial bearing and formidable bald head, would often greet him by saying, "Good morning, Your Honor." In chambers, Lamberth would put him in his place by reminding him to fill the water jugs in the jury box.)

When Levy completed his clerkships, he brought the same entrepreneurial spirit to law that he did to business. Even though Levy himself never owned a gun, he had a special interest in the Second Amendment, which was the subject of a great deal of scholarly attention at the time. In light of this interest, Levy became involved with a group of young lawyers who wanted to bring a test case to the Supreme Court. For many years, the Justices, as well as the lower courts, had decreed that the Second Amendment only granted militias rights to possess weapons. Levy and his colleagues sought a definition that granted individuals the right "to keep and bear arms." Levy's plan brought him into conflict with the National Rifle Association, which regarded gun litigation as its own preserve. An N.R.A. delegation met with Levy (at his office at Cato, as it happens) to ask him not to file his case. Levy rejected the N.R.A.'s overture, and went ahead with the case that became *Heller v. District of Columbia*—a resounding victory for gun rights and the individual-rights theory of the Second Amendment.

What that means for the Cato fight remains to be seen. But I do know that Levy, while not as wealthy as the Koch brothers, is a pretty tough (and rich) guy himself. I wouldn't bet against him.