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Joseph R. Peden, Publisher

Murray N. Rothbard, Editor

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Begin Begins

The recent Israeli election breaks all the tablets by changing the previous unbroken rule of Israeli politics since the inception of the state by the Labor party (or, more specifically, by the Mapai wing of the Labor party coalition). While Israel has a multi-party system and no one party has ever gained an electoral majority, Labor party rule came to seem almost eternal. That, at least, has been shattered.

It should first be pointed out that the election was no particular triumph for the Likud party and its probable new prime minister, Menahem Begin. There was no particular surge of votes for the Likud; rather, there was a collapse of Labor support, brought about no doubt by an accelerating annual inflation rate of 40%, extremely high taxes, and especially by a Watergatchish rash of financial corruption in high Labor places. General disgust with Labor led to the formation of a new party, the Democratic Movement for Change, headed by the archaeologist Yigael Yadin. The DMC's program is extremely cloudy, presenting an anti-corruption image, a push for a two-party type electoral system, and fuzz on the rest of the issues. The DMC took away enough votes from Labor to give the Likud the victory, though, once again, Begin will only be able to govern with coalition support.

The Likud is a coalition of parties, the heart of which is the Herut, headed from its inception by Mr. Begin. The Herut party is the successor of the Zionist terrorist organization, the Irgun Zvai Leumi, responsible for the massacre of Arab civilians at Deir Yassin and the dynamiting of the King David Hotel. To go back further, Begin is the heir of Vladimir Jabotinsky, the founder and lifelong leader of the Zionist Revisionist movement. Zionist Revisionism had two major planks: insistence on a Jewish State when official Zionism was still only committed to a Jewish "homeland" in Palestine; and insistence that the boundaries of that State be the maximal extent of Biblical Jewish territory—that is, on both sides of the Jordan, and roughly from the Euphrates to the Nile. Zionist Revisionism, then, is Jewish-exclusivist, militarist, and aggressively expansionist. That is the essence of the Herut program. It cares virtually nothing for domestic issues, and so it hopes for inter-class Jewish unity on some foundation while the eternal war against the Arabs is being pursued. Before World War II, Jabotinsky formed an alliance with Mussolini, and was enchanted with the class-collaborationist potential of the fascist corporate state.

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Liberty and the Drug Problem

by Roy Childs

In discussing anything as controversial as the legalization of the production, sale and use of certain drugs, it is important to determine just what the problem is in the first place. For in recent years, the so-called "drug problem" has gotten unprecedented publicity. We are told, by intellectual, medical and political leaders alike, that we are in the midst of a crisis situation, that a phenomenon they call "drug abuse" is, to quote one national authority, "spreading like a plague," and that, therefore, it is incumbent upon us to take still further steps to stem the tide of rising drug use.

Few people in recent years have bothered to examine the problem down to its roots, and the result has been that few people—particularly those who determine national policy—are aware of the true nature and dimensions of the problem, let alone its all-important origin. The concept of a "drug problem," of course, refers to several interrelated things. First, it stands for what some people do with certain disapproved substances. Secondly, it refers to what other people think about their actions, and what these other people try to do about it. Finally, it refers to what happens to the first group of drug-takers when this group of drug-prohibitors act, and how they respond.

We shall quickly take up these questions. But first, some facts about the severity of the problem, why it concerns us. We have taken a special interest in the "drug problem" since 1960, or thereabouts. Since then, our ancient anti-narcotics laws have been modified and made much more severe. Studies have been done. Publicity given to both the use of drugs and punishment of drug use has risen to mammoth proportions. Yet since 1960 the number of "drug addicts" (referring here to the number of heroin addicts) has increased from 54,000 to about half a million. (Last year nearly 450,000 persons were arrested on charges connected with marijuana alone.) In New York City today, several thousand "addicts" are serving prison terms for drug related offenses, several hundred of them serving potential life sentences under the Rockefeller Drug Law of 1973. There have been hundreds of drug-related deaths in the last few years. An increasing number of young women have been driven into prostitution to provide for a steady supply of drugs. Many young men, particularly blacks, are now professional criminals, stealing from \$200 to \$500 worth of merchandise every day, to maintain a \$50 to \$75 daily heroin habit. Billions of dollars are being spent yearly to cope with "drug

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The other major party in the Likud coalition is the Liberal party, which is also hawkish on Arab affairs (though not as fanatically as the Herut), and tends to be diluted free-marketish in economic affairs—perhaps the best simile to American affairs would be to call them Javits Republicans.

How hawkish in the concrete the Begin regime will be it is impossible to say, but the idea bruited about in the American press that Begin's views will be "tempered by the responsibilities of power" seems to us like New York Times-ish pap which will not work for a dedicated ideologue like Begin. One thing is pretty clear: the major effect of the Begin regime will be to scuttle, for a long time to come, the dove plan that has been assiduously pushed by various elements in the State Department, by moderate anti-Zionists, moderate pro-Zionists, and moderate Arabs. Briefly, the dove plan is for Israel to return to its pre-1967 borders, with a Palestinian state to be established in the returned areas (the West Bank and the Gaza strip), in return for which the Palestinians would acknowledge the "right of the new Israel to exist". Presumably, the borders would be guaranteed by the UN and/or United States. But in all the mixed public/private dickering on the dove plan, it became clear to us that the whole idea was a will o' the wisp. There were too many ifs: thus,

Israel would probably not give up all of the post-1967 territories, but would insist on military bases and retaining all of Jerusalem, and Israel, while remaining armed to the teeth, would insist that the Palestinian state be demilitarized. It is hard to believe that the Palestinians, even if they could bring themselves to swallow the recognition of Israel, would ever sit still for being demilitarized while abutting on a militarized foe.

Be that as it may, we will probably never know, since the Begin regime undoubtedly will not agree to the scheme. We can expect in future years, then, a polarization of politics both within Israel and between Israel and the Arabs. Internally, the accession of the Likud might lead to a breaking up of the Labor party, whose main strength, after all, was its perpetual status as ruler, and perhaps move the leadership of the Left over to the Mapam party, which is far more dovish than the centrist-hawkish Mapai. The fading of dove hopes in the 1967 plan will bring to the fore hawkier groups on both sides; and we may expect a growth in the Palestinian militants of the Rejection Front.

Meanwhile, the big movement news is that the incoming Liberal Finance Minister, Simha Ehrlich, has asked Milton Friedman to come to Israel to be his economic advisor, and that Friedman has accepted. My own view is that the chance of Israel adopting Friedmanite policies is somewhere near zero. At any rate, things should be lively in the Middle East for quite a while. □

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abuse." Over 85,000 people have, over time, been given at taxpayer's expense, free methadone in a "maintenance" program.

Violent crime has risen incredibly; some experts estimate that at least 70% of violent crime, theft, muggings and the like, are drug-related. The United States government has become intricately involved in the internal politics of other nations, such as Turkey in addition to Southeast Asia and South America, to prevent the growth of one plant, which is seen as being at the root of the problem, namely, the poppy. Government corruption, particularly among police, has also skyrocketed, largely because huge bribes are offered by organized crime to allow traffic in "hard" drugs to continue. Our courts are clogged. Our city budgets are strained. Our streets are not safe, certainly not at night, and increasingly, not during the day, either.

All of this barely touches on the dimensions of the problem. It is no wonder, then, that the response of many people is to advocate harsher laws, to increase the punishment of those who use, or traffic in, drugs.

My contention is that this concern is unjustified, and the punishments unjust as well. To state my position plainly, there is no drug problem, which should cause political concern, except that created by the law. The only way to solve the existing problem is to abolish the drug laws, period. Indeed, every fact points in this direction.

There never was a valid reason to have had the drug laws in the first place, and there is no reason for continuing them. The only reason for their continuance which seems to make any sense at all is that the State is afraid to admit how wrong it has been, to face its victims squarely and honestly, and to turn away from a grievous error which has cost so many lives. The State, in short, has made our lives, and the lives of those who wish to use certain drugs, unnecessarily hard and trying, piling obstacle upon obstacle on the road to satisfaction and a content human life.

Long ago, we came to see that perpetual war between different religions would only lead to increasing pain and suffering for all concerned. The doctrine of religious toleration was born from that sorry experience. Today, tolerance of what different people choose to consume is next in line for re-examination. If only religious tolerance and peaceful coexistence could save us from religious wars, then only tolerance and peaceful coexistence between those who wish to ingest different substances can stop the drug war, a violent conflict between those who wish to use certain substances, no matter what obstacles are placed in their paths, and those who wish to prohibit their use of certain drugs, no matter what the cost.

To see why the problem has become as serious as it has, let us take a brief look at the evolution of our drug laws, and their connection with the problem.

In the 19th century, the century of individualism, individual responsibility, the century of great achievements and great personal liberty, there simply were no drug laws. And neither was there any drug problem. Indeed, as Edward Brecher writes in his comprehensive survey, LICIT AND ILLICIT DRUGS, "drugs (speaking here of the opiates, of opium, morphine and heroin) were not viewed as a menace to society and...they were not in fact a menace." Drugs were "as freely accessible as aspirin is today." Opium, of course, had been known for centuries. It was regarded as a virtual panacea, as was morphine, the chief ingredient of opium. In fact, the opium wars waged by Britain in the Far East in the mid-nineteenth century were waged to spread the marketing and use of opium.

In saying that opium and morphine were freely available during the 19th century, one is not exaggerating. They were sold over the counter in drug stores; dispensed directly by doctors, and with prescriptions; they were sold openly in grocery and general stores; they could be ordered by mail; and they were the ingredients for countless patent medicines, used for treatment of everything from diarrhea to dysentery, from "women's problems (as they were called), to teething syrups for babies. "One wholesale drug house (alone)," writes Edward Brecher, "distributed more than 600 proprietary medicines and other products containing opiates." Opiates were regularly used in most communities throughout America, and by some of the most prominent people—including noted temperance advocates, who fought the use of whiskey.

In England, for example, "Godfrey's Cordial" was especially popular; it was a mixture of opium, molasses for sweetening, and sassafras for flavoring. Dr. C. Fraser Brockington reports that in mid 19th century Coventry, ten gallons of Godfrey's Cordial—enough for 12,000 doses—were sold weekly, and it was administered to 3,000 infants under 2 years of age.

In America, it was much the same thing, with up to 1% of the members of small communities using opiates regularly; today, they would be called "addicts," and imprisoned for several years. But there was no disruption of family life, or society, no crime because of the use, no pushers, and, far from making people indolent or lazy, as is so often charged, it apparently made it easier to work, to bear the stress and strain of everyday life.

Doctors favored opiates regularly. An 1880 textbook listed 54 diseases which could be treated by morphine. Doctors prescribed opium as a cure for alcohol addiction. As Dr. J. R. Black wrote, "It calms in place of exciting, the baser passions, and hence is less productive of acts of violence and crime; in short...the use of morphine in place of alcohol is but a choice of evils, and by far the lesser."

It is interesting to note at this point a certain cycle which has developed. Alcoholism was viewed as the major "drug problem" in the

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19th century, and opium was prescribed as a cure. Later, morphine was advocated by doctors as a cure for opium addiction. Still later, heroin was defended as a cure for morphine addiction. Today, of course, methadone is seen by everyone as a cure for heroin addiction, and an interesting thing has happened in recent years: in attempting to break out of methadone maintenance, many young blacks have turned instead to...alcohol.

But there was, in the 19th century, at any rate, essentially no problem. Today, with the dubious help of hindsight, people are fond of thinking that "they were all becoming hooked," without knowing it. But this merely causes us to cast a suspicious gaze at the vague concept of "addiction," which has never been adequately defined in the literature. Babies who used heroin and morphine in teething syrups did not become addicted, and there are too many cases of occasional users who did not become dependent, either. In our own time, qualified doctors insist that withdrawal, and therefore "breaking away" from heroin, is at least as much a psychological phenomenon as it is a physical one, and that many of the problems result from going "cold turkey," in any case.

If the opiates—opium, morphine, and heroin (which was only synthesized from morphine in 1898)—were no problem in the 19th century, then why the laws?

There is a very interesting story here, one which we cannot, unfortunately, tell in any detail. Edward Brecher writes:

Opiates taken daily in large doses by addicts were not a social menace under 19th century conditions, and were not perceived as a menace. Opium, morphine and heroin could be legally purchased without a prescription, and there was little demand for opiate prohibition. But there was one exception to this general tolerance of the opiates. In 1875, the City of San Francisco adopted an ordinance prohibiting the smoking of opium in smoking-houses or "dens".

The roots of this ordinance were racist rather than health-oriented, and were concerned with what is today known as "life-style." Opium smoking was introduced into the United States by tens of thousands of Chinese men and boys imported during the 1850's and 1860's to build the great Western railroads. The Chinese laborers then drifted into San Francisco and other cities, and accepted employment of various kinds at low wages—giving the rise to waves of anti-Chinese hostility.

Here, as elsewhere, we see the insidious effects of labor unions, as we do in the case of the first immigration laws. The unions wanted to inhibit competition and exclude Chinese altogether from emigrating to America. The 1875 San Francisco law failed to achieve its purpose. Instead, the habit was merely indulged in "underground," less openly, in unsanitary conditions.

In 1883, in an attempt to discourage Chinese use of opium, Congress raised the tariff on opium from \$6 to \$10 a pound, but even this failed to curb the use of smoking opium. So in 1887, Congress prohibited the importation of smoking opium altogether, and prohibited the importation of any kind of opium by Chinese, but not by Americans. In 1890, it prohibited the manufacture of smoking opium by anyone who was not an American citizen.

The result, of course, was that massive smuggling developed, and that opium dens—favored by Orientals over the other ways of imbibing opiates favored by Americans, were driven gradually underground. From then until 1914, 27 states and cities had passed laws against opium smoking—but only smoking.

Thomas Szasz, in his magnificent work *CEREMONIAL CHEMISTRY: THE RITUAL PERSECUTION OF DRUGS, ADDICTS AND PUSHERS*, tells us a bit more about the racism and union-involvement in prohibiting smoking opium.

At its first meeting in 1881, the first act of the Federation of Organized Trades and Labor Unions was to condemn the Chinese cigarmakers of California and to urge that only union-label cigars be bought. Nor were the leaders of the Federation, which became the American Federation of

Labor in 1886, content merely to sanction the movement against the Chinese. They became, in the words of Herbert Hill "the most articulate champions of the anti-Oriental cause in America." The general who led this wave of the American working man against the Chinese coolie was Samuel Gompers, the president of the AFL except for a single year, from its founding in 1886 until his death in 1924. Although an immigrant Jew who espoused socialist ideals and spouted the rhetoric of the solidarity of the toiling masses, he became a major spokesman in America for concepts of racial superiority, especially in labor.

In 1902, Gompers published a pamphlet, co-authored with Herman Gutstadt, another official of the AFL, entitled *SOME REASONS FOR CHINESE EXCLUSION: MEAT VS RICE, AMERICAN MANHOOD AGAINST ASIATIC COOLIEISM - WHICH SHALL SURVIVE?* The pamphlet was written at the behest of the Chinese Exclusion Convention of 1901, its purpose being to persuade Congress to renew the Act, which was due to expire the following year (it was renewed). In this document, Gompers declares that "the racial differences between American whites and Asiatics would never be overcome. The superior whites had to exclude the inferior Asiatics by law, or, if necessary, by force of arms...The Yellow Man found it natural to lie, cheat and murder and 99 out of every 100 Chinese are gamblers."

The opium issue was raised by Gompers in the service of his racist goals. He used it as a spectre to try to scare Americans into prohibiting Chinese immigration and competition for jobs. There is, in fact, no other reason for the passage of our major narcotics law than this.

Even though between the 1890's and 1914, there was evidence of a decline in "opium addiction," in 1914 Congress passed the infamous Harrison Narcotics Act, which established stiff government controls over the marketing of opiates, and which was, Edward Brecher tells us, subsequently interpreted in a prohibitionist fashion.

For the first time, we had a real narcotics problem, along with the first reports of crimes committed by "addicts," to obtain the drugs.

The Harrison Act went into effect in 1915. Here are two medical journals describing its effects:

The really serious results of this legislation...will only appear gradually and will not always be recognized as such. These will be the failures of promising careers, the disrupting of happy families, the commission of crimes which will never be traced to their real cause, and the influx of many who would otherwise live socially competent lives, into hospitals for the mentally disordered.
(from NEW YORK MEDICAL JOURNAL, May 15, 1915)

This next quotation is from AMERICAN MEDICINE, November 1915: Narcotic drug addiction is one of the gravest and most important questions confronting the medical profession today. Instead of improving conditions the laws recently passed have made the problem more complex.

(This report goes on to stress the breaks which occurred between addicts and their doctors, the crimes to which they would be forced to turn—including prostitution, in the case of women—to secure a supply of the drugs. It spoke of the types of places and people which the addicts would be forced to deal with, concluding, among other things, that "afflicted individuals are under the control of the worst elements of society". All this—in less than one year.)

The problems became so readily apparent that in 1918, the Secretary of the Treasury appointed a committee to look into the newly-created problem. To combat the numerous new "problems," it called for sterner enforcement and recommended more state laws patterned after the Harrison Act. Congress responded by tightening up the Harrison Act. The importation of heroin was prohibited altogether, even for medical purposes. "This legislation," writes Brecher, "grew out of the widespread misapprehension that, because of the deteriorating health, behavior and status of addicts following passage of the Harrison Act and

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the subsequent conversion of addicts from morphine to heroin, heroin must be a much more damaging drug than opium or morphine." The truth, of course, is that heroin morphine heated in the presence of acetic acid, and the body reconverts it back into morphine after it has been ingested. The deteriorating "health, behavior and status" of an addict should, then, be considered a consequence of the law, rather than of particular drugs. More, precisely it was and is a consequence of the habitual use of drugs in a particular legal-political-economic situation.

Another result of the Act was that by 1938, 25,000 physicians had been arraigned on narcotics charges, and 3,000 served prison sentences. This may very well have been what changed the mind of the medical profession on the opiates. For even as late as 1926, the Illinois Medical Journal said that:

The Harrison Narcotics law should never have been placed upon the statute books of the United States...As is the case with most prohibitive laws...this one fell far short of its mark. So far, in fact, that instead of stopping the traffic, those who deal in dope now make double their money from the poor unfortunates upon whom they prey...As to the Harrison Narcotics Act, it is as with prohibition (of alcohol) legislation. People are beginning to ask, "Who did that, anyway?"

As in the case of liquor prohibition, certain people fought very hard to prevent that question from being asked too often, too publicly. But by 1936, an outstanding police authority, August Vollmer, had, as Brecher points out, "reached the same conclusion."

Stringent laws, spectacular police drives, vigorous prosecution, and imprisonment of addicts and peddlers have proved not only useless and enormously expensive as means of correcting this evil, but they are also unjustifiably and unbelievably cruel in their application to the unfortunate drug victims. Repression has driven this vice underground and produced the narcotic smugglers and supply agents, who have grown wealthy out of this evil practice and who, by devious methods, have stimulated traffic in drugs. Finally, and not the least of the evils associated with repression, the helpless addict had been forced to resort to crime in order to get money for the drug which is absolutely indispensable for his comfortable existence.

Nonetheless, by 1970, Congress had passed 55 federal laws to straighten out and strengthen the Harrison Act. The punishments were continually stiffened: in 1909, 2 years was the maximum for violation of any narcotics law; by 1914, it was 5 years; by 1922, 10 years. Subsequently, with state laws, the number grew from 20, 40, and 90 years; with the death penalty and life imprisonment coming in during the 1960's and 1970's. Minimum sentences, too, were continually raised. Every form of treatment has failed, including methadone maintenance. There are more problems today than ever before.

Surely, then, to have gone to such trouble, Congress must have had some profound insight into the harmful affects of heroin, morphine and opium. Nothing could be further from the truth. And one of the things which surprised me most in doing my research for this, was that I found it impossible to precisely identify any significantly harmful effects of the opiates per se. A 1962 decision of the Supreme Court maintained that:

To be a confirmed drug addict is to be one of the walking dead...The teeth have rotted out, the appetite is lost, and the stomach and intestines don't function properly. The gall bladder becomes inflamed; eyes and skin turn a bilious yellow; in some cases membranes of the nose turn a flaming red; the partition separating the nostrils is eaten away - breathing is difficult. Oxygen in the blood decreases; bronchitis and tuberculosis develop. Good traits of character disappear and bad ones emerge. Sex organs become affected. Veins collapse and liver purplish scars remain. Boils and abscesses plague the skin, gnawing pain racks the body. Nerves snap; vicious twitching develops. Imaginary and fantastic fears blight the mind and sometimes complete insanity results. Oftentimes, too, death comes - much too early in life...Such is the torment of

being a drug addict; such is the plague of being one of the walking dead.

Brecher concludes, however, that "the scientific basis for this opinion...is not easy to find." He quotes a key study, that made by Dr. George H. Stevenson and his British Columbia Associates.

When we began this project, it was immediately apparent to us that the actual deleterious effects of addiction on the addict, and on society, should be clearly understood...To our surprise we have not been able to locate even one scientific study on the proved harmful effects of addiction.

They searched through THE TRAFFIC IN NARCOTICS, written by the United States Commissioner of Narcotics, Harry Anslinger, who began his career as a prohibition agent. Yet that study only had one reference to the alleged harmful affects, a quote from another authority who referred to a "decrease in the potential social productivity of the addict." But even this was not supported by any scientific evidence. So Stevenson and associates wrote to the key authorities in the field:

They indicated, in their reply, that there was no real evidence of brain damage or other serious organic disease resulting from the continued use of narcotics (morphine and related substances), but that there was undoubted psychological and social damage. However, they made no differentiation between such damage as might be caused by narcotics and that which might have been present before addiction, or might have been caused by other factors. Moreover, they were unable to direct us to any actual studies on the alleged harmful effects of narcotic drugs.

Neither the United Nations Commission on Narcotic Drugs nor the Canadian Government's Department of Health and Welfare were able to produce such studies, either. In fact, each seems to have taken the alleged harmful effects for granted, even though all the evidence points to one conclusion, and one conclusion alone: that nearly all of the deleterious effects which are attributed to opiates, such as heroin, indeed, as Brecher writes, "seem to be the effects of the narcotics laws instead."

Hepatitis and other diseases were caused by the use of unsterile syringes in injecting heroin—a practice, incidentally, made necessary only because American heroin is only 3 or 4% pure. Diseases were transferred from addict to addict by the same method. Teeth were rotted, when they were, because of inadequate dental care, usually caused by the addicts' spending their money on heroin, instead. Skin discoloration apparently is caused by the unsanitary surrounding of most addicts, and by malnutrition, which is again caused by the expensiveness of the habit. Addicts cannot usually hold jobs, because of the uncertainty of not knowing where the next fix is coming from. Similarly with the other claims. In rare cases when addicts have been able to obtain a regular supply, at modest prices, there are no apparent harmful effects.

Dr. William Halstead, for example, often called one of the fathers of American surgery, and a founder of the Johns Hopkins Medical Center, was a morphine addict throughout most of his adult life—more than thirty years. And yet, during this time, not only did no one, except a few close friends, know that he was an addict, he performed some of his most brilliant operations, dying only in his late 70's. Similarly, with American soldiers in Vietnam, commanding officers could not tell who was addicted to heroin and who was not; it took a urine test to find out. The evidence is overwhelming: in the absence of scientific tests, or the familiar heroin "tracks", it is virtually impossible to tell an addict from a nonaddict in terms of physical appearance or behavior. Controlled tests have shown that there is no organic damage when opiates are used over a long time, and that there is no intellectual deterioration, either. Some cases, in fact, point to the opposite conclusion! Prominent doctors, lawyers, politicians—a great many people—have been addicts for most of their lives, with no impairment of functioning capacities.

As Edward Brecher concludes: "There is general agreement throughout the medical and psychiatric literature that the overall effects of opium, morphine, and heroin on the addict's mind and body under conditions of low price and ready availability are on the whole amazingly bland." These conditions are what our proposed remedy to the problem would allow to flourish.

The subject of price should be briefly taken up. In the 19th century, an "addict" paid an average of 2.5¢ per day for 2 or 3 grains of morphine.

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Until recently, because of the narcotics laws, a typical "bag" contains 10 milligrams, or 1/6 of a grain of heroin. The cost per day: \$30-\$50. But lately the prices have been rising. In England, last year, the pharmacy cost of heroin was 4¢ per grain (60 mg.), while in the U. S., because of the narcotics laws, the street price is \$30 to \$90 per grain.

This indeed shows us part of the reason why the narcotics traffic is not likely to be stopped. For the raw materials cost of a \$5 bag of heroin is roughly a quarter of a cent. This is what it can be purchased for overseas. The markup is, of course, several thousand percent, all of which goes to importers, processors, wholesalers, cops, and pushers. It is big business indeed, amounting to several billion dollars a year. Moreover, import controls are completely ineffective. To supply half a million addicts with 40 milligrams apiece per day takes less than 50 pounds of heroin a day—less than ten tons a year. But, as Brecher notes, there are 100,000,000 tons of goods imported into the U. S. every year, and more than 200,000,000 people entering the U. S. through customs every year. Trying to find such a small amount is very improbable, indeed. Those who get caught are usually those outside of organized crime, who are informed on by competitors, who know every inch of the heroin market inside out.

Let's summarize what we have seen so far. We have seen that opiates were no problem in the 19th century, and that the problem began with the drug laws; before the laws, opiates were freely available, over the counter, by mail, ad infinitum. Moreover, the first laws were racist in origin, which motivation was quickly forgotten. The laws created the problem with addicts and crime, and the response over the years to this problem has made matters still worse by escalating punishments.

We have seen that the drugs themselves are apparently not terribly physically harmful, and that people can function on them normally, without difficulty, when they have the drugs. On a free market, they would be readily available, and a habit could be maintained for probably less than 50¢ a day.

The problem with price comes when the drugs are illegal, which makes the drugs difficult to obtain, causing skyrocketing prices. This in turn disrupts the addict's life, making it hard for him to function normally and, with the high prices, pushes the addict towards a life of crime, and even prostitution in the case of women. Because fencing stolen goods brings a return of only a fraction of the cost of goods, to support a \$50 a day habit an addict must steal \$200 worth of loot a day. The high risk caused by intensive legal penalties, leads to an increased possibility of violence, as does the addict's fundamental anxiety and uncertainty about finding a way to obtain the drugs. This high risk in turn guarantees high profits for those who deal in drugs, and increases the probability of massive police corruption. The laws lead to both an increase in violent crime, and in the costs of maintaining a large police force.

Now when we combine all this with the widespread destruction of addicts' lives, both in jail and out, one might think that we have a pretty good case for abolishing the drug laws. We have seen, after all, that it is probably unlikely that the drug traffic can be stopped; we know that the attempt to stop it has entangled the American government, including the CIA, in the internal affairs of other nations; we know that all policies have merely made matters worse. But still some people are not convinced.

First, they tell us that we must stop it because the addicts are harming themselves. This an odd position; drugs harm people, we are told, but prison doesn't? We are told that we must get pushers off the streets. But pushers are on the street acting like salesmen, only because of the incredible profits that are there to be made. Moreover, the biggest pusher in terms of the biggest advertiser of drugs, is certainly the U. S. government, which creates the illusion, with its frantic concern, of drugs being a "forbidden fruit." Moreover, the media will continue to advertise drugs as long as they are illegal, by publicizing arrests, and thereby making people wonder "why would they risk so much just to use those

drugs?" Ergo the laws provide two sources of free advertising. Free advertising, and enormous profits...

In discussing the issue so far, I have purposely steered clear of the major libertarian argument for legalization of drugs. That is because I wanted to look at the evidence, first. Now to the most basic question; what is the libertarian solution to the problem? It is, in brief, to legalize drugs, not merely the use, but the production and sale of drugs—all drugs, including heroin—without prescription, so long as they are correctly labelled. (And not to tax them, besides. There is something obscene about the government attempting to gain revenue by looting those whose lives it has made miserable in the first place, by prohibiting precisely those drugs which it now proposes to tax.) Libertarians advocate such a position for a reason having nothing to do with the effects of such drugs. For libertarians, every man owns his own body, and no man owns the body of any other man. Everyone, by this view, is a self-owner, and should be permitted to do whatever he wishes, so long as he does not use or threaten force against others. If a man owns his own body, then he has the right to put in it whatever he chooses, and must be held responsible for the results.

In the area of drugs, this is nothing more nor less than what Thomas Szasz calls the "right to self-medication." If a person is harmed by a substance he chooses to consume, then at least that harm is the direct result and consequence of his choices and actions. This is part and parcel of a natural law ethic. To substitute the harm of the State for self-harm is grotesque, indeed. Everyone, then, has the right to use drugs, even though it may be unwise or unhealthy to do so. This, in brief, is the libertarian position. It is nothing more than laissez-faire capitalism in the realm of the production, exchange and use of chemical substances. It is fitting, therefore, to quote from the late Professor Ludwig von Mises, who wrote in his masterwork, HUMAN ACTION:

Self-styled "realistic" people fail to recognize the immense importance of the principles implied. They contend that they do not want to deal with the matter from what, they say, is a philosophic and academic point of view. Their approach is, they argue, exclusively guided by practical considerations. It is a fact, they say, that some people harm themselves and their innocent families by consuming narcotic drugs. Only doctrinaires could be so dogmatic as to object to the government's regulation of the drug traffic. Its beneficent effects cannot be contested.

However, the case is not so simple as that. Opium and morphine are certainly dangerous, habit forming drugs. But once the principle is admitted that it is the duty of government to protect the individual against his own foolishness, no serious objections can be advanced against further encroachments. A good case could be made out in favor of the prohibition of alcohol and nicotine. Any limit the government's benevolent providence to the protection of the individual's body only? Is not the harm a man can inflict on his mind and soul even more disastrous than any bodily evils? Why not prevent him from reading bad books, and seeing bad plays, from looking at bad paintings and statues and from hearing bad music? The mischief done by bad ideologies, surely, is much more pernicious, than that done by narcotic drugs.

These fears are not merely imaginary spectres terrifying secluded doctrinaires. It is a fact that no paternal government, whether ancient or modern, ever shrank from regimenting its subjects' minds, beliefs and opinions. **If one abolishes man's freedom to determine his own consumption, then one takes all freedoms away.** The naive advocates of government interference with consumption delude themselves when they neglect what they disdainfully call the philosophical aspect of the problem. They unwittingly support the case of censorship, inquisition, religious intolerance, and the persecution of dissenters *

In short abolish the drug laws. Give Liberty her head. She will solve our problems aright if anything can. □

* Ludwig von Mises, *Human Action* (3rd Rev. Ed., Chicago: Henry Regnery, 1966), pp. 733-734.

Power, Obedience and Education: a Review Essay

by Joseph R. Stromberg

Free Life Editions of New York has emerged to meet a growing interest in libertarian and anarchist literature, classic and contemporary. As shown by the three works reviewed below, Free Life is not guided by narrow, sectarian criteria of what is "libertarian."

The State, the Negation of Humanity

The republication of Franz Oppenheimer's *The State* makes an important study available to students of politics and history. In stark contrast to most imperial German scholarship Oppenheimer looked skeptically into the origins of the state itself. His approach shows the influence of the conflict school and that of Marx and Weber.

For Oppenheimer sociology clearly has the character of "universal lessons of history" (to use Ludwig von Mises' phrase). His chief dictum is that every state originates in conquest—"begotten in and of aggression" as Spencer said. The state has never sprung up by free contract or to meet social needs; nor is it the quasi-divine means of holding anarchic "civil (bourgeois) society" together (after Hegel).

On the contrary, the state typically begins with the conquest of peaceful peasants by warlike nomads. The conquerors retain the tillers of the soil as serfs or slaves, parcel out the land amongst themselves, and become an aristocracy "sovereign" over the territory they control by arms. As a "materialist" student of history, Oppenheimer was a realist and no romancer of the "idea" the state supposedly embodies. He defines the state as a territorial institution for "the economic exploitation of the vanquished by the victors." Every state is thus a class state. The state is the "organization" of the "political means" to wealth (seizure of what others have produced), fundamentally opposed to the peaceful "economic means" (production and exchange).

Oppenheimer carries forward a radical reading of the physiocratic and

natural law distinction between "natural order" or "society" and "artificial order" or "state." But unlike Locke, Smith, Turgot and Rousseau, whom he severely criticizes, Oppenheimer denies that modern society's grossly unequal distribution of property, especially in land, could have come about through the "natural" working of economic laws. The Enlightenment thinkers had chosen to draw this unnecessary conclusion.

The "political means" disrupted and undercut liberal dreams of peace, freedom and prosperity since the state preceded liberalism and was only partly modified by the liberal Revolutions of 1776 and 1789. Extra-economic coercion, not some "primitive accumulation of capital," led to the imperfect, monopolistic "capitalist" present. In so arguing Oppenheimer breaks with both "bourgeois" (Establishment) apologists and Marxists. The latter admit, even stress, the role of force in "primitive accumulation"-force which crucially altered the outcome of economic process-but save themselves by reducing force to a mere reflex of "economic" activity. To Oppenheimer, "economic" reductionism is a dangerous half truth; his "sociological" interpretation distinguishes economic motives from economic means and reestablishes power as a major variable in human history. Here he is close to the anarchist critique of Marxism, especially Bakunin's. Hegemonic bonds do forcibly alter economic evolution. (As Tom Paine put it "when the robber becomes the legislator he believes himself secure".) Oppenheimer, a radical liberal, sought to eliminate coercion from civil society.

Using conjectural history, Oppenheimer establishes legal "scarcity" of arable land as the root of class society. Since enough good land has always existed to support mankind as free farmers, extreme inequality

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Arts and Movies

by Mr. First Nighter

Nostalgia and the Big Bands. There are a lot of special junk record offerings on TV: "The Heart of Music" for only . . . brilliantly satirized by comedian Robert Klein as, "Every record ever made . . . for only \$9.98." So one might not be tempted to take very seriously Nostalgia Book Club's offering of "Rare Big Bands Gems, 1932-1947". But that would be a big mistake, for the big band gems are lovingly selected by Neil McCaffrey, head of Nostalgia Book Club, and one of the country's great experts on jazz and big band recordings of the Golden Age.

Everyone who has the privilege of knowing Neil personally knows that one of his special delights is in uncovering rare, unknown records and songs that are truly first-rate; and in "Rare Big Band Gem", McCaffrey performs this feat for you, the listener. Many of these 48 performances (on 6 LP sides) are previously unissued takes; many are unknown recordings, often of unknown songs. But they are all a surprise and a delight.

Typical of McCaffrey's creative approach is his offering of Benny Goodman's band, who is represented more than any other. For most of the recordings are from the virtually unknown post-war Goodman period, and they are rare gems indeed. Listen, for example, to the previously unissued "That's All That Matters to Me", with vocal by Liza Morrow, or to the instrumental "Lucky", or to "I Wish I Could Tell You", with Miss Morrow again on the vocal. Marvellous! Then, there is the first of the great bands, Glen Gray and his Casa Loma Orchestra; the McCaffrey album offers us a brace of recordings from 1932-33. I particularly liked "Why Can't This Night Go On Forever?", with vocal by Kenny Sargent. Particularly fine on these records is Pee Wee Hunt on trombone and Clarence Hutchenrider on clarinet, for the Glen Gray orchestra.

Other splendid records feature Harry James, Red Norvo and Mildred Bailey, Gene Krupa, Artie Shaw, Will Bradley, and Jack Teagarden. The James records, again, feature the almost unknown post-war band. My own favorites are such superb vocals by Mildred Bailey as "There's a Lull in My Life," "More Than Ever," and "Have You Forgotten So Soon?"; Artie Shaw's "Sugarfoot Stomp", "Take Another Guess," and "Goodnight, Angel", and Will Bradley's band with Will on trombone and Carlotta Dale on vocal in their rendition of that wonderful show tune, "I Don't Stand a Ghost of a Chance."

A particularly remarkable aspect of these records is the acoustics. The clear and mellow sound would grace any recording; considering that these come from often tinny and scratchy old 78's and masters, the feat is even more praiseworthy. For this we must thank Art Shifrin, the engineer, who is an expert on 78 sound recording.

On buying "Rare Big Band Gems" there's good news and there's bad news. The good news is that this splendid album is priced at only \$1.98. The bad news is that you can't rush out and buy it; this album is not available except to Nostalgia Book Club members. If you're not a member, the price is membership + \$1.98; if you're already a member, it's \$12.95. But, on second thought, that's really not bad news at all; for joining the Nostalgia Book Club can only be a delight for anyone at all interested in the popular culture—the optimistic, rational, life-affirming culture—of the pre-World War II era.

So join the Nostalgia Book Club; for information write to them at 165 Huguenot St., New Rochelle, N. Y. 10801. And happy reading and listening! □

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indicated political pre-emption of vast land areas. This he proves from the historical record.

Oppenheimer sees the state as normally passing through six stages, from pillage to bureaucracy. The modern stage rests on the urban money economy which made possible regular payment of functionaries; the monarch's officials broke the territorial magnates and curtailed free cities which as market centers were the highest expression of the economic means. Oppenheimer's treatment of feudal psychology, which approved "honest thievery," helps explain why many of our contemporaries admire those brigands and murderers who commit crimes on a grand (state) scale.

Unfortunately, the remedies Oppenheimer offers us for the evil diagnosed by the Levellers, Paine, Thierry and Oppenheimer himself seem laughably weak; agrarian colonies (shades of John Denver) and faith that History is bringing on an epoch of well-behaved, (reformed) states. As Charles Hamilton notes in his able introduction to the new edition, Oppenheimer suddenly chooses to forget all he has taught us about states. Hamilton's introduction catalogues the support for Oppenheimer's theses in contemporary anthropological and political science literature.

Oppenheimer provides us with an important set of insights into political behavior and a corrective to the "economic" dogma of the Marxists. Oppenheimer was a radical liberal who sought fulfillment of the bourgeois Revolution towards individual liberty, free exchange and virtual statelessness, a Revolution temporarily arrested by liberal failure to criticize the state—the negation of humanity with radical tools of analysis.

The Mystery of Civil Obedience

If the state is indeed the exploitative apparatus Oppenheimer describes, why do people put up with it? A classic answer is Etienne de la

Boetie's *The Discourse of Voluntary Servitude*, reprinted as *The Politics of Obedience*. In a brilliant introduction Murray N. Rothbard, economist, historian, and theorist of free market anarchism, covers the background and place in political thought of La Boetie's essay of 1552.

La Boetie asks, Why do men obey a tyrant? Clearly, force alone is not the answer since the citizens far outnumber the tyrant and his retinue. As posed by Rothbard the question is, Why do men obey a government? La Boetie's modern-sounding conclusion is that habit, miseducation and the penetration of vested interests into the broader society render men blind to their physical superiority over the oppressors.

Thus all governments ultimately rest on tacit "consent"—or better, acquiescence. Rothbard observes that David Hume and Ludwig von Mises laid particular stress on "opinion" as the basis of government, including so-called "totalitarian" regimes. La Boetie, a political humanist and a libertarian Machiavelli, makes the point eloquently.

La Boetie's remedy is radicalization of the masses by a cadre of those who retain the love of liberty and see through tyranny, followed by nonviolent civil disobedience. Because of this strategy some would claim La Boetie as an anarchist or Gandian. Rothbard cautiously suggests that the author does not take his logic as far as he could.

La Boetie writes that tyrants corrupt society so that "there are found almost as many people to whom tyranny seems advantageous as those to whom liberty would seem desirable." This certainly applies to our own Keynesian welfare-warfare state (neo-mercantilism or state monopoly capitalism). We can hope with the author that God "has reserved, in a separate spot in Hell, some very special punishment for tyrants and their accomplices."

Liberal contract theory holds that government does rest on voluntary agreement. Radical social contract after Paine, Jefferson and Alexander Stephens holds that when government doesn't rest on true contract, revolution is justified. Natural law anarchism after Thoreau, Lysander Spooner and Stephen Pearl Andrews holds that since the state in principle

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Who are the South Moluccans?

We are getting used to terrorists and kidnapers in this world; generally, it seems that they are Arab, or Commie, or Black Muslim. But who in hell are the South Moluccans? And if they want independence of the South Moluccan isles from Indonesia, then why in blazes are they harassing and terrorizing the Dutch?

Herein lies a fascinating tale. Like the Katangese, though a decade earlier, the South Moluccans were freedom-fighter heroes in the lexicon of the American Right: authentic, dark-skinned Asian heroes for their national liberation. Why did American conservatives, back in the 1950's, take the South Moluccan fighters to their bosom? Because (1) the South Moluccans were battling against an imperialism that was Asian and dark-skinned rather than European and white, and were therefore permissible; (2) the imperialists were Javanese expansionists who, after the Dutch were forced to leave, conquered all the other islands in the area and called them "Indonesia", and, in those days, Java was pro-Communist; and (3) the South Moluccans, in contrast to the Muslims in the rest of the region, were authentic Christians, and therefore the good guys.

But of course that was yesterday, and now the Indonesians are governed by a fascistic military dictatorship, and are therefore now "bastions of the free world." The noble cause of South Molucca, like that of Katanga, has been allowed to drop down the right-wing memory hole. (For an older work on the South Moluccan cause, which takes the early anti-Communist line, see J. C. Bouman et al., *The South Moluccas: Rebellious Province or Occupied State* (Leyden, Holland: A. W. Sythoff, 1960)).

Okay, so the South Moluccan cause has been forgotten by the world, and the young Moluccan hotheads, chafing for action, have scorned the advice of their conservative Christian elders and have taken the terror route as a method of getting attention for the cause. That much is all too familiar. But in this case, there is something wrong with the picture: Why are the South Moluccans harassing the Dutch, who pulled out of Indonesia a generation ago, instead of going after their real tormentors, the Indonesians?

And herein is a lesson for our time. It is true that the Moluccan terror actions make no sense whatever, even from their own point of view. But the Dutch were amiable enough to allow many emigre Moluccans to emigrate to Holland, as a haven from their oppressors. And there they sit, brooding about their homeland and about the cause of Moluccan independence. All well and good, from a libertarian point of view, but then—again—why pick on the Dutch? Why not leave Holland, go back to Indonesia? That's what a serious national independence movement would do. But no: it is easier and more pleasant to lounge around a free Holland then to return to the Indonesian muck, and it is easier to pick on the tolerant Dutch than it is to tangle with a fascist dictatorship.

The lesson for all of us is that emigres are often poison to the host country that kindly takes them in. Regardless of how just the emigre cause may be—and nine times out of ten it is just indeed—there is still no excuse for the emigres trying to involve the host country in their battles, or for the host country to allow itself to become involved. □

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cannot be contractual and voluntary it must go. La Boetie's view, an age ahead of its time, hovers between the radical and anarchist positions. His universal, "abstract" radicalism looks forward to the bourgeois Revolution of liberty and equality; in reintroducing La Boetie, Rothbard looks forward-with Oppenheimer-to the completion of that Revolution in statelessness.

Revolutionary Smorgasbord

If miseducation reinforces the hegemony of the Leviathan state (even in the era of Vietnam, Watergate and CIA revelations), what can be done? Joel Spring's *A Primer of Libertarian Education* is a provocative, broad and often irritating summary of radical approaches to education.

The author begins with the anarchist critique of public schooling. It was a major error of early liberals to think that substituting state schooling for haphazard private arrangements would promote a free society. William Godwin, the first thorough anarchist, emphasized the danger to peace and liberty from the state's teaching of "patriotism" to naive children. Further, "laws" contrary to natural reason would be inculcated.

After Godwin, Spring touches on Francisco Ferrer and Ivan Illich. He dwells on Max Stirner, the anti-Hegel, who tried to show how individuals could become "self-owners" capable of criticizing and adopting ideas. This was the alternative to domination by "wheels in the head" and a "gendarme in the breast."

Ivan Illich underscores the alienation of people "from their learning." His colleague Paulo Freire, a Brazilian activist, links education directly with revolutionary praxis. As presented by Spring, Freire's belief is that education can focus directly on the key contradictions between social forces, leading to change. Unfortunately, Freire appears to rely on Marx's "materialist" reduction of ideas to the reflex of economic forces (despite a Leninist voluntarism in other respects). Both Freire and Spring seemingly overlook the ambiguities of how "man" acts, is conscious, and "makes" society in the Marxian view. Focusing on social forces doesn't help if the wrong contradictions are isolated or if they are misconceived. *Here the work of Nobel Laureate F. A. Hayek and British anarchist Colin Ward on spontaneous versus artificial order could provide a better way of getting at social forces and social change. ** Otherwise, the legitimate humanist goal of fighting oppression subverts itself, and education linked to a misunderstood goal becomes propaganda (which has its place) and not libertarian education.

Spring proceeds to Wilhelm Reich's theories of the connections of sexual frustration and fascism and the link between authoritarian family and authoritarian state. Stripped of Marxist accretions, there are some sensible ideas here (rigidity versus self-regulating character, armoring,

self-reproduction of authoritarianism). Concerning a somewhat Reichian school in Moscow in the 1920's, Spring writes that "embaracing and kissing the child" were forbidden, lest adults "live out their own unsatisfied sexuality." So Puritanism still reigns on the Left—even among sexual reformers! Spring's discussion of A. S. Heill covers familiar ground, though the reader will learn a lot about Neill's political naivete.

Spring summarizes Philippe Aries' thesis that childhood itself is a relatively modern invention. He deals at length with the kibbutz since it was originally intended to free women through collective childrearing. Mercifully, he spares us any starry-eyed kibbutz propaganda, admitting that peer group pressures produce truly conformist individuals with little private experience and few emotions. Perhaps this supposed cure for the evils of the nuclear family is worse than the disease. (And perhaps private experience, as Proudhon said of property, is liberty.)

Spring's final chapter is interesting but full of inconsistencies. He connects individual autonomy with individual "control of the social system," another instance of Rousseauian social engineering attitudes or what F. A. Hayek calls "constructivist rationalism." Many of Spring's proposals conjure up a Chicagoite-hippie approach (picture conrade Friedman in long hair and a beard) and throughout Spring can't even choose between state socialism and anarchism. Pursuing the late 19th century will o' the wisp of unalienated labor, blurring the distinction between education and revolution (both of which have their uses), he soars above many issues raised by the state's aleination of learning from individuals and voluntary associations. While the schools go on destroying learning, getting children ready for the next war-to-end-war, teaching nationalism, testing and drugging, the author worries about immediately guaranteeing the psychological wellbeing of every last individual. This quest, at once individualist (after Rousseau) and totalitarist, gets in the way of seeing what can be done: separation of education and state. (Especially, since the state is probably the most important source of the kinds of alienation that can be eliminated.) On two points it is easy to agree with Spring: he affirms "faith in individual actions" and suggests changes to allow children to take part in real life. On this path, from which he often get sidetracked, Spring might find himself in the company of some distinguished 18th and 19th century libertarians—Paine, Godwin, Spencer. Spencer's natural law position on children's rights is radical and relevant even today. □

*You can understand all the social forces some of the time, you can understand some of the social forces all of the time, but you can't understand all the social forces all the time. I think Bob Dylan said that. See especially Gordon Leff, *The Tyranny of Concepts and History and Social Theory*.

**In *Law, Legislation and Liberty* and *Anarchy in Action*, respectively.

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