

~~~~~ **DOUBLE ISSUE** ~~~~~

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# THE Libertarian Forum

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35¢

## On Civil Obedience

Mr. Leonard E. Read, President of the Foundation for Economic Education, the oldest established organization for *laissez-faire*, has now given us all an Independence Day present: a frank repudiation of the American Revolution and of that great libertarian document, the Declaration of Independence, on which that Revolution was grounded. ("Civil Disobedience", *Notes from FEE*, July.) How have Mr. Read and FEE, who proclaim themselves to be libertarian and have many times hailed that same Declaration, gotten themselves into this odd position? FEE was the organization where, over twenty years ago, I first met the late Frank Chodorov, a great libertarian who introduced our generation of young libertarians to Thoreau and his Essay on Civil Disobedience. How is it that now Leonard E. Read writes an essay sternly calling upon everyone to obey the law at all times, regardless of how immoral or unjust any law may be? For twenty-five years, Leonard Read has labored to bring us liberty, and, behold, he has brought us the profoundly anti-libertarian stone of Civil Disobedience.

Apparently, Mr. Read was provoked into writing this essay by running into trouble with his youth cadre. He tells us that after he and his colleagues had finished instructing their Undergraduate Seminar on the immorality and injustice of the bulk of our laws, the main question raised by the students was: "Am I not warranted in breaking an immoral law?" An excellent question, indeed, but one that apparently disturbed Mr. Read. For even a believer in *laissez-faire*, let alone an anarchist, must concede that the great bulk of our laws is despotic, exploitative, immoral and unjust. Why, then, should these criminal and unjust edicts be obeyed? Why indeed?

Mr. Read is very firm on his answer to the students: no law, no matter how immoral, may be disobeyed. No one must knowingly disobey any law, regardless of its content. He is not nearly as clear, however, on the *reasons* for his stand, which quickly become cloudy, self-contradictory, and irrelevant.

Mr. Read's first reason for commanding obedience to all law is a curious one, considering his past record as an

ardent defender of each individual's following his own moral principles, of being true to himself, whatever these principles may be. After preaching the immorality of invading the natural rights and the property of any individual for nearly twenty-five years, Mr. Read has apparently and suddenly become a moral relativist. If the individual is to disobey an immoral law, he wonders, "how is an immoral law to be defined?" Even if *he* is sure that regulation or special privilege is immoral, he says, his is "quite a minority view these days". And then he adds, rather sadly for someone who had once been so firm on each individual's following his own moral judgment: "contemporary ethical standards vary so that no law will pass everyone's test of morality", and so no person may use his conviction of a law's immorality to break that law.

Let us be quite clear what Mr. Read's current position implies. The government, let us say, passes a law, ordering every citizen to turn everyone known by him to be a Jew (or Negro, or redhead, or whatever) over to the authorities to be shipped to a concentration camp. Mr. Read would surely consider such a law criminally unjust; but he would feel morally obligated to obey, because who is he to set his own ethical views against "contemporary ethical standards?" Mr. Read considers conscription a monstrous slave law; and yet, he would presumably condemn any young person evading the draft for disobeying the law, and presumably would also turn this young draft evader in to the authorities if the law so decreed.

Mr. Read's argument evidently suffers from a grave inner contradiction. He raises the variability of definitions of morality and of ethical standards as an argument for *not* acting on one's own perception of the injustice of any law. And yet he turns around and enjoins upon us all the absolute ethical commandment of obeying all laws, no matter their content, even though he admits in his article that many people dispute the justice of these laws. In short, Mr. Read uses ethical variability as the reason for ethical relativism, for preventing people from acting on their own moral judgments, and yet from that selfsame ethical variability he somehow comes up with a universal ethical absolute: obedience to every law, regardless of one's moral judgment. If, indeed, ethical standards are variable and therefore we should not presume to act on our own moral principles, then neither can there be an absolute ethical imperative for everyone to obey the law. Mr. Read can't have it both ways.

Let us contrast Mr. Read's ethical relativism and plea for civil obedience to some of his own earlier writings,

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### DOUBLE ISSUE

NOTICE: During July and August, we will publish special Double Issues: one covering July 1-July 15, and another August 1-August 15. We will return to our regular publishing schedule in September.

## ON CIVIL OBEDIENCE — (Continued from page 1)

writings in those golden days when FEE was at the center of libertarian thought and activity in this country. Thus, in his "The Penalty of Surrender" (*Essays on Liberty, Vol. I*, FEE, 1952, pp. 253-63), Read wrote eloquently that one must not compromise one's moral principles, because, in the field of morality, the slightest compromise can only mean surrender. Read recognized then, of course, that no person is infallible, and that therefore one's moral principles might be in error, but that he must follow them nevertheless. "A principle . . . is a matter of personal moral judgment . . . I am convinced that no person is capable of rising above his best judgment. To live in strict accordance with one's best judgment is to live as perfectly as one can . . . A rule of conduct emerges with crystal clarity: *reflect in word and in deed, always and accurately, that which one's best judgment dictates.* (Italics Read's.) . . . To do less, to deviate one iota, is to sin against yourself, that is, against your Maker as He has manifested Himself in you. To do less is not to compromise. To do less is to surrender!" (*Ibid.*, pp. 258-60.) Hear, hear! But how does the eloquent and uncompromisingly principled Leonard Read of the early 1950's square with the Leonard Read of 1970, who claims that since "contemporary ethical standards vary, and the majority may not agree, no individual is justified in breaking a law that he may consider deeply immoral? Isn't his later position "surrender" and "sin"? And, furthermore, the early Read said: "Principle does not lend itself to bending or to compromising. It stands impregnable. I must either abide by it, or in all fairness I must on this point regard myself, not as a rational, reasonable person, but rather as an unprincipled person." (*Ibid.*, p. 256.)

Another eloquent product of the early Read was "On That Day Began Lies." (*Ibid.*, pp. 231-252.) Read took his essay from a text by the frankly anarchist Leo Tolstoy: "From the day when the first members of councils placed exterior authority higher than interior, that is to say, recognized the decisions of men united in councils as more important and more sacred than reason and conscience; on that day began lies that caused the loss of millions of human beings and which continue their work to the present day." Read built his article on this superb passage. Again Read wrote: "the nearest that any person can get to right principles—truth—is that which his highest personal judgment dictates as right. Beyond that one cannot go or achieve. *Truth, then, as nearly as any individual can express it, is in strict accordance with his inner, personal dictate of rightness.* (Italics Read's.) The accurate representation of this inner, personal dictate is intellectual integrity. It is the expressing, living, acting of such truth as any given person is in possession of. Inaccurate representation of what one believes to be right is untruth. It is a lie . . . Thus, the best we can do with ourselves is to represent ourselves at our best. To do otherwise is to tell a lie. To tell lies is to destroy such truth as is known. To deny truth is to destroy ourselves." (*Ibid.*, p. 233.)

Read went on to attack the idea of subordinating one's own perception of truth to the opinions of other men in "councils", organizations or governments, and particularly to attack the idea that a group of men labelling themselves "government" can morally perform acts (murder, theft, etc.) that individual men would not perform. He concludes: "How to stop lies? It is simply a matter of personal resolve to act and speak in strict accordance with one's inner, personal dictate of what is right. And for each of us to see to it that no other man or set of men is given permission to represent us otherwise." (*Ibid.*, p. 252.) And let us underline here that, in both of these early essays, Mr. Read writes of "acting" and of "deeds" as well as merely speaking in accordance with one's inner convictions.

And finally, Leonard Read's noble *Conscience on the Battlefield* (FEE, 1951), a pamphlet which seems to have been long out of print at the Foundation. Here Read candidly

condemned war as "liberty's greatest enemy" and as, simply, "evil". The essay is written in the form of a dialogue between Read's current self—or his Conscience—and with what would have been his self if he had then been dying on a battlefield in Korea. Read admonishes the dying soldier that, simply because the government had sent him there to fight, the soldier cannot escape moral guilt for killing his fellow human beings. The government's calling it moral or legal or calling it war cannot alter the fact that killing in that war was unjustified murder of his fellow men.

Read wrote of the "failure to grasp the idea that when the right to act on behalf of one's self is delegated to another, this cannot reasonably be done without an acceptance of personal responsibility for the results of the delegated authority . . . Let authority for your actions be transferred to government, a collective, without an exact accompaniment of your personal responsibility for that authority . . . and . . . you will act without personal discipline as a result of the mistaken belief that there can be authority without responsibility . . . And this, I submit, is the illogical process—call it foreign policy or whatever—which leads you to kill another person without remorse or a feeling of guilt." (*Ibid.*, pp. 30-31.) And the fact of government action is no moral aid to one's conscience, for government "is but a name given to an arrangement which consists only of individuals. They—and they alone—are responsible for what they do collectively as government. They—and they alone—are subject to Judgment." (*Ibid.*, p. 29.)

And the early Read went even further in his moral condemnation of the American war-machine; in the guilt for "there can be no distinction between those who do the shooting and those who aid the act—whether they aid it behind the lines by making the ammunition (the "merchants of death"?) or by submitting to the payment of taxes for war." (*Ibid.*, p. 11.)

Now I am not saying that the Leonard Read of 1951 would have counselled the soldier or the taxpayer for the war machine to break the law—to refuse to involve himself in the guilt of mass murder. But surely it is inconceivable that the Read of 1951 would have *condemned* the man of conscience who broke the law by refusing to participate in mass murder, especially by referring to minority positions and to differing "contemporary ethical standards".

So much for Read's argument against an individual refusing to obey a law he considers immoral. Read's second argument against law-breaking is scarcely an argument at all: it is the raising of the old spectre, the old bogey, of "anarchy". He seems to place himself squarely in the middle-of-the-road, in the middle between socialism on the one hand and the "enormous anarchistic reaction" to socialism on the other. But from his tone, and from his curious injunction that State laws must be obeyed regardless of their content, it is abundantly clear that Mr. Read regards anarchism—the maximum of individual liberty—as somehow a far greater threat to his version of liberty than socialism itself. He must, else he would not opt for obedience to all state laws, no matter how despotic, as compared to the outside chance of anarchism! A curious position indeed, especially since the ranks of anarchism are enormously weaker than the might and power of the State. That Mr. Read has gone far down the statist road is evident also from the fact that his legendary politeness and courtesy in polemic has begun to slip: "I see an enormous anarchistic reaction . . . And back of it all—giving the movement a false dignity—are an increasing number of persuasive writers and speakers flaunting the labels of scholarship." (*Notes from FEE*, p. 1.) Never has Mr. Read written in such angry personal tones of writers and speakers on behalf of statism or socialism. Curious once more!

"Anarchy," writes the current Mr. Read, is "approaching epidemic proportions." (Would that it were so!) Anarchy, Read warns, is "unplanned chaos", which is no better than

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# Adam Smith Warned You: Inflation Always Leads To Crisis.

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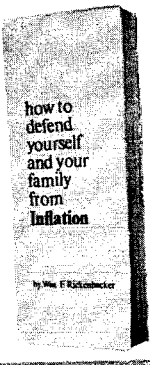
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## ON CIVIL OBEDIENCE — (Continued from page 2)

the "planned chaos" of socialism. "Unplanned chaos"—an interesting term. Does Mr. Read mean by this term the free market, for that is precisely what we free-market anarchists advocate? But if freedom and the free market is "chaos", how then does Leonard Read's view of the market differ from that of Karl Marx, who scornfully referred to the market as "anarchy of production"? Is freedom, at last, to be called "chaos"?

The term "planned chaos" is taken from a booklet of the same title by the distinguished *laissez-faire* economist, Ludwig von Mises. But Mises does not, as does Read, contrast government planning to planlessness as the available polar alternatives. To Mises, the desideratum is that *each individual plans for himself*: "The alternative is not plan or no plan. The question is: whose planning? Should each member of society plan for himself or should the paternal government alone plan for all? The issue... is spontaneous action of each individual versus the exclusive action of the government. It is freedom versus governmental omnipotence." (Ludwig von Mises, *Planning for Freedom*, South Holland, Ill.: Libertarian Press, 1952, p. 45.) And Mises adds: "There is no other planning for freedom and general welfare than to let the market system work." (*Ibid.*, p. 17.) The aim of free-market anarchists is precisely to end governmental omnipotence and planning, and to substitute for this each man's planning for himself. Or does Mr. Read, in contrast to Mises, consider each man's planning for himself to be "planless chaos"? (This is not to say that Mises is an anarchist, but that Mises would not make the egregious error of referring to the market as "planless chaos".)

We should add that the early Read had a far different view of "chaos"; to him, "chaos" signified the individual's abandonment of principle: "If principle is abandoned, even compromise will not be possible. Nothing but chaos!" (*Essays on Liberty*, Vol. I, p. 263.)

Mr. Read admits that almost everyone breaks laws every day, but only, he hastens to add, because they *don't know* what the laws may be. Thus, he cites a business firm which might or might not be breaking the antitrust laws for almost any action it may perform. So far, so good (although this contradicts the position taken in *Conscience on the Battlefield*, pp. 14-15.) But Mr. Read has not looked deeply enough at reality. Surely, he must be familiar with the fact that every citizen breaks laws, *knowingly* and intentionally, every day. Does he not know that millions, every day, discard gum wrappers on streets, fudge a bit on their income taxes, cross the street on the red light, commit fornication out of wedlock, etc.—and without the world falling apart? Has not even Leonard Read himself, even he, once in a while driven 62 miles per hour in a 60-mile per hour zone?

Read professes joining the revolutionaries in his "distaste for the plethora of oppressive laws presently on the statute books". But the remedy, he insists, must only be repeal of the laws rather than breaking them. But how in the world does he think that laws *get* repealed? The best way of forcing our politicians to repeal a law is to render that law absolutely non-enforceable, in short, by mass breakage of that law. How does Mr. Read believe that perhaps the single greatest tyrannical law in American history—Prohibition—got repealed? Prohibition got repealed because it had become totally unenforceable in that greater part of the country where people decided that the act—even as a Constitutional amendment—was absurd and despotic, and they simply and knowingly ignored the law. The mass drinking during Prohibition was one of the greatest—and most successful—movements of mass civil disobedience in history. It won, and surely every libertarian must consider this victory a great triumph for liberty—a triumph brought about by nothing else than mass breakage of The Law. Leonard Read

writes that "lawbreaking merely adds to the existing confusion", and that "if any idea or action does not lead to enlightenment, it is worthless, if not downright destructive." Contrary to Mr. Read, the lawbreaking during Prohibition was very clear, and extremely enlightening, both to the government and to the general public. What it told the government was that Prohibition was an act so despotic and so invasive of the personal freedom of the public that that law could not be enforced, regardless of the sums of taxpayers' money spent on government snoopers and prohibition enforcement agents. The lawbreaking enlightened the public and the government that there are *some* limits beyond which the government *may* not go in its dictatorship over society. The government will never attempt Prohibition again, thanks to that lawbreaking and that enlightenment. This is a process of enlightenment which the Marxists have aptly called "education through struggle".

Mr. Read, in contrast, apparently believes that laws are repealed by one individual genius rising up and sounding the trumpet, and then, presto, the unjust law is dissolved. This Great Man view of history is all too popular among the public ignorant of historical processes, and Mr. Read picks a peculiarly absurd example by singling out the alleged influence toward libertarian repeal of oppressive laws by one Father Paolo Sarpi. Sarpi, according to Read, was a sixteenth-century Venetian priest, "whose analysis, reasoning and expositions crumpled the mighty power combination of Church and State..." He then quotes the historian Andrew Dickson White as hailing Sarpi, who had "fought the most bitter fight for humanity ever known in any Latin nation, and won a victory by which the whole world has profited ever since." (*Notes from FEE*, p. 2.)

Leonard Read accuses some of us of giving the anarchist movement a "false dignity" by "flaunting the labels of scholarship". Well, that is *one* sin which Mr. Read can never be accused of committing. No scholarship—or historical knowledge whatsoever—is being flaunted here. In the first place, it is historiographical nonsense to think that a law, let alone a structure of laws, can be "crumpled" by one person writing a book, no matter how persuasive that book. *Other things* have to happen, too, but these are things which Mr. Read does not choose to face, for they involve pressure, social forces, politics, and even violence. They involve, in short, a struggle against Power. But setting this point aside, one boggles at the ignorance of history flaunted by Mr. Read: no one with the slightest knowledge of sixteenth or seventeenth-century European history can treat Mr. Read's account of Father Sarpi with anything but a round horselaugh. Not only didn't Father Sarpi "crumple" a darn thing, either directly or indirectly; Sarpi's role was, to the contrary, to *defend* the laws of the Venetian State against the Church. Rather than the prophet of "repeal of oppressive laws", Father Sarpi was the apologist for existing State law against its Churchly critics. Furthermore, and to put the cap on Mr. Read's historical balderdash, these Venetian laws were decidedly oppressive and anti-libertarian. They included the refusal of the Venetian State to allow the Church the right to establish orders or erect religious buildings without state permission, and the expulsion of the Jesuit order from Venetian territory. Leonard Read's heroic prophet of liberty who supposedly "crumpled" an entire structure of oppressive laws by writing a book, turns out to be merely an apologist for existing oppressive laws! Leonard Read the historian makes Leonard Read the social philosopher tower like Aristotle.

Perhaps Mr. Read's problem is that he took as his historical authority one Andrew Dickson White, a man who was not even a very good historian when he wrote his works in the late nineteenth century. History is a cumulative discipline, and historical scholarship seventy-five odd years ago was in its infancy. And even in that age of flagrant bias and feeble scholarship among all too many historians,

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## ON CIVIL OBEDIENCE — (Continued from page 3)

Andrew Dickson White was particularly blinded in his historical outlook by his almost fanatical anti-Catholic bias. Father Sarpi was against the Papacy, and for Andrew Dickson White that was credentials enough.

Is Mr. Read, then, counselling obedience to *all* law? Is there *no* edict, no oppression, no injustice, no matter how flagrant or how gruesome, that Leonard Read will not swallow? No, he is willing to draw the line *somewhere*: where freedom of speech is infringed. I shall obey the law, Mr. Read states, "so long as I am free to speak my piece and write about it." He adds with self-satisfaction: "*That's my criterion!*" for "turning revolutionary".

I have heard this criterion from Ayn Rand and now from Leonard Read, but I must confess that I simply cannot understand how this criterion is arrived at. How is it grounded in libertarian principle? Neither Read nor Rand has offered any derivation for their criterion. In fact, the criterion seems to me an absurd one for a libertarian to promulgate. Suppose that a man burgles my home, assaults me and my family, and kidnaps me; have I no moral right to defend myself *provided* that he allows me to register my protest and even send a letter to the *Times*? What sort of libertarian principle is *this*? For that is what Mr. Read is saying: no matter how much the government criminally robs us, kidnaps us, enslaves us, brutalizes us, we must not defy or disobey the edicts of this criminal gang provided they allow us to raise our voices in protest. But why? *Why*?

I can understand such an argument from Social Democrats like Sidney Hook. For people like Hook, property rights are unimportant; indeed the *only* right worth defending is freedom of speech (and to press the lever at the ballot-box). Given the preservation of such freedom of speech, such "human right", every act of government is morally legitimate and therefore must morally be obeyed. But Leonard Read and Ayn Rand are *supposed* to be upholders of property right; they are supposed to believe that property right is a human right just as sacred as freedom of speech. How come this abandonment, this surrender of the rights of property, including the property right in one's own person as is violated in conscription? How can libertarians and defenders of property rights suddenly abandon such rights as unimportant, and claim that the right of self-defense, or even the moral right to disobey unjust laws, arises only when freedom of speech is violated? Do not Read and Rand know that freedom is indivisible, that the willingness to sanction the loss of freedom in one area means that other areas inevitably are abandoned? Surely they have written this many times, as did Mr. Read in "The Penalty of Surrender". On *what* day began lies?

Furthermore, aside from his abandonment of libertarian principle, Mr. Read, as in his acceptance of the Sarpi fable, betrays a curiously naive view of strategy in the real world. Does he *really* believe that he can accept an increasingly totalitarian framework of laws and of State power, keep counselling total civil obedience, and *then*, when the State puts the final nail in our coffin by suppressing our freedom of speech, suddenly say: "OK, that's it. I now become a revolutionary." Does he really believe that one can meekly accept 99% of one's enslavement and then suddenly stand up, a defiant revolutionary, at the last nail in the coffin? Read the revolutionary would last about ten seconds before finding his way to the nearest hoosegow. But perhaps Mr. Read believes that, like Father Sarpi, he need then only rise and proclaim: "I become a revolutionary", for the State's oppressive regime to "crumple" once more.

I agree with Herbert Marcuse on virtually nothing, but his analysis of freedom of speech in the United States as the keystone in a system of "repressive tolerance" is close to the mark. It is as if the Establishment can oppress us by all manner of laws, privileges, and regulations, but then

ostentatiously allow dissenters like Ayn Rand or Leonard Read to speak and publish, and then tell everyone here and abroad: "See, we *do* have a free country. What are you all complaining about?" Freedom of speech, *especially* when, as in the case of Leonard E. Read, it conspicuously does *not* lead to action against the State, serves the State well as its showcase, its "Potemkin village", to bamboozle the public into believing that we in fact live in a "free society". By embracing freedom of speech as the *only* freedom worth defending or clinging to, Leonard Read and Ayn Rand fall beautifully into the co-opting trap of repressive tolerance.

One wonders, too, whether Mr. Read realizes that even freedom of speech, especially that of the more annoying dissenters, is being interfered with, harassed, and crippled, *right now* in the United States. Such repression has taken myriad forms: for example, the Chicago Trial of the Conspiracy 8, the Chicago police riot of 1968, FCC regulation of radio and TV stations, the outlawing of the Washington *Free Press*, the persistent governmental harassment of the San Diego underground press, the endemic wiretapping indulged in by government, and numerous other examples. What was the massacre at Kent State but the murder of students who were exercising their freedom of speech and assembly by peaceful demonstrations? Even if our puny little libertarian movement has been harassed and intimidated in our exercise of freedom of speech and assembly by the force of government. Every one of our dinners and conferences in New York was infiltrated and reported on in detail by police spies, plainclothesmen virtually surrounded our major New York conference, and FBI agents have intimidated people who had attended the conference (obviously getting their names from police spies.) Do you, Leonard, consider this an invasion of our freedom of speech and communication? What of your criterion now?

Senator Sam Ervin (D., N. C.), one of the few conservatives in Congress genuinely concerned about liberty of the person, has been conducting a lone, one-man campaign in the Senate attacking the existence of computerized files in the Federal government containing a dossier on hundreds of thousands of American "malcontents" who have committed no crimes. Senator Ervin says that the existence of these files brings us close to being a "police state". The Senator charges that "the very existence of government files on how people exercise First Amendment rights, how they think, speak, assemble and act in lawful pursuits, is a form of official psychological coercion to keep silent and to refrain from acting." (*New York Times*, June 28.) Are you, Leonard Read, going to be *less* critical of our burgeoning police-state than Senator Ervin, a man who has never claimed to be a consistent libertarian? I know, too, that I and many other peaceful libertarians are on that infamous list.

Of course, it is very possible that Mr. Read simply does not care about this repression of freedom of speech, even of the speech of libertarians. For he *does* say that his criterion rests on whether "I am free to speak my piece and write about it." I have no doubt whatever that, long after the freedom of speech and communication of others, of active anti-Statists, has been suppressed, Leonard E. Read will be allowed to speak and publish unhampered. His freedom of speech is not likely to be in danger, not so long as any tolerance remains in our system of repressive tolerance. Perhaps, after all, Mr. Read is only concerned about *his* freedom of speech, and the devil take anyone else's. But at least he should ask himself: why? Why is it that *my* freedom of speech remains unsullied while others are suppressed? Is it because the State considers me a boon rather than a bane, especially as I continue to preach ardently in favor of civil obedience?

Having proclaimed, but not defended, the criterion of free speech for disobeying any law, Mr. Read goes on to a third argument for civil obedience: an argument from strategy. Mr. Read asserts that anarchists, "who flout law and order

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## ON CIVIL OBEDIENCE - (Continued from page 4)

as a matter of principle, cannot logically or convincingly present the case for freedom," whereas himself and FEE can do so, because "our respect for law and order may well engender a corresponding respect for our commitments to freedom." Perhaps, but I don't see it; it seems to me rather that anarchists who declare that unjust laws may morally be disobeyed, will engender respect for their consistency in upholding the principle of freedom, for their consistency in principle and in deed. On the other hand, FEE's respect for a system of law which surely observes, at the hands of any libertarian, only condemnation, can only seem to most people, and to most budding libertarians, as craven surrender of principle. To quote the early Read, FEE's course will seem to most thinking people as "sin" and "surrender". Why in blazes does a system of laws and decrees which even Leonard Read acknowledges to be unjust and oppressive deserve "respect"? Does the burglar, the kidnapper, the mugger, deserve "respect" for his decrees? On that day began lies!

Finally, Mr. Read gives us our Independence Day present: his repudiation of the Declaration of Independence. Quoting the Declaration, "whenever any form of government becomes destructive of these ends, it is the right of the people to alter it or abolish it", Read makes an enormous concession: that, on the grounds of the Declaration, we should all long ago have become revolutionaries! He admits: "the grievances listed (in the Declaration) are hardly distinguishable from the oppressive laws imposed on us by our own government. According to the Declaration, I should have turned revolutionary several decades ago." Hear, hear! However, he says, he rejects the criterion of the Declaration—which amounts to the right of self-defense against long-continued abuses of liberty—for his own "criterion" of invasion of freedom of speech.

His argument against the Declaration, however, is not in his own realm of libertarian social philosophy but in the rôle of Leonard Read as Historian. "The more I study the history of revolutions," Read intones, "the more evident" it is that "the replacement (is) worse than the government overthrown!" The American Revolution is, apparently, a miraculous exception to this historical rule. So much for revolution!

In contrast to his *gaffe* on Father Sarpi, Leonard Read is joined in this historical error by many historians and by the great mass of the American public, who have thereby been lulled into repudiating revolutions and denying their own revolutionary past. This old bromide is, however, dead wrong; we might almost say, in reverse, that *most* revolutionary governments have been far better, on balance, than the ones overthrown. Even the French Revolution, much abused by Tories and Conservatives then and since, and surrounded by armed invaders from counter-revolutionary crowned heads, was on net balance a great blessing for liberty and free enterprise. The French Revolution swept aside crippling feudal and mercantilist restrictions and oppressions, and set the stage for agricultural liberty and for the Industrial Revolution in France. I will here simply refer Mr. Read—and other counter-revolutionaries—to a monumental work of comparative history, Barrington Moore's *Social Origins of Dictatorship and Democracy*. Moore conclusively demonstrates that, in contrast to Tory mythology, it was precisely through violent revolution that America, Britain, and France were able to achieve as much liberty and democracy as they did; in contrast, it was those countries which industrialized *without* internal violence: e. g. Germany and Japan, which landed in modern totalitarianism. (Indeed, poring through Moore, now available in paperback, is one of the best single antidotes to the ignorance of history that unfortunately goes beyond Mr. Read to the entire libertarian movement.)

Mr. Read and FEE have not always been so down on the

Declaration of Independence. Quite the contrary. Thus, in an article for FEE lionizing the Declaration, Ralph Bradford hurled this challenge to his contemporaries: "Would You Have Signed It?" (Ralph Bradford, "Would You Have Signed It?", *Essays on Liberty*, Vol. VI, FEE, 1959, pp. 9-18.) Obviously the Leonard Read of 1970 would *not* have. Stoutly defending the Declaration and its signers, Bradford denounced the modern critics who dismiss the Declaration "because the principles asserted in those documents come between them and their plans for collectivization by force." (*Ibid.*, p. 11.) Bradford concluded his article: "The thing to remember is that when the chips were down, they (the signers) were men! The piece of paper they had signed was not a thing a signer could squirm out of or explain away later. It was not a vague statement of political and social principles. (Italics mine.) . . . In bold phrases it recited the political and economic sins of the King of England, and it declared that the Colonies were free from the rule of the British government. In the eyes of that government, such statements were treasonable; and treason was punishable by death . . . Would you have signed it?" No, most assuredly, the Leonard Read of today would not, in a million years, have signed such a document.

To conclude: Leonard E. Read, sternly and with unusual asperity, has told us in no uncertain terms that we must respect and obey all laws whatsoever, regardless of how unjust, unless and until Leonard Read's freedom of speech shall be impaired. He has offered no intelligible argument whatsoever, let alone an argument grounded in libertarian principle, for this commandment to civil obedience. The conservative theorist James Burnham was far clearer and more candid in his ultimate argument for government: irrational mystery, Burnham wrote: "there is no adequate rational explanation for the existence and effective working of government . . . Neither the source nor the justification of government can be put in wholly rational terms . . . Consider the problem of government from the point of view of the reflective individual. I, as an individual, do in fact submit myself . . . to the rule of another—to government. But suppose that I ask myself: *why* should I do so? *why* should I submit myself to the rule of another? *what* justifies his rule? To these questions there are no objectively convincing answers in rational terms alone . . . why should I accept the hereditary or democratic or any other principle of legitimacy? Why should a principle justify the rule of that man over me? . . . I accept the principle, well . . . because I do, because that is the way it is and has been." So enamoured is Burnham of this mystical "argument" for civil obedience that he actually lauds the mythology that States were founded by gods, and thereby have divine sanction: "In ancient times, before the illusions of science had corrupted traditional wisdom, the founders of Cities were known to be gods or demigods." (James Burnham, *Congress and the American Tradition*, Chicago: Henry Regnery, 1959, pp. 3, 6-8.) But suppose, we may counter to Jim Burnham, we now begin *not* to accept the principle of the legitimacy of rule. What then? Obviously, Burnham's mystical decrees can scarcely be persuasive argument to anyone but Burnham himself, if that. We must be guided by reason and by libertarian principle, and in that realm, Mr. Read's case has not even begun to be made—perhaps, because he dimly sees that he can make no case for civil disobedience in reason and in liberty.

As we look over this sorry record, a persistent question confronts us: where are the *laissez-faire* revolutionaries? You don't *have* to be an anarchist, after all, to be a revolutionary (although it helps). Tom Paine, Thomas Jefferson, Sam Adams, the signers of the Declaration, the patriots of the Boston Tea Party, none of these men were anarchists. no, they were, somewhat like Leonard E. Read, *laissez-faire* libertarians. And yet what splendid revolutionaries they were! There is a world of difference, however,

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between them and Leonard E. Read—and what a difference, O my countrymen! Somewhere in the explanation of that difference lies the key to the tragic decline of the American Republic. Frank Chodorov and Ralph Bradford and the Leonard E. Read of twenty years ago understood that difference full well.

Meanwhile, while Mr. Read stands up and orders our youth to respect and obey all laws whatsoever while their (or his!) freedom of speech remains, I for one am willing to stand behind our earlier group of *laissez-faire* libertarians, they who were “men”, they who never surrendered principle, they for whom on no day began lies, they who magnificently wrote:

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness . . . when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security.

### From The “Old Curmudgeon”

Penn Central may be in a veritable mess, but one recent managerial tactic at that railroad was truly a stroke of genius. Six female employees, beguiled by the propaganda of Women's Lib, had protested vigorously that they were being shunted into the “stereotyped roles” of secretaries and typists. They demanded absolutely equal treatment with men. The management responded by giving them the equal treatment they so richly deserved: shifting them to the dangerous and backbreaking job of checking freight cars, a job that had previously been confined to the male “oppressors”. Liberated females, however, somehow are never satisfied. When they complained about the shift, the management retorted: “They wanted equal rights, didn't they?”

It's about time the Women's Libbers realized that not all male jobs are the glamorous ones of advertising executives, publishers, lawyers, etc. The Women's Libbers deserve the “liberation” they want; first step: freight-car checking.

## RECOMMENDED READING

### *Panther Revisionism.*

Robert Brustein, “When the Panther Came to Yale”, *New York Times Magazine* (June 21). Panther disruption at Yale.

Tom Wolfe, “Radical Chic: That Party at Lenny's”, *New York* (June 8, 40¢). A brilliant, scintillating article that is the Talk of the Town. Witty, insightful dissection of Panther-worship among New York's Beautiful People. Lenny Bernstein and his cohorts will never be the same.

### *Drug Culture.*

Milton Travers, “Each Other's Victims,” *McCall's* (June). A moving true story of a father's struggle to save his son from the drug culture.

### *Anarchism.*

Benjamin R. Tucker, *Instead of a Book* (New York: Haskell Reprints, \$15.00). At last, back in print, the great classic of individualist anarchism; it's a pleasure to read Tucker's logical, “plumb-line” dissection of numerous deviationists.

*American History: Big Business, Big Labor, Big Government*

Melvin I. Urofsky, *Big Steel and the Wilson Administration* (Columbus, Ohio: Ohio State University Press, \$8100). Excellent Kolko-esque study of the role of Big Business in the statism and collectivism of the Wilson era, concentrating on the steel industry.

Robert H. Zieger, *Republicans and Labor, 1919-1929* (Lexington, Ky., University of Kentucky Press, \$8.25). Excellent work on the pro-union views of Herbert Hoover and his wing of the Republican Party.

Ronald Radosh, *American Labor and United States Foreign Policy* (New York: Random House, \$10.00). The best book so far on U.S. labor leaders as willing servants of American imperialism abroad. Concentrates on U. S. labor in World War I, also in the Cold War.

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