

A Monthly Newsletter

THE

Libertarian Forum

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THE MOVEMENT

In a few short years, the libertarian movement has grown rapidly, but not continuously. Essentially, it has grown in two great bursts. The first, which raised it off the ground from a tiny handful of people, centered around the famous libertarian splitoff from YAF in August 1969. It was this split and the self-consciousness gained during it that created the current libertarian movement. The second great burst, which we dubbed "the takeoff", was occasioned by the Lehr-Rossetto article in the New York Sunday Times Magazine, and by the spate of media publicity which followed it in the winter of 1970-71. Since then, we have had numerous new magazines of various and diverse types, continuing publicity, numerous conferences, and a host of Libertarian Parties in various states of the Union.

All this is fine, but one begins to get the distinct feeling that for the last year or so the movement has been stuck on a plateau, that it has in a sense been doing little more than milling around. New magazines have sprouted, but others have fallen by the wayside. In addition to qualitative improvement, to clearer foci of activity, we are in acute need of another "great leap forward", a leap that will bring us sharply out of the "sect" category and begin to make a palpable impact on American life.

For some time, it has been a matter of interest to libertarians to estimate how many of us there really are in the country as a whole. The answers have ranged from the wildly optimistic 100,000 (which would include everyone who has ever purchased an Ayn Rand novel from Academic Associates) to the sober judgment of our old colleague Leonard Liggio, who places the total number of libertarians at somewhere around 300. Your editor, as always a middle-of-the-roader, has estimated the total at 10,000. Of course, much of the difference depends on what level of libertarian activity and consciousness one includes in the definition. In my view, however, one has to be at least a regular reader of a libertarian periodical to be included as an active "member" of the movement. Libertarians who don't bother to read any of their own literature — or, for that matter, to read at all — can hardly be included in any estimate of our total number.

On this basis, however, I am afraid that I must revise sharply downward my estimate of 10,000 libertarians. For there is no libertarian periodical, regardless of promotion, advertising, layout or whatever, that has been able to get its circulation above two to three thousand. Considering organizational membership as well, there seems no real warrant for gauging the movement at more than 3,000.

In the midst of this puzzlement over the size of our active or potential market, Robert D. Kephart, the young genius publisher of *Human Events* who several years ago became a convert to pure libertarianism, had a noble conception. That conception was to found a new periodical, a monthly and eventual bi-weekly, which would be highly professional and geared to the widest possible market, not simply of libertarians but of all those, on the right, left or centre, seriously interested in liberty. Kephart's idea was to found the libertarian counterpart of the spectacularly successful and highly influential New York Review of Books. The new periodical was designed to tap the resources, not just of scholarly and knowledgeable libertarians, but of able scholars of all ideologies whose writings or fields of expertise could contribute significantly to libertarian theory and knowledge. To this end, Kephart gathered together a staff of

potential contributors, ranging from objectivist psychologists to New Left historians: all fields of human endeavor, from history to philosophy to the arts and sciences, were to come under the new magazine's purview. Naming the new periodical *The Libertarian Review*, Kephart chose the brilliant young libertarian Roy Childs to serve as the editor. Furthermore, Kephart brought to the new venture all the publishing expertise with which he had managed, in a few short years, to so boost the circulation and efficiency of *Human Events* as to bring it well into the black — a major feat for any ideologically oriented magazine.

The staff was gathered, reviews and articles for the first couple of issues were assigned and secured, and publication of the first issue was scheduled for January 1973. As further essential preparation for the enterprise, Kephart purchased the existing book-selling services of the movement — SIL Book Service, and Libertarian Enterprises —, combining them into Books for Libertarians, and assiduously purchased and gathered together a huge mailing list including everyone remotely associated with the libertarian cause. Then, Bob set about trying to secure enough initial subscribers to L. R. to yield a reasonable prospect of putting the journal on a paying basis.

Kephart estimated that an initial total — or at least the firm prospect of the total — of 10,000 subscribers was needed to make L. R. an economically viable proposition. Yet his best efforts could not boost the prospective number of subscribers above 5,000; and so, as a result, the black news came that *Libertarian Review* had died stillborn; the great conception was not to bear fruit.

The tragedy of the stillbirth of L. R. is that here was the means for our next great leap forward; there is no doubt that this periodical would have served as the great center, the focus of (a) attracting a large number of new libertarians; (b) spreading our ideas rapidly and effectively to the "outside world", and (c) refining and advancing our knowledge of theory and of empirical reality.

Are there really no more than 5,000 libertarians in the entire country who read? Optimistically, Bob still insists that the problem is not so much our total number as the dispersion of the troops — the fact that there is no existing libertarian periodical in which ads for L. R. could tap a high ratio of eager subscribers. In short, any new conservative periodical or organization does not have to rely on costly direct mailing to a scattered and dispersed audience; it can advertise in *Human Events* or *National Review*. We have no such journal that could serve as a similar advertising outlet.

Bob intends to continue running Books for Libertarians indefinitely, in wait for the day when a *Libertarian Review* might become feasible. But there is no brooking the fact that we have, all of us, suffered a serious setback. □

Whatever fosters militarism makes for barbarism; whatever fosters peace makes for civilization. There are two fundamentally opposed principles on which social life may be organized — compulsory cooperation and voluntary cooperation, the one implying coercive institutions, the other free institutions. Just in proportion as military activity is great does the coercive regime more pervade the whole society.

—Herbert Spencer

Hospers On Crime And The FBI

The Friends of the FBI, Inc., the organized friends of our national secret police, has published an extensive survey of all the presidential candidates and their answers to its questionnaire (Friends of the FBI, Inc., 1660 L St., N. W., Suite 1214, Washington, D. C. 20036, November 3, 1972). It is instructive to compare the libertarian quality of the answers of John Hospers, the Libertarian Party candidate for President, with those of Dr. Benjamin Spock of the People's Party and of Linda Jenness of the Socialist Workers' Party.

1. Q. Do you favor retention of the FBI as it is now constituted?
A. **Spock:** No. **Jenness:** No. The FBI should be abolished. **Hospers:** I favor the retention of the FBI . . .

2. Q. Do you favor major changes in its area of responsibility? What changes?

A. **Spock:** It should get out of this business of judging who is politically respectable, spying on protestors, fabricating false evidence (as in my case), interfering with legal demonstrations . . . These latter activities are unconstitutional and harmful to a democracy. **Hospers:** No.

Chalk up a clear libertarian victory for Spock and Jenness.

3. Q. Should overlapping law enforcement responsibilities as now undertaken by the FBI, Bureau of Narcotics and other policing agencies of the federal establishment be consolidated under one command?

A. **Spock:** Control of narcotics should be made primarily a medical matter. The FBI should be an investigative organization, not a policing or prosecution or publicly accusatory one . . . **Jenness:** The policing of activities such as heroin and other narcotics pushing should be controlled by the Black, Puerto Rican and Chicano communities which are most affected by them. **Hospers:** Yes.

Spock again comes closest to the libertarian position, which is to eliminate narcotics enforcement altogether. Jenness' answer is simply idiotic. But Hospers strikes out again.

3. Q. What is your attitude toward court-authorized electronic surveillance?

A. **Spock:** Dangerous and impermissible in a democracy because it will always be easily abused for political purposes. **Jenness:** Any use of electronic surveillance, whether court authorized or not, is a violation of every person's basic right to privacy. It is furthermore clearly in violation of the Constitution of the United States. **Hospers:** Courts should be very careful as to what surveillance they authorize, so as not to violate the individual's right of privacy.

Again, Hospers' answer is shilly-shallying, less libertarian than Spock's, and far less than Jenness', who gave the answer that the Libertarian Party candidate should have given.

4. Q. (Essentially) For what criminal activities should electronic surveillance be used?

A. **Spock:** I oppose its utilization for all types of criminal activities. **Hospers:** It should be employed in combatting: espionage; sedition and treason; organized crime; the illicit drug traffic; criminal conspiracy to commit crimes of violence . . .

Spock here joins Jenness in all-out opposition to electronic surveillance, which is clearly an invasion of the individual's right to privacy in his property. Hospers not only endorses such invasion to combat legitimate crimes, but also for "sedition and treason" (What's that? Isn't libertarianism in itself "seditious"?); organized crime (which is largely the sale of legitimate goods and services unfortunately declared illegal); and the drug traffic (ditto.)

5. Q. What program would you favor to streamline the Federal court procedures so that the accused could be given as rapid a trial as possible?

A. **Spock:** Many more and better lawyers paid for by the government so that all defendants . . . will be assured a fair trial. Many more judges. **Jenness:** The courts should be reformed to insure not only that the accused gets a speedy trial, but also that it is a fair one. This means that Blacks, and members of other oppressed nationalities in this country should have a jury of their peers . . . This also means the end to excessive bail in political cases. **Hospers:** Increase greatly the number of federal and state judges. Also legislation to the effect that if a trial was not conducted within a certain time, the case would be dropped.

All are bad here. Spock wants more government handouts for compulsory egalitarianism and more mulcting of the taxpayers. Jenness is back with the absurd quota system, but at least indicates that there is something wrong with the bail system, which clearly discriminates against poor defendants. Hospers is fine on calling for speedy trials, but is even worse than the others in urging greater mulcting of the taxpayer for still more incompetent and politically-appointed judges. Surely the libertarian answer would include (a) shifting more cases from government judges to private arbitration, and (b) eliminating the bail system so as to free all defendants not actually caught in the act until their conviction has been obtained.

6. Q. What need do you see for prison reform . . . ?

A. **Spock:** Vast and complete prison reform so that prison is for rehabilitation . . . **Jenness:** (A long list of proposed "rights" for prisoners). **Hospers:** No compulsory mental (psychiatric) detention. If many of the present crimes were no longer legal crimes, the prison load would be greatly relieved.

At long last, a clear-cut libertarian victory for Hospers. Spock sinks into the totalitarian liberal miasma of "rehabilitation", which of course would gauge sentences of prisoners on the judgements of physicians or psychiatrists on whether the prisoners have been "rehabilitated." Jenness would hardly distinguish prisoners from anyone else. Hospers' answer is fine, but needs to be supplemented, particularly by a stress on shifting the entire concept of punishment to emphasize restitution by the criminal to his victim, a concept which is now completely forgotten.

7. Q. Do you consider our present penal laws and court interpretation of them to be as fair to victims as to the accused?

A. **Spock:** Yes, as far as I know. **Jenness:** (A whole string of irrelevancies about taxing the rich, Angela Davis, the Vietnam War, Third World "oppression", etc.) **Hospers:** No. The accused is constantly reminded of his rights, even when it means that testimony necessary for conviction is thereby made impossible. (Hospers then goes on to advocate the restoration of capital punishment, and concludes:) The pendulum should surely swing back to consideration for the rights of victims.

While stiffer sentences for criminals, including restoration of capital punishment for murder, is a fine libertarian position, one stops short at Hospers' attack on "constantly reminding" the accused of his rights. These rights include the right not to be subject in a forced confession, and are basic to any libertarian concept of society. The difference here, and the vital one, is between an accused person and a convicted criminal. Deal harshly with the latter, but be scrupulous about protecting the rights of a man who is, on Anglo-Saxon as well as libertarian canons of justice, innocent until proven guilty. Hospers has tragically forgotten the canon of the great English jurist Blackstone: "It is better that ten guilty persons escape than that one innocent suffer." On balance, Spock wins out again over Hospers.

8. Q. Which of the following areas of criminal activity deserve top federal priority: organized crime; unorganized street crime; illicit drug traffic; sex crimes; other?

A. **Spock:** Organized crime deserves top federal priority. **Hospers:** Organized crime and unorganized street crime deserve top federal priority as does illicit drug traffic as long as laws prohibit it. Sex crime does not, except for rape.

Note the logical clinkers here. First, the question does not ask which laws should be enforced, but which deserve top priority? Surely, then, a libertarian would not advocate top priority for enforcing those laws which should not exist on the books at all. Hospers does this for sex crimes; why not for "illicit drug traffic"? If, on the other hand, Hospers insists on taking the blind rightist position that all laws should be enforced to the hilt so long as they are on the books, then why exempt sex crimes? In fact, of course, the top priority here should be unorganized street crime, since "organized crime" is largely legitimate entrepreneurship.

9. Q. Should laws against so-called "victimless" crimes be repealed? If so, which ones? Here all three, Spock, Jenness, and Hospers, came out in favor of repeal of the whole kit and kaboodle, the libertarian position.

For a brief quantitative summary on matters of crime and the FBI, on the eight separable questions above, Dr. Spock gave the best libertarian answer or tied for the best five times, Linda Jenness three times, and John Hospers three times. □

The Blackmailer As Hero

By Walter Block

Is blackmail really illegitimate? At first glance it is not hard to answer this question. The only problem it would seem to pose is why it is being asked at all. For do not blackmailers well, . . . blackmail people? And what could be worse? Blackmailers prey on your most hidden deep dark secrets, they threaten to publicize them, they bleed you white, they can even drive you to suicide. Blackmail is so evil that even to consider its legitimacy will strike many as an unmitigated evil; even those scholars who would otherwise favor the spirit of free and untrammelled inquiry.

We shall push on in any case. And we shall find that the critique of the blackmailer falls like a house of cards; we shall find that the case against blackmail is based on a tissue of unexamined shibboleths, blown out of all proportion, and on deep philosophical misunderstandings.

What, exactly, is blackmail? Blackmail is the offer of a trade; it is the offer to trade something, usually silence, for some other good, usually money. If the offer of the blackmail trade is accepted, then the blackmailer maintains his silence and the blackmailee pays the agreed amount of money. If the blackmail offer is rejected, then the blackmailer may exercise his right of free speech, and perhaps announce and publicize the secret. Notice that there is nothing amiss here. All that is happening is that an offer to maintain silence is being made. If the offer is rejected, the blackmailer does no more than exercise his rights of free speech, something he has a complete right to do in the first place, whether or not the offer is made or accepted.

The only difference between a gossip or blabbermouth and the blackmailer is that the blackmailer will refrain from speaking — for a price. In a sense the gossip or the blabbermouth is much worse than the blackmailer, for the blackmailer at least gives you a chance to shut him up. The blabbermouth and gossip just up and spill the beans. A person with a secret he wants kept will be much better off if a blackmailer rather than a gossip or blabbermouth gets hold of it. With the blabbermouth or gossip, as we have said, all is lost. With the blackmailer, one can only gain, or at worst, be no worse off. If the price required by the blackmailer for his silence is worth less than the secret, the secret-holder will pay off, and accept the lesser of the two evils. He will gain the difference to him between the value of the secret and the price of the blackmailer. It is only in the case that the blackmailer demands more than the secret is worth that the information gets publicized. But in this case the secret-keeper is no worse off with the blackmailer than with the inveterate gossip. (He may still be better off with the blackmailer, even here, because the typical blackmailer gains **nothing** if he publicizes the secret — except the dubious value of making sure that the secret-keeper knows he is not bluffing — so the secret keeper may well be able to bargain down the blackmailer's price.) It is indeed difficult, then, to account for the vilification suffered by the blackmailer, at least compared to the gossip, who is usually dismissed with merely slight contempt.

Blackmail need not entail the offer of silence in return for money. This is only the most well known form. More generally, blackmail may be defined as threatening to do something, anything, (which is otherwise entirely legal) unless the blackmailer's demands, financial or otherwise, are met. In its more general form there are several acts which qualify as blackmail but interestingly enough, far from receiving the vilification associated with blackmail, have even attained respectability among certain segments of the population. As an example, let us consider the lettuce boycott, beloved of every radio-lib worth his limousine.

The lettuce boycott is (a form of) blackmail!! What is being done in the lettuce boycott (and every other boycott, for that matter), what the lettuce boycott consists of, is making threats to various retailers and wholesalers of fruits and vegetables. These threats are that if the retailer or wholesaler handles non-union lettuce, people will be asked not to patronize their establishments. The not inconsiderable energies, time, and money of the lettuce boycott movement will be brought to bear on all handlers of non-union lettuce.

Now, there are plenty of reasons to oppose the boycott of non-union lettuce. But I am here concerned to show that the lettuce boycott is indeed blackmail, and that, as a form of blackmail, it is entirely legitimate. We can see that the lettuce boycott conforms perfectly to the more general definition of blackmail as a threat that something otherwise entirely legal will take place unless the blackmailer's demands are met. In this case, the threat is to withhold patronage from establishments unless they refuse to handle non-union lettuce. Although it is not legal to threaten this, it is perfectly legal not to patronize establishments that one,

for any reason, does not like. So the lettuce boycott is legitimate, and blackmail as well, a pair of strange bedfellows if ever there was one.

Let us consider the question of the threats involved in blackmail, because perhaps more than anything else, it is this aspect of blackmail that is most misunderstood and feared. Now threats are usually considered evil, and rightly so. The usual dictum against aggression warns of aggression against non-aggressors as well as the threat of such aggression. And the reason is not hard to fathom. If a highwayman were to accost us, it is usually the threat of aggression that will get us to do his bidding. It is the threat of aggression that will relieve us of our possessions. If the highwayman actually had to use aggression against us, as opposed to the threat thereof, it would be practically an admission of defeat. So the threat of aggression is entirely legitimate.

But notice that the threat involved in blackmail is entirely different. In aggression, what is being threatened is aggressive violence, something that the aggressor has no right to do. In blackmail, however, what is being "threatened" is something that the blackmailer most certainly does have a right to do! To exercise his right of free speech, to gossip about our secrets, or in the case of the lettuce boycott, to threaten not to patronize certain stores. One can hardly call the "threat" in blackmail a real threat. When contrasted to the real threat of the highwayman, the "threat" of the blackmailer can only be characterized as an offer to keep silent, and not as a real threat at all. The blackmailer never threatens bodily violence or any type of violence. If he did, he would no longer be a legitimate blackmailer; he would be an illegitimate aggressor, who uses threats as a means of coercion.

There is one case where blackmail would not be legitimate, but not because it is blackmail. It would rather be illegitimate because it would be in violation of a contract. For instance, if the secret-keeper takes a lawyer or a private investigator into his confidence on the condition that, among other things, the confidence be maintained in secrecy, then, if the lawyer or private investigator turns around and tries to blackmail him, it would be in violation of the contract, and therefore illegitimate. It is only when the blackmail violates an agreement that it is illegitimate. If there is no contract, if it is a perfect stranger who holds the secret, then the blackmail is legitimate because perfect strangers have free speech rights. It is only someone who has sold his right to speak freely (about the secrets of his client) like the lawyer or the private investigator who then has no right to engage in blackmail.

In addition to being a legitimate activity, blackmail has many good effects, the litanies to the contrary notwithstanding. And once we get over the shock that there is anything at all that can be said in favor of blackmail, it is not too surprising that this should be so. For apart from some innocent victims that get caught in the net, who does the blackmailer prey upon? There are two groups. On the one hand we have the murderer, the thief, the swindler, the embezzler, the cheater, the rapist, etc., all criminals and violators of the stricture against aggression upon non-aggressors. On the other hand we have people who engage in activities which are not illegitimate themselves, but go against the mores and habits of the majority of the people. There are the homosexuals, the sado-masochists, the sex perverts, the communists, the adulterers, etc. It is my contention that the institution of blackmail has beneficial, but different, effects on each of these groups, none of which seem to have been realized by writers on the subject. Let us consider them each in turn.

In the case of the criminals, blackmail, the threat of blackmail, and the very existence of the institution of blackmail serves as a hindrance. It makes the payoff to the criminal less certain and less rewarding because if caught, the criminal must now share some of his "hard won" loot with the blackmailer, with the risk that the blackmailer can always turn him in. Even with blackmail illegal, this can have a much greater effect than many people would believe possible. How many of the anonymous "tips" received by the police can be traced, directly or indirectly, to blackmail? And the value of these tips cannot be over estimated. How many criminals are led to pursue crime on their own, eschewing the aid of fellow criminals in "jobs" that call for cooperation — out of fear of possible later blackmail? Since there are always some people on the verge of committing crimes, or at the margin of criminality, as the economist

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would say, where the least factor will propel them one way or another, the additional fear of crime-related blackmail may be enough, in many cases, to dissuade them from crime.

Imagine then how much more effective blackmail would be in curtailing real crime if blackmail itself were legalized! Then the blackmailer would not have to worry about possible legal steps being taken against him because of his public-spirited preying on criminals. This would undoubtedly encourage the quantity and quality of such blackmail efforts, with attendant depredations upon our criminal class.

It is sometimes said that what diminishes crime is not the penalty attached to the crime but the certainty of being caught. Although this controversy rages with great relevance in the debates on capital punishment, we need not enter into it here. For our purposes it will suffice to point out that the institution of blackmail does both. It increases the penalty associated with crime, since criminals are forced to share a part of their loot with the blackmailer. It also raises the probability of being caught, as the blackmailers are now added to the police, private citizens, vigilantes and others whose function if not purpose it is to suppress crime. And let it be added that blackmailers who can often be members of the criminal gang in good standing are in an especially good position to foil crimes. Their "inside" position surpasses even that of a spy or infiltrator, who is forced to play a part. The blackmailer can live the part of the criminal, for until he turns against the gang as a blackmailer, he really is a criminal. Legalizing blackmail also will at one fell swoop allow us to take advantage of not one but two crime-fighting adages: "divide and conquer," and "take advantage of the lack of honor among thieves." So it is pretty clear that one effect of legalizing blackmail will be to diminish crimes of aggression.

The legalization of blackmail will also have good effects upon actions which may be illegal but are not criminal in the sense that they involve aggression but are at variance with the mores of the majority of the people. Far from suppressing them, the legalization of blackmail will have a liberating effect.

Even now, with blackmail still illegal, we are witnessing some of its beneficial effects. Let us take homosexuality as an example. Homosexuality may be illegal but is not really criminal since it involves no aggression. For individual homosexuals, we must admit, blackmail causes untold harm and can hardly be considered beneficial. But for the group as a whole, or rather, for each individual as a member of the group, blackmail has helped. Blackmail has helped the gay community as a whole by making homosexuality more widely known, by making the public more accustomed to homosexuality, and by placing the homosexual in a more open light. In so doing, the blackmailer has contributed to forcing the homosexuals to make themselves more known. Let it be repeated. Forcing individual members of a downtrodden group out into the open, or "out of the closet", can by no stretch of the imagination be considered doing them a favor. Forcing anyone to do anything can usually only violate rights; and forcing someone to do something "for his own good" is a particular rung in hell reserved for liberals. But still it must be realized that practically the only way a downtrodden group of people can attain liberation is by being known to each other so that they can cooperate with each other. And it must be realized that one important effect of blackmail is to force people out into the open where they will be able to know each other. In this way blackmail can legitimately claim some small share in the credit for the liberation of groups whose only crime is to deviate from the norm in some non-criminal way.

It is not surprising that this should be so when we reflect upon the old aphorism that "the truth shall make you free". For the only "weapon" at the disposal of the blackmailer is the truth. If it were not for the truth, the blackmailer would be in no position to be able to blackmail. But in using the truth to back up his threats, as upon occasion he must, without any intention on his part he sets the truth free to do whatever good, as well as whatever bad, it is capable of doing. ■

The law of nature, being co-eval with mankind, and dictated by God himself, is superior in obligation to every other. It is binding all over the globe, in all countries, and at all times; no human laws are of any validity if contrary to this, and such of them as are valid derive their force and all their authority, mediately or immediately, from the original.

—Blackstone

From The Old Curmudgeon

The Flickering Match. Mr. Fred Woodworth is unhappy. That much, at least, is fairly clear. What he is unhappy about is far less clear, but it seems to revolve about the insufficient recognition accorded to the greatness of Mr. Woodworth and his monthly tabloid *The Match*. Having granted to the State the benefit of their hysterical billingsgate for several years, and having failed to accomplish its immediate overthrow, Mr. Woodworth and his colleagues have now turned their baleful attentions to the libertarian movement. Each faction and tendency in the movement, and the movement itself for that matter, has been in its turn excommunicated by Mr. Woodworth for insufficient purity and for failure to acknowledge the primacy and importance of *The Match*. It is quite true that *The Match* has existed for several years, but quantity does not quality make, as witness the turgid and very long-lasting *The Weekly People*, organ of the Socialist Labor Party. Indeed, *The Match* has ranked for clarity and interest scarcely a centimeter ahead of *The Weekly People*, having focussed on repeated and spectacularly unsuccessful calls for immediate overthrow of the State, and lengthy and turgid reprints from the anarcho-communist classics. The general failure of the libertarian movement to pay much attention to *The Match* is the product, not of a conspiracy as Mr. Woodworth seems to believe, but of simple good sense.

Debasement of Language. The latest phase of the assault by the New Barbarians on the English language is at the same time an assault on biological reality: the campaign to purge the word "man" from the language and substitute the unisexual term "person." If the barbarians have their way, we will soon be subjected to such phrases as the following:

"Quick, send for the repairperson."

"A foeperson worthy of his or her steel."

"The sturdy yeopeople of England."

"The rights of huperson beings."

"Friends, Romans, and countrypeople . . ."

"When is the postperson coming?"

"The International Longshorepeople's Union."

"Madpeople in authority . . ."

"God created person in his own image, in the image of God created he him and her . . . The Lord God formed person of the dust of the ground, and breathed into his or her nostrils the breath of life; and person became a living soul."

"Person is the measure of all things."

"The proper study of personkind is person."

The Christmas Spirit. From Pogo:

1st Character: "You mean we're all dedicated to peace an' love for the next month?"

2nd Character: "Yep . . . with goodwill toward all."

3rd Character: "Kind of takes the bloom off'n the bush don't it?" ■

The International Commission for Inquiry into War Crimes in Vietnam, founded by Lord Russell in 1967, has recently completed its third session in Copenhagen, Denmark. Two earlier meetings were held in Stockholm and Copenhagen in 1967 and 1968. While the American press did its duty by ignoring as much as it could the evidence that emerged from the tribunal's investigations, the press of Europe gave much greater coverage and the resulting horror among the general public did much to dissipate America's image as a defender of liberty and human dignity. What is most surprising about this latest session of the tribunal is that it was officially opened by a speech of the Danish Prime Minister Anker Joergensen who demanded that the U. S. withdraw from Vietnam. This public association with the privately sponsored "war crimes" tribunal by the Danish leader "shocked" the American State Department which sent a note of displeasure to our NATO ally. Among those who signed reports on American War Crimes submitted to the tribunal was Anthony Russo, a co-defendant in the Pentagon Papers trial; Prof. Chandler Morse of Cornell University; Sean MacBride, former Foreign Minister of Ireland; and — Ramsay Clark, former Attorney General in the cabinet of retired war criminal Lyndon B. Johnson! The times they are a-changing!

Ezra Pound, RIP

By James Dale Davidson

Ezra Pound is dead in Venice at the age of 87. He was recognized as a genius. During his long life he helped to shape modern literature, both through his own work and through the immense influence he exerted on others. Pound discovered Robert Frost, Ernest Hemingway and James Joyce. "It is probable," Joyce wrote, "that but for him I would still be the unknown drudge that he discovered." Under Pound's influence, William Butler Yeats abandoned Celtic romanticism for the mature style which made him one of literature's greatest poets. Ezra Pound edited "The Waste Land," T. S. Eliot's masterwork, cutting it in half. In appreciation, Eliot lauded Pound with the dedication, "il miglior fabbro," (the better artisan). Pound authored a prodigious body of poetry. His bitter masterpiece, "Hugh Selwyn Mauberley," expressed the feelings of a generation after the disillusionment of World War I.

There died a myriad,
And of the best, among them,
For an old bitch gone in the teeth,
For a botched civilization.

For two gross of broken statues,
For a few thousand battered books.

The *Cantos*, a huge, rambling poem which occupied Pound for most of his life, has generated divided critical comment. Attacked by some as incoherent, it has been praised by others as the great epic of modern times.

Perhaps one of the great translators in history, Pound published English versions of works written in such diverse tongues as: Chinese, Ancient Egyptian, Anglo-Saxon, Hindi, Italian, Japanese, Latin, Greek, French, and Provençal. He even found time to write an opera, "The Testament of Francois Villon."

Few men have assumed a more dominant role in the literature of their time. Yet Pound died an exile, shunned by the liberal intelligentsia. In an article published in *World* magazine just two weeks before Pound's death, critic Irving Howe wrote, "The time has not yet come when Ezra Pound should be honored by his fellow writers." That is a rather problematic statement considering that Pound has already been honored by his fellow writers. His great contemporaries, Eliot, Yeats, Joyce, Frost, Hemingway, William Carlos Williams, and others were high in his praise. What Howe really means by the phrase "his fellow writers" is the New York liberal establishment, the self-important moral guardians of the world.

Howe and his associates will be long forgotten when Ezra Pound is still remembered. Yet they should not remain unanswered. Why deny Pound the honor due a great poet? Because he was a bad man? Because he was illiberal? Pound has been considered bad for one reason — he did not support American participation in World War II. In fact, he loudly opposed the war, openly urging an end to the hostilities. His position in regard to World War II was not unlike that of innumerable liberal luminaries toward the unhappy War in Vietnam. Pound spoke out. But in his case he spoke out over Rome Radio and was indicted for treason.

When the U. S. entered the Second World War, Pound was earning a living broadcasting commentary in Italy, where he had been a resident for several decades. Upon hearing that war had been declared, Pound rushed from Rome to his home in Rapallo, sold everything, and planned to leave with the other Americans aboard the last train to Lisbon. But the American consul refused to allow him on the train. Denied the right of refuge, Pound was trapped. Faced with financial ruin, he continued his radio program on the condition he would never be asked to say anything "contrary to his conscience or contrary to his duties as an American citizen — which promise was faithfully observed by the Italian government." Upon the War's end, Pound was arrested by American soldiers and thrown into a prison camp. There he was left exposed to the elements, imprisoned in an open steel cage at the age of 60. Somehow, he survived. When he was returned to the United States he was never able to stand trial. Instead, he was declared "insane" and committed to St. Elizabeth's mental hospital. There he remained for 12 years.

The shoddy treatment which Pound suffered at the hands of the American government was in many ways parallel to the treatment

afforded Alexander Solzhenitsyn by the Soviet state. Both were arrested in 1945. Both were arrested for criticizing their respective governments — Solzhenitsyn in a letter and Pound before a microphone. Both confined in conditions of cruelty, Pound in a military prison camp and Solzhenitsyn in Siberia, where he was kept in a cell with frozen walls, protected only by underwear. Both Pound and Solzhenitsyn have been accused of "insanity", primarily because of their political views. The parallel is a strong one. But there it ends.

While Solzhenitsyn is accorded the support he deserves in his struggle with state tyranny, Pound was shunned until the moment of his death. The critics, professors, and cross-word puzzle experts who earn their livings jabbering over the literature Pound helped to create, imagine themselves too moral to extend him their praise.

This is not to say that a writer's values, political and otherwise, are irrelevant to the merit of his work. Far from it. Every writer's reputation should suffer to the extent that his writing extols fallacious and destructive ideas. Most of the poets and novelists of this or any era have been thoroughly mixed up about many facets of life. John Stuart Mill described Samuel Taylor Coleridge as an "arrant driveller," when it came to his abilities as a political economist. From a libertarian perspective, that charge applies to Pound. But that should not blind us to the strengths of Pound's insight. He deserves credit for a valiant effort to penetrate the political and cultural morass in which we still live. As a humane and perceptive man, he sought answers to the sickness of civilization, as it was revealed in the destruction of World War I. Writing in 1918 Pound said he, "began investigation of the causes of war, to oppose same." To his credit, he sought a systematic solution, one which recognized the overwhelming impact of economics. If the solution he achieved was imperfect; tinged with Fascistic implications, Pound more than requited his error by enduring imprisonment for thirteen years.

The fact that Pound admired Fascists is no worse from a libertarian point of view than the fact that Irving Howe and company admire liberal corporatists who are little different from Fascists. In fact, Pound saw some of the evils facing society with a good deal more acuity than his liberal critics. He was almost alone among writers in understanding that inflation is one of the pervasive factors curtailing civilization. Much of his poetry is devoted to attacking the practise of banking as it is known in the modern world — whereby banks create money out of nothing and then charge interest on it. He said:

"and the two largest rackets are the alteration
Of the value of money
(Of the unit of money . . .)
and usury or lending
that which is made out of nothing."
(Canto 74)

Even though Pound employed a muddled definition of "usury", this is a valid liberation concern. He simply lacked a sound theoretical base from which to develop a solution.

In studying the causes of World War I, Pound reached much the same conclusion as that achieved by revisionist historians. He felt that the war was brought on by international profiteers. Like the John Birch Society, Pound considered the Federal Reserve to be a private corporation, and agitated for "government" takeover of the money supply. This is why he admired Mussolini. He believed Fascism would end inflation. "Mussolini," Pound wrote, "followed Andrew Jackson in opposing the tyranny of state debt." Too bad he never read *What Has Government Done To Our Money?*

Pound was off the mark, but not that far off. Although he was accused of Anti-Semitism, he made clear he was not opposed to Jews, only to the Rothschilds, who remain the prototype of scheming bankers. He said, "I am accused of Anti-Semitism. Why then do I respect Spinoza, esteem Montaigne as a writer, and work to re-establish the fame of Alex del Mar, who I believe was a Jew?" Although he erred in believing Fascism could eliminate inflation, Pound had an essentially accurate view of the evils of state control. "Socialism," he said, "is synonymous for imbecility because it wants to govern by multiplying bureaucracies, tyrannically controlling all minor activities . . ."

Yes, there is much in Pound to delight a libertarian. What man who said "I have a total contempt for Marx and Freud," could be all bad? His

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We Make The Electoral College!

On December 18, the august members of the Electoral College met to cast their votes for President and Vice-President of the United States. Constitutionally, the electors can vote for anyone they please, and on that day, to the undoubted consternation of the Establishment, one of the presumed Nixon electors from Virginia cast his vote for John Hospers and Toni Nathan for President and Vice-President.

The publicity value for libertarianism and for the Libertarian Party was enormous, and it surely more than justifies the decision of the LP to wage its campaign. Why, Hospers and Nathan got almost as many electoral votes as McGovern and Shriver!

Who is this intrepid elector, this man who quietly defied the political gods? He does not, in fact, come out of the blue. Middle-aged libertarians remember him well as a leading, if rather moderate, member of the movement: Roger Lea MacBride, grandson and executor of the notable libertarian writer Rose Wilder Lane. Born in 1929, Rober graduated from Princeton, where he was one of the founders of the "Free Enterprise Society", and from which he went on to Harvard Law School, where he managed to keep his strict constructionist outlook. While at Harvard, he wrote a scholarly booklet on *The American Electoral College*, which Caxton published in 1953. After graduation, Roger settled down in Vermont, and into conservative-libertarian Republican politics; for several years he was a Representative in a State House. In later years, Roger moved to Charlottesville, Virginia, where he rose to prominence in Republican party affairs, in 1972 becoming a Presidential elector. The over-confident Republicans had forgotten the libertarian who lurked beneath the common Republican rhetoric — not knowing that for MacBride the talk of freedom was not just rhetoric but very serious business indeed.

MacBride did not simply cast his maverick vote; he explained his position. He declared his vote to be "an attempt to put party principle ahead of party politics." MacBride added that "in casting my vote for another candidate I am trying to tell (President Nixon) that he has lost his way; that this country should not move to a controlled mercantilistic economy . . ." He explained that he could not vote for Nixon because he has moved the government toward "ever greater control over the lives of us all." (Ronald Taylor, "Electoral College Confirms Nixon Despite Defector," *Washington Post*, Dec. 19.)

In an appreciative column written on the day of the vote, Nicholas von Hoffman tells us more about Roger and his choice. (von Hoffman, "A First Vote, Maybe a Last," *Washington Post*, Dec. 18.) Von Hoffman relates that the Republican politicians in Virginia "must have thought he was just another guy after the boodle and not a convinced and deeply strict constructionist." MacBride agonized over the decision ("This is no overly demonstrative Abbie Hoffman of the far right.") He further quotes from Roger his worry about the slide of the country into "Con-nal-tyism, the managed controls for corporations . . . the return to mercantilism . . . What I'm really trying to say by this is, 'Break loose from Big Brother.'" Hear, hear!

Von Hoffman also writes appreciatively of the now-forgotten Bricker

Amendment, derided by all right-thinking liberals in the fifties as "isolationist, looney-bin right-wing-ism, and the kind of thinking that martyred Woodrow Wilson and destroyed the League of Nations." He notes that MacBride had written another book in favor of the Bricker Amendment, "a proposed constitutional amendment that would have subjugated to the advice and consent of the Senate the President's powers to make executive agreements with foreign powers." But, as von Hoffman trenchantly concludes, "It got shot down and we marched into Vietnam and now it's Fulbright and the sophisticates (who bitterly opposed the Bricker Amendment at the time) who'd like to get it back."

Welcome, Roger, it's a pleasure to see you strike a powerful and publicity-packed blow for liberty. And the Hospers-Nathan ticket now become, at the very least, immortalized in the record books. □

Recommended Reading

Authority vs. Power. Too many libertarians make the mistake of believing that liberty is the polar opposite of "authority". The brilliant conservative sociologist R. A. Nisbet has been demonstrating just the reverse: that genuine authority, the authority of standards, of civilization, of language, above all of reason, is based on voluntary consent. Furthermore, the mistaken revolt against this kind of authority leads to cultural and social chaos, and finally to a turning toward the imposition of social order by force, by the evil of power and coercion, particularly by an adored dictator (Mao, Fidel). For the most recent of his writings on this subject, see Robert A. Nisbet, "The Nemesis of Authority", *Intercollegiate Review* (Winter-Spring 1972). Should be particularly sobering reading for our left-wing.

Child Labor. Nearly a half century ago, the young English economist William H. Hutt published a remarkable article pointing out that the child labor prevalent in the England of the Industrial Revolution was really a boon to the working children and their families, considered in the context of their previous miserable existence. The article was reprinted in F. A. Hayek's classic volume of collected essays in defense of the Industrial Revolution, *Capitalism and the Historians*. Last year, the English leftist Brian Inglis attacked the five-decade old article; now Professor Hutt publishes his cogent reply, which serves to update his original contribution. Important for anyone interested in the Industrial Revolution. See W. H. Hutt, "The Poor Who Were With Us," *Encounter* (November, 1972).

Railroad Regulation. Albro Martin's widely hailed *Enterprise Denied* is an attempt to criticize American railroad regulation in the twentieth century. But in a devastating review-article, Professor George Hilton, an outstanding authority on railroad history, shows that Martin understands neither the economics of cartels nor the historical contributions of Gabriel Kolko, and thus believes that the railroads have been opposed to federal regulation. Hilton shows that Martin's policy conclusions fit with his analytic mistakes, since he wants only to modify the regulation but leave the crippling cartellizing programs of the ICC. Hilton, in contrast, clearly advocates the ICC's abolition. George W. Hilton, "Albro Martin's *Enterprise Denied*," *The Bell Journal of Economics and Management Science* (Autumn, 1972).

Isolationism. Professor Justus Doenecke, our foremost historian of America isolationists, has reworked his study of Lawrence Dennis which originally appeared in *Libertarian Analysis*. See Justus D. Doenecke, "Lawrence Dennis: Revisionist of the Cold War," *Wisconsin Magazine of History* (Summer, 1972). □

Freedom, Pot, And National Review

It is rare indeed that any debate takes place within the august pages of *National Review*, and few that did not involve the late Frank Meyer, with Frank generally taking the libertarian position. But now the headlines have been made with NR's October 8 issue, over the question of legalizing marijuana. Generally, the libertarian reaction has been chortling or huzzahing over the partial conversion of Bill Buckley to the call for legalization. I submit that this is an unfortunately simplistic response.

In the first place, Richard Cowan's article in favor of legalization was not at all on libertarian grounds. On the contrary, the burden of his article was that pot should be legalized because it is not very harmful, if it be harmful at all. Buckley's conversion is on similar grounds. Even so, he inconsistently advocates not legalization but "decriminalization", which apparently means that the sale of marijuana should be illegal but not its purchase or possession. Buckley apparently feels that it is argument enough to say that "Thus it was, mostly, under prohibition." Is Prohibition to be the model of the free or the good society? In a press conference,

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Ezra Pound, RIP —

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understanding of space exploration seems more to the point than that of some self-processed libertarians. "You cannot live in a Sputnik and you cannot find your food in a Sputnik. What mankind needs is an internal harmony, which may balance the increase of brutality and desperation we are living through." True enough. And in an age when Bleeding-Heart liberalism has permeated everything, with myriad crackpot groups seeking subsidy and "reparations" from the society which has "held them down," it is still refreshing to read Pound. "No one in society," he wrote, "has any right to blame his troubles on anyone else. Liberal thought has been a mess mush because of the tendency to produce this state of mind." He did have a talent for language.

Though the liberals may be silent about Pound, in death as in life, his work contains much to please a discerning reader. With all its obscurity, his poetry sparkles. And it is the record of a man who not only wrote out his vision of the tragedy of modern life, but suffered for it as well. Remembering his years in prison and the insane asylum it is not hard to hope that "Uncle Ez," as he sometimes called himself, rests in peace. □

Freedom, Pot —

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Buckley added the sly note that he himself had once smoked the weed, but, as befits a staunch defender of law-and-order, only on a yacht outside the three-mile limit. Are we supposed to applaud Mr. Buckley's fortunate status as yacht-owner?

The libertarian case for legalization of **anything** has nothing whatever to do with whether it is harmful or not. The libertarian maintains that it is up to each individual to run his own life, and that it is his right, as Herbert Spencer once wrote, to go to hell in his own way if he so chooses. The argument against Prohibition had nothing to do with whether or how much alcohol could be harmful; so that medical reports or statistics on drunken driving were totally beside the point. Put on such grounds, it was Professor Jeffrey Hart, an opponent of legalization and an anti-libertarian who had by far the best of the debate. Hart stated at the beginning that he didn't care, in the context of the argument, whether or not marijuana was harmful; for even if it is, "that doesn't mean they (harmful things) should be illegal . . ." Hart seized unerringly upon the note of special pleading in the Cowan article, the implication that Cowan favors legalization because he personally considers it a good thing. In particular, Hart jumped on this passage of Cowan: "The importance of marijuana to its youthful users is less the pleasure it gives the individual than the tribal value of it. The drug's use in the counterculture is . . . as a social lubricant . . . so fundamental a part of the new social life . . ."

Hart responded to this in a magnificently Old Curmudgeonly manner. Hart replies that "Marijuana is indeed an integral part of the counterculture of the 1960's", and it is precisely because Professor Hart — along with the bulk of Middle America — would like to smash that counterculture that he favors maintaining the current status of the law. As Hart writes with relish: "the meaning of those laws in the current historical circumstance is plain enough. They aim to lean on, to penalize the counterculture. They reflect the opinion, surely a majority one, that the counterculture, and its manners and morals, and all its works are bad." He concludes: "as for the 'new social life', *écrasez l'infâme*."

Mr. Hart has scored some palpable hits. Not only against Mr. Cowan but also against all too many libertarians. For many libertarians address the marijuana issue not simply in the terms: "Everyone has the right to run his own life"; but also with the claim either that marijuana is harmless or even that it is a positive good. The underlying note of special pleading on this issue is all too often evident.

It is important for libertarians to set the record straight on this issue. It is important, for one, to make it crystal clear that calling for the legalization of **anything** never implies for the libertarian any sort of advocacy of the thing itself. The libertarian, for example, favors the legalization of gambling, not because we advocate gambling as a good thing, but because this is part of every person's right to order his own life in his own way.

There is an excellent way, I submit, to make the libertarian position crystal clear in the case of marijuana; it is a way, furthermore, that will extend the emphasis of the libertarian position itself. And that way is always to link marijuana with heroin. For no one says that heroin is harmless; and, what is more no one is running around the country advocating the "philosophy" of taking heroin as a method of "greening" or of "expanding one's consciousness." Every thinking person hates and

A Response To The Challenge

The editor of *The Libertarian Forum* puts the following challenge to those who consider government a morally justifiable, even necessary, part of a free society:

Suppose that, heedless of your edicts, two or more competing private defense agencies exist already within a given geographical area. Each consciously pursues and applies a libertarian law code which all of us would agree to. On which one of these agencies would you bestow your approval, and which would you presume to outlaw? What would be your criteria for choosing one over the others?

I submit that this is a totally impossible supposition, a contradiction in terms. For the following reasons:

If libertarian law applies within a given area, and that area is inhabited by individuals who own the properties that are part of the area, these individuals could not make a contract with two separate law enforcement agencies pertaining to the protection of the same properties. This is because hiring one party to protect my property excludes hiring another to do the same thing in the same respect. So two competing defense agencies cannot exist within the same given geographical area, not under libertarian law. (I am assuming that libertarian law does not violate the laws of identity and non-contradiction.)

The rest of the questions do not apply — no choice need be made between two such agencies in the same area, since two such agencies could not exist within the same area. Thus no criteria would have to be established for making such a choice.

The editor of LF posed an interesting challenge. I believe that I have met it. But let me speculate on what he might answer to the response above.

He might say that "given geographical area" does not mean "same given geographical area." It means: "the same general vicinity". But this is something very different. A general vicinity may or may not be suitable for service by different "defense agencies". Thus the general vicinity of Germany is serviced by the government in Bonn, the general vicinity of Spain by the government in Madrid, etc., etc. But the general vicinity of North America is serviced by the governments in Washington and Ottawa, while the general vicinity of South America is serviced by the governments in the various Latin American capitol cities. So what is a general vicinity, a "given geographical area"?

The editor of LF does not say and so his problem is not clearly enough stated for a solution.

The fact is that when we speak of servicing an area with law enforcement, we must specify the criterion of jurisdiction. The advocate of government by the consent of the governed argues that at any specified period of time, consistent with the type of service involved, etc., only one law enforcing agent or agency, under a unified authority, can and ought to be given jurisdiction; this because with more than one agent, conflict of authority, diversity of purpose and method of operations, etc., will develop, such that the goal of law enforcement will suffer. (It is as if one had two "powers of attorney", two people empowered to act in one's own behalf, each bound separately by the same commitments, each acting separately in one's best interest, each concerned with the same tasks. Impossible.)

Strictly speaking, government by the consent of the governed carries only a minimum of rules or requirements that lead to (contextually) fixed provisions. One of them is that two governments cannot service the same geographical area for the same purpose, at the same time, etc. The precise length of service is left open. The condition of disengaging (and engaging) service is left open, also (except for certain moral provisions). And, most importantly, the size of the geographical area being serviced by any law enforcer is left open; here the matter hinges primarily on convenience and (contextual) necessity. Just as the markets of bakers, car manufacturers, barbers, and lawyers differ in size, so the markets ser-

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eviles heroin. So therefore if we always link our advocacy of legalization of the two drugs there will be no possible confusion or implication that we favor pot for its own sake, and, furthermore, the idea of legalizing heroin would also be advanced at the same time. If someone asks us whether we favor legalizing pot, let us therefore always answer: "Yes, and heroin too, and for the same reason." Let the special pleaders wince though they may. □

A Response To The Challenge —

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viced by a given government would differ, depending on the specific requirements of the service being rendered. (After all, the governments of Lichtenstein and mainland China "service" different size markets — or would, if they were governments by the consent of the governed.)

What the editor of LF and many others do not realize is that in a sense there already exists competition between law enforcement agencies, only their kind of law and enforcement is in need of serious improvement.

Finally, I would like to request of the editor of LF that he refrain from characterizing my view as "Utopian Randian". That is simply a smear and is not called for in the attempt to undertake to solve a difficult set of problems in political theory.

— —Tibor R. Machan

The Editor Replies

Dr. Machan has indeed firmly grasped one horn of the dilemma confronting all advocates of a voluntarily-supported but compulsory monopoly government (whom we may call "Randian" political theorists for short.) But in doing so Dr. Machan has, willy-nilly and apparently unwittingly, fallen headlong into anarcho-capitalism! For by reducing his supposed inner contradiction to the individual ("hiring one party to protect my property excludes hiring another . . .", etc.), he had precisely adopted my position. It is precisely my view that each individual should have the right to subscribe to any police or other defense service he wishes to protect his own property. But if Smith has this right, and Jones, etc. each with his own property, this is what anarcho-capitalism is all about. The Randian position asserts that there must be a single monopoly defense agency over a given territorial area; the area is never specified — which is a basic flaw in the entire position — but whatever it is, whether Canada or Lichtenstein, it must assuredly be larger than the property of one individual. And it is that concept to which I threw down my challenge. For if Dr. Machan is really arguing for the "geographical area" being the property of each individual, then he has indeed adopted anarcho-capitalism, and we must welcome him to our ranks.

Actually, Dr. Machan's alleged inner contradiction is not even correct when dealing with an individual's property. For while it is not very likely empirically, there is certainly no inner contradiction, no impossibility in reality, for an individual to purchase the services of two or more defense agencies in protecting his property. An individual, after all, can and does subscribe to two or more life insurance policies with different companies, or two fire insurance policies over the same property.

To rephrase our challenge to the Randian political theorists: You assert that for any given geographical area (that area being defined as larger than the property of one individual) there must be a compulsory monopoly of defense service. But suppose that two or more such defense agencies, despite your pronouncements, already exist in that area, each consciously pursuing and applying what we would all agree was a libertarian law code of outlawing aggression against the person or property of another. On which one of these agencies would you bestow your approval, and which would you presume to declare an outlaw? And what would be your criteria of choice for one over the others? □

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Bormann Once More

Every year or so some poor devil in South America is seized by the scruff of the neck, taken to the capital city, and fingerprinted and harassed without mercy, under the claim that he is the Real Martin Bormann, former high official of the Nazi regime. Usually he is an impoverished peasant of German extraction, and usually the legalized kidnapping is done at the behest of the Israeli espionage service, which seems to have the run of the nations of the world. After a couple of weeks, the evidence becomes manifest that the poor lug is not Bormann, sighs of regret go up around the world, and the peasant is kicked back to his home without so much as a by-your-leave. The sighs of regret, it need hardly be added, are not for the injustice done to the peasant, but to the new failure to apprehend Herr Bormann.

Now a new team of writers maintain that they have at last found the True Bormann, and that he is, would you believe, Alive and Well and Living in Argentina. We have no way of knowing at this writing whether he is a true or a pseudo-Bormann, but we would like to advance the heresy that it doesn't really matter very much. And the further heresy that whether he is or not, this new patsy should be left alone, to end his days in peace.

It is now 27 years after the end of World War II, after the liquidation of the Nazi regime. How much longer is that bloody war to go on, to creep onward claiming yet one more victim? We hold no brief for any state official, but Bormann is not being pursued for the rest of his life and perhaps into the grave for any crimes that he or the German state may have committed over its citizens. He and his colleagues are being pursued for the crime of making war, and that is a crime that only the losers in a war ever get punished for. The judgment at Nuremberg, was in the words of the English writer Montgomery Belmont, indeed "victor's justice", and the high war-making crimes of the Allied victors did not so much as come into question, much less enter the dock at Nuremberg. When the war-making rulers of any other country than Germany or Japan begin to receive equivalent justice from war crimes' tribunals, then it will be time enough to pursue the last remnants of the National Socialist regime. In the meantime, how about letting the old guy alone, and turning our attention to currently active war crimes?

While we are on the subject of amnesty for Bormann, we might mention the case of that long-standing "prisoner of peace", Rudolf Hess, who still languishes, 27 years after the war, in solitary confinement in Spandau prison. Hess, defecting from his role as a top official in the Nazi regime, flew alone to Britain during the war in a vain attempt to negotiate peace. Important Communist defectors are invariably given the royal treatment in the West; yet Hess, for his pains, has only received lifetime solitary imprisonment at Spandau. Where are the cries for amnesty in the Hess case? Where are all the leftists who have been howling to "Free Huey", "Free Angela," and "Free All Political Prisoners"? Why are they so silent on the longest-standing political prisoner of them all? Why are there no campus radicals chalking "Free Rudolf" on the walls of ivy? □

"In all sorts of government man is made to believe himself free, and to be in chains." —King Stanislaus Leszczynski of Poland

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