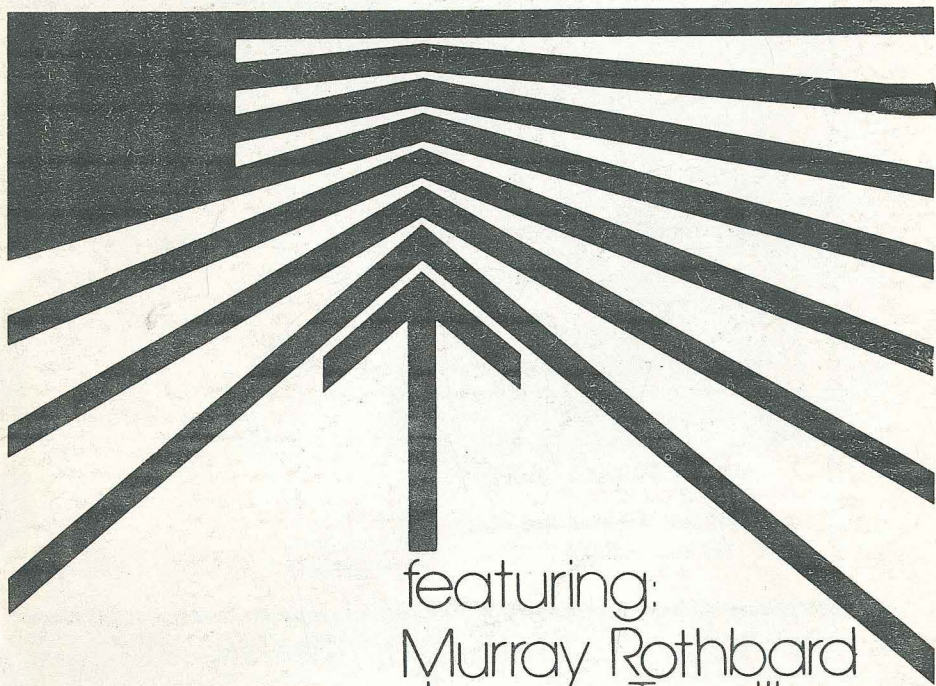


abolitionist

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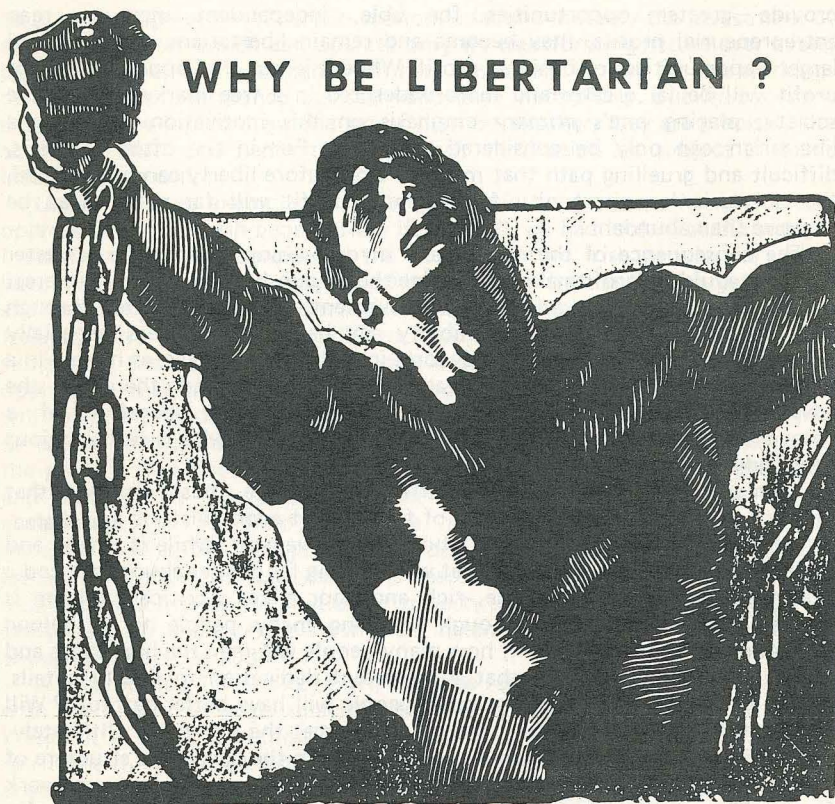
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WHY BE LIBERTARIAN ?

by Murray N. Rothbard

Why be libertarian, anyway? By this we mean: what's the point of the whole thing? Why engage in a deep and lifelong commitment for the principle and goal of individual liberty? For such a commitment, in our largely unfree world, means inevitably a radical disagreement with, and alienation from, the *status quo*, an alienation which equally inevitably imposes many sacrifices in money and prestige. When life is short and the moment of victory far in the future, why go through all this?

Incredibly, we have found among the increasing number of libertarians in this country many people who come to a libertarian commitment from one or another extremely narrow and personal point of view. Many are irresistibly attracted to liberty as an intellectual system or as an aesthetic goal, but liberty remains for them a purely intellectual and parlor game, totally divorced from what they consider the "real" activities of their daily lives. Others are motivated to remain libertarians solely from their anticipation of

their own personal financial profit. Realizing that a free market would provide greater opportunities for able, independent men to reap entrepreneurial profits, they become and remain libertarians solely to find larger opportunities for business profit. While it is true that opportunities for profit will be far greater and more widespread in a free market and a free society, placing one's *primary* emphasis on this motivation for being a libertarian can only be considered grotesque. For in the often tortuous, difficult and gruelling path that must be trod before liberty can be achieved, the libertarian's opportunity for personal profit will far more often be negative than abundant.

The consequence of the narrow and myopic vision of both the gamester and the would-be profitmaker is that neither group has the slightest interest in the work of building a libertarian movement. And yet it is only through building such a movement that liberty can be achieved. Ideas, especially radical ideas, do not advance in the world in and by themselves, as it were in a vacuum; they can only be advanced by *people*, and therefore the advancement and development of such people--and therefore of a "movement"--becomes a prime task for the libertarian who is really serious about advancing his goals.

Turning from these men of narrow vision, we must also see that utilitarianism--the common ground of free-market economists--is unsatisfactory for developing a flourishing libertarian movement. While it is true and valuable to know that a free market would bring far greater abundance and a healthier economy to everyone, rich and poor alike, a critical problem is whether this knowledge is enough to bring many people to a lifelong dedication to liberty. In short, how many people will man the barricades and endure the many sacrifices that a consistent dedication to liberty entails, merely so that umpteen percent more people will have better bathtubs? Will they not rather settle for an easy life and forget the bathtubs? Ultimately, then, utilitarian economics, while indispensable in the developed structure of libertarian thought and action, is almost as unsatisfactory a basic groundwork for the Movement as those opportunists who simply seek a short-range profit.

It is our lifelong view that a flourishing libertarian movement, a lifelong dedication to liberty, can only be grounded on a passion for justice. Here must the mainspring of our movement drive, the armor that will sustain us in all storms ahead; not the search for a quick buck, the playing of intellectual games, or the cool calculation of general economic goals. And to have a passion for justice one must have a *theory* of what justice and injustice are--in short, a set of ethical principles of justice and injustice which cannot be provided by utilitarian economics. It is because we see the world reeking with injustices piled one on another to the very heavens that we are impelled to do all that we can do to seek a world in which these and other injustices will be eradicated. Other traditional radical goals--such as the "abolition of poverty"--are, in contrast to this one, truly Utopian; for man, simply by exerting his will, cannot abolish poverty. Poverty can only be abolished

Murray Rothbard is, of course, the well known libertarian economist. He is the author of numerous books on economics. This article originally appeared in *Left and Right*.

through the operation of certain economic factors--notably the investment of savings in capital--which can operate only by transforming nature over a long period of time. In short, man's will here is severely limited by the workings of--to use an old-fashioned but still valid term--natural law. But *injustices* are deeds that are inflicted by one set of men on another; they are precisely the actions of men, and hence they and their elimination *are* subject to man's instantaneous will.

Let us take an example: England's centuries-long occupation and brutal oppression of the Irish people. Now if, in 1900, we had looked at the state of Ireland, and we had considered the poverty of the Irish people, we would have had to say: that poverty could be improved by the English getting out and removing their land monopolies, but that the elimination of poverty in Ireland, under the best of conditions, would have to take time and would be subject to the workings of economic law. But the goal of ending English oppression--that *could* have been done by the instantaneous action of men's will: by the English simply deciding to pull out of the country. The fact that of course such decisions do not take place instantaneously is not the point; the point is that the very failure is an injustice that has been decided upon and imposed by the perpetrators of injustice: in this case the English government. In the field of justice, man's will is all: men *can* move mountains, if only enough men so decide. A passion for instantaneous justice--in short, a radical passion--is therefore *not* Utopian, as would be a desire for the instant elimination of poverty or the instant transformation of everyone into a concert pianist. For instant justice *could* be achieved if enough people so willed.

A true passion for justice, then, must be *radical*--in short, it must at least *wish* to attain its goals radically and instantaneously. Leonard E. Read, President of the Foundation for Economic Education, expressed this radical spirit twenty years ago when he wrote a pamphlet, *I'd Push the Button*. The problem was what to do about the network of wage and price controls then imposed on the economy by the Office of Price Administration. Most economic liberals were timidly or "realistically" one or another form of gradual or staggered decontrols; at that point Mr. Read took an unequivocal and radical stand on principle: "If there were a button on this rostrum," he began his address, "the pressing of which would release all wage and price controls instantaneously, I would put my finger on it and push!"¹ The true test then, of the radical spirit, is the button-pushing test: if we could push the button for the instantaneous abolition of unjust invasions of liberty, would we do it? If we would *not* do it, we could scarcely call ourselves libertarians, and most of us would only do it if primarily guided by a passion for justice.

The genuine libertarian, then, is, in all senses of the word, an "abolitionist;" he would, if he could, abolish instantaneously all invasions of liberty; whether it be, in the original coining of the term, slavery, or it be the manifold other instances of State oppression. He would, in the words of another libertarian in a similar connection: "blister my thumb pushing that button!" The libertarian must perforce be a "button-pusher and an "abolitionist." Powered by justice, he cannot be moved by amoral utilitarian pleas that justice cannot come about until the criminals are "compensated." Thus, when in the early nineteenth century, the great abolitionist movement arose, voices of moderation promptly appeared counselling that it would only

be fair to abolish slavery if the slave masters were financially compensated for their loss. In short, after centuries of oppression and exploitation, the slave masters were supposed to be further rewarded by a handsome sum mulcted by force from the mass of innocent taxpayers! The most apt comment on this proposal was made by the English Philosophical Radical Benjamin Pearson, who remarked that "he had thought it was the slaves who should have been compensated;" clearly, such compensation could only have come from the slaveholders themselves.²

Anti-libertarians, and anti-radicals generally, characteristically make the point that such "abolitionism" is "unrealistic;" by making the charge that they are hopelessly confusing the desired goal with a strategic estimate of the probable outcome. In framing principle, it is of the utmost importance *not* to mix in strategic estimates with the forging of desired goals. *First*, one must formulate one's goals, which in this case would be the instant abolition of slavery or whatever other statist oppression we are considering. And we must first frame these goals without considering the probability of obtaining them. The libertarian goals are "realistic" in the sense that they *could* be achieved if enough people agreed on their desirability, and that if achieved they would bring about a far better world. The "realism" of the goal can only be challenged by a critique of the goal *itself*, not in the problem of how to attain it. Then, *after* we have decided on the goal, we can have the entirely different strategic question of how to obtain that goal as rapidly as possible, how to build a movement to attain it, etc. Thus, William Lloyd Garrison was not being "unrealistic" when, in the 1830's, he raised the glorious standard of the Immediate emancipation of the slaves. His goal was the proper one; and his strategic realism came in the fact that he did not *expect* his goal to be quickly reached. Or, as Garrison himself distinguished: "Urge immediate abolition as earnestly as we may, it will, alas! be gradual abolition in the end. We never said that slavery would be overthrown in a single blow; that it ought to be, we shall always contend."³

Actually, in the realm of the strategic, raising the banner of pure and radical principle is generally the fastest way of arriving at radical goals. For if the pure goal is not brought to force, there will never be any momentum developed for driving toward it. Slavery would never have been abolished at all if the abolitionists had not raised the hue and cry thirty years earlier; and, as things come to pass, the abolition was at virtually a single blow rather than gradual or compensated.⁴ In his famous editorial that launched *The Liberator* at the beginning of 1831, William Lloyd Garrison repented his previous adoption of the doctrine of gradual abolition: "I seize this opportunity to make a full and unequivocal recantation, and thus publicly to ask the pardon of my God, of my country, and of my brethern, the poor slaves, for having uttered a sentiment so full of timidity, injustice and absurdity." Upon being reproached for the habitual severity and heat of his language, Garrison retorted: "I have need to be all on fire, for I have mountains of ice about me to melt." It is this spirit that must mark the man truly dedicated to the cause of liberty.⁵

Footnotes

1. Leonard E. Read, *I'd Push the Button* (New York: Joseph D. McGuire, 1946) p. 3.
2. William D. Gramp, *The Manchester School of Economics* (Stanford, California: Stanford University Press, 1960), p. 59.
3. Quoted in William H. and Jane H. Pease, eds., *The Antislavery Argument* (Indianapolis: Bobbs-Merrill, 1965), p. xxxv.
4. At the conclusion of a brilliant philosophical critique of the charge of "unrealism" and its confusion of the good and currently probable, Professor Philbrook declares: "Only one type of serious defense of a policy is open to an economist or anyone else: he must maintain that the policy is good. True 'realism' is the same thing men have always meant by wisdom: to decide the immediate in the light of the ultimate." Clarence Philbrook, "Realism in Policy Espousal," *American Economic Review* (December, 1953), p. 859.
5. For the quotes from Garrison, see Louis Ruchames, ed., *The Abolitionists* (New York: Capricorn Books, 1964), p. 31, and Fawn M. Brodie, "Who Defends the Abolitionist?" in Martin Duberman, ed., *The Antislavery Vanguard* (Princeton: Princeton University Press, 1965), p. 67. The Duberman work is a storehouse of valuable material, including refutations of the common effort by those committed to the *status quo* to engage in psychological smearing of radicals in general and abolitionists in particular. See especially Martin Duberman, "The Northern Response to Slavery," in *ibid.*, pp. 406-413.

WHAT IS A LIBERTARTARIAN ?

By Walter E. Grinder

Perhaps the answer to the question, What is a Libertarian? is so obvious that it requires no discussion or clarification, but I am inclined to think otherwise. A person in the role of a libertarian is devoted to the attainment of liberty, dedicated to ridding his social system of all coercive barriers to personal freedom.

It is, of course, true that many libertarians *also* have enlightened, latitudinarian, and humanitarian views on many other aspects of daily life. Looking to the history of libertarian thinkers over the last 170 years from Godwin to Goodman, we find writings on a wide variety of subjects ranging from impassioned pleas for educational reform, to calls for uninhibited hedonism, to the glorification of bisexuality, and to a variety of codes for personal behavior, tastes, and attitudes just to name a few. But to confuse the

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cause of liberty with the manifold ways in which one can enjoy that liberty is to seriously cloud the vital and central point of libertarianism.

Lately, we hear more and more about the "libertarian" life style. The praises of the "libertarian" mind opening experiences of grass and acid are unending. Hard rock is supposedly synonymous for "libertarian" music. Uninhibited sexual orgies are positive "libertarian" experiences. Mind blowing, shock value non-conformism, "doing one's own thing," whatever that might be, all of these and others are being paraded under the rubric of libertarianism. Some or all of these activities may very well have positive merit and increase the desirability of living. I am not passing judgement on any of them except to say that they have as much to do with libertarianism as, say, playing checkers or being particularly fond of the concertos of Rachmaninoff.

All of these private bags being passed off under the name of libertarianism take the emphasis off the vital role of libertarianism which is and must be a dedication to the cause of liberty. Liberty and its attainment is not a "do your own thing" kind of issue. To act as if it were is to do the cause of liberty a grave disservice. To fight for liberty is purely and solely a political (in the broad sense) issue, not one of life style.

It is little damned wonder that libertarians have never accomplished much to speak of. "Libertarians" are running off to their mountain retreats, paddling off to their "sovereign" islands, listening to lectures on aesthetics or the stock market, selling hotdogs or teaspoons, or buying up real estate and silver bullion to beat the "omnipresent depression" and calling what they are doing libertarian. Now we are being told that revelries of hedonistic self-gratification and a swinging life style are an essential ingredient of libertarianism. Popycock!

I know quite a few people with "bourgeois" tastes and attitudes who are excellent libertarians, and I know a lot of pot heads who do not know liberty from Pepsi Cola. So if those who are circulating the spurious myth that an "if it feels good, do it" life style is essential to libertarianism will cease in their assertions, I will not engage in the propagation of the equally posterous "libertarian" symbiotic relationship between liberty and the game of checkers. Hopefully we can get to the serious business of discussing the nature of libertarianism.

In my travels among libertarian circles, I have heard the following hailed with equal fervor as the leading spokesmen for libertarianism: Leonard Read, Paul Goodman, F.A. Harper, Jeffery St. John, Noam Chomsky, Karl Hess, Murray Rothbard, Robert Heinlein, Joan Baez, A.J. Galambos, Ayn Rand, Carl Oglesby and many others. Surely just a cursory examination of the positions of these varied "spokesmen" shows sharp disagreement on basic ideology, ultimate goals, and on strategy. Are we who are being "connected" all this far apart? And are we going to be able to reach enough of a consensus to work together in a meaningful manner?

To be a libertarian in any meaningful sense of the term, several requirements *must* be met. The first such required principle is that of *inviolable individualism*. I use the term individualism advisedly in order to clarify as issue, not too add confusion. Individualism in this context does *not* mean non-conformism, hedonism or 'do your own thingism.' Individualism here means that *only* individuals are real social entities and as such they are

the logical first causes, units, or building blocks, as it were, in all social relationships. Libertarians must rid themselves of the confusion between these two concepts of individualism. Both are perfectly valid concepts, but they are analytically separable and must be treated as such:

Inviolable individualism means simply that the individual is a singular entity who owns his own person and those possessions which he has *justly* gained through production, exchange and/or inheritance (assuming that the previously accumulated wealth was likewise justly gained). The individual has the "right" not to have his person or possessions aggressed upon. (All libertarians must respect and advocate the non-aggression principle no matter what their philosophical background—Utilitarianism, Natural Law, Stirnerism, Randism, Existentialism, etc. What is important is that in order to be a libertarian one *must* accept and counsel the principle that each individual has the equal and absolute right not to be aggressed upon. This may be what Stirner calls a 'wheel in the head,' but it is one which must be retained in order to call oneself a libertarian.)

Since the individual has the right not to be aggressed upon, it can be inferred that he has the prerogative to protect himself from the initiation of violence. There is some unusual dispute over this issue, but such a self-defense in inference seems clearly self-evident. There are also some libertarians who hold no truck with the concept of rights. Stirnerites and others are welcome to put it in their own wording; the inviolable individualism principle remains the same.

The second required principle is that of *voluntaryism*; it is merely a corollary of the principle of inviolable individualism. It can legitimately be asked—Then why the redundancy? Simply because that which is implicit in a principle is not always self evident, and sometimes must be stated explicitly. In this case it should be clear what course the relationships between individuals should take, but it seems important to verbalize the implications so that there can be no doubt or confusion remaining.

The principle of voluntaryism requires that *all* social relationships and the social institutions arising from those relations must be the result of individuals and groups of individuals acting on the basis of mutual agreement. Making certain, then, that the right not to be aggressed upon of any third party who might become involved is not violated, voluntaryism must be the standard of all social relationships.

The third requirement is not so much a principle as it is an action requirement. When the principles of individualism and voluntaryism are violated (particularly in an institutional manner) the third requirement demands of the libertarian that he stand up and be heard. It demands that he do all that he possibly can to root out and destroy the injustice. The libertarian must develop the cold, hard, *art of hating injustice*, i.e., he must be motivated to action by a "passion for justice."

Merely a slight bit of empirical investigation shows us which institution and which people are responsible for the consistent and continued violation of the principles of individualism and voluntaryism. In abstract terms, it is the state which is the single most vicious perpetrator of injustice. In the real world and in the magnificent words of Lysander Spooner, it is the gang of plunderers and murders who are in control of the State apparatus upon whom *our action requirement demand of us libertarians that we focus our attention.*

It demands of us that we attack them for the inequity which they represent, unveil them as the virulent oppressors which they are, and drag them to the bar of justice for the crimes which they have committed! Libertarians must learn not only to hate injustice in the abstract, but they must also learn to develop and vent an abolitionist fury upon the perpetrators of injustice. Libertarians must direct their coldly tempered and finely tuned hatred towards the proper and culpable target, towards the *criminals against the people* the ruling elite in control of the State apparatus.

For those of us libertarians living within the "domain" of the U.S. Government, our action requirement demands of us that we become comrades in subverting the system. The U.S. Government and its corrupt and venomous superstructure spawned by its ruling elite stands between us and liberty; therefore, to all libertarians living in America the Beautiful, Uncle Sam must be considered the number one enemy.

Our action requirement shows us that libertarianism is not an island retreat issue, not a get-ready-for-the-depression issue, and certainly not a life style issue; rather, the third requirement makes it crystal clear that libertarianism is necessarily a political issue of the first order. The action requirement demands that libertarians not be retreaters, profiteers nor swingers; it requires that libertarians become radical abolitionists, committed to attacking, unveiling, rooting out and ultimately, to destroying the U.S. Government-Monopoly/Capitalist-Imperialist system. Nothing less will satisfy the action requirement

We have seen that the libertarian must believe in inviolable individualism, be committed to voluntarism, be motivated by a "passion for justice," and that for the libertarian to consistently follow his libertarian ideals in today's all too real world, he must become a revolutionary. What does all this mean for the libertarian right now, today? Of course, it does not mean going out and manning the barricades next week, but it does mean that libertarians must understand the revolutionary implications of their ideological convictions and develop a radical consciousness, and that we must direct our activities in relation to the radical abolitionist goal of extirpating the U.S. Government-Industrial-University-Foundation-Labor complex. Libertarians must develop what George Woodcock, when describing Bakunin in his book *Anarchism*, calls the "destructive urge." For the destruction of the American State Leviathan must, indeed, be the battle cry of all libertarians.

Men have sought for ages to discover the science of government; and lo! here it is, that men cease totally to attempt to govern each other at all! that they learn to know the consequences of their own acts, and that they arrange their relations with each other upon such a basis of science that the disagreeable consequences shall be assumed by the agent himself. Stephen Pearl Andrews

THE RADICALIZATION OF ITALIAN-AMERICANS

by Jerome Tuccille

It is interesting to consider what is happening psychologically to the Italian-American community these days. When the Italians first came over to this country, starting en masse about 1890, they were treated as the latest in a wave of European "niggers" to emigrate from their homeland. The Irish had undergone the same experience about 1850, but by this time they had largely established themselves as "respectable" scions of the community, fleshing out the police ranks of Boston and New York and achieving power through the political wards of both cities. The editorialists of the mid-nineteenth century referred to the "Irish situation" in much the same language that has been used to describe the "restless minorities" of today.

By the beginning of the 1900's the onus of stigmatization had been lifted from the Irish who were finally able to wallow in the luxury of their newly-achieved status of solid citizen. Their turn had come to patronize this new legion of invaders, this rather darkish clique of grape-stomping peasant folk who came in droves gibbering away in a foreign language. It was a novel change to be able to wield the cold knife of established power after they, themselves, had suffered the same humiliation at the hands of those who came before them. It is a sad commentary on the nature of the human race that no group, once having established itself, has ever turned a helping hand toward the next wave of immigrants. The cry, "We had to work for it so why shouldn't they?" is an often heard cliché in many middle-class Irish and Italian households throughout the country.

Some forty or fifty years later, roughly by the end of the Second World War, Italian-Americans enjoyed for the first time the taste of middle-class respectability. They had sent their sons off to law school or the construction trades, and the strength of this double whammy punch, the close family tie-in between the politicians and the building trades, is being uncovered now in ripe detail. The organic structure of the Addonizio nepotocracy in Newark, New Jersey, was not unique; it was only a single design in a large-scale pattern. He was the first important operator to be caught in recent years, and unless the power of other family operations is so great and so far reaching, many of this nature will soon be unveiled. Virtually every sizable community in the northeast, particularly northern New Jersey and lower Westchester County, could stand a thorough overhauling. ~~Whether this will be done or not~~

Jerome Tuccille, author of *Radical Libertarianism* and *It Usually Starts With Ayn Rand*, and a frequent contributor to *Libertarian Forum*.

depends largely on how many of those conducting the investigation will be embarrassed by too close a scrutiny.

It is somewhat ironic that most of those who are intricately involved in this familial stranglehold on urban politics--the contractors; the heads of engineering firms; the dispensers of contracts to select construction companies; the municipal lawyers who are supposed to represent the interests of the taxpayer in the expenditure of public revenue--have been among the most passionate supporters of the Law 'n' Order mystique. Many a string-pulling building contractor has been the first to call for stringent police measures to save the community from "un-American" forms of "crime": political dissent; smoking marijuana; long hair and love beads; general disrespect for authority. This is to be expected considering how much the corporate-political power merchants have to lose in any re-ordering of the system.¹

With the re-stigmatization of the Italian-Americans due to the bad press given Addonizio and the activities of the Mafia, a curious thing is taking place.² These newly-arrived establishmentarians, this latest wave of European "niggers" who shucked off their niggerhood and climbed up to the world of manicured lawns and plastic slipcovers, these latest to inherit the title of solid citizen who pride themselves on having "fought for the flag in World War II" and who like to brag (as Mario Procaccino did) that not one of their nationality has ever been convicted as an American traitor (and he wonders why he lost the Jewish vote)--these just-made-it scions of the middle-class Americana are suddenly being treated as "niggers" again. Psychologically, this has served to induce a state of near-hysterical schizophrenia. They had just begun to savor the fruits of victory, to wave their American flags proudly and paper their cars with "America, Love it or Leave it!" stickers, and they suddenly find themselves in danger of losing the right to wear their hard hats. Having found their voice as card-carrying members of the Silent Majority, they discover themselves on the outside looking in.

In his perceptive article, "Italian-Americans Challenge Balance of Power," appearing in the July 14, 1970 issue of *Liberated Guardian*, Leonard Liggio makes the following observation:

In the case of the Italian-Americans, the necessity for radical organizing is a significant indication of the failure of the American Left. Most Italian-Americans who arrived in the United States before . . . World War I were radicals. They were a major factor in radical trade union organizing and were one of the major pillars of the Socialist Party. However, their allegiance to radical politics was weakened by the activities of the Communist Party and social democratic groups who sought to marshall radicals as auxiliaries of the New Deal and the Democratic Party. The American Labor Party was one example of that manipulation, and the present political ambivalence of Italian-Americans between liberalism and conservatism is a product of that failure of the American Left. However difficult, it will take radical organizing among such groups to regain the impetus which was lost. . .

The political issues involved in the re-stigmatization of Italian-Americans are clearly outlined in Liggio's article. Before evaluating the long-range

prospects of a new radical awareness emanating from the Italian-American community, it is well worth taking a look at another important development involving Italian-Americans in New York City.

The *New York Times* of August 11, 1970 contains an article by-lined by Murray Schumach which begins as follows:

From these few blocks in Corona, Queens, some 80 young men went off to World War II. Half of them were killed. The insurance money paid off mortgages on many of the homes in which they were born and in which their parents still live.

These blocks, roughly from Martense to Christie Avenues, and along 101st and 102nd Streets, make up perhaps one of the few crime-free oases left in the city. Some of the 138 families in the 69 homes of brick, shingle and frame do not even bother to lock doors.

But now these law-abiding people are embattled. Along the streets that bloom with Rose of Sharon are signs reading: "Lindsay abolished Italian community" and "Lindsay uproots Italian community."

The article describes how residents of this community are fighting to save their homes from being bulldozed in order to erect a high school and athletic field on the site. What renders this issue even more outrageous than the usual destruction of dwelling places for the construction of public institutions is the fact that, adjoining the property, is the Rego-Forest Country Club, itself situated on *public* land. The members of this country club are, for the most part, residents of high-priced, upper-middle-class apartment buildings in the nearby area. These people constitute a sizable segment of Lindsay's overall political base and he is loathe to tinker with the life-style of his most ardent supporters. Consequently, he has elected to confiscate the homes of people who might be expected to vote for one of his opponents in the next election.

The renewed insecurity of the middle-class Italian-American is poignantly represented in an exchange between a housewife hanging her wash on her clothesline and a bikini-clad member of the country club. As the young lady stared at the wash through the wire-mesh fence surrounding the club and facing the woman's backyard, the housewife looked up and asked,

"Is it white enough for you, honey?"

This incisive query reveals a great deal about the schizophrenic condition described earlier. That same housewife would scream for the gestapo if a family a half-shade darker than herself tried to buy a house on her street. At the same time, reflecting a new "niggerized" status of her own, she sarcastically wonders if her wash is white enough for the people next door.

What makes the entire situation even more intriguing is the fact that two community planning boards were against the selection of this community for demolition, as were the area's Assemblyman, State Senator and Congressional Representative. In addition to the private country club on public land, a nearby public park and a run-down industrial site have also been suggested as alternatives. Mayor Lindsay, guided by the devious considerations which motivate most politicians, may have succeeded in radicalizing a solidly entrenched cornerstone of the liberal-conservative establishment.

What does all this mean for the future political role of Italian-Americans in our society? The worst that can happen is that they will be co-opted back

into supporting the system by a few political concessions, with their lawyer-politician sons playing middle-man between themselves and the State. This is always an imminent danger with any powerful group that has been alienated from the majority. Then, too, it is probably too much to hope for that they will ever completely forget their old racial prejudices and form a united front with blacks, chicanos and other struggling minorities to attack the basic structure of established authority.



But there is also the possibility that a fundamental political truism will be driven home: nobody has it made even when he "has it made." A de-personalized political structure such as ours depends on scapegoats for its very survival. As long as the powers-that-be can point to an element in society—the hippies, the blacks, the Jews, the commies, the "un-Americans," now the Italian-Americans—they can convince the majority that all is well if only we can "separate these rotten apples from our midst."³ The Jews learned this lesson well from long and bitter experience. So have the blacks, American Indians and chicanos.

If Italian-Americans can also understand that everyone is potentially a "nigger" in a politically-centralized, heavily bureaucratized society, there is at least some small chance that they will voluntarily surrender their hard hats and join the cause of liberty.

Footnotes

1. One of the more amusing aspects of this syndrome is the claim that Mafia-controlled neighborhoods are the safest places to live. Mafiosi are careful to conduct their various enterprises outside the neighborhood since they want their *own* kids to grow up in a "decent environment."

2. Whether it is fair or not to scapegoat the Mafia as the source of "crime" in this country is beside the point. Many underground activities such as prostitution, loansharking, gambling, even drug-peddling are voluntary and ought not to be outlawed. At worst, the syndicates are to be faulted for seeking *monopolistic* privileges for their operations by paying off the politicians. In this regard they are no worse than the oil industry, the defense companies, the textile industry, and other "legitimate" corporations which also buy a monopoly from the State.

What is of concern is the publicity given to Italian-Americans involved in political chicanery. The psychological impact generated by this and by the portrayal of Italian-Americans as "Mafiosi" is of paramount importance in this discussion.

3. A phrase used by Vice President Agnew which deserves to be emblazoned in the heavens as a constant reminder that no one ever "has it made," and any group can be singled out next for scapegoating whenever it becomes politically expedient.

LEGAL SYSTEMS UNDER ANARCHO-CAPITALISM

by Gary Greenberg

Introduction

Among the objections raised against anarcho-capitalism is the claim (unfounded, of course) that there is no provision for a system of rational courts and objective law. Underlying this attack is the mistaken belief that limited government somehow makes such provisions. Since rationality cannot be legislated nor mandated nor even (at least for the present) genetically implanted by the technicians of our brave new world, it seems evident that no political system is going to guarantee competent or rational judges or competent or rational legislatures which will enact rational and objective legislation. The truth of the matter is that advocates of limited government at best can offer a written constitution to bind the government which sad experience has shown may be rejected by the government or the people whenever it suits their purpose. At this point the advocate of limited government introduces his *deus ex machina*- i.e., for a limited government to be established it would require a cultural change which would affect the quality of the ideas of the people, the legislature, or the judges. Of course, that cultural trend might reverse itself the next day, but in any case what is conceded by the limited government advocates is that success requires great numbers of supporters among those in a position to affect public opinion.

This article deals with civil law as opposed to criminal law. Civil law deals

with the violation of a person's rights where the violation results from mistake or accident and what a person's proper relation is to those who violates his rights under such means. Criminal law is the field of law dealing with the the deliberate intentional knowing violation of a person's rights and the proper relation of people towards criminals.

Civil law is divided into two general categories, Contract law and Tort law. A contract is a promissory agreement between two or more persons which creates, modifies, or destroys a legal relation. Contract law deals with such matters as how a contract is created, what the contract means and what happens when the provisions are violated. Tort law deals with the problem of violation of rights not arising from a contract (e.g., trespass, assault, negligence).

Although Real Estate problems fall into either of those two areas (a deed is a contract, a trespass is a tort) later in the article I will touch on the issue separately due to the special significance such problems have for a capitalist society.

Courts

A court is an institution that serves to determine whether or not it would be morally proper to exercise the use of force and whether such force ought to be accepted and respected by civilized persons. The underlying basis for courts is that man is neither omniscient nor omnipotent. Since it is possible for rational men to have differences of opinion where one or more of such persons does not have knowledge of all the facts, or where it is not possible to know all the facts, and since, further, it is desirable for civilized persons to know that some individual whom they neither know nor care to know is properly engeging in the use of force, rational, civilized persons have an interest in seeing that there are institutions available which are impartial, fair to all concerned, and in favor of justice.

Therefore, the proper attitude of rational civilized persons toward a court which is impartial, fair and just is to respect its rulings and to give it their moral support. Where such an institution has properly established for itself such a reputation, rational civilized people ought to respect its decisions whether the decision deals with them or some other person of whose situation they know nothing about. In no way does the existence of a government monopoly of the courts guarantee that such courts are deserving of proper respect, support or obedience. The only test one ought to apply towards a court in deciding whether the court is impartial, fair, just and respectful of human rights. If the court exists independent of any government and satisfies the test, it is more deserving of a person's sanction than a court established by a government which does not meet such a test.

Naturally, my preceeding remarks raise such questions as how does a court independent of government become established, what right does it have to make any judgements concerning people, and what protection does one have to insure proper courts?

Firstly, a court may be any institution that proclaims itself a court. This

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could take the form of a one-time act such as an individual hired by two disputants to resolve a dispute, to a continuing institution that exists for solving disputes such as the American Arbitration Society (which is in essence an anarchist court presently existing within the American business community).

Courts should be established by a group of individuals who rely on their reputation and earn their sanction from the public on the basis of their reputations. Another possible method of earning sanction where the court has no reputation to rely on would be through the franchising of the sanction of a professional associations of lawyers or scholars. For example, the New York Bar Association (a lawyer's group) could publish a list of organizations whose integrity is respected by NYBA. Similar lists could be published by the National Association of Manufacturers or the AFL-CIO, the Better Business Bureau or any other group. The important thing is to remember that appearing on a list does not guarantee validity; it is only a means for establishing respect among as many individuals as possible. Organizations could also publish lists of courts of which they disapprove. The effectiveness of a court is ultimately based on a large scale acceptance or indifference. Where a court has substantial opposition it will be ineffective and lose clients.

One of the important questions is how does a court exercise jurisdiction over anybody? The first method would be voluntary agreement between the disputants. The serious problem arises when there is no agreement.

What happens when one disputant does not want to go to court? To answer this we must first return to the purpose of a court: to determine whether it would be proper to exercise force. Where a party has gone before a court and offered his willingness to abide by the decision, then the party has done everything he can to resolve the dispute through civilized and non-violent means. If the other party refuses to participate in the proceedings then the court has a moral right to say, after hearing what evidence it has before it and deciding in the behalf of the complainant, that the complainant has taken all civilized steps available to resolve the dispute, "We, the court, find that it is morally proper for the complainant to exercise force to affect the remedy." The court may have an agent of retaliatory force connected to its operation or it may leave the complainant to his own devices (the morality of his devices would be subject for discussion under the criminal law section). There would be private agencies of retaliatory force, and if they wanted to maintain the confidence, respect and support of the citizenry, then they ought to provide that it would not act unless the client can bring proof of a court decision in his favor. The agency might even publish a list of those courts whose decisions they consider respected. The failure of retaliatory organizations to have proper respect could result in popular armed opposition.

Objective Law

Objective law is a fundamental purpose of the legal institutions of a free society. The preparation of objective law is a product of the research and scholarship of the legal community. The legislatures have picked and chosen from the work of the legal community. The legal community has been at odds with the legislative branches of our government because of the failure of the legislatures to agree on the adoption of uniform codes of law so that the

law would be the same everywhere. As it is now, law varies from jurisdiction to jurisdiction.

Legal scholarship has existed independent of the government, and in any society which permits free speech and private research, such activities will go on. The effect of the private court system would be to adopt the suggested codes produced by the private scholars, the most sensible of which being endorsed by the professional legal organizations.

The courts would make known what codes of law they would follow. The result would probably be following similar rules of law since the legal scholars would generally agree on what was the most acceptable law. In those situations where there is not agreement, the situation could be no worse than where law is posited by the legislatures as the legislatures would reflect such disagreements with some legislatures adopting one law and others acting contrariwise.

Other than the influence of legal scholarship there are other ways in which a de facto objective law system would develop. We must recognize that the purpose of objective law is to permit people unschooled in legal matters to know that there is a rule of law which is applicable to the people you deal with so that disputes can be resolved in such a way that people do not feel cheated or taken advantage of.

Under anarcho-capitalism this end is achieved in various disciplines. For example, in the field of contracts one can easily agree within the contract that any disagreement will be resolved within a particular court. This would in effect be a system of objective law since you have agreed in advance to be governed by a particular rule of law with those with whom you deal. So even if you have one rule of law governing your contract with Mr. A and another rule governing Mr. B's contract, you have a de facto rule of objective law since all parties know in advance what rules are governing their relations.

A practical example in today's society of how such a system can operate effectively would be the widespread use of private agencies by businessmen to resolve their differences and their acceptance of contrary decisions as a result of their rational self interest. This works because many businessmen know they will lose a lot of business if they do not go along with this private court system. This phenomenon arose as a result of the great inefficiency of the American court system.

In the area of torts most law suits deal with negligence problems and in a great percentage of the negligence cases you frequently have an insurance company interested in the outcome. Since insurance companies are generally on the defendant's side, but frequently on the plaintiff's side there is a great interest on the part of insurance companies in seeing that there is an existing acceptable court system; they would probably contribute to the financing of the courts. This interest would act as a counterbalance to the court's temptation to be a plaintiff oriented in order to attract customers. The court would have to incline towards neutrality and objectivity because on the one hand they have to attract plaintiffs to bring the suits and the plaintiff has to expect a fair shake and on the other hand the insurance companies (who would be most affected by a decision against the defendant) would have to expect a fair shake or else they would reject the court's good faith and undermine the ability of the court to attract plaintiffs who would expect to be paid by the insurance companies. It should be added that these interests

would frequently carry over into the field of contracts since insurance companies are frequently on both sides of contract actions.

And finally I would like to reflect on real estate transactions, the main problem being what manner of objective law would operate so that people could always know who owns what property? This would be done through Title Insurance companies. Title Insurance is probably the greatest stabilizing factor in real estate today. Almost every sale of real estate is accompanied by a purchase of title insurance, in which the insurer guarantees the validity of the title. In the absence of government, title insurers would develop a fair and objective system of title law and registration. It is in their rational interest to do so since they represent buyers or sellers in any transaction and have an absolutely complete need for objectivity since they must always know in advance what the law is and who the previous owners were. Their absolute need for objectivity is the guarantee that the public would accept the title registration system as the best evidence of title.

There is one advantage to a private court system over a government court system that I have not heard mentioned before. That is that private courts do not need anybody's permission to experiment with technological advances to improve the quality of the courts and trial system. If the experimenters fail, they hurt only themselves and those who freely selected them; if they succeed, they have created something that other courts can take advantage of.

BIBLIOGRAPHIC SUPPLEMENT

In this issue of *The Abolitionist*, we are happy to present two comprehensive bibliographies for those who would like to delve deeper into the questions of revisionist history of the Cold War period. The first has been specially prepared by Leonard P. Liggio, professor of history at City College, and has been designed to be of special interest to those who attended the New York Libertarian Convention of November 13-14 at Columbia University, and may desire to study further questions Professor Liggio raised at that time.

The second is a longer, more general, bibliography compiled by Walter E. Grinder, who teaches economics at Rutgers University. It too, was written in connection with the conference, but will serve as an excellent guide to anyone interested in further studying libertarianism.

by Leonard P. Liggio

Harry Elmer Barnes, ed., *Perpetual War for Perpetual Peace*, 1953. The outstanding collection of essays of the leading Old Right critics of New Deal Imperialism's aggressive foreign policy, particularly regarding Japan.

Arthur Ekirch Jr., *The Civilian and the Military*, 1956. A description of the increasing militarization of American society.

Arthur Ekirch Jr., *The Decline of American Liberalism*, 1955. A most important study of the decline of freedom and growth of authority in America.

Arthur Ekirch Jr., ed., *Voices in Dissent, an Anthology of Individualist Thought*, 1964. A very good collection of critics of the American system.

D. F. Fleming, *The Cold War and Its Origins*, 1960. A basic although not complete history of the cold war.

Gabriel Kolko, *The Politics of War, 1943-1945*, 1969. A good analysis of America's war time diplomacy, especially regarding the establishment of the New Deal's world economic hegemony through international agencies and agreements.

Sidney Lens, *The Futile Crusade: Anti-Communism as American Credo*, 1964. Very useful analysis of how the Establishment plays off left and right to maintain its world objectives.

John Lukacs, *A History of the Cold War*, 1960. An interpretive approach which challenges the Establishment.

Charles C. Tansill, *America Goes to War*, 1938; *Back Door to War*, 1952. Studies of the background and causes for American intervention in two world wars by the dean of American diplomatic historians.

William Appleman Williams, *The Tragedy of American Diplomacy*, 1962. The finest single study of twentieth century American foreign policy.

by Walter E. Grinder

LIBERTARIAN CLASS ANALYSIS

The State, by Franz Oppenheimer (London, 1923--reprint Arno Press 1971) The single most important class analysis theory ever written. Makes the vital distinction between the only two possible means of gaining wealth: the "economic means" i.e., the peaceful production and exchange of goods and services, and the "political means" i.e., the plunder, looting and seizure of peaceful production and voluntary exchange. The "political means", then, is the basis of all economic exploitation, both direct and indirect. Oppenheimer's most important contribution is that the STATE is "the organization of the political means." A great answer to the Marxists as well as to the more naive "pluralists."

Our Enemy the State, by Albert Jay Nock (Caldwell Idaho, 1946--reprint Arno Press 1971) A brilliant application of the Oppenheimer class analysis to American history from the ideas and battles surrounding the unfortunate formation of the U.S. Constitution through the dreadful days of the New Deal. Nock, the erudite stalwart of the Old Right, combines Oppenheimer's class analysis with the vision of Charles A. Beard to produce this masterpiece of political analysis and historical investigation. Nock's work complements

and might well be studied along with the following very important works: Charles and Mary Beard's *The Rise of American Civilization*, Arthur A. Ekirch's *The Decline of American Liberalism*, and J. Allen Smith's all too long forgotten *Spirit of American Government*.

"Left and Right: The Prospects for Liberty" by Murray N. Rothbard; *Left and Right* Vol. I., No. I Spring 1965 (reprint Arno Press 1971) An incisive yet sweeping presentation of the libertarian historical perspective. An analysis and vision based on libertarian class analysis and a careful reading of history. Shows that libertarian class analysis predates the twisted Marxian analysis. Gives a clear presentation of the class analysis ideas of Charles Comte and Charles Dunoyer, the libertarian followers of the French classical economist J.B. Say. An absolute must for libertarians to learn their own heritage, to know where they are in the broad sweep of history, and to see where they can and should be headed.

"The State and the Ruling Class" by Vincent Ninelli; *Libertarian Analysis*, Vol. I. No. II., Spring 1971 A review of G. William Domhoff's important *The Higher Circles* using the class analysis concepts developed by Oppenheimer, Nock, Rothbard, Comte, and Dunoyer.

CORPORATE, FINANCIAL, LABOR, AND GOVERNMENT INTERRELATIONSHIPS

The Triumph of Conservatism, by Gabriel Kolko (New York, 1963). A great pioneering work in domestic United States history. Destroys the myths surrounding the very important watershed in American history, the Progressive Era. Shows that big business welcomed government intervention and regulation as a replacement for competitive, unhampered market capitalism and in fact sponsored much of this legislation in order to achieve a "rationalized," stable domestic order.

The Corporate Ideal in the Liberal State, by James Weinstein (Boston, 1968) A work which complements Kolko's work perfectly. A concentration on newly forming Big Business foundations, associations and research groups during the Progressive Era, keying in especially on the Carnegie, Morgan, Mellon run National Civic Federation and its role in sponsoring "social welfare" legislation. Also an important discussion of the relation between war, militarism and its consequent oppressive and interventionistic effects in the domestic economy.

The New Empire, by Walter La Feber (Ithaca, 1963) An important pioneering investigation into the economic and political roots of United States expansionism during the last quarter of the Nineteenth Century, an expansion which culminated in the infamous Spanish-American War and in many respects led, both directly and indirectly, to the First and Second World Wars. Especially important is the background which La Feber shows concerning U.S. relations in the Far East.

The Tragedy of American Diplomacy, by William A. Williams On the foreign policy side, this work is every bit as important as Kolko's revisionism of domestic policy. A courageous reinvestigation of America's interventionistic role into everyone else's business. Covers the period from the turn of the century when U.S. government and business leaders began in earnest to apply the "frontier thesis" abroad, to the period which we call the Cold War when America had extended and consolidated its "frontier" to cover the whole "free world" portion of the globe.

The Decline of American Liberalism, by Arthur A. Ekirch, Jr. (New York, 1955) A brilliant tracing of the decline of the American people's power over their own lives, and the corresponding rise of nationalism, elitism, militarism and the consequent domestic garrison state. First rate.

America's Sixty Families, by Ferdinand Lundburg (New York, 1937) Although this work predates his more recent *The Rich and the Super Rich* by some thirty years, it is the superior of the two and still very important in understanding the nature of America's class structure. Shows how the very wealthy, financial aristocracy retain control over the "command posts" of the political economy and thus continue to maintain and extend their control and class position.

The Empire of High Finance, by Victor Perlo (New York, 1957) This work is written by a Marxist economist, but don't let that scare you off. It is one of the most important investigations of the relationship between government and high finance ever written. Shows the blending together of Wall Street banking and Washington government to the point where it is impossible to tell one from the other. Finance capitalism was ushered in with the Federal Reserve System and remains in control of all the very important political-economic-military decisions to this very day--because of its protection by and symbiotic relation with the U.S. Government. The only problem with this work is that it badly needs to be updated. What was true in 1957 is even truer now.

Who Rules the Corporations?, by Robert Fitch and Mary Oppenheimer (New York, 1971) This book carries on the work started by Perlo, but does even more. It helps to destroy the current Marxist-Williamsite myth that inside financing has freed the corporations from "outside" financial control. On the contrary they show that "high finance" is in a stronger position than ever before.

The Higher Circles, by G. William Domhoff (New York, 1970) Beyond a doubt, the best sociological investigation of power and class relations in the United States to appear in decades. A brilliant masterpiece. A must for all libertarians. A great synthesis of the historical findings of Kolko, Weinstein, Williams etc.

The Roots of American Foreign Policy, by Gabriel Kolko (Boston, 1969) A marvelous little introduction into class and power relations in the United

States, and, more importantly, how these power relations are used to effect a "favorable" foreign policy--favorable to the financial-corporate elite.

Corporations and the Cold War, edited by David Horowitz (New York, 1969) power relations in the United States, and, more importantly, how these power relations are used to effect a "favorable" foreign policy--favorable to the financial-corporate elite.

Corporations and the Cold War, edited by David Horowitz (New York, 1969) An excellent collection of articles exploring the relations between the corporations, financial institutions, the military and other government agencies. Several brilliant articles searching into the relation between corporate leaders and actual foreign policy decision making. Must reading.

American Labor and United States Foreign Policy, by Ronald Radosh (New York, 1971) An excellent investigation into the role of organized labor in promoting an expansionist, militant foreign policy throughout the globe. Covers the period from Gompers to Hillman and Lovestone. Shows how labor has become the willing junior partner in the power elite.

Architects of Illusion, by Lloyd Gardner (New York, 1971) A very important study of the men and ideas during the immediate post-war period. Along with Gabriel Kolko's monumental *Politics of War*, this work becomes part of one of the very best one-two scholarly punches to come along in many a year. Discusses Roosevelt, Bullitt, Clayton, Acheson, Marshall and Kennen, among others.

VANISHING POINT

by Louis Rossetto jr.

So nobody seemed to like *Vanishing Point* very much. It did not have much of a plot. The acting was hardly startling. The characterization was not very strong. The camera work and the editing were interesting but not really inspired. And to top it all off, the whole thing centered around this car. A commercial for a fucking Dodge Charger, somebody put it.

Imagine, in this day and age, a movie about a car. Everyone knows that cars are the bane of our existence. They clog the streets. They pollute the air. They consume incredible amounts of our natural resources. And the public's fascination with them has diverted attention from the bureaucrats' schemes to construct mass transit. In short, cars are anti-city (as New York City's Environmental Protection Agency put it), are anti-progress, are anti....anti....anti...., well, the ultimate indictment is that they are just plain anti-social.

Vanishing Point seems to have almost everything going against it. No plot.

no characters, no acting, and attention seemingly focused on an object which has become the number one target of the socially conscious. In the face of all this, even I am surprised that I liked it.

I liked *Vanishing Point* for its theme, which judging from reviews, very few people understood. *Vanishing Point*, very simply, is about life and repression. If it has little plot, it is because the theme is very simple. Did *Battle of Algiers* have much of a plot? If the characters are roughly defined, it is because the story is not about a specific character, but about everyman. As for the car, it is a plot vehicle (if you will excuse the pun); did anybody claim that *Easy Rider* was a movie about motorcycles? As for the camera work, editing and acting, they were competent, sufficient to the task.

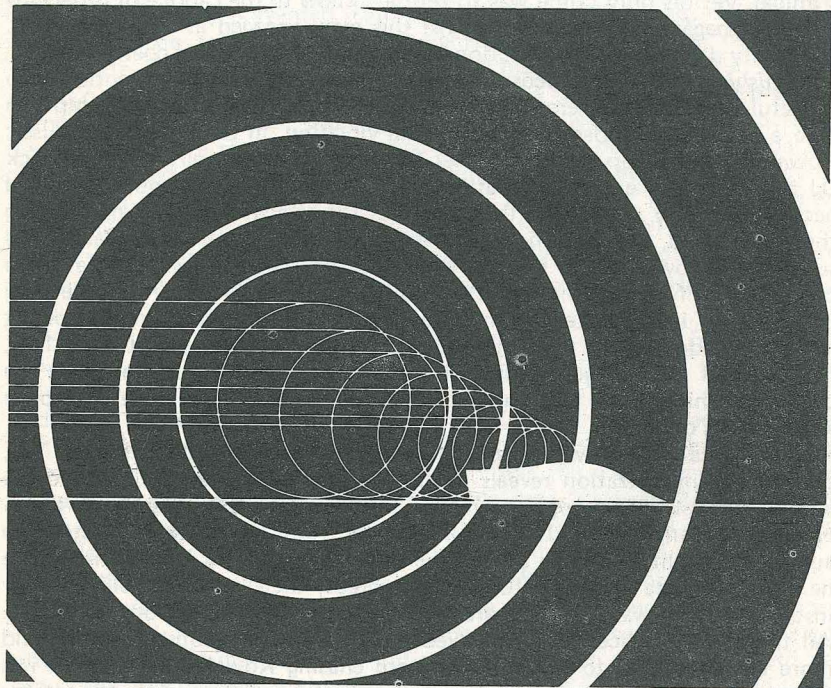
The task is telling a story of a man with a particular goal tenaciously following his chosen course of action. Kowalski ferries cars. After pulling into a ramshackle garage in Denver at midnight Friday, he declared his intention to drive back to San Francisco that night. Over the lame protestations of the garage owner, Kowalski jumps into a white Dodge Charger and roars out into the night. First, however, he stops to give his regards to a black friend of his, with whom he wagers that he will be on the coast by the next morning, and from whom he obtains some speed.

Enter the major sub-theme of the movie: speed. Both literally and figuratively, Kowalski thrives on speed. Throughout his trek, Kowalski is popping speed to keep himself awake. And throughout his life, Kowalski has evidently used speed to keep himself alive. Through flashbacks, we are made aware of Kowalski's past. Kowalski is an ex-racer; he drove stockers and motorcycles, and was evidently good at it. For a time, it was his job, his livelihood. His high speed journey to California is not, then, merely based on whim. Rather, it is but an extension of his reliance upon and selection of speed as his life's method.

But speed is frowned upon in this society, both the noun and the verb. Indeed, both are the objects of public censure and governmental suppression--for virtually the same reasons. Speed, the drug, is banned because of its social consequences. Drug taking is an offense against the community. It is an assault on moral standards. It is contributory to the break down of moral authority and undermines the smooth operation of society. If everyone took speed, society would be in chaos, all order would break down, the community would suffer grievously. Speeding, the action, is banned because of its supposedly practical, but also social, consequences. Speeding is taken to be an offense against other drivers. It is virtually an assault on the legal system of the State. It is contributory to the break down of legal authority and undermines the smooth operation of one of society's institutions, the road system. After all, if everyone speeded, the roads would be in chaos, all order would break down, the community would suffer grievously. Both are profoundly anti-social, the highest of all offenses in today's America.

And both are treated the same way by the government, society's "protector." Both are banned. Violators of the government's wishes are dealt with--as criminals. Government pursues both types of violators--with utter disregard to the supposed objects of protection, law, and public safety. In the pursuit of drugs, constitutional safeguards are violated. Public safety is threatened by police actions and the creation of a criminal class, a la

prohibition. The application of speeding laws has resulted in general disdain for the whole system of road regulation. As for public safety, the supposed "danger" created by a cat zipping around in a Porsche is easily surpassed by the police cruiser tear-assing around city streets or highways attempting to stop him.



Finally, both types of speed are similar in one other respect: they are inherently moral (immoral being that which infringes on the rights of another). In this society, they represent optional values, individual preferences, choices which every man must make to live, choices which every man must make to be a man. Life without choice is no life. Rational selection of options is what man is all about. Speed represents one of man's choices. The choice of speed is not immoral itself. The individual who speeds and violates no one's rights is not immoral. Immorality enters the picture with the government's suppression of both. Violent intervention in an essentially peaceful action is the real violation of individual rights, the true threat to social order, and the ultimate example of anti-social behavior.

This is the main theme of the film. Kowalski is a man who has set himself a goal and chosen a method. His goal is San Francisco in the shortest amount of time, and his method is speed. He is like millions of other men who undertake purposeful action, action which is personally rewarding and harmful to no one. And Kowalski is also like millions of men who undertake purposeful action only to be repressed by men who do not understand him, do not want to understand him, or understand him only too well.

Kowalski is chased by police across three states. He is speeding, and that is against the law. For that, he is hounded, hunted, and, ultimately, killed. Although he has injured no one, endangered nobody, he is the object of a massive application of State power--in the form of dozens of police cruisers, patrolmen, troops, helicopters, and even bulldozers. He is sought as a criminal, yet his only crime was to refuse to bow to the caprice of others, to refuse to negate his own will. Against this man, engaged in highly peaceful, yet legally defined anti-social action, is applied the violence of coercion.

Vanishing Point underscores this point about violent intervention into peaceful endeavors numerous times. In a flashback, a policeman attempts to rape a girl, apprehended for a marijuana violation, in the back of a cruiser; Kowalski, then a cop, slugs the other officer and frees the girl. A blind, black DJ and his black engineer are attacked and beaten in their station by a red neck gang led by policemen; the reason for the attack: they were monitoring the police band, broadcasting information on police actions to Kowalski, and supporting Kowalski on the air (thus making him somewhat of a cause celebre). The Nevada police dispatcher tells the Colorado police that speeding is not illegal in his state and that Kowalski could only be picked up on, at most, a misdemeanor; the Colorado police reply that they just want him, regardless of the charge. A man who captures snakes and lives alone in the desert also hides from the police; the reason: he does not want the police keeping tabs on him.

The police want Kowalski ostensibly because he has broken the law. Yet, the massive mobilization reveals deeper motives. Kowalski has violated the letter of the law, but more importantly, he has violated the spirit of the State. He has not only engaged 'criminal activity,' but he has also rejected the authorities' right to define crime. The police simply want Kowalski because he exists outside of and refuses to recognize, their control. Colorado, for instance, simply wants him, regardless of the legality of his actions in Nevada. All three state police forces involved manifest a deeper understanding and more basic reaction to his run. They are chasing Kowalski because he is a threat to them, and, since they represent society, society as well. His actions display no social responsibility. In fact, his actions are downright anti-social. His actions are damaging to public order, are bringing ridicule down on the police, and are expressions of anarchy. If everyone drove like Kowalski, where would the roads be? If everyone acted like Kowalski, where would the State be?

The Charger must be stopped, and the full resources of three police agencies are marshalled to achieve precisely that end. To catch the criminal, to protect the public from speeders, the police forces send dozens of cruisers barreling over the roads. To safeguard the sanctity of law, the Colorado police instruct the Nevada police summarily to invent laws. To defend society, to catch one man, the police launch a land/air assault and spread chaos and damage across three states.

In cowboy movies, transgression is quelled by moral action. In *Vanishing Point*, moral action is quelled by transgression. The criminal is righteous, while the "righteous" are criminal. The point is made explicit in Kowalski's "escape" to California: he drives through the road block with the external accoutrements of the forces of justice, a blinking red roof light and a blaring siren (provided by another "anti-social character he met on the road, a long

haired, hippie bike rider.

Although Kowalski makes California, his goal, San Francisco by Saturday Morning, is destroyed. Instead of enjoying a peaceful journey, Kowalski suffered continuous police harassment, forced deviation from his chosen route (at one point, into the desert), and exposure to extreme peril. He made California, but the police exacted a high toll, his life.

A man, forcibly prevented from achieving his rightful goals, is deprived of humanity. The repression of ego's rightful expression is the negation of human life. A man, prevented from acting in his own best interest in violation of no one's rights, is reduced to the position of a chattel, a piece of property, a non-human. Kowalski, although he crossed the California border, was reduced to such a state. By thwarting his action, by destroying his goal, the police reduced Kowalski, removed his humanity. For, even though they did not catch him, they had him caged for a day. His "escape" into California was not a failure for the police, nor a victory for Kowalski. On the contrary, the police succeeded in finally catching Kowalski. His every action was monitored by the California Highway Patrol. He had not broken free. He was watched, regulated, channelled to his death.

Kowalski had to die. He was doomed. The blind DJ, Super Soul, said it all when he called Kowalski "Super Ego." While most men are walking dead, Kowalski was life on the highway. He took orders from no one and gave orders to nobody. He was sublimely innerdirected, self-assured, and moral. But, as Vernon L. Parrington put it, "In a society of serfs, a masterless man must be counted as an outlaw." Kowalski was the masterless man, and he faced repression as all men must ultimately face it, alone. And he died, as many who seek to express their will die, by crashing into the immovable wall of society, or the State--as a result of their own momentum.

Kowalski had to die because he was alive. While most men in this society never experience life, never live as men (free, with goals, without restriction), Kowalski had. And being alive--making decisions, selecting values, striving to attain ends, free from and never initiating violence--in a nation of death, can only result, in the end, in the extermination of that life. Kowalski had to die.

Paradoxically, Kowalski had to die because he was already dead. Kowalski's death did not occur in the fireball which was his car after collision with the blades of bulldozers. He died, his humanness was removed, the moment the State destroyed the chance of achieving his goal. He died, as all men do, when their humanity is denied by the violent suppression of their wills' expression in a peaceful action. The very composition of the movie emphasizes this point. *Vanishing Point* opens with Kowalski crossing the California line at 10:02 Sunday morning. The next scene is Kowalski pulling into the Denver garage at midnight Friday. The rest of the movie follows Kowalski to California. Only at the end is Kowalski's death revealed as occurring at 10:04 Sunday morning. Thus, the whole movie takes place after his death.

Vanishing Point, despite the fiery death of Kowalski, is very much a pro-life film. Most of the music is driving gospel passed through a rock filter. Light abounds; very little of the movie was shot at night. Open spaces fill the screen. The blind DJ, Super Soul, is a bundle of movement, wailing out his pitch and breathing encouragement to Kowalski. And, of course, there's this white Charger, moving, roaring, well. . . . just plain charging down roads, over

deserts, across the country.

No, the movie is not technically great. The camera work is not terrific. There are loose ends, especially in the flashbacks. The editing could have been tidier. And it may have been over simplistic as a result of the basically one dimensional characters (even the visual white/black division is used--white Charger vs. black police cruisers).

But it sure as hell ain't no Dodge commercial. It is social commentary of a fairly subtle nature, subtle enough to elude most critics. If it has got a car at the center of the action, well, too bad.

Maybe it was panned because the critics could not understand what was happening. Or did not want to know what was happening, or knew too well what was happening. After all, social consciousness is the highest ideal, anti-social man the worst enemy.

In the era of the movie anti-hero, the hero has been spurned. Kowalski is a true hero, striving and failing by his own action and choice. In an era of the cinema portrayal of individual alienation, the man with his head together is forgotten. Instead of a man alienated from society, *Vanishing Point* is about a society alienated from man. It is surprising, however, that in an age of personal liberation, a movie precisely about self-liberation goes unrecognized. Who knows, maybe despite the rhetoric of freedom, critics really do believe that the masterless man is a criminal fit for elimination.

But in any case, a Dodge commercial it ain't.

... OF CABBAGES AND KINGS

by Gary Greenberg

The Sunday edition of the Daily News (October 17) had an article on Murray Rothbard's views of Nixon's NEP....Jeffrey St. John, a regular commentator on the CBS Spectrum Series used that forum to celebrate the 90th birthday (Sept. 29) of Ludwig von Mises and also to praise the libertarian orientated National Taxpayer's Union....Ralph Fucetola and Walter Block have been doing a series of pilot tapes or WBAI. So far they have aired interviews with Murray Rothbard and Jerome Tuccille...Gary Greenberg appeared with John Zeigler on WRVR's Bostia Hammerstein Show to discuss the libertarian philosophy. Zeigler heads an advertising agency that handles cause advertising related to individual rights....Also on the air locally was Harry Brown, author of *How To Profit From The Coming Devaluation*, guesting on NBC radio's Long John Nebel show, one of the most widely heard nighttime shows (Oct 20.)..... Gene Guccione will be following up his pollution article for the Times Op Ed page with an appearance on TV's Kup show syndicated here in NYC sometime in Nov. or Dec....Edith Efron's new book, *The News Twisters*, has stirred up a storm of controversy. Not only has she been making several media interviews, CBS is launching two separate studies to investigate her charges. It has been a hot book in media circles...Jerry Tuccille's new book, *It Usually Starts With Ayn Rand*, has received favorable reviews in prepublication stages from prominent review

Journals...Incidentally, Jerry, along with Murray Rothbard has edited *The Right Wing Individualist In America*, a thirty eight book series reprinting libertarian classics of the past and present. The publisher is Arno Press, a subsidiary of *The New York Times*...David Friedman will soon have a book out by a major publisher....Libertarian clubs and groups have been continually springing up in the New York area. New clubs include the Radical Free Market Club at Baruch College, the Borough of Manhattan Community College Libertarian Coalition, the Rutgers Libertarian Organization and the American Freedom Alliance, a high school oriented group with members at various NYC high schools and loosely affiliated with the libertarian oriented New Right Coalition split-off from YAF.

HEROIN: RIGHT ON, PIGS

by Walter Block

The Knapp Commission, has alleged that some New York City Police (through the acceptance of bribes) are allowing the illegal sale of heroin. Although there may be disagreement concerning the actual guilt of those involved, the non-dope pushing public is unanimously united behind the proposition that such acts are a "bad thing." This includes people as different as the conservative Police Benevolent Association and the New York City Police Department, as well as the liberal Lindsay Administration and the American Civil Liberties Union. Where else can be found such heart warming agreement among such usually virulent enemies?

Much as it pains me to take a different point of view, I think that New York's finest have for once done the people of the city a good turn (if the allegations turn out to be true). In order to see why this is so, and in order to demonstrate the great glory and relevance of my guild, we must consider several axioms of economic theory.

1. The price of an item is dependent on supply and demand. Others thing equal, the supply of a good will be lessened, and its price will rise, if it is declared illegal, and if this declaration is enforced. The possibility of encountering great losses and a jail sentence if caught is usually enough to deter honest businessmen from producing the product. This leaves the field open for "businessmen" like the Mafia who specialize in high risk "business."

2. What will be the effects of the rise in price of the item, in this case heroin? The economics of the market and sale of heroin are as follows. It costs roughly \$100 per day to support a mature habit (the price varies according to quality and number of alternative sources of supply). This is roughly \$36,500 per year. There are virtually no addicts who can support their habits through honest work or property income. They are thus forced into a life of crime (and/or prostitution). Most of this crime is in the form of stolen goods. The economics of fencing (cashing in, for the uninitiated) is one

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that usually obtains about 20% of the market value of the stolen goods. This means that the addict has to steal almost \$200,000 worth per year.

3. The plight of the addict in being forced to come up with this \$200,000 is due entirely to the fact that heroin is illegal, and that this law is enforced. If heroin were not illegal, and/or if this prohibition were not enforced, its price would fall to something like the price of tobacco. For both heroin and tobacco are plants, subject to the principles of agricultural economics.

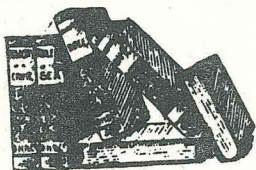
4. The bad effects of forcing addicts to cough up \$200,000 are a) A vast increase in crime (multiply \$200,000 times 10,000, the estimated number of addicts in New York City alone) and b) A vast immersion of the life of an addict, turning him into a crazed, desperate person, capable of all sorts of evils, instead of a person who would be no burden to society, able to earn what two packs of cigarettes per day now cost.

5. If heroin were legalized, or turned into a dead letter law by massive police refusal to enforce the law (i.e., by allowing its sale, perhaps through bribes) these bad effects would vanish. And to the extent that police "look the other way" these bad effects would be lessened. For if the New York City Police Department has any Legitimate function at all, it is surely to prevent crime. We have seen that a great contributor to crime is the desperation addicts are forced into by being forced to scrape together \$200,000 per year; that the cause of this is the high price of heroin; which is in turn caused by its very prohibition. Get rid of the prohibition and its enforcement, and the problem is solved.

6. Will heroin use increase if legalized? This is hard to say, but on the balance, I think not. On the one hand, economic law of downward sloping demand indicates that as the price falls more of a commodity will be demanded. Also, legalization may remove the barriers to heroin use on the part of those who are law abiding and/or fear punishment. But on the other hand, the demand for heroin is usually supposed to be what economists call inelastic, i.e., not responsive to price changes. To the degree that this is so, a fall in the price of heroin will not increase its use much. In addition, legalization makes it unprofitable to push heroin (the third way of supporting a habit). Neither the Mafia nor other users of the chocolate bean try to "push" the stuff on anyone else.

People will no doubt object that heroin addiction is a terrible thing. I agree. But enforcing the prohibition of heroin is more horrible still in that a) It may well increase heroin addiction, b) It will certainly increase the rate of crime, thus c) endangering the lives of us all, addict and crime victim alike. Although economics as a social science can have nothing to say on this question, it is my belief as a libertarian that each of us has a right to "go to hell in his own way" provided that he does not violate the rights of others.

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