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Etcetera

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With this issue, **Outlook** is switching from third to second class mail. Several recent issues were not received on time by our subscribers, due to the slowness of third class mail. We are confident that this change will result in prompt delivery of all future issues.

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An exclusive Outlook interview with gadfly, social critic and tax protester, Vivien Kellems. "I file a tax return," she reveals, "but I don't put any figures in. I just put my name and address at the top and sign it at the bottom." The interview was conducted by Walter Block, Gary Greenberg and Jerry Klasman.

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Proudhon's opposition to private property is more myth than reality, explains L.A. Rollins in his evaluation of Woodcock's Proudhon: His Life and Work. Allan Silverstein examines some musical efforts and concludes that the grand and the grandiose are not always synonymous. Film reviewer Cary Leiter analyzes efforts of two directors; he finds one sublime, the other ridiculous.

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EDITOR LETTERS

In this issue . . .

We are proud to present an exclusive in-depth **Outlook** interview with Vivien Kellems, billed in our last issue as a "woman of 76 years of age who takes on the minions of the state tax bureaucracy." Also wielding their pens are our regular columnists, Tuccille the Heretic and Rothbard the Plumber, as well as newcomers Art Carol, Cary Leiter, L.A. Rollins and Allan Silverstein, and oldtimers Gary Greenberg and Robert LeFevre. All in all, an issue to make the powers-that-be tremble.

Welcome Aboard

I also take pleasure in welcoming two new members to the **Outlook** staff. Paul Streitz is an account executive at J. Walter Thompson and is active in the Free Libertarian Party of New York. He joins our staff as the Promotion and Sales Director. Norm Muchnick has worked as a copywriter for several major advertising agencies for the past 10 years (currently at Ted Bates, Inc.), and is also active in the Free Libertarian Party of New York. Norm joins our staff as Advertising Director.

Previews

In the January issue, we can look forward to the trenchant analysis and political commentary we have come to expect from Robert Baker in *The Polished Razor* and from Karl Hess in his *Letter From An Enemy of the State*. **Outlook** will also feature an economic analysis of the relationship between a return to the gold standard and the preservation of world peace by Howard Katz, head of the Committee to Reestablish the Gold Standard.

Our exclusive **Outlook** interview will be with John Holt, critic of the American educational establishment, and author of *How Children Fail*, *How Children Learn*, *The Underachieving School*, *What Do I Do Monday*, and, just recently, *Freedom and Beyond*. As usual, **Outlook** focuses not only on the views which have made John Holt a household name in the educational field, but also on questions which are of specific interest to libertarians.

Find out why John Holt does not think of children as "cute;" why he thinks that six-year-olds should have the right to vote; and what he thinks of R.D. Laing, Thomas Szasz, Madalyn Murray O'Hair, Marilyn Monroe and parochial education—all in next month's **Outlook**. ☺



On the O'Hair interview

I was very interested in **Outlook's** interview with Madalyn Murray O'Hair, and was delighted with Ms. O'Hair's independent thinking and libertarian leanings.

Your reference to radio stirred my interest:

In Southern California (Mexicali-Calexico) a small radio station (250 watts) operated with little fanfare, with great influence over their service area. A decentralist-rightist (Bill Gleason) was the owner, and was much aware of the fact that his ostensibly balanced programs were creating a mood favorable to conservatism, and to local control.

Said Mr. Gleason: "There are 485 congressional districts, and I could win the next election if I had one 250 watt station in most districts."

The power of the media is generally underrated. A street quiz (what do you think about . . . ?) gets nothing but regurgitation of the current newspaper and news broadcast—nauseating. Never an original thought.

I think Ms. O'Hair's ambition to own a radio station is good—but too modest. Mr. Gleason ran an "American Network" and sold tapes to several stations over the U.S. I'd be pleased to know of any programs in that direction, interested in participating.

R. Ormsbee
Bridgewater, Mass.

The fungus is among us . . . ?

Thought you might like to know that someone has put out a bogus Volume III, Number 4 of your magazine. Must have been some gang of conservatives out to give libertarianism a black eye. In the Madalyn Murray O'Hair interview, they've got some statist attorney named Ralph Fucetola talking about getting the government to force this fellow named

Buckley into broadcasting some stuff he doesn't like on his own radio station.

Garvan F. Kuskey
Santa Barbara, Calif.

Fucetola replies

The question isn't whether or not I am a statist lawyer because I have advocated the use of state force against William F. Buckley Jr.'s radio holdings. The question is whether the use of state force against Buckley's radio holdings is aggression in this case.

The essence of aggression is the use of force or fraud or the threat of force against the will of a potential victim. Buckley supports the idea of a state (it's a "divine" institution); he supports aspects of this state, including, I believe, some sort of control over the airways. He does not, I believe, concede the right to civil disobedience. Thus it cannot be said that any use of the state's force, within the confines of its laws, violates his will.

Moreover, Buckley benefits from state force in a most direct way; his radio stations partake of a monopoly maintained by state force. In that way they are part of the state and should be bound by the state's self-imposed limitations . . . the First Amendment included. Buckley may make no "law" for "his" property which abridges anyone's right of free speech. This logic, of course, leads to chaos . . . but, as we all know, *government is chaos*, and those who support it deserve to receive the full force of its illegitimate power. I don't believe using the law to smash the law-giver is improper libertarian behavior.

The cross and the flag

With the July-August issue of **Outlook**, your editors reached a new low in bad taste. The shocking appearance of an interview with Madalyn Murray O'Hair, the atheist adventurer, in a magazine that purports to advocate freedom will do much to undermine the battle against Godless Atheistic Communism. In every country where Communism has dominated, the Church has been the first institution to be destroyed because it offers the only effective opposition to Communism.

The cross and the flag are all that stand between us and the minions of Moscow. **Outlook** seems determined to see that such tools are stripped from us.

Yours in Christ
Major Winston Domo, USAF (Ret.)
Tulsa, Oklahoma

[Major Domo is the editor of Attack & Kill Newsletter and is recognized far and wide as one of America's leading anti-communist crusaders.—Ed.]

On "The Crime of Government"

In their article, "The Crime of Government," Louis Rossetto, Jr. and Stan Lehr mention the case of General Tomoyuki Yamashita, who was condemned at the Pacific Theater War Crimes Tribunal. As libertarians attempting to discover and apply natural law to such difficult matters as war crimes, it is only sensible that we do as Rossetto and Lehr have done; namely, examine the decisions and reasonings of past masters of law and jurisprudence to see what help they offer.

But I think we must reject the Yamashita case as a guide. As A. Frank Reel writes in his book, *The Case of General Yamashita*, "... It is interesting to note that in the Nuremberg indictments great care was taken to allege that these particular prisoners 'authorized, directed, or participated in' the actual crimes. Nowhere in the record of the Nuremberg trials can there be found the cavalier disregard of that touchstone of our criminal law—the element of personal culpability—that signalizes the Yamashita case."

Bill Evers
Stanford, Calif.

The authors reply:

Mr. Evers' point is well-taken. We did not mean to go as far as to advocate using the Yamashita case as a precedent. We mentioned it largely to illustrate the danger of "victor's justice" inherent in state-sponsored war crimes trials, and also to contrast this Draconian precedent with the way in which some people today are willing to bend over backwards to allow our own contemporary war criminals to literally get away with murder.

Welfare imperialism?

I've just finished reading Roy Childs' "Conservatives, Revisionism & the Cold War" in the July-August **Outlook** and wish to applaud it.

The article makes me wonder what the author's views are on welfare and what happens when U.S. businessmen involve themselves in the statism of other nations. I'm certain they follow those presented in his article in **Outlook**. ... and I'm just sorry

he didn't expand on these and hope he will do so in the future.

Earl Zarbin
Phoenix, Ariz.

Even more LeFevre on Peden on voting

Professor Peden tries to make a distinction between aggressive actions (the initiation of force in a first instance) and defensive actions (the initiation of force in a second instance). The fact is that human beings control their own energy in each instance. Every action of force is an initiated action. The person who aggresses does so because he believes he has reasons to do so. We may not agree with his reasons, but nonetheless he has reasoned that he should act aggressively. The person who reacts by using force defensively is also taking initiated action. He, too, believes that he has a reason for doing what he does. It is far easier to accept the rationale for defensive action than for aggressive action. But that is largely a matter of conditioning and insensible acceptance of governmental propaganda. Factually, each action is of the same character. Force is being used which is calculated to impose on a second party. Each use of force results from a decision made by an individual mind. Each such decision is based on a reason, good and sufficient to the actor, which in his mind justifies the action taken. The fact that most people disapprove of some of these actions and approve of the others does not alter their character. It is merely the expression of a value preference for one type of initiated violence over another type.

Professor Peden goes on to imply that action and violence are equated. Surely, he can't mean this. Violent action involves imposing on a second party by force. Peaceful action involves no imposition. His assertion that libertarian politics becomes an ethical possibility is simply an assertion that libertarians can impose on others justifiably, but that if others do precisely the same thing, such actions by them cannot be justified. But libertarian political action, like initiated defense, is a use of force against others. It imposes on the free choices others would make if left to their own devices. And the great merit of the libertarian position, at least to me, is found in the recognition that only the libertarian states frankly that he prefers a societal arrangement in which forceful imposition on others is not employed.

In his contribution to this publication last month, Mr. Peden had the grace to say that [LeFevre] "... seems to be saying that those who want a State cannot be opposed without denying them their rights." In a sense, that is true. I have no more right to take away the crutch on which a man is leaning than to insist that he lean on a crutch. But I most certainly do have a right to protest when he insists that I lean on the crutch, too, or that he has a right to place the leg of his crutch on my toe.

And this is the problem with all types of collective action in which violence begins to be employed. It is, in fact, the very evil with which all governments are afflicted. Whenever a government takes an action, there are some who favor that action. They have a right to favor it. They simply have no right to favor it at the expense of those who do not favor it. But how does government get around this evil? Frankly, it gave up long ago. When a policy is favored by some, it is imposed on all. And if, in seeking to permit a free society to flourish, we insist in the same manner—by violence—that all men be free, we are and must be engaged in the same type of procedure.

If those who favor freedom seek to argue that *their* freedom justifies coercion imposed on everyone so they can get their way, then indeed we will have no answer to the dilemma.

I asked Professor Peden what history has to say about those who sought to obtain freedom by employing violence. He says that the picture evolving from such efforts is "mixed." I do not see it as "mixed." The human slavery spoken of by Professor Peden was largely abolished by the efforts of one Granville Sharp. The act of Parliament which followed was virtually little more than an acknowledgement of what was already *fait accompli*. As for the accomplishments in religious freedom, repeal of the corn laws, the practice of free trade, and so on, especially the establishment of the Protestant church in Ireland, we might do well to take a really good close look. I am under the impression that, however real those gains may have seemed, since they were obtained by power they were susceptible to power plays against them, which surely have been used since.

I am reminded of the revolution in Russia in which anarchists *did* seek to overthrow the government by force. The result? And
GO TO 20

NEWS NOTES

Free Speech for Subversives

A New Jersey motorist who was arrested in August for holding up a cardboard sign proclaiming "Radar Ahead!" has been freed by a Bergen County District Court judge. The judge ruled that such action, while not praiseworthy, was within the constitutionally protected right of free speech.

Public Servant

The Texas House of Representatives has unanimously passed a resolution endorsing the job performed by the Boston Strangler in the field of population control.

The resolution, submitted by two representatives who believed the Texas house would pass any resolution set in front of its members, commended Albert De Salvo for "dedication and devotion to his work in population control."

Rep.

Tom Moore, the chief sponsor of the resolution, withdrew the commendation after it passed recently, saying simply that he had changed his mind. Moore said the resolution "might reflect unfavorably upon the dignity of the body. I wouldn't want to do that."

The resolution commends De Salvo, implicated in the deaths of women in the Boston area, for unselfishly serving "his country, his state and his community." [UPI]

Expertise

How did the cop in Bloemfontein, South Africa, know the substance he had seized was marijuana? the judge asked. "I used to smoke it before I joined the police," the cop replied. [AP]

Silence is Golden

Mrs. Susan Russo, a high school art teacher dismissed from her position in Hernetta, N.Y. because she remained at "silent attention" during the required pledge of allegiance, was upheld by the Court of Appeals.

In their decision, the judges stressed freedom of speech, including the right to remain silent:

"We ought not impugn the loyalty of a citizen merely for refusing to pledge allegiance, any more than we ought necessarily to praise the loyalty of a citizen who, without conviction or meaning, and with mental reservation, recites the pledge by rote each morning.

"Mrs. Russo's belief was that the phrase 'liberty and justice for all' appearing in the pledge, which to most of us represents the spirit and abiding genius of our institutions, in her mind

simply did not reflect the quality of life in America today. For this reason, she felt it to be an act of hypocrisy on her part to mouth the words of the pledge when she lacked the belief in their accuracy or efficacy.

"It is our conclusion that the right to remain silent in the face of an illegitimate demand for speech is as much a part of the First Amendment protections as the right to speak out in the face of an illegitimate demand for silence.

"To

compel a person to speak what is not in his mind offends the very principles of tolerance and understanding which for so long have been the foundation of our great land."

Best Foot Forward

A panel of leading scientists has agreed that highly advanced civilizations certainly flourish elsewhere in the universe. However, one of the participants, Ashley Montagu, the noted anthropologist, was not optimistic that contacts with the "beyond earthers" would be very satisfactory.

"With our magnificent record with the Indians, the Chinese, the Filipinos, you can imagine what will happen," he said. "We can show them how to achieve peace by making war. We could even send our Vice President to show them how."

If contact is made, he said, he hoped that it would be done with "every possible token of interest and friendship" and that no governmental officials would be permitted to be involved.

Pre-Marital Licenses

Swiss authorities have placed matchmakers under state control and required that all of them get a license, police report. [AP]

When In Uganda . . .

The wash is still flapping on the line at some of the 10,000 residences in the former Asian quarters of Kampala, but their occupants have gone. At a few, the servants have moved in from their cramped quarters at the back.

In the city, 80 per cent of the shops are closed, and Kampala has an air, as one diplomat put it, of "trying to live after an epidemic of plague."

None of the shops have been looted, a phenomenon credited by some to a recent visit by the President of the Central African Republic, Gen. Jean Bedel Bokassa. General Bokassa led an army squad into a jail in his own country to

beat up thieves, some of whom died, and also threatened to cut off the ears of thieves who repeated their offenses.

Nobody knows what advice General Bokassa might have given President Idi Amin on how to deal with thieves, but his presence in Uganda is thought to have had a deterrent effect on pilferage.

Many Ugandans wonder—but dare not shout from the rooftops—how the economy and social services are going to function. The Asians played a prominent part in staffing the hospitals, public-health facilities, import-export concerns, and industries. With their forced departure, a shortage of skilled workers has been built into the economy.

On the national level, Uganda's economy has improved due to the cessation of imports. But the man in the streets is still desperately poor, and faces soaring prices of everyday products, which have already doubled in less than six days.

Having expelled the Asians, Israelis and Britons, General Amin is fulfilling his pledge of "Uganda for the Ugandans." His only problem is how to sell the businesses, possessions and property left behind by the emigrants to a population with little money.

Quality Garbage

David Bernstein, executive director of the Citizens Budget Commission, says that in many cities in the country it has been found that "real savings can be achieved and high quality maintained" through the use of private garbage collection.

But New York's Environmental Protection Administrator Kretchmer disagrees. He says the industry has "no responsibility nor profit motive for street cleanliness or reduction of noise levels in the city." He does not believe "that the city can rely on private cartmen to meet the standards of quality service which the citizens of New York rightfully expect."

To Each According to His Greed

An Italian government decree that would give lush pay raises to the high officials in the top-heavy state bureaucracy is arousing strong opposition to Premier Giulio Andreotti's government among Italian citizens.

Under the proposed pay structure, the annual salary of an administrative chief in a government department would go from \$10,000 to \$16,000 and of an ambassador from

SPEAKING OUT

\$10,000 to \$23,000. The increases would be retroactive to January, 1971.

High officials have such fringe benefits as chauffeured cars and sometimes free or inexpensive lodgings. Many of them have also managed in the past at least to double their salary by working overtime or holding part-time jobs in some semi-official agency.

The projected salary increases for Cabinet members are particularly unpopular because each of them receives in addition an average of \$15,000 a year after taxes as a member of Parliament. The new scales propose \$27,000 annual pay for a Cabinet minister instead of \$10,500 and \$23,000 for under secretaries instead of \$10,000.

Politically independent newspapers say the proposed "supersalaries" are the more irritating because the bloated and inefficient state bureaucracy is full of high officials with little to do while Italy has not nearly enough letter carriers. Some mailmen earn as little as \$150 a month.

Ugo La Malfa, leader of the small but influential Republican party says that the Government is committing a serious psychological blunder at a time when organized labor is being urged to show restraint in current negotiations to renew the nationwide three-year contracts for about four million workers.

The Premier, in an open letter to Mr. La Malfa, asserted last week that he too was all for austerity but said it would be discriminatory to have it start in the civil service. "Austerity, to be just, must begin elsewhere," Mr. Andreotti wrote. He did not say where.

Startling Discovery

New York State Controller Arthur Levitt has come to the remarkable conclusion that government bureaucrats goof off on their jobs.

An "alarming study" of New York City's Welfare Department, made public recently, uncovered such "unusual office practices" during working hours as sleeping, playing cards and chess, reading, fixing each other's hair and a daily physical exercise class.

Upon receiving **Outlook** magazine's Discovery of the Year Award, Levitt expressed his gratitude and favored the magazine with an advance scoop on his next two equally amazing discoveries: that the Pope is Catholic and that bears shit in the woods. ☹

Speaking Out is reserved for the thoughts and opinions of our readers which are too long or inappropriate for a letter to the editor and too short to be used as an article. Manuscripts should be from about 500 to 700 words long and typed double-spaced. Please include a word count and a short autobiographical introduction.

Ebenezer Scrooge & Co. was a well-known accounting firm whose founder, Ebenezer Scrooge, was universally beloved. Well, not quite universally. Bob Cratchit hated his guts.

Cratchit was a junior accountant who had been with the firm for two years, and was already in a rut. His work was good and he felt ready to strike out on his own. Problem was, he couldn't pass his CPA exam. The State Board limited the number of applicants it passed in order to protect the virtual monopoly enjoyed by the major existing firms.

Scrooge found Cratchit's competence and thoroughness useful for routine assignments. At the same time, he didn't want to give Cratchit a chance to get anywhere in accounting because, quite simply, Bob Cratchit bugged the hell out of him. He was too confident. He cared more about the accuracy of his work than about the image of the firm. And he consistently refused to indulge in all the little irregularities which major clients expected when their books didn't look as good as they would have liked.

But, in addition to exploiting Cratchit's ability and thwarting his ambition, Scrooge had an even more pressing reason for keeping him around. That reason was very much on his mind one winter morning as he pressed his buzzer to signal his secretary that she could show Mr. Cratchit into his plush office.

As Cratchit walked in, Scrooge put down his copy of *The Nation*, being careful to expose the Galbraith article featured in that issue. He knew Cratchit thought Galbraith a dangerous fool, and he loved to remind his employees that Scrooge & Company adhered to the latest and most fashionable collectivist economics. "How is your son Tim doing these days?" he asked, trying to sound casual.

Cratchit knew his boss had been keenly interested in Tim ever since the tragic hit-and-run accident. "He's back in the hospital for another operation," he replied, "and won't be out until Christmas Eve."

"Ah, what a pity." Scrooge's voice fairly oozed with sympathy. "Tell you what. I'd

like to stop by your place on Christmas. I want to have a talk with the lad and bring him a present."

Cratchit swallowed his disgust, regretting that he couldn't afford to antagonize his employer. "Fine," he said. "We'll expect you."

When the day came, Scrooge easily identified Cratchit's house as the only one on the block without any Christmas decorations. He greeted Mrs. Cratchit briskly and rushed to Tim's bedside, carrying with him a big, conspicuously-wrapped package. He lost no time getting into his prepared speech.

"Tim," said Scrooge, "I know it's hard to bear your affliction. But you must try to understand how lucky you are... and what a blessing to society. There are two kinds of men in this world. One kind is forever pushing out the limits of man's knowledge, caring little who gets hurt in the process. Men of this kind are selfish to the core and ignore the suffering of others while they pursue their own happiness. Even their few useful achievements are done for their own ends, not to help the disadvantaged.

"The other kind of man is the altruist. That's what I am, Tim, and I'm proud of it. Since I am successful in this world, I have a great responsibility to redistribute as much money as I can to the people who really deserve it. I work with other moral men and women to force the capitalists and other self-seekers to support my charitable projects. It's easy to value productive people, but only we altruists value the truly worthless! You must understand what an opportunity you give people like me to help you!

"Stop dreaming of becoming productive, Tim. Think how much more you can do for the world by showing others your poor, crippled limbs and begging them for alms. If they refuse, you will know they are your moral inferiors. Be a beggar, my lad, a daily streetcorner reminder of man's low nature and of the altruist imperative!"

Scrooge paused for breath. Then he dramatically ripped the wrappings from his package. "Merry Christmas, Tim," he proclaimed proudly. "Here's a brand-new crutch to start you on your new career."

"I live for myself," said Tiny Tim, "and I'll buy my own goddamn crutches." ☹

Dave Walter is a national director of the Society for Individual Liberty and is employed as a cost accountant in Philadelphia.

ROTHBARD

The Plumb Line

By Murray Rothbard

Among the many highly touted "liberations" of recent years, sometimes genuine and more often spurious, "Kid Lib" seems to be waiting in the wings. In fact, one libertarian publication claims that "Kid Lib" is the next wave of the future. What "Kid Lib" is supposed to be is now unclear; and I suspect it may amount to little more than the supposed "right" to kick every adult in the shins and to enjoy a guaranteed annual income to be provided by long-suffering parents and/or the longer-suffering taxpayer. But nevertheless, kid lib highlights the difficult and vexing problem of children's rights; what, indeed, are the rights of children and of parents?

There has been very little thinking among libertarians about the Children Question. The reason is clear. For libertarians are well trained to handle the problems of adults; each adult is clearly possessed with the right of self-ownership. So far so good. But what of the new-born babe? It is evident that the baby has no *de facto* power of self-ownership; and since adult rights in natural law derive from adult powers and faculties, who does own the baby? And if the baby must in some sense be "owned" by one of more adults, if he must be directed and controlled, who draws the line and where? At what point or in what zone does the child acquire his full rights, his rights of self-ownership? Suddenly? Gradually? At age 21? Or what? Libertarian answers have ranged from the progressives, who wish to give children the right to run roughshod over everyone in the name of "freedom," to some anarchists who concluded that children were to be the absolute property of their creators, their parents, who therefore had the right to kill their children if they so desired.

As in so many other fuzzy areas of demarcation of rights, as for example in the problem of "free speech" and the shouting of "Fire!" in a crowded theater, the answer to perplexing questions of rights is invariably to be found in focusing on the rights of property. Where do the property rights lie? In the first place, the overriding fact of parent-child relations is that *the child lives on the property of his parents*. The child lives either in a house owned by his parents or in an apartment rented by them. Therefore, as in the case of any other "guest" living on someone else's property, he must obey the rules set down by the property owners for remaining on that property. In short, the parents have the perfect legal and moral right to lay down rules for their children,

just as they would have the right to lay down rules for the behavior of their long-standing house guest, Uncle Ezra. Furthermore, there is nothing morally wrong with laying down such rules. On the contrary, any property owner is bound to lay down rules for the use of his property.

We have already said enough to demolish the progressives' cry for absolute "freedom" for children: that children should be allowed to run wild in the house, to make noise, kick adults in the shins, and generally behave in an obnoxious manner. No well-regulated piece of property, including a household, can be run intelligently in such a manner. And so it is perfectly proper, legally and morally, for the parents to prohibit noise, offensive behavior, etc. as part of the rules for persons living on their property. When the child becomes older, it is equally legitimate for the parents to insist on curfews, to prohibit noise, wild parties, sexual hi-jinks, etc. on the property as well. In moral and legal theory there is no freedom except freedom for the property owner; and hence, such rules for the use of property are not infringements on the rights of the child.

Ludwig von Mises settled an analogous case when he demolished the "traffic-laws" argument for government; the common argument being that you have to have traffic laws, and therefore why not other government interventions in the economy? Mises replied that every owner of a piece of property will and must lay down rules for its use; and so if the government owns the roads, it will lay down rules for traffic. But if private parties owned the streets and roads, they would lay down such rules, and hence there is no case here for government intervention in private affairs. In the same way, the owner of the house or apartment will lay down the rules for its use.

The focus on property rights also provides us with the solution to the thorny problem of when the child can own and regulate himself. The answer is: when he leaves his parents' household. When he gets out of his parents' property, he then removes himself from his parents' property jurisdiction. But this means that the child must always have, *regardless of age*, the absolute freedom to run away, to get out from under. It is grotesque to think that the parents can actually own the child's body as well as physical property; it is advocating slavery, and denying the fundamental right of self-ownership, to permit such ownership of others,

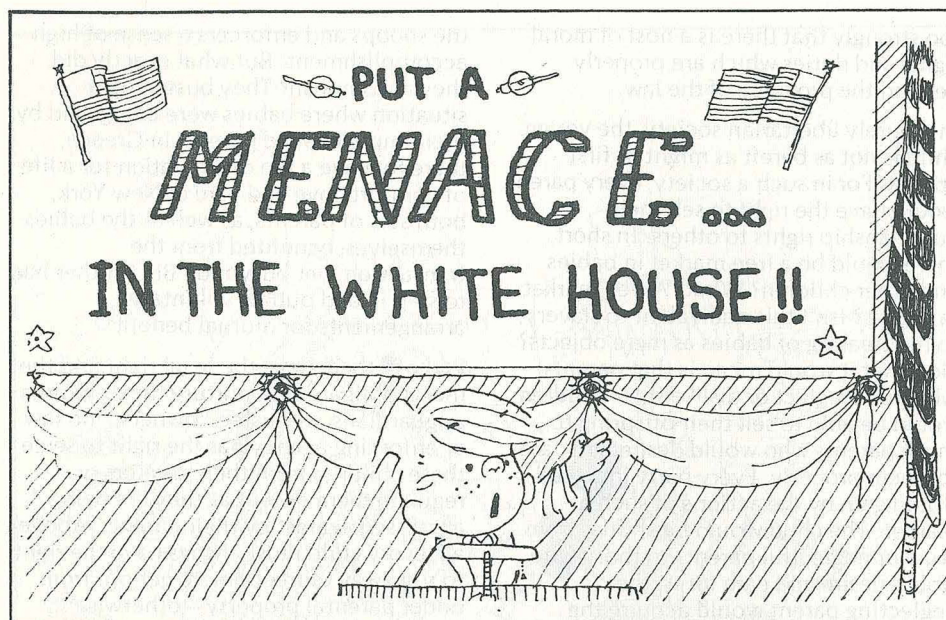
regardless of age. Therefore, the child must always be free to run away; he then becomes a self-owner whenever he chooses to exercise his right to runaway freedom.

This means that the fundamental tyranny of the parent over the child is not imposing curfews or getting him to eat spinach or preventing cohabitation in the back room; the fundamental tyranny is the current legal power of the parent to seize a child who has run away and drag him back home by force. The parent should, of course, have the right to try to persuade or cajole the kid to return; but he should never have the right to force him to do so, for that is kidnapping, and a high crime that violates every person's absolute right to his body.

Asserting every child's right to runaway freedom does not imply, of course, that the libertarian advocates running away; that is purely a question of the individual situation of the parent and child. But we must recognize that inherent in even the best of parent-child relations is an essential "class struggle," a struggle rooted in the necessary existential fact that the kid is born into an environment created not by himself but by his parents. And even in the best of circumstances, tastes, values, interests, attitudes, will differ from every individual to another, and therefore from every parent to every child. In the natural course of events, then, most children will, upon growing up, seek to create their own environment by leaving the parental nest. That is the way of nature, from the animal kingdom to man.

The absolute right to run away, then; but this means, of course, that the child cannot continue to exert a legal or moral claim upon the parents' continued economic support. In fact, it is rather absurd for the parent to continue supporting the child under those circumstances; independence replacing dependence is a worthy and noble goal, but it must necessarily include being economically independent as well. The child, indeed, has the right either to support himself or to find other adults who will support him voluntarily. In short, he has the right, once out from under the parental roof, to find foster parents who will care for him voluntarily, and under whose jurisdiction he voluntarily places himself until he wishes to strike out on his own.

The right to run away clears up most parent-child problems for the libertarian,



but two questions remain: one, what is the moral role of the parent/property-owner so long as the child remains in the parental home?; and two, as a sub-question, what is the moral and the legal role of the parent during those very early years when the child cannot physically leave the parental property? In short, given the parent's legal right to regulate the kid at home, what is his moral duty as parent, and how extensive is his legal right to regulation?

During the early years of babyhood, when the child is helpless and has few if any powers of self-ownership, he indeed becomes a kind of property of his creators, his parents. Some adult must be in charge of each baby, and there are only two alternatives: his parent-creators, or outside adults seizing the kid from his parents by force. Surely, the latter is totally illegitimate, whether done by the State or by other parties. We may say that the act of creation gives the parent, and not outside adults, jurisdiction over the baby. And yet, this ownership cannot be absolute, cannot involve the right of the parent to mutilate, maim, or murder the child, for this would be criminal aggression against the body of the child—who, being an independent human entity, cannot come under the absolute jurisdiction of anyone. The role of the parent, then, is to be, not an absolute owner, but a trustee-owner or guardian, with the right to regulate the child but not to aggress against his person (as by forcibly preventing him from running away).

If, then, outside adults find that parents are mutilating or assaulting their children, they do have the right to step in and stop this aggression, as any outside parties do when they see aggression taking place. They have the right, too, to rescue the kid from this aggression and remove it from its subjection to parent-criminals.

The moral duty or responsibility of the parents to their children stems also from their act of voluntary creation, from their responsibility for bringing helpless babies into the world. Their moral responsibility is to raise these children, to bring them from their natural state of infant dependency to the status of rational, self-owning, independent adults. Their moral responsibility is to rear the children to the status of independence. What, then, does this imply? It implies caring, provision of food, shelter, education, etc. to the best of the parents' love and ability. And it implies something else: it implies the moral duty as well as the right of the parents to train the children in the values, self-discipline, and techniques which are needed to become a fully mature adult.

We see here the fundamental flaw in the progressive notion that parents should allow their young children unlimited freedom to do as they wish, and not to "impose" training, values or education on them. For the young child, still not in possession of knowledge, values, self-discipline, or much rationality, is hardly in a position to be able to decide *what* they should be doing or wishing. Failure to function as rational "authorities," then, failure to provide that training and those values to the best of their ability, is a

tragic abdication of the basic parental responsibility—which is not simply to provide food and shelter but also mental and moral training. This moral abdication accounts for the tragedies of our current "child-centered" culture, in which the parents make themselves the literal slaves of the untutored and inchoate whims of the child; while the child, yearning for direction and guidance by his parents, only finds these parents dancing in attendance upon his every blind caprice. Later on, the abdication of parental authority subjects the child to the blind tyranny of his own, equally ill-formed peer group. The individual then becomes often permanently subjected to the tyranny of his "crowd" or gang, and later to the rest of society.

One of the wisest and most brilliant critiques of progressive education was written by the great libertarian theorist Isabel Paterson. Paterson quotes the writer Lafcadio Hearn on the contrast between old-fashioned Western education, which first trained the child by parental authority until the child was fit for independence, after which he became a self-starting, self-owning individual; and the Japanese (read progressive) system, which gives children unlimited freedom, only to subject these undisciplined children to greater and greater control as they become adults. Mrs. Paterson quotes Hearn that, in the West, education began in early childhood:

"... with the repressive part of moral training. . . . It is important to inculcate the duties of behavior, the 'must' and 'must not' of individual obligation as soon as possible. Later on, more liberty is allowed. The well-grown boy is made to understand that his future will depend upon his personal effort and capacity; and he is therefore left, in great measure, to take care of himself, being occasionally admonished and warned, as seems needful. . . . Throughout the whole course of mental and moral training, competition is not only expected but required. . . . The aim is the cultivation of individual ability and personal character—the creation of an independent and forceful being."

In contrast,

"Japanese education has always been conducted on the reverse plan. Its object has never been to train the individual for independent action, but to train him for cooperative action. . . . Constraint among us begins with childhood, and gradually relaxes; constraint in Far Eastern training begins later, and thereafter gradually tightens. . . . by the common opinion of his

class; and a skillful teacher is able to direct that opinion. . . . The ruling power is always class sentiment. . . . It is always the rule of the many over the one; and the power is formidable."

The result in Japan is that "the individual was completely sacrificed to the community."

Mrs. Paterson then points out that progressive education is an application of this Japanese system. "Class activities, group interests, social influences have become predominant. And the prevailing philosophy with which pupils are indoctrinated is that of

'instrumentalism,' which denies that there can be any universal or permanent moral values or standards." Mrs. Paterson adds that the most striking result of all this is what Hearn found in Japan: a "sinister absence of moral freedom"—the absence of the right to act according to one's own convictions of justice. "When called upon to think," the children cannot, "because they have been trained to accept the class, the group, or the 'social trend,' as the sole authority."*

Parents, then, have not only the moral right but the moral obligation and responsibility to raise their young children in preparation for adulthood, to care for, shelter, educate, and train their persons and their character. But suppose some parents do not perform such moral obligations? Can we say that the law—that outside enforcement agencies—have the right to step in and force the parents to raise their children properly? The answer must be no. For the libertarian, the law can only be negative, can only prohibit aggressive and criminal acts by one person upon another. It cannot compel *positive* acts, regardless of how praiseworthy or even necessary such actions may be. And so a parent may be a moral monster for not caring for his child properly, but the law cannot compel him to do otherwise. It cannot be emphasized

too strongly that there is a host of moral rights and duties which are properly beyond the province of the law.

In a purely libertarian society, the young child is not as bereft as might at first appear. For in such a society, every parent would have the right to sell their guardianship rights to others. In short, there would be a free market in babies and other children? What? A free market in babies? Isn't this equivalent to slavery, to the treating of babies as mere objects? No, what it would mean is that parents who now neglect or dislike their children would be able to sell their offspring to those parents who would desire and care for them properly. Every party involved would gain by the actions of such a market: The child would be shifted from cruel or neglectful parents to those who would desire and care for it; the neglecting parent would acquire the preferred amount of money instead of the unwanted child; and the new foster parents would at last be able to adopt a child. William Rickenbacker, in his column in *National Review*, has in fact recently advocated such a free baby market.

In actual fact, of course, we have a baby market now, except that it is regulated by government—which imposes a maximum baby price of zero. A parent is not allowed to sell his kid; he can only give it away for nothing. As with all maximum price controls, fixing the price at zero means a great shortage of valuable babies on the baby market; as a result, government-licensed adoption agencies are granted the monopoly privilege of acquiring, and rationing out those babies to the foster parents clamoring at their doors. Often, would-be foster parents must grovel before the social workers at the adoption agency, prove they are "fit parents," pay a fee to the agency, etc. The result is that unwanted babies remain with bad parents, and good foster parents are deprived of the right to care for and bring up offspring. In the free baby market, of course, there would be no title to absolute ownership of the baby; only guardianship rights would be traded.

Typical of State repression of the baby market and its consequences was an incident some years ago in New York City. The New York press heralded the fact that an evil, enslaving "baby ring" had been broken up by the vigilant government authorities. Babies were being smuggled in from Greece by diligent entrepreneurs, and sold (horrors!) to relatively affluent foster parents in New York City. The busting of this baby ring I suppose gave

the snoops and enforcers a sense of high accomplishment. But what exactly did they accomplish? They busted up a situation where babies were being sold by their impoverished parents in Greece, there to leave a life of starvation for a life of comfort, love and care in New York; both sets of parents, as well as the babies themselves, benefited from the transaction; yet busybody Big Brother had to step in and outlaw voluntary arrangements for mutual benefit.

Parents, then, have the legal right and the moral obligation to nurture their children as guardians, as trustee-"owners;" no law or enforcing agency has the right to seize these children from their creators or regulate them except as they are being aggressed against by their parents. Above all, every child must always have the right to run away to freedom, to get out from under parental property—otherwise enslavement is indeed involved.

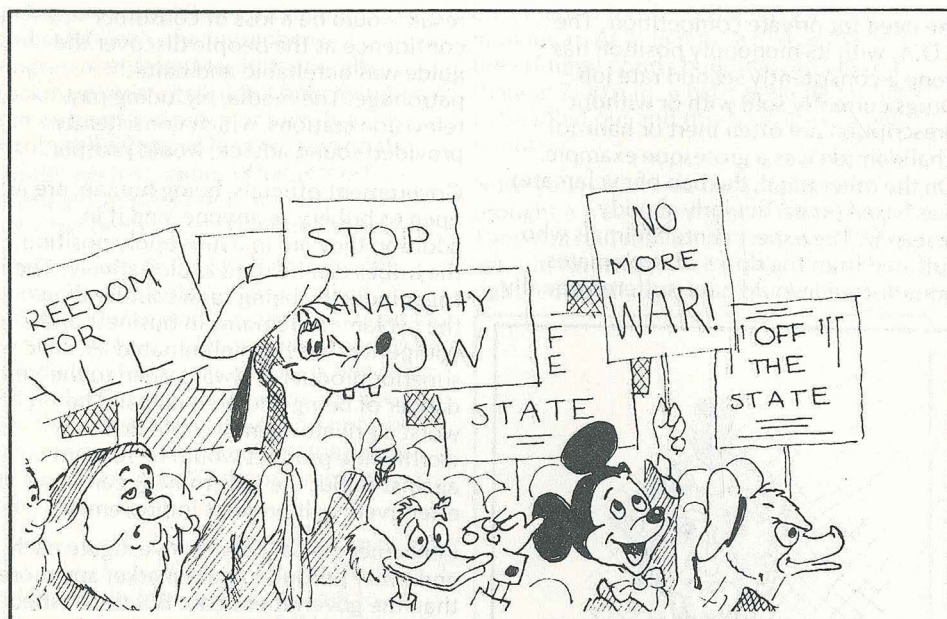
In the present society, of course, the State imposes many aggressions against parents and children alike. Through compulsory attendance laws, the state governments force children either into public schools or into those private schools certified as legitimate and proper by the state authorities. The whipsawing of the kid is reinforced by child labor laws, which prevent the child from entering the labor force even if he and his parents wish to do so. By coercively keeping kids out of the labor force, the State cuts the unemployment rate (by the way that rate is defined), and keeps out competition that might lower restrictive union wage rates. All this, of course, is supposedly done for the child's "benefit," even though the kid in question may be suited neither in ability nor in interest for continued schooling. This idea that every child must have a higher schooling is strictly a modern concept; in all past ages it was taken for granted that the child not suited for schooling is far better off being allowed to enter the labor force. In recent years, this supposedly "reactionary" view has been brought back to prominence by such "New Left" educational theorists as Paul Goodman and Ivan Illich. The abolition of compulsory attendance laws would free children and parents alike, and the abolition of the public school system would remove an enormous weight of taxes off parents (and non-parents!) and allow them to purchase that amount of schooling and in those forms which they particularly desire. What is needed above all, is the liberation of both child and parent from the domination of the State apparatus. ☹

* Isabel Paterson, "Our Japanized Educational System," in *The God of the Machine* (New York: G.P. Putman's Sons, 1943), pp. 251-54. Those libertarians who may feel that it is a contradiction for a libertarian to call for parental authority are suffering from the grave modern confusion between authority and coercion, or power. Thus, libertarians accept the authority of sound values, civilization, and especially reason; it is those who refuse to accept such authority who turn instead to outside coercion and violence. On the confusion between authority and power, see the brilliant article by Robert A. Nisbet, "The Nemesis of Authority," *The Intercollegiate Review* (Winter-Spring, 1972), pp. 3-13.

TUCCILLE

Heresies

By Jerome Tuccille



The anarchy versus limited government argument has been with us for quite some time. It is not my intention here to attempt to convert anyone away from classical liberalism to free market anarchism on philosophical principle. The positions on both sides have already been set down elsewhere in tedious detail, and there is little I can add to them at this point. What I would like to talk about, however, is the *practical* side of the picture. Historically, anarchists have always been regarded as the impractical dreamers, while those attempting to structure a free society according to some democratic-republican format have assumed the mantle of clear-eyed realists. I maintain that the case is quite the opposite—anarchists will see at least an approximation of their ideal by the turn of the century while the so-called practical vision of a libertarian limited government will disintegrate in ruins before our very eyes.

On the face of it, the idea that libertarians can ever achieve their goals through the electoral process should appear as nothing less than absurd. Theoretically, it is possible to convince the general population that libertarian principles are both moral and efficacious, and therefore in everyone's best interests to adopt. This, briefly, is the educational theory espoused by the Foundation for Economic Education and several other organizations. I submit that this educational task is of Herculean proportions in a society where the intellectual climate is fit for lobotomized

twelve-year-olds; but I do concede the outside *possibility* of its success.

Assuming, then, that every wire-lather, tin-knocker, garbage man, insurance salesman, lavatory attendant and institutionalized mongoloid in the country has been converted to libertarianism—then what? I maintain that it would not make the smallest iota of difference in our governmental system if this were the case. The libertarian (and especially the Objectivist) code of ingrained selfishness works against it. Our entire system of government is based on patronage and lobby power. Do you really expect the millionaire farmer from Nebraska to stop lobbying for price supports once he has mastered the Byzantine intricacies of *Atlas Shrugged*; the oil czar from Texas to stop fighting for import quotas after he has read Mises and Rothbard; the textile barons of Seventh Avenue to end their unholy war against Japan once they have embraced the theories of free international trade? The naivete contained in this view approaches astronomical dimensions. These power blocs have grown rich and fat on the lobby system, and arguments for self-interest will only reinforce the entire structure.

But you are going to teach them *rational* self-interest, you say. Here again you are whistling in the dark. What's more "rational" for a group that has grown as rich as Midas on government largesse than to continue buying *more* favoritism with the wealth it has already acquired? The system has been mighty good to the farmers and industrialists and

corporations and unions that are most adept at milking it for all they can get. Can you convince them that their bank accounts will not suffer under a purely competitive system? Their wealth depends on controls and regulations which limit competition. Do you then intend to show them that it is in their own "rational self-interest" to abandon their stranglehold on political power and take their lumps in the open market? You may as well attempt to make an abortionist of the Pope.

So, while you may succeed in diverting the hordes from their wheeling and dealing for a moment, long enough even to impress an idea on the globs of tapioca most people use for brains, you will never convince them in a million years to stop using every *means at their disposal* to further their own interests. As long as political lobbying is available to them, rest assured it will be used assiduously by all, regardless of their philosophical persuasion. It is, quite simply, all too easy to rationalize the morality of one's behavior.

But, you say, I have still not convinced you in any case that free market anarchism is a more realistic alternative to the present nightmare we call government. Let us make a few observations.

We are witnessing in this country, right now, a phenomenon which might best be described as a Walt Disney revival. Once denounced as a debaser of American cultural standards, a right wing canny barker pandering to the lowest instincts of the general public, Disney is now being touted as one of the great visionaries of the twentieth century—along with Buckminster Fuller, Arthur C. Clarke and other futurists. What's more, this re-evaluation has been initiated, not by Disney's original supporters, who might be suspected of harboring a certain bias, but by sources as divergent as science fiction writer Ray Bradbury and *New York Times* staff writer Paul Goldberger. What these gentlemen are saying, in very emphatic terms, is that the solution to many of the urban problems afflicting us today may already be available in Disneyland, California, and Disney World, Florida. Pollution-free environment, mass transportation that works, clean streets, protection against crime and violence, integrated and harmonious architecture—all of them, according to the Disney revisionists, have been in existence in Disney's communities waiting to be

GO TO 20

Warning: Art Carol Has Determined That Government Regulation Is Dangerous To Your Health.

By Art Carol

One of the more exotic phenomena of the era is that so many of those who oppose any state restriction in the market of speech and ideas believe it proper to encourage state restrictions in the market of goods and services. It is as though people could judge for themselves the quality of ideas better than they could judge the quality of products or as though ideas were less capable of doing harm and therefore needed no restrictions. But we cannot have the argument both ways. If people can protect themselves against the purveyors of fear and hate, they can protect themselves against the salesmen of poor quality merchandise.

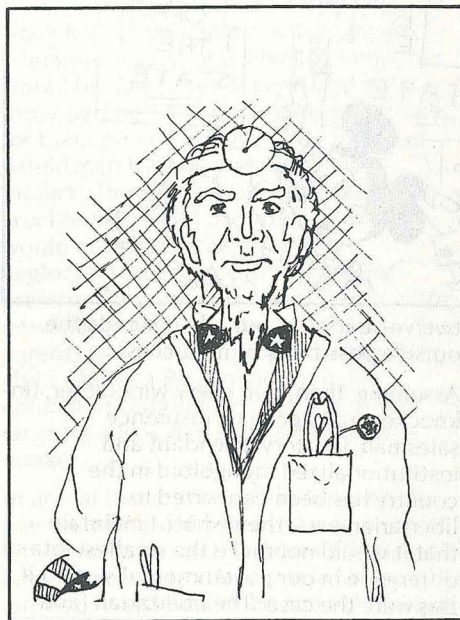
Few pleasures yield as deep satisfaction as complaining. We especially enjoy complaining about the deterioration in the quality of merchandise and service. When our annoyance with the products we purchase exceeds the pleasure of the complaining, we can shop more selectively and stop purchasing some goods entirely. We can pester the culpable firms by phone, mail, and in person; we can refuse to pay bills, threaten court action, give the firms a bad reputation with our neighbors and acquaintances. That much we can do as a start.

The so-called champion of consumer protection, Ralph Nader, made his presence felt by writing a best selling book, *Unsafe at Any Speed*. In the finest tradition of the market mechanism, he perceived a demand for a product and made a profit by meeting that demand. His efforts since that time, unsupported by government, have galvanized the country. The government's part has been the passage of legislation, most of it to take effect some years in the future. But by that time, the companies involved will find ways to circumvent that which is unpalatable. So the only enforcement mechanism really open to the private consumers is to use the power of their pocketbooks. Nader has stressed the point that these firms which ill serve the people could not succeed in a free market; these are the firms which need government protection.

By our uncritical acceptance of such agencies as the Food and Drug Administration, we have little perceived

Dr. Carol received his degrees from the New School and Cornell University. His work in economics and operations research has been published in the American Economics Review and numerous other journals.

the need for private competition. The F.D.A. with its monopoly position has done a consistently second rate job. Drugs currently sold with or without prescription are often inert or harmful. Thalidomide was a grotesque example. On the other hand, the ban of cyclamates was based on particularly shoddy research. The experimental animals who suffered from the doses of cyclamates administered would have suffered equally



from equal doses of sugar. Where is the evidence that this government monopoly protects anyone?

The market solution is to provide consumer guides by private profit making enterprise. These guides would employ specialists in all areas, chemists, engineers, economists, to evaluate the qualities of any and all products. The need for such guides is not widely perceived because of the faith most of us have in the government to protect us. But the fact that guides such as *Consumer Reports* do operate as profit making ventures is evidence that our faith in government is not quite so overwhelming. We support the government agencies with our tax dollars; yet we consider it a wise investment to voluntarily purchase private product evaluations.

Remove the government completely from this function for which it is manifestly unfit and the shock value would induce the people to create a market for a strong competitive industry in product evaluation. No private firm in this industry could afford to do a slipshod job or be bribed by manufacturers. The

result would be a loss of consumer confidence as the people discover the guide was unreliable and halted patronage. The media, including pay television stations, which consistently provided sound advice, would prosper.

Government officials, being human, are as open to bribery as anyone, and if in addition they are in a monopoly position, the bribes can be used exploitatively. The sugar industry, being far wealthier than the cyclamate, remains in business and a competitor has been eliminated. A superior product is always open to the danger of being declared illegal. The worst a private agency could do to a worthwhile product would be to warn against it. But the government can effectively halt product improvement.

Consumer guides cannot investigate each and every product on the market any more than the government can. But dissatisfied consumers can complain to one or more of these guides. A number of such complaints would induce the publications to add to the value of their service by investigating and, if warranted, publicizing the facts. Firms which refused to cooperate with the guides would immediately open themselves to a revelation of this fact. No profit maker can benefit from bad publicity.

All this is but to belabor a simple concept. Competition is superior to monopoly, and state monopoly which is coercive both in obtaining and dictating which products may be traded, is monopoly at its worst.

Just now the nation is being plagued by narcotics and other deleterious drugs. There are already laws prohibiting the sale of these drugs. Here would seem to be a clear instance of the desirability of state coercion to save the youth and therefore the future of the country. But we are immediately reminded to the experiment with the prohibition of alcohol half a century ago. It failed because people wanted alcohol and readily dealt with organized crime to obtain it. The situation is similar today. What state law does succeed in doing is prevent the legitimate businessmen from competing. In so doing, drugs are turned over to the monopoly of organized crime who operate as any monopoly: they sell inferior products, charge inordinately high prices, and bribe state officials for protection.

The drug addict robs and burglarizes innocent citizens to pay the monopoly prices and is denied the less damaging

GO TO 21

Kongressman Koch Fights Krime

By Gary Greenberg

Having just completed a campaign against Ed Koch, the incumbent Congressman from Manhattan's Silk Stocking district, I couldn't help be more than amused at a piece of literature he distributed telling of his own personal crusade against crime. What is most amusing is that Ed Koch actually believed that what he did is to be treated seriously.

In his own words, Ed Koch narrates the events that took place. "As I walked through Washington Square Park to get to the Sixth Avenue subway I was stopped by an individual who was about six feet tall and probably over 200 pounds. He was very threatening in manner and became even more so when he said to me, 'Give me a quarter, man.'" Ed Koch replied "No."

"He then said, 'Give me a quarter, man, or I am going to beat the s — t out of you,' and he put up his hands as though to strike me. In response I said, 'No, I am Congressman Koch and I am going to have you arrested.' Unaccountably the man dropped his fists and started to walk away." (Perhaps he realized that a congressman is a member of the deadliest, most brutal criminal organization in the U.S., and figured he had better not mess with organized crime.)

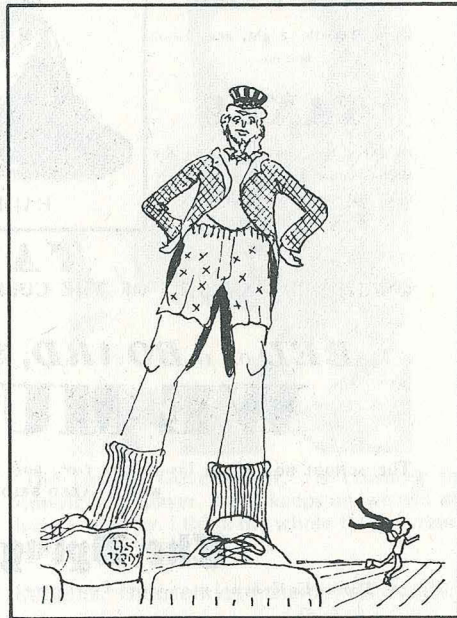
Now, Ed Koch is proud of his reputation as Superlib (although as he prepared to run for mayor of New York City next year he now claims not to be an idealogue). As a liberal he constantly supports the right of the government goon squads to lean a bit on citizens who don't want to give their quarters to Koch's playmates—who would then redistribute them to persons such as Koch's new-found acquaintance. And of course Ed Koch and his cohorts of the corporate liberal class resent the intrusion of independent, self-starting individuals who would diminish the power and justification for corporate liberalism. Therefore, one isn't too surprised to learn that Koch's response to an individual trying to eliminate the liberal establishment as the middleman in the transfer of quarters was to have the man arrested.

"By then it was 6:30 p.m. It took 45 minutes for the police to fill out the

Gary Greenberg is an attorney who works for the criminal division of Legal Aid. He ran against Koch in this year's congressional race, and may well end up opposing Koch for mayor of New York next year.

information forms on the arrested individual. At 7:15 p.m. we were taken to the criminal courts building and arrived there at 7:30 p.m. where again forms had to be filled out and this took another 45 minutes."

Now, you may think, the congressman has brought a would-be mugger to justice. They will nail him for attempted robbery, assault, extortion, something serious—right? After all, to take care of this



important matter, the congressman has taken two patrolmen off the street (where their physical presence would act as a deterrent to potential muggers) for a period of almost two hours so far. The narrative continues. "The defendant was charged with intoxication, loitering and harrassment. I was told by the assistant district attorney that I should charge him with attempted robbery, but I told him I did not want to make a federal case of it, and that I simply wanted to have him punished for what had occurred in some reasonable way."

He doesn't want to make a federal case out of this? He has so far tied up two policemen for two hours and has taken the time of an assistant district attorney to help prosecute an obnoxious drunk—and we aren't through yet.

One should understand that, on a routine night, there are a great many defendants being processed. Virtually all of them will be represented by an undermanned staff of Legal Aid attorneys. The charges will range from Koch's charge of drunkenness to real crimes—ranging through car thefts, robberies, muggings, burglaries—

and perhaps some non-crimes like prostitution and serious non-crimes like drug possession charges. There is almost always a constant pressure by the judges and court personnel to move things along. The Legal Aid attorney will try to give everybody as thorough an interview as time allows, and the time-consuming business of interviewing people like Koch's drunk makes it difficult to spend as much time as one would like with the persons charged with serious crimes. Much of what goes on in the court at the arraignment will be determined by rules of thumb which are necessary to deal with what goes on in an institutional situation.

As a result of these rules of thumb, virtually everybody but Ed Koch, one of the persons responsible for these institutions, could have predicted what would happen next. "A new Assistant District Attorney said to me that he did not think it was worth pressing and that nothing would happen since there were so many cases of this kind. I said, 'That is why I have taken the time to come here.' He said if I wanted to have something done I should charge the defendant with attempted robbery but he warned that would take another three hours. I said no, I would press the three original charges. The defendant then pleaded guilty to harrassment." [1]

Koch then went on, with the court's permission, to state in substance that he had taken the time to do this because it was time someone said "No!" even though it would have been easier to give the guy a quarter.

"The court sympathized with what I had said, stating that crime was rampant not only in the area in which I lived, but in so many places in the city [a revelation that apparently came as a surprise to Koch]. And then the judge, turning to the defendant, said: 'I want you to know that the next time you come into this court I will deal with you very sternly and this time I will fine you \$50.'"

The attorney for the defendant asked for time for the defendant to bring in the money and the court granted three weeks. "The defendant and I both left the criminal courts building at 8:30 p.m. by the same door. And as he passed me he smiled; he knew something I did not."

Mr. Koch subsequently checked out what had happened on the adjournment date. The defendant did not pay the fine. A warrant was issued for his arrest, but he could not be found. The residence and

GO TO 21

The Spirit of '76

Interview with Vivien Kellems.
Conducted by Walter Block,
Gary Greenberg & Jerry Klasman

Outlook is proud to present an exclusive interview with Vivien Kellems, 76-year-old defender of the rights of single people and bane of bureaucrats from Connecticut election officials to the minions of the Internal Revenue Service. The interview was conducted by Walter Block, Gary Greenberg and Jerry Klasman. Walter Block is an economics professor at Baruch College, C.U.N.Y., and editor of **Outlook**; Gary Greenberg is a Legal Aid attorney and regular contributor to **Outlook**; and Jerry Klasman is the Chairperson of the New York State Free Libertarian Party as well as **Outlook's** photography director.

Greenberg: Miss Kellems, you've just spoken at the Hunter Festival of Life Conference with several hundred young people in attendance. What were your reactions to this experience?

Kellems: Well, this is the youngest audience I've had, and I was very happy to speak to this group and quite delighted at the response, because most of those young people have a stake in freedom.

Greenberg: And did you have any particular reaction to the fact that there were young people with beards and long hair? You're associated with conservatives, and people like this are usually a target of the conservative movement.

Kellems: (Laughs) It's been a fashion off and on throughout history that man have long hair. I don't mind people wearing hair the way they like it. I don't personally think it's as becoming as shorter hair. But if they like long hair, so what? I wear my hair the way I want it, why shouldn't they?

Block: Miss Kellems, you've been asked if you were a crusader in the fight to repeal the income tax, and you have said you weren't, because it's not you who's causing the trouble; rather, it's the U.S. government. Would you explain that?

Kellems: Well, it's certainly quite true that I never intended to get into anything like this. I'm 76 years old. It's time I sat by the fireplace and knitted. The thing is, I don't know how to knit. I simply made an issue of this to try to get a test case. But you cannot get a test case unless you break the law. That's the only way you can do it. It's true that when you do this, you do it at your peril, because if you lose, you pay the penalty. I've suspended payment of my income tax to test the Constitutionality of taxing single people for their marital status. It's as simple as that.

WE HAVE
TAXES
Upon every Article which enters into the Mouth, or covers the Back, or is placed under the Foot.

TAXES

Upon every thing which is pleasant to
See, Hear, Feel, Smell and Taste

TAXES

Upon Warmth, Light, and Loc-
motion.

TAXES

On every thing on Earth, and the
Waters under the Earth, on every
thing that comes on Abroad, or is
grown at Home



EARL GREY.

TAXES

On the Raw Material, and every thing
that is added to it by the Industry of
Man

TAXES

On the Sauce which pampers Man's
Appetite, and the Drug which re-
stores him to Health.

TAXES

On the Dress which decorates the
Jewon, and the Rope which hangs
the criminal

TAXES

ON THE BRASS NAILS OF THE COFFIN, AND THE RIBBANDS OF THE BRIDE:

AT

EED OR AT BOARD, SITTING OR LAYING,

WE MUST PAY!

The school boy whips his TAXED TOP; and the BEARDESS YOUTH manages his TAXED HORSE
with a TAXED BRIDLE on a TAXED ROAD;

AND

The Dying Englishman

Putting his Medicine, which has paid SEVEN PER CENT. into a TAXED SPOON which has paid THIRTY PER CENT.

THROWS HIMSELF BACK ON A CHINTZ BED WHICH HAS PAID 22 PER CENT.

MAKES HIS WILL,

In which he is assisted by a Lawyer who pays a TAX of £120. for the privilege of so doing

HIS WHOLE PROPERTY IS THEN TAXED FROM TWO TO TEN PER CENT.

When placed in his Coffin, the Shroud which covers him pays a Tax of 22 per Cent — His Virtues are recorded on TAXED MARBLE.

HE IS THEN GATHERED TO HIS FATHERS,

TO BE

TAXED NO MORE!!!

Greenberg: What do you mean by saying you "suspended payment?"

Kellems: I haven't paid any income tax since April, 1969.

Greenberg: Are there any conditions under which you would resume payment?

Kellems: Why, yes, if they'll pay me what they owe me plus 6%, I will start paying again, but not at the rate for single people. They've got married people who are permitted to split their incomes and pay at the lower rate, and I don't think that is fair.

Klasman: Does this mean, Miss Kellems, that you ignore the IRS altogether, or do you file a return?

Kellems: I file a return. You see, if you file

a return, they cannot lodge criminal charges against you. But I don't put any figures in. I just put my name and address at the top, and sign it at the bottom.

Greenberg: Well, what do they do when they get this return every year?

Kellems: They accept it.

Greenberg: Do they do anything? Is there any follow-up?

Kellems: Oh, there have been considerable goings on ever since I started it. I've been to court three times and they've hauled me into the office in Hartford several times to get my books and papers. I haven't supplied them with books and papers because the Fourth Amendment says I don't have to.

Greenberg: Well, do they accept that?

Kellems: What can they do? They do all the routine things. They give you a thirty-day letter, they give you a ninety-day letter, and then they take you to court. They take you to the tax court in Washington, which, of course, isn't a true court. It's the offspring of the Internal Revenue. It was set up as a board by the Internal Revenue. It's not a court set up by our judicial system, and, as far as I can see, the main reason for that court is to cheat the American people out of a jury trial.

Block: Let me ask you a question about something slightly different than what you've been associated with. As I understand it, you disagree with the inequities of taxing single people at a higher rate than other people. It's long been my view, however, that taxes themselves are suspect, at the very least, and illegitimate at worst, whether for single people or married people.

Kellems: I absolutely agree with you. The trouble with this country is excessive taxation, and the basic cause of inflation in this country is taxes. It's so stupid to keep on adding taxes, and then have wage and price controls to keep the prices down. I very often illustrate this with a chair. Take a wooden chair. Every time anyone touches that chair, from the time they cut the tree down in the forest, until the man delivers that chair to your home, every person who touches it pays an income tax, and his share of the income tax is added to the price of that chair. Now, if they would lower these taxes, prices will go down.

Block: You say taxes are excessive, and I don't think there's anyone who would disagree with that. But how would you draw the line between excessive tax and a proper tax? In other words, suppose I were to say that the only proper tax is no tax, how would you feel about that?

Kellems: I feel you've got to have some form of taxation. I don't know how you can have civilized government without taxation. We tried it in the first United States, under the Articles of Confederation, and we almost failed and lost our country because Congress did not have the power to reach out and get the taxes it had to have, and the state legislatures would not vote them. You must have some form of taxation. But I look at this thing in Washington as a juggernaut. The juggernaut is a mythical monster that not only crushed its victims, but, in order to survive, had to turn around and devour them. This is what the

Federal Government is doing. It is crushing the American taxpayer and actually devouring the American taxpayer. Presently, if this keeps up, we will not have a country. I think the whole thing is ready to blow sky-high.

Greenberg: In order to cut taxes, obviously we've got to stop spending on certain types of things. Are there any particular costly projects that you'd like to see done away with?



"The Federal Government... is crushing the American taxpayer. If this keeps up, we will not have a country. I think the whole thing is ready to blow sky-high."

Kellems: Thousands of them. Practically every scheme and project that they've hatched down there in Washington. But, of course, they are not going to stop spending as long as they have the money to spend. The thing to do is to stop the money from going to Washington in the first place.

Greenberg: How can we do that?

Kellems: By putting a limitation on the amount the Federal Government can take from anyone's income. I don't know why it is, but in my study of taxes, and it's gone all the way back to the time of Joseph selling the Egyptians into slavery with their own money, this percentage of about 20% keeps cropping up in one civilization after another. In Egypt they paid in kind; they paid the tax in farm animals, fowls or grain, or in whatever they had, but the amount was about 20% of their income. I was talking with Wilbur Mills just a few weeks ago, and I pointed out to him that he could be one of the true greats of this century if he would advocate a limitation on the amount that the Federal government can take from any one income. He wrote down 25% and said, "What would you think of that?"

said, "I'd go along with it, but I would prefer 20%." Now this is a long-range hope—I'm not sure we can ever get it—but it would, in my opinion, solve a lot of problems.

Klasman: You observed, Miss Kellems, that the single individual pays a penalty for being single, but you've also observed that married couples where both partners work pay a penalty too. What is that penalty?

Kellems: Well, it varies with income. Now a couple who got a divorce in Detroit recently saved \$400 a year on their income tax. The wife works and she makes about \$12,000 a year and her husband makes an equal amount. This is a substantial income. But on a \$25,000 income they are penalized practically a thousand dollars. This is in addition to their income tax. They have to pay a thousand dollars extra because they both work. That's idiotic. What other criterion can you get for taxation? What are they going to reach at next—the color of your eyes, or the church you belong to, or the political party? Where do they end if they start this thing?

Greenberg: Will you tell us a little bit about how single people start getting shafted?

Kellems: That's a lovely word. Well, it came about because in 1948, the Congress passed the so-called Community Property Law, which means the wife owns one-half of the Community Property and one-half the income. She actually owns it; it's hers. This permits married people all over the country to pay at a lower rate. In granting this privilege Congress left the single people high and dry and they continued to pay at the old, higher rates.

Now, I'd like to make one thing clear. I think I have as many married people behind me as I have single people. And it's easy to understand. I doubt if there are many families in this country that don't have at least one unmarried person—a grandma, or grandpa, or Aunt Bea, or a son or daughter. Particularly the young people. Why should young people starting out on their first job—many of these youngsters have college debts—pay a penalty because they're single? It just doesn't make sense.

Block: I'd like to talk a little about tactics and strategy, and maybe get into the whole legitimacy question. First, what tactics do you think are proper for you to pursue besides court cases, if any?

Kellems: We have two sources to go to. Many people feel that if the Supreme

Court decides against them, then that's the end, they can't go any further. This is not true. The Congress has the power to reverse the actions of a Supreme Court.

This was proven in the case of the income tax itself. Congress passed an income tax law in 1894, and the Supreme Court declared that this law was unconstitutional, and it was necessary to actually amend the Constitution. This is what Congress did. It amended the Constitution so that the Federal Government could levy an income tax. This is what I said in testifying before the House Ways and Means Committee. I said, "We come to you. You are our Representatives. We elect you, we send you down here to take care of us, and we appeal to you—it's true we're going to the Supreme Court, but you have the power to give us our Constitutional rights.

Block: These tactics and strategies, while not limited to the Supreme Court, would be limited to what is legal. Would you not advocate or use any extralegal methods?

Kellems: No, I am a firm believer in the Constitution. I think that the Constitution of the United States is the greatest system of government that was ever given to a free people. If people understood their Constitution, and the rights that they have, they would never part with one tiny little bit of it. And I don't believe that you will get anywhere by illegal acts. People may think I am acting illegally when I suspend payments of income tax. I am not! I am within my rights! You have a right in this country to a test case. I think it is unique to this system of government. I don't believe it exists in any other country. And I would point out to you that in New Haven we have a most fantastic birth-control law because our law said that it was illegal to use a contraceptive. How they intended to police the law I'll never know. But this was the law. So some of our outstanding citizens in Connecticut set up a birth-control clinic and dispensed birth-control information. They were taken to court, they went to the Supreme Court and the Supreme Court said that the law was unconstitutional. This is right. That's all I've done. I'm just asking for a test case and, in the meantime, I've been filing a brief with Congress to get them to do something about it.

Block: Let's take these friends of yours who were involved in the contraceptive case—or we can take people involved in draft cases or any other case like that—but the contraceptive case will do. Let us suppose the facts were different than they actually were. Namely, that the court

found against them and the Court put them in jail.

Kellems: I think they ran that risk when they broke the law.

Block: Right. But suppose these people broke out of jail. Suppose that they didn't harm any person or property or anything like that, but they just figured that they had done nothing wrong, and if that's the way these judges are going to interpret the Constitution, they're not going to give



"In 1968, ten million people didn't put any money in with their tax returns, and that increased by 27% in 1969."

any sanction to that process. They think they are free, and they have a right to be free, and let's suppose they break out of jail. Would you cheer this, or would you be against this?

Kellems: I would be inclined to cheer it, personally, but I think if we all do these things we would have chaos in this country. I think in a civilization we must have laws, but the laws must be fair and equitable. People will have no respect for laws if they are not fair or if judges are corrupt. I think we've had some cases in this country where it's been proven that our courts are not effective.

Block: Would you have given the same advice to someone in Nazi Germany, say in 1939 or so? Would you have told him to obey the law even though the law was later shown by the Nuremberg trials to be against human law?

Kellems: They had no choice in Germany. I was there and Hitler came into power while I was staying in a German household. I know what Hitler did to the people of Germany, not only to the Jews. The first thing he did was to disarm Germany. I had one of my friends say to me, "You think we can fight back? What with, table knives?" That's why I am very opposed to disarming the American people.

Greenberg: You've been a very articulate and effective spokesperson for the conservative movement, and, I believe, you've been friends with William F. Buckley. Yet some of the things you do seem to border on civil disobedience. At least setting up test cases by trying to break what appears to be the law will seem like civil disobedience to many people. I don't think Bill Buckley approves of those activities. Have you had any reactions from Bill Buckley on some of the things you've done?

Kellems: No, I haven't had the chance to talk with Bill. We were on the David Frost show together, but I've never actually sat down and talked with Bill about it. I've known him a good many years. I've known him ever since he came out of college. He did, however, not too long ago, advocate a 20% limitation on the Federal income tax. [In his syndicated column, Buckley recently suggested that Miss Kellems would be a good replacement for Jeanne Westwood as Democratic Party Chairman—Ed.]

Klasman: Miss Kellems, you've had great difficulties and found it impossible to get this case tested in court. You're working on an amendment to solve this situation, but if that isn't passed by Congress, do you believe that if many people joined in the withholding of tax payments, that this would force the government into court to settle the issue?

Kellems: I didn't make it clear. I have been to court. We were in the Tax Court and I lost in the Tax Court, but I expected to lose. I told you this Tax Court is impossible. One doesn't go to the Tax Court, they bring you in. I said that we would lose in the Tax Court; we couldn't possibly have won. But it is our right, our first step. Now the brief is practically finished to go to the Second Circuit Court of Appeals in New York and then to go to the Supreme Court if necessary.

Klasman: Do you ever feel like giving up?

Kellems: We have been to court, but I think we just can't give up. Now I've been three years at this. I thought I could get it done in a year, but I haven't had experience with those experts down there in Washington. You must never give up. Look, you're all young and strong, and I'm 76, and if my head is bloody but unbowed, you people can come along and do the same thing. No, you mustn't give up. We step right in, we have a bill introduced again in the next Congress, we have thousands and thousands of tea bags mailed to them all over the United States. It's the National Boston Tea Party, one of the most effective things I've ever done.

They just can't bear it. They get stacks of the stuff; if you don't drink tea, just use some coffee grounds—anything to attract attention.

Greenberg: What other types of notorious activities have you been involved in? I seem to remember some incident involving you in a voting booth, bringing in your own lunch, and they couldn't get in there to take you out because they weren't allowed to go into the booth.

Kellems: No that's not quite right. We have a one-minute law in Connecticut. You are only permitted a minute to vote. Oh, can you get into the election laws in Connecticut! Well, I was trying to get the lock off the voting machine. We had a locked machine, and when you went in, you had to pull the column 1. This brought down the whole ticket, and so many people were afraid they wouldn't know how to split the ticket. So I tried to knock the lock off. Well, they couldn't do anything about it. I kept talking about it for a long time, so I went into the voting booth and sat there for nine hours. I didn't take any lunch. I just sat there. People sent food all day, shoving it under the curtain. The second day, I sat at the end, and they have to have those machines attended even though you can sit there. Someone opened the curtain and said, "Would you like to have this milkshake?" I sat on the floor for nine hours. The next year they carried me out at the end. But that was all right; we got the lock off.

Greenberg: Did that stir any reaction at the conservative end of the movement?

Kellems: Well, the fact that I sat in the voting booth attracted attention and they knew they had to do something; they can't have women sitting in voting booths for nine hours in this country, so we did get the lock off. But they left the Party's letter on, and this was done by professionals. Now they are very sorry they did that. They'd like to have even the Party's letter off.

Greenberg: What other kinds of activities have you been involved in?

Kellems: Not too many. You see, I've been in the catering business for thirty-five years and I was quite occupied, but I've always had an overweening interest in public affairs, and in 1948, I refused to collect withholding from my employees. This made quite a stir, and we went to court on that. I was trying to test the Constitutionality of the law. They bypassed me on that one. I got my money back that they seized from the bank—about \$800.

Block: I'd like to ask you a question about other groups that might be thought to have something in common with what you're doing. For instance, I would ask you about two groups: the War Tax Resistance people, who might be similar to you by some stretch of the imagination, and also the Women's Liberation Movement. Could you comment on those two and what you think of them?

Kellems: I'm not very familiar with the War Resistance group. I think they're withholding telephone taxes—aren't they?—refusing to pay telephone tax. In my opinion, they have a perfect right to do it if they're willing to go to court on a test case. The government won't take them to court, they just want to make them pay the tax, don't they? I have friends who do that and they just went and got their two dollars and a half or whatever it was.

I think these things are good because it points up the fact that people are just fed up with this insane, inhuman war which just goes on and on, and this is a form of registering protest.

As far as the Women's Liberation Movement is concerned, I have always believed in legal equality for women. I think there's no reason why a woman can't still be very feminine but have the right to appear in court on the same basis as a man. She should be paid equally for equal work. They have come out against this tax on single people. Maybe I'm too old-fashioned. I'm just not accustomed to these methods. But remember, I'm an old lady. I spoke for the Equal Rights amendment, and advocated that long before some of these girls were born, and maybe they're right. We used to lobby and we were very lady-like and we made speeches, and we went around and we got exactly nowhere! They came along and put on a few demonstrations and went down and seized control of the committees and Congress and all those things and, look, they got it passed. So maybe they're right and we're wrong.

Klasman: I believe that there are many hundreds of thousands of people who would like to join in this battle to a greater degree than sending a bag of tea to their Congressman. They don't want, perhaps, to break laws, as you have avoided breaking laws, but they want to make a very overt move against the excessive taxation. Are there any ways that they could actively join you in this fight?

Kellems: Oh, yes. If they would write to me, I'll put them on my mailing list. I have

25,000 letters. When I started out I was financing it all myself, and then it got beyond me because again I ran into large expenses I hadn't been anticipating. People have sent me small sums. I've had financial support. I have a thousand checks at five dollars apiece, and that meant a great deal to me because people I mentioned are people to whom five dollars represents a real sacrifice.

For your information, I am very pessimistic about what's going to happen if the Federal Government doesn't wake up. These are the treasurer's figures, not mine: In 1968, ten million people didn't put any money in with their tax returns, and that increased by 27% over 1969. I'll tell you where to get those figures. Ex-Senator Williams of Delaware, June, I think, 1969. The treasurer gave him a report and I have since talked with the Commissioner of Internal Revenue, Mr. Walters, and he confirmed the fact that people are not paying their income tax. Now, there's probably more than one reason. Some of them don't have the money to send, and some of them borrow the money at 6%. They can do this by paying the penalty when they couldn't get the money at the bank. The fact remains that something has happened to them.

Greenberg: Where can they write you if they want to get in touch with you?

Kellems: Oh, it's very easy. East Haddam, Connecticut.

Block: Gary Greenberg is running for Congress in the eighteenth Congressional District in New York and I am running for Assembly in the 65th Assembly District in New York on the Free Libertarian Party ticket. Now the Free Libertarian Party is a very new party. We just started three or four months ago. Among the programs that we have is opposition to the income tax. Gary, I know, has called for a \$12,000 exemption from taxes. How do you relate to new political parties with views like this?

Kellems: I think they're an awfully good thing. Fortunately, we can still begin new political parties in opposition. We skirted the edge of the philosophy of the income tax several times in this conversation, but I haven't really committed myself. Let me explain. I am bitterly opposed to the principle of the income tax. I do not believe in the income tax. It has destroyed every society throughout history where it has been permitted to burgeon and do what it has in this country, and it is about to destroy this country. But I am very

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REVIEWS

On Books

George Woodcock, Pierre-Joseph Proudhon: His Life and Work (New York: Schocken Books) \$3.95

Some libertarians may be familiar with an essay by Nathaniel Branden in which Branden criticized Proudhon's declaration that "property is theft" as an example of the fallacy of "the stolen concept." Readers of Branden's essay may have concluded that Proudhon was not merely mistaken in attacking the institution of property, but was an illogical jerk besides. George Woodcock's *Pierre Joseph Proudhon* will enable readers to evaluate Proudhon on the basis of a more complete understanding of his thought.

Consider, for instance, the "property is theft" slogan. Branden's discussion of the stolen concept is irrelevant to Proudhon's ideas because, as Woodcock points out, the slogan was not intended literally by Proudhon. Woodcock says, "[Proudhon's] boldness of expression was intended for emphasis, and what he wished to be understood by property was what he later called 'the sum of its abuses.'" By the abuse of property, Proudhon meant the use of property to make money without physical labor, as in charging interest for loans, or charging rent for the use of land. Being libertarians, committed to free-market institutions, we may disagree with such ideas. But, to be fair in evaluating Proudhon, it should be noted that, in the context in which he came to hold these ideas, they made a certain amount of sense. For one thing, Proudhon's critique of interest, rent, etc., was based on the labor theory of value, which was the prevailing economic doctrine during his lifetime. It was the labor theory of value, originally promulgated by such classical economists and advocates of free trade as Adam Smith and J.B. Say, which provided the basic premise from which Proudhon, Marx and others drew their anti-capitalist conclusions. It was not until after Proudhon's death that economists refuted and rejected the labor theory of value in favor of a subjective value theory. Furthermore, in the society in which Proudhon lived, a society that had never eliminated feudalism, mercantilism or statism, it was in many particular cases entirely true that someone's use of property to make a profit was an "abuse."

Where the free market is not allowed to function, the acquisition and profitable use of property may well imply exploitation or theft. That Proudhon was not an enemy of the institution of property *per se* is indicated by his book, *Theorie de la Propriete*, in which he viewed property as "the safeguard of liberty." Woodcock discusses this book as follows:

"[Proudhon] raises a new antimony—property versus the State. Property represents individualism, the State is the negation of individual liberty, and Proudhon therefore seeks an adjustment of property which will help men to control their own destinies independently of the State."

The point of the preceding discussion is not that Proudhon was a consistent libertarian (he wasn't), nor is it that he was entirely sensible in his views (I don't think he was that, either). The point is simply that Proudhon was not as foolish or mistaken in his views as some libertarians might think.

In *Pierre-Joseph Proudhon*, Woodcock has written a stimulating and engaging biography. Proudhon's life was active, productive and thoroughly fascinating. He was, among other things, a printer, a newspaper editor, a legislator, a businessman, and a political prisoner, as well as the author of many books on history, philosophy and politics.

Woodcock effectively delineates the development and the subsequent influence of Proudhon's anti-capitalist, anti-Statist, federalist, mutualist, anti-Catholic views. Woodcock's descriptions of Proudhon's relations with his contemporaries, such as Marx, Hugo, Bakunin and Bastiat, is quite enlightening. Also of note is Woodcock's examination of certain incongruous conservative aspects of Proudhon's outlook, especially his anti-feminism and belief in masculine superiority. Throughout, Woodcock's style is lucid and easily readable.

The one major criticism I would make of Woodcock is ideological. I find his discussions of Proudhon's ideas to be, in some respects, overly sympathetic. I have indicated that certain of Proudhon's views, which made some sense in the social and intellectual context in which they developed, seem foolish or naive in the light of contemporary economic knowledge. Although Woodcock has the advantage over Proudhon of living a century later and having access to the works of Boehm-Bawerk, Mises, Hayek, et.

al., he seems to hold similar erroneous views regarding, for example, the allegedly exploitative nature of interest on loans. I see no excuse for this apparent retention of archaic and outmoded economic doctrines. Such ideas only mar an otherwise fine book.

Reviewed by L.A. Rollins

On Film

The Discreet Charm of the Bourgeoisie

Luis Bunuel has done for the bourgeoisie what Pygmalion did for Galatea. He has molded them, shaped them somewhat bitterly and with some hostility, and filmed them for posterity. Now with *The Discreet Charm of the Bourgeoisie* he has approached the final *coup d'etat*: he seems to have fallen in love with them. Well, not exactly fallen in love, but he seems to have mellowed in his old age and he treats the bourgeoisie now with humorous kindness.

Bunuel started his career in the early 1930's. He was one of the forerunners of surrealism. He made two short films in collaboration with Salvador Dali: *Un Chien Andalou*, and *L'Age D'Or*. But these films did not gain world-wide attention, and it was not until the 1950's with films such as *The Exterminating Angel*, *Viridiana*, and *Nazarin* that people began to open their eyes.

Bunuel has always tried to shock his audiences. In *Un Chien Andalou*, he and Dali constructed a short scene in which a woman's eyeball was cut in half by a straight razor: the purpose, they said, was to shock the pants off of the bourgeoisie. As a matter of act, Bunuel has practically spent his entire life damning and demeaning the bourgeoisie; it seems to be his entire purpose in life. His humor is dry, laconic, and very biting. He is not the sort of man I would like to get on the bad side of.

The Discreet Charm of the Bourgeoisie, his most recent film, is a certain departure for Bunuel. It is described as a light comedy and in a way it is, but it is also one of the funniest, one of the most frightening and haunting films I have ever seen. *The Exterminating Angel* concerned a group of people at a party who are so drawn together that they cannot leave; it's not that they don't want to, it's just that they are not able to. *The Discreet*

Charm of the Bourgeoisie turns this idea around: a group of people try to get together for dinner but find it practically impossible what with certain complications here and there, and dates getting mixed up. One thing leads to another as we see the group continually walking down a road with, it seems, no end to it.

The film is full of dreams: dreams within dreams, and dreams told in flashback. Some are funny, some are sad, some are frightening. But all of them lead to a certain degree of despair and hopelessness. We are all empty, Bunuel seems to be saying, and our dreams show it.

However, they are all handled with the touch of a master. The film is broken down into little comedy sketches that weave in and out of one another; Bunuel seems to have approached them as an old-time vaudevillian might have. The roles played by Delphine Seyrig, Stephane Audran, Bullie Ogier, Fernando Rey, Paul Frankeur, and Jean-Pierre Cassel are mere caricatures with just the slightest touch of humanity, and the actors play them accordingly.

There is just one harsh note: when a priest comes to deliver the last rites over a dying old man, the priest discovers that this same man was the one who killed his parents many years before; the priest very calmly finishes his service, then just as calmly lifts a rifle he finds in the corner of the room and shoots the old man. We don't know how to take such a scene in the midst of all the high spirits, and it is a very hard scene to adjust to especially when Bunuel very abruptly cuts to another comic scene.

At times, Bunuel can be unfathomable, but still the man is now seventy-two years old and to see him in such a joyous, exuberant mood is remarkable. In fact, it seems his entire technique toward film has grown more fluid as he has grown older. I only hope it continues, and that Bunuel keeps on pestering us with his silly shoe fetishes for a long time to come.

Play It As It Lays

Frank Perry's new movie, *Play It As It Lays* (based on the Joan Didion novel), is such a trivial bit of nonsense that it's quite laughable, and even provokes a few titters and howls where it's not supposed to. But an enigmatic glow surrounds the film and this is mainly because the novel was not laughable and definitely not nonsense. And the enigmatic glow comes

from the fact that the movie follows the book very closely—in fact, too closely. (The screenplay was written by the authoress and her husband, John Gregory Dunne.) But when you begin to fit the pieces of the puzzle together, they all point to one person responsible for the damage: the director, Frank Perry.

Now I'm not totally discounting the somewhat disastrous efforts of the screenwriters, but whoever said it was possible for the author of a book to transfer his or her work to the screen? (Leonard Gardner did a fine job with his novel, *Fat City*, but that's because the director was John Huston, who has always had a great and vivid sense of film imagery.) Frank Perry has never had a great sense of anything when it comes to film and apparently he has learned too little from his ex-wife and former screenwriter Eleanor Perry, since there wasn't much there to learn in the first place. *David and Lisa*, their first film, was utterly bland, entirely overrated. *The Swimmer* was a mediocre attempt at allegory. *Last Summer* was a distorted vision of teenagers and a useless waste of time. *Diary of a Mad Housewife* was the ultimate in mediocrity: chic mediocrity. And *Doc*, written by Pete Hamill, had such a clumsy, awkward script that it would be better left forgotten.

Now comes *Play It As It Lays*, a film dealing with human suffering. Maria (pronounced Mar-eye-ah), a former model and film actress, has been committed to a sanitarium by her ex-husband, Carter Lang, a film director. She strolls through the garden paths of the institute recounting the incidents which led to her being committed: her estrangement from Carter; her abortion; her being busted on marijuana charges; her ultimate divorce; her close friendship with B.Z. (a charming homosexual who produces Carter's films) which eventually leads to suicide. The movie, to be a success, should have shown the emptiness of longing, the pain of acquiescence; instead, it is just plain empty of any emotion or feeling. Perry has failed to discover any suitable means of transferring Miss Didion's torture-racked prose style to the screen. The look of the film is Hollywood chic—a strident accoutrement.

However, the main difficulty with the film is that it follows the novel almost word-perfect. The things that work in a novel do not necessarily work in a movie—that is, if the novel is well-structured and uses all the narrative devices at its disposal. The primary faults of Perry's film are a

transparent as glass: they are all narrative ideas and techniques. The dialogue in most books cannot be successfully transposed to the screen, especially in such books as Miss Didion's: it comes off as very heavy-handed and we are supposedly fooled into believing that we are watching real people. I have a word of caution for Mr. Perry: "The more fool you!"

The actors make do with what they are given, but it is only Anthony Perkins who comes off truly unblemished; he has always been a fine actor with his body and his face in such films as *Psycho* and *Catch-22*, and it is good to see him in fine form once again especially after Claude Chabrol's abortive attempt at a mystery thriller, *Ten Days Wonder*; Perkins gives a beautifully controlled performance and almost makes the film worth seeing. Tuesday Weld looks great, and she does fine things with her face and voice in the beginning of the film, but her character does not progress—she just remains an appealing blank. And I feel the fault for this lies with Mr. Perry once again. Either he didn't understand the character or else he didn't care, and when a director doesn't care about his characters then he's in trouble.

Alas, Mr. Perry's in trouble.

Reviewed by Cary Leiter

On Music

The Cat

With flashlight in hand she was up and down the aisle all night telling people to "put it out" or "no smoking please." I lifted the tangerine to my mouth and one inch away blazed my friend's lighter. She passed my test of her hustle with flying colors. Within seconds she was on me like a cat with her light in hand illuminating the entire twentieth row. Her efforts were for naught. I swallowed the citrus, pits and all, and sat back to watch the real "Cat" perform.

His album titles have been incongruous, his voice incomparable and his style imaginative. Yet, at Philharmonic Hall on November 8, 1972, Cat Stevens erased all signs of vagueness and revealed himself as the truly great performer that he is. His latest release, *Catch Bull At Four*, is his boldest move at engraving his own personal niche in the big rock mountain.

Few artists today can match Cat's total consistency in growth and performance.

I waited over a year for *Catch Bull At Four*, and my rewards were well worth waiting for. This new release is saturated with such prizes as *18th Avenue*, *Boy With a Moon and Star On His Head*, *Sitting*, and especially *Angelsea*. My expectations were high and upon my first listening I was only mildly disappointed. My second, third, and fourth listenings, however, made me realize that *Catch Bull* was one of Cat's most imaginative creations yet. The use of the moog synthesizer carefully placed and a male chorus daintily dubbed give the album a flavor much different from Cat's earlier *Teaser and the Firecat* and *Tea for the Tillerman*.

The Cat's stage performance did justice to the elegance and splendor of Lincoln Center. In the flesh, Cat enhances his mystique even more than does a Van or an Elton. A virtuoso guitarist and pianist, he made me wonder if maybe, even at this late date, I was not too old to take piano lessons.

An orphan from the old Fillmore East days, I now find myself longing to hear at concerts the sound of the high ear-splitting guitar work of dudes like Alvin Lee or Mike Bloomfield. Much of the music today (with very few exceptions) just does not cut it. I mean you're not going to find me holding my breath to hear a Grand Funk or a Lesley West. But I can live with a quality sound. Indeed, a vibrant and mellow sound will more than suffice. The Cat's done more than an adequate job to provide just this sound. Songs like *Angelsea* and *Peace Train* done as the Cat has prepared them can disappoint no one.

The concert was preceded by an animated cartoon created by the Cat based upon his album *Teaser and the Firecat*. Reminiscent of *Yellow Submarine*, it featured *Moon Shadow* and was well received by all in attendance. A fine introduction to a fine evening.

Say Hallelujah, or

Hail, Hail, The Gang's All Here

Capitol Records has just announced plans to release an opera based upon the Beatles' historic album *Sergeant Pepper's Lonely Hearts Club Band*. Carefully orchestrated leaks to the music trade papers have indicated that the cast will consist of some pretty noteworthy celebrities. "It's still too early to say," "W.C.," a Capitol executive, was quoted in

Billboard, "but it looks like Curt Gowdy will play Pepper." Others, rumor has it, who are being considered for parts are Moms Mabley as the notorious "Lucy;" Betsy Palmer as "Lovely Rita;" Mier Kahane as "Billy Spears;" Henry Kissinger as "Harry the Horse;" Lance Rentzel as the anonymous person digging a hole; United Federation of Teacher's "Head" Albert Shanker as the man anticipating his 64th birthday. The barnyard sounds in *Good Morning* will be performed by the Mormon Tabernacle Choir. There was some concern over how the climax in *A Day in the Life* would be recreated without sounding "hokey." Fortunately, Hubert Humphrey offered one of his rubber ducks, and his offer was quickly accepted.

The person directly responsible for the concept of this extravaganza has so far refused to comment on his idea, reveal his real name (he keeps referring to himself as "Mort"), or be seen in public without his two husky bodyguards. Apparently he believes that a rival record company which has just released its version of the rock opera *Tommy* has taken out a contract on him.

Six weeks ago, before the *Sgt. Pepper Opera* was even conceived, one of our reporters talked to "Mort." "It's just terrible," he told us. "They've taken a good rock-and-roll album and have turned it into a tasteless piece of plastic. They must think that if you bring a few big names together, add a symphony orchestra, and the entire state of Utah as back-up vocals, you've created a piece of art. What they've actually done is to further convince rock followers that Super All-Star groups with super-elaborate productions can be very easily done without. Humbug!" he sneered. "Rod Stewart, Richie Havens, Ringo Starr, Marry Clayton and the Who may be excellent performers individually, but whatever possessed them to dive *en masse* into this mucky sea of sterile music is beyond me. It's not even silly. Christ, I don't even feel like laughing."

Presently, the *Sgt. Pepper Opera* is at the Electric Lady Studios in New York for dubbing and mixing. The three-record set is expected to be released shortly to reach the Christmas market.

Reviewed by Allan Silverstein



Letters

Continued from 5

what of American efforts to abolish slavery in this country by the force of law?

Whenever it appears that a gain has been made by the use of coercion, an avenue is created, by the use of force, down which an opposing force may come. If you win an election by majority vote, surely you are subject to lose the next one by the same process.

But Professor Peden is right when he says that society is always in flux. Precisely so, and never more so than when it relies upon violence to attain a goal. Violent means do not provide a non-violent conclusion. Ends and means must be in harmony.

The future of liberty is in our hands. And surely we must not sit on them. But this is no justification for using those same hands to punch others in the nose who may not agree.

Robert LeFevre
Santa Ana, Calif.



Tuccille

Continued from 7

discovered by the "experts." Goldberger reports that condominiums are now being built in Disney World for those who want to move in lock, stock and barrel, and that Disney World already has its own "private government" setting pollution and housing standards and other wide-ranging policies. One may object to the use of the word "government" in this situation (it is, after all, a voluntary community), but, nonetheless, the prototype for private, self-contained, self-regulated communities is now in existence.

In short, Disney's organization has proven that a private community can provide the public with all the services heretofore provided only by government. The next step is all but inevitable. With housing being built, it is only a question of time before schools and panels of arbitration (a private judicial system) are also established. With its own police patrols and the availability of laser technology sometime in the next ten years, Disney's private utopias will also be capable of defending themselves against outside aggression — thus relieving government of its remaining defense function.

Disney World is only the beginning. Fuller, Safdi and Soleri also have plans afoot for erecting their own autonomous,

fully-equipped societies that will be capable of supporting a million people in comfort and style. One hesitates to predict the future with too much certitude, but the trend indicates a proliferation of private cities sprouting across the land, and over the oceans, starting in the present decade. Utopia, a communistic concept through the ages from Plato to Dorothy Day, may soon be brought to us by private developers sometime by the end of the century.

And so, I submit to the conservative or classical liberal wing of the libertarian movement, that the ideal of free market anarchism may not be so far-fetched as you think. Would you object to this brand of capitalist anarchism gaining prominence during the next thirty years because it negates your own concept of a "rational limited government?" I daresay you will be plowing your life savings into land development stock, raking in handsome profits by the fistfull.

The "impracticality" of the anarchist has been mythologized long enough. Let us all take a closer look at what is actually going on—and let the chips fall where they may. ☹

Carol

Continued from 12

drugs. Similar conditions obtain in gambling, pornography and prostitution. The moral is: do not attempt to outlaw "sin;" you will not succeed. A free market, even in vice, tends to improve the quality of the product. The evidence is all too clear in the face of the current dangers in drugs.

To see that government is indeed irrational, one has only to look at the other side of the production process, specifically at labor. There are shortages in many occupations, thereby intensifying the problem of scarcity; simultaneously there are millions of unemployed and under-employed individuals who are potential entrants to these shortage occupations. Yet the government forbids or discourages these individuals from entry thereto with the obvious consequence of aggravating both problems. Much of this is done under the guise of consumer protection.

We have had an embarrassing history of people being excluded from jobs because their views concerning sex or religion or politics were at variance with those of the government. In the State of Washington, a veterinarian may not heal a sick animal unless he has signed a non-Communist oath. Bertrand Russell could not obtain a position at New York City College for reasons that citadel of free thought prefers to forget. And many talented people in show business forfeited their American careers for exercising their rights as guaranteed by the Constitution. The examples are as endless as they are ridiculous.

Liquor merchants and taxicab drivers are among numerous examples of those who demonstrate their competence in their chosen fields simply by paying the state a fee. This not only reduces the number of workers in these fields, but is a special burden on the poor who cannot afford the fees demanded.

Labor unions with sufficient political punch limit the number of entrants to their trade, by pressuring the state to establish licensing requirements or by allowing in only those who have completed union supervised apprentice programs. Construction workers are a prime illustration. So great is their power that they effectively inhibit productivity improvements by their employers. The consequences are high wages for those in the unions, high costs and shortages of housing, the exclusion of minority groups, and low quality standards of performance and product. Using the state as their tool, these unionists are free to beat up students who disagree with their politics and no one dares to interfere. Their haughtiness knows no bounds—plumbers no longer make house calls.

In virtually all cases in which formal apprenticeships and licensing examinations are required by law, the group authorized to approve the new entrants is comprised of active practitioners who have a vested interest in keeping their numbers limited. The medical profession is such a case. Here again, productivity gains are low and incomes are high. Many functions may be performed only by those who have had four years of medical schooling, yet the necessary skills could be acquired in far less time. Anaesthesiologists and radiologists are cases in point. Of course, physicians in America are a sacred breed. Few of them know much about medicine and none of them know anything else, but their position in society is unchallengeable.

The solution in all areas is the same. Abolish state licensing requirements and state consumer "protection" of all kinds. Qualifications in any field can be established by examinations prepared by, and on-the-job performance evaluated by, experts in the field. Generally, people will choose to employ the services only of those who have passed the examinations. A competent individual who is excluded by one device or another could offer his services without violating any law and eventually his genuine ability will be recognized. A few charlatans will also gain acceptance, just as they do now, license and all.

Ultimately, no one can protect another against his own ignorance or foolishness—not the market and especially not the state. ☹

Greenberg

Continued from 13

employment information he had given the court were false (All those who are surprised, raise your hands—now read Ed Koch's last six speeches as penance.)

The only part of the story that anyone familiar with the workings of our criminal courts could find astonishing is how everyone at the courthouse kept a straight face while Koch was going through his routine.

Ed Koch is comic relief in the theater of the absurd. That he seriously believed that arresting someone for being an obnoxious drunken beggar is the way to fight crime can only leave one concerned that things will get worse before they get better. Koch's most serious proposal for fighting crime on the street to date is to distribute police whistles to citizens so that they can whistle for help. He apparently assumes that a would-be robber wouldn't also take the whistle. I suppose that any day now we can expect Koch to escalate the war against crime by supporting a legislative program that will make a pair of sneakers available to every American. And in his speech he will say, in all seriousness, "The time has come when we must take concrete steps to fight crime. For too long the victim has been under the heel of the perpetrator. My new bill will help put the victim on equal footing with the mugger." Nowhere in the speech will there be any recognition of the relationship between crime and heroin prohibition. Nowhere will there be a recognition that overcrowding in the courts has anything to do with the prosecutions for victimless crimes. [2] I suppose the only way to deal with politicians like Koch is to laugh.

Ed Koch wants to run for Mayor. The Peter Principle strikes again. ☹

1. In New York, harrassment is classified as a violation, carrying a maximum penalty of 15 days in jail and/or a \$250 fine. 2. In a work entitled *The Honest Politician's Guide to Crime Control* (Chicago, \$5.95) by Morris and Hawkins, it is estimated that about half of the six million arrests each year are for public intoxication.

Interview

Continued from 17

realistic. We got along for one hundred and twenty-five years without the income tax. The Constitution specifically forbids an income tax to the Federal Government. It didn't say it in those words, but it said that any direct tax must be apportioned among the states in accordance with population. You can't apportion an income tax with people. An income tax is on income; it is not on people. So, I am opposed to an income tax, but here it is, entrenched; it was passed as the sixteenth amendment by Congress and ratified by three-quarters of the states. But, as I pointed out this

afternoon, it doesn't repeal any other part of the Constitution. Let them have the income tax. But let us have our Constitutional rights under the fourth and fifth amendments. And let them collect it if they can. I don't think you're going to repeal it. We may be able to get a limitation. It's still anathema to me, as anything that permits a strange person to come in and go into your personal and private affairs; even your love letters, your personal, intimate details, they seek out in the name of the income tax. I'm opposed to it.

Block: Several months ago **Outlook** ran a copy of the first income tax form under the caption, "Read it and weep." The tax then was three per cent. We've come a long way since.

Klasman: You told us this afternoon that once you win this fight, you have some other surprises for us. You must have some other fights in mind.

Kellems: I think we must go on. First of all, I think that single people all over the country must get together and demand the end to thousands of discriminations against them. And there are a lot of single people who believe this, and they are going to do something about it. I am a single person and I run into this all the time. For example, I go down to Florida and go to a hotel. I pay the double rate, because I am single. They would not give a single person a different rate—you pay the double rate. I just cite that. There are thousands of discriminations against single people, but I don't have great interest in opposing all of them. I absolutely oppose them, and there are groups organizing. My main interest in life however, is taxation; but the next thing I am going to do is to go back to Scotland and get my Ph.D. from Edinburgh University. That's what started me on this whole mess. I have all the academic credits for the Ph.D., I have my Master's Degree from the University of Oregon. I have another year at Columbia University, and Edinburgh was marvelous. They accepted my academic record, which was fifty years old.

Klasman: Marvelous!

Kellems: ... so I have the thesis half-written. Then I got bogged down in this fight because my research led me into it, and I have no intention of being side-tracked. All I have to do

to get finished is go get three or four months to myself. I could finish this and get my degree. It's an unfinished thing in my life and I am a very tidy person, I always like to finish everything. I was interrupted, I wasn't able to get it. ... my father died while I was in college and I didn't have the money to publish the thesis, which in those days cost a thousand dollars. You had to put a hundred copies in the library at Columbia—what for, don't ask me, because who ever looks at a Ph.D. thesis? But this is the first thing I'm going to do. Then I am planning to go back home and get going in this 20% tax limitation. I think we must all put our shoulders to the wheel on that one.

Block: Thank you very much, Miss Kellems. ☺

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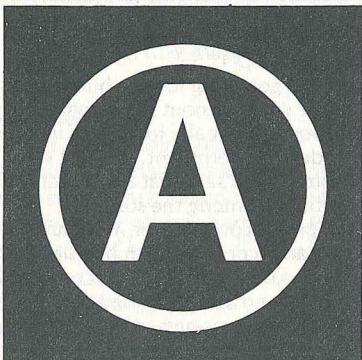
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