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Listen Again, YAF

Ten years ago this very month, YAF unwittingly played a vital and historic role for our times: it brought into being the modern, rapidly growing libertarian movement. YAF had attracted a large number of libertarians to its membership and its leadership—men and women who had been seduced by the occasional libertarian rhetoric of YAF and of conservatism into thinking that these were at least quasi-libertarian institutions. At the 1969 YAF convention at St. Louis the libertarians and the conservatives came to a dramatic showdown—a showdown at least partly helped by my first open letter, "Listen YAF", published in the *Libertarian Forum*, August 15, 1969.

I addressed that open letter not to YAF as a whole, but to the *libertarians* within YAF, to those who didn't realize that the conservatives never take their occasional rhetoric about liberty and free enterprise at all seriously. Every generation of YAF develops libertarians within it, and so it is again time to address you, and to urge you to leave YAF and join your libertarian colleagues outside the stifling and malevolent confines of the conservative movement. Ten years ago, the libertarian movement was just a hope and a prayer. Now it lives, and it grows stronger every day. Take a look at any conservative rally outside of YAF. Do you see anyone under 60? Then go to any Libertarian meeting; you will find it hard put to find anyone over 40. Libertarianism is a young and developing movement. The future is with us. Conservatives, who worship the past, are doomed to fade away into that past.

The issue that precipitated the YAF showdown in 1969 was the draft—the issue on which conservatives are mealy-mouthed and speak at best in terms of efficiency for the military. Libertarians know that there can be no compromise on the draft: that the draft is slavery, and that it must be combatted as an ultimate immorality. When the libertarians in YAF insisted on organizing to take a militant and principled stand against the draft, their leadership was summarily kicked out of YAF, and the libertarians all walked out to form the beginning of the current libertarian movement—to set up the Society for Individual Liberty and the California Libertarian Alliance.

The vital importance of the 1969 split is that libertarians at long last realized that they were *not* simply "more extreme" allies of conservatives, but that they are a separate and distinct ideological movement, and that in fact conservatism is one of their major enemies.

Conservatives are theocrats and compulsory moralizers, who want to use the police power to force their own version of religion and morality down everyone else's throat. Conservatives want to outlaw nearly everything: marijuana, pornography, prostitution, homosexuality.

At a confrontation that top libertarians and conservatives had at a Philadelphia Society meeting in Chicago this spring, the conservatives made their position all too clear: that the State is *the* overriding moral teacher in society. Libertarians don't believe in ever taking moral lessons from the State; we believe that the only proper moral teachers are individuals and voluntary groups such as private schools, families, and churches.

Conservatives are opponents of personal liberty: they are eager to

continue the snooping, prying, harrassment and invasions of liberty and privacy of the FBI and CIA.

Conservatives are militarists and war-mongers. They believe that the bigger the military budget, and the military distortions imposed on the economy, the better. They favor American military and economic intervention everywhere, wherever and whenever they can cause trouble.

Libertarians are opposed to mass murder, and so believe in a peaceful foreign policy, a policy designed to defend America only, and not to meddle in the affairs of every country around the globe.

Conservatives *claim* to believe in a free-market economy, but they only give it lip-service. More and more, conservatives are sounding exactly like neo-conservatives and social democrats. When have *you* last seen any substantive differences, say, among Bill Buckley, Irving Kristol, Senator Moynihan, and Sidney Hook? When did you last see conservatives take a really *strong* free-market position? The conservatives now form a cozy part of the American welfare-warfare-liberal-conservative State Establishment. If you really want a choice not an echo, join the Libertarians.

And now, irony of ironies, the issue of the draft is back again. Congress is getting ready to reimpose compulsory registration, as the first step in bringing back the draft. Have you seen YAF leaping in to oppose this grave threat to the liberty of all young people? That'll be the day! No, it is the Libertarians who have rushed in to oppose with all their might any recurrence of the draft; such groups as the Students for a Libertarian Society and the Young Libertarian Alliance are in the forefront of the new anti-draft struggle. Which side will YAF be on?

So rapidly have we been growing in recent months that statists of all breeds, left, right, and center, have been banding together to stop what they see as a threat to the power of their beloved State. The liberal Catholic *Commonweal* entitled its lead editorial in the March 16 issue, "In Defense of Government." There *Commonweal* complained that not for generations "have there been so many intelligent people bent upon proclaiming that the state is the enemy." It deplores what it sees as an anti-government movement led by "doctrinaire libertarians." Shortly afterward came a two-part article by Phillip Green, a member of the editorial board of the leftist *Nation*. In his *Nation* article, "Two Cheers for the State", Green chided libertarians for their "selfishness" and instead trumpeted the slogan, "the common good precedes the individual good." Cheering for the State, Green warned that "Weaken the state and it is almost certainly the collective capacity of self-defense against the powerful that will be most gravely weakened."

But the most scurrilous, hysterical, and frenetic attack on libertarianism and the libertarian movement came in the June 8 (followed by the August 3) issue of *National Review*. Twenty years ago, Bill Buckley and NR read us out of the conservative movement with considerably less fanfare and a lot more condescension. Now, apparently, we are a threat, and so Ernest van den Haag, who has not a single libertarian bone in his body, was assigned that task of chief hatchet-man. In the course of his diatribe, we find the true

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face of conservatism revealed. For van den Haag, an ultra-Keynesian and champion of the welfare-state, attacks Mises, Hayek, and Austrian free-market economics; denounces the gold standard as a "mystical article of faith"; strongly attacks any belief in natural rights, or the application of principles to politics; denounces libertarians for being rationalists who ignore the alleged centrality of tradition and of original sin; and opposes to libertarianism the doctrine of the French theorist of absolutism Jean Bodin that the State must be sovereign and above the law.

But the *National Review* articles, as can be seen from this summary, were scarcely high in intellectual content. But what could we expect from van den Haag, the last defender of Richard Nixon? In any case, we can scarcely expect profound content from a movement that tries to hide its theocratic authoritarianism in the tattered cloak of free-enterprise rhetoric. What NR really brought to this argument was a recrudescence of the discredited McCarthyite mud-slinging of the early post-war years. It seems, according to these imbecilic smears, that myself and other libertarians are some kind of Communists or Soviet agents. Because we favor liberty? Or because we oppose war and foreign meddling?

If you want to find out what Libertarians are all about, pay no attention to the desperate smears of liberty's frightened enemies. Read our own literature and our own statements. What are libertarians? Some of us are free-market anarchists, others are minimal statist. But we *all* believe that government must not stray beyond the strict confines of the defense of each individual's rights to liberty and property. We favor personal *and* economic liberty. And we believe in minimal government at home *and* abroad; we

oppose government intervention in the domestic economy *or* in the affairs of other nations. We are not pacifists; we want to confine the U.S. government to protecting its own citizens while aggressing against no one else.

If you wish to learn of the Libertarian approach to foreign policy, take a look at the platform of the national Libertarian Party, a platform which I helped draw up and fully endorse. The preamble to the Foreign Policy section states:

"American foreign policy should seek an America at peace with the world and the defense—against attack from abroad—of the lives, liberty and property of the American people. Provision of such defense must respect the individual rights of people everywhere.

The principle of non-intervention should guide relationships between governments. We should return to the historic libertarian tradition of avoiding entangling alliances, abstaining totally from foreign quarrels and imperialist adventures, and recognizing the right to unrestricted trade, travel, and immigration."

Commie? Stalinist? Only in the minds of desperate liars, out to use any weapon they can muster to stop the advance of libertarianism and the libertarian movement. The longer you stay in the conservative movement, the more you give countenance to the lies and calumnies of the enemies of liberty and individual rights. Come, break now with the old rubbish, and join us in the noble fresh air of freedom. We are not going to be stopped, least of all by the men who formed the last praetorian guard around Richard Milhous Nixon.

Yours in liberty,
Murray N. Rothbard

John C. Calhoun

Lance Lamberton

It has been readily agreed by most observers of the contemporary scene that our nation is sadly devoid of leadership that does not serve the self-interest of the politicians who wield power within government. The cynical statement by e.e. cummings that, "A politician is an arse upon which everyone has sat except a man," has recieved approval from observers on all sides of the political spectrum.

Recognizing the shallowness of today's politicians, some have harkened back to America's political heritage, where they hope to find a pleasing contrast to the present. Depending on the political predisposition of the observer, various men have been put forth as moral exemplars whom it would be wise for us to follow; men such as Washington, Jefferson, Madison, Webster, Lincoln, and Calhoun. Yet all of these men have, in varying degrees, sacrificed principle to political expediency at one time or another when the two have come into conflict. In my view it is inevitable that this should be so within any political system, and that to maintain and further a political career requires that one either sacrifice or alter principle to satisfy the requirements of one's political ambition. Therefore, in order to minimize or eliminate the harm to society which the self-seeking politician can impose upon it, it is necessary to limit the power which politicians have at their disposal, rather than seek persons who will wield enormous political power in an enlightened and disinterested manner. To attempt the latter is to have one's efforts end in dismal failure.

John C. Calhoun's more favorable biographers were disinclined to see him as a pragmatic and ambitious politician, (as all serious aspirants to the presidency must be) but rather as a vigorous and consistent defender of minority rights threatened by the tyranny of the majority. Professor Wiltse found him, "The supreme champion of minority rights and interests everywhere."¹

Calhoun's more critical biographers, although not denying his valuable contributions to political theory, see him as a man whose words and actions were primarily designed to further his political ambition and the interest of his class and section, rather than the protection of minority rights.

Calhoun's political career can be somewhat neatly divided between his early nationalist period, and his later sectionalist period. In nearly all the major political issues which confronted him, the young Calhoun stood diametrically opposed to the views of the mature Calhoun. If such an about-face were to occur in the intellectual life of a scholar, it would be greeted with some surprise and would probably be attributed to some genuine and heartfelt change in values. But with a scholar it can be safely assumed (in most cases) that internal restructuring of values leads to an altered view of the external world. With a politician such as Calhoun, it was changes in the external world which led to a restructuring of internal values.

In order to verify this contention it is necessary to look at the positions Calhoun took during his nationalist period. In keeping with the fiercely nationalistic and patriotic sentiment endemic in the Carolina upcountry on Calhoun's entrance into Congress in 1811, Calhoun desired a strong and vigorous national government that could help catapult the young nation into power and wealth that would rival the great nations of Europe. He championed war with England, a protective tariff, internal improvements, a broad interpretation of the Constitution, and a national bank. Considering the prevailing sentiments of his constituents, it is not at all surprising that he should have held such positions. Gerald Capers has written that, "In view of his later reversals it should be emphasized that the Carolinian, in his high federalism of the postwar era, was a political pragmatist."²

Some may be sceptical as to whether Calhoun was truly in favor of a broad interpretation of the Constitution in his early career, especially considering that he was an early supporter and lifelong admirer of Thomas Jefferson, who was ostensibly the most renowned advocate of strict

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¹ Charles M. Wiltse, Vol II. *John C. Calhoun, Nullifier 1829-1839*. page 31.

² Gerald Capers. *J. C. Calhoun, Opportunist: A Reappraisal*. pub. 1960. page 58.

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construction. However Capers answers this criticism rather tellingly by writing, "A statesman who believed that the Federal Government had the power to draft citizens into the army, to charter a national bank, and to build national roads where it willed, necessarily placed a broad construction upon the Constitution."³

In regard to Calhoun's latter views on the Constitution, and his esteem for logical analysis, it is almost startling to read the following quote from him where he is arguing for federal monies to be used for internal improvements.

"I am no advocate for refined arguments on the Constitution. The instrument was not intended as a thesis for the logician to exercise his ingenuity on. It ought to be construed with plain good sense."⁴

The reason Calhoun's constituents favored the nationalistic policies which he advocated is because they were still a mobile and economically expansionist frontier people, desirous of internal improvements to expand trade into the interior; wanting to enlarge the nation's borders so that their prodigy would have to grow; and supporting the tariff of 1816 since it seemed at that time that South Carolina could also look forward to developing manufacturers in their state. Changing economic circumstances caused South Carolina to radically alter its political outlook, and Calhoun was forced, rather reluctantly, to follow the sentiments of his constituents and become their spokesman.

It was the Tariff of Abominations in 1828 which became the watershed of Calhoun's political career. By 1828 South Carolina no longer had any hopes of becoming an industrial state, and the economy had become rigidly tied to plantation agriculture. A tariff could only be seen as detrimental to Carolina's economy.

Prior to the passage of the tariff, Calhoun's political horizons seemed unlimited. He was Vice Presidential candidate with the immensely popular Andrew Jackson, and thought himself to be in line for the succession. His past positions on the tariff and internal improvements had made him popular in the North and had not yet worked against him in the South. The tariff crises forced him to take a stand for or against, and neither choice was palatable. Richard N. Current puts it succinctly when he writes, "Calhoun had to keep the State's support if he was to remain in politics. He needed Jackson's friendship and northern backing if he was to succeed Jackson as President. He could not do this if he joined the Carolina Revolutionaries. He could do still less if he defied them."⁵

Calhoun did indeed choose to remain in politics, and by so doing made a 180 degree turn on the major issues of the day. On the tariff he wrote, "The power itself is highly dangerous and may be perverted to purposes most unjust and oppressive."⁶

In 1837 he "admitted that when a young man and at the entrance upon political life, he had been inclined to that interpretation of the Constitution which favored a latitude of powers, but experience, observation, and reflection had wrought a great change in his views."⁷

So from 1828 until his death in 1850, Calhoun was to represent the minority interests of his state and section, and as so often happens to spokesmen of the minority, he was to advocate a limitation of federal power, rather than its expansion, as he had done when he spoke for the majority interests of the nation during his nationalist period.

Since political survival required Calhoun to defend the status quo of the South, he assumed his new political role with prodigious vigor, which perhaps can give us an inkling of the enormous personal commitment Calhoun gave to his political career, aside from his sincere convictions on the correctness of his ideas.

Prior to 1828, and before slavery became a major issue in the country, Calhoun did not speak in its defense. In fact he made the following remarks on the Constitution permitting the slave trade until 1808:

"It covers me with confusion to name it here . . . I feel ashamed of such a tolerance, and take a large part of the disgrace, as I represent a part of the Union by whose influence it might be supposed to have been introduced."⁸

Contrast this with his latter views, when it became politically advantageous for him to defend slavery:

"There has never yet existed a wealthy and civilized society in which one portion of the community did not, in point of fact, live on the labor of another."⁹

So unbending was his defense of slavery that Gerald Capers has commented that, "he defended it (slavery) without reservation as a positive good, adding the farfetched assertion that the bondage of the black man was the ideal base for the development of free institutions."¹⁰

Such vigorous defense of slavery is not at all surprising from a man who saw the expansion of slavery as the expansion of his political base, and its restriction, or the enlargement of the number of free soil states, as the reduction of his political power and a lessening of his political influence. Thus his political actions were geared to enlarge the Slaveocracy, such as his extra-constitutional measure as Secretary of State to have Texas annexed into the Union by joint resolution of both houses rather than by treaty, which requires a two-thirds vote of the Senate.

His opposition to the War with Mexico, apart from his conviction that Mexico was a non-belligerent in the conflict was also based on the fear that land won from Mexico would be admitted as free states.

Calhoun's uncompromising defense of his class and section sometimes led him to ideological inconsistencies, such as the Texas annexation, and the federal enforcement of the fugitive slave law. On this issue he wrote:

"But how stands the profession of devotion to the Union by our assailants, when brought to the test? Have they abstained from violating the Constitution? Let the many acts passed by the Northern States to set aside and annul the clause of the Constitution for the delivery up of fugitive slaves answer."¹¹

When Calhoun sought to nullify laws detrimental to his state, he used a state's rights doctrine to justify it, but when Northern States applied the same kind of nullification doctrine to the return of fugitive slaves, he invoked the Constitution in much the same manner as those advocating a high tariff interpreted the Constitution to allow them to do so.

In defending southern agrarianism and the slavery upon which it rested, it became necessary for Calhoun to make fundamental departures from some of the ideals upon which the United States was founded. These departures followed, and did not precede, Calhoun's pragmatic desire to unite the South and West against the industrial North; a unification which, if successful, could have resulted in Calhoun's ascendance to the Presidency.

The natural rights doctrine which declared all men to be free and equal was attacked by Calhoun in the following manner:

"There never was such a state as the so-called, state of nature, and never can be. It follows, that man, instead of being born in it, are born in the social and political state; and of course, instead of being born free and equal, are born subject to the laws and institutions of the country where born."¹²

Calhoun saw the institution of slavery as a positive good in large part because upon it his political power and career rested. He thus employed the rationale that freedom is a condition bestowed upon the individual as the result of the cultural achievements of thousands of years of political evolution by one's ancestors and one's race. He expressed this view in his *Disquisition on Government*, where he writes:

"Liberty when forced upon a people unfit for it, would instead of a blessing, be a curse; as it would in its reaction, lead directly to Anarchy,-the greatest of all curses. No people

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³ Ibid. p. 55.

Speech of February 4, 1817, *Papers I*, page 403.

⁵ Richard N. Current, *John C. Calhoun*, page 13.

⁶ Letter to brother in law, Summer of 1827.

⁷ *Congressional Debates*, XIII Part I, page 866.

⁸ *Works*, II, page 133.

⁹ *Ibid.*, page 631-32.

¹⁰ Gerald Capers, *J. C. Calhoun, Opportunist: A Reappraisal*, p. 224.

¹¹ "Speech on Henry Clay's compromise Resolutions." March 4, 1850.

¹² *Disquisition on Government*, page 66.

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indeed, can long enjoy more liberty than that which their situation and advanced intelligence and morals fairly entitle them."¹³

Slavery, being an inherently unfree institution, requires the suppression of other freedoms in order to maintain it. The pragmatic requirements on the part of Calhoun to defend slavery called upon him to advocate the suppression of abolitionist literature through the U. S. Mails, as well as the refusal of Congress to receive abolitionist petitions, even though the Constitution stipulates that the people have a right to petition their government for a redress of grievances. In light of this, his statement that "the bondage of the black man was the ideal base for the development of free institutions," must be seen as the result of a strong commitment to political pragmatism. Else how can a man so dedicated to logic be so illogical?

Calhoun was a man who forever desired to become President, but fate narrowed his base of support to the South, and so to that section, and the interests of its ruling class he was to remain loyal. He indulged in ideological inconsistency if it might serve the interests of the South and his political career. At the Memphis Convention of 1847, he advocated internal improvements to link southern and western trade and economic interest. Such a notion dismayed many of this admirers in the South who clearly saw such a program as a contradiction to the strict constructionist interpretation.

Calhoun used logic to support a conclusion already established in his mind, rather than to arrive at a conclusion. He used the power of his mind primarily to serve a political purpose, rather than to serve the interests of truth in the manner that we would hope most scholars would do. A prime example of this is his exposition on the nature of state sovereignty, where he declares:

"It is the supreme power of the State, and we might as well speak of half a square, or half a triangle, as half a sovereignty."¹⁴

In this he sees sovereignty as static and unchanging regardless of changing political circumstances. However sovereignty over the 13 colonies rested with the British Crown, and when they became independent, passed into 13 separate pieces. Furthermore, in regard to new states admitted to the Union, if at first they were not blessed with sovereignty, how could they have made their own constitution?

Another example of Calhoun's failure as a logician because his power of mind were circumscribed by narrow political interest, has been pointed out by Richard Current on Calhoun's nullification doctrine. Current states, "Each interest group is composed of other minorities. If Calhoun's veto

principle were carried to its logical conclusion, the minority within any group could nullify the decisions of the majority within that group . . . the result would be Anarchy."¹⁵

Although this may be a desirable goal for some, and may be good reason for having Calhoun's doctrine of nullification taught to future generations, it was hardly his intention to advocate Anarchy, which he regarded as the greatest of all curses.

In studying the thought of any great political figure in American history, it is more fruitful to evaluate his political philosophy with a skeptical eye; to ask the question "what political purpose and advantage could have been derived by this individual by espousing what he does"? To look into America's past in the hope of finding statesmen who rose above political pragmatism to serve a loftier ideal is often to search in vain. This is not to say that politicians never spoke or acted in such a way as to put a deeply held moral conviction before a pragmatic consideration, but that tends to be more the exception than the rule.

Calhoun has sometimes been regarded as the quintessence of principled statesmanship, and this outlook has been fostered by Calhoun's impeccable conduct of his personal life, and the honorable and honest way in which he conducted his personal finances. Also it was evident that Calhoun was sincere and convinced of his own political arguments, and may have been unaware to some degree how his convictions were shaped by his political ambition. But Calhoun must be seen in the main as a political opportunist, who through the power of his intellect also happened to be a political philosopher.

In contrasting the political figures of today, and those of ante-bellum America, the dissimilarities are not that the Calhouns and Websters were less opportunistic, but rather that they spoke up to, instead of down to, their constituents. They took it for granted that the public expected intelligence from their political leaders, and considered it their duty to perform on the highest level of intellectual discourse. In this respect we have much for which we can be nostalgic in the statesmanship of the past. In the words of one of his biographers, Calhoun was "A brilliant if narrow dialectician, probably the last American statesman to do any primary political thinking."¹⁶

I can only surmise that if Calhoun had chosen not to be a statesman, but had remained a planter and devoted his spare time to the writing of political philosophy, it would have substantially differed from the one by which history knows him.

—LF

¹³ *Ibid.*, page 63.

¹⁴ "Speech on the Force Bill." 1833.

¹⁵ Richard N. Current, *John C. Calhoun*, page 116.

¹⁶ Richard Hofstadter, *The American Political Tradition*, "John C. Calhoun. The Marx of the Master Class." page 69.

Libertarians on the Battlements

There used to be a set of jokes called "thinies" — that is, alleged books that would be very, very thin (such as "The Wit and Wisdom of Richard Nixon.") Unfortunately, we now have another thinnie: heroic, determined, or even merely decent libertarian defenses against the hysterical smears and calumnies against myself, the Cato Institute, and the libertarian movement in the June 8 issue of *National Review*. The August 3 issue of NR has letters by libertarians and alleged libertarians in reply to these smears. And what do they say? Most of them take the tack: "Me! Me! Why didn't the van den Haag article talk about me? I'm a libertarian and I'm not a Commie like Rothbard and the Cato Institute crowd." It was not the libertarian movement's finest hour.

Apart from the repellent narcissism and pusillanimity of the whole affair, there is a serious strategic lesson here. Any movement that is worth its salt, that is going to get anywhere, rallies around when one or more of its prominent members gets attacked and vilified by the enemy. A movement that scuttles and runs, a movement that knifes one another when under attack, is a movement that is doomed to lose.

There are, of course, a few honorable exceptions. In its wisdom, *National Review* chose not to publish a couple of embarrassing letters. One was Professor Earl Ravenal's defense against NR's calumnies. Another was Julie

Herbert's letter pointing out how van den Haag maliciously distorted a quote from an unpublished paper of mine on strategy so as to reverse the actual meaning, and to make it appear that I endorsed murder committed by Communists. For those interested in the correction of this loathsome misrepresentation, see the July 1979 issue of *The Alabama Libertarian*, an estimable newsletter edited by Julie Herbert. Address is P.O. Box 5549, University, AL 35486. Since van den Haag chose to discuss a paper that is unpublished, readers will not of course be able to check out the meaning for themselves.

As a kind of a comic counterpoint to the ignoble scuttle-and-run response of the movement, the august Central Committee of the Libertarian Party of Los Angeles County, meeting in solemn conclave, decided to order any LP functionaries within their reach to desist forevermore from referring to *anyone* as "Mister Libertarian," because such a designation might open up the LP to *ad hominem* attack. (Tsk! Tsk!) (This is a label that various kind folk have placed upon my brow in the last few years.) There was no hint in the Los Angeles resolution, of course, of *whom* they might possibly be talking about. And what about the title Ms. Libertarian, O base Angelenos? Are you revealing your blatant inner sexism? Don't you care if someone, under your nose, walks off with the Ms. Libertarian label?

—LF

'S Wonderful, 'S Marvelous

by Mr. First Nighter

Manhattan, dir. by and with Woody Allen

It is fittingly symbolic that I should be reviewing this superb film in the tenth anniversary issue of the **Lib. Forum**. My favorite movie critic, Andrew Sarris, says flatly that **Manhattan** is the greatest movie of the 1970's, and I agree. But more than that, as we shall see below: for, though no critic has noted it, Woody Allen is an embattled and devoted champion of the Old Culture, and I myself and the **Lib. Forum** have been weighing in on behalf of the Old Culture since the founding of the magazine.

First, and foremost, let me lay one myth to rest: the film is magnificently, marvelously funny. My fellow critics, most of whom scorn comedy anyway, have hastened to write, in their praise of **Manhattan**, that Woody has transcended "one-liners", that this movie — perish the thought — is **not** howlingly funny, that it simply draws appreciative smiles and maybe a few chuckles arising from the situation itself. Now it is true that this is a superbly **integrated** film: that humor, situation, and soundtrack all fit in wondrous ways. And it is true, specifically, that the humor arises from the situation. But there are dozens of simply hilarious one-liners; this is not only Allen's best film to date by far, it is also his funniest. Let us make no mistake about **that**.

In his previous films but one, **Annie Hall**, Allen, a veteran New Yorker, turned his satiric guns on contemporary Los Angeles culture, and raked it fore and aft. Phony Hollywood values, rock music, the fashionable snorting of cocaine, the excessive reliance on the automobile, all got their lumps. In **Manhattan**, while making clear in his witty narrative introduction and elsewhere that he remains committed to New York (as a paradigmatic New Yorker with "coiled sexual power"), Allen here turns upon New York culture itself, and blasts it with equal and far more telling satiric fervor.

Allen's **Manhattan** is the New York of its supposedly best and brightest, the upper-crust, literary, intellectual scene. It is the world of Madison Ave. art galleries, MOMA, and TV, with a few forays into West Side gourmet delicatessens like **Zabar's**. It is, by the same token, a world of aggressive pseudo-intellectuals, epitomized by Diane Keaton. One critic has perceptively written that the Keaton character in **Manhattan** is the Keaton of **Annie Hall**, psychoanalyzed out of her sweet shyness and become determined and aggressive, though surely no less screwed up. The first meeting of Allen and Keaton in **Manhattan** is simply hilarious; they run into each other at a fashionable art gallery, with Keaton on the arm of Allen's best friend, Michael Murphy. Looking for something polite to say, Allen says that he liked the photographs downstairs in the gallery. Keaton goes swiftly onto the attack: "I didn't like them; they're derivative of Diane Arbus." Then, as the three of them walk down the street, Keaton laughs with Murphy about their candidates for the "Academy of the Overrated" — and she rattles off a bunch of names of supposedly overrated culture heroes: F. Scott Fitzgerald, Mailer, and a host of others. Allen becomes indignant: "I like all of those people. How about Mozart? Why don't you include Mozart in your list?" Later, after going to a party of Keaton's fashionable but wierdo friends, Allen justly remarks: "they're all Fellini characters."

Avant-garde movies, too, come under Allen's fire. We can forgive Woody his aberrant admiration for Bergman, as he and Keaton leave a theater in the Village showing obscure Danish and Japanese art films. We can see Woody expostulating in pantomime, throwing his arms up in the air, with Keaton obviously trying to explain to him why the films were really good. Finally, Woody's voice appears petulantly on the soundtrack: "I like W. C. Fields. **That's** the kind of movies I like."

Allen's championing of the Old Culture is multi-faceted, on many levels. There is a blistering attack on television — TV culture being the epitome of contemporary values. He resigns his highly paid TV-writing job in an absolutely hilarious speech in the control room, denouncing his totally unmoved producers and directors. They had just begun a talk show, in which a woman was introduced by the host, "and here is Mary Ellen Smith, a catatonic." Allen protests that the TV producers only think this stuff is funny because "for thirty years the gamma rays have come out of the TV screens and destroyed the white cells in your brains." And

further, there is the addiction of his colleagues to currently fashionable drugs. "Dammit, this whole place (the control room) is like a medicine cabinet. You've been dropping 'ludes so much you think **anything** is funny."

On a deeper level, the inevitable focus on Allen's love life has matured. As one critic remarked, "Ten years ago, the Allen character was trying to get laid. Now he's looking for stable relationships." It is all too true that he is scarcely more successful in his current quest. But there is no question where he stands: as he tells his 17-year old girl friend, Mariel Hemingway, "I'm in favor of lifelong monogamy, like pigeons and Catholics." Even though she's portrayed as the best, or at least the purest and most innocent of her generation, the puzzled Miss Hemingway replies: "No, I'm in favor of serial monogamy."

Old and new cultures clash also in different styles of psychotherapy. Allen is dumfounded that Keaton refers to her shrink as "Donnie"; as Allen says, "unless I call my shrink Dr. Chomsky, he raps me on the knuckles with a ruler." While he offers no stirring defense of the good doctor, there is no doubt how Allen feels about the new, swinging, "humanist" therapists: "Your Donnie calls you up at 3 A.M. weeping." Donnie makes his final off-screen appearance when Keaton announces that her shrink can't help in her current crisis "because he's in a coma from a bad acid trip."

The mature Allen is emphatically and defiantly a romantic, and romanticism is at the heart of the Old Culture. Only a romantic seeks stable and even lifelong love, and only a romantic frankly moralizes in personal relationships. In a revealing as well as hilarious interchange, when Allen denounces Murphy for systematically lying to his wife and himself, Murphy cries out in the typical contemporary anguish of the anti-moral, "Who do you think you are, God?" To which Allen replies, "I have to have **someone** to model myself after."

And romantic to the hilt too, in the music — O such magnificent music! — that pours forth from the soundtrack throughout the film: the witty, sophisticated, heartbreaking songs of George Gershwin. Gershwin songs, like the songs of Porter and Rodgers and Hart, were the very essence of the Old Culture, the American scene of the 1920's and 30's and early 40's. By making the entire soundtrack a medley of Gershwin scores, Allen not only celebrates the romanticism, the elegance, the ideals and values of the Old Culture, he also celebrates the Old New York, the true, the vanished Manhattan, the Manhattan that, in its great skyline at the beginning and the end of the movie, rises above the dry rot in the city below. And, in doing this, Woody makes an implicit but trenchant denunciation of the junk, the alleged music that has polluted the pop scene since the 1950's. **This**, Allen seems to be saying, this, you turkeys, this is the real music, the **real** Manhattan.

The music is marvelously integrated with the plot, without losing the beauty of each individual song. In that hushed and stunning moment when Allen loses Keaton, the soundtrack breaks into the magnificent "But Not for Me", one of Gershwin's greatest songs. When he realizes, in a moment of great poignancy, and probably too late, that Mariel Hemingway is his true love, the soundtrack swells into the romantic "Rhapsody in Blue."

The emphasis on the clashing cultures in pop and jazz music is no accident. Every Monday night, Woody leads an excellent Dixieland jazz band on the clarinet at Michael's Pub in New York. Dixieland jazz, Gershwin, and the rest, all were integrated in the Old Culture: the best of the Old Culture were jazz singers and musicians playing the great popular songs of Gershwin and the other masters. Get a Lee Wiley record —

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LP Radical Caucus Formed

One of the healthiest and most inspiring developments in the Libertarian Party in a long time has been the formation and growth of its Radical Caucus. The Radical caucus, which will receive its permanent form at the September convention, is designed not to split the LP, but to unify the party around radical and hardcore libertarian programs. Founded and so far centered in San Francisco, the Radical Caucus is in the process of forming chapters throughout the country.

Founder of the Radical Caucus is San Francisco activist Justin Raimondo, an official of the Students for a Libertarian Society, who edits the exciting and professionally put together tabloid organ of the Caucus, the *Libertarian Vanguard*. The Vanguard is published nine times a year by the Radical Caucus. The *Libertarian Vanguard* can be subscribed to for \$7 a year, or \$4 for six months. Membership in the Radical Caucus is limited to members of the LP, and ranges from \$5 for six months or \$10 for a year up to \$100 for a Founding Member or \$10 per month for a "Sugar Daddy" member. Contributions are welcomed. Address all subscriptions, membership applications, or correspondence to: The LPRC, 199 Dolores St., No. 7, San Francisco, CA 94114.

Governing body of the LPRC is its Central Committee, which now consists of Raimondo; Robert Costello, executive director of the California

Libertarian Party; Eric Garris, an official of SLS and LP vice-chairman for Northern California; Jonnie Gilman, head of Gilman Graphics; Bill Evers, editor of *Inquiry Magazine*; free-lance economic writer Christopher Weber; and Murray N. Rothbard.

The Central Committee has agreed upon 10 Points as the basic set of principles which it will urge the Libertarian Party to adopt, maintain, and push forward. *The Statement of 10 Points* follows:

The Radical Caucus of the Libertarian Party is dedicated to building the Libertarian Party by emphasizing the following ten points:

1. *Principled Mass Party* — The Libertarian Party should be a mass-participation party operating in the electoral arena and elsewhere, devoted to consistent libertarian principle, and committed to liberty and justice for all.
2. *Resistance & the Oppressed* — The Libertarian Party should make a special effort to recruit members from groups most oppressed by the government so that the indignation of those who experience oppression is joined to that of those who oppose oppression in principle. The Libertarian Party should never approve of the initiation of force, nor should it rule out self-defense and resistance to tyranny.

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'S Wonderful — (Continued From Page 5)

preferably an original pressing — of this splendid and heartbreaking artist singing Rodgers and Hart or Gershwin, with a small jazz band behind her, and you will see what I mean. And mourn, as Woody does, for a lost world.

The great satirists, from Swift to Chesterton to Mencken — and now to Woody Allen — have always and necessarily been cultural conservatives and reactionaries. They look about them at a meretricious world, at phoniness, pretension, and corruption of values, and they mourn for a purer and more honest age of the past, and mourn even more for the grandeur that mankind could again achieve in the future, if only it had the will. But the satirist does not sit around moping; the satirist is a fighter, an Old Testament prophet thundering against the corrupt folly of the age. But mere thundering is not only tendentious but also boring, often to the prophet himself as well as his listeners. Besides, his task of overthrowing an entire culture cannot hope to be accomplished in sober or even bitter essays. By transmuted his rage and the sadness of nostalgia into the bracing and liberating joy of wit and laughter, the satirist not only liberates his own psyche: he can have momentous social effect, until — as in the height and the wonder of reading Swift or Mencken or in watching *Manhattan* — it almost seems that the walls of Jericho can indeed come a-tumblin' down, and that one lone man can change the culture. And in many ways he can and has.

But note that satire is never *avant-garde*, but rather a prophetic call to return to the truer values of the past; it is not revolutionary, but counter-revolutionary. For satire assumes that the folly of the age can be laughed at by calling up a common cultural stance that has previously lain buried among the public; by reading or watching or hearing the satire, the audience laughs because it experiences the shock of contrasting a current folly with the dimly remembered but now vividly recalled values of an earlier age.

The sweet, deeply moving, and very funny climactic scene in *Manhattan* embodies all of these concerns. Bereft of both his lady loves, depressed, Woody lies on his couch, dictating his novel (a book about a New York writer and his Jewish mother, entitled *The Castrating Zionist*). He is trying to figure out why life might be worth living. He has been dictating: "And so he thought of the things that make life worth living . . ." Woody stops. What is there? The screen is silent, as Woody wrestles with this vital question. Finally, the first words ". . . Groucho Marx." And then, slowly, other loves of Woody's: "the second movement of the Jupiter Symphony", scallops at a certain New York restaurant. Then finally, as he free associates, the things that make life worth living come

faster — a novel by Flaubert, Louis Armstrong, all, all Old Culture. And finally: Mariel Hemingway's face, the moment when he realizes whom he really loves, after which he leaps up and races through the streets of New York to her side, while "Rhapsody in Blue" fills the theater.

Romance, Old Culture, the use of laughter to make a cultural statement, all are here. Many critics have claimed that *Manhattan* is all bleak desolation, compared to the more optimistic charm of *Annie Hall*. I disagree. It is true that *Manhattan* is a far more profound picture, engaging in comprehensive cultural warfare across the board. But in *Annie Hall*, Woody ends up losing the girl irrevocably, first to Los Angeles and then totally; in *Manhattan*, the Allen character ends with at least a fighting chance. As Miss Hemingway tells him before flying to London for six months, "not all of us become corrupted." In a deep sense, here is the tag line for this decade's greatest film and for Woody's embattled view of our culture. **Not all of us become corrupted.** To insure us against such corruption, we now will always have with us, immortalized on film, this lovely *Manhattan*, this wondrous testament to what the mind of man can achieve. —LF

Sharing

A quiet family meeting
Became a noisy din
As elephants and donkeys
Debated hard to win

Ojectives sought and won
The parties changed their spots
As elephants and donkeys
Cast up their bargained lots

The White House has new tenants
But old politics remain
The elephants are donkeys
And donkeys play the game

Now those who wait their turn
For places high in state
Have sent most of our gold
To Swiss banks there to wait

— Agustin De Mello

Crime and Sacrifice

Walter Block

There is a wrinkle on crime theory which is worthy of some consideration. According to what can be labelled "The net sacrifice theory of crime," an act cannot legitimately be a crime unless the victim loses thereby. The definitional paradigm of the net sacrifice view is as follows: "A man buys a house next to a busy airport. If the house were located practically anywhere else, it is of such high quality that it would sell for \$100,000. As it is, with all the airport noise lowering its value, it sells for only \$5,000. As soon as the man moves in, however, although he knew full well of the accompanying noise (indeed, he was only able to purchase the house at such a low price *because* of the noise) he bitterly complains about it. 'The airport is violating my rights', he will say, as he tries to take them to court to make them stop. Yet, for all his complaining, he paid only \$5,000, and he gets his full \$5,000 worth. He is not forced to undergo a penny's worth of net sacrifice, other than the illusory kind that can be said of every situation: "Oh, if only things were different, then I would be better off." Of course he would be better off if the airport would stop the noise. But he paid only for a noisy house, not a quiet one. For that matter, he would certainly be better off if the airport management built him a free new garage next to his house. But if they refuse to make the gift, he is not forced to sacrifice anything, and the airport management is guilty of no crime.

I think this view of crime is fundamentally mistaken. I think that were it put into practice on a consistent basis, it would be incompatible with the free, peaceful, lawful and orderly society its advocates say they desire. In order to show this, we will consider two *reductio ad absurdum* cases exactly analogous to the airport case, but where all advocates of "law and order" will presumably be forced to admit that crime has taken place, even in the absence of "net sacrifice".

1. Let us consider a building housing a store in a high crime neighborhood where the chances of robbery, malicious mischief, mayhem, arson, murder and riots etc., abound. Now, the sale price of such a building

will have to reflect the higher costs of doing business there and the attendant personal disadvantages. Let us suppose that the building sells for \$5,000, even though, were it located in a safe area, it is of such quality that it would sell for \$100,000. When the new owner moves in, he is heard to complain loud and bitterly about the rampant crime, the lack of "respect for law and order". It is of course true that the store owner does not, on net balance, lose from this crime. This was figured in the low sale price of the store. But to say that the muggers, holdup men, and thieves that daily plunder the store keeper are not guilty of criminal activity, and therefore ought not to be stopped, is surely to contradict every basic tenet of law and order ever conceived!

2. Sometimes political activity is conceived in economic terms. The political parties are conceived as firms which undergo costs of electioneering—in order to make a sale (win the office at stake). (I shall later argue the wrongheadedness and positive evil of this conception; but for now, let us accept it for arguments' sake). Let us now consider the effect of the presence of a revolutionary group like the Black Panthers which hopes to "deny office" to whichever party wins the election. This will have much the same effect as the airport or the thieves The Black Panthers will lower the probability of enjoying the fruits of the election, or at least raise the cost of "doing business" (i.e., governing). This will make the prospect of winning the election less attractive than otherwise and lower its sale price (the political parties will expend less time, effort and money on the less attractive prize). Now for the paradoxical conclusion: the winner of the election will have no more right to complain of the Black Panther Party than did the homeowner near the airport or the storekeeper in the crime-ridden area. After all, we can say to him, "You knew full well of the existence of the BPP before the election. Indeed, it was *because* of their existence that you were able to "purchase" the election so cheaply." This of

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CAUCUS — (Continued From Page 6)

3. *Anti-State Coalition* — The Radical Caucus agrees to the view, adopted by the Libertarian Party at its 1974 Dallas convention, that for purposes of party programs and activities the issue of the ultimate legitimacy of government per se is not relevant. We oppose all efforts to exclude either anarchists or minimal statist from party life.
4. *Populism* — The Libertarian Party should trust in and rely on the people to welcome a program of liberty and justice. The Libertarian Party should always aim strategically at convincing the bulk of the people of the soundness of libertarian doctrine.
5. *No Compromise* — The Radical Caucus insists that all reforms advocated by the Libertarian Party must diminish governmental power and that no such reforms are to contradict the goal of a totally free society. Holding high our principles means avoiding completely the quagmire of self-imposed, obligatory gradualism: We must avoid the view that, in the name of fairness, abating suffering, or fulfilling expectations, we must temporize and stall on the road to liberty.
6. *Anti-Imperialism and Centrality of Foreign Policy* — Because the United States government aspires to world-wide control of events, foreign policy is always potentially the most important issue of our time. The Libertarian Party should bring to the public the truth about the U.S. government's major responsibility for the cold war and the continuing threat to world peace posed by U.S. foreign policy. No one should be deceived by the notion that any government, like the American, which has a relatively benign domestic policy, therefore has a relatively benign foreign policy. Our goal is to build an international revolutionary libertarian movement, and our task is to hold up the banner of liberty so that all the world's peoples and races can rally around it.
7. *Mutual Disarmament* — The Libertarian Party should support general, joint, and complete disarmament down to police levels. The Libertarian Party should be in the forefront of efforts to end policies that prepare for mass murder.
8. *Rights Are Primary* — The central commitment of the Libertarian Party

must be to individual liberty on the basis of rights and moral principle, and not on the basis of economic cost-benefit estimates.

9. *Power Elite Analysis* — American society is divided into a government-oppressed class and a government-privileged class and is ruled by a power elite. Libertarian Party strategy and pronouncements should reflect these facts.
10. *Land Reform* — Because of past land theft and original claims not based on homesteading, many landholdings in America are illegitimate. The Libertarian Party in cases of theft (for example, from the Native Americans and chicanos) should support restoration to the victims or their heirs and in cases of invalid claims should advocate reopening the land for homesteading.

As to the status of these points in the Party at this juncture, some points are now in force and need, in varying degree to be fought for and maintained. Party practice includes Point 1. The strategically vital Point 3 *detente* between the anarchists and minimal statist has been in force since 1974. Probably most of the party would back Point 4, but it needs to be consciously held. Point 5 has been adopted by the National Committee of the LP, but this of course does not mean that it had totally conquered the party. Opportunism, especially as we get stronger, is bound to rear its ugly head time and again. Point 7 has been in the platform for two years, but needs to be fought for to be retained. Most LPers are undoubtedly committed to Point 8. Point 10 is partially in the platform now.

The rest of the land reform-homesteading plank needs to be incorporated into the LP platform and policy. Point 2 greatly needs implementation. While the LP has pretty thoroughly adopted a non-interventionist foreign policy, it is a long way from adopting Point 6's emphasis on the major responsibility of the U.S. for the cold war, or the centrality of non-intervention and anti-imperialism as political issues for libertarians. Also, the LP is a long way from incorporating libertarian class analysis into its mode of thinking.

All in all, a pretty good showing for the LP, and this — along with the formation of the Radical Caucus — is good reason for optimism as we approach, at this writing, the mammoth convention in September.

CRIME — (Continued From Page 7)

course is nonsense. There is nothing as diametrically opposite to the "lawncorder" advocate's world view than a revolution by the BPP. But this example adheres fully to the logic of the net sacrifice theory of crime, i.e., that the BPP cannot be criminal because the elected official, like the storekeeper and the homeowner, is not a victim who loses anything.

The reason I think that the net sacrifice theory of punishment is even worthy of consideration in spite of its logical shortcomings, is because it is the only argument I have heard which even superficially counters that of Lysander Spooner in *No Treason: the Constitution of no Authority*. Consider the following dialogue which might take place between two economists, one conservative, one libertarian:

Conservative: Law and order is the most important thing. We cannot have people running around committing violence. The whole social fabric will decay. Tyranny and chaos will result.

Libertarian: Yes, yes, of course.

C: What, you agree?

L: Yes, but it must be stipulated that the State is the single most important violator of law and order, the one whose violations overshadow all others. Even overlooking the murders, kidnappings and enslavements perpetrated by the state in the names of war, the draft, and jailings, the narrowly economic crimes of tax theft, land grabs under eminent domain laws, and counterfeiting under the guise of the Federal Reserve System would reserve for the State the opprobrium of chief violator of law and order. Take eminent domain laws for example. I defy you to define them in a way other than which includes theft; for they both involve the involuntary transfer of wealth. The only difference is the superficial one that the state declares *its* theft to be "legal" and declares all other theft to be "illegal".

C: No. People buy their land with the full knowledge that it is subject to the eminent domain laws of the state. They can buy it at a cheaper price because it is subject to eminent domain laws. In other words, they are not really buying all the rights to the land. They are buying only those rights consistent with eminent domain laws. So when and if the state seizes a piece of property (at a price less than what the owner would have willingly sold it) there is no theft involved. The people did not have the full rights to the land to begin with. The same analysis can be applied to land taxes, and by extension, to all taxes. The people occupy the land, work at their jobs, and consume with the full understanding that all these activities are subject to taxes of various sorts. The market capitalizes this datum into all prices in such a way to reflect the onerousness of taxes.

Let us now apply the analysis used at the beginning of the paper in attacking the net sacrifice theory of crime, for it is this theory which underlies the conservative's argument. I hope we have there demonstrated that just because people acting in a market take into account the likelihood of violence being perpetrated upon their property, this does not prove the

violence to be in any way legitimate. An act of violence against private property is violent none the less in spite of its predictability, even in spite of the fact that the owner bought the property at a price reflecting the possibility of such violence in the future. Violation of private property rights is violation of private property rights. A is A. A is A even when it is the state that is violating private property rights. When a robber gang or a state (Is there a difference other than good public relations) swoops into a peaceful valley, seizes the property of the people, that is theft! It is theft even if they do it once a year, as regular as clockwork. It is theft even if their regularity can be predicted and the market values of the things they seize fall in consequence.

What does one buy when one buys a store in a crime-ridden area? Or some land subject to eminent domain? Or a house that is noise-polluted (assuming that the airport did not originally homestead the rights of noise disposal)? Unless there is a stipulation to the contrary in the contract, this was a *total sale* of the property in question. This means that if the perpetrators of violence are somehow removed, it is the *buyer* who benefits. He buys the *full* rights to the property including (and indeed, *mainly*) the right to enjoy it unmolested. The "right" of the thief to any value in the property, be his molestations ever so regular and predictable, is a contradiction in terms. And if after the sale is made the value of the property rises from \$5000 to \$100,000 upon the cessation of theft, the original owner has no right to any part of the \$95,000 increase in value. Any other conclusion allows some aura of legitimacy to the thief.

We are now able to see the wrongheadedness in the analogy that tries to show similarities between the economic and political spheres. We have seen the political to be the sphere of theft and plunder; we have seen the politicians to be the greatest violators of the law and order that supposedly protects the interests of the people what of the economic sphere? (When we talk of the economic sphere, we refer to laissez-faire capitalism, not liberal-corporate-monopoly-state capitalism, which is and can only be part of the political sphere). The paradigm of the economic sphere is voluntary, uncoerced trade, trade agreed upon by all parties concerned. The failure to distinguish between these two concepts is perhaps the strongest indictment of this argument in particular and of conservative political-economic theorizing in general.

One last point. The argument of the conservative plays havoc with another argument of times used to justify statist depredations: social contract theory. According to social contract theory, the people originally owned the land. They set up a state to better protect their private property rights in their land. The people came first; the state came second! The people then, did *not* buy their land subject to regular inundations of the state, as the conservative alleges. So the conservative must either give up the sacrifice theory of crime, or he must give up social contract theory. (For the most brilliant critique of social contract theory ever penned, see *NO TREASON* by Lysander Spooner.)

*The writer wishes to express a debt of gratitude to the following people for conversations on the above subject: Robert Baker, Gary Greenberg, Dr. Murray N. Rothbard, and Michael Shaw.

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