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Natural Law, Or The Science Of Justice

By Lysander Spooner

Lysander Spooner has many great distinctions in the history of political thought. For one thing, he was undoubtedly the only constitutional lawyer in history to evolve into an individualist anarchist; for another, he became steadily and inexorably more radical as he grew older. From the time that Benjamin R. Tucker founded the scintillating periodical, *Liberty*, in 1881, Spooner and Tucker were the two great theoreticians of the flourishing individualist anarchist movement, and this continued until Spooner's death in 1887, at the age of 79.

Spoooner and the younger Tucker differed on one crucial point, though on that point alone: Tucker was strictly and defiantly a utilitarian, whereas Spooner grounded his belief in liberty on a philosophy of natural rights and natural law. Unfortunately, Spooner's death left Tucker as the major influence on the movement, which quickly adopted the utilitarian creed while Spooner's natural rights-anarchism faded into the background. The present-day followers of Spooner and Tucker, in the United States and England, have also forgotten the fundamental natural-rights grounding in Spooner and have rested on the far more shaky and tenuous Tuckerian base of egoistic utilitarianism.

Lysander Spooner published *Natural Law, or the Science of Justice* as a pamphlet in 1882; the publisher was A. Williams & Co. of Boston. The pamphlet had considerable influence among American and European anarchists of the day, and was reprinted in three editions in the three years following publication. Spooner meant the pamphlet to be the introduction to a comprehensive masterwork on the natural law of liberty, and it is a great tragedy of the history of political thought that Spooner never lived to complete the projected treatise. But what we have retains enduring value from the fact that, of all the host of Lockean natural rights theorists, Lysander Spooner was the only one to push the theory to its logical — and infinitely radical — conclusion: individualist anarchism.

Those who are interested in delving further into Spooner's exhilarating writings will be greatly rewarded by reading his *No Treason* and his *Letter to Thomas F. Bayard*, published together under the title *No Treason* by the Pine Tree Press, Box 158, Larkspur, Colorado, and available for \$1.50.

The following is the complete and unabridged pamphlet by Spooner; his characteristic subtitle to the pamphlet was: *A Treatise on Natural Law, Natural Justice, Natural Rights, Natural Liberty, and Natural Society; Showing That All Legislation Whatsoever is an Absurdity, a Usurpation, and a Crime*. Spooner also appended another characteristic note that: "The Author reserves his copyright in this pamphlet, believing that, on principles of natural law, authors and inventors have a right of perpetual property in their ideas."

The Science Of Justice

I.

The science of mine and thine — the science of justice — is the science of all human rights; of all a man's rights of person and property; of all his rights to life, liberty, and the pursuit of happiness.

It is the science which alone can tell any man what he can, and cannot, do; what he can, and cannot have; what he can, and cannot, say, without infringing the rights of any other person.

It is the science of peace; and the only science of peace; since it is the science which alone can tell us on what conditions mankind can live in peace, or ought to live in peace, with each other.

These conditions are simply these: viz., first, that each man shall do, towards every other, all that justice requires him to do; as, for example, that he shall pay his debts, that he shall return borrowed or stolen property to its owner, and that he shall make reparation for any injury he may have done to the person or property of another.

The second condition is, that each man shall abstain from doing to another, anything which justice forbids him to do; as, for example, that he shall abstain from committing theft, robbery, arson, murder, or any other crime against the person or property of another.

So long as these conditions are fulfilled, men are at peace, and ought to remain at peace, with each other. But when either of these conditions is violated, men are at war. And they must necessarily remain at war until justice is re-established.

Through all time, so far as history informs us, wherever mankind have attempted to live in peace with each other, both the natural instincts, and the collective wisdom of the human race, have acknowledged and prescribed, as an indispensable condition, obedience to this one only universal obligation: viz., that each should live honestly towards every other.

The ancient maxim makes the sum of a man's legal duty to his fellow men to be simply this: "To live honestly, to hurt no one, to give to every one his due."

This entire maxim is really expressed in the single words, to live honestly; since to live honestly is to hurt no one, and give to every one his due.

II.

Man, no doubt, owes many other moral duties to his fellow men; such as to feed the hungry, clothe the naked, shelter the homeless, care for the

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sick, protect the defenseless, assist the weak, and enlighten the ignorant. But these are simply moral duties, of which each man must be his own judge, in each particular case, as to whether, and how, and how far, he can, or will, perform them. But of his legal duty — that is, of his duty to live honestly towards his fellow men — his fellow men not only may judge, but, for their own protection, must judge. And, if need be, they may rightfully compel him to perform it. They may do this, acting singly, or in concert. They may do it on the instant, as the necessity arises, or deliberately and systematically, if they prefer to do so, and the exigency will admit of it.

III.

Although it is the right of anybody and everybody — of any one man, or set of men, no less than another — to repel injustice, and compel justice, for themselves, and for all who may be wronged, yet to avoid the errors that are liable to result from haste and passion, and that everybody, who desires it, may rest secure in the assurance of protection, without a resort to force, it is evidently desirable that men should associate, so far as they freely and voluntarily can do so; for the maintenance of justice among themselves, and for mutual protection against other wrongdoers. It is also in the highest degree desirable that they should agree upon some plan or system of judicial proceedings, which, in the trial of causes, should secure caution, deliberation, thorough investigation, and, as far as possible, freedom from every influence but the simple desire to do justice.

Yet such associations can be rightful and desirable only in so far as they are purely voluntary. No man can rightfully be coerced into joining one, or supporting one, against his will. His own interest, his own judgement, and his own conscience alone must determine whether he will join this association, or that; or whether he will join any. If he chooses to depend, for the protection of his own rights, solely upon himself, and upon such voluntary assistance as other persons may freely offer to him when the necessity for it arises, he has a perfect right to do so. And this course would be a reasonably safe one for him to follow, so long as he himself should manifest the ordinary readiness of mankind, in like cases, to go to the assistance and defense of injured persons; and should also himself "live honestly, hurt no one, and give to every one his due." For such a man is reasonably sure of always having friends and defenders enough in case of need, whether he shall have joined any association, or not.

Certainly no man can rightfully be required to join, or support, an association whose protection he does not desire. Nor can any man be reasonably or rightfully expected to join, or support, any association whose plans, or method of proceeding, he does not approve, as likely to accomplish its professed purpose of maintaining justice, and at the same time itself avoid doing injustice. To join, or support, one that would, in his opinion, be inefficient, would be absurd. To join or support one that, in his opinion, would itself do injustice, would be criminal. He must, therefore, be left at the same liberty to join, or not to join, an association for this purpose, as for any other, according as his own interest, discretion, or conscience shall dictate.

An association for mutual protection against injustice is like an association for mutual protection against fire or shipwreck. And there is no more right or reason in compelling any man to join or support one of these associations, against his will, his judgment, or his conscience, than there is in compelling him to join or support any other, whose benefits (if it offer any) he does not want, or whose purposes or methods he does not approve.

IV.

No objection can be made to these voluntary associations upon the ground that they would lack that knowledge of justice, as a science, which would be necessary to enable them to maintain justice, and themselves avoid doing injustice. Honesty, justice, natural law, is usually a very plain and simple matter, easily understood by common minds. Those who desire to know what it is, in any particular case, seldom have to go far to find it. It is true, it must be learned, like any other science. But it is also true that it is very easily learned. Although as illimitable in its applications as the infinite relations and dealings of men with each other,

it is, nevertheless, made up of a few simple elementary principles, of the truth and justice of which every ordinary mind has an almost intuitive perception. And almost all men have the same perceptions of what constitutes justice, or of what justice requires, when they understand alike the facts from which their inferences are to be drawn.

Men living in contact with each other, and having intercourse together, cannot avoid learning natural law, to a very great extent, even if they would. The dealing of men with men, their separate possessions and their individual wants, and the disposition of every man to demand, and insist upon, whatever he believes to be his due, and to resent and resist all invasions of what he believes to be his rights, are continually forcing upon their minds the questions, Is this act just? or is it unjust? Is this thing mine? or is it his? And these are questions of natural law; questions which, in regard to the great mass of cases, are answered alike by the human mind everywhere.*

Children learn the fundamental principles of natural law at a very early age. Thus they very early understand that one child must not, without just cause, strike, or otherwise hurt, another; that one child must not assume any arbitrary control or domination over another; that one child must not, either by force, deceit, or stealth, obtain possession of anything that belongs to another; that if one child commits any of these wrongs against another, it is not only the right of the injured child to resist, and, if need be, punish the wrongdoer, and compel him to make reparation, but that it is also the right, and the moral duty, of all other children, and all other persons, to assist the injured party in defending his rights, and redressing his wrongs. These are fundamental principles of natural law, which govern the most important transactions of man with man. Yet children learn them earlier than they learn that three and three are six, or five and five ten. Their childish plays, even, could not be carried on without a constant regard to them; and it is equally impossible for persons of any age to live together in peace on any other conditions.

It would be no extravagance to say that, in most cases, if not in all, mankind at large, young and old, learn this natural law long before they have learned the meanings of the words by which we describe it. In truth, it would be impossible to make them understand the real meanings of the words, if they did not first understand the nature of the thing itself. To make them understand the meanings of the words justice and injustice, before knowing the nature of the things themselves, would be to make them understand the meanings of the words heat and cold, wet and dry, light and darkness, white and black, one and two, before knowing the nature of the things themselves. Men necessarily must know sentiments and ideas, no less than material things, before they can know the meanings of the words by which we describe them.

V.

If justice be not a natural principle, it is no principle at all. If it be not a natural principle, there is no such thing as justice. If it be not a natural principle, all that men have ever said or written about it, from time immemorial, has been said and written about that which had no existence. If it be not a natural principle, all the appeals for justice that have ever been heard, and all the struggles for justice that have ever been witnessed, have been appeals and struggles for a mere fantasy, a vagary of the imagination, and not for a reality.

If justice be not a natural principle, then there is no such thing as injustice; and all the crimes of which the world has been the scene, have been no crimes at all; but only simple events, like the falling of the rain, or the setting of the sun; events of which the victims had no more reason to complain than they had to complain of the running of the streams, or the growth of vegetation.

* Sir William Jones, an English judge in India, and one of the most learned judges that ever lived, learned in Asiatic as well as European law, says: "It is pleasing to remark the similarity, or rather, the identity, of those conclusions which pure, unbiassed reason, in all ages and nations, seldom fails to draw, in such juridical inquiries as are not fettered and immanacled by positive institutions." — *Jones on Bailments*, 133

He means here to say that, when no law has been made in violation of justice, judicial tribunals, "in all ages and nations," have "seldom" failed to agree as to what justice is.

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If justice be not a natural principle, governments (so-called) have no more right or reason to take cognizance of it, or to pretend or profess to take cognizance of it, than they have to take cognizance, or to pretend or profess to take cognizance, of any other nonentity; and all their professions of establishing justice, or of maintaining justice, or of regarding justice, are simply the mere gibberish of fools, or the frauds of imposters.

But if justice be a natural principle, then it is necessarily an immutable one; and can no more be changed — by any power inferior to that which established it — than can the law of gravitation, the laws of light, the principles of mathematics, or any other natural law or principle whatever; and all attempts or assumptions, on the part of any man or body of men — whether calling themselves governments, or by any other name — to set up their own commands, wills, pleasure, or discretion, in the place of justice, as a rule of conduct for any human being, are as much an absurdity, an usurpation, and a tyranny, as would be their attempts to set up their own commands, wills, pleasure, or discretion in place of any and all the physical, mental, and moral laws of the universe.

VI.

If there be any such principle as justice, it is, of necessity, a natural principle; and, as such, it is a matter of science, to be learned and applied like any other science. And to talk of either adding to, or taking from, it, by legislation, is just as false, absurd, and ridiculous as it would be to talk of adding to, or taking from, mathematics, chemistry, or any other science, by legislation.

VII.

If there be in nature such a principle as justice, nothing can be added to, or taken from, its supreme authority by all the legislation of which the entire human race united are capable. And all the attempts of the human race, or of any portion of it, to add to, or take from, the supreme authority of justice, in any case whatever, is of no more obligation upon any single human being than is the idle wind.

VIII.

If there be such a principle as justice, or natural law, it is the principle, or law, that tells us what rights were given to every human being at his birth; what rights are, therefore, inherent in him as a human being, necessarily remain with him during life; and, however capable of being trampled upon, are incapable of being blotted out, extinguished, annihilated, or separated or eliminated from his nature as a human being, or deprived of their inherent authority or obligation.

On the other hand, if there be no such principle as justice, or natural law, then every human being came into the world utterly destitute of rights; and coming into the world destitute of rights, he must necessarily forever remain so. For if no one brings any rights with him into the world, clearly no one can ever have any rights of his own, or give any to another. And the consequence would be that mankind could never have any rights; and for them to talk of any such things as their rights, would be to talk of things that never had, never will have, and never can have existence.

IX.

If there be such a natural principle as justice, it is necessarily the highest, and consequently the only and universal, law for all those matters to which it is naturally applicable. And, of consequently, all human legislation is simply and always an assumption of authority and dominion, where no right of authority or dominion exists: It is, therefore, simply and always an intrusion, an absurdity, an usurpation, and a crime.

On the other hand, if there be no such natural principle as justice, there can be no such thing as injustice. If there be no such natural principle as honesty, there can be no such thing as dishonesty; and no possible act of either force or fraud, committed by one man against the person or property of another, can be said to be unjust or dishonest; or be complained of, or prohibited, or punished as such. In short, if there be no such principle as justice, there can be no such acts as crimes; and all the professions of governments, so called, that they exist, either in whole or in part, for the punishment or prevention of crimes, are professions that

they exist for the punishment or prevention of what never existed, nor ever can exist. Such professions are therefore confessions that, so far as crimes are concerned, governments have no occasion to exist; that there is nothing for them to do, and that there is nothing that they can do. They are confessions that the governments exist for the punishment and prevention of acts that are, in their nature, simple impossibilities.

X.

If there be in nature such a principle as justice, such a principle as honesty, such principles as we describe by the words mine and thine, such principles as men's natural rights of person and property, then we have an immutable and universal law; a law that we can learn, as we learn any other science; a law that is paramount to, and excludes, every thing that conflicts with it; a law that tells us what is just and what is unjust, what is honest and what is dishonest, what things are mine and what things are thine, what are my rights of person and property and what are your rights of person and property, and where is the boundary between each and all of my rights of person and property. And this law is the paramount law, and the same law, over all the world, at all times, and for all peoples: and will be the same paramount and only law, at all times, and for all peoples, so long as man shall live upon the earth.

But if, on the other hand, there be in nature no such principle as justice, no such principle as honesty, no such principle as men's natural rights of person and property, then all such words as justice and injustice, honesty and dishonesty, all such words as mine and thine, all words that signify that one thing is one man's property and that another thing is another man's property, all words that are used to describe men's natural rights of person or property, all such words as are used to describe injuries and crimes, should be struck out of all human languages as having no meanings; and it should be declared, at once and forever, that the greatest force and the greatest frauds, for the time being, are the supreme and only laws for governing the relations of men with each other; and that, from henceforth, all persons and combinations of persons — those that call themselves governments, as well as all others — are to be left free to practice upon each other all the force, and all the fraud, of which they are capable.

XI.

If there be no such science as justice, there can be no science of government; and all the rapacity and violence, by which, in all ages and nations, a few confederated villains have obtained the mastery over the rest of mankind, reduced them to poverty and slavery, and established what they called governments to keep them in subjection, have been as legitimate examples of government as any that the world is ever to see.

XII.

If there be in nature such a principle as justice, it is necessarily the only political principle there ever was, or ever will be. All the other so-called political principles, which men are in the habit of inventing, are not principles at all. They are either the mere conceits of simpletons, who imagine they have discovered something better than truth, and justice, and universal law; or they are mere devices and pretenses, to which selfish and knavish men resort as means to get fame, and power, and money.

XIII.

If there be, in nature, no such principle as justice, there is no moral standard, and never can be any moral standard, by which any controversy whatever, between two or more human beings, can be settled in a manner to be obligatory upon either; and the inevitable doom of the human race must consequently be to be forever at war; forever striving to plunder, enslave, and murder each other; with no instrumentalities but fraud and force to end the conflict.

XIV.

If there be no such obligation as justice, there can certainly be no other moral obligation — truth, mercy, nor any other — resting upon mankind. To deny the obligation of justice is, therefore, to deny the existence of any moral obligation whatever among men, in their relations to each other.

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XV.

If there be no such principle as justice, the world is a mere abyss of moral darkness; with no sun, no light, no rule of duty, to guide men in their conduct towards each other. In short, if there be, in nature, no such principle as justice, man has no moral nature; and, consequently, can have no moral duty whatever.

Natural Law Contrasted With Legislation

I.

Natural law, natural justice, being a principle that is naturally applicable and adequate to the rightful settlement of every possible controversy that can arise among men; being, too, the only standard by which any controversy whatever, between man and man, can be rightfully settled; being a principle whose protection every man demands for himself, whether he is willing to accord it to others, or not; being also an immutable principle, one that is always and everywhere the same, in all ages and nations; being self-evidently necessary in all times and places; being so entirely impartial and equitable towards all; so indispensable to the peace of mankind everywhere; so vital to the safety and welfare of every human being; being, too, so easily learned, so generally known, and so easily maintained by such voluntary associations as all honest men can readily and rightfully form for that purpose — being such a principle as this, these questions arise, viz.: Why is it that it does not universally, or well nigh universally, prevail? Why is it that it has not, ages ago, been established throughout the world as the one only law that any man, or all men, could rightfully be compelled to obey? Why is it that any human being ever conceived that anything so self-evidently superfluous, false, absurd, and atrocious as all legislation necessarily must be, could be of any use to mankind, or have any place in human affairs?

II.

The answer is, that through all historic times, wherever any people have advanced beyond the savage state, and have learned to increase their means of subsistence by the cultivation of the soil, a greater or less number of them have associated and organized themselves as robbers, to plunder and enslave all others, who had either accumulated any property that could be seized, or had shown, by their labor, that they could be made to contribute to the support or pleasure of those who should enslave them.

These bands of robbers, small in number at first, have increased their power by uniting with each other, inventing warlike weapons, disciplining themselves, and perfecting their organizations as military forces, and dividing their plunder (including their captives) among themselves, either in such proportions as have been previously agreed on, or in such as their leaders (always desirous to increase the number of their followers) should prescribe.

The success of these bands of robbers was an easy thing, for the reason that those whom they plundered and enslaved were comparatively defenseless; being scattered thinly over the country; engaged wholly in trying, by rude implements and heavy labor, to extort a subsistence from the soil; having no weapons of war, other than sticks and stones; having no military discipline or organization, and no means of concentrating their forces, or acting in concert, when suddenly attacked. Under these circumstances, the only alternative left them for saving even their lives, or the lives of their families, was to yield up not only the crops they had gathered, and the lands they had cultivated, but themselves and their families also as slaves.

Thenceforth their fate was, as slaves, to cultivate for others the lands they had before cultivated for themselves. Being driven constantly to their labor, wealth slowly increased; but all went into the hands of their tyrants.

These tyrants, living solely on plunder, and on the labor of their slaves, and applying all their energies to the seizure of still more plunder, and the enslavement of still other defenseless persons; increasing, too, their numbers, perfecting their organizations, and multiplying their weapons of war, they extend their conquests until, in order to hold what they have already got, it becomes necessary for them to act systematically, and co-

operate with each other in holding their slaves in subjection.

But all this they can do only by establishing what they call a government, and making what they call laws.

All the great governments of the world — those now existing, as well as those that have passed away — have been of this character. They have been mere bands of robbers, who have associated for purposes of plunder, conquest, and the enslavement of their fellow men. And their laws, as they have called them, have been only such agreements as they have found it necessary to enter into, in order to maintain their organizations, and act together in plundering and enslaving others, and in securing to each his agreed share of the spoils.

All these laws have had no more real obligation than have the agreements which brigands, bandits, and pirates find it necessary to enter into with each other, for the more successful accomplishment of their crimes, and the more peaceable division of their spoils.

Thus substantially all the legislation of the world has had its origin in the desires of one class of persons to plunder and enslave others, and hold them as property.

III.

In process of time, the robber, or slave-holding, class — who had seized all the lands, and held all the means of creating wealth — began to discover that the easiest mode of managing their slaves, and making them profitable, was not for each slaveholder to hold his specified number of slaves, as he had done before, and as he would hold so many cattle, but to give them so much liberty as would throw upon themselves (the slaves) the responsibility of their own subsistence, and yet compel them to sell their labor to the land-holding class — their former owners — for just what the latter might choose to give them.

Of course, these liberated slaves, as some have erroneously called them, having no lands, or other property, and no means of obtaining an independent subsistence, had no alternative — to save themselves from starvation — but to sell their labor to the landholders, in exchange only for the coarsest necessities of life; not always for so much even as that.

These liberated slaves, as they were called, were now scarcely less slaves than they were before. Their means of subsistence were perhaps even more precarious than when each had his own owner, who had an interest to preserve his life. They were liable, at the caprice or interest of the land-holders, to be thrown out of home, employment, and the opportunity of even earning a subsistence by their labor. They were, therefore, in large numbers, driven to the necessity of begging, stealing, or starving; and became, of course, dangerous to the property and quiet of their late masters.

The consequence was, that these late owners found it necessary, for their own safety and the safety of their property, to organize themselves more perfectly as a government, and make laws for keeping these dangerous people in subjection: that is, laws fixing the prices at which they should be compelled to labor, and also prescribing fearful punishments, even death itself, for such thefts and trespasses as they were driven to commit, as their only means of saving themselves from starvation.

These laws have continued in force for hundreds, and, in some countries, for thousands of years; and are in force today, in greater or less severity, in nearly all the countries on the globe.

The purpose and effect of these laws have been to maintain, in the hands of the robber, or slave-holding class, a monopoly of all lands, and, as far as possible, of all other means of creating wealth; and thus to keep the great body of laborers in such a state of poverty and dependence, as would compel them to sell their labor to their tyrants for the lowest prices at which life could be sustained.

The result of all this is, that the little wealth there is in the world is all in the hands of a few — that is, in the hands of the law-making, slave-holding class; who are now as much slave-holders in spirit as they ever were, but who accomplish their purposes by means of the laws they make for keeping the laborers in subjection and dependence, instead of each one's owning his individual slaves as so many chattels.

Thus the whole business of legislation, which has now grown to such gigantic proportions, had its origin in the conspiracies, which have always existed among the few, for the purpose of holding the many in subjection, and extorting from them their labor, and all the profits of their labor.

And the real motives and spirit which lie at the foundation of all

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Only One Heartbeat Away

As the Watergate revelations poured out in the last years, our esteemed publisher, Joe Peden, began to say, in some awe: "all the most flagrant 'paranoia' of the New Left turns out to be correct analysis!" Of course, he could have substituted or added the Birchers for the New Left. "Paranoia" lives! and after the Pentagon Papers and the Watergate revelations the fashionable sneering at the "conspiracy theory of history" will never sit quite so smugly again. The "conspiracy theory of history" — which is really only praxeology applied to human history, in assuming that men have motives on which they act — has never looked so good or so rational.

Being away in Europe at the time of the amazing, cataclysmic appointment of Nelson Rockefeller to the Vice-Presidency, I did not have a chance to observe the reactions of American opinion. But as far as I know, no one has pointed to the most important aspect of the appointment: that it provides a remarkable empirical confirmation of the leading "conspiracy thesis" about the Watergate Affair: the Oglesby-Sale, "Cowboy vs. Yankee" hypothesis. The appointment of the man who embodies the Big Business Corporate State, the living representative of the corporate statism that has grown like a cancer since the Progressive Period in America (after about 1900), to be the heir apparent, and a heartbeat away from the most powerful post in the world, is enough to give any American, let alone any libertarian, the heebie-jeebies. The accession of Nelson Rockefeller to total power would mean the final fusion of the most colossal aggregation of political and economic power that the world has ever seen. And the only groups that have warned us of this coming event have been the major groups totally outside the American power structure: the extreme left and the "extreme", or Birchite, right, who in their different yet complementary ways have been writing unheeded about the menace of the "Rockefeller World Empire" and its drive for total dominion.

When Nelson Rockefeller first appeared on the electoral scene in his

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legislation — notwithstanding all the pretenses and disguises by which they attempt to hide themselves — are the same today as they always have been. The whole purpose of this legislation is simply to keep one class of men in subordination and servitude to another.

IV.

What, then, is legislation? It is an assumption by one man, or body of men, of absolute, irresponsible dominion over all other men whom they can subject to their power. It is the assumption by one man, or body of men, of a right to subject all other men to their will and their service. It is the assumption by one man, or body of men, of a right to abolish outright all the natural rights, all the natural liberty of all other men; to make all other men their slaves; to arbitrarily dictate to all other men what they may, and may not, do; what they may, and may not, have; what they may, and may not, be. It is, in short, the assumption of a right to banish the principle of human rights, the principle of justice itself, from off the earth, and set up their own personal will, pleasure, and interest in its place. All this, and nothing less, is involved in the very idea that there can be any such thing as human legislation that is obligatory upon those upon whom it is imposed. □

successful race for the New York governorship in 1958, Frank S. Meyer, the valiant leader of the quasi-libertarian wing of the *National Review* clique, denounced Rockefeller as "Caesar Augustus", the destroyer of the American Republic. The feeble and perfunctory opposition that NR has put up to Rockefeller now (combined with its kept Conservative Party's endorsement of Rocky's stooge Malcolm Wilson) only indicates how far *National Review* has gone in its urge to join the ruling Establishment. In addition to Meyer, there emerged also an eccentric (to use a charitable term) eye doctor in New York named Dr. Emanuel M. Josephson, a conspiracy theorist to end all conspiracy theories, a "paranoid" among the paranoids. But while the good doctor's historiographic methodology left a great deal to be desired (e.g. his idea that the Rockefellers run world Communism, plus many other aberrations), he was and probably still is the world's outstanding "Rockefeller-batter", an enthusiastic collector of any and all facts about the Rockefeller family. At any rate, Josephson sprang into action, declaring that the Rockefellers felt so secure of their political control of the country that they were now ready to reach for open (in contrast to their previously hidden) political power, in the shape of Nelson as President. Not only that: six years earlier, in 1952, Dr. Josephson had written, in his magnum opus, *Rockefeller "Internationalist": The Man Who Misrules the World*, the following paragraph, which now seems remarkably prophetic:

"The pattern of his activities indicates that it is the objective of the Rockefellers to place Nelson Rockefeller in the White House by some means, whether direct, indirect or cataclysmic. Direct election as President is now possible with the sham 'philanthropic', 'benevolent' and 'public-spirited' build up he has had; but it is improbable. More probable would be his nomination as Vice-Presidential candidate on one of their 'bipartisan' or 'omnipartisan' tickets at the side of a Presidential candidate whom they know to be tottering at the edge of the grave, or who could be disposed of by some other of the methods of purging that have become so commonplace during the New and Fair Deals." (p. 49)

Before proceeding to the Nelson appointment and its background, a brief but vitally important sketch is in order of what I believe to be a sound "conspiracy" analysis of the essence of twentieth century political and politico-economic history. By the late nineteenth century, the Democratic Party was largely in the control of the Morgan financial empire, and of its financial and industrial allies. Augustus Belmont, a Morgan ally, was the secretary of the national Democratic Party for decades, and an analysis of the Cleveland Administrations (the only Democratic regimes from the Civil War to Woodrow Wilson) shows Morgan partners and lawyers dominant in the key Cabinet positions. By the latter years of the century, on the other hand, the Republican Party became more loosely under the control of the Rockefellers, through Rockefeller domination of the Ohio Republican Party (old John D.'s original home and economic base was in Cleveland). Note that Ohio Republicans formed every Republican Administration since and including Benjamin Harrison (e.g. William McKinley, William Howard Taft, and Warren G. Harding). While both the Morgans and the Rockefellers used their political power for subsidies and contracts, and for imperial expansion abroad, the roughly laissez-faire system meant that the evil effects on the country and the economy of these power plays

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One Heartbeat Away —

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were relatively limited. Then, around 1900, the Big Business interests, especially those grouped around Morgan, having failed dismally to achieve monopolies in each industry on the free market, decided to change the American system into a corporate state, into a neo-mercantilist Big Government which would cartelize the economy for their benefit. While Rockefeller did not fight this trend, the Morgans were far more assiduous in pushing the new system and the new theory.

The delicate political balance of power was broken with the assassination of Rockefeller's man William McKinley, for, as a gesture to appease the Morgans, who had fought the McKinley nomination, the Republicans had chosen the young Morgan man, Theodore Roosevelt, for the seemingly harmless post of Vice-President. (The Morgans were forced to shift, at least temporarily, to the Republicans because of the capture of the Democratic machinery by the leftish populist William Jennings Bryan). As soon as Teddy Roosevelt became President by the accident of (Yes, another!) "lone nut", he began to wield the Sherman Anti-Trust Act, which had been a literal dead letter until then, as a political club. The club was used savagely to batter — guess who? — the Rockefellers, leading to the coerced dissolution of the Standard Oil combine by the federal government. It was at this point, Dr. Josephson speculates — probably correctly — that old John D. decided to beat his enemies at their own game, to become even more statist than they, to use every political and public relations weapon at his and his allies' command. Roosevelt's successor, William Howard Taft, an Ohio — and therefore Rockefeller — Republican, also wielded the anti-trust weapon, to try to dissolve some other "bad" trusts. And what were these trusts? Again, you guessed it: key flagships in the Morgan empire: U. S. Steel, and International Harvester. The war of the titans was on, masked as high devotion to the anti-trust ideal.

In retaliation for the Taft-Rockefeller policies, the Morgans and their numerous allies engineered the creation of the Progressive Party, which nominated Teddy Roosevelt for President for the successful purpose of destroying Taft. The Progressives, who not coincidentally had as their national chairman Morgan partner George W. Perkins, also served the ancillary goal of ideologically fostering the proto-New Deal system of the corporate state in America. The breaking of Taft swept into office Woodrow Wilson, who was also an ally of the Morgans, and who served to institute corporate state and Big Government policies in America, in both domestic institutions and in an interventionist and globalist foreign policy. By this time, the Morgans were losing ground in the competitive financial race to Kuhn-Loeb and the Jewish investment banking firms; but the Morgans were able to recoup by pushing the Wilson Administration into war with Germany, a war necessary to the Morgans because the latter were the financial agents of the British and French governments, and had loaned heavily to Britain and France. Furthermore, the Morgans and their allies were heavily invested in the American export industries which received a great shot in the arm from Allied purchases and government war contracts. Among big businessmen, only Rockefeller was hostile to the American entry into the war.

During the interwar years, with both financial groups converted to statism, the Morgans, still heavily invested in Britain and France, began to drive toward American war with Germany, which, with its bilateral economic agreements, remained stubbornly outside the Morgan financial ambit. On the other hand, the Rockefellers, with financial ties to I. G. Farben in Germany, were isolationists in Europe, with top Rockefeller ideologist (we'll see why a bit later) John Foster Dulles — later the chief spokesman for pietistic global war — writing a realistic book, *War, Peace, and Change*, calling for peaceful revision of the Versailles Treaty to meet legitimate German territorial demands in Europe. On the other hand, the Rockefellers, with heavy investments and financial ties with China, were pushing for war with Japan, while the European-centered Morgans were in favor of peaceful coexistence in Asia (thus, virtually the only high State Department official opposing war with Japan was Ambassador to Japan, Joseph C. Grew, a Morgan partner.)

World War II, which ended any sort of neo-populist phase the New Deal may have had, and cemented the corporatist Big Business alliance with the Welfare-Warfare State, may be considered to be a deal between the

Rockefellers and Morgans, with both getting a piece of the pie: the Morgans their war in Europe, and the Rockefellers their war in Asia.

Since World War II, American political history can no longer be analyzed in terms of a stark Morgan-Rockefeller conflict; instead, with of course shifting marginal influence, both groups have settled down into a happy joint "Eastern Establishment" rule over the United States, an "East" which more and more has included Chicago and the Old Middle West. In domestic affairs, this meant running an increasingly mighty Leviathan Corporate State; in foreign affairs, it meant global imperialism and the waging of counter-revolution and the Cold War throughout the globe. The final victory of this Eastern team was the literal stealing of the 1952 Republican nomination from Senator Taft (no longer a Rockefeller ally), by means of savage Wall St. banker pressure on the delegates who had been committed to the isolationist Taft.

One stark example of Rockefeller influence on American politics — particularly in the higher administrative positions — was the makeup of the Eisenhower Administration. The powerful Secretary of State and virtual maker of foreign policy was John Foster Dulles. Who was Dulles? A partner, in the first place, of the Rockefeller Wall St. law firm of Sullivan and Cromwell; but, in addition to that, and a little known fact, Dulles was married to Janet Pomeroy Avery, first cousin of John D. Rockefeller, Jr. Thomas E. Dewey's political mentor was Rockefeller kinsman, Winthrop W. Aldrich, head of the extremely powerful Chase National Bank (its successor, Chase Manhattan, is now of course openly headed by David Rockefeller.) Head of the extraordinarily powerful and secret CIA was Dulles' brother Allen, and their sister Eleanor was at the Asian desk of the State Department. To top it all off, Under Secretary of State was Christian Herter, whose wife was a member of the Pratt family, which has been intimately associated with the Rockefellers since old John D. got his start a century ago.

Even the New York Times cottoned to the egregious nature of Nelson's claim that his personal stockholdings give him no major control over large corporations. First, we must realize that the Rockefeller Family votes and acts together through their family corporation; when we add Nelson's, David's, Laurence's, and John's holdings, plus their family trusts, plus the enormous stock held by the numerous Rockefeller Foundations, plus their extremely powerful Chase Manhattan Bank, with its loans, holdings, and trust department, plus their long-time allied families (the Pratts, Flaglers, Whitneys, Bedfords, et al), plus their looser allies, plus the fact that working control of modern corporations does not need 51% of the stock, we get an idea of the enormous Rockefeller power. From a free-market point of view, of course, there is nothing wrong with economic "power" per se; but when we realize the intimate connection between the Rockefellers and the corporate State of the U. S. government, our view changes. This is not free market money but intimate government-business partnership and control. (For the most recent scholarly study of current Rockefeller financial control, see James C. Knowles, "The Rockefeller Financial Group," in R. Andreano, ed., *Superconcentration Supercorporation* (Andover, Mass.: Warner Modular Publications, 1973).

This brings us to the great Nixon Caper. One of the glories of the market is that, even when greatly hobbled, competition and new wealth can break through. During the 1960's, a loosely allied variety of new wealth and new industrial firms arose to challenge the dominance of the old Rockefeller-Morgan Eastern Establishment. The new money was centered in such new industries as plastics, computers, and electronics, defense firms such as aircraft, in real estate, and in Texas oil (hide-bound Standard Oil, originally centered in Cleveland and western Pennsylvania oilfields, had been slow to realize the potential of the newly discovered Texas and Oklahoma oil fields.) Geographically, the new wealth was centered in what Kirkpatrick Sale has called "the Southern Rim": Texas, southern California, and Florida. Much of this new wealth was Texas-centered, and the political rise of Lyndon Johnson and John Connally was both fostered by and encouraged the economic rise of the new wealth.

Carl Oglesby's happy term for the two new conflicting groups was the "Yankees" and the "Cowboys". The fact of old vs. new wealth also engendered a difference in ideology, attitudes, and lifestyles between the two groups. The Eastern Establishment—Yankees, entrenched for generations, was and is aristocratic, smooth, cosmopolitan, well-educated, and highly sophisticated: able to mask their power and

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The Non-Dismal Science

By Leonard P. Liggio

Percy L. Greaves, Jr., UNDERSTANDING THE DOLLAR CRISIS, with a foreword by Ludwig von Mises, Boston, Western Islands, 1973, 302 pp., \$7.00.

Gottfried Haberler, ECONOMIC GROWTH & STABILITY, Los Angeles, Nash Publishing, 1974 (Principles of Freedom Series), 291 pp. \$10.00.

"Economics is not a dry subject. It is not a dismal subject. It is not about statistics. It is about human life. It is about the ideas that motivate human beings. It is about how men act from birth to death. It is about the most important and interesting drama of all — human action." Thus, Percy Greaves launched his very readable book concerned with explaining to the general reader economics in general and monetary matters in particular. The book is based on the lectures which Greaves presented to the Centro de Estudios sobre la Libertad in Buenos Aires at

the invitation of Alberto Benegas Lynch. Greaves' experience as an economic author began as a financial editor for the United States News. During World War II he was Research Director of the Republican National Committee until he resigned over the party's shift to support for Federal aid to education, public housing, etc. During 1945-46 he was Chief of the Minority (Republican) Staff of the Joint Congressional Committee on the Investigation of the Pearl Harbor Attack, and in 1947 was a congressional expert in drafting the Taft-Hartley Law. For the past quarter century, Greaves has been a noted economic columnist and lecturer (Freedom School and Foundation for Economic Education), and Armstrong Professor of Economics at the University of Plano in association with Professor von Mises.

The first part of the work, concerned with general economics, presents a clear analysis of the misunderstanding of value by the classical economists, and the rectification by the Austrian School. Greaves' fine

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Only One Heartbeat Away

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government loot behind a facade of intellectual apologetics, set forth by kept intellectuals, experts, and university professors. Being less hungry and more far-sighted, furthermore, the Yankees are typically willing to allow more dissent, civil liberties, and adherence to democratic forms, so long as their power remains essentially undamaged. The Southern Rim "Cowboys", on the other hand, symbolized again by Johnson and Connally, take on the typical characteristics of the *nouveau riche*: hungrier, less sophisticated, more immediately grasping, and more willing to scuttle civil liberties in their thirst for power.

After Yankee Jack Kennedy was deposed by a "lone nut", Cowboy Johnson was catapulted to power. What of the Nixon Administration? While Nixon himself was personally Cowboy (Southern California), his administration was clearly a Cowboy-Yankee coalition, with foreign policy wrapped up by the Rockefeller's (Henry Kissinger was for years Nelson Rockefeller's personal foreign policy adviser.) Economic policy was also basically Rockefeller, Arthur Burns having long been in the Dewey-Rockefeller ambit, and George Shultz being a member of the Pratt family (his middle name is Pratt). But the rest of the Administration was Cowboy, a designation that clearly applies to the West Coast and USC White House power boys, as well as Connally, and to Bebe Rebozo (Florida and Cuba: how Southern Rimmy can one get?)

The interesting focal question about the great media revelations on Watergate is: how come the powerful Establishment press (the New York Times, Washington Post, CBS, NBC) suddenly got honest? How come, that after years of supinely accepting federal government press handouts, they suddenly became demon investigative reporters in the great old, but forgotten, tradition? The point is not that the press was wrong and Nixon victimized about Watergate, but that how come the press suddenly got right? A conspiracy analysis provides the only plausible explanation: namely, that the press expose was the spearhead of a massive Eastern Establishment-Yankee counterrevolution to smash the Nixonite cowboys: almost all of whom are now banished, under indictment, or in jail. Why the Yankees concluded that they must take such drastic measures, even unto impeachment, is not completely clear: part of it was certainly the naked grab for power, the burgling and the espionage, on the part of the Nixon Cowboys. But another part centers on the still mysterious role of the CIA, which was strongly if muddily concerned with Watergate. The catalyst seems to have been Nixon's

appointment of James Schlesinger to head the CIA, after which Schlesinger began to purge the "Old Guard" of the CIA, which had always been thoroughly Yankee-Eastern Establishment. It is certainly possible that James McCord, who finally blew the whistle on the plot, was a double agent of his beloved Yankee-controlled CIA, in bringing down Nixon and his Plumbers.

At any rate, we come down to the great empirical test of the Yankee-Cowboy conspiracy analysis of the Watergate Struggle: if true, if the fight over Watergate was a massive counter-revolution engineered by the Rockefeller-Morgan Yankees, then who would be appointed Vice-President by the cipher Jerry Ford (who himself was a political disciple of Yankee-controlled Arthur Vandenberg?) If the conspiracy thesis were correct, then either Yankee Brahmin Eliot Richardson, or, even more blatantly, Nelson himself, would be appointed. And the rest is history. With Rockefeller receiving general hosannahs as heir-apparent, with Donald Rumsfeld now in and Kissinger still around, the Yankees have now taken over completely. Dr. Josephson's seemingly paranoid analysis of twenty-two years ago has virtually come true; the man who could not have been nominated, let alone elected, on his own, is only a heartbeat away from total power, and is the front-runner for 1976.

As a corollary of this mammoth fusion of political and economic power, it is not surprising that Nelson Rockefeller, as much as Scoop Jackson, is Mr. State: in every policy field, Rockefeller opts for statism and Big Government. High taxes, high government spending, fiat paper over gold, jail for drug addicts, compulsory racial integration, military-industrial complex. Cold War and global intervention, you name it, Nelson Rockefeller is in the forefront of the drive for Leviathan State power. The monstrous choice of Nelson Rockefeller, and the confirming of the conspiracy thesis, does not of course mean that we libertarians should retract our hosannahs over the bringing down of the corrupt and tyrannical Nixon gang. No group of men have more richly deserved such a fate. But the State of course rolls on, albeit under rather different management. The Yankees may be smoother and more civil libertarian, but they are in the long run more dangerous, and this especially applies to Nelson. Now that we have used the once rusty impeachment weapon so successfully, let us keep it revved up and at the ready. Boy are we going to need it. □

The Non-Dismal Science —

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summary of the position of mathematics in economics deserves quotation:

Mathematics in the field of economics is always statistics, and statistics are always history. Mathematics cannot and does not enter into measuring the ideas or values that determine human action. There are no constants in these. There is no equality in market transactions. Therefore, mathematics does not apply. The use of mathematics requires constants. Mathematics cannot be used in economic theory.

He notes a debate between Walter Heller and Milton Friedman which was described as "a readable exchange between two of the nation's best-known economists who take contrasting views of government's role in managing the national economy." (Emphasis added by Greaves.) A fine critique is presented of the fallacies of Friedman's monetary thought. As Greaves notes, Friedman is a good economist in areas such as labor economics, or foreign aid, but unfortunately he does not stick to matters that he understands, but dabbles in monetary theory. One may judge the correctness of one's monetary theory by the distance of the economist from the President's ear.

Basing himself on Boehm Bawerk and Mises, Greaves undertakes a thorough historical analysis of modern American monetary problems. He calls to mind the anti-inflation writings of Pelatiah Webster (1726-1795). The center of his attention is the monetary and banking policies of the 1910's and 1920's, and the special relationship of the New York Federal Reserve Bank and the Bank of England. Of special importance was Churchill's 1925 blunder of overvaluing the English pound; it ranks along side his 1940 foreign policy as the Alpha and Omega of England's total decline. Greaves details the role of foreign policy and war as the steps used by the New Deal to escape the consequences of its economic programs. War production and Lend-Lease to the Allies was financed by increases in the money supply (\$46.5 billion at the end of 1938, \$64.5 billion at the end of 1941). Greaves also shows the very important relationship between inflation of the money supply after World War II and the Marshall Plan and foreign aid programs; this analysis is must reading.

Especially good is Greaves' discussion of the "Effect of Wage Rate Intervention," and his critique of publicly financed education.

Anyone who understands the benefits of competition must hold that the system that is best for producing what people

Correction

The article, "About Quotas," in our August issue, was written by Professor William R. Havender of the Genetics Department, University of California, Berkeley. We apologize to our readers and to Dr. Havender for inadvertently omitting his name from the article.

want most through the market forces is also the best system for producing the best education.

The most valuable part of Gottfried Haberler's book is the current analysis of the energy crisis, and the correct, market mechanisms for dealing with the energy crisis. His treatment of that topic alone makes the book worth reading. But, his discussion of business cycle, inflation, and the international monetary situation are valuable for the general reader and expert alike. He devotes much attention to the conflicts over monetary policies, for example, creeping inflation:

On these questions the line-up of different economists is curiously mixed. Some laissez-faire liberals like Milton Friedman and good Keynesians like Paul Samuelson and Robert Solow take a relaxed view of creeping inflation while others, such as F. A. Hayek and some adherents of the "New Economics" (in the 1967 controversy over the tax increase) take it much more seriously. . . . I made it clear earlier that I do not question that creeping inflation per se is by far a lesser evil than severe depressions. But this does not tell us how high the cost of creeping inflation actually is. Is it possible that creeping inflation, if allowed to continue for a long time, brings with it some delayed dangers? Furthermore, it is necessary to pay any price at all in the form of inflation for the kind of growth we had during the postwar period? In other words, is growth without inflation altogether impossible?

Haberler offers in his discussions of each major topic the Keynesian and non-Keynesian explanations for the developments. His postscripts ending many chapters concern the immediate events of the crises of the winter of 1973-74, and underscore the earlier controversies on policies. □

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