

A Monthly Newsletter

THE

# Libertarian Forum

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## WHOOPEE!!

Away with all the solemn and hypocritical nonsense about the "anguish", the infinite "sadness", the terrible "tragedy" of this great event. Let joy be unconfined; let jubilation reign. We have brought down the Monster Milhous; never again will we have to watch his repellent visage or listen to his pious blather. We have brought down the tyrant, and dusted off the ancient and honorable weapon of impeachment, fallen almost into disuse, to check the spectre of unconfined Executive dictatorship.

Who would have thought it? Who would have thought that our country was still so unfrozen, still with so many options available, that Justice could so swiftly bring into the dock all the highest reaches of the White House, from the Vice President, two Attorneys-General, all of the President's top aides, his personal lawyer, his two most powerful assistants, and even unto Him in the dread Oval Office itself? Who could have thought, when Agnew resigned in guilty disgrace not many months ago, that those of us who said, wistfully, "One down, and one to go", would turn out to be right? Wow!!

Watergate was not simply "chicken thief" stuff, to use the disparaging Buckley phrase (and shouldn't chicken thieves also be prosecuted to the full extent of the law?) With the admitted adoption of the monstrous Huston plan, of which the famous "plumbers" were only a spinoff, we came closer than ever before to a full-fledged police state. Much too close for comfort. The Huston plan for systematic bugging, wiretapping, and espionage upon critics of the Administration, was too much even for J. Edgar Hoover, and no record of its alleged "rescinding" has ever been found.

There are some minor, but still heartwarming corollaries to the fall of the Big Tyrant. No more will we have to suffer the lies of Ronald Ziegler, who, one hopes, will return to the Disneyland from whence he came. And no more will we have to suffer the hogwash of Nixon's two favorite clerics: the egregious Rabbi Korff, who will presumably sink back into the obscurity from which he was plucked; and his kept Jesuit, Father McLaughlin (is he still intoning somewhere the claim that Nixon is "the greatest man of this third of the twentieth century"? — will his order do the right thing and put him on bread and water for a few years of penance?

It is important to resist the prevailing motif that we must have "compassion" for the man, that he has "suffered enough" by losing his job, that "forgiveness" is noble, etc. This idea violates the very essence of the Christian concept of forgiveness. That concept rests ineluctably on genuine repentance, on full confession of moral wrongdoing, and on throwing oneself on the mercy of one's previous victims. Milhous has confessed nothing, repented nothing. A vague and unspecified reference to a few "errors of judgment" means nothing, especially when self-righteously coupled with the unctuous claim that even they were all committed "in the national interest."

The idea that he has "suffered enough" by losing his job is also sheer hogwash. Since when do criminals, in America or anywhere else, suffer

only loss of employment? What are prisons for? Why should thousands of criminals go to jail and Milhous go scot free? Are we to send to jail only unemployed criminals, while everyone else gets off with loss of status and employment? Also, the point of the impeachment and attendant proceedings is that no man, from the king to the pauper, can be above the law; by granting immunity to Nixon we absolve the President and only the President from paying for his crimes. And when did Nixon show compassion for any criminal, except for the mass murderer Calley? How about his stern stand against all amnesty for "draft dodgers", men whose only "crime" was to defend their liberty against the long arm of the State? For the arch-criminal Nixon there must be no special immunity, and no amnesty.

The final line of defense of the Nixon loyalists was that all politicians, all Presidents, do similar misdeeds. Why pick on Nixon? But that sort of defense of criminality is it to say that "everybody's doing it?" Even if true, the proper response is not to condone and do nothing about the whole mess, but to begin somewhere, to begin to clean the Augean stables wherever one can. And what better place to begin than with Richard Nixon? Hopefully, we can never return to the naive innocence about the Presidency and about government of the pre-Watergate era; once the Pandora's Box of true knowledge about the workings of government and of the Executive branch has been opened it can never be closed again. And once the dread unknown weapon of impeachment has been used, and we have not all been struck dead by lightning, we will all be far more ready to turn to the impeachment process again. All future successors of President Nixon are now eternally on notice; they will never rest easy again, secure in the belief that once the November elections are over they can get away with anything they like. Even a President, henceforth, can feel the strong arm of Justice. □

## Kennedy Marriage Revisionism

If, among the primal passions of Man, the Achilles Heel of Richard Nixon has been Money and Knowledge (of other people: tapes, bugging, breaking-in to psychiatrists' offices), then surely the Achilles Heel of the Kennedy clan has been that ole debbil Sex. There is of course Chappaquiddick, and now veteran columnist Earl Wilson has detailed the torrid affairs of both Jack and Bobby Kennedy with Marilyn Monroe. It is intriguing that, among all the host of Camelotomanes, no one has disputed the accuracy of the Wilson account, which has either been studiously ignored or accused of "bad taste". (As if politicians themselves are not bad taste!) That Jack had a plethora of extra-marital

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# Libertarian Advance

As nearly every libertarian knows, the current libertarian movement was created in two great breakthroughs: the split from YAF in September 1969, and the media publicity of early 1971. Our antennae here at the Forum sense that the movement is now going through a third Great Leap Forward, a great advance in libertarianism and libertarian influence. The signs are everywhere: in the growing influence, for example, of libertarian ideas in the media, among investment advisers (a beleaguered group nowadays!), politicians, graduate students, and the general public. Libertarian publications are expanding in readership and influence. Thus, the monthly *Reason*, the leading general magazine in the field, has expanded to a phenomenal circulation of over 12,000.

Everywhere there is ferment. The current generation of YAF is — once again — bubbling with libertarian ideas; and the recent national convention of YAF in San Francisco crackled with libertarian enthusiasm. California YAF is reportedly led by libertarians, and the libertarian "hospitality suite" at the San Francisco convention was the major center of interest, as outside libertarian experts worked hard to push delegates and observers toward liberty. Libertarians in out of the California LP are working furiously on State Senator H. F. "Bill" Richardson, the Republican nominee for the U. S. Senate, to widen his libertarian perspective from narrowly economic to civil libertarian

concerns. In Los Angeles, the Libertarian Alternative has gained wide interest and respect from the media in its task of answering statist editorials on radio and TV.

But perhaps the most spectacular growth in the movement lies in two distinct directions: in the solid expansion of the Libertarian Party, and in the enormous and rapid growth in free-market, or "Austrian" economics.

The battle within the Libertarian Party, detailed in these pages, is now over, with the result a smashing victory for the forces of soundness and sanity in the party. We can all now rejoice and go forward with high hopes. At the national convention in Dallas in June, the sound, pure, and responsible ticket headed by the bright and able young investment counselor Edward H. Crane III, won a shattering victory over the disruptive Royce-Konkin coalition. Crane triumphed over Royce by a smashing 4-1 majority. With the excellent slate of Ed Crane and Andrea Millen in firm control of the national party, we can expect great things from the national party, which will now have its headquarters in San Francisco. The stage is now set for energetic expansion of the party with no compromise of principle. Furthermore, reliable reports have it that the national platform is greatly improved from its 1972 concessions to the

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## Kennedy Marriage —

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affairs while in the White House is now generally conceded. But amidst this spate of Kennedy Revisionism — which includes Richard J. Walton's excellent reminders of Kennedy's bellicose foreign policy which almost got us into the Last Nuclear War — one question, a sensation of the moment, has not yet been reevaluated: what we might call the First Kennedy Marriage Caper.

To understand the impact, we must hark back to the days of Camelot, when the media was having a universal and unrestricted love affair with the Kennedy Administration. JFK was the shining prince, leading us toward the New Frontier. It was in the midst of this atmosphere during 1961, that a friend of mine who was high up in conservative circles first told me about a fascinating entry in an obscure book published a few years earlier, "The Blauvelt Family Genealogy." The entry in this family genealogy on one Durie Malcolm referred to Durie's "third marriage" to "John F. Kennedy, son of Joseph P. Kennedy, one time Ambassador to England." If true, this was indeed a bombshell, as it would have made the Jack-Jackie marriage illegal according to Catholic doctrine.

Paul Krassner published the item in his iconclastic magazine *The Realist*, for March 1962. Kennedy Administration pressure kept the item out of the news media until the fall, when publication in Europe broke the voluntary censorship logjam in the American press. Durie Malcolm, admittedly a former girl friend of Kennedy, denied all and refused to see the press. The White House issued a curt denial, the compiler of the book, Louis Blauvelt, was dead, and the alleged supplier of the item, one Howard Durie, denied the whole thing. For lack of further confirmation, the story died down.

Now, however, Ron Rosenbaum, an intrepid "politician Revisionist" for the *Village Voice*, has revived the tale (July 4). What intrigued Rosenbaum was a cryptic passage between John Dean and Nixon in a Feb. 28 conversation on the famous Nixon transcripts. The passage was as follows:

"P. Did your friends tell you what Bobby did . . . Bobby was a (characterization deleted.) But the FBI does blatantly tell you that — or Sullivan told you about the New Jersey thing. He did use a bug up there for intelligence work (inaudible).

D. Intelligence workers all over the property."


There then follows some cryptic references to the FBI trying to talk a

doctor into asserting that some "poor old gent" had a brain tumor.

Rosenbaum was intrigued by the "New Jersey thing" and mentioned it in a *Voice* story in late May. In response to the note, Rosenbaum was put into contact with an employee for a federal law enforcement agency, who claimed that he knew who the "old gentleman in New Jersey" was. Since he insisted on remaining anonymous, and in honor of the famous Bernstein-Woodward top informant on Watergate known as "Deep Throat", Rosenbaum dubbed the informant, "Strep Throat." Strep Throat claimed that "They went bananas over that thing at the White House. He hit the tree like this was an Ellsberg thing. He just put the FBI right onto that thing."

Strep Throat went on to claim that the "old gent" in question was Howard Ira Durie, of Hillsdale, New Jersey, the alleged supplier of the Durie Malcolm marriage item. According to Strep Throat, the FBI put "a full court press" on Howard Durie, including a 24-hour surveillance, and seized all the records in the Durie home. Strep Throat asserted that when he himself called Durie at the time, Durie told him that "I can't talk, I can't talk, I've already discussed the matter with the FBI." Strep Throat added that "I've never heard a man so scared in my life." Rosenbaum adds, however, that his informant had no information on the "brain tumor" part of the story.

On doing further checking, Rosenbaum found that some of the Blauvelt family were convinced of the truth of the Durie Malcolm item. A *New York Times* story during the 1962 flurry reported that "an aide of the President" had gone up to the home of Louis Blauvelt's son-in-law in New Jersey where the Blauvelt genealogical files were stored, and that he had found no supporting evidence in the Durie Malcolm file. But a Blauvelt from Saddle River, New Jersey, told Rosenbaum that incriminating evidence was removed from the file, because the genealogical card for the Malcolm file mentioned material that was missing from the files themselves, and also mentioned that the material had been supplied by Howard Durie. A call from Rosenbaum to Durie himself drew fervent denials of any further or supporting evidence on the marriage story. However, while Durie denied any visits from the FBI, he did assert that the FBI had gone through the files of Blauvelt's son-in-law, Mr. Smith, and that Smith "had been bothered by the FBI." A call to Smith, however, elicited the response that the FBI had never bothered him, or gone through the files, and Smith also hotly denied the existence of any missing information.

There, so far, the story rests. Not a saga of vital importance, but an intriguing bit of Americana. As Rosenbaum concludes, "secret wedding or no secret wedding, something funny seems to have been going on between the Kennedys and the Blauvelts (and, he might add, the FBI) back in 1962." 

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State, with all references to "the proper function of government is . . ." at last expunged, and the platform confined to stating what the government should not be doing.

In California, Hal Jindrach, LP member running for the non-partisan post of State Superintendent of Instruction, gained the phenomenal total of 200,000 votes in the election. Now it is true that our California friends caution us that the votes are not meaningful, that Mickey Mouse would have gotten a similar number of votes just for being on the ballot. Still and all, it cannot be gainsaid that Jindrach, with virtually no money at his command, ran a pure race, calling for the absolute separation of education from the State, including abolition of compulsory attendance laws and of the public school system. And with this number of votes amassed, can't we realistically estimate that a bang-up Presidential campaign in 1976 could pile up 1 million votes?

Central to our goal of 1 million LP votes in '76 is getting on the permanent ballot in New York State. To achieve that goal, the New York gubernatorial candidate this year must earn 50,000 votes. 50,000 votes will make the FLP the fifth major party in New York State, and earn us major-party status and influence comparable to the Liberal and Conservative parties. 50,000 votes will make an enormous impact on the media, and let us never forget that New York City is the media capital of the world. If we achieve major party status in New York, the media will come a-courting and the influence of libertarian ideas in the country as a whole will expand beyond our wildest dreams.

Hence the central importance of our old friends and Forum contributor Jerry Tuccille's campaign for governor of New York. Jerry is devoting all of his considerable energies and talents to the campaign. Furthermore, Jerry is too bright and realistic to mouth the usual campaign nonsense that he expects to win this year; what he is aiming for and expects to achieve this year is 50,000 votes. To help Jerry in this effort, New York libertarians have mounted a campaign of superb skill and professionalism, comprising men and women of great talent in media, publicity, and campaigning. Laura Wertheimer, a young conservative-libertarian professional campaign manager who has served in F. Clifton White's notable campaigns, has taken on the task of being Jerry's campaign manager, and is doing so with great professional skill. The enormously talented multi-media people of Ad Lib Communications, headed by John Doswell, are running the advertising and publicity of the Tuccille campaign. Ad Lib's multi-media show on behalf of the Tuccille race was the undoubted and spectacular hit of the Dallas LP convention. The enthusiasm is high. Already, Roger MacBride, the libertarian Virginia lawyer who cast his electoral vote in 1972 for the Hospers-Nathan ticket, flew Tuccille in his private plane all over New York State, gaining widespread media coverage throughout the state, and sparking FLP and Tuccille campaign organization everywhere en route.

The able Tuccille strategists estimate that getting 50,000 votes for governor requires the raising of \$165,000 in campaign contributions. To aid in this effort, Roger MacBride and myself have mailed a joint letter to libertarians throughout the country asking for contributions and explaining the unique importance of the Tuccille effort. It is important that we all set aside grouching and nit-picking to aid in this mighty effort, an effort which can succeed. Send your contributions to The Committee for 50,000 Votes, Suite 918, 225 West 34th St., New York, N. Y. 10001.

The Tuccille campaign will stress the appeal of libertarianism to the great middle class of this country, crippled and hag-ridden as they are by taxes, inflation, and government spending; Tuccille will also hammer away at rule by "idiocracy", the idiocracy of countless schemes of government spending. Thus, a recent Tuccille handbill reads:

Free Libertarian Party

A message they can't ignore

I'm fed up with seeing the taxpayer's hard-earned dollars go to politicians who splurge it on headline-grabbing projects and countless welfare schemes.

Only the Free Libertarian Party is dedicated to reducing

the size and budget of government, and 50,000 votes for me will put our party on the New York State ballot permanently.

If I can get 50,000 votes in November, they'll listen. 50,000 votes can't be ignored.

The Tuccille and other FLP campaigns are drawing considerable support from conservatives who are fed up with the Establishment power plays of the Conservative Party. New York YAF has invited Tuccille to address its convention, and Mary Jo Wanzer, running for Assembly on the FLP ticket, has received Conservative Party endorsement, with no watering down of her devotion to personal liberty.

The 50,000 vote goal is realistically grounded in the 9,000 votes that Fran Youngstein received in her race for Mayor of New York City last year. The Youngstein campaign organization has now published a beautifully mounted Yearbook of the campaign, including articles by Youngstein, Rothbard, Tuccille, Dave Nolan, Gary Greenberg and others, and replete with press clips and pictures of Fran. Available for only \$3.50 from Ad Lib Communications, Hotel Empire, Bway. & 63rd, N. Y., N. Y.

Meanwhile, we can add another country to our list of organized libertarians. The fledgling Australian movement is now meeting to form a Libertarian Party in Australia. Good luck to Liberty in the Antipodes!

The other especially heartening development in the world of libertarianism is the extremely rapid growth of free-market, or "Austrian", economics. Even though Austrianism has had to make its way painfully without a single graduate department to nurture and train young Austrians, and with zero, if not negative, prestige in the profession, the number of serious and able young Austrian professors and graduate students is multiplying by leaps and bounds. No doubt the total inability of the other, more orthodox (or even heterodox) schools of economic thought to explain or offer any solutions for the increasingly runaway inflation or for the inflationary recession has had a great deal to do with the increasing interest in the Austrians.

Business Week, August 3, has an excellent, and not really unfavorable article on the Austrian revival, entitled: "The Austrian School's Advice: 'Hands Off!'" Subtitle of the article is "Government interference as the source of all economic ills". The article includes pictures of three leading "Austrians": Profs. Israel Kirzner of New York University, Walter Grinder of Rutgers, and the Lib. Forum editor.

Business Week also mentions a Symposium on Austrian Economics that was held at Royalton College, Vermont, at the end of June. The week-long conference, sponsored by the Institute for Humane Studies of Menlo Park, California, featured lectures by Kirzner, Rothbard, and Professor Ludwig M. Lachmann of the University of Witwatersrand, South Africa, and brought together over fifty bright young Austrians and quasi-Austrians from all over the country, including participants from England and Australia. Discussion was at a very high level, the science of Austrian economics was further developed, and, above all, everyone was immensely heartened to discover like-minded and knowledgeable colleagues whom they scarcely knew existed. The Royalton conference should mark a great takeoff point for the development and spread of the Austrian cause. Plans are now afoot for publishing not only the major lectures at the conference, but also some of the brilliant papers delivered by the younger participants. Look out, world of economics: the Austrians Are Coming!

As I write, the Wall St. Journal is scheduled to come out with an article of its own on Austrianism and the Royalton conference. Watch the Forum for a further report.

One heartening point about the rapid discovery of bright young Austrian School economists is the contrast with the situation of the libertarian movement five years ago. Five years ago, we were getting an influx of bright new kids into the movement, but they were all college kids, and a dishearteningly large proportion of them were soon to drop out into drugs, instability, caprice, or general decay. But now we are getting an influx of graduate students who are sober, able, hard-working and dedicated to both scholarship and freedom. We are emphatically building from a new and higher plateau. In the libertarian movement, as in the culture generally, the irrational nonsense and degeneracy of the late 60's looks more and more like a flash in the pan fading away into the bad old past. What with recent advances and developments in the Libertarian Party, in Austrian economics, and elsewhere, the future has never looked brighter for the libertarian cause. □

# School Or Jail?

**The Twelve Year Sentence: Radical Views of Compulsory Schooling**, edited by William Rickenbacker, Open Court Publishing, La Salle, Illinois 1974. \$6.95.

Reviewed by Joseph R. Peden

The title of this collection of essays succinctly summarizes its theme and point of view: that compulsory attendance in America's public schools is equivalent to a 12 year sentence in "prison". It is rather odd that in a society with such concern for liberating pornographers, sexual deviants, abortionists, mass murderers, convicted felons, bored housewives, and whatever other individuals who have run afoul of some oppressive law or contract, few have taken up the plight of the oppressed child, except such pioneer libertarians as Paul Goodman, Ivan Illich and our own good editor, Murray Rothbard. Goodman spoke out eloquently on the need for total freedom in the learning process throughout the sixties; Illich shook the educational establishment with his demand for "deschooling" society in the early seventies; and Murray Rothbard finally found a publisher for his *Education Free and Compulsory* (Center for Independent Education, 197 ) a work written in the early fifties but considered unmarketable earlier. This delay underlines the great importance of the media breakthrough of left anarchists like Goodman and Illich in opening the way for wider public acceptance of individualist anarchist social critiques.

It was in this favorable climate that the Institute for Humane Studies and the Center for Independent Education co-sponsored a scholarly conference on compulsory schooling in Milwaukee in November 1972. The *Twelve Year Sentence* is a collection of the papers read at this Milwaukee conference.

The lead article by Murray Rothbard presents an historical analysis of the origins of compulsory schooling under the aegis of the great reformers, Martin Luther and John Calvin, who sought control of conscience through compulsory schooling of impressionable youth. Passive obedience to Church and State through schooling came to America with the Puritans, and in the 19th century became the hoped for means of Americanizing (and Protestantizing) the new non-Anglo-Saxon immigrants who poured into an America distrustful and disdainful of the manners and morals of all foreigners. The Federalists had entered the field of battle in the early 19th century hoping to suppress Jacobin-Jeffersonian tendencies among the untutored masses by compelling their children to submit to their propaganda as to true morals and the duties of citizenship. In his usual brisk, pungent style, Rothbard traces the political and social context in which compulsory schooling became the great unchallenged good in American society.

The second essay by George Resch of the Institute for Humane Studies is a brilliant philosophic analysis of the most tenacious myth in American education — that the public school system and compulsory schooling are vital to the achievement of every American's right to equality of opportunity. Resch traces much mischief to Thomas Jefferson's ill chosen phrase, "all men are created equal". Whether it was just a "noble lie" or a typical obscure phrasing of some more subtle 18th century philosophic idea, Resch pinpoints it as the origin and justification for a host of anti-libertarian policies, including the notion of compulsory schooling as the basis for assuring each citizen equality of opportunity. Like one holding and slowly turning a flashing prism, Resch calls forth an impressive variety of authorities who, each in his own words and with his special expertise, present their own flash of insight into human variation and individuality. The geneticist, biologist, psychologist, anatomist, neurosurgeon, biochemist, economist, historian and philosopher testify to the absurdity of egalitarianism, each illuminating the question from his own scientific perspective until Resch brings it all together in a compelling affirmation that "so long as individuals vary as they do, there can be no such thing as equality of opportunity. An unequal performance is exactly what we would expect from unequal individuals." And so the case for compulsory schooling to ensure a mythic equality of opportunity is shattered.

The third essay by Joel Spring, author of the superb study of the role of the State in the schooling of the citizenry, *Education and the Rise of the Corporate State* (Beacon Press, paperback, Boston 1972) is by far the

most controversial. The early part is a survey of the role of the state in shaping the education of the masses through compulsory schooling to serve the ends of the ruling elites. It is well done, if not here very elaborately documented, but is substantially documented in his other published works. He points to the dubious wisdom of the demand for government-subsidized day care centers, rightly fearing these would become a new instrument for social control of the lower classes. Yet he sees a complication here because day care centers are held to be a necessary factor in the further emancipation of women from the supposed slavery of family and household obligations. He also sees the end of compulsory education as helping to liberate women, weakening the power of the family, and even possibly eliminating marriage — all desirable in his view. He thinks that compulsory schooling has strengthened family power over children by prolonging their dependence upon parents for economic support. While Spring seems plausible in the latter specific instance, I am not certain that he is correct in his general linking of the end of compulsory schooling with women's liberation or the disintegration of the family as now constituted in American society. These views are not elaborated upon; no authorities are cited, and perhaps their remarks are no more than "ruminations" as the title of the essay would suggest. But they do underline the fact that the end of compulsory schooling is inextricably linked with other institutional problems which may demand equally radical change. For instance, though Spring does not mention it, the child labor and minimum wage laws will almost certainly have to be modified if compulsory schooling ends. The welfare laws also presently discourage youths from seeking employment, and will have to be changed.

Spring is not, of course, a libertarian. But the extent of his conservatism on the question of ending compulsory schooling was a surprise. In fact, citing Jefferson's view that every child in the republic should know how to read, write and calculate, Spring wants to reduce the "12 year sentence" to three! Why anyone should be compelled to learn the three R's at all if he chooses otherwise, is left unexamined. While I do not advocate the fostering of illiteracy, though encountering it all too frequently among graduates of our contemporary public schools, I think a case can be made that such illiteracy does not do so much harm today as it may have in Jefferson's day. Between pocket calculators, and the aural and visual sources of extensive information through radio, tapes, TV and film, even illiterates are probably better "educated" today than the literate but isolated farmers of the 18th century.

Even more distressing is the final paragraph of Spring's ruminations where, considering the fundamental changes in all aspects of our society which the end of compulsory schooling might induce or require, Spring opines that "there may be little we can do" to achieve it until a total transformation of society occurs. And he leaves the implication that for the present all we can do is study the phenomenon as a physician studies cancer, without the immediate prospect of achieving any cure. This pessimism is unfortunate in a scholar who has already in so many ways contributed mightily to making the nature of compulsory schooling known to a wide audience, and thus setting the stage, for the first time in a century, for reversing public opinion on the issue.

The remaining three essays are all impressive and very informative. Libertarian lawyer Robert Baker reviews the issue of compulsory schooling as it is reflected in the statutes and court decisions of the several states: detailing in the concrete terms the oppressive, vindictive and vicious character of the compulsory school laws as they are enforced on isolated individuals. Attorney Gerrit Wormhoudt does the same for the decisions of the U.S. Supreme Court. Both provide an excellent background for those interested in using law suits to extend diversity, freedom and the sovereignty of the family in the education of children. George Resch has added an extensive and superbly annotated bibliography which is not the least valuable part of this most valuable book. The last essay is an historical survey of the economic factors involved in the growth of compulsory schooling in the 19th century, especially in England, in which E. G. West concludes that the economic costs of universal compulsory schooling were "so severe as to outweigh the benefits", while "selective compulsion can be a constructive, proper

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## From The Old Curmudgeon

**Psychodrama.** The other night I flipped on the Tomorrow show, and there was this young psychologist from L.A. (where else?) who had taken over the program for the occasion, conducting a massive group "psychodrama" on the "inter-generational problems of human sexuality" (presumably, the viewers weren't ready for animals yet.) The young psychologist (to whom I naturally took an instant dislike) explained that various younger and older people would play the roles of children and parents, and that he would not try to lead the process in any way, but would let everybody flow with the occasion. He also swore up and down that he was not going to be judgmental, that everyone would make his or her own decisions, etc. Well, it took only a few minutes to find out how that was going to turn out. For this pest soon took a very active leading role, stepping in always to hype up the conversation, yelling as "parent" and as "child" when the action flagged. At one point, our non-judgmental leader yelled at the assemblage: "Come on, this is too much of a head trip, let's get our feelings into it." Off flipped the tube. So there we have it; no moral judgments are going to be made by the psychodramatist, except that "head trips" are verboten, and "feelings", goddamit, are going to be expressed, even if the psychodramatist does most of the prodding and feeling.

**Illiterate Principals.** How does one do parody if the world is becoming in itself a massive parody? It has just been discovered in New York City that half a dozen public school principals are illiterate, and the term is meant not metaphorically but literally (excuse the pun.) In short, they can scarcely read or write English. The literate principals are kind of concerned about this situation, as I hope are some of the parents and children; the critics, however, have been attacked as "racists" — the principals in question being either black or Puerto Rican. How does one comment on this idiocy? One point: can you imagine a private school appealing to parents by saying: "Hey, send your kids to our school and learn how not to read and write"? Anyone want to send in a paean to the glories of the public school system?

**Men's Lib.** For years I've wanted to enjoy the benefits of being a member of an "oppressed minority group", but being a white, English-speaking male, have not had much opportunity in recent years. But now I find out that I'm a member of an oppressed "minority" after all . . . men! We find in the New York Times (June 11) that men's lib is a rapidly growing, if still small, movement. Who are men supposed to be liberated from, you might ask? Betty Friedan, Blondie, Gloria Steinem? No such thing, for men's lib is a movement organized by the leading women's lib organization, the National Organization for Women. So what's going on here? Who we're supposed to be liberated from remains unclear, but what we're supposed to be liberated from is highly explicit in the article: namely, not having feelings, and — particularly — careers.

On the former, according to the men's lib leaders, it turns out that men don't have any feelings, and don't talk to anybody, as one participant in the recent men's lib conference plaintively put it, he came there because "I needed some men to talk to." Now I don't know what universe these guys come from, but I've never met any men who don't talk and feel, and I bet they haven't either.

The careers gambit is far more interesting. The idea is that men should be liberated from careers, in which they have become mere "success images". From careers to what, one might ask? Here are some men's lib suggestions: young men to drop out "into a journey of self-exploration" (What if they "journey" for years and find nothing there?); executives to drop out and "go back to school to start all over"; husbands to shift into housework; fathers to leave their jobs to raise their children; and — my own special favorite — "middle-aged men (to) chuck well-paying positions to go off and raise organic potatoes".

The ploy on the part of NOW is almost blatantly obvious: at the same time that women are instructed in the joys of careers and the stultifying boredom of housework and raising children, the male enemy is instructed on "the boredom and dehumanization of their jobs", and advised to drop out, change places, in short, to leave their careers to make room for the female aspirants. It is, I suppose, a shrewd strategy; if the men are really boobs enough to fall for it, they deserve their fate. Somehow I

doubt it; while it is always hazardous to estimate highly the intelligence of the American public, I still can't believe that men's lib is going to advance beyond the few hundred asses who showed up for the conference.

My message to the Men's libbers: hey, guys, where's your militancy? How can I believe that you're serious until you demand a 50% male quota in the top leadership positions of NOW and MS. magazine? And another thing: one of the most bizarre aspects of the women's lib movement is that it is considered somehow treasonous to criticize in any way any fellow female, any "sister". Do you remember the long dispute about whether or not, for example, Jackie Kennedy Onassis is equally as "oppressed" as \_\_\_\_\_ (fill in the blank?) (You should be so "oppressed".) But one thing I can assure you; regardless of what social pressure you put upon me, I'm not going to start considering Richard Nixon as one of my "brothers", who can't be criticized in public. And one final promise: It will be a cold, cold day in Hell before I go off and grow organic potatoes. And if that's Uncle Tomming my "male brothers", you know (expletive deleted) well what you can do about it. □

## Recommended Reading

### AEI Studies.

The American Enterprise Institute, which had long been marked by factual studies of the American economy with a mildly free-enterprise leaning, has in recent months taken a giant leap forward. Led by a series of excellent empirical "evaluation" studies edited by Professor Yale Brozen, of the University of Chicago, the AEI has now become the center of empirical economic studies from a largely free-market point of view. The following are some of the best of the recent AEI booklets (all obtainable from the American Enterprise Institute for Public Policy Research, 1150 Seventeenth St., N. W., Washington, D. C. 20036). All are \$3.00 each.

Edward J. Mitchell, U. S. Energy Policy: A primer

John Haldi, Postal Monopoly

D. Gale Johnson, The Sugar Program

Thomas Gale Moore, Freight Transportation Regulation

Sam Peltzman, Regulation of Pharmaceutical Innovation

Alvin Rabushka, The Changing Face of Hong Kong.

Professor Johnson's study of the Sugar Program was apparently influential in the Congress' almost miraculous decision to scrap the cartellizing Sugar Act, with which we have been saddled since the early days of the New Deal. □

## School Or Jail —

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and humane provision in society". Not being an economist, this reviewer will not attempt a critique of Prof. West's argument on the economic utility of "selective compulsion" but further study of this aspect of his findings might yield other conclusions.

The participating scholars, the sponsors of the conference, the editor, the publisher and designers of this book deserve great praise for a singularly fascinating achievement, a book that will be wanted by every libertarian, and is needed by everyone interested in the future of American education.

J. R. Peden □

# In Search Of The Old Curmudgeon

By James D. Davidson

## Or the Importance of Laughing Down the Left

Readers of LIBERTARIAN FORUM used to be able to depend upon the Old Curmudgeon. He would sally forth with a certain indignation and much good humor to deflate the socio-political buncombe which is so widespread in America today. The Old Curmudgeon had good sense. And he understood the devastating power of the laugh, a power which he used to enforce Jacques Barzun's point that intellect deteriorates with each surrender to folly. The Old Curmudgeon did his best to see that folly did not pass into us, but rather passed by us. In this respect, that irascible gentleman did us a favor. But whatever happened to him? Time passes; culture deteriorates, and we haven't heard a peep from our stalwart. In his place we have Murray Rothbard, that all-too respectable voice of moderation and scholarly detachment.

When Professor Rothbard wrote about the current kidnapping binge, for example, he made some valuable points in his own way. But he fell well short of what we might have expected from the Old Curmudgeon. My comments cannot fill the gap. My nature is too gentle and I am hardly old. Yet someone must speak out to put a little starch into the positions that Professor Rothbard has been ironing over with his scholarly detachment — hence this critique and plea that the Old Curmudgeon be brought out of retirement.

In the case of the Hearst Kidnapping, to which Professor Rothbard addressed a few passing comments, we have further proof of Albert J. Nock's dictum that the worst sort of people read the papers. Patricia Hearst's kidnappers and Patricia herself grew up on a steady diet of newspaper philosophy. If researchers in the Hearst case discover that all the principals read Hearst papers, that alone would explain the profound moral and ethical confusion which motivated their acts. It is little wonder, then, that Patricia apparently has nestled in with the preposterous world view of her captors. One can suppose that the morality that Patricia derived from her parents as a girl was of no more substance than the editorial policy of their newspaper. In that instance it probably boiled down, in addition to the perfunctory religion and welfare state civics, to something like "Don't be late for dinner."

Patricia was evidently ripe for the comic opera doctrines of the "Symbionese Liberation Army" precisely because she had never had anything sufficiently potent to believe. Bob Love says that no one of fair intelligence, who is taught both the socialist and free market philosophy in childhood could possibly become a socialist. Even if that is a bit of an exaggeration, can anyone imagine how a properly reared individual could be impressed with the SLA philosophy? Could anyone with walking-around sense, let alone an acquaintance with the classics of Western thought, believe that marriage and monogamy could be outlawed, as is proposed in the SLA platform?

Such preposterous positions and more abound in the canon of the SLA. If this represented no more than the rantings of a few psychotics it would be distressing enough. Yet we find, not surprisingly, that the young leftist terrorists are not alone in their opposition to all forms of "racism, sexism, ageism, capitalism, individualism, possessiveness, (and) competitiveness." The SLA merely takes up and exaggerates attitudes which are fast becoming clichés of contemporary culture. Distressingly, even persons who otherwise lay claims to libertarian disposition have proven weak marks when it comes to resisting some of the current assault upon human nature.

What is at stake is the understanding which T. S. Eliot aptly said is on the "pre-political" level. That is, "the stratum down to which any sound political thinking much push its roots, and from which it must derive its nourishment." Somewhere along the line, the great mass of persons, including, unfortunately, many advocates of free market economics, has

lost sight of the fundamental fact that man has a nature; that he is not merely silly putty to be re-shaped according to passing fad. So-called "racism, sexism, ageism, etc." exist because, no matter how imperfectly, they incorporate certain truths about the human condition. It may well be, for instance, that there is a fundamental difference between male and female which explains the observable phenomena of all human cultures — that the male — as a rule — predominates. This does not mean, and no sensible person would claim otherwise — that all males will dominate and out-perform all females. Yet acknowledging that, how silly is it for women to be constantly badgering radio stations to give equal time to female composers? A station with a great library might then muster enough programming to stay on the air for an afternoon.

The same might well be said, although it is a lapse of taste, about the so-called "racist" issue. In a free society, knowledge that members of one race might tend to be less nimble mentally than members of another would be almost totally useless information. It would tell nothing about any given individual, just as it would be virtually useless to know that most short persons are of lower intelligence than those six feet tall or greater. Since there are always geniuses who are midgets as well as tall idiots, knowing that an individual was tall or short would tell you nothing. It is only in a statist society where recognition of such tendencies of nature becomes meaningful — precisely because a hue and cry is raised deploring "racism" or "shortism", "ageism" or the like, whenever statistical analysis does not reveal a proportional representation among all groups in the higher income levels of society. When the issue is forced, it then becomes crucial to know, as many scholarly studies have suggested, that members of one race may indeed tend to be in certain ways less capable.

This line of reasoning could be elaborated to fine detail. But the point is clear. Anyone with insight should know that biological reality, and not "brainwashing" or environmental control, is the prime factor informing man's existence. What must always be borne in mind, as Eliot said, is that no political philosophy can escape the right answer to this question: "What is Man? what is his misery and what his greatness? and what, finally, his destiny?" (See George A. Panichas, "T. S. Eliot and the Critique of Liberalism," MODERN AGE, Spring, 1974)

The strength of the libertarian position is precisely that it is a philosophy which harmonizes with understanding of man's basic nature. To work, it awaits no wonderful transformations. Man need be no stronger, wiser, finer than he is at present for free market economics to succeed, because the principles of the free market are deduced from axiomatic truths about reality. This is not to say, that man might not be at least wiser, if not finer and stronger, if a free market did exist. The masses could then see clearly evident the truth of libertarian positions, such as there is no reason to have a state monopoly post office and that public education is not the essential cornerstone of civilization. Man would become wiser in that he would simply be privy to revealed economic truths rather than being forced upon his own meagre logical resources to dope out the form of an economic system. The only other sense in which the free market might elevate man is that since it is more productive, it would afford greater leisure for contemplation. This might redound to the benefit of civilization.

Many libertarians, however, fail to understand this. They reason, erroneously, that since the masses have been indoctrinated to believe that the free market will not work, that any and all other opinions or values of the masses can be equally wrong. Thus, women's liberationists do battle with "sexism" on the assumption that male/female sex roles are not essential components of the human experience, but rather

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## Search Of Old Curmudgeon —

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cultural whimsy, of the same order as an opinion about agricultural price supports or foreign policy. Of course, sex roles are not opinions, nor are they matters of indoctrination. They are matters of hormonal chemistry. Because this is so emphatically the case, there is no grave danger of the women's liberationists succeeding. The only mischief that they can do is bureaucratic. They can agitate for quotas and regulation of jobs and promotion by fiat. They may generate a bit of short term inequity by displacing more qualified persons (of either sex) from positions they might otherwise have held. They may cause confusion and unhappiness by causing young children to feel guilt over inclinations to follow normal sexual roles. But in the long run, so-called women's liberation is bound to come to nothing because it is based on a profound misunderstanding of human nature. Short of wholesale chemical manipulation of the populace men will ever be men and women will be women.

The attack upon sexual stereotypes, of course, is valid to the extent that those stereotypes are false. But any individual, woman or man, who wished to defy the so-called sex roles could do so at any time. A man could always stay home to mind the kids. The woman could always work, except where legal impediments (which all libertarians oppose) bar the way. But the real thrust of women's lib has not been an opposition to discriminatory laws, but rather a gripe against nature. What especially galls the women's libbers is that being a woman has some decisive meaning which is distinct from being a man. In this sense, the women's liberation movement is an extension of the tendency of modern life noted by Soren Kierkegaard, to "level" humankind to a mathematical equality in which no one would be afforded any individuality or access to novel pleasures. As the mere existence of distinct sexes stands in the path of such a philosophy, an assault has been aimed with particular relish at the main expression of human sexual nature — heterosexual love. The mounting militancy of homosexuals, especially in the women's movement, testifies to this effort to reduce mankind to an indifferent, amorphous mass. The SLA membership, studded with dykes, has merely seized upon the essential content of women's liberation by seeking to do away with all forms of individuality.

It is hardly likely that this or any like-minded revolutionary movement should succeed. Nature stands in the way of that. But the revolutionaries can and will make a botch out of society and culture if they are not treated to the widespread derision which is their rich desert. The SLA and its ilk should be despised for what they are — a congregation of lowlife ruffians, aided and abetted by some bored and humorless middle class brats. It should be the task of everyone concerned about the quality of life to laugh them back into the shadows rather than afford them the limelight and dignity which the media and liberal commentators extend to their "thought." And not only should the terrorists and kidnappers be punished with the shame that their preposterous criminality deserves, but they should be dispatched to quick justice.

The underlying elements in the culture which nourish and give rise to left wing terrorism and destructive violence should also be singled out for attack. Thus libertarians should use the harshest rigors of logic to understand the ultimate consequences of such apparently harmless fads as "women's lib" and other egalitarian movements. Aspects of those movements which have merit from a strictly libertarian position, such as opposition to political restrictions, should be supported. But never should libertarians join in the agitation against nature which is at the heart of most current "reform" movements. For if women's lib, and its inevitable successor movements, such as "ageism", "pansism," "shortism" and the like prosper, the chief casualty will be culture. The turgid and graceless propaganda of the leftist groups gives fair warning of what their version of civilized living would be if they came to dominate society. There would be precious little humor. The dreadful seriousness needed to sustain the effort to change man would see to that. Instead of accepting human nature as it ultimately is, with literature and art directed toward elucidating man's limitations and foibles, we'd have only such "truth" as would make the Russian version of "socialist realism" as flippant as Mother Goose. No one could laugh at anything.

Before we slip so low, there is still time to allow the power of laughter to save us. Let's hear, then, from the Old Curmudgeon, while we still

have the discretion to laugh out loud at the assault upon human differences. In its way, that could contribute as much as scholarly detachment to the evolution of "a more civilized world of dignity, reason and order" which we hopefully can find, without riding as Virgil's hero did, in a rowboat through hell.

The Old Curmudgeon replies:

I'm still around, Jim; the Old Curmudgeon lives! But what a pleasure to see a young lad like Jim Davidson even more curmudgeonly than the Old Master; you can't get hardly any of that from the Younger Generation these days. God bless ye, Jimmy; it's a pleasure for this grizzled old-timer to know that after he hangs up his six-shooter for the last time, Jim Davidson will be around to ride point on behalf of the ontological order. □

## About Quotas

It is baffling to hear quotas still advocated as a serious remedy to the injustice caused by discrimination, since the philosophical case against them is straight-forward and definitive. There are, of course, no such things as "group" rights, for rights, and the related concept, justice, pertain only to single persons. It follows that injustice can be redressed only for the individual who suffered it, and retribution can justly be exacted only from those who caused it. Discrimination, in particular, is perpetrated by individuals upon individuals, not by groups upon groups. Hence this cannot be rectified by penalizing the offending group *qua* group, nor by giving preference to the offended group *qua* group, without imposing new injuries upon innocent persons.

It is most instructive to recall the precise nature of discrimination: that one person receives less favorable treatment than do others with the same assessable merit, because of extraneous factors such as race or sex. The right thereby transgressed is not one's special "group" right as a woman or a black, but rather the individual right, common to us all, to be judged by the same standard of value as anyone else. The unfairness resides wholly in the departure from a uniform merit standard in the first place — in fact, it is fair to say that a quota already was in use. It should be stressed that the standard used to determine that discrimination has occurred is **the merit standard itself**; without the prior existence of ascertainable merit, the judgment of unfairness is without meaning.

It follows that only one way exists to counteract this unfairness, namely, to adhere strictly to merit. And what is meant by a merit standard is simply a performance requirement of credential, publicly announced in advance, which is equally applicable to all — the same attributes that a good law ought to have. The futility of quotas should be obvious, since, rather than eliminating inequity, they aim purely at changing its target. A notable advance. We can state this quantitatively: the degree to which a quota policy actually succeeds in admitting different persons than would enter under a merit standard accurately measures the extent to which it continues the old policy of unfairness to individuals. Hence, to talk of goals, timetables and good faith efforts as distinctly different from quotas is merely to miss the force of this criticism, which is against the use of numerical ratios of any sort that are not firmly grounded in measurable ability. And to consider it an improvement, as many do, if a previously sheltered group now has to bear a little of the discriminatory burden, is likewise a mistake: the individual nature of rights and of justice means that any departure from a policy of elevating persons according to a common performance yardstick necessarily results in the visitation of new injustices rather than the rectifying of old ones.

The use of quotas has often been advocated not as an ultimate end but merely as a temporary measure intended to "fade away" when no longer needed. But they will never simply fade away, for there are real factors, other than discrimination, that contribute to group differences. For example, most women have the option, closed to most men, of being financially supported in exchange for homemaking services. At any given level, let us say, that of awarded Ph.D.'s, a smaller proportion of women than of men would probably elect to advance to the next rung, simply

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## About Quotas —

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because they have an additional alternative. In this instance, quotas to maintain "equal" representation would never disappear, since they would be in opposition to the natural, i.e., free choice, result. A second example is the "disproportionate" representation of Jews in the professions. When seen properly, that is, at the level of individuals, this representation is unquestionably a reflection of the true occurrence of talent among them: hence, a quota to "correct" this likewise would never end. Finally, even if proportionate numbers of the respective groups were hired, but for whatever reason (pregnancy, sickle cell anemia, etc.) one group intended to turn over more rapidly than another, than an employment survey at any given time would indeed reveal, *Ecce*, a disproportion; yet this would in no way result from discriminatory hiring or promotion. Once again, the temporary quota would become a permanent fixture. There are doubtless many other nondiscriminatory influences preferentially affecting a given group (e.g., its recency of immigration to this country) which deserve proper attention by sociologists. But these examples suffice to illuminate the Procrustean nature of quotas.

A seldom recognized feature of the sociology of small group differences is the peculiar statistical behaviour of distributions about a mean, to wit; that a pair of such curves, differing only moderately in the position of their means, will differ dramatically at their extremes. In particular, a determinant shifting just slightly the mean of the employment profile of a given group will result in a whopping "disproportion" in the very worst and very best jobs. Hence, to assert that the surprisingly low numbers of women that are full professors at the best universities, or at the tippy top of any other professional ladder, "prove" pervasive discrimination, is eyewash; a substantial part of this, perhaps most, might well result from nondiscriminatory factors having rather slight overall effects. This leads us inescapably to the view that the usual tactic, of offering an employment breakdown displaying disproportionate group representation as *prima facie* proof of discrimination, is, unless qualified by an estimation of the magnitudes of the other contributing influences, a downright hornswoggle. That such influences are operative is suggested by the otherwise puzzling circumstance of why market forces have not functioned to break the monopoly of "white males" in good jobs; specifically, why have not second string institutions made use of the allegedly large pool of underutilized and bargain priced but top rate and eager talent in order to gain an advantage over competitors? A white male conspiracy, which is, in effect, the answer usually offered (the "old-boy" network) seems less than an adequate explanation of the observed group differences.

These considerations make clear that the proper focus of anti-discriminatory efforts must necessarily be the implementation of efficacious merit policies. Conversely, the idea of quotas can manifestly

be seen to be antithetical to the true goal of a liberal society, namely, to maximize freedom of choice, such that a person electing any given occupation would not find that being a woman or a black had any independent bearing on his or her chances. This proper goal is entirely compatible with there being wide variations in the group averages resulting from the exercise of free choice. While the rhetoric of quotas might at first sound plausible, given the mental inertia of an unfocused mind, a little critical effort shows the concept to be entirely nugatory in achieving the goal of fairness to all. □

## Arts And Movies

**Death Wish.** with Charles Bronson. dir. by Michael Winner.

*Death Wish* is a superb movie, the best hero-and-vengeance picture since *Dirty Harry*. Bronson, an architect whose young family has been destroyed by muggers, drops his namby-pamby left-liberalism, and begins to pack a gun, defending himself brilliantly and uncompromisingly against a series of muggers who infest New York City. Yet he never kills the innocent, or commits excesses. Naturally, even though he is only defending himself against assault, the police, who have failed to go after the muggers and who acknowledge the fall in the crime rate due to Bronson's activities, devote their resources to pursuing him instead of the criminals who terrorize New York. It is a great and heroic picture, a picture demonstrating one man's successful fight for justice.

As might be expected, *Death Wish* has been subjected to hysterical attacks by the left-liberal critics who acknowledge the power and technical qualities of the picture, which they proceed to denounce for its "fascist ideology" (self-defense by victims against crime) and its "pornography of violence" (in a just cause.) Bronson is attacked for his "wooden acting", although this is by far his best acting performance in years, far better than in *The Mechanic*, where the violence was hailed by the critics precisely because it was meaningless and not in defense against aggression. Don't miss *Death Wish*; it says more about "the urban problem" than a dozen "message" documentaries, and it helps bring back heroism to the movies.

**The Tamarind Seed.** with Julie Andrews and Omar Sharif. dir. by Blake Edwards.

*Tamarind Seed* is a welcome breath of fresh air in the cinema, an unabashedly romantic movie, a "movie-movie" in the classical tradition. It combines suspense and espionage with a romantic theme, and integrates both love and espionage into the plot. Direction and acting are excellent. A delightful movie on every level. Once again, the left-liberal critics are generally hostile, largely because it flouts current convention to such an extent that Miss Andrews and Sharif do not hop into bed at the first opportunity. Love ripens first, and what could be more "reactionary" than that? Hooray for Reaction. □

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