
The Voluntaryist

WHOLE # 20

"If one takes care of the means, the end will take care of itself."

JULY 1986

A Freedom Philosopher: Robert LeFevre, 1911 - 1986

In the early morning hours of May 13, 1986, Bob LeFevre died. He and his wife Loy had left Los Angeles sometime near the end of April and driven across country. They had been invited to attend my wedding on May 3, 1986 in Campobello, South Carolina. Bob found it necessary to rest a few days in El Paso, Texas, but upon regaining his strength, he and Loy completed their trip eastward. They had a delightful time staying with their hosts, Patricia and Kevin Cullinane.

It was a clear and sunny day when Julie Pfeiffer and I were wed at Freedom Country. Bob watched the ceremony and joined us at our reception and luncheon afterwards. The last time I saw Bob was when Julie and I left later that afternoon on our honeymoon. As happened many times in Bob's life, a strange coincidence of events took place. Our wedding photographer was so enchanted with his looks, that he invited Bob to come to his studio, Monday, May 5, to sit for a series of photographs. No one suspected that Bob would be dead in a few days. He had seemed in fairly decent health and was certainly in good spirits, and as sharp intellectually as he had ever been. Bob and Loy left Freedom Country on May 6th and in a week's time drove as far as Flagstaff, Arizona. That is as far as Bob was to get. He and Loy were in a motel when he passed away in his sleep.

Bob was one of my closest friends. I looked upon him as I would a father or a grandfather. He and I had worked together during the last two and one-half years of his life. Our first project was the publication of **NEITHER BULLETS NOR BALLOTS**, which his Pine Tree Press published for The Voluntaryists in December 1983. In late November of the following year Bob approached me about writing his biography. He had already prepared a 2,000 page autobiographical manuscript which he had found impossible to get published. He wanted someone to look at his life objectively and pare the story down to manageable proportions.

I accepted that challenge and Bob lived long enough to read and comment on the third draft of my biographical manuscript, tentatively titled **TRUTH IS NOT A HALF-WAY PLACE: The True Story of a Freedom Philosopher**. The manuscript is still being revised and I should be querying publishers this summer to find out if they would like to read the manuscript.

Bob's life roughly falls into several distinct careers. Though he was born in Idaho, his school days were spent in Minneapolis, Minnesota. Bob was a lifelong vegetarian, deeply attached to his mother. Just out of high school, Bob nearly suffered a nervous breakdown when his sweetheart died of an undetected brain tumor in 1930.

In the midst of the Great Depression he married Peggy Tapp and they eventually had two children. He worked his way westward to Los Angeles, selling photograph frames door-to-door for his dad. In L. A. he became part of a stock company, acting wherever they could get jobs. By the end of 1933, he found himself back in Minneapolis working as a radio announcer for WTCN. He held this job during a time of labor unrest; bucked the Newspaper Guild that was trying to organize the radio staff; and more than once was the object of an attempted murder.

By 1938, he had become interested in the Great "I Am" philosophy of Guy and Edna Ballard, who had been theosophists. Beneath all the baggage of their cult, the Ballards taught that the

real meaning of "I Am" was that each person is in control of himself or herself. Bob underwent a number of trance-like, hypnotic states and became active in the movement. He was responsible for opening up "I Am" reading rooms in St. Paul and Minneapolis, and eventually joined the Ballard staff on a probationary basis in October 1939. He was to be their stage announcer. Bob broke with Mrs. Ballard, after Guy died on Dec. 29, 1939. It was several months later that he and Pearl Diehl (leader of the "I Am" group in San Francisco) co-authored **I AM AMERICA'S DESTINY**. Bob's name was included in a mail fraud indictment issued by the U. S. Department of Justice in July 1940, but he was later dropped from the case.

Largely to escape the influence of Pearl and the poor business opportunities market (he had become a business opportunities salesman in San Francisco during the latter half of 1940), LeFevre joined the Army after the bombing at Pearl Harbor. He eventually attended Officers Candidate School and became a captain in the Army Air Corp by the spring of 1944. His experiences in the Army led him to question the faithfulness of the United States to the American people. The Army brass seemed far more intent on preserving their jobs than winning the fighting and bringing the boys home. Bob also saw the tremendous waste in manpower and resources generated by the armed forces.

When Bob finally recovered from a back injury suffered in March 1945 (while still in the Army), he and his second wife, Loy (he had been divorced during the war and re-married in early 1944), settled in San Francisco. He re-entered the business opportunity field and was quite successful until he found that the city government and the local labor unions were trying to run his businesses the way they wanted. He had trouble getting zoning permits, the Health Department closed his restaurant down more than once, and the union wanted him to hire more help than necessary. When his financial enterprises started crumbling, he managed to swap what was left for the equity in Falcon Lair, the previous home of Rudolph Valentino. This occurred in early 1949.

It was around the time that Bob read Rose Wilder's book, **THE DISCOVERY OF FREEDOM**, and made contact with Leonard Read and Baldy Harper at FEE. Bob had been active in conservative circles and in June 1950, he was defeated in the Republican primary for Congressman from the 14th District in California. Shortly thereafter, he became the executive director for the Wage Earners' Committee in Los Angeles and then helped promote United Tax Payers of California. During most of 1951 through 1953, Bob worked in Florida both for radio and tv stations. Finally in 1954, he obtained a job in New York with Merwin Hart's National Economic Council.

In November 1954, he moved once again; this time to Colorado Springs, Colorado, to become an editorial writer for Harry Hoiles' **GAZETTE TELEGRAPH**. Hoiles wanted someone to write consistently on the subject of human freedom. For ten years Bob worked with Harry and his dad, R. C. Hoiles, hammering out the philosophy of the Freedom Newspapers. Nearly all of his editorial output centered around various aspects of human liberty and the free market. It wasn't until he started writing for the **GAZETTE TELEGRAPH** that he realized "limited" government was a contradiction in terms that "unlimited" government was a redundancy. It was then he realized that there was no place in a free market for the state.

Ever since his early contact with FEE, Bob had dreamed of establishing a freedom school. There in Colorado Springs, with the help of his extended "family" and employer, this dream was to become a reality. The "pioneers" that worked with Bob to help found the school were his wife, Loy; Ruth Dazey, his secretary; Edith Shank, a bookkeeper; and Marji Llewellyn, a physical

Continued next page

The Voluntaryist

Subscription Information

Published bi-monthly by **The Voluntaryists**, P. O. Box 1275, Gramling, SC 29348. Subscriptions are \$15 per year. Overseas subscriptions, please add \$5 (per year) for extra postage. Please check the number on your mailing label to see when you should renew. *No reminders will be sent!*

Another Explanation!

**From Acting Editor
Carl Watner**

I'm making a concerted effort to get caught up. Hence, the reason for three issues in three months. Nos. 18 and 19 should have already reached you. Our regular bi-monthly schedule should be resumed in September.

You may have noticed their strange colors: a blue 18 and a white 19. These were really printer errors, which it was difficult to refuse to accept. So please accept my apologies for the mis-matches.

Renewals will be appreciated and readers are invited to submit articles, essays and other items of interest. And please don't forget that we have the following literature for sale:

La Boetie, *THE POLITICS OF OBEDIENCE*, \$3.95

NEITHER BULLETS NOR BALLOTS, \$4.95.

Lane, *A VOLUNTARY POLITICAL GOVERNMENT*, \$6.95.

Watner, "Essay on Silence," \$10.

"The Voluntaryist Series," single copy (our choice), \$1.00.

Issues 1-12 of *THE VOLUNTARYIST*, \$15.

Other back issues, \$3.00.

Microfiche of Spooner's *COLLECTED WORKS*, \$25.00.

Spooner's *VICES NOT CRIMES*, \$4.00 (this is the version I had printed when I first discovered it was written by Spooner).

Misc. reprints of articles by Carl Watner published in *THE JOURNAL OF LIBERTARIAN STUDIES*, (send SASE for list).

FREEDOM PHILOSOPHER (continued)

therapist. Bob knew Ruth and Edy from his "I Am" days before the war. Marji he had met in London during the war and had sponsored her immigration to this country in 1947. With their help, lots of hard work and a little luck, the Freedom School opened in the summer of 1957, in the Rampart Range of the Rockies. The story of the Freedom School has already been told in *THE VOLUNTARYIST* (see Whole Number 14, February 1985), but let it be repeated that probably more persons were taught personal self-discipline, self-control, responsibility and independence between 1957 and 1968 at the Freedom School-Rampart College campus than at any other time during this century. The school could not seem to re-establish itself, after it was moved to California in late 1968. Bob, however, did continue teaching Freedom School sessions for one of the world's largest textile manufacturers (Milliken) until late 1979, when he unofficially retired.

Bob had a far-reaching influence on the libertarian movement. His educational efforts easily involved far in excess of 10,000 students, and many of them are movement names we would recognize today. However, more important than names, is what Bob taught. The essence of his philosophy was taken from Rose Wilder Lane's dictum: "freedom is self-control." Harking back to the attraction of the "I Am," Bob understood that human energy can only be controlled by the individual person. This means that each one of us has decision-making power over our own lives; whether we vote or not; whether we steal or tell the truth; whether we retaliate or seek forceful restitution; or whether we deal violently with our fellow men or deal with them peacefully. Bob shared a common viewpoint with the Stoics of ancient Rome, for they too

viewed human freedom as the absolute dominion of the individual over his own will.

"By starting with the individual and incorporating the Stoic insight that man by his very nature is free, Bob saw only one long term way of improving society. If individual men can be made right, then society, a mere gathering of men, will be right of necessity. In short, Bob saw that if one took care of the means, the end would take care of itself. Bob's idea behind teaching the fundamentals of liberty was not to change anybody; he had neither the authority nor the ability to do so. He understood that freedom must be earned; each person for himself. Bob's aim was to explain how each individual might achieve freedom in the right way.

"Bob was a truth-seeker, one of those rare people one meets, perhaps a few in a lifetime. Part of his greatness was his ability to stand alone intellectually; another was his consistency. He insisted on thinking ideas through to their conclusions. If there was a choice between being popular and holding to the truth, he always chose the truth. He knew that truth is not a half-way place. Cyrano de Bergeac's maxim, "Be admirable in all things," was Bob's own personal motto, if he ever had one. He realized that one must aim at destroying evil ideas, but he also understood that we must not destroy the person who holds these ideas. His task was to understand, to comprehend, and to make allowances for the failures of others. Only to himself did he insist on total self-control and complete self-discipline. Bob was a man who admirably achieved those goals in his own life, and it is that spirit of reasonableness, honesty and truth-seeking that shall always epitomize Bob for me."

(The last two paragraphs were read at a memorial service held for Bob on May 23, 1986, in Santa Ana, California.)

Carl Watner, May 1986

Eulogy for Robert LeFevre Delivered on May 23, 1986 in Santa Ana, California By Kevin J. Cullinane

As children, most of us, I think somehow believed that parents, like God, were immortal. As we grew older, we realized that parents were human after all, that they had a time and a season.

Those of us fortunate enough to have had a cherished mentor, sometimes without realizing it, transferred that same comfortable illusion of immortality from parent to beloved teacher . . . and assumed that he or she would be with us forever.

Bob LeFevre was, of course, such a cherished mentor for many of us here, and some, or at least this one, had that comfortable illusion evaporate last week, leaving us with the reality of loss.

In perhaps the most important sense, however, those ideas of immortality were not illusions after all. Admittedly, Bob's mighty soul has moved on to some next state of existence, and his big, fatherly frame has returned to the earth, but there is a vitally important part of him that is with us still.

That part of Bob which galvanized us, that vibrant **spirit** is here with us now and it will remain with us. How could we ever lose that part of Bob? We could not.

I suppose that someday that vibrant spirit will inevitably become etched into static legends, for Bob LeFevre lived the sort of life from which legends are woven; the epic, for example of Bob and his "band of angels," — Loy, Ruth, Edith and Margie — pioneering out near Palmer Lake, slowly building, one-hard-earned-dollar-at-a-time, that incredible catalyst called Freedom School.

Freedom School — a catalyst which shall be hailed in the 21st century as the seedbed of America's Freedom Renaissance — a renaissance which is just now beginning to show the first "petal sprays of the violets of dawn," . . . thanks to the man we are gathered to honor and eulogize.

Ah, Bob, none of us here were yet ready to let you go from our company. . . . None ready to step from behind the comfort of your vanguard and take over the lead. For who ever feels ready or worthy

Continued next page

The United States OR America?

On January 10, 1776, Tom Paine published his pamphlet *COMMON SENSE*. It spread like wildfire through the colonies and shattered the King's cause as it set forth the virtues of independence and the absurdity of submitting to the arbitrary rule of a hereditary monarch. Paine opened his essay by examining the origin and design of government. He noted that many writers "have so confounded society with government, as to leave little or no distinction between them; whereas they are not only different, but have different origins." Paine was one of the earliest in a long string of liberty-minded writers to see this distinction. Perhaps the difference between the State (civil government) and society was most succinctly stated by Felix Morely's *THE POWER IN THE PEOPLE*: "The State, in short, subjects people; whereas Society associates them voluntarily."

In *OUR ENEMY THE STATE*, Albert Jay Nock described the conflict between State power and social power. The State turns every "emergency" into an excuse for accumulating and expanding its own political strength, always at the expense of society. Society originates in what Nock terms, "the economic means;" the State in "the political means." There are two ways man is able to satisfy his needs and desires, either in "the production and exchange of wealth," embodied in the free market, or in "the uncompensated appropriation of wealth produced by others," exemplified by the State. Legislative bodies, tax collection agencies, and the armed forces are a few of the many concrete realizations of the State and how it operates.

The spiritual opposites of these State instrumentalities are such institutions as churches, clubs, private schools, businesses, families and charitable or fraternal organizations. They are born out of the mutualism and voluntarism that underly social power. Unless coerced, individuals associate with other people only when they perceive it to be profitable. This is exactly the means by which the frontiersman and settler populated this continent. Theirs was an unplanned settlement, allowing the individual to partake of as much social intercourse as he wished and then strike out for himself when community life became too overbearing. This *laissez faire* method relied on the natural diversity and self-reliance of the people and was as strong or weak as the people themselves.

The "American dream" is the opportunity to achieve success

without interference from others. It is the spirit of individualism, inventiveness and hard work; the spirit epitomized by doing without, rather than asking for a free lunch. It was this dream of success that made this country attract the oppressed peoples of the world. The courageous, daring and resourceful flocked to these shores, often under great hardship, knowing full well that no one else would be responsible for their welfare.

However, as the years passed, more and more Americans accepted the need for outside direction of their lives. They didn't realize that once statism was given a toehold in the form of the Constitution, that it would grow and grow, until today when most people think of America, they automatically think of the United States government. "America, love it or leave it," cry these critics. Yet this is clearly a case of false alternatives and switched identities. It is not the United States of America that we should love or leave. Rightly perceived, America represents society, the social power and spirit which has carved nearly 3,000,000 square miles of territory from the wilderness. America is not even the land itself. This is not the only continent with "spacious skies" or "amber waves of grain." It is not the only land mass with huge deposits of natural resources. Its distinguishing characteristic was that opportunity beckoned here as in no other place.

When we speak of the United States of America we obscure the crucial distinction between the State and its people, between State power and social power, between the spirit and the land. Without the spirit of its people, the land and resources are meaningless. Why haven't other areas of the world developed as quickly or as productively? What was lacking? In those places, State power overwhelmed and smothered social power from the beginning.

Despite the fact that this land has been designated the United States of America for more than 200 years, it is more accurately a question of the **United States OR America**. You, dear reader, are on the jury of over 200 million people that will decide the case. Will it be the United States or will it be the spirit of America that triumphs?

Carl Watner

(prompted by the presentations of Kevin Cullinane, in Freedom School, April 14-18, 1986)

EULOGY (continued)

to take the reins from a cherished mentor?

But ready or no, we will lead, Bob. We will not let die the fire you and your intrepid band kindled for us out there on the edge of the Rampart Mountain Range.

I remember how in 1979 Bob's doctor tried to get him to retire. I had written to him asking if I might lecture with him during the three months each year that we closed Academy of the Rockies for school vacation.

Bob replied to me that he was no longer doing any team teaching and that if I wanted any part of the opportunity, I would have to take it all. He was looking then, with an actor's professional and practiced eye, toward the waiting wings.

But I think he had not realized that the "encores" of his dedicated students were not about to let him retire from the stage which he himself had almost single-handedly built.

And so Bob continued to write and lecture and, perhaps most precious of all, to counsel with us. He stayed on that stage until the Master Director called him away . . . and even then, pro that he was, Bob managed the perfect exit.

With his lovely "leading lady" beside him, he made a final odyssey across the entire breadth of the America he loved and labored for so tirelessly. Out through Arizona and New Mexico, across endless Texas to Louisiana and the Mississippi, up through Alabama and Georgia to South Carolina, where for so many fruitful years he had taught the incoming executives of the Milliken textile company.

There, outdoors, under beautiful trees, at a place called Freedom

Country on the edge of tiny Campobello, Bob and Loy were honored guests at the wedding of Carl Watner and Julie Pfeiffer. In the few days prior to that celebration, Bob had worked with Carl on the finishing touches of his biography which Carl had ready for his approval.

In the few days after the wedding he worked with me, fine tuning the material in the 40-hour seminar still called **Freedom School**. Next, the day before he and Loy headed back home, he agreed to pose for this fine photograph. And then he bade us all farewell. "I'll see you in June when I come to hear your talk," I said. He looked at me intently and drove off . . . and left us.

Now of course, we must decide, each of us, the next step in this life without Bob LeFevre's direct leadership. Shall we dedicate our energies to enshrining or shall we dedicate them to honoring?

If we wish to honor, then we must not enshrine, as that is static. We honor through our individual dynamic, dedicating our lives to furthering the ideals Bob championed, each in his own way.

My best friend once gave me her definition of friend. "A friend," she said, "is one who inspires me to build a better, stronger me."

When I realized the truth of that statement, I knew that although I might sometimes walk lonely paths with neither buddies nor companions by my side, I need never walk without friends. I have my friends whenever I wish to call forth their spirited memory to inspire me. Some of my **friends** have never met me, some had passed away long before I was born. But among all I count as my friends, the man who has made the most direct impact on **my** life, the man who inspires me, even today, to build a better, stronger me, is Bob LeFevre. In that sense, Bob, you are with us still and you will be always.

The Copyright Issue

Copywrongs

Having done every step of production in the publishing industry, both for myself and others, I have one irrefutable empirical conclusion about the economic effect of copyrights on prices and wages: nada. Zero. Nihil. So negligible you'd need a geiger counter to measure it.

Before I move on to exactly what copyrights do have an impact on, one may be interested as to why the praxeological negligibility of this tariff. The answer is found in the peculiar nature of publishing. There are big publishers and small publishers and very, very few in between. For the Big Boys, royalties are a fraction of one percent of multi-million press runs. They lose more money from bureaucratic interstices and round-off error. The small publishers are largely counter-economic and usually survive on donated material or break-in writing; let the new writers worry about copyrighting and reselling.

Furthermore, there are a very few cases of legal action in the magazine world because of this disparity. The little 'zines have no hope beating a rip-off and shrug it off after a perfunctory threat; the Biggies rattle their corporate-lawyer sabres and nearly anyone above ground quietly bows.

Book publishing is a small part of total publishing and there are some middle-range publishers who do worry about the total cost picture in marginal publishing cases. But now there are two kinds of writers: Big Names and everyone else. Everyone Else is seldom reprinted; copyrights have nothing to do with first printings (economically). Big Names rake it in—but they also make a lot from ever-higher bids for their next contract. And the lowered risk of not selling out a reprint of a Big Name who has already sold out a print run more than compensates paying the writing the extra fee.

So Big Names writers would lose something substantial if the copyright privilege ceased enforcement. But Big Name writers are an even smaller percentage of writers than Big Name Actors are of actors. If they all vanished tomorrow, no one would notice (except their friends, one hopes). Still, one may reasonably wonder if the star system's incentive can be done away with without the whole pyramid collapsing. If any economic argument remains for copyrights, it's incentive.

Crap. As Don Marquis put in the words of Archy the Cockroach, "Creative expression is the need of my soul." And Archy banged his head on typewriter key after typewriter key all night long to turn out his columns—which Marquis cashed in. Writing as a medium of expression will continue as long as someone has a burning need to express. And if all they have to express is a need for second payments and associated residuals, we're all better off for not reading it.

But, alas, the instant elimination of copyrights would have negligible effect on the star system. While it would cut into the lifelong gravy train of stellar scribes, it would have no effect on their biggest source of income: the contract for their next book (or script, play or even magazine article or short story). That is where the money is.

"You're only as good as your last piece"—but you collect for that on your next sale. Market decisions are made on anticipated sales. Sounds like straight von Mises, right? (Another great writer who profited little from copyrighting—but others are currently raking it in from Ludwig's privileged corpse—er, corpus.)

The point of all this vulgar praxeology is not just to clear the way for the moral question. The market (praise be) is telling us something. After all, both market human action and morality arise from the same Natural Law.

In fact, let us clear out some more deadwood and red herrings before we face the Great Moral Issue. First, if you abolish copyrights, would great authors starve? Nope. In fact, the market might open a trifle for new blood.

Would writers write if they did not get paid? Who says they wouldn't? There is no link between payment for writing and

Continued next page

To the Editor:

I am prompted by Wendy McElroy's article "Contra Copyright" (Issue #16) to offer some observations on the subject of copyright which I hope will complement her analysis and clarify a position I think we share.

Despite the title affixed to her article, McElroy is not against copyright **per se**, but only against state-created or **artificial** copyright (or, if you like, against copy-privilege). She favors (as I do) a system of "free market copyright." Now what would be the nature of such a system? Clearly, it would be "maintained and enforced through contract" as McElroy says. But it is misleading to say, as she does, that this is "in counterdistinction to those who believe that copyright can be derived from natural rights." For there can be no other natural or free market copyright than one derived from natural rights. A dichotomy between contractual and natural property rights, suggested throughout the article, is a false one: surely what contract law properly protects are transfers of property titles which are owned by, or have originated in, natural right. A contract is simply a vehicle for the explicit transfer of titles. You can't protect by contract your right to something you don't own in the first place.

McElroy defines copyright as "the legal claim of ownership over a particular arrangement of symbols," a claim to something wholly intangible. Under that definition copyright would indeed be an absurdity. William Leggett made a persuasive argument in this regard (see his editorial "The Rights of Authors" in **Democratick Editorials**, pp. 398-403): When a man builds a house by arranging bricks, every brick is part of his property. A passerby who takes any one of the bricks is violating his rights. But what could it mean to say that an author had a similar right to the arrangement of words or symbols in a poem or story? Could each sentence be part of his property? Each word? Are others who use any of the same words violating his rights? Obviously that would be absurd. To be defensible a copyright must be of another nature.

And there **is** another sort of copyright which **is** defensible, is **not** wholly intangible, and offers a suitable basis for a free market copyright system. (I am indebted to Mark Brady for discussion of this point). Simply think of copyright being, as the word itself suggests, the right to make copies. To be more precise: the copyright attached to a particular physical item is the right to physically use that item in order to make copies of it. This right belongs by nature to the producer (out of justly owned inputs) or original appropriator of the item, just as the right to use the item in any other respect does, until he consents to transfer the right to another owner. The copyright may be retained even if other rights to the items are transferred, with the terms of what is retained and what is transferred perhaps spelled out in a contract or perhaps stated on the item itself. Thus the producer of a book may sell it with the stipulation carried on the back of the title page that he has retained the right to use the book to make copies. The purchaser then has no right to make photocopies or any other sort of copies of the book. Nor does any third party have the right (thus the **source** of the right is not contractual, since a non-signatory is also excluded). In this view copyright is akin to a restrictive covenant placed on the title deed to a plot of land, whereby the right to use the plot as the site of a structure over thirty feet tall, for example, might be excluded from the buyer's package of rights and retained by the seller (who may be the developer of a contractual community).

The applicability of this principle of reserved copyright is not limited to publications, of course. Sculptures, paintings, industrial devices, fashions and various other chattels could be sold or distributed on a copyrighted basis. I see no absurdity in this. Is there any? It does not create "property rights in ideas" because what is owned is the right to a physical use of a physical object, not to ideas or abstract arrangements of words. Independent creators would not be denied any rights to the use of their own creations. Nor, I think, would hairstyle-copiers or house-color-copiers (as op-

Continued next page

COPYWRONGS (continued)

copyrights. Royalties roll in (or, much more often, trickle in) long after the next work is sold and the one after is in progress.

Is not a producer entitled to the fruit of his labour? Sure, that's why writers are paid. But if I make a copy of a shoe or a table or a fireplace log (with my little copied axe), does the cobbler or woodworker or woodchopper collect a royalty?

A. J. Galambos, bless his anarchoheart, attempted to take copyrights and patents to their logical conclusion. Every time we break a stick, Ug The First should collect a royalty. Ideas are property, he says; madness and chaos result.

Property is a concept extracted from nature by conceptual man to designate the distribution of scarce goods—the entire material world—among avaricious, competing egos. If I have an idea, you may have the same idea and it takes nothing from me. Use yours as you will and I do the same.

Ideas, to use the 'au courant' language of computer programmers, are the programmes; property is the data. Or, to use another current cliché, ideas are the maps and cartography, and property is the territory. The difference compares well to the differences between sex and talking about sex.

Would not ideas be repressed without the incentive (provided by copyrights)? 'Au contraire' the biggest problem with ideas is the delivery system. How do we get them to those marketeers who can distribute them?

My ideas are pieces of what passes for my soul (or, if you prefer, ego). Therefore, everytime someone adopts one of them, a little piece of me has infected them. And for this I get paid, too! On top of all that, I should be paid and paid and paid as they get staler and staler?

If copyrights are such a drag, why and how did they evolve? Not by the market process. Like all privileges, they were grants of the king. The idea did not—could not—arise until Gutenberg's printing press and it coincided with the rise of royal divinity, and soon after, the onslaught of mercantilism.

So who benefits from this privilege? There is an economic impact I failed to mention earlier. It is, in Bastiat's phrasing, the unseen. Copyright is a Big publisher's method, under cover of protecting artists, of restraint of trade. Yes, we're talking monopoly.

For when the Corporation tosses its bone to the struggling writer, and an occasional steak to the pampered tenth of a percent, it receives an enforceable legal monopoly on the editing, typesetting, printing, packaging, marketing (including advertising) and sometimes even local distribution of that book or magazine. (In magazines, it also has an exclusivity in layout vs other articles and illustrations and published advertisements.) How's that for vertical integration and restraint of trade?

And so the system perpetuates, give or take a few counter-economic outlaws and some enterprising Taiwanese with good smuggling connections.

Because copyrights permeate all mass media, Copyright is the Rip-off That Dare Not Mention Its Name. The rot corrupting our entire communications market is so entrenched it will survive nothing short of abolition of the State and its enforcement of Copyright. Because the losers, small-name writers and all readers, lose so little each, we are content—it seems—to be nickel-and-dime plundered. Why worry about mosquito bites when we have the vampire gouges of income taxes and automobile tariffs?

Now for the central moral question: what first woke me up to the problem that was the innocent viewer scenario. Consider the following careful contractual construction.

Author Big and Publisher Bigger have contracts not to reveal a word of what's in some publication. Everyone on the staff, every person in the step of production is contracted not to reveal a word. All the distributors are covered and the advertising quotes only a minimal amount of words. Every reader is, like Death Records in Phantom of the Paradise, under contract, too; that is, every reader who purchases the book or 'zine and thus interacts with someone who is under contract—interacts in a voluntary trade and voluntary agreement.

No, I am not worried about the simultaneous creator; although

an obvious victim, he or she is rare, given sufficient complexity in the work under questions. (However, some recent copyright decisions and the fact that the Dolly Parton case even got as far as a serious trial—means the corruption is spreading.)

One day you and I walk into a room—invited but without even mention of a contract—and the publication lies open on a table. Photons leap from the pages to our eyes and our hapless brain processes the information. Utterly innocent, having committed no volitional act, we are copyright violators. We have unintentionally embarked on a life of privacy.

And God or the Market help us if we now try to act on the ideas now in our mind or to reveal this unintended guilty secret in any way. The State shall strike us—save only if Author Big and Publisher Bigger decide in their tyrannous mercy that we are too small and not worth the trouble.

For if we use the ideas or repeat or reprint them, even as part of our own larger creation—bang! There goes the monopoly. And so each and every innocent viewer must be suppressed.

By the Market? Hardly. The entire contractual agreement falls like a house of cards when the innocent gets his or her forbidden view. No, copyright has nothing to do with creativity, incentive, just desserts, fruits of labour or any other element of the moral, free market.

It is a creature of the State, the Vampire's little bat. And, as far as I'm concerned, the word should be copywrong.

Samuel Edward Konkin III

TO THE EDITOR: (continued)

posed to wig-copiers and architecture-copiers) be enjoined, because they are not guilty of expropriating a right that has been (or could be) explicitly reserved. But clearly there are some subtle dividing lines to be drawn between what sorts of creations come with a natural copyright, and what sort do not.

I would be interested in critical feedback on these exploratory suggestions from any and all corners, and particularly from Wendy McElroy.

Sincerely,
(s) Lawrence H. White

Review:

Robert James Bidinotto, **Libertarianism: Fallacies and Follies**. Available from Broadsheet Publishers, c/o 422 Park Avenue, New Castle, PA 16101. \$4.00 for a 23-page typescript; \$6.95 for the audio-cassette version.

Readers of **The Voluntarist** who long ago settled their accounts with Ayn Rand and Objectivism will probably greet news of this Objectivist critique of libertarianism with either a yawn or an anxiety attack. But if they still find themselves sparring with the ghost of one of their reluctant godmothers, they should get themselves a copy of Robert James Bidinotto's **Libertarianism: Fallacies and Follies**, for there is much in it for them to argue about.

For Bidinotto, "libertarianism" is a "floating abstraction" referring to a mixture of incompatible ideologies united only by a name, an enemy, some slogans posing as "axioms," and a political strategy whose incoherence dooms it to failure. Libertarians make liberty, not man, an end in itself because they cannot agree about the nature of man (or even that he has one). As the origins of their movement recede from the present, Bidinotto contends, libertarians will feel less obliged to maintain recognizable links to the rational (Objectivist) source of their inspiration. This insures that libertarianism will continue to drift aimlessly and lose whatever cogency it may ever have had.

Continued next page

REVIEW: (continued)

Bidinotto places the blame for what some—though surely not he—would describe as the calcification of Objectivism into an orthodoxy, complete with heresy-hunting, on the shoulders of those who led the Nathaniel Branden Institute (N.B.I.), the official forum for Rand's thought in the 1960s. Frustrated by the N.B.I.'s authoritarianism, some of its students mistakenly thought they could lift the Objectivist goal of a free society from its philosophic moorings and still have something intelligible to build a political movement around. Armed with whatever they could take with them from their Objectivist courses, and bolting from the Young Americans for Freedom in 1969, many of them tried to do just that.

By admitting that "Ayn Rand committed the one great strategic error in her career" by permitting the founding of the N.B.I., Bidinotto provokes a fascinating line of inquiry. Are Objectivists becoming more self-critical, or more importantly, critical of Rand herself? Or is this an example of "damage control," a strategic ploy intended to limit criticism of her by shifting the blame for her infamous dogmatism to others? It would not be the first time that by appearing to concede error on a comparatively minor point, political actors have sought to lighten history's judgement upon them for their graver sins against truth and justice.

Fearful of creating an authoritarian cult, but wanting to create a mass movement for liberty, libertarians reduced their commitment to a name, "libertarianism," and an enemy, "the State." "Philosophy was chucked out, root and branch," Bidinotto writes, and what remained was a politics which began with an asserted 'axiom,' known as the 'non-aggression principle.' The principle—usurped verbatim from *Atlas Shrugged*, where it was **not** presented as an 'axiom'—declared that nobody had the right to initiate force against anyone else.

Bidinotto asks libertarians why we do **not** have such a right, and they cannot give a coherent answer, and that is because their concepts are at the mercy of their coalition politics. For libertarians to stake out epistemological ground is to risk sundering the fragile unity of tax reformists, tax abolitionists, monetarist, gold advocates, life extensionists, recreational drug ushers, Christians, atheists, limited interventionists, anarchists, minarchists, pacifists, survivalist, etc. Consequently, "libertarianism" can never be more than a hollow "ism," for a "political philosophy is an ideological **system**, not an ideological slogan. A mere premise—non-initiation of force—is **not** a political **philosophy**."

Much of what Bidinotto says rings true, but hardly applies to libertarians **outside** the Libertarian Party (L. P.), whose activities are **not** dictated by coalitional concerns and whose theoretical work **does** extend to philosophy. But one does not have to be an Objectivist to agree that the L. P.'s lack of philosophical identity weakens its ability to challenge the Statist climate of opinion. Bidinotto's reference to Rand's "non-collaboration principle" helps us give credit where credit is due. Rand wrote: "In any collaboration between two men (or groups) who hold different basic principles, it is the more evil or irrational who wins," and that is because, Bidinotto writes, the "more rational elements in any coalition have nothing to gain from the irrational except a share in the disasters which irrationality brings (including the bad publicity)." Is further comment necessary?

Bidinotto is less successful when he tries to discredit the anarcho-capitalist argument against the State. After stressing the Objectivist view of rights as "moral principles, devised by men, to safeguard their objective well-being and self-interest in society" and contrasting it with the anarcho-capitalist view of rights as "axiomatic 'givens' that are **intrinsic** to human nature," Bidinotto charges advocates of the latter with substituting the notion of "competing governments" for that of limited constitutional government's monopoly on the use of retaliatory force.

Bidinotto is right when he says that rational social living requires the use of force to be "socially constrained under objective procedures and strict uniform rules of criminal evidence and proof" (assuming a non-collectivist interpretation of "social constraint"). But it does not follow that

Without a **legal monopoly** on retaliatory force held by a **final arbiter** — i.e., without government—rational self-interest in society become impossible. Thus a properly-limited government is a **morally necessary** social institution, which protects individuals against arbitrary force.

This is a **non-sequitur**. It is morally necessary that there be objective rules for resolving interpersonal disputes: individuals should not feel free to act as judge, jury and executioner after a crime has been committed against them. George Smith has defended precisely this position. (See his "Justice Entrepreneurship in a Free Society" in *The Journal of Libertarian Studies*, Vol. III, No. 4, Winter 1979, pp. 405-26.) It is **not** however, morally necessary for one individual or group calling itself the government to have the exclusive right, in perpetuity, to enforce those rules in a given territory. What is morally necessary is for landowners—and all territory is supposed to be privately owned in an Objectivist society—to be free to decide, not what justice is, but which individual or group will administer the justice on their land.

Objectivists insist that arbitrary force must be excluded from human affairs as a precondition of making free market transactions and that therefore the exclusion of force must not itself be subject to market choice. That is, some social relations must be imposed by force so that other such relations may be free. This kind of reasoning opens the door to wide-ranging governmental intervention, since there are all sorts of "preconditions" which must be provided if market activity is to take place. For example, perhaps the government should own all roads, since market activity could not exist without them. Competing defense agencies do not necessarily lead to lawlessness any more than competing electrical companies are bound to ignore safety codes. Market processes provide incentives for objectivity in both cases, weeding out incompetents and fraudulent transactors.

In a debate with an Objectivist (Jeffrey St. John), Roy Childs spelled out the dilemma facing a "limited government" advocate: either the provision of a particular government service is a morally valid activity or it is not. If it is, then the government has no moral right to insist that only one agency, namely itself, may be hired to provide it. If its service is not morally valid, then no agency has a right to provide it. In either case, no agency has a morally valid monopoly on the provision of that service. Where is the fallacy or folly in such reasoning? And one may ask Bidinotto: how does an Objectivist government get established, and over whose land, without violating rights? Somehow. Blankout.

Bidinotto claims that libertarianism cannot even derive a sound concept of "right." Even "those few intrepid libertarian souls who have ventured onto the thin ice of epistemology," Bidinotto notes, "have gone crashing through the holes of intrinsicism or subjectivism," that is, the tendency to reduce rights to conventional rules or elevate them to platonic ideals. As the latter, "intrinsicist" rights can only be intuited, no doubt with the help of Lockean imagery (and alchemy) of man's "mixing his labor" with nature, and reinforced by the postulation of the "axiom" of "self-ownership." Bidinotto's contention that ownership is an **activity** of an individual human self, not an attribute of his nature, seems sound. A right is not a metaphysical fact, but a man-made principle enhancing man's rational pursuit of value, which is no less natural for that reason. This idea, partly to be found in Wendy McElroy's discussion of Benjamin Tucker's view of ownership as a "problem-solving device" consonant with man's nature (*The Voluntaryist*, June 1985), satisfies both principles of nature and utility which are needlessly at war in some libertarian circles.

That almost every major libertarian theoretician "began with Ayn Rand" is a tribute to the near-classic stature of her thought. While I enjoyed Bidinotto's discussion of the problems besetting libertarianism, I am waiting for Objectivists to discuss openly the problems **they** face. Even if I were to take Bidinotto's critique at face value, I would still want to know what steps Objectivists have taken to prevent another descent into authoritarianism (I am charitably assuming that this has not yet happened). Until Objectivists are honest enough to admit that they are a logical subset of the class "libertarians," i.e., advocates of a laissez faire society, and therefore are "kissing cousins" of the people Bidinotto targets,

Continued next page

libertarians are not obliged either to roll over and play dead or convert to Objectivism. That Objectivists shun dialogue and collaboration with libertarians is an unnecessary evil. But I prefer to interpret Bidinotto's essay as a feeler for such mutual enrichment until both he and my libertarian friends convince me I'm wrong.

Tony Flood

Directory Lists Computer-Connected Libertarians

The first edition of the **Libertarian E-Mail Directory**, a guide to freedom-lovers reachable by computerized communications, is now available. It lists Libertarians who are making use of electronic mail, a method of communication which may someday become as commonplace as the telephone and postal system, but which is currently reserved for a select group of forward-thinking people. Since Libertarians are also a forward-thinking group, it is not surprising that many of them make regular use of computers for communication.

Electronic mail allows people to send messages rapidly and inexpensively to other computer users. Unlike the U. S. Postal Service, many electronic mail services can deliver messages almost instantly; but unlike the telephone, the recipient need not be present at the exact moment the message is sent in order to receive it, and the sender may compose the message at his leisure. Users of electronic mail presently include college students, faculty and staff who have access to university computer systems; people working at companies whose computers are part of networks; subscribers to consumer services such as CompuServe; and computer hobbyists and others who use Bulletin Board Systems, many of which are part of the worldwide FidoNet.

The first edition of this directory may be obtained for \$5 postpaid from: **Daniel Tobias, 4025 Golf Links Blvd. #340, Shreveport, LA 71109**. The second edition is due to be published this August, and it should be bigger and better than the first, as more names are submitted. If you wish to be listed, send your name, electronic address(es) and (optionally) any other information about yourself you wish to be listed, such as your occupation, special interests and organizations in which you are active. This information may be sent to the U. S. Mail address above or on CompuServe to **72057,3267**, or on FidoNet to **Daniel Tobias** on **FIDO 129/13**. There is no charge to be listed, and no purchase is necessary. If you know of any friends who might want to participate, be sure to let them know. The more names that are submitted, the better the directory will be for everybody.

Contact (412) 268-8915.

Statement of Purpose

Voluntaryists are advocates of non-political strategies to achieve a free society. We reject electoral politics, in theory and in practice, as incompatible with libertarian principles. Governments must cloak their actions in an aura of moral legitimacy in order to sustain their power, and political methods invariably strengthen that legitimacy. Voluntaryists seek instead to delegitimize the State through education, and we advocate withdrawal of the cooperation and tacit consent on which State power ultimately depends.

Meeting Practical Objections to the Free Market

During a recent week of Freedom School, I had the opportunity of hearing Kevin Cullinane and Marshall Fritz field questions. Based on some of their thinking, I would like to offer the following technique as a way to answer questions relating to the workability of the free market. The specific question in mind referred to how people in a free society would defend themselves from foreign aggression.

Basically it is the socratic technique of asking your questioner what he thinks would work.

"What kind of defense does the United States now provide us with? Is it satisfactory protection against Russian invasion? If it isn't what would you (the questioner) suggest?"

Regardless of how the questioner responds, he provides you with an answer that he thinks would work. Then you ask him if there is any reason why he thinks such a solution could not be provided by the free market, so long as there is enough of a demand for it. If the objection is raised that enough money couldn't be raised voluntarily to fund such a protection or defense system, then the objection goes right to the heart of morality of self-government; namely that no one, even a majority of people, has the right to coerce others into paying for protection they don't want or don't think is necessary.

This same type of socratic technique could be used in answering other objections to the feasibility of the free market, whether it be provision of schools, libraries, post offices, roads, etc. (What kind of roads does the U. S. State now provide us with? Do they work? Is there any reason why they couldn't be supplied in a similar fashion on the market?) This method also presents an opportunity to point out that the State has nothing to work with, but what it has first taken from its people (less the cut that the bureaucrats take for themselves). Whatever resources there are, they will always be used more efficiently and effectively (and morally) on the free market, assuming a voluntary and legitimate demand is present for their use.

Carl Watner

The State

A state which should rely upon force alone would soon fall, for through men are naturally gullible, they are also naturally obstinate and power, like taxes, succeeds best when it is invisible and indirect. Hence the state, in order to maintain itself, used and forged many instruments of indoctrination—the family, the church, the school—to build in the soul of the citizen a habit of patriotic loyalty and pride. This saved a thousand policemen and prepared the public mind for that docile coherence which is indispensable in war. Above all, the ruling minority sought more and more to transform its forcible mastery into a body of law which, while consolidating the mastery, would afford a welcome security and order to the people, and would recognize the rights of the "subject" sufficiently to win his acceptance of the law and his adherence to the State.

Will Durant,
THE STORY OF CIVILIZATION
Vol. I, p. 25

"1984"

To the Editor:

Thanks for sending me issue #13. Now my collection is complete and I have a store of inspiration to support my spirit.

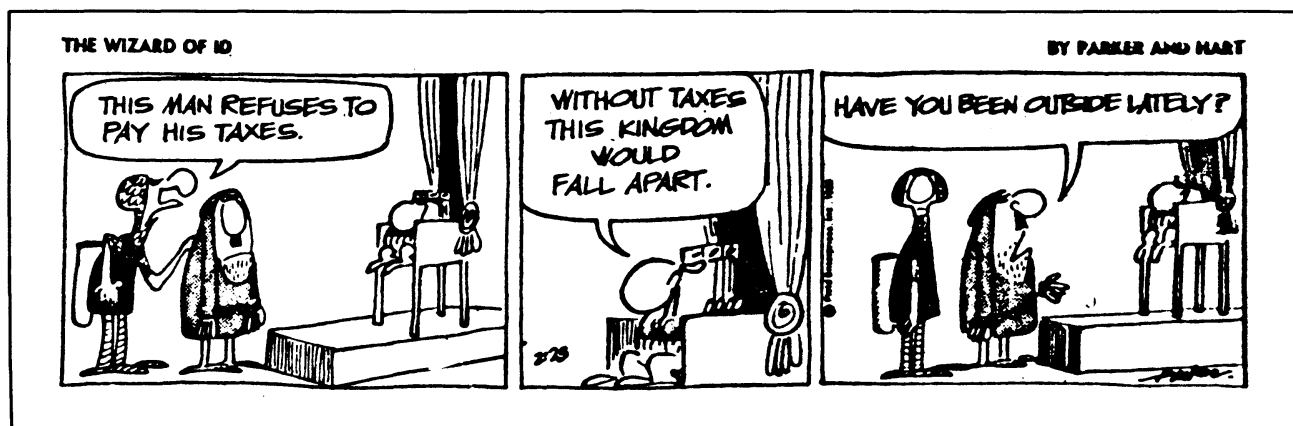
I have a problem here in California. Heretofore . . . thumbprints are always optional when applying for a drivers license. At that time . . . under the Reagan Administration when he was governor . . . if you politely refused to allow your thumbprint, the Motor Vehicle Department secretly gave your name to the FBI to check out on their computers to see if you were a fugitive or whatever. The Jerry Brown Administration stopped this dirty practice when he became governor. But NOW the thumbprint is mandatory . . . this action was brought about by pressure from the retail shops and large market chains due to too many rubber checks bouncing.

This is my present problem, not only do the rats wish to fingerprint you but they photograph you as well . . . but heretofore . . . I always kept my eyes closed when they snapped the shutter and they never said anything about it. For 20 years now, all of my pictures on my drivers license have had closed eyes every four years or so but **now** they told me to open up my eyes. They are saying that I must open my eyes. I told them bluntly no. They asked me

why and I said that I objected to the photographing and fingerprinting ala an Orwellian State. About a month later, back comes my application to appear for another photograph and once again I kept my eyes closed. He (another drone) says "Open up your eyes," and I say, "No." And he says, "Why not," and I said, "I object on the grounds of Libertarian and religious principles. You may photograph my flesh but you cannot photograph my mind." Again he says, "Open up your eyes," and I said, "Didn't you hear what I just said?" and he said, "Yes, I heard you," and I said, "So why do you keep asking me the same questions when I already expressed my feelings?"

So that's where the matter now stands. They have not sent me my new license as yet. Instead, only giving me an extension on my old license until they decide what they can do to force me to open up my eyes. As you very well realize, this is a case of the State trying to force me to do what **they** desire so that they can have a complete I.D. on me for their computerized files . . . the bastards. It is a matter of the State vs. individual liberty.

Name withheld at request of writer



The Voluntaryist

P. O. Box 1275 • Gramling • South Carolina 29348

FIRST CLASS — TIME VALUE

Please renew your subscription if the number on your address label is within one digit of this Issue's number