

Liberty

March 2006

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Guns, Rum, & Loot

A Life in Liberty

by the Editors & Contributors

Anarchy at Sea

by David Friedman

An End to the Drug War

by Bruce Ramsey

Beauty Killed the Beast

by Jo Ann Skousen

Also: *Doug Casey* finds freedom in the shadow of Mother Russia, *Michael Caldwell* weighs the Left's claim on Thomas Paine, *Richard Kostelanetz* appreciates an exhibit of truly individualist art . . . plus other articles, reviews & humor.

"Where Liberty lives, there is my homeland." — Algernon Sidney



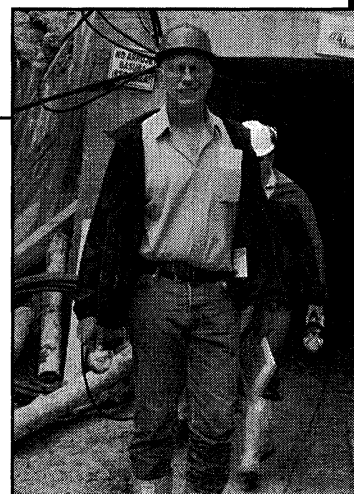
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Letters

Something to Chew On

Here's a surprising story:

Democrats oppose a government program (flouridation of water), Tim Slagle (Reflections, December 2005) ridicules Democrats for doing so.

A libertarian should either be against this program on principle, or tell us why it is an exception to libertarian principles.

Bill Gasarch
College Park, Md.

Oh, Ye of Too Much Faith

It was wonderful to see Robert Nelson ("The Opiate of Almost Everyone," February) saying what I've been actively preaching for over ten years, that the State has become a church. It was even good to read that which I have been loath to admit — that even good government inescapably has a religious basis, and that American government, grounded in the Constitution as Christianity is grounded in the New and Old Testaments, is inescapably a religion of its own. That is a good thing, because the First Amendment includes freedom of religion, and the First Amendment is the most sacred part of our Constitution in the hearts of the people. Once the pervasiveness of religion is admitted, it leads to Nelson's conclusion: "There is only one avenue to the restoration of true religious freedom in the United States — a sharp decline in the powers of the state."

The proper institutional roles of church and state are revealed by examining the nature of religion and force, the basis for each institution.

To put it simply, religion is what one believes is the truth and how one lives by it. This definition is a bit broader than the Supreme Court's current definition, which acknowledges atheism as religion, but confines constitutional pro-

tections to institutions with tenets and dogma.

If religion is what one believes is the truth, education — teaching the truth — is inherently religious and no business of the state. Charity is grounded in most major religions and the altruism they preach. That which is good or ill for body or soul, matters of health and holiness, are determined by personal beliefs and should never be written into law; bans of substances are just religious taboos like Jewish dietary restrictions or the Muslim prohibition of alcohol.

Education, charity, health, and holiness are functions of religion and therefore of churches. Government's proper function is determined by its monopoly on the use of force. The only proper use of force is to secure rights, therefore that is the only legitimate function of government. As it says in the Declaration of Independence, "... to secure these rights, Governments are instituted . . ." The boundaries of proper law are implied in the law of Alfred the Great, 1st King of England: "Do not do unto others what you would not have others do unto you."

There is a subtle and important difference between Alfred's law and the Golden Rule. "Do unto others . . ." is a positive admonition to help others. Alfred's law, on the other hand, contains no obligation to help, only the prohibition of harming others.

When one institution assumes the functions of another, it becomes that institution. When the state takes on the functions of a church, it becomes that dreaded hybrid, a state church. The phrase "bully pulpit," used to refer to the president's ability to command the attention of the media, perfectly embodies this obnoxious blend of piety with the threat of force.

Using force for anything other than

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securing rights can only violate rights, because force is never neutral. Everything a government does is paid for by the use of force, by taxes extorted from the unwilling, backed by guns. To keep government moral, it must be kept as small as possible. Indeed, if it would stick to its proper function, securing rights, it could be funded voluntarily, by lotteries and fundraisers.

Single-purpose institutions are able to fund themselves voluntarily. People who believe in or profit from a cause will contribute to it. In the case of government, all people have a stake in funding the rule of law to protect their rights. If enough of them feel that the law will protect rather than plunder, they will fund it with a glad heart. I can certainly see business leaders leading fundraisers for the county sheriff, the courts, and the feds.

Government has a major conflict of interest in funding anything but the punishment of crime. Who guards the guardian? When the state gives charity, who chooses the beneficiaries? One hand doesn't slap the other; it washes it. When money is collected by force and distributed at will, it is an open invitation to fraud and favoritism, which we all know is rife in government programs and rarely punished.

This conflict of interest is apart from the basic wrongs of forced charity, forced education, and forced holiness and healthiness. It's also a basic reason that state churches are always corrupt. The best of intentions cannot stand up under such a temptation.

Rycke Brown
Grants Pass, Ore.

Not the Same Old Schtick

I'm just old enough to have grown up in the same America in which Stephen Cox did ("Live from the Improv, it's Jimmy Carter," January.) For me however, it was a nightmare, because I belonged to a minority religion. I was Roman Catholic.

I was born in 1955, so my first years at school included daily Bible readings over the PA system and teacher-led recitations of the Lord's Prayer. I was precocious and really into that pre-Vatican II Catholicism, so when I noticed that certain Bible stories in school didn't run quite the way they did in church — and learned from a nun at Sunday school that the public schools used a Protestant Bible, named for someone named King

James who was an evil man — I was quite disturbed. Ditto for the "extra" stanza ("for thine is the glory," etc.) that those blasphemous rebels against the True Church insisted on appending to the Lord's Prayer as Jesus had dictated it. Then there was the annual Christmas assembly, at which "Away in a Manger" was invariably performed to the wrong (that is, Protestant) melody.

You get the picture. I used to walk home from school scared shitless that a truck would jump the curb and kill me and I'd roast in hell because my soul was tainted by that Protestant contagion.

I suppose my background explains why I grew up so zealous about separation of church and state, why I ultimately became an atheist — and why I think I can see the flaw in Jimmy Carter's argument. (I suspect it's not quite what Cox thinks it is.)

What is separation of church and state? It is a division designed not only to protect religious minorities from oppression by the power of the state, but also (and perhaps more importantly) to protect the machinery of government from becoming entangled in the strife of sects.

What it might mean at any moment in history to implement church-state

separation depends very much on the religious makeup of the body politic. To my mind, church-state separation settled into something approximating its current dynamic early in the 19th century. It can be summed up as follows: the level and kind of state-church separation appropriate to any particular time is that level and kind of separation which isolates the government from the religious debates most likely to erupt among the citizens of that day. Protection of government function, not protection of religious minorities, is the main goal (though protection of minorities tends to follow).

When public schools were founded in the 1830s, "Nondenominational" things that all large Protestant groups agreed on (King James Bible readings, the Lord's Prayer, the Ten Commandments) were all part of the school day. What was strictly off limits (in the sense of "this is a public school and we don't talk about such things here") was any issue that divided the Protestant sects of that day. Teacher-led prayer and Bible readings were fine, but debates over infant, childhood, or adult baptism (to cite one example) were strictly off limits.

Then came the Catholic immigration of the 1840s, and the wheels

What is a libertarian?

Is it someone who reads nothing but public policy reports? Is it someone whose television viewing is confined to C-SPAN? Is it someone who wakes up angry every morning because of the price supports on sugar?

This issue of *Liberty* commemorates the life of a different kind of libertarian — the founder of this journal, R.W. Bradford. We at *Liberty* know that Bill Bradford's many friends, and all the readers who never had a chance to meet him, will be interested in the story of his life.

Bill died on December 8, having made provision for *Liberty* to survive and maintain its character as a lively forum for libertarian ideas and debates. We believe that the current issue continues the tradition he established.

For *Liberty*,

Stephen Cox
Editor

promptly came off the compromise that had served the preceding decade so well. Things that hadn't been controversial among sectarian Protestants (say, the King James Version) most certainly were controversial between Protestants and Catholics. "Controversial" is too weak a word; in 1844 most northeastern cities had riots over whether students would read from the Protestant or the Catholic Bible. In Philadelphia, several Catholics died. This crisis led to the formation of the Catholic parochial school system, which provided a safety valve that permitted KJV readings to remain the norm in many northeastern public schools. The status quo could stand because one party to an inevitable doctrinal argument (Catholics) unilaterally withdrew from public life — or at least, withdrew their kids from public schools.

So we can arrive at a rough and ready metric for church-state separation, and inversely for rights of religious expression in public venues. Whatever religious issues significant numbers of believers are likely to argue about, if church-state separation is at an appropriate level, all of those issues will be off limits to government. Public school teachers won't be allowed to deal with them, citizens will be restricted from making statements about those issues in public spaces, etc. To make a sound bite of it, the more religious diversity there is, the less religious expression — even by individuals — can be allowed in venues that government controls.

During the 20th century the religious makeup of America continued to change. The Jewish minority grew markedly, and irreligious persons became socially visible on a significant scale for the first time. Topics like the divinity of Jesus and the existence of God — things Protestants and Catholics

would never argue about — were now controversial. Through the mid-20th century, schools began to develop sensitivity to Jewish concerns around the winter holidays; we saw the beginning of the "Happy Holidays" trend so controversial this past season. It began to be realized that simply having or expressing a religion at all in a public venue was now controversial.

The Supreme Court decisions of 1962 and 1963 represented a long overdue adjustment of church-state separation to reflect that demographic reality. Prior to those decisions, separation was badly out of sync with the makeup of the citizenry (hence the ability of a public school to torture my first-grade Catholic, um, soul); after them, separation was much more nearly in sync.

During the late '60s, all of the '70s, and into the early '80s a vast secularizing momentum gripped America. We seemed to be heading toward what priest-pundit Richard John Neuhaus condemned as "the naked public square," an America in which all forms of religious symbolism and expression would be barred from public venues, in which religion would essentially be banished to the private sphere.

Of course, that didn't happen. The fact that Americans would elect a born-again (albeit liberal) Christian to the presidency in 1976 signaled a change. With Reagan's election in 1980 the handwriting was on the wall. We were in for a period of reaction in which right-leaning ideologues would do their damndest to reinstitute the church-state world that Cox and I grew up in.

When Jimmy Carter complains about the church-state separation of long ago being in danger, what I think he's really saying is that church-state separation and American demography

are further out of sync today than they have been in a very long time. Allowing for the difficulty of comparing church-state matters pre-1820 to those after 1820, it may nonetheless be possible to establish that church-state separation has never, in the whole history of the Republic, been as far out of sync with demographic ground truth as it is

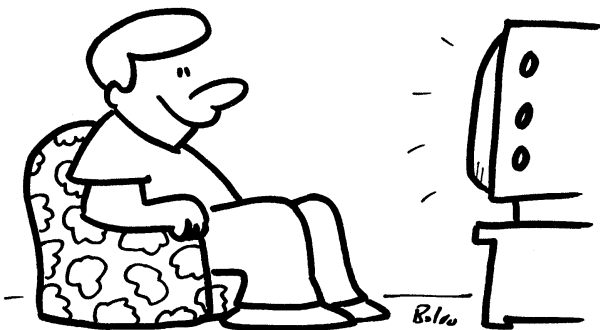
today. Of course, he failed to articulate it in that way, and I suspect that this failure drives the disconnect in Carter's argument that Cox rightly perceives.

As you can imagine, I'm not an optimist about America's church-state future. A 2004 Pew Bliss survey determined that 16% of the body politic is religiously unaffiliated, and almost 11% is secular, atheist, or agnostic; but that's only the beginning. In addition to Judeo-Christians who are Christians, Judeo-Christians who are Jews, and former Judeo-Christians who've given up religion, there are also millions of Americans who are fervently devout but not Judeo-Christian at all: Muslims, Hindus, Buddhists, Sikhs, Baha'i — basically every religion on earth. That all these non-Judeo-Christian faiths are represented at significant levels is something fundamentally new in American demography, and so it's difficult to imagine anything more idiotic than what we see today, with our political leadership striving to restore the church-state balance of, oh, 1930, which was in fact out of sync even with the body politic of 1930, which consisted wholly of current and former Judeo-Christians!

I hate to say it, but I expect blood in the streets. The riots of 1844 will be trivial compared to what will break out when today's devout non-Judeo-Christians reach their Chayefsky point (you know, "I'm mad as hell and I'm not going to take it anymore") with "God bless America" and "Merry Christmas" and having the Christian savior forced down their childrens' throats each day in public schools.

People of Jimmy Carter's stature ought to be sounding the alarm about that.

Tom Flynn
Editor, Free Inquiry magazine



"Our regular programs will not be seen tonight, because our station manager is in the mood for some Three Stooges."

Letters to the Editor

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Reflections

I'm OK, You're OK — Judge Samuel Alito, responding to a question from Sen. Arlen Specter about whether courts should declare laws unconstitutional because of Congress' "method of reasoning," replied: "I think that Congress' ability to reason is fully equal to that of the judiciary."

We are in serious trouble.

— Stephen Cox

Nothing has changed — "Now by the way, any time you hear the United States government talking about wiretap, it requires — a wiretap requires a court order. Nothing has changed, by the way." Who said that, and when? Why, President Bush did, at a Q & A forum in Buffalo, on April 20, 2004 — about two years after he signed an executive order (and presumably had renewed it numerous times, by the way, since the administration has said it requires review and renewal every 45 days) authorizing wiretaps on U.S. residents without a court order.

— Alan W. Bock

Dog's day — The Kennedys have a history of putting their names on book covers, and now Teddy has joined in with "My Senator and Me: A Dog's-Eye View of Washington, D.C.," cowritten by his Portuguese Water Dog, Splash.

According to the publisher, Scholastic, the book "takes readers through a full day in the Senator's life," presenting the events from Splash's perspective. No word yet on what day Kennedy has chosen to depict, but surely we can all think of at least one where a Water Dog would've come in handy.

— Andrew Ferguson

The liberal front — As I write, Samuel Alito appears to be on his way to confirmation to the U.S. Supreme Court. It is instructive to dissect the liberal arguments against this conservative nominee. To sum them up from what I've seen, read, and heard, they are two: first, that Alito believes the state may prohibit abortion; and, second, that he believes the president may make sweeping decisions during a state of undeclared war.

The first was expected: we have been talking about *Roe v. Wade* for years. But to the public, the case of *Youngstown Sheet & Tube v. Sawyer* is not so familiar. That was the 1952 case over President Truman's seizure of the steel mills to stop a strike during the Korean War.

Both of these cases turn on libertarian concerns: one on an individual's right to make a medical decision and another on a company's right not to have its property seized by presidential order. There were other objections to Alito, to be sure, but none as loud as these two, which are cases in which most libertarians agree with liberals.

What this hides is that committed left-liberals — that is, liberals who understand their own doctrine — favor an expansive state. They want to keep the New Deal interpretation of the commerce clause, which allows the federal government any quasi-economic regulation it can think of — which is why the liberal justices (Breyer, Souter, Stevens and Ginsburg) did not side with a long-suffering medical-

marijuana patient in *Gonzales v. Raich*. Liberals don't like to talk about *Raich*. They don't like to talk about other exercises of federal power, such as gun control, in which conservatives are on the side of the individual and liberals are not. At least they don't like to talk about those things when a seat on the Supreme Court is up. Then they want to win, and they win by painting the appointee as an authoritarian — which maybe on these matters he is.

The selection of issues is revealing. There is a face of modern liberalism that stands for freedom, and that is the face they show in a great battle for public approval.

— Bruce Ramsey

Dressed to shill — FrontPage Magazine has published an interesting interview with Phyllis Chesler, who has

been a major force in pushing the gender feminist (GF) agenda for decades now. In her new book "The Death of Feminism: What's Next in the Struggle for Women's Freedom," she is turning around and lambasting her sister-GFs as being sell-outs to the lure of academic and leftist prestige, etc. I don't much sympathize with her "ringing the bell in the night" over how feminism has gone wrong since she is one of the reasons it went so many miles off course. Her media-proclaimed "brave" book that turns on GFs just as their movement is clearly dying raises my cynical hackles. For one thing . . . good timing! It is like buying a rising stock when it is low and then selling-short when you see an inevitable collapse. Of course, on Wall Street, Chesler would be arrested for insider trading, as she is in a position to influence the decline of the GF stock by publicly excoriating it. Her



interview (and book) are one more indication that gender feminism has lost its hold on society and will be fading fast in the next few years, leaving the rest of us to clean up the mess. Now its former leaders are trying to make a buck and preserve their prestige by distancing themselves from the failure that is their legacy.

Chesler's heart bleeds so profusely for Third World women that she is proposing "a feminist foreign policy." She criticizes GFs "because they refused to work with a Republican administration" and, so, shut themselves out of foreign policy. Aha . . . I begin to see where an enterprising ex-GF can make a new buck and acquire new prestige. I have

When you express wrenching compassion for the poor and oppressed, may I suggest that your accompanying photograph not show you in a glistening evening dress?

a suggestion for Chesler: how about repairing the damage you have wrought to gender relations in your own society first? Oh, and when you express wrenching compassion for the poor and oppressed, may I suggest that your accompanying photograph not show you in a glistening evening dress with a glass of wine cradled in your hands? Actually, forget my last suggestion. It gives the reader important information.

— Wendy McElroy

If cigarettes are outlawed . . . — About a month ago, I took up a new habit: smoking. I don't like it — as a matter of fact, I hate it — but I can't seem to quit, because my smoking is all secondhand. Until a month ago, avoiding smoke was easy — virtually effortless. Most places are either partially or entirely non-smoking, and the few that aren't usually have adequate ventilation, at least in my experience. Washington state voters, however, seeing something that wasn't broke, decided to fix it. To protect people from the scourge of secondhand smoke, they've outlawed all smoking

in all businesses, and even outdoor smoking within 25 feet of doors, windows, or vents. Restaurants, offices, bars, cigar shops — they're all smoke-free now. And since windows, vents, and doors are often within 50 feet of each other in retail districts, in certain parts of cities it's impossible for a smoker to legally light up.

The cost of complying with no-smoking areas has gone up, with the predictable result that compliance has gone down. Waiting for a ride outside Seattle's airport, within arm's reach of a no-smoking sign, I was engulfed in the fumes from half a dozen smokers. Entering a convenience store, I've had to wade through similar clouds. I didn't see this when legal smoking areas were reasonably accessible.

I don't want to overstate my case here — the clouds are still the exception rather than the rule, and in any case, breathing a bit of secondhand smoke isn't going to kill me any more than buying a lottery ticket is going to make me rich. I just wonder if the 64% of Washington voters who are clearly unacquainted with human nature find it shocking that smokers, given the choice to ignore the law or drastically curtail their smoking, sometimes choose to ignore the law.

— Mark Rand

Blue-eyed blond seeks same — I regularly get our so-called "alternative newspaper" although it's really neither; it's more like a "yuppie infotainment events calendar." I remember not too long ago when these were called "underground" papers, a similarly self-important and bogus adjective. (Apparently when communism and apartheid were defeated, these papers safely emerged from the underground.) Why don't they just call themselves "weeklies" to distinguish themselves from the daily newspapers, which, after all, are also alternatives I could consider.

Posturing aside, their editorial positions are pretty similar and pretty conventional. As far as I can tell, what really distinguishes the alternative papers is the creepy politicization of personal ads. Half of them read like they could have been written by Hitler: "SWM, artist, music lover, vegetarian, non-smoker, advocate for jobs, looking for someone to join me in a quest to make the world a better place." The other half read like they could have been written by Himmler: "SWM, pagan, politically aware, into S&M, Eastern travel, and the occult."

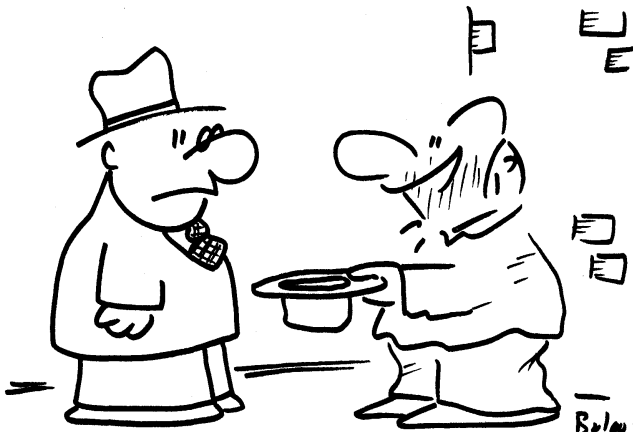
I guess it's an alternative to "If you like piña coladas and getting caught in the rain . . ."

— Tom Isenberg

Drug wars — On Dec. 5, three Democratic representatives wrote a letter supporting the importation and domestic sale of drugs manufactured under "compulsory license." Compulsory license is a recently invented rationalization that enables socialist governments to ignore pharmaceutical companies' intellectual property rights whenever they don't want to pay the market price for a drug. A belief common among the Left is that drug manufacturers are rich and greedy, don't need protection of their patents, and will still make plenty of money without them.

I wonder how many Hollywood leftists would agree with that premise if it were extended into their domain; i.e., consumers should be able to buy bootleg DVDs from Korea, if they feel the Hollywood distributors aren't charging reasonable prices.

Some might suggest that government funding of medical



"If you make it a thousand, sir, you can take me as a dependent."

research would give them part ownership of all medical patents. Since Garrison Keillor records "Prairie Home Companion" with the support of the federally funded Corporation for Public Broadcasting, does that mean we have a right to bootleg and sell broadcasts of his show? Since "Dances with Wolves" was partly filmed in national parks, does Kevin Costner forfeit his copyright on the movie?

Some might believe that pharmaceutical patents should have less protection because people's lives depend on medicines. I think if we are able to ignore any intellectual property protections, it should be the copyrights on movies and campy radio shows, because people's lives are *not* dependent on them. If it is possible to steal a patent from a pharmaceutical corporation in the event of a flu pandemic, then pharmaceutical companies are not going to invest resources into flu vaccines. Seems to me that if we're not going to protect something as important as medicine, there's no sense in protecting radio, motion picture, television, or performing artists either. Think pharmaceutical companies are evil, greedy, self interested, and overpaid? Not compared to performing art-

ists. I mean really, why should we be using the awesome powers and financial reserves of the United States government just to protect something as worthless as a Barbra Streisand CD? Is anyone going to die if nobody makes another "Rocky" picture? Is protection of an artist's intellectual property really a valid expense for a government with a multi-trillion dollar mortgage?

Necessity does not equal entitlement. Just as some think that the pharmaceutical companies have excess profits, most Americans have an excess kidney. (You only need one!) Meanwhile, thousands of people are dying while waiting for a transplant. If the people with the extra kidneys refuse to donate them, perhaps we should just take them under compulsory license, and save people's lives. I think most leftists should agree that anyone opposed to excess kidney forfeiture while people are dying is either cruel or stupid. — Tim Slagle

Once and for all — As this issue goes to press, Sam Alito is being questioned by the Senate judiciary committee. Predictably, several senators have asked for the nominee's

News You May Have Missed

Pope In Quandary About Limbo

ROME — After 30 prominent theologians who met in the Vatican in December agreed that it's time for the Roman Catholic doctrine of limbo to be discarded, Church officials have stressed that the final decision rests with Pope Benedict XVI, who has not yet been able to make up his mind about it. "The pope thinks getting rid of limbo would be great, because it would simplify everything," said one official, "but on the other hand he also thinks it's nice to know that it's there, just in case, because you never know when you'll need the extra storage space. So right now, he's kind of in lim- . . . in a quandary about the whole thing."

In traditional Catholic doctrine, limbo has been the place reserved in the afterlife for unbaptized babies and, in some versions, for wise and virtuous ancient pagans, nice Jews, well-behaved Muslims, cute heretics, and adorable household pets. Also consigned to limbo, according to tradition, are fans of the Chicago Cubs, people standing in crowded restaurants who have been told that their table should be ready shortly, people who get put on hold after calling customer service, and anyone attending a

performance of the Broadway musical "Mamma Mia."

Despite the conclusion of the December meeting in Rome that limbo itself should be relegated to limbo, the International Brotherhood of Hair-splitters, the powerful theologians' union, has come out against any narrowing of afterlife options, fearing it could result in substantial theological staff reductions. In response to these concerns, Vatican officials have suggested that instead of shutting down limbo altogether, they might consider just closing off the swimming pool area and getting rid of the game room, though they admitted that the ping-pong table would be sorely missed by residents who have already complained that even with regular high-stakes games of table tennis a stay in limbo can seem like an eternity. But the Church officials said that in compensation they might be willing to offer in-room movies for the first time, and the weekly rates, though certain to rise, would still be well under comparable off-season packages in Fort Lauderdale. Anyone who didn't like it, they added, could always go to hell.

Nevertheless, there were signs of growing international opposition to

the proposed metaphysical makeover, including a noisy demonstration by unbaptized babies in Barcelona and a protest involving hundreds of ancient Greeks in Athens. In Paris, an angry mob of existentialists rioted for the third consecutive day, arguing that we are all already in limbo, and to abolish it would be bad faith, as it would be in effect to abolish the authentic human situation itself, which is in its essence but of course totally absurd, except for the *café au lait*, it is not so very bad, and the croissants, *mon dieu*, they are superb, and Jerry Lewis, he is a genius, no?

Simultaneously, in cities and small towns across the United States, there were also ongoing riots as tens of thousands of angry "dittoheads" protested the apparent abolition of radio talk show host Rush Limbaugh, but they quietly returned to their homes after police officers used bullhorns to explain that there were still many things to be furious about, but this wasn't one of them. Limbaugh himself was said to have resumed seething on a normal schedule after the unfortunate misunderstanding was cleared up.

— Eric Kenning

thoughts on abortion. It would be nice if we could settle the question of the constitutionality of abortion with a constitutional amendment. Post-Roe America has a moderate pro-choice consensus. America is ready.

I propose an amendment with unambiguous language that will settle the question once and for all. How about this: "Well-regulated reproduction being necessary to the health and safety of free women, the right of free people to procure abortions shall not be infringed."

This clear language permits no room for pro-lifers to weasel around the amendment's intent. It definitively states that abortion is a right enjoyed by individual women, not by "the state" on behalf of individual women. The right to abortion is not subject to abridgement merely because it offends anyone's ethical sensibilities. It "shall not be infringed," period. That'll work, right?

— Patrick Quealy

None aboard —

One of the reasons I've heard for continuing the Amtrak subsidy is that passenger rail saves energy. Why does anyone think that running empty passenger trains back and forth across the country is saving energy? I have as much nostalgia for trains as anybody, and I probably use them more than most. But there comes a time to let the antiquities go, and accept progress. If Congress had subsidized stagecoach lines, you might still be able to take one across the country. But that doesn't mean it would be a good thing.

— Tim Slagle

Unitarian creed — In signing the Defense Appropriations bill that contained the McCain antitorture amendment, the president proclaimed that "The executive branch shall construe . . . [the section of the Act] relating to detainees, in a manner consistent with the constitutional authority of the President to supervise the unitary executive branch and as Commander in Chief and consistent with the constitutional limitations on the judicial power . . ."

The only power that statement seemed to acknowledge as legitimately limited is the judicial power. Does that mean, since administration lawyers have argued in the past that the president's "plenary power" in an emergency includes the right to ignore treaties and acts of Congress, that the president will do whatever he pleases and the judiciary branch can go whistle, as some have suggested? Maybe not, but it's worth worrying about.

"Unitary executive power" has two meanings, one rather commonplace and the other more controversial and unsettled. The first is that since the Constitution gives the president the power to see that the laws are faithfully executed, he has

the power to supervise the entire executive branch, including hiring and firing and setting policy, in a centralized, "unitary" manner. This power is limited by the Civil Service Act and there's some question as to whether it applies to "independent" regulatory agencies, but those are details.

The second meaning, regarding the scope of unitary presidential authority, is more controversial. Does a congressional authorization to use force (since we apparently don't believe in Congress declaring war anymore) expand power to, for example, order surveillance of Americans — even though Congress in 1978 set up a Foreign Intelligence Surveillance Court to supervise such surveillance — in a way that bypasses that court? If the president's "unitary executive" power allows him to enforce policy on the entire executive branch, perhaps it does.

This is made more complicated by the modern practice of presidents attaching signing statements to legislation, a practice Judge Alito, when serving in the Office of Legal Counsel during the Reagan administration, pioneered. President Bush has issued more signing statements (about 500) than any previous president, and about 100 have included the term "unitary executive" in a way that tends to strengthen executive power. The idea behind signing

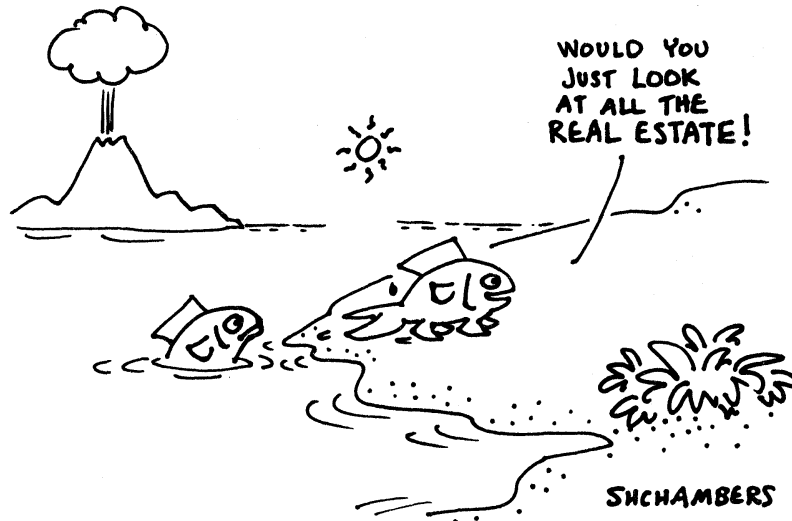
statements was to give the courts information beyond the legislative history to guide them when interpreting laws, but the courts have paid attention to them only sporadically.

Maybe it isn't quite time to worry about President Bush destroying the separation of powers and ruling as a monarch or dictator. But these and other signs show a persistent impulse to beef up executive-branch power at the expense of the legislative and judicial branches. The "unitarians" bear watching.

— Alan W. Bock

The winds have ears — Your cell phone records are available to anyone, online, for a fee! On Jan. 12, AmericaBlog had a post entitled "AmericaBlog just bought General Wesley Clark's cell phone records for \$89.95." One company, LocateCell.com, advertises a basic service: for "\$110 — Up to 100 outgoing calls with dates within the most recent billing cycle. Incoming calls on request if available with carrier. (Will not be indicated as incoming on results, if incoming must be indicated the charge is double the order) No guarantee incoming calls will be included in report as they are not available with all carriers." Special requests are extra.

Meanwhile, on Jan. 5, the Chicago Sun-Times ran an arti-



cle declaring, "Your phone records are for sale." So, with the practice receiving greater exposure, the government may soon be cracking down on it — which is considerably worse than the records being available for sale.

As a ham radio operator, I learned long ago to speak with discretion while broadcasting because many ears may be listening to my apparently one-on-one conversation. If I ever have something personal to communicate with another ham, I pick up a landline phone and use it. Indeed, I may be the last person in North America *not* to own a cell phone because I am too jealous of my privacy to throw personal conversations out into the ether. Correction, my husband and I may be the last *two* people . . .

— Wendy McElroy

On the wrong track — I strongly support efficient urban transit systems, but transit officials seem intent on giving people more reasons not to ride transit:

- In Denver, a woman was handcuffed and arrested for refusing to show ID when the bus she was riding to work passed through a federal complex — even though she was not getting off the bus until after it left the complex. The transit agency made no effort to support people's right to ride its buses without being bullied by intrusive government agents.

- In Atlanta, a man was handcuffed and ticketed for selling a transit token to someone at face value when the ticket machine at that station failed to work. Apparently it is illegal for anyone but the transit agency to sell tokens.

- In New York, transit workers left transit-dependent people stranded when they went on strike. How many auto drivers would be stranded if highway workers went on strike?

- In Washington, D.C., the bus system is "outdated, unreliable, and inefficient," according to the Washington Post, because the Metro transit agency has neglected it in favor of the rail system. While the rail system is a favorite of tourists, the number of people using it to ride to work has actually declined in the past decade. Like so many other cities that cut bus service to build expensive rail lines — Los Angeles, San Jose, and St. Louis, to name a few — Washington would have been better off improving bus service than building rail.

People respond to these sorts of incentives. Two Denver transit buses were involved in fatal accidents in one day. At the time of the accidents, one of the buses was carrying three passengers, the other one two. Clearly, transit officials there have successfully convinced most people to find other methods of travel.

— Randal O'Toole

Blood is thicker than honor — I'm always suspicious (disgusted, actually) when I see a large American corporation legally paying off politicians, or when politicians anticipate a legal payoff by lavishing contracts or monopoly benefits on corporations. Things were actually more straightforward in the days of brown paper bags stuffed with currency.

In November, America Online Inc. hired Mary Cheney, the 36-year-old daughter of Vice President Cheney, for an undisclosed salary, allegedly for her advice on building their Web businesses. I suppose the young Cheney must know something about computers, as do most in Generation X. But I'll bet she knows more about how to get rich through milking the military-industrial complex, having taken lessons from her old man who, after acting as secretary of defense

under the elder Bush, retailed his connections to Halliburton for a \$40 million payoff. Her previous "extensive business experience" (so described by AOL) was a job with Coors Brewing Co., a Colorado company whose principals are connected to her father. Then she was hired by her father and Bush's 2000 and 2004 campaigns. This set her up for a \$1 mil-

Bush's trips abroad only seem to inflame the locals and embarrass any American with more than a room temperature IQ.

lion deal with Simon & Schuster to write her memoir as the first openly gay member of a vice president's family. But a million bucks doesn't mean much these days.

Baby Bush, who'd never set foot outside the United States before becoming president, has turned into quite the globe-trotter, although what useful purpose his peregrinations serve is a mystery to me. His visits only seem to inflame the locals and embarrass any American with more than a room temperature IQ. At least his outings are often comedic. On a recent jaunt to Brazil, when he looked at a map with President Luiz Inacio Lula da Silva, he said: "Wow. Brazil is big!"

— Doug Casey

Fair trade — I'm a 93% libertarian and a 96% patriot. That's why I curse the Alabama legislature's proposal to mount cameras at traffic intersections, but view with calm equanimity the wiretapping of those suspected of wanting to blow up New York City, or poison Chicago's water supply, or otherwise harm me or my countrymen. Life, personal and political, is a trade-off.

A democracy only works if you vote your self-interest, and I have no murderous plans. So I'm not worried about a



"Look, I'm a busy man — stick out your *real* tongue."

few mistaken interrogations of terrorist candidates or their kinsmen. It's a trade-off: a small price for society to pay for a major life-saving bonus.

Those darn cameras, on the other hand, are as intrusive as pollen in springtime and pay off in pennies. Some impatient citizen (like me) busts the red light and is hit with a hundred-dollar fine. Many a late night I've sat at an empty intersection, gritting my teeth, expending energy, polluting our environment. Fuming, you might say. And once, maybe twice, I gunned through the red light. (OK, Maybe a half-dozen times.) I'm not only confessing but writing my state representative to vent my outrage at his camera concept.

Maybe that will make me suspicious. Maybe that will even put me on a list of wires to tap. But if it helps get the state out of my commuting life, that's a trade-off this 93% libertarian is willing to make.

— Ted Roberts

Imperishable bliss — The headline was: "Issuing Rebuke, Judge Rejects Teaching of Intelligent Design." When New York Times readers saw it on Dec. 21, most of them probably smiled with a complacent sense of satisfaction — science has triumphed again. But I found it chilling. Why is a

judge telling a school district what it can or cannot teach (in this case, whether it could read a statement that challenged evolution)? Can't a school district handle its own issues? Don't we have a federal system in which experiments are conducted and succeed or fail, and other districts learn from their examples? After all, long before the judge made his decision, the offending school board members in Dover, Pa., had been booted out of office.

Oh, and why do we have public schools anyway? Well, rather than pursue this track of libertarian outrage, I began to think about the case differently, as an illustration of a sturdy chunk of Americana that does not crumble or melt.

In no other country is there such a long-running conflict over evolution. It's a conflict that erupted (but did not start) with the famous *Scopes* trial in Dayton, Tenn. Yes, it is about religion. And it is not going to be settled any time soon. Let me explain.

In the 1950s, 1960s, and maybe even later, many Americans suffered anguish over religion (they called it "angst"). They no longer believed in God and sought out new faiths, such as Freudianism, technological progress, existentialism, anything but old-time religion. This anguish is illus-

Word Watch

by Stephen Cox

Every year, Lake Superior State University justifies its existence by issuing a Banished Words List — a list of "badly overused words and phrases" that, the people at LSSU suggest, should be retired from the language. Most of the time, the list is a public service. But the 2005 list leads me to think that the idea of hunting out overused phrases may itself be a bit overused.

To my mind, an expression is "badly overused" when (A) it is used so often as to have become predictable; (B) its meaning, if any, has been fully absorbed by any audience it is likely to find; and (C) no suitable alternative expression exists. The offense is aggravated when (D) a common expression advertises itself as uncommonly witty. Examples follow.

A.. When you open a card from one of those hapless people who feel obligated to remember your birthday, chances are very small that the note hastily scribbled on the inside of the card will *not* say, "Have a good one!" When you attend a "visitation" at a "funeral home," chances are even smaller that someone will *not* say, "Doesn't he look natural?" If you're like me, you say it yourself, just to get it over with.

B. There is no meaning that remains to be found and savored in "No harm, no fault!" There are no depths of undiscovered implication or poetic reference in "grinding poverty," "family values," "share your feelings," "dissed," "senseless crime," "bottom line," "close proximity," "step up to the plate," "greatest generation," "revisit the decision," "come to closure," "ramp up," "heads up," "she's all about herself," "it's the bomb," "go for the gold," "good to go," or the perennially disgusting "bring it to a head." Enough! Forgive — and forget.

C. Nobody *needs* to say "senior citizens." We already have "old people," "the elderly," "people over 65," "retired people," and many other choices. In this field, choices, like the poor, we have always with us.

D. Whoever first called New Orleans "the Big Easy" must have been just dying to say something witty, and succeeded about as well as the first little boy who exclaimed, "I'm a poet and don't know it." Nauseating? Yes. But the act of *repeating* such attempts at cuteness is a hundred times worse, especially when cuteness is allied with brow-wrinkling solemnity. "More and more Americans are wondering: Will the Big Easy ever be the same again?" Oh, maybe it won't. I'd just like to know whether the proper name "New Orleans" will ever be the same again.

There's nothing hard to understand about concepts A–D, but the experts at Lake Superior seem to be having a lot of trouble with them. Their new list of Banished Words rightly abuses "an accident that didn't have to happen," which is a witticism that certainly doesn't have to happen anymore. Try substituting the word "unnecessary," and the post-traumatic stress will vanish. But a lot of the other candidates for oblivion are just expressions that the critics don't like to hear — such as "97% fat free," which, as they inanely point out, means that the object in question still contains 3% fat; or "junk science," a phrase that they claim is used by people who "practice junk politics."

I believe there's more than a little unadmitted politics in Lake Superior's choice of offending words. But, "be that as it may," its list is flawed in other respects, too. Several of the examples are phrases for which there isn't an especially good

trated by "Sunday Morning," a poem by Wallace Stevens, one of the most admired poets of the time. "But in contentment I still feel / The need of some imperishable bliss," says the narrator, a woman struggling to accept her loss of religious faith.

Those days are long over, however. The uneasiness about religion expressed by intellectuals 40 years ago has ended. Many Americans don't darken the doors of a church or a synagogue or a mosque. Christians are not stigmatized if they don't attend church. Skiing, shopping, yoga, iPods, sex, and brunch fill up Sunday morning. The internal conflicts over belief in God have ended and the public face of our society is secular. Judge John E. Jones may have been constitutionally correct, given the history of Supreme Court decisions, to ferret out any taint of religion in the public schools. But for most individuals, secularism is not the whole story. The fact remains that, in their private lives, most Americans are religious. The 2001 American Religious Identification Survey found that 76% of Americans are Christian. More Americans go to church regularly than in any industrialized nation except Ireland, according to the Institute for Social Research at the University of Michigan. Across the country, social meetings start with prayer, families say grace, parents attend

alternative, phrases that can hardly be regarded as strained attempts at cleverness. You may not like the prevalence of talking points among our political class, but "talking points" is the only name we have for that unhappy entity. You may not like surrealism, but there is no other word for it than "surreal." You may not like Lake Superior State University, but calling it Harvard College won't do very much good.

The language critics at LSSU have forgotten what clichés really are, and they've forgotten that there are linguistic phenomena that are worse than clichés — such as some of the things that people do with them.

My friend Liam and I have gotten a lot of laughs out of a student activist who, trying to be clever and outraged at the same time, complained that some action taken by the authorities at the University of California was "the straw that broke on the camel's back." He was the camel, I guess; and the straw was . . . Well, who cares, at that point? As Isabel Paterson said, there are some people who can't even write a cliché accurately.

Worse still are people who can't understand what a cliché means. When Jesus used the words "suffer the little children" (Mark 10:14), he didn't mean to provide a headline for every journalist who wants to discuss the lack of "health-care services" for "inner-city school kids." And when John Newton wrote "Amazing Grace," he had no idea that 20th-century sports writers would use his phrase in headlines about what athletes do with a basketball. "Oddly enough," he thought it was "all about" God.

But the most dispiriting thing about "overused words and phrases" is meeting people who have never even heard of the clichés — if that's what you want to call them — by which America used to live: "Congress shall make no law," "no entangling alliances," "damn the torpedoes," "mind your business," "that government is best which governs least. . . ." And those people are all around us.

Bible classes, and children go to Sunday school. These Christians do not apologize for believing in God.

For some of them, Darwinian evolution is simply not compatible with their faith. Whether this is right or wrong is another subject (but famed Darwinian Richard Dawkins did say that Darwinism enabled him to be an "intellectually fulfilled atheist"). When these Christians feel they have to choose, they choose God. And, whether some judge in Pennsylvania rebukes and disparages them or not, they are going to continue to do so — as long as we have freedom of religion in this country.

— Jane S. Shaw

Selective blacklisting — Having more than once objected in these pages to complaints about Hollywood (and other professional) blacklisting that regarded only sometime Communists as victims, I was gratified to find in Murray Friedman's informative new book, "The Neoconservative Revolution: Jewish Intellectuals and the Shaping of Public Policy" (Temple University, 2005), this information about Morrie Ryskind (1895–1985), who shared Academy Award nominations during the 1930s, whom I admire as the co-scenarist of the Marx Brothers' classics "Coconuts" (1929), "Animal Crackers" (1930), and "A Night at the Opera" (1935):

"In 1947, Ryskind told the House Committee on Un-American Activities what he knew about alleged communist infiltration of the film industry. For his outspoken testimony, he was denounced as a Wall Street lackey and Red-baiter. Fearful of adverse publicity, industry representatives urged Ryskind to tone down his attacks. Ryskind, who could earn \$75,000 per script, balked. He was blacklisted and never wrote another script." A sometime lefty who became a nouveau conservative in the 1940s, Ryskind was later among the founding editors of the *National Review*.

As a veteran member of the Freedom to Read Committee at American PEN, may I suggest that the next time you read another book about Hollywood blacklisting, you look for Ryskind's name among those victimized. If it is not included, know that its author is probably advocating not Free Speech but something else — selective reparations for some people probably entwined with selective blacklisting of others.

— Richard Kostelanetz

Consumer confidence — Last year marked the consolidation of what has been a bipartisan consensus in the Imperial City in favor of big government and all its expenses and benefits for the politically connected. It had been preceded — under a Republican-controlled White House and Congress — by several years of the fastest increase in non-military domestic discretionary spending since LBJ. With the farm bill, the pork-laden energy bill, and the "bridge to nowhere" transportation bill, Republicans affirmed their allegiance to tax consumers rather than taxpayers — and the Democrats mainly complained that they were still too stingy.

Hurricane Katrina — which exposed the inability of a set of overgrown, sclerotic government agencies to respond quickly to real-world crises — compounded the inclination. Instead of introspection about the failure of government at every level, we got promises to make up for it with an endless supply of federal dollars, putting the entire Gulf Coast on welfare for decades.

A small backlash may be building. Toward the end of the

year congressional Republicans squeezed out a tiny symbolic cut in projected future spending. The cut of \$42 billion over ten years — less than half of 1% of projected government spending — hardly revived fiscal discipline, but it suggested a few guilty consciences.

— Alan W. Bock

Manufacturing dissent — After returning from Paris, where I spent the weekend of November 4–6, I was frequently asked about the suburban “riots” there. In truth, I knew nothing more than Americans saw on CNN and Sky (a British television channel). Both tended to show the same intense, burning footage again and again, claiming that the vivid sample illustrated a larger problem. From my own travels that weekend around Paris proper I could see that life went on undisturbed. This time, unlike in 1968, students did not create sympathy protests — not even around the Sorbonne, where I was on Saturday night. An American friend, a filmmaking student resident in Paris for several years, told me that he went to film the suburban riots on Saturday night. However, taking public transportation and then walking only on foot, he couldn’t find them. His conclusion was that he needed a car to find violence that occurred, not in whole neighborhoods, but on individual streets, while neighboring blocks were undisturbed.

By the end of the weekend the CNN and Sky television reporters discovered that similar riots, epitomized by the burning of cars, had broken out elsewhere, not only in France but in other parts of Europe, all of them supposedly reflecting similar social discontent among immigrants and their children. What the eager commentators apparently missed was a truth learned in America in 1967 — that whenever protests in distant places take the same form (this time car-burnings), the protesters are learning their strategies not from some central revolutionary agency but simply by watching television.

My hunch, which seems not to have occurred to the press, is that the Paris suburban riots were negligible until they were discovered by the media, which magnified events as they always do, creating out of their own need to entice an audi-

The Paris riots were negligible until they were discovered by the media, which magnified events by showing the same intense, burning footage again and again.

ence a greater story than there was, and thus the preconditions for greater problems that might in turn generate yet more vivid footage. Reporters with images on portable screens could then ask politicians to address a problem they had previously ignored.

When I was young, skeptics advised against believing “everything you read in the newspapers.” To update the advice, consider that no one should believe every interpretation of televised images.

We hear the familiar litany about the alienation of immigrants’ children and widespread unemployment among teenagers, reporters lamenting the “lack of jobs.” The economic

Exiting the road to damnation — Libertarianism may not be setting the world of electoral politics alight, but it continues to be the source of tremendous intellectual vitality — a fact clearly evident at the Annual London Conference of the Libertarian Alliance and the Libertarian International on Nov. 19–20, 2005.

The finest speaker of the conference was, for me, Sir Alfred Sherman. This gentleman of 86 spoke with the vigor of a student radical, and the certitude of a man whose life had brought him from the International Brigades of the Spanish Civil War to a role in starting the free market Centre for Political Studies.

His speech was largely concerned with the failure of the social sciences to concentrate on humans: “Political science — a term whose legitimacy goes largely unquestioned — brings the methodology of the physical sciences to human affairs, and has thereby largely dehumanized their study.”

There are those who treat humans as such, and those who treat them as tools for some allegedly benevolent end. The eternal dream of the perfectibility of man, and the terrible consequences of the misinterpretation of human action, became the central themes of the conference.

A case in point: the address of Sean Gabb, a conference co-organizer. Gabb outlined the obscene invasions of privacy committed by the British and EU governments. He listed recent attempts to enlarge the powers of the British government. The Proceeds of Crime Act has granted the British police tremendously invasive powers to spy on customers of the banking system. Nominal sums of money have now become “suspicious,” thus calling for declarations by so-called “Money Laundering Reporting Officers.” To Americans still concerned about the Constitution, this is reminiscent of the ongoing abuse of the Fourth Amendment through the War on Drugs. Then there’s the Civil Contingencies Act, which provides any number of reasons to declare a state of emergency and thus to imprison people without trial, confiscate their property, and so on. Finally, in the recent affair of the attempted Terrorism Bill, Tony Blair lost a motion in the House of Commons to empower him to hold a suspect for 90 days without formal charges.

Nevertheless, Gabb believes that “it is not the laws of Parliament” that are most threatening to liberty: “These could be rescinded. These are merely symptoms.” The problem, according to him, is the system that has governed Britain since Magna Carta. Unprotected by a written constitution, the British have benefited from a “web of associations.” Those associations can be changed. Slowly, we lose old customs — customs such as trial by jury (how expensive and inefficient!) or protection against double jeopardy. The “immemorial antiquities” slip away; strands of the web are cut. No sweeping acts of abolition occur; all we see are seemingly trivial, modernizing alterations: writs becoming “claim forms,” bailiffs becoming “court enforcers,” judges no longer wearing wigs. . . .

But this is all just nitpicking, isn’t it? No. We are talk-

ing about the past being forgotten, or misunderstood. Without a grasp of the ideas of the American Founding Fathers, or the natural rights enjoyed in Britain for centuries, one may easily imagine that legal documents from centuries past must be outdated. How could they encompass today's social situations? Doesn't it make sense not to wear wigs? By the same token, doesn't it make sense to try someone twice for the same crime, if some new evidence is found?

But once a system is rearranged, it becomes different; and once history is ignored or misunderstood, it becomes the basis of false deductions. "Subtle falsifications of events in the past," Gabb explained, are means by which the past itself is altered. Multiculturalism is a prime example. Past achievements are rewritten as exploitation of this class or that race; developments and discoveries are reconstructed as damaging to the environment and morally detrimental.

The legacy of the 20th century has been a severe misunderstanding of the role and powers of the state. According to Sherman, echoing several generations of libertarian philosophers, "the essence is that the state has grown at the expense of the civil society, weakening it. We look to the state to remedy evils or shortcomings; we ignore the price it is bound to exact . . . the more we turn to the state for remedies, which turn out poisonous."

This lack of appreciation for consequences was vividly illustrated by Mattias Bengtson, president of the Centre for the New Europe, in his lecture on "Statism: The Swedish Model and Its Lessons." It would be difficult to find a worse understood system of government than the present "Swedish Model." Sweden is far from enjoying pure socialism. Sweden has:

- No minimum wage;
- A reformed state pension scheme, in which everyone makes free choices about investments;
- School vouchers;
- A strong shift toward privatization of hospitals and clinics;
- Mass privatization of banks, transport, and other major industries;
- Zero regulation for trading hours;
- Abolition of death taxes and gift taxes;
- No "competition authority" to "help" the market;
- Very little red tape in industry in general.

It wasn't always so. In the 1930s, the Social Democrats made a pact with businesses and the trade unions for the establishment of a corporatist industrial policy. Without participation in either world war, Sweden was able to maintain a comparatively luxurious welfare system . . . for a few decades. But by the end of the 1960s, the Swedish Model was in trouble. Taxes had soared; the marginal tax rate was around 100%. Initial income taxes — i.e., taxes before all the other taxes were added — rose to 35%. Inflation was in double digits. Labor unions were starting to demand more control of industry. The "Wage Earners' Fund" was conceived — a scheme for forcible acquisition of stock on behalf of workers. A gradual takeover of industry was imminent.

Then Sweden changed. In recognition of the fact that

the unintended consequence of socialism was an economically moribund country, free market alterations were made. Today, the Swedish Model works — to the extent it does work — because of that recognition.

As yet, there has been no similar recognition in "European" politics. Syed Kamall, a British Tory and member of the European Parliament (MEP), described the inner workings of the "European Project." A consensus-based, rather than adversary-based, system, the Parliament brings new levels of confusion to democracy — Brussels-style.

First, voting takes place months after debates, enabling deal-making by interested parties. This also conveniently allows for the necessary confusion and

The EU's Lisbon Summit: empty words covering up a desperately sinister descent into madness.

amnesia to set in. Dr Kamall claims that many fellow-MEPs admit they don't know what they're voting about. This doesn't stop them from voting "yes."

The health of the "European Social model" lies at the heart of the EU parliamentary ideal. Continuously generous social security, small demands for workers to contribute to such programs, protected labor laws . . . anyone reading this magazine will know the corollaries. But the idea that this social model is anything less than a marvel of sophisticated thinking simply has not entered the heads of most parliamentarians (let alone most of the delusional electorate).

Another problem of the European Project is the parliamentarians' distance from the voters, preventing any genuine representation. Coupled with that is a passion for the Project itself that blinds its adherents to any of its defects. So enthusiastic are they about their dreams that they have little interest in the obvious failures.

Kamall felt that Europe was on "the road to damnation." No "reform" is in the offing; there is no likelihood that Brussels can be made smaller and more accountable. The EU's Lisbon Summit in 2000, where "the EU embarked on a strategy to make Europe the most competitive knowledge based economy in the world by 2010," was, in Kamall's words, "empty words covering up a desperately sinister descent into madness."

More hopeful indications of the future were discerned by Sacha Kumaria, Director of Programs at the Stockholm Network, although he echoed the bitter truth, well known in libertarian circles: the universities and the mainstream press are lost. But the message is: don't mourn for them, organize! Organize your own institutions. As evidence for the validity of this idea, he cited the network of free-market think tanks and the remarkable penetration of the Internet by libertarians. The rebellion of the libertarians — another unintended consequence of world socialism — continues in good health.

— John Lalor

truth in modern societies, no less true in France than in the United States, is that a principal cause of unemployment among minority teenagers is a high minimum wage. Thomas Sowell has documented this for American blacks. Limited by minimum-wage laws, most employers will hire familiar people over unfamiliar and thus whites over blacks, locals over immigrants, and native French over Muslim teens, to no one's surprise. Small proprietors who can't afford to pay minimum wages will do low-level work themselves.

Nor it is surprising that teenagers unable to find work often get involved in underworld activities, which I heard French politicians (speaking English before the cameras) blame for the riots. A further exacerbating factor in teenage unemployment, more important in Europe than here, is laws making it difficult to terminate someone who is securely employed. These laws make most employers reluctant to hire anyone whom they might later feel was a mistake. The laws create anxieties comparable to those experienced in selecting a wife, rather than a lover. While the state can respond to the demand to "do something," the best path is not that commonly advocated.

The familiar complaint against a lower wage is that "no one can live on it," which is true. What is also true is that most teenagers are still living with their families, so that what a high minimum wage denies them is not just the advantages of job experience but their contributions to family finances.

I offered these observations to the op-ed department of the New York Times, which has published me in several Sunday sections for over four decades. Perhaps because my remarks implicated the press in social mischief, in the wake of its dissembling over Judith Miller's misreporting, there was no reply.

— Richard Kostelanetz

W. Cleon Skousen, R.I.P. — My uncle, W. Cleon Skousen, died on Jan. 9, 2006, at the age of 92. He influenced millions of lives, especially out West, as a member of the anticommunist movement of the 1950s and 1960s. I always felt that men like Herb Philbrick, Walter Judd, Fred Schwarz, Thomas Dodd, and my uncle, among others, never got the credit they deserved for fighting the menace of communism in the early days of the Cold War, especially when the KGB files confirmed that "they were right," as one previously skeptical investigator said (See Richard Gid Powers, "Not Without

Honor: The History of American Anticommunism"). Cleon wrote over 40 books on political and religious topics. He was an FBI special assistant under J. Edgar Hoover, and chief of police of Salt Lake City; he was founder of the National Center for Constitutional Studies and had a lifelong interest in defending the U.S. Constitution, which he regarded as an inspired document. At various investment conferences, the most frequent question I heard was "Are you related to Cleon Skousen?" I always proudly responded, "Yes, sir!" He was a great man — a giant in the West.

— Mark Skousen

Peter Drucker, R.I.P. — The world's foremost financial guru, Peter Drucker, died on Veterans' Day, Nov. 11, 2005, at the age of 94. I interviewed Drucker for *Forbes* in the early 1990s. When I arrived at his home in Claremont, Calif., I was surprised by his modesty. For a man who made millions consulting with CEOs of multinational corporations, I was shocked to see him living in a modest and unpretentious home. He had no secretary, and never did.

He could be unpredictable and cantankerous. When I asked him a question, he said, "Who cares? Ask me a better question!" Finally, I said, "Well, what do you want to talk about?" He then started talking about Japan and warned that the Japanese were headed for trouble and a long slump because they had become too bureaucratic and arrogant. He was right, as he was on many of his predictions. Investors who followed his advice wisely avoided Japan as an investment (until now — Japan is making a comeback after a 15-year slump). Drucker, an Austrian economist, was a big believer in entrepreneurship, innovation, and capital formation. He favored companies that took big risks and spent lots of capital on R&D. He hated companies that had nothing better to do than repurchase their stock, or pay out big dividends.

Drucker was born in Austria in 1909, and his roots stayed with him all his life. His favorite economist was fellow Austrian Joseph Schumpeter, a believer in entrepreneurship and a dynamic model of capitalism ("creative destruction"). A frugal Austrian, Drucker disliked big spenders, heavy borrowers, and governments that can't balance their budgets. He blamed Keynesian economics for an unhealthy anti-saving mythology, causing "undersaving on a massive scale" in the West, both by individuals and government. Government, he said, is only good at three things: inflation, taxation, and making war. He once bluntly told a U.S. president, "government is obese, muscle-bound, and senile."

Yet he wasn't against government per se. He wanted a strong, healthy, vigorous government. To accomplish this goal, he recommended privatization of many state services. In fact, he and Robert Poole (founder of *Reason* magazine) invented the term "privatization." He was a longtime supporter of privatizing pension plans, both by government and corporations (he preferred defined-contribution plans like 401ks and IRAs rather than defined-benefit plans such as Social Security and corporate pensions). Drucker was hopeful after the collapse of the Soviet Marxist model in the early 1990s, which encouraged developing countries to privatize, denationalize, and open up their domestic economies to foreign capital. He recommended investing in emerging market economies. In the U.S., he was a big supporter of tax cuts, especially tax breaks for capital investment and entrepreneurship. The corporate income tax, said Drucker, is

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"Rob from the rich and give it to the poor"? You don't know the first thing about economics, do you?"

A Life in Liberty

On December 8, 2005, R.W. Bradford, editor and founder of Liberty, died at his home in Port Townsend, Washington. Bill Bradford was Liberty. For many people, he was also the libertarian movement.

No one else enjoyed such a wide range of friendships among libertarians. Ours is, of course, a movement of individualists, and Bill was a supreme individualist. It's impossible to think of anyone whom he was like. To his friends, however, he embodied the adventurous, exuberant, thoughtful, and courageous qualities of libertarianism itself.

Raymond William Bradford — “Raymond” was never used — was born in Detroit, Michigan, on Sept. 20, 1947, the son of Raymond and Eleanor Ritter Bradford, and the third of four children. His father, the descendant of a *Mayflower* pilgrim, worked for the Internal Revenue Service, ultimately specializing in organized crime investigations. His employment seems to have exerted little influence on the development of Bill’s political ideas. Mr. Bradford refused to talk politics, saying that civil servants shouldn’t let their views be known.

In 1951, Bill’s father was transferred to Traverse City, a small town in northern Michigan, and moved his family there. The provincial environment did nothing to limit Bill’s intellectual development. In high school, he read Barry Goldwater’s “The Conscience of a Conservative,” then works by Ayn Rand and the libertarian economists Ludwig von Mises, Friedrich Hayek, and Murray Rothbard — advanced studies for a boy in high school. In this period of intellectual excitement, his ideas moved quickly from conservatism to libertarianism.

In 1965, Bill entered Grand Valley State College in Allendale, Mich., and was graduated in 1969 with an A.B. in philosophy. He was particularly interested, during his college career, in the study of logic and political theory. He also edited the student newspaper, the Valley View, and was active in student politics in support of such causes as the abolition of college housing regulations. In 1966, he became chairman of a regional chapter of the conservative Young Americans for Freedom, staged a libertarian revolt, and took his chapter out of YAF. He founded a tiny student organization (two members), the Agorian Society, and in 1967 briefly published a small, nationally circulated libertarian journal, Eleutherian Forum. The agora was the marketplace in ancient Athens; Zeus Eleutherius was the god of freedom.

While still in college, Bill began buying and selling precious metals. After graduation, he lived in a house trailer, saved money, invested it, and established his own coin business, with a store in East Lansing, Mich. His firm set an industry standard of expertise and honesty. His newsletter, “Analysis and

Outlook,” provided an intellectual’s view of the precious metals market, past, present, and future.

In 1970, Bill met the woman who would become his wife, Kathleen Armington, a native of Iowa and a graduate of the University of Iowa. For Bill, she was always “my best friend,” his partner in all activities. In 1974, Bill and Kathy bought their first house, a comfortable old farm building in Okemos, a few miles from their coin store in East Lansing; but they soon tired of running a store and decided to seek a more interesting place to live. Acting in a typically libertarian manner, they did their own research on climate, population, housing, transportation, and other aspects of the environment and discovered that Port Townsend, Wash., was the best place for them. They packed their belongings and drove cross country with no place to live, but soon they found an old house on a hill above Port Townsend’s picturesque harbor. They moved there in 1980.

Bill had long wanted to publish a “real” libertarian magazine. After careful planning, *Liberty* began publication with the August 1987 issue. At first, *Liberty*’s work was done in a couple of rooms on the second floor of Bill and Kathy’s house. Then, in 1997, they purchased the west half of a tall Victorian building on Water Street, downtown, and moved *Liberty* HQ there. Often the only lights that shone on Port Townsend’s main street during the early morning hours were those of Bill’s office, high in the Pioneer Building, where he was editing articles and conferring by phone with contributors and fellow-editors.

Whether by phone or by email or in person, Bill maintained contacts with libertarians throughout the country. He and Kathy enjoyed trips to Hawaii and motorcycle tours of

the most challenging routes in outback America, but his daily life was devoted to *Liberty*. Often existing on only four or five hours of sleep, seldom leaving his home or office, he worried each issue through to publication. He commissioned articles by almost every prominent advocate of classical liberalism, and he discovered countless new writers whom he helped become prominent. His own articles in *Liberty* and other journals were notable for their deep background in history, their acute analysis of economic and electoral statistics, and their vivid and detailed reporting on the libertarian movement.

Bill had edited and published his magazine for over 17 years — a remarkable accomplishment for a journalist in any field — when, in late 2004, he began to be troubled by the symptoms of a mysterious illness. The crisis came in early April 2005, when he collapsed in intense pain and was rushed by helicopter to a Seattle hospital. An emergency operation revealed that one of his kidneys had been destroyed by a malignant tumor; subsequent tests showed that the malignancy had spread.

Back home in Port Townsend, Bill fought the cancer and doggedly continued editing *Liberty*. He looked forward with hope, but also with the practical realization that most people in his situation had less than a year to live. He was often in pain and almost always in great discomfort. He kept working.

Then, in early December, he was informed by his doctors that he had only a short time to live. He told a few close friends, made arrangements for the perpetuation of his journal, and died, very quietly, on the evening of December 8.

The Conscience of a Libertarian

by Ross Overbeek

I met Bill Bradford when I was in the ninth grade, and he was in the eleventh. We lived in a small town (about 18,000 people), Traverse City, Mich. It was 1963, and Barry Goldwater was leading a conservative movement to take control of the Republican Party. Bill and I had both read Goldwater’s “Conscience of a Conservative” and were looking for ways to support him.

Those were heady days as Nelson Rockefeller and William Scranton fought Goldwater for control of the party. They were days when the entire culture believed strongly in modern liberalism, if not socialism. At least that is how Bill and I saw it.

I doubt that Bill’s political philosophy was particularly well thought out; mine certainly wasn’t. We had both read a

number of widely available anticommunist books. Even then, Bill was devouring books voraciously. He was also reading William F. Buckley’s *National Review*.

We met at a gathering of a local conservative club. The meeting was held in the basement of one of the local businesses. Bill, my brother, and I were the only people there who were less than 20 years old; it was natural that we struck up a conversation. Bill attended the public high school, while I was still in junior high. We discovered that we lived fairly close to one another, so we agreed to meet again to continue the discussion.

Over the coming months, I often met Bill at his home, and we discussed issues that ranged from religion to politics. These early discussions focused on anticommunism and con-

servatism. He had read quite a bit of Buckley, and I attempted to study Russell Kirk's "The Conservative Mind" (a mistake, to say the least). Bill gave me a copy of Whittaker Chambers' book "Witness," which we both thought was extremely well-written. Chambers was a communist who eventually changed sides and accused Alger Hiss, a man of great influence in the government, of being a member of the Communist Party. History has vindicated Chambers (at least on that point), but at the time feelings still ran very high on the issue. It seemed to us that the world split fairly clearly between people who believed that there was an active communist conspiracy and people who did not.

Neither Bill nor I understood economics in any meaningful sense of that phrase, and our notions of liberty were just beginning to form. But soon there was a group of five or six of us that met periodically, followed the Goldwater campaign, and participated when we could. We spent one Saturday hanging leaflets on doorknobs in Alpena, another little town in Northern Michigan; spent days manning a booth at the summer fair; and continually attempted to improve our understanding of the many subjects that interested us.

I have the belief (quite possibly an illusion) that we experienced a completely different type of event from the modern political campaign. At least for us, it was a clash of ideas rather than the slugfest hosted by two C students that the U.S. electorate recently witnessed. Fifteen years later we

became friends with Karl Hess, who wrote many of Goldwater's speeches. We found Karl to be a wonderful, passionate advocate of freedom, and considered it significant that he also (a bit later) wrote speeches for the Black Panthers. How Karl could see a common thread between these wildly different perspectives was a topic that seemed important to us.

It was the campaign of 1963–1964 that brought us into contact with people and ideas we had not encountered before. Most factions within the Goldwater movement cen-

The assistant principal told Bill that if he didn't believe in public education, he should not be consuming public resources at the school.

tered on anticommunism, but there were also many old-line conservatives, some classical liberals, and a very few people who might reasonably be called libertarians. Participating in this event exposed us to all kinds of ideas and books. A campaign worker from downstate Michigan (if I recall correctly, his name was Jerry Plaas) discussed numerous issues with

Liberty lives! — Bill and I were about the same age. Regrettably, once you turn about 55, you start noticing friends disappearing. And the pace picks up as time goes by — assuming you're one of those still in a position to notice. Even now, his absence takes me by surprise.

I don't recall exactly when we met. The earliest contact I remember was when, by telephone, he told me he was thinking of starting Liberty and asked me to be a senior editor. I agreed, but without voicing my reservations about the project, figuring it was likely to be just another libertarian pipe-dream which, if it survived, would become a black hole for money. Well, I was wrong, because I didn't know Bill well enough to fully appreciate his abilities. The magazine has grown into what I consider one of the best intellectual journals in the country, and absolutely the best of those with a libertarian bent. I only regret that I never delivered the first article he asked me to do, on my adventures riding the rails as a yuppie hobo.

The time I recall best with Bill was spending a couple of days "in the wind" in the environs of Port Townsend, dodging logging trucks on our motorcycles. He may be remembered foremost as a great editor, but I'll remember him as an excellent rider.

Where is he now? Just returned to dust? Maybe. Floating incorporeally in the ether? Maybe. On his way to reincarnating? Maybe. Burning in the eternal fires of a neocon hell for not being an adequately righteous 'merkun? I think not; in my opinion, Bill was an exemplar of public and private virtue. Singing eternally with the angels in the choir invisible? Not his style.

I often talked practical, applied philosophy with Bill — meaning religion and politics, but mostly politics. His views on these things were empirical. He liked to see the evidence for a given view, although he would listen to even delusional takes on reality, simply because he was intellectually curious.

And intellectually honest. Although his values were as solidly libertarian as anyone's I can think of, he was, for instance, perfectly willing to pursue and expose what appeared to be irregularities in the Libertarian Party. Not because he wanted to, but because it was right.

One other thing. Bill was, unlike many libertarian intellectuals, financially successful. It always amused him that a class of people who, arguably, understand money and the economy better than any others (including most university professors and financial pundits), seemed to have less money than anyone else this side of the welfare lines. It was nice to see someone not only talk the talk but walk the walk.

It seems to me we conduct memorials more for the benefit of the living than for the benefit of the departed. And that's fine, in that it offers an opportunity for self assessment. Like almost everyone who knew Bill Bradford, I'm really sorry he's no longer here. He was a good guy. The fact is that most people live and die without leaving a trace. When some people are gone, the most appropriate, even charitable, thought is "Good riddance." Others, like Bill, leave a real void because they leave us so much good to remember. And along with the remembrance of a truly decent human being, which itself is something of value, he left us Liberty.

As an epitaph, I urge what he seemed to suggest in one of his last emails: Bradford dies. Liberty lives! — Doug Casey

us. He talked about Orval Watts, a free-market economist who was teaching at the Northwood Institute (a small college in Midland, Mich.). Plaas respected Watts and mentioned that his library included a number of books worth

I still remember the day the instructors required that everyone join in smashing a car with sledgehammers.

reading, including "The Constitution of Liberty," by Friedrich Hayek, a book valued highly by Watts. That is the only book I remember being explicitly mentioned, but I would guess that he also pointed Bill to the work of Ludwig von Mises.

From that time Bill began seriously exploring classical liberalism, Austrian economics, and conservatism. Just as important, from my perspective, he discussed everything with a small group of us. This was not a formal club, but

rather a group of teenagers seeking to understand. It was the midst of the Cold War, the Cuban missile crisis had just occurred, we were all just a few years away from being drafted, and life seemed quite serious.

I doubt that either conservatism or a desire to support the Republicans ever attracted Bill. I remember a delightful discussion in which we considered whether Goldwater might win, or whether it was even critical that he do so. Bill pointed out that Goldwater had addressed a gathering of farmers, stating that he would abolish farm subsidies, that he had told a group of old people that Social Security had to be rethought and should not be compulsory; and that he had recommended the abolition of the draft to an audience of conservatives. All these positions, Bill argued, would weaken his chances of winning; but he believed that Goldwater was right to have announced them in that way.

Goldwater did get the nomination, and in the acceptance speech he said, "I would remind you that extremism in the defense of liberty is no vice. Let me remind you also that moderation in the pursuit of justice is no virtue." Those were pretty powerful words, and I remember vividly the night the speech was made. I was not with Bill; I was with three successful businessmen (a Democrat, a Republican, and a

Liberty for everyone— It's hard to write about Bill Bradford specifically, because Bill was always more interested in others than he was in himself. He was the consummate newsman, always after a story, always having something more to query or to add to a story someone else was writing. In the three years that I wrote for Liberty, he made me feel as though I was his favorite writer, and that whatever article I was working on was essential to the next issue.

After his death, as I read email stories about Bill that circulated among his friends, I realized that he had a knack for making everyone feel that way. Not because he was duplicitous in any way, but because he was sincerely interested in every story. Every article was essential to the next issue of Liberty. He couldn't do without us.

He was a kind but thorough editor. His queries were always cogent and his edits always made the article better. And his headlines! He was the master. "Splish Splash, I Was Taken to Jail" about my daughter's arrest for throwing water balloons, and "Hail Mary, Full of Smack" about a woman named Maria who smuggled heroin into the U.S. inside her stomach: those are two of my favorites. My brief experience with Stephen Cox tells me that he will be just as thorough and just as kind, but I will miss the long conversations with Bill as he made enthusiastic research suggestions or talked about obscure old movies and radio shows.

In 1991 I gave a talk at the Eris Society meetings in Aspen, Colo. Entitled "Confessions of an English Major," it was about my experience as a politically incorrect but morally erect graduate student at the University of Florida. Afterwards Bill talked to me

enthusiastically about my speech, both the content and the delivery, and suggested I should run for president on the Libertarian ticket.

"We need someone like you," he said. "You're a woman, you're married, you go to church, you like raising your kids, and you're intelligent besides. We need you to demonstrate that Libertarians aren't just druggies and anarchists." I took it as a compliment but thought nothing more about it until the week before Labor Day, when Bill started calling me from the Libertarian Convention every few hours to say, "Get out here! We need to nominate you!"

I was in Utah, taking my firstborn to her college orientation, and wouldn't leave her. But I love being able to tell people, "The Libertarian Party wanted me to run for president, but I had to take my daughter to school!"

The fact that Bill was serious about nominating me says a lot about his attitude toward liberty. He knew that liberty isn't just for anarchists, or technocrats, or druggies, or men, although that is the impression the media seem to have of libertarians. Bill knew that libertarian principles are as relevant for religious stay-at-home moms as they are for pot-smoking single males. He also believed that a libertarian political victory was possible. His wasn't just the purist, out-of-the-ashes-of-anarchy libertarianism, but a workable, electable libertarian style of limited government.

That's why politics were so important to him, and why he cringed when libertarians began their talks by saying, "The first thing I would do as president is let all the prostitutes and drug dealers out of prison." The first thing Bill would have done is teach correct principles so

Marxist), who were all equally horrified by Goldwater's comments. Bill found the words inspiring, but I also suspect that they worried him on pragmatic grounds — he clearly saw Goldwater's defeat coming.

After that summer, and a few months before the election, I started Traverse City High School as a sophomore, while Bill was a senior. We spent one wonderful year together before he graduated. He introduced me to "The Exploitation Theory" by Eugen von Böhm-Bawerk, an extract from his major tome "Capital and Interest." That was the first time economics made any sense to me. I had read "Economics in One Lesson" by Henry Hazlitt, but both Bill and I felt terribly dissatisfied with that book. Hazlitt focuses on issues relating to the unintended consequences of economic decisions. In this he follows Frédéric Bastiat, who wrote entertaining essays on the topic. (Bill and I were especially delighted by his petition to the French Chamber of Deputies on behalf of candlestick makers: see <http://bastiat.org/en/petition.html>.) One can use this approach to establish that something is being overlooked, but it fails to convey the principles upon which economic reasoning should be based. To understand how it should be done, I would refer you to the early chapters of Murray Rothbard's "Man, Economy,

and State." Bill would have referred you to Mises' "Human Action."

Anyway, when Bill ran across Böhm-Bawerk's attack on Marx, which allows a real glimpse at the underlying economic issues, he realized that he had found something we had to understand. We started studying the works of the Austrian free-market economists. I forget the order in which we started reading those works, but we found them intensely interesting. I was able to borrow a copy of "Man,

There grew in Bill a deep aversion to Rand's harsh reaction to opposing views and to Rothbard's notion of the "The Plumb Line" or absolute standard by which to judge people's ideology.

Economy, and State" from the Knott's Berry Farm lending library, and we both read it. While many feel that efforts like that lending library seldom have much impact (and that may be true), to two kids in Traverse City, Mich., it was a very big deal. Rothbard wrote beautifully, and reading the first volume of his great book made Mises much more accessible. This was the first major intellectual step that we took that school year, and it set the stage for the second.

Bill found Ayn Rand at some point that year and gave me "Atlas Shrugged" soon after he had read it; we were both overwhelmed. We came into the experience with a basic understanding of Austrian economics and found the portrayal of the economic issues absolutely riveting. I was religious at the time, and there were a number of issues that I considered hugely problematic, but we moved quickly through all of Rand's novels. Her ideas rapidly became a focus of interest within our high school crowd of ten to fifteen people. To say that Bill led things would be incorrect; it was more as if he was at the center of things. Eventually, both of us were deeply influenced by Rand and her philosophy of Objectivism.

We were completely out of step with almost all the teachers in our school, although we were both studying constantly. I remember the assistant principal telling Bill that, in his opinion, if Bill didn't believe in public education, he should not be consuming public resources at the school. Our grades were fine, but we were absorbed in studying economics and political theory, and even attempting serious philosophy. In many ways, it was what college is supposed to be like, but certainly never was for me.

Bill graduated before I did. His parents moved that summer to Grand Rapids, and he spent the summer living at their cabin in near Interlochen, northern Michigan. He went downstate a couple of months later, lived with them, and began his studies at Grand Valley State College.

This may be a good point to summarize the intellectual path that Bill was traveling. He has described it in one of his Liberty observations (February 1999: <http://www.libertysoft.com/>

that people could govern themselves. Letting victimless criminals out of prison would naturally follow.

There was one thing Bill loved more than Liberty, and that was his wife Kathy. He even watched "Survivor" because he knew she enjoyed the show. Kathy understood the drive of a newsman, and her unwavering support made Liberty possible. I miss their

Bill knew that libertarian principles are as relevant for religious stay-at-home moms as they are for pot-smoking single males.

Christmas letters that usually began, "We were too busy to do anything this year," then went on to chronicle a spectacular motorcycle ride from Washington to Colorado or a camping trip in Hawaii.

In recent years, they really were almost too busy to travel. The last time I saw Bill was at the Liberty Editors Conference at Freedom Fest in Las Vegas. Kathy was very ill that weekend, and I was touched by Bill's concern for her. He didn't care whether Liberty's booth was manned or not; he left the conference several times to check on her in their hotel room. I'm sure his last thoughts were not about the next issue of Liberty but about his dear wife. No tribute to Bill Bradford would be complete without a tribute to her as well.

— Jo Ann Skousen

liberty/features/70bradford1.html). I highly recommend this brief note, both because of its relevance to Bill and because it outlines a set of issues that troubled many libertarians of the period. I suspect that some current libertarians might not relate to it, but I find it a lovely summary of the intellectual paths we both wandered during those times.

As I see it, Bill's intellectual development went through five main stages:

1. In his early high school years, he focused on conservatism and anticommunism. He studied a huge number of fairly obscure works to try to arrive at an understanding of the communist movement.

2. This naturally led to a desire to understand economics. His early exposure was to Austrian economics — especially the works of Ludwig von Mises. This led him to read numerous non-Austrian treatises, but Mises remained at the center of much of his worldview.

3. Then he encountered Ayn Rand. His studies covered everything from her philosophy to her positions on art and psychology. He was deeply inspired by her. He took everything she wrote very seriously. This was a period of integra-

Vietnam War ought to be dealt with harshly, and supported the presidency of Gerald Ford despite his broad intervention in the economy.

The modern libertarian movement emerged as Rand's readers realized, beginning in the early 1960s, that her categorical prohibition of initiated force led to a political theory much more radical than what she envisioned. By the mid-1960s, they were forming study groups and producing modest publications examining the implications of the non-aggression principle more closely. Many realized that the principle led ineluctably toward the very anarchism that Rand had denounced.

5. Finally, Bill began to be seriously skeptical about the nonaggression principle. Since this was the foundation of many of his beliefs, it was a major effort for him to reconstruct a coherent position. He moved to a position we often called classical liberalism. He described his shift in this way:

By 1968, as other libertarians were becoming anarchists, I had rejected the notion of inalienable rights, replacing it with the notion that rights are valuable social constructs, but not absolute imperatives. I had embraced a libertarianism based on a rather complicated praxeological analysis of coercive action.

This is, of course, a somewhat oversimplified and artificial structuring of his development. It leaves out, most notably, his attitudes toward war. However, I do believe that his emphasis on tolerance grew out of these shifts. He clearly understood that he had held and defended positions that he now considered wrong. There grew in him a deep aversion to Rand's harsh reaction to opposing views and to Rothbard's notion of the "The Plumb Line" or absolute standard by which to judge people's ideology. I think that Bill's attitude was simply "Look, I got it wrong for a while after huge effort. I may still have it wrong. But I'm damned sure that you guys have made some pretty major errors of your own. Let's stop going nuclear over sincere differences of opinion and try to learn from one another." Those are my words, but I believe they capture the attitude that would lead him to found Liberty.

We were not in much contact during the year after he moved. He wrote and distributed a newsletter that he called Eleutherian Forum. As I recall, he told me later that he had successfully gotten seven issues out before he ended it.

College Days

In 1966, I moved to Holland, Mich., where I attended Hope College. For me, it was a frantic year; I worked in a factory full time, got married, bought a motorcycle, and carried a full load in college. Even with all that going on, Bill and I started getting together again, since he now lived only 30 or 40 miles away. There were a few wonderful moments when we sat by the shores of Lake Michigan and continued our discussions about whether or not aggression was ever justified and how one might derive a solid position on the issue. He wrote a paper for a political science class on the proper role of government, and he remained proud of his position for the rest of his life.

Rand, Rothbard, and Mises had become the center of our discussions. We came to the conclusion that the nonaggression principle as formulated by Rand led to anarchism, and

He ran for head of the Michigan Young Republicans on an anti-draft position, and got only a few votes out of hundreds. He then held a victory celebration because "every intelligent delegate voted for me."

tion and firming up of basic beliefs. One point was especially significant — the "nonaggression principle." In this quotation from Bill's words (in the article cited above), I put the nonaggression principle in bold:

Rand and Rothbard begin their political theory by arguing that people by their nature possess inalienable individual rights to life, liberty and property. From this, Rand quickly concluded that **"no man has the right to initiate the use of physical force against others."** For Rothbard, the very meaning of a right is the obligation it imposes on others not to initiate physical force.

4. The nonaggression principle as formulated by Rand is a powerful and elegant expression of the essence of libertarian thought, as seen by her. Its implications are profound, and they led Bill toward Rothbard's form of anarchism. As Bill put it,

Rand never realized that the non-aggression imperative led rather quickly to the rejection of government entirely. She maintained a rather primitive faith in the American political system envisioned by the framers of the Constitution, calling for the complete separation of economy and state, but rejecting anarchism as a system incapable of functioning. Somehow she managed to claim that it was always wrong to initiate force, but tolerated tax-supported programs ranging from the maintaining of a multi-million volume library to the exploration of outer space, suggested that opponents of the

we felt ourselves moving rather quickly in that direction. At this point in his life, I think that Bill had been deeply moved by Rand's novels and was seeking to understand her positions in depth. He was studying Aristotelian philosophy from one of the relatively few Aristotelians in academe (he read Henry Veatch's work under the direction of Professor Young of Grand Valley, who was, I believe, a student of Veatch's). He was inclining toward Rothbard's anarchism, but he was trying to work things out carefully.

It was also during the 1966–67 school year that Bill began seriously dealing in coins. He had wanted to leave his parents' home, and for \$30 a month I agreed to let him unroll a sleeping bag behind the couch in the shabby apartment that my wife and I rented in Holland, Mich. As U.S. coins (half dollars, quarter dollars, and dimes) moved from silver to copper-nickel clad, Bill started visiting local banks, getting thousands of dollars of coins. He would sit at my kitchen table and sort the older, silver coins into one pile and the newer, clad coins into another. He would return the clad coins to another bank and sell the silver ones to investors. I found this a bit amusing. Later in life, Bill offered me a job dealing gold in Lebanon (not in response to any skills on my part — he just needed someone he trusted). There is a lesson here about the entrepreneurial spirit and what distinguished Bill from many of the rest of us.

I left Hope College and joined Bill at Grand Valley State College in 1967. These were strange times. The Vietnam War was always in the background. There was a constant fear of

being drafted, life and death issues were the norm, and we were young and intrepid. GVSC eventually began the process of generating a new college within itself, which at the time was informally called "the second society."

There were no grades or classes. Students designed their own curricula, found instructors willing to teach them, and somehow progressed toward degrees. We both viewed it as a wonderful opportunity. Together we took classes in Aristotle, H.L. Mencken, and utopian societies. These courses were largely designed by Bill. He would select a proposed set of readings and describe a reasonable set of objectives; then we would find professors to oversee our efforts.

I was moving into computing, math, and physics, but Bill focused on philosophy and political science. The relatively unstructured framework suited us, but there is no doubt in my mind that carefully planned classes taught in a conventional manner are usually more productive. The extremely experimental framework sometimes led to instances of extreme silliness. Once a week, all students were expected to participate in a common discussion. I still remember the day the instructors required that everyone join in smashing a car with sledgehammers. They felt, I suppose, that it would be a liberating experience. Bill was amused. I was horrified.

One day we met and he described how he had run for head of the Michigan version of the Young Republicans. He ran on an anti-draft position (that was his only issue and all he talked about at their convention). When the big vote came, he got something like seven or eight votes out of hun-

Liberty Bill — Many people comment — and properly so — on both the intellectual balance and the political astuteness that Bill Bradford brought to the libertarian movement. I want to add more personal observations.

One of the aspects of a legacy that is most difficult to capture is the one-on-one influence created through sheer kindness, enthusiasm, charisma, and other matters of "personality" which cannot be passed down through the printed word. Bill inspired those around him to stay focused on principles, to remain dedicated to liberty, and to keep up their passion for just plain enjoying life. In this regard, he reminded me of Murray Rothbard. I get a twinge of regret every time I realize that modern scholars who study Rothbard's work will never truly understand his influence, which sprang largely from the energy that flooded each room he entered. So, too, with Bill. As impressive as his preserved words may be — and they are second to none — it is not possible to understand the void Bill leaves without knowing the personal power his presence exerted.

Let me provide merely two memories. On a personal note, Bill was once very kind to me during a difficult period of my life. His spontaneous emails and phone calls of friendship were never sentimental or intrusive; he simply let me know that I was connected to a larger community where I was valued and, perhaps, needed. People overlook the profound effect that such "small" acts of kindness can have on the lives of others. Bill's daily life was a series of small acts of kindness; I think kindness had become a habitual way of acting but it was easy to miss this under the matter-of-fact

brusqueness that Bill presented in his role as a hard-nosed editor and political cynic. No wonder he inspired almost unconditional loyalty from a legion of friends.

On a professional note, I remember a Liberty conference at which I showed him a copy of his magazine's precursor, Benjamin Tucker's *Liberty* (1881–1908). I did so because I had noted a remarkable similarity in the font and format of the Liberty banners that he and Tucker had chosen. A gleam of childlike glee filled his eyes. His delight was palpable and infectious.

I believe that his capacity to enjoy life was the secret to one of the characteristics I admired most about Bill: he never burned out; he just burned brighter. Especially during the terrible months after 9/11, when prospects for freedom

Bill Bradford never burned out; he just burned brighter.

seemed so desperately dim, he never wavered. Liberty and Bill were there. No wonder his contributors affectionately called him "Liberty Bill" behind his back. His kindness may have been well known . . . but no one wanted to conflict with that acid wit and risk a nickname in return.

— Wendy McElroy

A sense of life — I was 18 and beginning my sophomore year of college. I was still getting settled in my dorm room, so it was a mess. A copy of *Liberty* lay on the floor near the door. A passerby noticed it, poked his head in the door, and asked if I was a libertarian.

We talked politics well into the night. He accused me of “jibbering incoherently about autonomy,” and I said he was a spineless centrist. Still we bonded over *Liberty*, of which we were both fans and subscribers. Bill had introduced me to the guy who would be my best friend for the rest of my college career, yet it would be years before I would meet Bill.

It was this capacity for forging friendships that distinguished Bill from many libertarians. In a movement brimming with tyrants and sycophants, he was a voice of reason and decency. He was able to separate devotion to his principles from personal relationships, and so was able to bring to the same table (or at least the same magazine pages) parties whose ideas would otherwise never meet.

This magazine steadily pushes outward the frontier of liberty, not through careful adherence to a party line, but by seeking the truth and having fun doing it. *Liberty* has the courage of Bill’s conviction that freedom is right and good. He knew that the progress of liberty is neither retarded by heterodoxy nor helped by adherence to dogma. He knew liberty is most effectively advanced when people of common cause devote their energy to spirited dialogue and practical activism rather than interne-cine sniping.

In its optimistic, constructive, and inclusive outlook, *Liberty* is alone not only in the libertarian movement but in the wider culture. As a kid libertarian, *Liberty* was the only place I felt comfortable cutting my teeth on participation in politics. I knew from the very first issue I picked up that its writers and readers alike countenanced far-out ideas, middle-American values, and everything in between. And it was clear that the editorial voice and vision lent by Bill were overwhelmingly the reason this was so.

With Bill, what you saw was what you got. He could have had his staff screen his calls; it would have been sensible, as he always seemed to have 20 hours worth of work and only eight hours to do it in. But anybody could call the editorial offices and get Bill whenever he was around. If a letter to the editor claimed we’d made a mistake, he checked it out, scolded everyone for it (including himself), and had a correction prepared for the next issue. He was as good as his word and expected others to be the same. I shook hands on several things with him, but never signed a contract.

Most notable about him was his “sense of life”: Rand would have approved. No matter how busy he was, he would take time to discuss, debate, reflect, or simply impress you with his vast knowledge of . . . *whatever*. One minute you’d be putting together a production schedule for the next issue; the next, with or without an evident segue, he’d be talking about the geography of the Pacific Northwest, or his last big motorcycle trip, or this really interesting guy he’d met in Hawaii a decade ago, or comparative numismatics in some island nation you’d never heard of. It didn’t matter whether he’d just arrived at work or was deep into a long day; the intensity in his face and voice, and the zest with which he told the story, were the same. The staff went through about a pot of coffee an hour, all day, every day, just to keep up.

Liberty was an improbable experiment at best. Bill was able to create it and keep it going because he was able to see opportunity where others saw too many obstacles. To see him stay up all night, fighting with *Liberty*’s aged computers to hammer out a statistics-laden article against a fast-approaching deadline, was a thing of wonder. I feel privileged to have seen it, and regret that I will not see it again.

— Patrick Quealy

dreds. He responded by holding a victory celebration at a local steak house on the ground that “every intelligent delegate voted for me.” Somehow, although I was not there and I may have the details wrong, the quixotic attitude that it reveals seems to me typical of Bill. He sincerely wanted to shift people’s focus toward essential issues, and he was willing to spend a good deal of effort trying to do it, even if successive efforts produced few visible results.

It was during this period that Bill got his first motorcycle. I had ridden bikes since high school, and one day Bill decided that it looked like fun. We went shopping and got him a little, heavily used Ducati. The bike would only do about 45–50 mph, but Bill decided to ride it from Grand Rapids up to his parents’ cottage near Traverse City. He had to ride at night to avoid traffic. That was his first major solo ride, and I must admit I was worried about him. In later years, our roles were completely reversed. Bill took me on rides throughout the West, and he became far more competent on a bike than I ever was.

I believe it was during the 1968–69 school year that Bill, together with some old friends from the high school crowd, rented a portion of one of the two Frank Lloyd Wright houses in Grand Rapids. I believe it’s the one at 573 College Avenue. Bill occupied the sewing room. It was a large, beautiful home; and although it was in a part of the city that was definitely becoming run down, it seemed glorious that he could be so fortunate. My wife and I visited him frequently. It is true that one of the friends who were living there got mugged during that year, but it was a great place anyhow.

At this point, my memories are not complete. I know that when Bill graduated, he got a job teaching young children at a Catholic school just outside Flint, Mich. I also know that he spent a lot of time in Lansing, where his sister lived. It was there that he met Kathy, and they eventually got married. At some point they started a real coin business. We would visit each other from time to time. He would occasionally do a coin show in Grand Rapids (I fondly remember escorting him with a shotgun as he transferred coins from a mall to his car one night).

Then I moved to Pennsylvania for graduate school, and I would see him

only between semesters. We discussed the split between Nathaniel Branden and Rand, and our deepening disillusionment with the natural rights theory that we had believed in so passionately, and Bill's growing belief that almost all wars should be avoided. I was fairly shocked when he first asserted that the U.S. should have stayed out of World War II. Like almost everyone, I suppose, I found the Nazis' genocidal crimes good reason for the U.S. to join the war. Bill pointed out that the consequences had been that Stalin had been supported and went on to kill far more people than Hitler. This started a discussion to which we often returned

Bill was harshly criticized by almost everyone for printing things that were "wrong" or "silly." I know — I accused him of this on several occasions.

during the succeeding decades. Bill gradually arrived at an isolationist view, arguing that every war since the American Revolution had damaged America more than it helped her.

I remember watching the 1968 Democratic convention on television in complete wonderment and talking with Bill about it afterwards. Young people today may well think that the Iraqi conflict is hugely distressing, and it certainly is taking a toll on civil liberties, but it is nothing like what was happening in the late 1960s.

I finished my graduate work in 1971 and started teaching computer science in DeKalb, Ill. I would visit Bill several times a year, but we were both deeply enmeshed in our own worlds. Bill's coin business was really prospering, I suppose because during the Carter years inflation reached double digits. It didn't take long for people to seek refuge in gold, and gold coins were a convenient way to invest. I became one of Bill's customers. Bill and Kathy were working extremely long hours with no vacations. To see them, I had to visit them at their shop. I remember one visit in which I bought a few coins and Bill gave me some old paper currency from Germany and Russia. At one point, that currency would have bought a house; now it was worth nothing. It didn't take a genius to see the point he was making. I recently gave these paper bills to some young friends of mine in hopes they might ponder the same issues I did.

The Move to Port Townsend

Bill and Kathy had been working nonstop for a number of years. I would

occasionally stop by and ask them if it was really worth it. I gradually began to think that Bill simply had a huge need to work. As in many things, he proved me wrong. He decided that he had built up enough money for a while and it was time to start doing things he really wanted to do. He studied the climate and terrain of almost all the U.S. and settled on a handful of locations that seemed ideal. He then subscribed to the city newspapers from each of these spots and read them for months. Finally, he and Kathy decided on Port Townsend, Wash., as the spot to live. They went out there, looked it over, and bought a big house on a hill — to me, a stunning progression of events.

In 1980 the Libertarian Party ran Ed Clark for president, and Bill and I thought very highly of the campaign he ran. I tried to join the LP but could not because I wouldn't sign a statement asserting a belief in the nonaggression principle — an assertion required for membership. Bill somehow got into the party without signing it. We both felt it was counterproductive to limit the party to those who bought into the Rand-Rothbard position on nonaggression. Just for starters, the party would have had to exclude both Mises (who defended the draft) and Hayek (who defended public education).

Later, in the pages of *Liberty*, our concerns with such issues led to the "the Liberty Poll" (<http://www.libertysoft.com/liberty/features/70libpoll.html>). I remember spending evenings with Bill sharpening some of the questions he put to libertarians. For example, he posed the following question:

Suppose that your car breaks down in an unpredicted blizzard. You are trapped and may well freeze before help can get to you. You know that there is only one house within hiking distance. You hike to it. The owner, a frightened woman whose husband is absent, refuses to admit you (she

Irreplaceable loss — I don't feel prepared so soon to judge Bill Bradford's overall contributions to the movement, except to state what I hope is obvious: he sacrificed a great deal of his time, attention, and peace to the cause of giving the movement a place to discuss its history, its strategy, its politics, and its books, and anyone who cares about the larger libertarian conversation owes him a great deal, whether or not they agree with every editorial decision he made. (I certainly didn't.)

As a man, I remember him as funny, brilliant, difficult, often unexpectedly kind, and often unexpectedly strange — an irreplaceable loss. He loved H.L. Mencken more than anyone else I knew. He had his own cataloguing system for his wonderful library, complete with stickers and individual identifying numbers. He invited me and encouraged me to borrow and read his books, and I did, I did. He taught me how to ride a motorcycle. He's the only person with whom I've ever had to go running toward a deer tossing rocks — they used to invade his yard and eat his plants, and that's how you got rid of them. He encouraged me, when I interned at *Liberty*, to have my personal mail sent to his home address. I think he just enjoyed confusing the state mail monopoly with the number of different names that got mail at the house. He was fun to be up 24 hours straight with, trying to get complicated tasks done — common in those days at *Liberty* when the real staff was just him, Tim Virkkala, and Kathy — always ready with a funny or out-of-left-field thought. He occasionally made me mad, but I wouldn't want not to have those stories to tell. I miss him.

— Brian Doherty

has no phone, so asking her to telephone for help is pointless). Which of the following statements reflects your beliefs?

1. You should force entrance, but in this case it would not constitute an act of aggression.
2. You should force entrance, even though it would be an act of aggression.
3. You should not attempt to enter the house.

Sixty-two percent of the respondents agreed with the second position, 16% with the first, and 22% with the third. Bill and I felt that a belief in the second position meant that the nonaggression principle could not be accepted as written, and that the second position was perfectly reasonable. This was a problem about which people of good will could disagree. In any event, it was clear that a majority of the people considering themselves libertarians could not (at least in my view) honestly sign any statement that they would be unwilling to initiate physically aggressive force under any circumstances.

In the early 1980s, I quit my job as a professor, took my retirement plan, and rented a house in Hawaii for six months. I was trying to figure out what was worth working on. Bill and Kathy visited, and from that point on Hawaii became one of our three basic excuses to get together (motorcycle trips and Eris Society meetings being the other two). For a number of years, we would fly into Maui, arriving about 4 p.m. After quickly buying some flip-flops, we would drive to the Seven Pools, one of the truly beautiful spots on earth. We would camp by the ocean, bathe under waterfalls, hike in a rain forest, and basically cook in the sun for three days. Then, we'd head for condos on the opposite side of the island, and spend a week there. We did this for years, and

the memory of Bill sitting in the shade under a rock out in the ocean reading for hours will always be treasured.

Bill also started taking long motorcycle rides from his home in Port Townsend. He helped me buy an old bike and stash it there. Then, about every couple of years, we would go exploring. Bill would plan a ride to some interesting place, and we would take off. Usually, but not always, Kathy would join us. On two occasions, we ended up in Rajneesh Puram, Ore. It was quite a place. As Bill explained it to me, a group had started a thriving commune based on free love, a

The Rajneeshis, who outnumbered the pre-existing citizens of Antelope, voted themselves into power. They painted the town purple and orange, as part of a general cleanup of the place.

charismatic guru, and so forth. The people in the nearby town of Antelope became intolerant; they decided to force the kids into public schools and refused to issue some building permits. At the next election, the Rajneeshis, who outnumbered the preexisting citizens of Antelope, voted themselves into power. They painted the town purple and orange, as part of a general cleanup of the place. Evidently the whole state went ballistic, and the authorities finally got

A famous ride — My favorite recollection of Bill relates to something that happened at Aspen in 1996. I had gone there at Doug Casey's invitation to give a talk at his annual Eris Society get-together. Bill was there, too, along with an assortment of fascinating and borderline-bizarre characters. At dinner one evening at a restaurant in town, Bettina Bien Greaves, the esteemed Mises scholar and all-around grand lady, happened to mention that she had never

Bill cranked up his huge motorcycle, Bettina got onboard behind him, and the monstrous two-wheeler immediately fell over, spilling driver and passenger onto the pavement.

ridden a motorcycle. Bill immediately offered to take her for a ride, and Bettina, though nearly 80 years old and rather frail, immediately agreed. Everybody thought this adventure was a splendid idea, because Bill had ridden astride his big machine for jillions of miles along most of the roads of the known world, and therefore nobody could possibly be better qualified to carry such a precious passenger on her first trip.

After the dinner party had returned to the hotel parking lot, Bill cranked up his huge motorcycle, Bettina got onboard behind him, and the monstrous two-wheeler immediately fell over, spilling driver and passenger onto the pavement. We onlookers rushed to see whether one of them, especially Bettina, had been hurt. Fortunately, neither had sustained so much as a scratch from the ugly fall. Bill was slightly shaken and more than a little crestfallen, but he righted the machine and got back on it; Bettina gamely climbed on again; and the two roared off.

Upon her return after a long ride, Bettina reported that she had loved it.

I have never known anybody like Bill. He was unique in admirable ways. His marvelous sense of humor, fed by an amazing reservoir of allusions, made Liberty's table of contents and its headlines a delight in their own right. On a more substantive front, I especially admired Bill's capacity to be fiercely dedicated to the cause yet sensible and balanced at the same time. He loved facts and knew a great many of them. His dedication to digging up facts that others had not known or had not sufficiently appreciated was a chief reason, I think, for the magazine's success. In his own writing, time and again, Bill demonstrated that libertarianism can remain firmly anchored in fundamental principles yet so closely connected to the real world and so well informed that no one can justifiably write it off as goofy. — Robert Higgs

the leaders of the group on tax evasion. When we visited, the place where 3,000 people had once lived was a ghost town. There was a library, an airport, hundreds of housing units, stores — all the trappings of a small town, just no people. It was unsettling to ride through the remnants of the place.

The Eris Society is a truly unusual group of interesting people, brought together by Doug Casey, that meets every year at Aspen, Colo. Eris was the goddess of discord, and the meetings encourage the expression of dissenting and “eccentric” views. Bill and I once rode bikes down from Washington to the annual meeting. Each night we would stop in little motels that charged \$35–40 per night for the two of us. We would park the bikes, have dinner, and talk for a few hours. When we got to Aspen we ended up staying at Snowmass for \$150 a night. Bill’s comment was something like, “They gave us nice little chocolates on our pillows, but the showers weren’t as good as the motels’.”

Anyway, it was a wonderful meeting. Sonny Barger, the head of Hell’s Angels, was there, and he and Bill talked about bikes for a bit. Our purpose in going to Eris, however, was basically to catch up with old friends, and we both looked forward to seeing the people we knew. The Eris group also pleased us by inviting interesting people to give talks. It was there that I got to hear a Breatharian speak about living off the nutrients in the air. One year Mark Skousen got an actor to masquerade as an anthropologist who had studied and even engaged in cannibalism. I was pretty much taken in (as were others), but Steve Cox immediately saw through it. He explained his reasons to me, and I had to reflect on how gullible I had been. I believe that Bill had been uncertain. It seemed a little shocking that, as a scientist, I had failed to exercise even a reasonable modicum of skepticism. Anyway, these were good, interesting gatherings that Bill enjoyed; and the trips to and from Aspen were a big source of pleasure.

And Then There Was Liberty

Bill started Liberty in 1987. He described the history of the magazine in detail in an article he wrote in 1992 (<http://www.libertysoft.com/liberty/history/started.html>).

What has always struck me was his desire to create a framework in which all variants of libertarian thought could be expressed. He emphatically did not want to express a single position and bless it as the position of the magazine. He sincerely believed that getting at the truth would be served by the clash of alternative views. As I see it, this position cost him dearly. He was harshly criticized by almost everyone for printing things that were “wrong” or “silly.” I know — I accused him of this on several occasions. However, the wisdom of Bill’s position seems very clear to me now. It was important that Liberty include criticisms of libertarian positions, and not just the positions that I considered terribly wrong. It was also important that Liberty criticize events related to the Libertarian Party, although doing so generated substantial hostility.

I played a very minor role at Liberty during its start, and my participation declined over the years. I became absorbed in my own world and saw Bill less frequently. It always

seemed that there would be time to do the bikes and trips again in a few years.

When Bill told me last spring that he had cancer, I went out to visit. The realization that we would never be able to ride cycles again or visit Eris together was upsetting, but Bill’s continual attempts to maintain good spirits cushioned the blow. We focused on mundane issues like cleaning up his garage, getting trash to the dump, and so forth. It was just a visit to re-establish contact that had slipped over the last few years.

My wife and I returned in August to visit Kathy and Bill for a couple of weeks. Bill had become frail, finding it hard to walk or even sit. We would take short walks, go to a restaurant for dinner, then watch a movie. There were a few moments of reflection on libertarian issues, but that wasn’t the point. In a departure from his normal *laissez-faire* attitude, he took time to make a number of suggestions about things I needed to do. He berated me for not seeing a doctor more often, and then apologized for nagging. We tried to take a trip as in the past (this time by car), but he was just too sick to enjoy it.

We did have a number of discussions about the impact of regulation on the speed of medical advances. It was a remarkably good visit, almost entirely because of the bravery Bill exhibited. He realized that he was in pain and dying, but he didn’t want to focus on that. I went home still hoping that he might make it another year, but doubting it.

When it was obvious that the end was near, I went back. With just days remaining, Bill wanted to talk about how to keep Liberty functioning properly after his death. He tried to

A living memorial — The two of us have noticed an odd thing, that after losing an irreplaceable friend the disease that killed them is forever after one that captures our attention as we read through our scientific journals. It is as though some part of our brains still wants to “cure” the disease, though it is far too late to help. Perhaps it serves in a way as a living memorial etched into our minds, that we celebrate advances against the diseases that took away these cherished friends.

Bill Bradford was a good friend, and he leaves behind a magazine he made unique. Liberty is by far the most enjoyable journal of libertarianism: wide-ranging and imaginative, with the personality, views, and writing style of each author coming through clearly. It has been a lot of fun writing for Liberty; there is nowhere else we could write articles about game theory and libertarianism.

To Stephen Cox, the new editor, first, our thanks for all the hard work that will be necessary for Liberty to continue. Second, our advice is to try to keep Liberty eclectic and full of the joy that can only be voiced by freedom seekers who have found some of what they value, and the delightfully acid-tongued comments of those who know exactly why diverse central planning fantasies will never work.

— Durk Pearson and Sandy Shaw

lay plans that would assure its future. As usual, he found my ideas well-intentioned but naive, while I found that his reflected huge experience but missed some points. It was like old times, but with a most poignant backdrop.

On December 8, sometime during the evening, Bill slipped gradually into unconsciousness in his chair in the family room and died. I was not there. I had gone back to my room early in the evening. When I came to see him, Kathy

told me. I had expected that it might have happened, but even so the shock was real. All of a sudden one realizes all the things that should have been said and done, but weren't.

The day before Bill died, he wanted to have a small champagne celebration, and asked me to offer a toast. It was spontaneous and simple: "to Liberty, a great magazine and a great achievement." It was and is. □

Ayn Rand and Coney Island

by Chris Matthew Sciabarra

It was early September 1995. The ink had barely dried on my new book, "Ayn Rand: The Russian Radical," and Bill Bradford picked up the phone and asked me if I'd like to take a trip out to Tacoma to appear at the Liberty Editors Conference alongside Barbara Branden and John Hospers on a panel entitled "Ayn Rand: The Philosopher Behind the Myth."

I remember how much I enjoyed that conference. It was the very first time that I'd had the opportunity to discuss the newly published book before an audience, and Bill's support

this was, after all, a mere extension of his magazine, Liberty, which remains the forum for such discussion in libertarian circles.

The conference was not the first time I'd met Bill and his wonderful wife Kathy. That meeting had come in May 1995. Bill had previously published one of my pieces in Liberty, but on this occasion he had made the trip to New York City to speak at Victor Niederhoffer's Junto on the "future of liberty." The real fun happened later, when Bill and Kathy took the trip out to my home, so that I could take them both on my world-famous tour of Brooklyn. It was a journey through parks, piers, and promenades, from the Boardwalk and Nathan's in Coney Island to the L&B Spumoni Gardens, from Bay Ridge and Sheepshead Bay to Park Slope and Brooklyn Heights. Bill told me that it was the best New York-related tour he'd ever experienced.

But none of this whirlwind touring compared to the adventure upon which we embarked when Bill came up with the idea of founding a new scholarly journal devoted to the life and work of Ayn Rand.

Back in the summer of 2003 on the occasion of the fourth anniversary of the first issue of The Journal of Ayn Rand Studies I revisited that founding. I wrote at the time:

I had been working very hard to secure a copy of the ever elusive Ayn Rand college transcript from the University of St. Petersburg, an important postscript to my historical and archival work on Rand's beginnings as explored in "Ayn Rand: The Russian Radical" (Penn State Press, 1995). Bill Bradford, editor of Liberty magazine, had told me that he envisioned two articles that I would write: the first would tell the dramatic story of the struggle to locate the transcript — in the face of serious obstacles to my efforts; the second would present my findings. The first would be published in Liberty, said Bradford; the second would be published in a new journal of Rand scholarship that I would edit.

"Huh? A new journal? One that I'd edit? I'm too busy for this! Did you say, a journal of Rand scholarship? Did I hear you correctly? Are you crazy?"

One time, we had an awful mix-up with a JARS cover that made me turn several shades of blue darker than that cover.

of my work in this context was simply invaluable. Unfortunately, right before I was to join the panel, I was compelled to go up to my hotel room to change out of my soaked suit and into a clean — and dry — T-shirt and a pair of shorts; I'd been sitting in the back of the room waiting for the panel to begin when, suddenly, a bucket filled with rain-water came crashing through the dropped ceiling, missing me by a couple of feet, but dousing me in what felt like all the water of Washington state. Bill was worried that I'd gotten hurt; in the end, however, we shared quite a chuckle over the near-catastrophe.

The panel discussion went almost as swimmingly as my bucket experience. When the conference was over, I remember being so deeply grateful to Bill for having provided us with such a wonderful forum, a brief respite for freedom-lovers to engage one another in meaningful discussion. But

Then, out loud, I said: "Okay."

With the publication of the premier issue of The Journal of Ayn Rand Studies (JARS) in September of 1999, Bradford, literature professor Stephen Cox, and I had cofounded the first academic periodical devoted to Rand scholarship.

Without Bill's financial support and publishing savvy, the journal would never have been born. One of the last things he ever said to me was that as long as I wished to continue editing the journal, there would be funding for its publication, even after his passing. The Journal of Ayn Rand Studies is here to stay: it was Bill Bradford's brainchild. And it's now a maturing academic periodical indexed by well over a dozen significant abstracting services in the humanities and social sciences.

None of this is to say that we didn't have our ups and downs. Bill took a laissez-faire attitude toward my editing of content, and I took a laissez-faire attitude toward his management of the business of JARS. Every so often, however, some decision on his part irked me. And there was one time when we had an awful mix-up with a JARS cover that made me turn several shades of blue darker than that cover.

But here was the entrepreneurial brilliance of Bill Bradford: when things got screwed up, even once, he took full responsibility for it. And he made every effort to correct the errors to make sure that they would never reappear. And reappear they didn't. He streamlined the publishing process and provided me with a blueprint for a seamless publication schedule that we've adhered to ever since.

My professional engagement with Bill remained secondary to our personal friendship. Bill knew that I suffered from a congenital intestinal condition, with vast complications, which made travel very difficult, if not impossible, for me. He always provided a word of support and encourage-

ment. And I cherished our phone calls, where we talked about everything from politics to the newest gossip in the libertarian movement.

When he became ill, I'd like to think that he drew some strength from the fact that I had survived for 45 years with a congenital disease. But when it became clear that the cancer was consuming him, Bill was the picture of realism — and levity. He once remarked: "Your condition may have nearly

But here was the entrepreneurial brilliance of Bill Bradford: When things got screwed up, even once, he took full responsibility for it, and made sure that the errors would never reappear.

killed you a few times, and I figure you've got to be thankful that you're living on borrowed time. Heck, you might survive, sick as a dog, till you're 90." And then he paused. "But this thing is going to kill me sooner than later."

My Greek and Sicilian roots shone through on that phone chat — I told him that I loved him dearly. And he said "thanks." I know he choked back tears. But he also signed his next email to me: "Love, Bill."

Bill Bradford was a dear and supportive friend. He was an energetic and principled man of liberty from whom I learned much and to whom I owe a great deal. I will miss him enormously. And I honor his memory. □

Adios, Spike

by Paul Rako

I called Bradford Spike.

We were in Las Vegas at the Freedom Fest, the big conference put on by Mark Skousen when he was running the Foundation for Economic Education. Bradford had arranged to have the Liberty Editors Conference at the same time. At the end of the conference I was lucky enough to be asked to dinner with Bill and several other contributors. I remember Durk Pearson and Sandy Shaw being there as well as Bruce Ramsey. Wendy McElroy was there. Stephen Cox was probably there, since I remember meeting him for the first time at that conference. During the dinner we got to talking about people's nicknames. I asked Bradford

if he knew the biker etymology of the nickname "Spike." He said sure, it was what you called somebody who used drugs with a needle. Then I told him that I was going to call him Spike, not because he used a needle but because he spiked so many of the stories that I sent him. He looked really hurt and uncomfortable and I regretted putting him on the spot at a dinner party.

It is more than appropriate that the last email I got from Bradford was to inform me that he was spiking the latest piece I had sent in. His lovely wife Kathy had tentatively accepted it. Bradford had been in the hospital and Kathy had responded to a previous submission that it would help if all

the contributors would send in more stuff. She had mentioned he had had a kidney removed but did not tell me that he had cancer. I suspect this is because I had mentioned that my mother was in the hospital herself and the prognosis did not look good. The irony is that my 84-year-old mother has made a miraculous recovery and Bill has succumbed to the Reaper at such a young age. I wish I had known how sick he was, the tough old dog. I would have sent him a note telling how much he had taught me, how much my intellect had grown because of "Liberty" and how much I liked him and his wife and all those dedicated college kids he had working at the magazine.

I was amazed he knew that Spike was a nickname for a needle user. Then I remembered this was a guy with subscriptions to 200 magazines. When I expressed astonishment at this he looked at me with indignation and exclaimed,

That first conference in Tacoma was a wall of conversation; loud, earnest, and animated — like going back to the Midwest, only distilled to 200 proof.

"You don't have to read the whole thing," I replied that I read "Liberty" from cover to cover. I still do. Bradford confided that the biggest complaint he was getting from readers was that the magazine was too long. I guess it was after the first Editors Conference that I ordered the complete set of back issues. There is a treasure of ideology and inquiry in those pages. I read every one of those issues from cover to cover as well.

Ahhh, the Liberty Editors Conference. That conference in Vegas where I called him Spike was the fourth Editors Conference I had been to. The first was in Tacoma; then

came a couple in Port Townsend, and then the one in Vegas. The first time was special, as in most of the fundamentally enjoyable things in life. This was the first time I met Bradford in person. My brother had flown in from Jersey. We were astonished to learn that we could hobnob with people like John Hospers and Friedman the Younger. Not only that they would deign to talk with us, but they actually seemed to enjoy it. We have since called this concept the Cato Effect, after the ease with which we could converse with people as diverse as Hernando de Soto, Kurt Russell, and Steve Forbes at various libertarian functions.

My fondest memory of that first conference I went to in Tacoma was walking into the hospitality suite on the first night. As I stepped into the room I was almost pushed back by a wall of conversation — loud, earnest, and animated. This was not like those lame-assed California parties I had been to where a bunch of self-absorbed spoiled dilettantes sat around pouting with faces that almost demanded: "Entertain me." Heck, this was like going back to the Midwest, only it was distilled down to 200 proof.

The next two conferences I went to were just as fun, especially because they were in Port Townsend, home of the magazine. Bill was worried nobody would show up since it was such a long trek from the airport. He needn't have worried; they were both rousing successes. The last conference I was able to attend was the first one in Las Vegas. Since there were so many people there for Skousen's FEE gig it was a slam-dunk for the Liberty Editors Conference. If anything, I think Bill was just worn out by the scale of the event that year.

It was at that first Editors Conference that I saw Bill's moody side. It was about four in the morning and we had been kicked out of the last hospitality suite, the one that had an entire bathtub full of beer on ice. "Liberty" people know how to party, take it from me. Bill had snagged a full bottle of wine on the way out of the room. The hotel had a window at the end of the hallway and we went and sat on the floor. I think either Durk or Ramsey was there as well. Bill seemed down about the state of the world and libertarianism's slow

Hello, goodbye — I feel sorry for those of you who never had the experience of talking with, or perhaps listening to, Bill Bradford.

"Hello" and other such formalities were almost foreign to him; rather, Bill announced an impending conversation by stomping through the lobby between our offices, and entering with a gruff inquiry about an article, or a rant about some "absolute nightmare" (as when an old hard drive caught fire).

But that was just an opening volley; almost immediately expended: by the time I'd readied a response, he'd have moved on to, say, the latest antics of the Border Patrol (a particular bugbear of his). I'd find my footing as he talked through the finer points of maritime law, and their relation to the geography of the American West, only to find he'd suddenly veered into the tactics of 18th-century Hawaiian warfare. From there, he'd jump to another topic; with me, it was often baseball history and statistics, since I was one of the few Liberty staffers who cared about sports.

The tangents (or just as often, discontinuous leaps) between subjects seemed random, and perhaps they were. But he never lost track of where he was in a conversation: once he'd exhausted his artillery on the evils of the sacrifice bunt, he'd circle around to polish off Kamehameha, and batter down the idea of a wall stretching across the Mexican border — if not right away, then an hour or even a month later, as if all separate conversations with Bill were really just parts of a much larger one, a series of subjects nesting one inside another as far as the mind could stretch. Even when the cancer seized hold of him, when it stole his voice and ate his hip, Bill revelled in conversing, in finishing off topics he'd introduced long, long before.

His last words to me were characteristically blunt: "I need you to go up to the house and help set up a bed; the doctors are sending me home to die." From that point his decline was swift. I did not get to say goodbye.

— Andrew Ferguson

progress. In talking he mentioned that his dad used to be an IRS agent. Our companion commiserated but said that he was sure that his dad was a decent fellow. Bill looked up and with a guileless candor I have not seen from anyone before or since said: "No, he was a rotten person," or something to

It's bad to drop your bike. It's really bad to drop your bike with a passenger on it. It is really really bad to drop your bike when your passenger is an octogenarian.

that effect. I felt bad for him and told him that despite the sins of the father, he was sure to have a place in libertarian history. I am sure that he does.

He had his own brilliant intellect as well as relationships with all the greats. Hospers, Bock, Childs, Greaves, Higgs, Boaz, Lomasky, Hess, McElroy, Kostelanetz, Casey, O'Toole, Shaw, Szasz, Ramsey, Rothbard, Durk and Sandy, the list stretches out of sight. Bill looked doubtful about his place in history that night but I for one am sure of it. His self-effacing and shy nature was a rare trait in the big-ego world of libertarian intellectuals and he will be sorely missed. One does not forget what one misses so badly.

I was walking through a street art fair here in Sunnyvale and I saw a fellow that had taken old Liberty silver coins and carefully cut around the image and lettering while leaving the entire serrated ring around the outside. He used a tiny jeweler's drill and a tiny coping saw. I immediately thought of the magazine and arranged for him to make me two coins for Bill and Kathy. I gave them the coins at one of the Editors Conferences. Years later I learned that Bill was not a dirt-poor libertarian magazine editor but had a regular day-job and had started the magazine out of passion. Among other things he had been a coin dealer once. Right about now I imagine Stephen Cox is worried I am going to say this was ironic. But Stephen has taught me enough to know that this was more of a coincidence than an unexpected outcome. Word usage tips are just another of the multitude of benefits that befall a "Liberty" reader. In any event Kathy wrote me a nice note thanking me, just like she did any time I gave her or Bill a gift. She is a lady in every sense of the word and I am glad that her vigil is over, even if I am also saddened at the loss of Bill.

A couple of years ago, right around the turn of the century, Bill used to call and ask if I was up for a motorcycle ride. We both loved motorbikes. An intern at the magazine noticed that motorcycle riders were very prevalent in libertarian circles. Back then I was in the Silicon Valley startup craze and it was just not possible to tear myself away from the several ventures I was involved in. Of course, all those ventures tanked. It seemed that Bill needed someone to commit since it often turned out he could not make it to the proposed ride himself. How I wish that I had taken Bill up on at

least one of his offers. Motorcycle rides can define friendship and self-awareness like little else in this world.

It was in October of 2000 when Bill dropped his bike while riding his favorite Washington road, State Route 20. He sent me a picture. His head was bandaged and he had some severe cuts on his face. He also got the usual road-rash that happens pretty much any time you come off a bike at speed. He had dropped it on a steel bridge. Dropping your bike is a very complex topic between two bikers. At the very core is the fact that something bad happened and you are responsible. On another level is the fact that you want to tell your buddies to warn them and make them more careful so it doesn't happen to them. There is also an undeniable macho feeling — the fact that you survived a harrowing experience. Also involved is a feeling of inevitability, since if you ride a lot (and Bill rode a lot) you are going to drop it sooner or later. In some ways you feel relief since you know you are going to crash every five or ten years and if the crash does not kill you it can be thought of as a success.

Then there is the feeling of being really shaken up. When any biker brother tells you about dropping his bike there is always a hidden subtext running through the listener's mind: "I wonder how long before he gets back on the bike? I wonder if he will ever get back on his bike?" Bill was torn up pretty bad. This can be harder to endure because you wear your mistake on your face or body for all to see. Whatever the physical and emotional damage to Bill, he didn't let it keep him from riding. He was back on the bike within the week.

Once Bettina Bien Greaves had come to visit with Bill, perhaps it was over her Ludwig von Mises papers or maybe it was for a conference. They needed to get her to the train station to go home. Being a libertarian Bettina immediately accepted Bill's invitation to take her on a motorcycle. She is a great libertarian so that is no surprise but I believe she was well into her 80s at the time. Well, Bill gets her down the hill over all the tricky roads and it is only when he has to take a little off-camber turn into the station that he dumps the bike. It's bad to drop your bike. It's really bad to drop your bike with a passenger on it. It is really, really bad to drop your

It caused Bill immense personal and professional pain to expose what many of us felt was improper behavior at the national LP headquarters.

bike when your passenger is an octogenarian. Bill felt terrible but it was a very slow speed mishap. Perhaps Bettina shifted her weight or maybe there were some wet leaves that slid the front tire out. Bettina took the whole episode in stride and they both came out of it without a scratch. She thought Bill was far too concerned about the effect on her and their relationship. Hey, libertarians accept the consequences of their choices.

One of the things that I remember troubling Bill the most was the way some libertarians would lash out at him after he wrote critical reports about the national party headquarters. People somehow interpreted Bill's scrupulous reporting of the facts as anti-Libertarian Party. Nothing was further from the truth. He always supported the party and only reported on all facets of the party because he had hopes it would provide yet another avenue to promote libertarian ideals. It caused him immense personal and professional pain to expose what many of us felt was improper behavior at the national headquarters. Bill never could understand why all us ultra-moral ultra-orthodox libertarians were not cheering him on and hailing his strict standards of conduct for the party. If I did not make it plain back then, I will say it now: Bravo Bill, Hail Bradford.

Now, like all entrepreneurs, Bill was a micromanager. I could see it in the way his employees would complain. I hope all past and present employees and interns will forgive Bill his meddling. He just loved his magazine so much because he wanted to see a vibrant living libertarianism, not a moribund cult that would spout bromides at every opportunity. In addition, like all entrepreneurs, he seemed a real

tightwad. The owner of every small business must be in order to survive. This caused its own resentments among the staff. They figured he was being too cheap but he knew he had to make the magazine self-sufficient if it were to survive. Slick-paper magazines like *Reason* run at a loss, using donors' money to support them. Cato is completely donor supported. As to his everlasting frugality, well I think we can all see the reason for that now. He did not want the magazine to end up a rich person's plaything. He had a vision of a truly self-supporting magazine, a magazine staffed by young people with fresh, young ideas and the energy to promote them. Brien Bartels, Timothy Virkkala, Clark Stooksbury, Elizabeth Merritt, that German kid, was it Oliver, that was so happy when I gave him Rothbard's "History of Economics." If Bill was tight it was only because he wanted the magazine to be able to provide a living for its staff without a sugar-daddy to inject money every month. That way the magazine will be sure to live on now that he is gone. That is vision, and vision is something Bill had in abundance. God I loved that man. God I'll miss him.

Adios Spike.

Ride free. □

It Couldn't Have Been Anyone Else

by Stephen Cox

When Bill Bradford died, he took about half the memory of the libertarian movement with him. Bill probably knew more people of influence among libertarians than anyone else has ever known, and he knew more about them. I could always excuse the laziness of my own inquiries by thinking, "No problem; I'll just ask Bill." Now that option is closed. He's not around to tell me what I want to know about other people — but I can say some things about him.

I first met Bill in a windowless room with cement-block walls, in the basement of Seidman Hall, the student center at what was then called Grand Valley State College (now Grand Valley State University), 15 miles west of Grand Rapids, Mich. The institution consisted of a square mile of snow-swept prairie, a parking lot, four academic buildings, and Seidman Hall, which was about the size of a really large bungalow.

The encounter occurred just before Christmas break, in my freshman year. I had decided to attend Grand Valley because I was a shy kid who couldn't face the University of Michigan, and because Grand Valley was a new, "experimental" school, with course requirements that (paradoxi-

cally) emphasized classical literature and philosophy. Bill was attending Grand Valley because it was convenient to go there. He wasn't impressed by institutional arrangements; he wanted a place where he could think about fundamental problems of history and philosophy. What I wanted was a place where I could meet other young aesthetes like myself.

Young aesthetes, and politicians. I was a fervent leftist and pacifist, much preoccupied with "the peace movement." In this connection I wrote a letter opposing conscription and sent it to the editor of Grand Valley's student newspaper. (For the benefit of people who were not alive at that time, conscription was the government's policy of kidnapping young men and shipping them to the jungles of Southeast Asia to kill other young men, whose governments were following a similar policy.) My piece of propaganda immediately appeared in print. Just as immediately, I received a letter from the assistant editor, a guy named Bradford, telling me that he liked what I'd written and would also like to meet me. Would I be interested in doing any more writing?

Would I! You bet. I took the earliest opportunity of visiting the assistant editor in his office on the lower floor of Seidman Hall. I remember a room with vending machines and a bunch of cheap steel furniture, and a line of doors and

windows opening onto two or three little rooms, each appropriated to some vital bureaucratic function, such as the student council or the student paper. Here, if anywhere, the intellectual and political class of Grand Valley State College was to be seen, munching food and swilling coffee. On that day, however, there was only one person visible: a chunky

Bill never did believe in God, yet in later years he often spoke irritably about atheists who don't understand religion but behave as if they themselves were commissioned by God to destroy it.

young man wearing thick glasses and a sweatshirt with the sleeves cut off. He was pacing rapidly from one of the offices to one of the tables, carrying stacks of files and photos, which he was inspecting and sorting as he walked.

"Hi," I said. "I'm Stephen Cox."

"Oh, hi," he said, barely glancing in my direction, as if I were an old friend whom he'd been expecting to drop in at that very moment; "I'm Bill Bradford." He shook hands, then focused his gaze at some point midway between my face and the piece of paper he'd just been peering at. "Want to work for the Valley View?"

During the next year or so I did a lot of work for the Valley View. The editor was a nice, intelligent, placid young woman who was rarely seen in Seidman Hall; Bill did all the work, buzzing about the campus with his camera and his note pad, taking pictures and doing interviews, then turning up at odd hours of the night to paste down the copy and send it to the printer. Lurking around the office, typing articles and reviews on the VV's cranky typewriter, chatting with the wanderers who drifted past the door, becoming assistant editor when Bill was promoted to editor, learning what it meant to meet a deadline and what it meant to twist a sentence a few hundred ways until it might conceivably make some sense to somebody else, but mainly talking and arguing with Bill — it was the kind of education that I never intended to get, and it was 90% of the education that I did get at Grand Valley State College.

Bill's attitudes were wholly individ-

ual. There was never any doubt that they were formed independently, on the basis of his own reading and reflection. My own attitudes, by contrast, were almost wholly predictable. Reared in a small rural community where I was always the smartest kid in school, eager to escape from an environment in which any show of eccentricity was duly punished, I automatically became an opponent of middle-American culture and an advocate of everything admired at that moment by *The New Republic* and *The Village Voice*. I found it difficult to get through the books they were always discussing — stuff by Erich Fromm and Susan Sontag and Jean-Paul Sartre. They were far too boring. Nevertheless, I felt certain that anyone who wasn't hip to such things must be an irredeemable philistine. The "anyone," I am sorry to say, included Bill Bradford, no matter how much I liked him in other ways. I'm sure he sensed my silly bias, but he didn't let it matter; he just ignored it. Smart man.

Speaking of provincial attitudes, I was probably the last person in the world to have been converted to leftist ideas by Shaw's "Fabian Essays in Socialism" (1889). Knowing nothing about economics, little about politics, and precious little about history, I was an easy prey to the dullest and most conventional dogmas of the 20th century: political democracy is good, economic democracy is better; big business is inherently cruel and monopolistic; wealth must be

The Libertarian Who Dared — Sometimes the greatest challenge to the freedom movement seems to be open-mindedness and tolerance. Too many libertarians (and intellectuals in general) are so doctrinaire, dogmatic, and closed-minded that they feel the need to disfellowship and excommunicate, to deny dissenters a forum to publish or speak.

Bill Bradford looked like a wild-eyed libertarian with his bushy beard and talkative manner, but he was different in so many ways. Like any intelligent writer, he had his strong opinions, but it never stopped him from publishing writers with whom he disagreed. He opposed the war in Iraq, but gladly invited pro-war libertarians to contribute to *Liberty*. He was critical of the Libertarian Party, but welcomed a no-holds-barred open forum on the subject. Letters to the editor bristled with criticism and dissent. Consequently, *Liberty* magazine quickly became the outlet for libertarian thought. Bradford knew how to generate enthusiasm for controversial issues and push the hot button of debate, and his monthly magazine was always the first thing I read when it came in the mail. Bill put his heart and soul into every issue, and it showed.

In looking over the essays I wrote in *Liberty* since the late 1980s, I dare say few of them could have been published elsewhere. *Liberty* is the world's best alternative magazine. I've reprinted these essays on my personal website because, if Bill is to be faulted for anything, it is that he never got around to producing a website containing all the great past issues of *Liberty*. We owe Bill a debt of gratitude, and we should immediately raise the funds necessary to reprint Bill's and other great writings from past pages.

One of Bill's dreams was to organize an annual get-together of libertarians, where freedom lovers of all stripes could meet, socialize, debate, learn, and celebrate liberty. The result was the Liberty Editors Conference, a fun-filled three-day event. The last one was held in conjunction with FreedomFest in Las Vegas in 2004. Bill cosponsored FreedomFest, and with great energy put together the Liberty Editors sessions. They were the best attended of all the sessions, standing room only. Bill knew what was on the minds of libertarians. I hope we can continue to meet annually as Bill wished.

— Mark Skousen

redistributed; only modern liberals are kind and cultured; etc. etc. etc.

Because I was opposed to war, however, I was also opposed to all impositions of force on individuals — a position that clearly could not be squared with any of my socialist “ideals.” I’ve put “ideals” in quotes because no one can be an idealist who refuses to explore the counterarguments to his alleged ideals. I was interested only in the counterarguments to *other* people’s ideals. As a consequence, I was a very bad arguer; but I soon discovered that most other people were even worse. This was happiness, until I encountered Bill. He got me to confront facts and arguments that I had never dreamed existed.

He didn’t do it in a determined, aggressive way — although I do remember some loud and heavy joking about certain ideas he didn’t like. I remember his exclaiming, “You don’t believe in *God*, do you?”, to some hapless young woman sitting at one of those tables in that concrete basement. Remembering this is strange. Bill never did believe in God, yet in later years he often spoke irritably about atheists who don’t understand religion but behave as if they themselves were commissioned by God to destroy it. Certainly he himself never schemed to “convert” anybody to anything, including libertarianism. He liked people and was happy to share ideas that he thought were true. If people were shocked, that was their problem, but he made no attempt to shock them, much less to worm his way into their sympathies. He was one of the most ingenuous people I have ever met.

In arguments with me — and we had many, many arguments — he smiled, he laughed, he asked a few questions, he mentioned a lot of facts, and he assumed that, given enough

The cops accosted Bill in the parking lot and demanded that he open the trunk. It was absolutely full of silver. They arrested Bill for a crime they could not name, and hauled him away.

time, I would get over being “a crazy liberal.” Somehow, by the end of each of our long, rambling, idle conversations, enough ideas, anecdotes, statistics, and historical references had tumbled out of him to fill several college classes.

He mentioned, as friends who needed no introduction, various famous but, to me, obscure or unknown people: Ayn Rand, Ludwig von Mises, Murray Rothbard, many others. The only one of those authors I read at Grand Valley was Ayn Rand, and then only her novel “Atlas Shrugged” and a few of her essays. It took me about four years to get around to reading the other people whom Bill brought up. But “Atlas” interested me very much, despite that awful speech in Part III. Bill’s ideas, and the vast, rich history of America that he knew so well — these things interested me still more. By 1968, I was talking like a libertarian; by 1971, I’m sure that I was thinking like one.

I’m getting ahead of my story. Bill and I had a lot of fun on the Valley View. We intervened in student elections (I even won one of them); published a column called “The Vulture Speaks!”, headed by an image of a grinning, gore-dripping raptor; and got in trouble with the administration by writing a parodic news story called “Pesthole of Pacifist Pinkos,” depicting Grand Valley, at which agitation of any kind was practically unknown, as a hotbed of student revolt.

Then, in the middle of my sophomore year, I dropped out of school, bored with the little college I’d decided to attend. When I returned, a couple of years later, it was to the University of Michigan; after that, I went to UCLA for graduate school. Bill did better; he graduated from Grand Valley with a degree in philosophy and started a successful business. I remember the used house trailers that he and Kathy inhabited while they were getting started; I remember the telegram Bill sent me when he made his first “big” amount of money: “Who says a degree in philosophy isn’t worth anything?”

And I remember the time Bill got arrested. This was when he was still in college. The government had started replacing silver coins with copper-nickel clad coins, and of course, no matter what the government decreed, the former were worth more than the latter. Bill had the idea of going to banks and asking for rolls of coins, then going home, sorting out the silver ones, and selling them for more than their face value. He went all over western Michigan, gathering coins. He paid his little sister to sort them. Well, one day Bill was leaving a bank in some two-bit town when a teller got suspicious. Why did that guy want all those quarters, anyway? So the teller called the cops, who showed up right away — the way they never do when an actual crime is being committed — accosted Bill in the parking lot, observed that the rear end of his car was sloping steeply toward the pavement, and demanded that he open the trunk. It was absolutely full of silver. The cops, who had no understanding of the nature and effects of bimetalism, arrested Bill for a crime they could not name, and hauled him away. It was a classic collision between the future publisher of *Liberty* and the environment from which he came.

Bill was an excellent businessman, but he was always far too bohemian to fit anybody’s idea of what a businessman should be like. I can’t remember his ever wearing a tie. He liked jeans and flannel shirts. He grew a beard and kept it. His coin store in Lansing had a big public room with display cases and so forth, and a back room containing Bill’s remarkably messy desk. When Kathy or the people who worked for them had trouble with a tradesman or a customer in the public room, they’d go back to Bill’s office and ask him to “come out and yell” at the offender, which he did. Then he’d return to his lair, hang his head, and talk about the act he’d just put on. He hated to yell at anybody.

He also hated to fire anybody. He’d put up with almost anything rather than do that. He’d talk about “the problem” for months, ask his friends for advice, outline alternative courses of action, then usually decide just to keep the status quo. Personal confrontations were embarrassing to him, unworthy of the people who engaged in them. He had as strong a personality as anyone I’ve known, and his staying

power was literally incredible. He could argue for hours; he could work for days at a time with practically no sleep. But he was wholly without the instinct for attack. I think that he was fundamentally a rather shy person, intent on his own thoughts, and brought out of them only by the intensity of his interest in his projects and his friends.

Nevertheless, Bill was anything but a mysterious personality. If you were around him at all, you'd find out right away what kind of human being he was. But there were contradictions that often amused and sometimes baffled me. He was so afraid of heights that when we were out hiking and we needed to use a log — even a short, fat log — to cross a stream, he'd get down on all fours and crawl across it. Yet he was always eager (a hundred times more eager than I was) to take on difficult terrain. Many times I've heard, "Come on, Steve, it's just a short climb," echoing down at me from a figure hoisting himself up through thick clumps of thorns to the top of a ridiculously steep, muddy hill. When he went to a libertarian conference at a ranch in Montana, he was induced to ride a horse only when they offered him an animal named Cupcake (or something like that), with a disposition to match; but he loved riding motorcycles, and when he did, he went really fast and stayed on the road far beyond the point where people usually collapse from exhaustion.

A few years before his death, he was crossing a bridge with a steel grid roadway, and the surface was wet. He lost the bike and skidded across the bridge on his face. He was so badly injured that if you didn't know who he was, you wouldn't recognize him. When he called to let me know, I took the occasion to advise him to be more careful. "What were you thinking," I asked, talking like a parent, "when you were lying there beside that bridge?" "I was thinking," he replied, "about how I'd like to ride the bike more often."

Bill could easily have stayed in the midwest, enjoying his prosperity. That didn't happen. In 1980 he and Kathy began the big adventure of transplanting themselves to a place that no one in Michigan had ever heard of, Port Townsend, Washington. PT is in many ways the end of the world, but

Bill enjoyed being close to oceans and forests and "some really serious mountains." He also enjoyed PT's quirky history and its egalitarian social atmosphere. The place is getting gentrified now, but 20 years ago it was a down-at-the-heels blue-collar town. Bill read, hiked, coached some of the local kids in soccer, and thought about starting a libertarian journal.

He'd been talking to me about it for many years. In his mind, and I agreed, the magazine shouldn't intend to convert people to libertarianism (there already were magazines devoted to doing that), and it couldn't be the kind of thing that held to a party line. When he was at Grand Valley, Bill worked as a business representative for the Nathaniel Branden Institute, playing tapes of lectures on Ayn Rand's

He lacked even a vestigial organ of spite or vindictiveness, and he was the rare midwesterner who was without our famous "mean streak."

philosophy for people who paid money to listen. Despite his admiration for many of Rand's ideas, he was appalled by the dishonesty that some of her followers had to practice to make themselves believe that all the ideas were completely true. His journal would have to be a place where libertarians could express their differences of opinion.

It should also be a place where they could discuss matters that had nothing to do with politics or economics but were simply the kind of things that free people might be interested in. One time Bill and I went to a conference that was supposed to be about "the culture of liberty." There were some lugubrious paintings hung up in one corner of the meeting room. "I guess that's the 'culture,'" he laughed, his face

The quietest of virtues — Bill Bradford's kindness to me, and his encouragement to my writing, were absolutely indispensable to my career, and I could never appreciate it often enough, or say enough just how I admire his bravery in fighting the cancer that finally claimed his life. He was more than just a dedicated editor; he was a mentor to me. Shortly after I graduated from college, Bill published my article "Anti-Jefferson, Left and Right," only the second article I'd ever published. Seeing my name in print encouraged me at one of the lowest times in my life. Over the years, he used a lighter and lighter editorial hand on my work, allowing me to keep my own voice, while still ensuring that I never got lazy. And he encouraged me in other ways. The only time I ever met him was at the FreedomFest in Las Vegas, where, thanks to him, I had the thrill of having lunch with John Hospers, Nathaniel Branden, and Tibor Machan. He introduced me to Gordon Tullock, whom I ended up representing before the Supreme Court in *Kelo v. New London*.

But his kindness and encouragement — and his personal confidence in me, which became very clear in the last few days of his life — will always be a greater treasure. Our hours-long phone conversations about H.L. Mencken (one of his favorite subjects) will always be fond memories for me.

In my last letter to him — which, sadly, he did not live long enough to receive — I told him something I have learned all too well in the past couple years. That is, real bravery — I mean, the genuine and rare article of actual courage — is the quietest of all virtues. The really brave man is the man least likely to talk about what he has done; and the last to seek credit. Bill Bradford was an example of that. His one goal was to produce a magazine that people would read, for a movement that people would take seriously. In his last email to me, he wrote, "I would like — or, at least, I hope that one day it may become — Liberty to be a great magazine." He did his very best toward that end, even in times of what I'm sure was unbearable suffering. I will always admire and appreciate him.

— Timothy Sandefur

crinkling and his eyelids snapping shut behind his thick glasses, the way they did when he was really amused (which happened about two hundred times a day). “That’s all we’ve seen of it *this* weekend.”

His plans for the journal sounded good — but there was no prospect of success, except for what Bill’s energy and commitment and his enormously wide acquaintance among libertarians could bring to the venture. Knowing his charac-

ter, however, I couldn’t doubt that the thing would happen, or that it would be successful. He was a born editor and publisher. Everything else in his life — his reading, his friendships, his joy in observing the world and communicating his joy to others — had its fulfillment in the written word.

The first issue of *Liberty* is dated August 1987. The magazine emerged in that awkward period of the world when typewriters were obsolete but email wasn’t yet available.

The power of rhetoric— Like many of *Liberty*’s other editors, I am profoundly grateful to Bill Bradford. The opportunity he gave me to write for *Liberty* changed my life. Although I had been a professional writer and editor for many years when I began contributing articles in 1988, I had rarely written personal opinions or deviated from formal news writing. And I wasn’t even a libertarian. But he welcomed my contributions.

At Bill’s suggestion, I started off challenging an article by John Hospers that expressed what I regarded as excessive alarm about the state of the environment. I am embarrassed to say now that I didn’t know who John Hospers was, only that he was a “prominent libertarian,” which was how I described him in my rebuttal. For a while, my articles in *Liberty* were mostly about environmental issues — not a bad way to begin, because my property-rights perspective was somewhat new to, and compatible with, libertarian thought. Most of the time, however, I was merely restating the arguments that I had learned in my five years with PERC (the Property and Environment Research Center).

Then Bill commented that I didn’t have to be just “Ms. Free Market Environmentalism”; I could write about anything I wished. And I did. As I look over past *Reflections*, I see that I compiled a memoir of life in a small, upscale town in Montana, especially the experience of bringing up a child there. My thoughts about the intrusion of the federal government into child care, the free market in preschools, the inanities of public schools — all are recorded on the pages of *Liberty*. Again, I am grateful.

Although I knew Bill for more than 15 years, most of our communication was by email and telephone, and I was always a little afraid of him — and always a bit guilty that I wasn’t living up to my (unstated) obligations as a *Liberty* editor. I was especially uneasy phoning him, not knowing whether I would catch him in a deadline crisis (since I never knew what the real schedule of the magazine was). He seemed to work mostly late at night — till 6 a.m. or so — and not start again until the afternoon.

John Baden once commented that it was bizarre for a magazine about policy to be published from such a distant place as Port Townsend, Wash., by someone who was almost impossible to reach. Indeed, Bill compounded this impression of deliberate remoteness. If you happened to have the right telephone number and did reach him, he answered with a faint and tentative

hello, as if it was the wrong number and you had interrupted someone who was unaccustomed to getting phone calls. Once he recognized you, though, he was like an old friend.

In justification, *Liberty* was never intended as a magazine about policy, as Bill pointed out more than once. He wanted to give libertarians an outlet for communication without having to cater to the prejudices or predilections of non-libertarians. When he started *Liberty*, with the support of Murray Rothbard, Bill may have expected the magazine to be mostly philosophical. He did publish plenty of philosophy (sometimes with a high ratio of words to ideas, I thought), but readers quickly revealed that they also liked the comments on real-world events.

Bill knew that libertarians are richly diverse, holding genuine differences about the role of the state, and he welcomed discussion of those differences. The disparities came across most clearly in commentaries on the various wars and international police actions that have occurred over the past 20 years. Bill never lost his aversion to war (I remember him pleading with his editors to send comments on the U.S. government’s seizure of Noriega in Panama; he was puzzled at their silence on what he considered one of the most important issues of our time). But he never hesitated to publish thoughtful commentary that supported war.

Religion, too, was a frequent topic — and its treatment also nuanced. Most *Liberty* readers and editors are almost certainly atheists or agnostics, but Bill allowed me enormous scope to contemplate faith and freedom. In one article I incorporated allusions to F.A. Hayek, Stan Evans, and Charles Darwin, among others, to produce a personal exploration of the role of religion in history, one that evoked strongly sympathetic responses from several readers. In sum, because of Bill’s intellectual catholicism, I was completely comfortable writing for *Liberty* even though I had never completed a book by Ayn Rand. (I confess I still haven’t, even though two of her novels stare at me from my bookshelf.)

Given my somewhat glancing communications with Bill, I was initially under the impression that he was a workaholic. Soon, however, I realized that he was obsessively intense about everything he did, not just work. When he made a visit to Montana in 1991, for example, he commented that there were still two Montana counties (out of a total of 56) that he hadn’t yet driven through on his motorcycle. (I don’t know whether he ever reached them or not.)

Manuscripts and editorial correspondence went back and forth by U.S. mail, with revisions indicated in the old-fashioned way: in pencil. How we ever did it, I don't know. Bill and I spent a lot of time editing over the phone. Later, he sent me one of those tiny fax machines that use rolled up paper (I still have it), and we passed articles and annotations back and forth on that.

When new technology came, I was somewhat resistant to

it; Bill never was. He bought the first video camera I ever saw in private hands, and I well remember what happened, one afternoon, when I was visiting Bill and Kathy and complaining about my primitive VCR, back home. "Here," he said, walking over to a big cardboard box that had just arrived at his house. "Have one of these." There were ten VCRs in the box. He'd gotten a bargain on them; and besides, "You can't have too many VCRs, can you?"

The technology on which Bill actually relied, however, was the intricate system of wires and gauges in his own personality. There was enough energy coursing through him to light a city the size of Indianapolis. The energy could be directed into a hundred separate channels (Bill was the world's greatest multitasker), or it could be intensely focused

What really got to him, though, what upset him in a visceral way, was (first) war and (second) all those acts of aggression and injustice that governments visit on helpless citizens, even in daily, routine ways.

on one big challenge or inspiration. Wherever it went, there was always plenty to go around. Everybody associated with Liberty knows what it was like to get a phone call from Bill.

"Steve! This is Bill!" As if it could have been anybody else.

"Just a short question. You know that article we got about the situation in Madagascar?"

"Madagascar? I can't remember any article about..."

"Well, the author thinks that Madagascar is a special example of some general principle. Aristotelian, you know. Well, I can't remember anything Aristotle ever said that has even the faintest connection with this guy's thesis. Do you?"

"Thesis? I can't remember..."

"Here's what I think. But first — you know, don't you, that up until the late 19th century Madagascar was, to all intents and purposes, one of the remotest locations on the face of the earth? I mean, the interior of Madagascar didn't even have roads until the French started occupying the place in 1885. And they had a terrible time doing it. As you know..."

"No, I... That's interesting. I had no..."

"By the way, have you seen this new book about the War of the Pacific?"

"You mean what they call the Guano War?"

"Well, guano was always important. But that's just the start of it. According to this book..."

An hour later, when Bill announced, "Well, neither here nor there. Thanks a million! Talk to you later," you may not have given any cogent advice about the Madagascar thesis, or who could review the guano book, but you certainly knew a lot more about world history than you'd known before. You couldn't have fun like that with anybody else.

I had thousands of these late-night conversations with Bill about every aspect of "the magazine," "the journal," "the

For Liberty readers, perhaps the most rewarding result of his intense concentration was his investigative reporting. One of the best examples was his continuing exposé of the Libertarian Party, written first under the name of Chester Alan Arthur and later under his own name. I remember his outlining in detail the party's abuses of financial reporting (to me this revealed that politics is politics, whatever its banner), but shortly thereafter he argued at length that the Libertarian Party is worth keeping around. He even came up with an imaginative (though probably utopian) idea for a party platform — decriminalization of drugs.

Another example of intensity was his coverage of the Senate confirmation hearings of Judge Clarence Thomas. To get the full story, Bill videotaped (or recorded) the entire hearing process. Such thoroughness was probably typical, but I happen to remember this time, perhaps because I was so repelled by the hearings that I barely listened even to snippets.

Because Bill lived in a small Washington town before the Internet became a valuable resource, his relentless investigations sometimes faced obstacles. I remember his frustration — and, I believe, surprise — at not being able to find the documents he needed from the Port Townsend Public Library.

The Port Townsend Public Library! His comment was probably what started me thinking that Bill had a slight resemblance to the wonderful characters in the cartoons by Baloo. Not the ones who make the comments, but the baffled ones who are simply stunned, such as the businessman who is told by the street beggar, "C'mon, sir — You don't want me sponging off the taxpayers, do you?" Or the man who says to his wife as he holds the telephone, "It's our marriage counselor — he wants to know if he can sleep on our couch tonight." For Baloo and for Bill, things were strangely amiss in this world — a lot of things.

Bill devoted the past two decades to diagnosing what was amiss and using the power of words, including factual information, humor, logical analysis, and even inspiring rhetoric to develop solutions. To help him, he enlisted the aid of an unusual mixture of people — many of whom didn't know they "had it in them" until Bill assured them they did. Through his own writing and by spurring others to contribute, he expanded the realm of libertarian thinking, increased the number of libertarian voices, and strengthened the arguments for liberty. We can all be grateful for that. — Jane S. Shaw

zine." They wandered a lot, that's for sure, but very brilliantly, whenever Bill was speaking. I remember a three-hour talk, starting about 11 p.m., about the place on earth from which you can see the longest distance. I can't remember what mountain it is, next to what ocean. I do know that there's a formula for calculating the distance from which you

One of the principal reasons why he became skeptical about the Objectivist movement was its benightedness about homosexuality, which was then considered "unnatural" in Objectivist circles.

can see something such-and-such meters tall from such-and-such meters of elevation. Bill had forgotten the formula, and those were the days before the Internet, so we couldn't just go on the Web and look it up; therefore, he proceeded to deduce the formula. In fact, he deduced it in two versions — first his own, then his rediscovery of the "real" one. While doing so, he conducted a seminar on the best vantage points on the globe, their exact geographical location, the flora and fauna that surround them, the history and forms of government of adjoining countries, etc. etc. It was the kind of thing that ought to go on in a college, and never does.

I'd like to say that working with Bill was all sweetness and light — and basically it was. Any magazine editor can do a lot of damage to people he doesn't like, if he wants to and he's the least bit clever about doing it. Bill was wholly immune to that temptation. He lacked even a vestigial organ

of spite or vindictiveness, and he was the rare midwesterner who was without our famous "mean streak." His incoming correspondence, like that of all other editors, but especially editors of journals that are politically inclined, was often filled with gross abuse, most of it from "friends." Very little of it made him lose his temper; none of it made him want to plot or scheme for revenge.

I think, indeed, that Bill was incapable of plotting. His whole life was devoted to writing, conversing, publishing; for him, a good story was what you reported, not what you cooked up. Bill had a very retentive memory, and he knew tons of anecdotes about people in the libertarian movement — many of them heroic, many of them hilariously ridiculous. If he had wanted to, he could have created saints and clowns by the hundreds. He didn't. I often saw him studiously repressing his feelings when he thought their expression might needlessly hurt someone, even someone he disliked. But I never saw him *plot* to use or withhold information, for some ulterior motive.

I also never saw him become angry because somebody disagreed with him. I disagreed with him frequently, sometimes for good reasons, sometimes for reasons that I now believe were sadly deficient; and we disagreed about things that were important to us both. But he expressed anger only once. Some problem had arisen about an article for "Liberty." I don't remember what it was, but I stated my view in a stubborn and snotty way. I faxed it in; then I waited for Bill to phone me as usual. He didn't, so finally I deigned to call him.

"What did you think about my fax?" I said.

"Not much" (grimly laconic).

"You disagree?"

(Long silence.) "I didn't like what you said."

"Really? Why not?"

Bridging the gap — I first met Bill Bradford close to 20 years ago at one of John Baden's Liberty Fund conferences held at a Montana dude ranch. Before the conference began, I found Bill sitting at a table with another libertarian he had just met.

Bill was saying that his magazine did a regular poll of libertarians that showed there had been a shift from people who considered themselves libertarian primarily for ideological reasons to those who were libertarian primarily for pragmatic reasons. The former were influenced by writers such as Ayn Rand and considered freedom an end in itself. The latter were influenced by observing government failure in action and considered freedom a means to an end.

I am not sure how much of this I understood at the time. But the other person at the table was an Ayn Rand libertarian, while I, who have never read Rand or even Hayek, was at the other extreme. To me, the other person was very strange (and he probably felt the same about me) and I recall thinking that there was an unbridgeable gap between us.

But there was a bridge, and his name was Bill Bradford. As I became familiar with Liberty magazine over the next few years, I realized that Liberty was the conscience of the

libertarian movement. While Reason was the public face of the movement, it was much less likely to be introspective or to report on events within the movement. Only Liberty would review and critique the strategy and tactics of those who sought smaller government. From this point of view, Liberty was and is a great magazine.

Bill could be the bridge between different sorts of libertarians because, like any good reporter, he could make people feel he agreed with everything they said. I remember once submitting an article somewhat sheepishly, because I thought that it perfectly reflected Bill's viewpoint and I wondered if he hadn't already said the same thing in the magazine. He called me and said, "I want to print your article. Of course, I don't agree with anything in it, but you are saying things that need to be said." Bill's skill at making people feel comfortable must have been critical to the success of the magazine.

Though sometimes the cause of freedom and smaller government seemed to be losing ground every minute, Bill was one of the people who gave us hope and who made this world a wonderful place for libertarians. I will miss him a great deal.

— Randal O'Toole

“Jesus, Steve, didn’t you think about your *tone*?”

No, I didn’t; but from then on I did, and not just with Bill but with other people too. And whatever success I’ve had in controlling my tone I credit mainly to that confrontation.

I have to admit that although I dislike hatred in the abstract, I find it easy to hate certain public figures. FDR. Jesse Jackson. The Clintons. I think it probable that Bill never hated anybody, although he was sorely tempted by President Bush and his friends. In his view, they were modern liberals of an especially pernicious kind: big spenders and military adventurists, both. But when I denounced FDR, Bill argued that under the circumstances, he’d done pretty well at not destroying the country; other politicians would have done far worse. Following his idol H.L. Mencken, he regarded virtually all “statesmen,” including FDR, as little more than unusually clever mountebanks, but he could appreciate their good points, if they had any. Even Bill Clinton got credit for his free trade policies, and for refusing to be as flagrant a dope as his Democratic supporters pressured him to be. Bill was disgusted by the legal pursuit of General Pinochet and of the former rulers of Eastern European countries. “They’re old men,” he said. “Leave them alone.” Using the law to punish political crimes, crimes that occurred many years before, seemed grotesque to him.

What really got to him, though, what upset him in a visceral way, was (first) war and (second) all those acts of aggression and injustice that governments visit on helpless citizens, even in daily, routine ways. The viciousness of petty officials depressed him, whether he saw it close up or at a distance. Waco, Ruby Ridge, the depredations of the war on drugs, even the petty violence of cities’ attempts to make sure that the businesses they don’t like are unable to operate within their bounds . . . Bill’s indignation flared at those things, and at every such assault on the dignity of the individual.

Unlike some libertarians, he was also indignant about injustices that do not happen to be perpetrated by government. He was the first male I ever knew who was disturbed by the prejudicial or condescending way in which men treated women. He read Betty Friedan’s “The Feminine Mystique” and praised her highly for insisting on the social and psychological equality of women. Before feminism became fashionable with virtually everyone, he appreciated the ways in which women’s intellectual contributions had traditionally been slighted. The founding influence that women exerted on the libertarian movement always interested and delighted him.

In addition, he was the first straight man I ever knew who was concerned with the rights and dignity of gay people. Slurs and demeaning jokes against homosexuals particularly disgusted him. They were one of his principal reasons for despising certain segments of the conservative media, which he found physically repellent on that ground. One of the principal reasons why he became skeptical about the Objectivist movement, as he explained to me at length in 1969, was its benightedness about homosexuality, which was then considered “unnatural” in Objectivist circles. He was happy when Objectivists started to abandon that view; it was an important event for him.

I was never aware that Bill treated women or gay people a bit differently from the way he treated heterosexual men. He didn’t know how to condescend to anyone, and he would dissent as forcefully from a woman’s argument, or a homosexual’s, as he would from a straight male’s, when he saw some fault in it; but he was disturbed when anyone was ignored or rejected because of sexual identity, race, religion, or anything other than intellectual qualities.

Bill made a lot of enemies (and kept them) with his investigative reports on the Libertarian Party — by the reports that were critical, at any rate. Nobody got upset about the miles of columns he devoted to publicizing the things that Libertarians did right. In certain cases, I thought that his critical coverage could have been even more critical. My personal exposure to the arrogance of some of the people he criticized had a very bad effect on me. I was startled and angered by the behavior of libertarian “suits” toward the “working class” of the party, which very much included Bill. I thought that he should target the unlibertarian style that Libertarian apparatchiks often develop, but he was more interested in the substantive issue of why the national party got such small results in exchange for its donors’ money. I guess he was right — but it didn’t help him with the people who considered it wrong for any libertarian to “attack” other libertarians.

Bill was a convinced “utilitarian,” believing that morality cannot be divorced from the pursuit of happiness. It was inconceivable to him that some moral principle could be jus-

Bill knew tons of anecdotes about people in the libertarian movement — many of them heroic, many of them hilariously ridiculous. If he had wanted to, he could have created saints and clowns by the hundreds.

tified despite its observed tendency to result in widespread unhappiness. He opposed the idea of “natural rights,” believing that rights are not inherent to human life but are supremely useful inventions of the human mind. But he — like Ludwig von Mises, another distinguished “utilitarian” — was much too smart to believe that because something made you feel good right now, you should do it. “Utility” for him (as for Mises) embraced the whole field of moral, spiritual, and aesthetic pleasures and benefits.

I understood that; but I was always interested in the warmth with which he denounced invasions of rights and applauded moral virtues, as if virtues and rights were in fact absolute and self-justifying. On several occasions I had reason to ask him why he insisted on printing something at which most of our readers would probably take offense. “It won’t do any good,” I said. “They won’t pay any attention; they’ll just get mad.” “Do you think,” he responded, “that it isn’t a good thing to tell the truth? I think it *is*, whether anything comes of it or not.” He gave the same answer to ques-

Leading the revival — I first met Bill in May of 1999, at a Liberty Council event in Hawaii. He gave a very interesting talk about the realities of bulk mailing, and why the optimistic numbers of Project Archimedes, the Libertarian Party's idea of how to increase its membership, were simply impossible. Bill had a good understanding of exactly how much demand there was for libertarianism, since he had been trying to increase readership of Liberty for several years.

It was interesting to hear somebody who was as passionate about liberty as I was, but who seemed more grounded in reality. I wanted to live in a libertarian society just as much as the next fanatic, but I was starting to suspect that so many resources were being expended in wild schemes (like building an island!) that the dream of a true libertarian society always kept getting further away. Bill told me later that the reason why most libertarians go off on wild tangents is that they are overwhelmed with the rapture of the newly evangelized. Most people in the Libertarian Party have been exposed to libertarian ideas for the very first time, and they have become obsessed with the concepts.

After Bill saw me do my own shtick that weekend, he told me how impressed he was that someone billed as a "libertarian comedian" could actually be funny. Just as Christian Rock is an inferior substitute for its authentic Satanic counterpart, the "libertarian" modifier is usually applied to mediocre artists, writers, and entertainers as an apology from the booker for not being able to afford a real artist, writer, or entertainer. When he saw that I was a "libertarian" comedian, he naturally assumed that I would be awful. I privately suspected that his speculation about "libertarian" artists did apply to me as well, but I was flattered that he found me funny.

It was on that weekend that he invited me to start submitting reflections for Liberty. Some of my early submissions were quite "libertarian" but Bill personally took the time to edit them, so nobody would realize how lacking my writing skills were. Many times, he would insert a joke that I didn't write into one of my reflections or articles (which I believe is extraordinary editing license), but since my submissions were rudimentary, I never really minded. As I slowly got better at transposing my spoken style of satire into writing, Bill had to edit my submissions less, but he never got over his habit of sticking his own joke in here and there.

I remember fondly those Editors Conferences that Bill held at the old Coast Guard station on the end of the Port Townsend peninsula. In a crumbling government facility originally built to quarantine immigrants, and now more often used for cheap weddings and retirement parties, Bill hosted events that drew some of the greatest minds of the libertarian movement. I was always flattered to be a guest, and I left with my mind full of new and exciting ideas. I felt as if I had just left a revival — invigorated, excited, and ready to slay the Leviathan.

The last time I saw Bill, he asked me if I was religious. I told him sort of. He said he was surprised at how many libertarians were not atheists. But even Bill was a devout member of the Church of Liberty. Perhaps none of us are really atheists.

— Tim Slagle

tions about why the libertarian cause should be supported, at times when it seemed highly unlikely to win.

Bill knew a lot of truths; he also knew a lot of facts. His degree was in philosophy, and he understood the harder branches of that discipline, those closest to logic, very well. He had an encyclopedic knowledge of American history and politics, and an excellent taste in that field as well — the kind of taste that detected the deviousness and mental instability of such popular heroes as Lincoln and Theodore Roosevelt, and admired the nobility of Washington and of the unfairly neglected Cleveland, both great heroes of his. He also knew people. As I've said, no one in the libertarian movement knew, or understood, its people as well as he did; and probably no one ever will.

After his death, I was interviewed by a newspaper reporter who wanted to know, among other things, whether Bill was "one of those people who want to live off the grid." She evidently thought that all liber-

Bill often said that he wished that libertarians had a "church," a place to go and meet one another, not to debate ideological questions but simply to enjoy one another's company.

tarians must be like that. What a laugh! Bill loved to meet people; he loved to find out what they were like, what they made of life. He had no attraction to religion — "no religious faculty," in Isabel Paterson's phrase — but he often said that he wished that libertarians had a "church," a place to go and meet one another, not to debate ideological questions but simply to enjoy one another's company.

I'm not sure that this idea of a church bears any relation to the real function of churches, but that was his attitude. His friends ranged from bikers to college professors, from crusading atheists to Christian missionaries, from prominent scientists and distinguished jurists to the "ordinary" people who are the real life of the libertarian movement. Himself the least pretentious of men, he treated everybody with the same informal, enthusiastic interest. If people didn't like him, he knew it; but he didn't let it affect his ability to find out what they thought.

Knowing his character, you could guess Bill's way of editing Liberty. He sought contributions from every kind of libertarian, and from many people who weren't libertarians but had something to say, nonetheless. Since Bill *was* Liberty, he constantly traveled from one role to another: publisher, business manager, complaint answerer, investigative reporter, editorialist, seeker of other people's expertise. He took full respon-

sibility for everything that happened; yet he was remarkably — I sometimes thought, absurdly — concerned with other people's ideas and approaches. It was not unusual for him to spend all day working on someone's article, trying to preserve the author's style but also to present the author, and his or her argument, in the best possible light, a light that perhaps had never dawned on the author in question; then he'd call me up, and ask me to comment on his edits — before returning to another round of worried meditations on paragraph 5, sentence 3.

I don't think I ever heard Bill "tell a joke," but his whimsical sense of humor made him more fun than any jokester I've ever met. One night, we were standing in his kitchen, chatting about the effects of finance on personal happiness, when he said, "I'm happy that I've finally got enough money to buy the things I've always wanted to buy." "Like what?" I asked. "Oh, like this stuff," he said, pulling open a drawer full of little plastic toys — average price, 79 cents. Most people, when they're trying out a new keyboard, type something like, "The quick brown fox jumps over the lazy dog." Bill typed, "Good news! The depression is over, and the banks are filling with money." When Bill got his first VCR, while he was living in Okemos, one of the first movies he acquired was "42nd Street," the greatest of musical comedies, and one of the greatest of films, but a film that no respectable intellectual would tolerate, at least in those days. He insisted that I watch it with him. Reluctantly, I watched, and was converted. I owe a lot to Bill for opening the big ballroom of beautiful, crazy, funny movies for me. "42nd Street," "Footlight Parade," the "Gold Diggers" of various years . . . "It's the song I love the melody of." Shortly before his death, Bill insisted that I watch "My Name Is Earl," "the best show on TV." It came pretty close to justifying that description, at least when it was watched in his company.

Bill's sense of humor gave him a way of reducing a philosophical argument to its essentials, and making it impossible to forget. Listing the moral virtues that Ayn Rand believed she had deduced from her unique philosophy of individualism — "honesty," "responsibility," "productivity," etc. — he asked, "When's the last time you heard a list like that? Sunday school, maybe? I mean, there's nothing *wrong* with those things, but what makes her think she's *original*?" Bill loved animals (except the deer that infested his back yard, eating everything in sight, and doing it with complete impunity), but he especially loved cats. He appreciated their individuality; he was entertained by their haughty displays of independence. "Anarchism would work," he said, "if there was a planet inhabited solely by cats."

His discussions of American political history always extended a childlike welcome to the absurd. He took delight in the gentleman who once conducted a front-porch campaign for governor of Georgia, running on a platform of opposition to "puttin' them hard plastic stickers on them squishy young tuhmaytuhs." He loved the pair of spoofers who were taken seriously when they proclaimed the creation of the National Hamiltonian Party, campaigning under the slogan, "Your people, sir, are a great beast!" Our late-night editorial conferences were enlivened by Bill's speculations about all the strange things we could print if we just wrote whatever we felt like writing.

At some convention that we attended we were invited to a reception in some important people's suite. We weren't looking forward to it. We suspected the hosts of being pretentious bores, and we were more interested in talking with

Then Bill looked at me and I looked at him, and a second later we started running down the corridor, escaping before the grown-ups could take us captive.

the friends who were already with us than in drinking somebody else's expensive booze. Nevertheless, we considered it our duty to Liberty to go up to the 20th floor and be received in the splendor of the suite. We got off the elevator and trudged down the hallway, trailed by two or three of the people we'd rather be spending the evening with, like criminals marching toward their execution. We got to the door and knocked. Then Bill looked at me and I looked at him, and a second later we all started running down the corridor, escaping before the grown-ups could take us captive. "That was a close one!" Bill said, as we turned the corner — ecstatic that some part of life, which is precious, had returned to our control.

When, in December, Bill encountered the final boring, pretentious host, his approaching death, he sent a last message to his fellow editors of Liberty. After discussing the arrangements he'd made for the journal's continued publication, he made his ultimate editorial suggestion: "How about 'Bradford Dies, Libert' Reborn!' as a headline?"

It's a good headline, all right; but the first part still needs a bit of work. Bill Bradford could never really "die." □

Reflections, from page 16

the "most asinine of taxes" and should be abolished. Finally, he felt that the private sector — major corporations and non-profit institutions — was the only "free, non-revolutionary way" to a stable, prosperous society. Business and private charities provided a superior alternative to socialism and big government. According to Drucker, only business could assume social responsibilities such as job security, training,

and educational opportunities, and social benefits such as health care, retirement, paid vacations, etc. When he first suggested the private sector as the ideal "social institution" after World War II, he was considered a renegade. (Even General Motors thought he was nuts.) But once again he was proven right. For more, see "The Other Austrian," an article I wrote for the April 1993 issue of Liberty. — Mark Skousen

Debating the War on Drugs

by Bruce Ramsey

There's a lot more to legalizing drugs than just lighting up a joint.

"Exit Strategy for the War on Drugs." That was the name of the conference held in Seattle on Dec. 1 and 2, 2005. Washington is a "blue" state that approved a ballot initiative to allow marijuana to medical patients. Seattle is a deep-blue city that voted nearly 80% for John Kerry, and before him for Al Gore, and also voted, against the advice of its city attorney, to reduce marijuana possession to the lowest priority of police work. Seattle is a logical place to air the question: if not a war on drugs, then what?

The conference was put on by the King County Bar Association, which for several years has had a project to end the War on Drugs. In 2001 the Bar Association adopted four principles regarding currently banned recreational drugs. I summarize them:

1. Drug policy should create "no more harm than the use of the drugs themselves";
2. It should address "the underlying causes and the resulting harms" instead of using police and jails;
3. It "should regulate drugs in a manner that recognizes citizens' individual liberties while answering the need to preserve public health, public safety and public order, especially providing compassionate treatment to those in need"; and
4. It should not waste the taxpayers' money.

You can see the libertarian principle, and some fences around it.

It was not a conference of libertarians, but mainly of liberals; most of them knew the libertarian answer to drugs and mostly they found it unsatisfying. Kate Pflaumer, who was appointed by President Clinton to be U.S. Attorney in Seattle, was one of several who explicitly said the advocates had to get beyond the libertarian argument. "We have to

deal with kids, expanded use, and social harms," she said.

We *do* have to deal with these things, at least if we are to be part of the discussion. It is not enough to imagine a responsible adult with the drug in hand — usually a drug that is not dangerous if used properly. That, generally, is what the libertarian imagines when he asks: What business is it of the state to forbid this adult from using this drug? By what right, and to what end, does the state force the user into a steel cage?

That way of putting the question is a neat way of illustrating a libertarian idea. But let's admit that it's a set-up, designed to reach a predetermined conclusion. It assumes we are dealing with an adult. It assumes some level of rationality and free choice. It may also assume some level of safety, if we care about safety (which people *do* care about). It also assumes the drug is in hand, and that it arrived there through some uninteresting process.

All of these assumptions are hazardous. Drug users are not all adults, and a regime of freedom for adults may not imply freedom for nonadults. Drug users start by making a free choice, but once certain choices are made, they may be difficult to unmake. Not impossible, but difficult. Some drugs are not too hazardous, and some are very hazardous.

Consider the question of how the drug arrives in the user's hand. Does he buy it from a lawful company — that is,

a company with an address, corporate officers, and publicly identifiable owners? A company with contracts, obligations, licensing agreements, commercial insurance, and legal liability? A company with employees, and a community image to maintain? A company subject to institutional oversight, governmental or otherwise? Can you imagine a pharmaceutical

Half of the attendees at the conference were for price control on legal marijuana, and three-fourths were for profit controls.

company producing commercial versions of today's illegal drugs? Marijuana? Cocaine? Heroin? LSD? Magic mushrooms? Ecstasy? Crack? Meth?

"We need a legal framework for drugs," a man said, "because what we have on the street is lawlessness." Accept that. But what sort of framework? The one we use for OxyContin? Aspirin? Dill pickles?

During my time at the conference — and I attended about half of it, over two days — the suggested legal framework for heroin and drugs of similar potency was that they would be dispensed by the government. (For unique U.S. reasons, state government.) Government dispensing has been tried before. Britain has done it with heroin in a small way since the 1920s and Switzerland has done it recently.

Peter Reuter, professor of criminology at the University of Maryland, presented the Swiss example. It was of 1,000 heroin injectors. They were given up to three doses a day, and allowed to use heavy doses (500–600 mg/day), which they tended to do. One result was a sharp reduction in crime. Also, more injectors found work: the share of the enrolled addicts with jobs (presumably lawful jobs) increased from 14% to 32%. The mortality rate fell from 2–3% to about 1% per year. Most of the addicts stayed addicted, though some applied for a dry-out.

These were experiments — islands in a sea of prohibition. The Swiss made heroin available only to experienced injectors. So did the British. In each place there were others using the drugs illegally — in fact, many more others than were using them with permission.

Instead of cops and wardens, most in the group thought heroin should be handled by doctors and social workers. But government would still involve itself. It might require that drugs be packaged a certain way, with warning labels; that the drugs be of a certain dose and purity; that the users not be from out of state; that they sign forms and be registered; that they see a doctor beforehand; that their consumption be monitored by the government; and so on.

Said Roger Goodman, head of the King County Bar Association's Drug Policy Project, "We're talking about creating a *healthy society*."

Is heroin use healthy? Vancouver, B.C., has the most open drug scene in North America, with several thousand heroin addicts in the East End. The scene is probably less unhealthy than the same amount of heroin use entirely underground,

but healthy it is not. Mark Haden, clinical supervisor at Vancouver Coastal Health, said the addicts are "an enormously sick population," with about one-third of the users infected with HIV and "almost universal hep-C."

I asked one of the Canadians about the feces problem. I had seen reports on a local weblog that Vancouver junkies had been crapping in public, creating a problems with sanitation. What's the cause of that? I asked.

"Vegetable matter," the Canadian said.

Huh?

"Food."

I stared at him.

"There are no public toilets. They have no place to go."

Oh. On one level, it was common sense. But, I thought, if the addicts make a mess, why do we have to conclude it's because they haven't been given enough free stuff? The public authorities are expected to supply them free heroin, free sterile needles, and free "safe injection sites" with polite, nonjudgmental government overseers — and then face the complaint that there are no free toilets.

At the conference, most of the talk of legalizing was about marijuana, and even in this anti-drug-war crowd the attitudes were not as permissive as you might expect.

Deborah Small, executive director of a group in New York called Break the Chains, Communities of Color and the War on Drugs, was one of the most left-wing of the speakers. Her first criticism of the drug laws was that they were biased against the poor and black. She is black. She was fearful of capitalism; her foremost thought about managing legal drugs, including marijuana, was not to let the corporations have them. "The idea of corporate control is troubling to me," she said.

"I personally agree with that," said Goodman of the King County Bar Association, adding that he thought it was a mistake to allow branded alcoholic drinks after Prohibition.

Jeff Haley of the Drug Policy Foundation of Washington said the problem with commercialism is that when money is being made, people have an incentive to sell. You could ban advertising — which most of the attendees, I think, assumed

Making wholesaling illegal and retailing legal makes no logical sense, but it works in the Netherlands.

would be done with any legalized drug — but if the salesmen have a monetary incentive, they will sell. And that would still be bad. "People who are selling need to have no incentive to sell," Haley said. "The only way we could think of to do that is to make these people state employees."

There was a ripple of laughter at that.

I was thinking of the unhappy prospect of turning brewing into a government monopoly. In my college days a local brewery had put out generic beer — "BEER" brand, black lettering on a plain white label. That had been the closest

thing to government beer produced here, and it had tasted pretty bad. A Canadian in the audience stood up and told a similar story about marijuana. His government had produced it for the medical users, who found it "utterly unappealing." He warned the group not to design "a system of distributing things people won't want."

Kris Nyrop of Street Outreach Services in Seattle objected to the no-brands idea. "As a tobacco user, I like having choice in brands," he said. "I'm afraid that we're heading too close to paternalism in our conversation here."

Many of these people were not against paternalism, as such. They wanted paternalism with a human face, or at least a face that was not a policeman.

As for the worry about capitalism creating an incentive to push drugs, the Canadian reminded the audience that social programs had become an industry as well. Government has

American culture today is so different from 1914 that the social effect of legalization would be different.

an economic incentive to push interdiction, controls, jails — and social work, too. "Wherever there's money involved, and it is tied to jobs, it introduces an incentive," he said.

Rick Steves, a publisher of travel books who knows the scene in Amsterdam (and is also a board member of NORML, the National Organization for the Reform of Marijuana Laws), said he thought that for marijuana, "the viable thing for us will be capitalistic, with some regulatory stuff." I thought it was the most sensible proposal of the day, and noted that Steves was a businessman.

To most of the rest of the people there, profit — corporate profit — was bad. The moderator asked for a show of hands on various regulatory ideas for marijuana — price controls, profit controls, advertising prohibition, volume discount prohibition, etc. (The Washington State Liquor Control Board forbids any dispenser of alcohol, including beer, from offering two for the price of one.) Half of the attendees at the con-

ference were for price control and three-fourths for profit controls. Profit is, of course, a residual, and "profit control" would have to mean some sort of confiscatory tax.

At one point, someone asked, "Are there profit controls on the liquor industry?"

"No," the moderator said. There was a silence.

One man who rose to comment was the chairman of the Washington State Liquor Control Board, which owns all the liquor stores in the state and controls all wholesaling of hard liquor. The state of Washington makes a net profit, including taxes, he said, of more than \$200 million off gross sales of \$600 million from its liquor monopoly. That's a profit margin of 33%, a level not generally found in private-sector retailing. (Wal-Mart's profit margin is 3% of sales.)

The profit margins of criminal drug gangs may be higher even than the state of Washington's, and indeed some attendees worried about what would happen to the entrepreneurs who now serve this market. Cliff Thornton, director of a program in Hartford, Conn., called Efficacy, and a board member of NORML, said, "Legalization without indemnification means nothing to me. We need a strong economic package to build up the inner cities."

Two blacks had said that — Thornton and Small — and the mostly white audience applauded. But there was also resistance. Ethan Nadelmann of the Drug Policy Alliance — probably the most prominent opponent of marijuana prohibition — said he didn't want "that condition placed on our thinking." Decriminalization would be a tough sell without tying it to a new spending program.

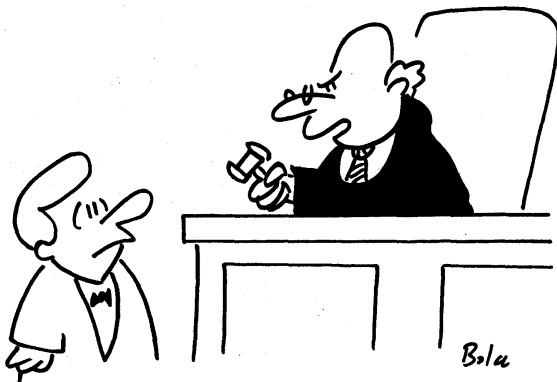
In all of this discussion a cord of tension ran between the logical and the possible, between an ideal world and one dimly visible. On the side of the possible was the Dutch experience with marijuana. Craig Reinerman, professor of sociology at the University of California at Santa Cruz, said 288 coffee shops in Amsterdam sold marijuana and hashish. The minimum age was 18. The maximum quantity of purchase was five grams; it had been higher, but the authorities had lowered it. Other drugs were sometimes sold in the cafes, but it was illegal, and cafe owners were liable to be shut down if caught.

Reinerman said the Netherlands had made retailing in these regulated places and amounts legal, but that import and wholesaling were still illegal. The corporations had been kept out of cannabis, and the smugglers still had it. Of course having wholesaling illegal and retailing legal made no logical sense, but it worked in the Netherlands.

Reinerman said drug use among Dutch youth was lower than in the United States or the United Kingdom. He cautioned against drawing conclusions. "The U.S. may be different," he said. "Context and culture are important."

That was a problem, I thought, with libertarians bringing up the America before 1914, when there were virtually no controls on drugs like heroin and cocaine. The culture of today is so different from 1914 that the social effect of legalization would be different. And, of course, there was a social effect then, because if there hadn't been, the drugs wouldn't have been banned. You have to care about the social effect.

One of the problems with the conference is that it was a gaggle of wonks. When most of them thought of drug users



"Not guilty?" — You some kind of expert in the law, are you?"

they thought of serious and sober folk like themselves. Jonathan Wender, a criminologist at Simon Fraser University in Vancouver, reminded the audience that with many drugs the typical users were not people like themselves but “folks you don’t want standing behind you at the ATM.” And, he said, “meth and cocaine are not marijuana.”

The conference speakers didn’t talk about legal methamphetamine, at least when I was there. Two men behind me did. One was a judge. He was talking to the man next to him. “There’s not an ounce of cocaine in all of Cowlitz County, but meth is everywhere,” he said.

I don’t know about meth, and I accept some humility when making pronouncements about it. I hear horrible stories about it — everything from irrational, criminal behavior to “meth mouth,” which is what happens when the drug eats your teeth.

A few days after the conference I happened to talk to the state attorney general, Rob McKenna. I told him I had been to this drug-legalization conference and he said, “What did they say about meth? Did they want to legalize that?”

I hadn’t heard anything about legalizing meth. That was notable, since it’s the drug the politicians and prosecutors talk about most. In the King County Bar Association’s materials, it said that any changes in the drug laws would have to “take place incrementally,” one drug at a time, “probably beginning with cannabis and the opiates.” Any program to deprohibit a drug would have to be evaluated afterward for “public order, public health and public costs,” being always subject to modification or repeal. We are a long, long way from legalizing meth.

What would libertarians do about a drug like that?

Under commercial law, which applies to above-ground businesses with official addresses and visible owners, if you start selling products that kill people, addict them, wreck their health, “cause” them to commit crimes, or even to rot their teeth, you have a problem of liability. Imagine a company like Pfizer or Merck selling meth. Given the liability, could a manufacturer of such a product get insurance?

Imagine a company like Pfizer or Merck selling meth. Given the liability, could a manufacturer of such a product get insurance?

Could it get a bank loan? A letter of credit? Never mind the governmental stuff, like FDA approval of its manufacturing plant. Could it get a retail chain to stock its product? Maybe it would sell by mail-order, and advertise on cable TV. Maybe the cable TV company would have a visit from its insurance company. Maybe the drug would still be cooked up in shabby mobile homes in the woods, and sold by street peddlers.

Liberals are not going to allow any drug to be cooked up in shabby mobile homes and sold by street peddlers. Maybe libertarians would. Something to think about.

The King County Bar Association suggested in the handouts that there be “severe limits on advertising and promo-

tion” of any legalized psychoactive drugs, “as strict as the law would allow within the constitutional protections of free speech.” There was a suggestion that the state forbid branded drugs, so as to avoid switching on any inconvenient First Amendment rights. There was also a suggestion for a program of “aggressive, state-sponsored counter-advertising.”

What would be the institutional framework in a libertarian society of drugs that addict people, cause them to act irrationally and in various ways destroy their health? Granted that people who chose to use these drugs would not be jailed on that account. But what, if anything, would happen to the manufacturer of a product that killed 2% of users

Simply arguing that if you have a drug in your hand you should be allowed to take it is not answering the question.

every year? Or that enticed the user to quit his job and run his entire net worth up his nose? I knew somebody who did that: it can happen now, under prohibition. But under prohibition, you can’t sue anybody for it.

I am not arguing in favor of prohibition. Clearly, it does not work well. The human costs of prohibition are very high. But with some of these drugs, it is not clear that complete freedom would work, either. And, yes, I know, there are libertarians who don’t care about social effects, or who assume the optimal social effect will be reached through the intersection of supply, demand, and marginal pain — or some other mechanism. They are the inspiration of the joke: “How many libertarians does it take to screw in a light bulb?” Answer: “None. The market will take care of it.”

Probably if prohibition ended, and government washed its hands of drug control, private institutions would arise to deal with the problems. Whether such institutions would deal with them more successfully than the state does now is a question worth asking. The conference I attended did not ask it, but libertarians should. Simply arguing that if you have a drug in your hand you should be allowed to take it is *not answering the question*. To advance liberty you have to think about liability and responsibility; about how the drug reaches you and what you expect of the manufacturer and distributor. You have to think about the kind of world you’re creating and whether people could stand to live in it.

Probably we will have a very long time to think about these things, because the political momentum to repeal the drug laws is still weak. Only one state legislator attended the King County Bar Association’s drug conference — State Sen. Adam Kline, Democrat, lawyer, at the outer edge of liberal. He told me his criticism of drug prohibition was not difficult for him, given his Seattle constituency. “It is difficult for a lot of my colleagues,” he said, speaking for Democrats as well as Republicans. “We are dealing with something that some people feel is inherently criminal.”

If not a crime, then a vice: still a problem. □

Guns, Rum, & Loot

by Jo Ann Skousen

The line between pirate and privateer is thin, dotted, and signed by the government.

Protection of personal property rights has always posed a problem: How does the owner of property persuade a non-owner to honor his right to that property? The gentlemanly phrase, "Pardon me, but that's mine," ought to be enough, but not all men are gentle. In a society where few people understand the concept of private property, a system of justice, backed by force, develops to protect one's property from marauders. In the Old West, there were "vigilance committees," but as Rose Wilder Lane observes wryly in *Discovery of Freedom*, "The vigilance committee always began as a group of men who used force to stop robbers and murderers. It always became a group of men who robbed and murdered." Frederick Douglass observed a similar fact of human nature in his autobiography: "Slavery proved as injurious to [the slave owner] as it did to [the slave]. Under its influence, the tender heart became stone, and the lamblike disposition gave way to tiger-like fierceness." This principle also led to the golden age of piracy, as governments deputized respectable maritime merchants and turned them into murderous thieves.

Seafaring pirates, like highway robbers and midnight burglars, have been around since the beginning of time. The golden age of piracy, when the Madagascar pirates terrorized the Indian Ocean, lasted from 1690–1720 and was actually encouraged by the governments of Europe. Queen Elizabeth I, for example, issued "letters of marque" to private sea captains, commissioning them to attack any ship traveling under the flag of Spain or, later, of France. These were not naval vessels, mind you, but private merchant ships with a license to plunder. Sir Francis Drake was one of many well-known privateers who were considered heroes at home but criminals at sea. Americans also engaged in this

form of military offense during the Revolutionary War, although Benjamin Franklin deplored the practice because it hurt his ability to negotiate alliances with the Crowns of Europe.

The chief role of the privateer was to raid the commerce of the enemy, interrupting the flow of supplies and drawing the enemy's navy away from war to defend its merchant ships. The system was defended as a legitimate form of warfare, and it was practiced by both sides, sanctioned by governments as a kind of private, unpaid militia. Although it was unpaid, it was not unucrative. In many respects privateering represented the working-class sailor's only opportunity to rise out of poverty. Life at sea could be brutal, and a crewman's pay was abysmal. As a privateer, however, the potential reward was worth the risk. Typically, 10% of all "prizes" went to the Crown, 50% went to any backers who outfitted the ship, and 40% was divided equally among the captain and the crew. Even slaves who happened to be part of the crew shared in the booty. It was rather like being a repo man: all the adventure and excitement of being a thief, with a "Get out of Jail Free" card tucked into one's wallet.

Outright pirates sailed against all flags, but privateers were choosy, plundering only in the service of their sovereign — at least at first. But as usual, government had created a monster. The capriciousness of governments led to

instability and frustration in this unorthodox marketplace. A country might be at war with Spain one year, then reconciled by treaty the next; open to foreign trade for a while, then effectively closed by heavy tariffs. The introduction of the Navigation Acts, requiring British colonies to trade exclusively with the British, led ordinary colonists to feel justified in their own form of privateering, by purchasing foreign goods on the black market from pirate smugglers. Technically they violated the king's law, but they obeyed a higher law — that of supply and demand.

Out on the open seas, it was easy to ignore the technicalities. Add to these changing political loyalties the lack of basic human rights for ordinary sailors, the often tyrannical captains, and the lure of potential riches, and it's easy to see why many crews chose to mutiny, commandeer the ship, and head for the Indian Ocean when a well-meaning captain said, "Not this ship — it's one of ours." By the beginning of the 18th century, Madagascar, an island off the eastern coast of Africa, had become home to a nation of pirates. For many, the real lure was not money but freedom. It was the most democratic nation in the world, noted for its high regard for individual rights and its burning hatred of tyranny. Every crewman had a voice and a vote. A captain could be deposed by a majority vote. Piracy offered ordinary sailors the opportunity to live as free men with liberty, self respect, and the promise of enough wealth to make it worth the risk.

A loose form of government developed among the pirates of Madagascar. Everyone on board a ship, from captain to apprentice, was subject to the same duties and entitled to specific rights. No one was above or beneath the law. To seamen whose station in their own country precluded any social progress, this was a profound improvement. There were no special uniforms, ranks, or class distinctions, and everyone received an equal share of the booty (with the captain receiving a double share, to compensate his double role). This was particularly appealing to former slaves, who discovered that buying or earning their freedom meant nothing

Kidd's tarred body hung in the harbor for years. Of course, the government officials who commissioned him as a pirate killer got off scot-free.

ing in a system where it was illegal for a black person to testify against a white or assert his property rights in a court of law. When a person has no recourse in the law, he has no choice but to resort to a life outside the law.

Were pirates as brutal as legend portrays them? Yes and no. Like organized crime syndicates, pirates often used the threat of physical violence and torture as an example, to encourage other merchant ships to give up without a fight. Pirates preferred terrorizing to actual fighting, which was a lot more work and tended to destroy both booty and crew. But it would be difficult to know how much was deliberate rumor and how much was fact. Rumor had it, for example,

that when a Captain Sawbridge argued with pirates who had boarded his ship, they sewed his lips together with sailing twine and marooned him on a deserted island. When word of this got around, it naturally made other merchant captains more docile toward pirates.

Pirates came from all walks of life. Captain Kidd became one of the most notorious pirates of his time, but he didn't start out as a thug. In 1695 William Kidd was one of New York's most successful merchant captains, known for his plain speaking, courage, and simple integrity. Married at a

As narcotics agents and RICO enforcers demonstrate today, once theft becomes legitimized, it's difficult to control.

young age to a beautiful, wealthy wife, he lived in a luxuriously furnished home overlooking New York harbor and was a pillar of church and community. That he was a privateer did not detract from his reputation; after all, it was legal. He had one unfulfilled desire: to become a captain in the Royal Navy.

During this time, piracy on the high seas was so prevalent that no British merchant ship was safe, yet the Royal Navy refused to help. The Earl of Bellomont, governor of New York and Massachusetts, hit upon a plan to rid the seas of pirates, enhance his own reputation, and line his pockets as well: commission a "pirate killer" to outpirate the pirates. Kidd was offered the commission, but he turned it down. He had always been an honest seaman, and wanted legitimate command of a Royal Man-of-War. Fellow New Yorker Robert Livingston convinced Kidd that commanding a pirate killer with a king's commission would be tantamount to a commission in the Royal Navy, and the governor hinted at virtual immunity if he were ever caught. Kidd still hesitated. But when the threat was added that if Kidd refused, he would never become part of the navy, Kidd was trapped.

Captain Kidd may have comforted himself with the thought that state-commissioned privateering was different from pirating. He may even have bought into the idea of the vital importance of the "pirate killers" as the king's most special envoy. But this was a distinction without a difference. As narcotics agents and RICO enforcers demonstrate today, once theft becomes legitimized, it's difficult to control. Although Kidd was commissioned as a kind of cop to stop pirating, the terms of Kidd's agreement virtually forced him to become a pirate himself. To outfit the ship, 80% of the cost was put up by backers (mostly Whig members of Parliament) and 1,500 pounds came from Kidd and Livingston. Ten percent of any prize money went to the Crown, 55% to the backers, 22.5% was divided among a crew of 150 men, and 12.5% was split between Kidd and Livingston. Moreover, if they acquired no booty, they would have to repay the backers from their own funds! Kidd would be under more pressure to bring in revenue than a traffic cop.

But Captain Kidd hadn't yet realized this when he set sail from London. He was in the king's service and felt self-important in his task. He also had a naive belief that his hand-picked crew would sense the nobility of their mission and behave as gentlemen. But they were plagued with failures from the start. The New York crew were a sorry, unskilled lot. Early on, the Royal Navy confiscated nearly half his crew and replaced them with rebels they had captured at sea. Many of his crew turned out to be privateers-turned-pirates. Moreover, no crewman wanted to serve for a mere 0.15% of the loot when, on other ships, they would be entitled to an equal share of the entire prize. Kidd had to agree to give them more money, though it ate into his own meager share.

Fifteen months into the journey, no ships had been encountered except those sailing under the British flag. The crew began to mutter piracy. Captain Kidd began to panic, convincing himself that they should attack Moorish and neutral ships as well as those sailing under French or pirate

Eventually Lafitte was set free. His argument was priceless: "I was forced to break laws because the laws were bad. Now pardon me so I can fight for America."

flags, as a matter of expediency. He believed his backers would exonerate him because of the circumstances. Yet he still considered himself to be a privateer, not a pirate, and allowed British ships to pass unharmed.

The crew thought otherwise, however. When gunner William Moore complained loudly about Kidd's refusal to attack a British ship, Kidd snatched up an iron bucket and smashed it against Moore's head. Moore died from the blow, and Kidd was now a murderer.

Captain Kidd eventually returned to port laden with booty, expecting a war hero's welcome once he explained his circumstances. He still considered himself an honest man "forced" into "minor piracy." However, news of the plundering of neutral ships and Moore's violent death preceded him to England. He was thrown into prison, given a trial without the opportunity of cross-examination, and was hung as an example to other privateers who might be tempted to overstep the boundaries of their commission and become pirates as well. His tarred body hung in the harbor for years. Of course, the government officials who commissioned him as a pirate killer got off scot-free.

Meanwhile, the advantages of commissioning an unpaid navy to aid in waging war had not been lost on American observers. After Madagascar became a haven for pirates on the high seas, Jean Lafitte of New Orleans created his own pirate haven in Barataria Island off the coast of Texas. Lafitte was considered a Robin Hood character and had a popular following. He had no love for England, Spain, or even the U.S. government, although he ended up fighting with

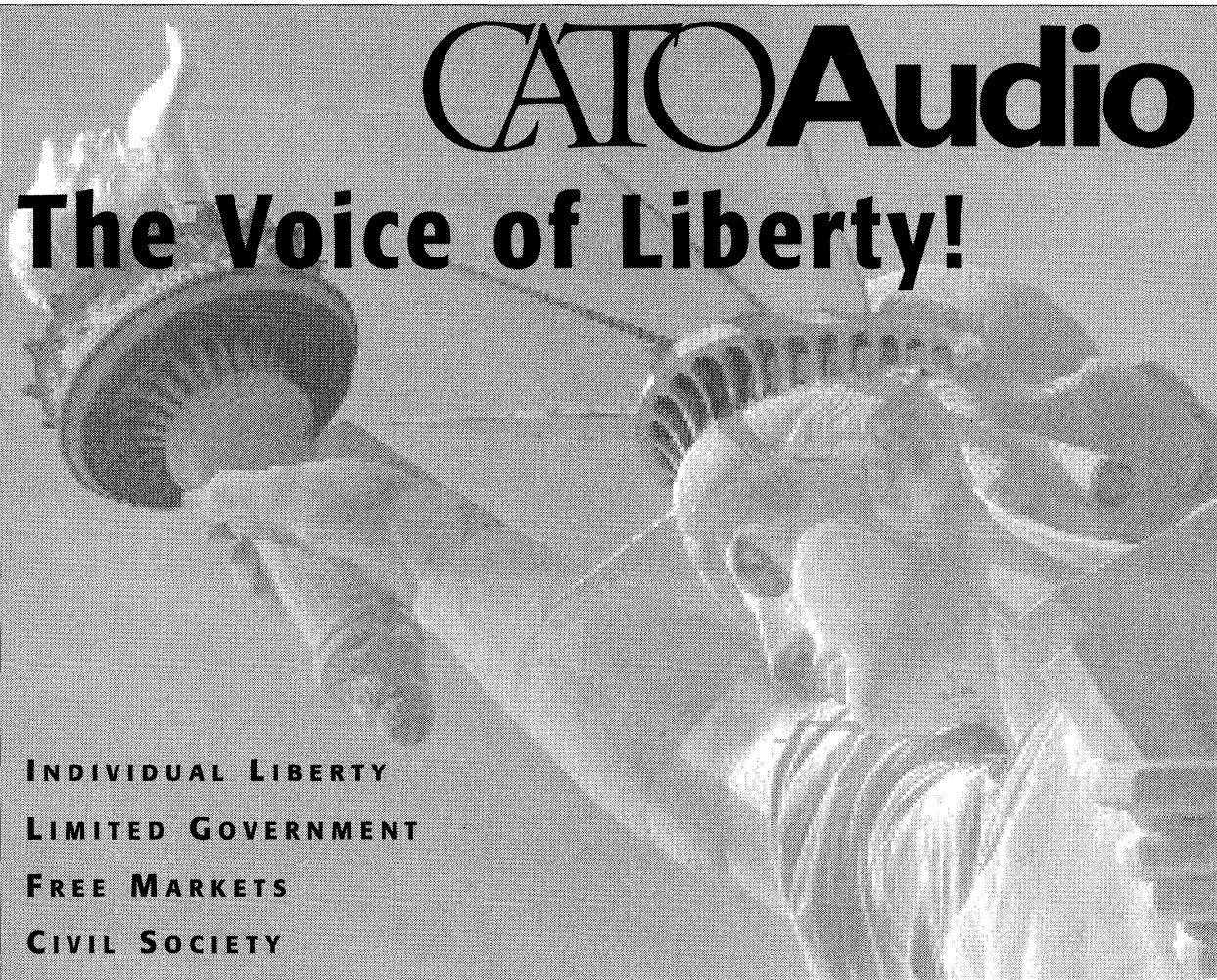
Andrew Jackson in the War of 1812. Although many of his followers were Americans, their loyalty was to Louisiana first and France second.

When it comes to running a business, the problem of creating a product and finding a market is simple compared to dealing with the government. In 18th and 19th century New Orleans, merchants were dealing with as many as four governments, all warring with one another, making alliances and then breaking them again. It was a privateer's dream come true. Two government edicts made New Orleans the center of pirating in the Gulf. First, the Spanish reimposed a customs tax, causing imported merchandise to rise significantly in price. A black market naturally developed as respectable merchants felt justified in purchasing smuggled goods. Men who had been honest fishermen and fur traders for 50 years turned to smuggling because it was so lucrative. In 1804, after the Louisiana Purchase, the Spanish tax was replaced by the U.S. tax, another distinction without a difference. Also in 1804, a new law banned the importation of slaves from Africa. But it did not ban slavery itself. Consequently, demand increased for domestic slaves, prices rose, and the slave trade became more profitable than ever. And easier! Instead of sailing all the way to Africa, merchants simply commandeered slave ships in the Caribbean.

Enter Jean Lafitte. Jean and his brother Pierre came to New Orleans from France by way of the West Indies. Jean was 14 during the Reign of Terror; Pierre had been a captain in the French Navy. Initially Jean became a merchant on the island of Santo Domingo, where he married a rich and beautiful wife. He decided to sell all his goods and return to Europe, but his ship was attacked by a Spanish man-of-war (probably with a letter of marque from the Spanish king authorizing the plunder). Left on a sandbar to die, Lafitte and his family and crew were picked up by an American schooner and taken to New Orleans. Lafitte's wife died from the ordeal, and Lafitte swore vengeance against Spain. He embraced the system, however, becoming a lifelong trafficker in plundered goods.

In New Orleans the Lafitte brothers owned and operated a blacksmith forge together. They were respected, hard-working gentlemen. They were also the city sales reps for smugglers. When confiscatory tariffs made smuggling the primary method of trade, the Lafitte brothers became middlemen. Pierre would deal with New Orleans merchants, taking orders and promising delivery. Jean dealt directly with the smugglers. Privateers bought letters of marque from the government giving them license to "burn, destroy, or sink any vessel belonging to Spain." They found a ready market for their loot in New Orleans. Eventually Lafitte decided to eliminate the middleman (himself) and become a privateer. The Lafitte brothers set up headquarters on Barataria Island. Fittingly, "barataria" means "breach of duty or fraud perpetrated toward the owner of a ship." Like Madagascar, Barataria developed into a community of over 1,000 smugglers, with markets throughout the Gulf of Mexico. The population of Barataria was cosmopolitan and democratic (or communistic, depending on your definition of equality). Sailors were Portuguese, Spanish, French,

continued on page 52



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Kalmykia on My Mind

by Doug Casey

What happens when a Russian satellite state is ruled by a chess-obsessed Buddhist multimillionaire?

Depending on what you'll accept as a "country," there are something like 225 of them in the world. I've visited about 175 — some many times — and have lived in ten. The problem is that now, even if I revisit a dozen a year, it's going to take 15 years to get back to all of them. And some are going to turn into more than one country as time goes on — a subject for discussion in the future.

My first visit to Russia was in 1977. The next time was in 1996, and the country had changed radically. In 1977, the only places open to foreigners were Moscow and Leningrad, which were, I assure you, as grim as anything Orwell ever imagined. By 1996 — just five years after the collapse of the USSR — those cities had been transformed. They were almost indistinguishable from any Western European metropolis. And today even the old factories along the river have been converted into fashionable lofts.

But outside of Moscow and St. Petersburg, which attracted all the money and talent, Russia in 1996 was still a depressing Third World country. On my recent trip, however, I visited the provincial capital of Astrakhan and found a feeling of relaxed elegance reminiscent of Savannah or Charleston. I'm increasingly convinced that development in Russia is more than just a Potemkin village in Moscow.

Prince Grigory Aleksandrovich Potemkin, who supposedly set up a string of phony, storefront villages to impress Empress Catherine on her tour of the Ukraine and Crimea in the late 18th century, seemed to set the example for the Soviets. Anybody, including myself, who visited the country in the old days could tell it was backward, with nothing going for it but a bloated military. Everybody, that is, except the CIA, whose estimates of the Soviet economy were based on fictional and nonsensical statistics published by the

Soviets themselves and were detached from even the most rudimentary common sense.

My latest trip proved things have changed again. Moscow, when I was there in September, was fully up to European standards. I spent several days wandering around with my old friend Mark Gould, who's lived there for most of the last 15 years.

It's helpful to have a local show you around anywhere, of course. And whenever I don't have a good local contact, it never takes me longer than 24 hours to groove into a city. I simply set up appointments with lawyers, real estate agents, and art galleries. All of them are happy to make time for a well-heeled foreigner. And after a day of appointments, it never fails that I've found someone in each profession that I'll be socializing with. Within 48 hours, I typically know more people than I have time to call. Going to a place and doing the typical tourist thing is the height of travel idiocy. But since *boobus americanus* doesn't even travel abroad to start with, perhaps that makes him less than an idiot. No wonder *b. americanus* thought sending the military to Iraq was a good idea, even though he couldn't find the country on a map.

A friend of mine has always said he wouldn't put a nickel into Russia, based on his feeling that the place is simply too corrupt and is overrun by mafia gangs. I once concurred with that opinion, but increasingly I believe that — partly

because of better communications and transportation, partly an obviously increasing standard of living, and partly the Putin regime, Russia is becoming a normal country. It's past the stage where the main imports are stolen cars and the main exports are prostitutes.

I have mixed feelings about Putin, the ex-KGB spy. On the one hand, he's cut the income tax to a flat 13%, supports the Russian Central Bank at least doubling its gold reserves, and suppressed the mafia and kleptocratic oligarchs. On the other hand, he's strengthened the Russian state itself which, in the long run, is the biggest danger to everyone concerned. So far, however, I'm forced to say he's been a net positive.

Anyway, while a lot has changed in Moscow, the city still retains elements of Wild East charm, as when our taxi went a quarter mile past our free-way exit and then backed up against traffic to try again. But, then, Russian cabbies in New York have done worse.

Kalmykia

Kalmykia is one of those places that could be, and I'd say should be, and perhaps one day will be, an independent country. What purpose is served by sending revenues upstream to Moscow and getting regulations in return? As an autonomous republic with an elected president, it has far more independence than any of the Russian provinces, which are dominated by Moscow through appointed governors. But it's not exactly independent, even though it maintains an embassy in the Russian capital.

Kalmykia is an unusual place, located on the edge of a distinctly bad neighborhood. While it's nice to be on the western shore of the Caspian, the location abuts very troubled Dagestan, which is all that separates it from Chechnya. Although I haven't been to Dagestan or Chechnya, it's clear Kalmykia is about as different from them as can be. Kalmyks are Mongols, left over from the days when Genghis Khan overran Russia, and they're Buddhists, the only such population in Europe. And where Chechnya is mountainous, Kalmykia is wide open plains, steppes, and semi-desert. Wide-open spaces make for a totally different social ethos.

The President, Chess, and Buddhism

Kalmykia's president, Kirsan Ilyumzhinov, is as unusual as the country itself. Despite holding office continuously since 1993, he hasn't tried to turn himself into a dictator. He's the head of FIDE, the governing body of world chess. As a consequence of this and of his prominence as president, chess is a hobby of every school kid in the country. There's even a

Palace of Chess, where the world championship match between Anatoly Karpov and Gata Kamsky was held in 1996.

Ilyumzhinov is also a friend of the Dalai Lama. Longtime readers know that I'm not a fan of religion in general, and especially not of religious leaders. But, despite the sordid history of Tibetan Lamas, who ran the country like the feudal kingdom it was before the Chinese invaded, the Dalai Lama seems like a pretty decent type. Although religion and politics (the two things you're never supposed to talk about in polite company) are his stock in trade, he still seems to get invited to all the more fashionable parties. I suspect that's partially because he's scientifically inclined and not a dogmatist. He's often said that if science proves that Buddhist scriptures are incorrect, the scriptures should be rejected. It's

inconceivable that the pope or the Ayatollah or Pat Robertson or, for that matter, absolutely any other well-known preacher (all of whom would be terrible dinner guests, except for the curiosity factor) would allow such a thought.

The reason openness is so easy for the Dalai Lama is that Buddhism isn't so much a religion as an ethical system. It concerns itself more with figuring out the right thing to do than doing as you're told. Of course it has its share of atavisms and superstitions, but were a Martian to visit this planet and try to determine which, if any, religions have some value, he'd have to put Buddhism on the short list, if only because it

never proselytizes, persecutes, or fights holy wars. I have no embarrassment wearing the bracelet the monks gave me when I visited their monastery outside the capital, Elista.

In any event, there's plenty of evidence it's better to have a Buddhist (even a serious one, or maybe, especially a serious one) running a country than a serious Christian or Muslim. And because many Buddhists tend to be overly detached and unworldly, it's worth noting that Ilyumzhinov is a self-made multimillionaire (as is Alexey Orlov, whose card reads "Russian Federation, Republic of Kalmykia, First Deputy of Prime Minister of the Government, Permanent Representative of the Republic of Kalmykia to the President of the Russian Federation," with whom I spent more time), apparently having done well in the construction business in Moscow.

The natural assumption (which is especially valid in the Third World) is that everyone in politics is either a thug or a thief, and the direction of their rule is determined by which it is. My impression — and I promise that I never give politicians the benefit of the doubt — is that these guys may be exceptions. If I'm right, Kalmykia is an area of Russia that



may do quite well. The place may even avoid ruination by the oil revenues it will soon be getting. (Oil is usually a curse to the country that has it.)

My visit was during “Indian summer” or as it’s called here, grandmother’s summer, or *babyaleto* — from the Russian words *babushka*, or grandmother, and *leto*, or summer. It’s an excellent time to visit, unless you’re the German Army. Kalmykia is only a couple hundred kilometers from Stalingrad (now called Volgograd), which was the site of the ugliest, as well as the most important, battle of World War II — or the Great Patriotic War, as Russians call it. The war was no fun for Kalmykians. The German Army occupied a good bit of the country. Then, after the Red Army reconquered it, Stalin, in a typical fit of megalomaniac paranoia, deported most of the native population to Siberia, for fear they’d join with the Germans. Half of the deported population died

from the brutal conditions. And all their horses were stolen by the Red Army — a terrible affront for the descendants of Genghis Khan.

This turned my thoughts to what, if anything, really goes on in people’s heads. How stupid were the Nazis, not taking advantage of the hatred everyone in the USSR (probably including most Russians) felt for Stalin? They managed to turn millions of potential allies into enemies. How stupid were the Reds, diverting huge resources from the war to transporting and slaughtering domestic populations? How stupid were the populations, allowing themselves to be rounded up like cattle? How stupid were the Americans, getting involved when they could have let the Nazis and Communists destroy each other? Einstein had it right when he reputedly said that, after hydrogen, stupidity is the most common thing in the universe. □

Guns, Rum, & Loot, from page 48

Italians, Africans, Indians, and American deserters. Each received an equal share of the loot. As “bos” Lafitte was entitled to a double share of the loot. (As Orwell would later observe, some are more equal than others.)

Incensed by the rising smuggling trade, Governor Claiborne offered a \$500 reward for Lafitte’s capture. No one tried very hard to find him, however, perhaps because Lafitte countered with a \$1,500 reward for Claiborne’s head! Even more galling, while Claiborne was working to have Lafitte beheaded, Lafitte was charming Claiborne’s wife over dinner at the home of a mutual friend, using the alias, “M. Clement.”

Smuggling activities continued uninterrupted, but Lafitte insisted he was a privateer, not a pirate. When one ship captain refused to leave American vessels alone, Lafitte drew his gun and shot him on the spot. The citizenry of New Orleans

amnesty. It worked. Claiborne, furious, responded by having Barataria destroyed.

A Frenchman living on American soil in a former Spanish territory, Lafitte chose to fight with Andrew Jackson to defend America’s claim. (At one point the British offered Lafitte \$30,000 to join forces with them. He must have laughed — he was sitting on over half a million dollars in loot!) Jackson’s army was a true melting pot, made up of German settlers from the coast of Mississippi, French Canadians, Creoles, Africans, and Indians. Half had never seen battle. He had only 2,000 of these rag-tag troops to face 12,000 British troops arriving by sea. Women cheered the tiny army, but carried daggers in their belts in case the Americans lost. The Americans won, largely because of their “unfair” sneak attacks. Jackson said of Lafitte’s battalion, “If I were ordered to storm the gates of hell, with these as my lieutenants, I would have no misgivings of the result!” Lafitte was a hero.

After the war, Lafitte returned to plundering Spanish ships. But now that Louisiana and Spain were friends, Lafitte was a pirate, not a privateer. He moved his operation to Galveston (then called Campeche) and began privateering for the Mexican revolutionaries. Eventually Lafitte encountered the same trouble controlling his men as Captain Kidd had. Plunder is plunder, legal or not, and it corrupts the person who does the plundering. Call it what you will — privateering, piracy, eminent domain, RICO statutes, taxation — taking the private property of others hardens a person, inevitably giving way to justification of looting, domestic robbery, and violence. The freewheeling lifestyle of Lafitte’s domain attracted lawless opportunists, many of them vile and violent fugitives, who didn’t recognize the fine line between privateering and piracy — if such a distinction even exists. Public opinion turned against Lafitte after the truce with Great Britain, possibly because they had commandeered silver and linen belonging to Creole women. Merchant ships began traveling in convoys of armed ships, making it harder for pirates to make a living, and the golden age of pirating dimmed. Some say Lafitte grew fat, gray, and ragged. The one-time New Orleans gentleman and American hero of the War of 1812 slipped away during a battle at Campeche and simply disappeared. □

Women cheered the tiny army, but carried daggers in their belts in case the Americans lost.

agreed with Lafitte’s self-assessment, through this odd form of logic: since appearances reflect the inner man, no gentleman could be a pirate. By definition then, the charming and handsome Jean Lafitte could be no worse than a commissioned privateer.

As tax evasion turned to total lawlessness, citizens who had previously turned their heads now turned to Governor Claiborne to suppress the pirates. Lafitte was captured, but remained nonplussed. While awaiting trial, he announced calmly that the public auction of smuggled goods would be held as usual. Scores of local merchants and planters came to bid and buy. Claiborne was furious. Eventually Lafitte was set free. His argument was priceless: “I was forced to break laws because the laws were bad. Now pardon me so I can fight for America.” America was then engaged in the War of 1812. Lafitte offered valuable information about the British, as well as his stash of guns and ammunition, in exchange for

Reviews

"Thomas Paine and the Promise of America," by Harvey J. Kaye. Hill and Wang, 2005, 326 pages.

Arguments from Absence

Michael Caldwell

I cannot remember how or why I came across it in graduate school, but I consider David Hackett Fischer's extraordinary "Historians' Fallacies" one of my most fortunate acquisitions. I like to think that the spectacle of Fischer skewering the giants of his profession had a salutary impact on my own writing; to the degree that it didn't, time and the black hole to which dissertations are, with good reason, consigned in university libraries has allowed me to draw a discreet curtain over youthful indiscretion. Since that time, I have often thought that all writers of dissertations should be frogmarched through Fischer's text, to raise their awareness about the kinds of intellectual errors that even good scholars can fall into.

One of those errors is the wish to compose a smooth narrative that accounts for all disparate, recalcitrant facts. It's an error fraught with much more peril than students are generally trained to expect. After reading Harvey J. Kaye's much-lauded

"Thomas Paine and the Promise of America," I'm tempted to think we should extend a careful study of Fischer to full professors as well.

Paine's importance as a historical figure rests primarily upon his pamphlet "Common Sense," which can legitimately be described as having moved the majority of American colonists in 1776 from favoring reconciliation with Britain to favoring independence. Secondarily, his fame rests on "The Age of Reason" (1794, 1796), a deist attack on biblical inconsistencies that upholds rationalist conceptions of God. Between these two works, Paine wrote the serial "The American Crisis" (1776–1783) while serving in Washington's army, numerous tracts on taxation and public policy during the first years of the new nation, and "The Rights of Man" (1787), a reply to Edmund Burke's attack on the French Revolution. Paine even found time to serve in the revolutionary Assembly in France, before being jailed and marked for death when he opposed Louis XVI's execution.

Kaye's aim is two-fold. His first goal is to recount the basic facts of Paine's life for a general readership. His second, more controversial goal, is to reclaim Paine for the modern Left, to

redress the "theft" of Paine by conservatives and libertarians. The book breaks into two parts, corresponding to its two major aims. The first half is a quick biography of Paine; the second, a chronicle of his rise and fall and rise in American intellectual history.

Most of what appears in the biographical chapters has been seen before. Kaye is not breaking new biographical ground so much as synthesizing materials from other modern historians, primarily John Keane ("Tom Paine: A Political Life"), as well as various contemporary or near-contemporary lives of Paine. The standard for narratives such as Kaye creates is (first) readability and (second) plausible reconsiderations of old facts. Kaye is a brisk, competent stylist, blessedly free of jargon. He combines his sources in a mostly productive manner. Because his book is in large measure a history of histories of Paine, he usefully clears away many canards about him, such as alcoholism and atheism, by tracing them to their sources among his less scrupulous political adversaries. Kaye's text will stand comfortably alongside other works of "Founder Lit" as pleasant and informative for the general reader.

Where he sticks to the known facts

*Reviewed by Stephen Cox in Liberty (December 2005), available at http://libertyunbound.com/archive/2005_12/cox-triumphs.html.

of Paine's life, Kaye does well. However, when he attempts to reconsider elements of Paine's life by speculating about what influenced him, Kaye's larger ambitions lead to the kind of errors that Fischer exhaustively

Kaye's controversial goal is to reclaim Paine for the modern Left.

investigated — errors that have worse effects in histories written for the general reader than in histories written for specialists, since the general audience is more likely to accept them as facts.

While rooting out slanders against Paine, Kaye plants his own new seeds of misinterpretation. Nearly always, his misreadings stem from his political commitments, and thus fall into Fischer's category of "fallacies of reduction" or errors made when a prior social or philosophical position leads a writer to hasty conclusions.

Kaye reports, for example, that Paine said he took little interest in politics as a young man in London. Immediately after this, Kaye suggests that "the contradictions he encountered in the capital — the rich getting richer and proud talk of English liberties even as working people and the poor suffered destitution and state violence — apparently made deep impres-

sions" (p. 24). Where to begin with this account of Paine's intellectual development?

Let's start with that phrase "state violence." Kaye never explains what he means by this. What could it refer to, in the context of the period? Paine's London days, roughly 1756–1758 in the passage under consideration, were not a time of extreme or unusual unrest. If Kaye is referring to the standard public exactions of justice in the city, those practices (public hangings, for instance) had continued for well over 100 years. Indeed, such events were frequently cause for public celebration and well attended by the masses. No evidence is offered that Paine's reaction would have been any different from that of his contemporaries.

What of the claim that the "rich" were "getting richer"? It sounds plausible. Yet again, no supporting evidence is advanced. And what does it mean to say that "the poor suffered destitution," apart from claiming that the poor were poor? I am not suggesting that London in 1756 was a particularly good place to be poor, or that there weren't many poor people living there; what I am suggesting is that the treatment of the poor in the city had not varied substantially in decades and there was nothing unusual or even strange about the poverty one encountered there in 1756.

If there was nothing unusual about it, why should it be "apparent" that it made a deep impression on Paine, except for the reason that it would certainly make a deep impression on a

modern liberal in 2005? Why might it not be the case that such experiences in the city hardened Paine to the straits of the poor? It is simply not enough to say that poor people lived in London in 1756, that Paine lived there too, and that therefore his subsequent views must have been shaped by that experience. This is possible, maybe even likely, but absent any evidence, that is the best one can say.

But let's go a little deeper into the question of evidence, or lack of it. What support does Kaye offer for his characterization of London, a characterization that is actually better suited to Dickens' Victorian "wen" than to the mid-18th century metropolis? Kaye typically uses omnibus footnotes at the ends of paragraphs, where presumably all the evidence and support for various assertions in the paragraph appear. The paragraph in question cites Caroline Robbins' magisterial study "The Eighteenth-Century Commonwealthman" and John Dunn's influential "Political Thought of John

Theodore Roosevelt famously called Paine "that filthy little atheist."

Locke." Here, as often in his notes, he merely cites the text as a whole, without providing any citation of a page or passage.

The Dunn citation is presumably meant to buttress the paragraph's later invocation of John Locke to discuss the ideas of "Real Whigs" (never mind that Whigs of all stripes, as well as Tories, laid claim to Locke). The Robbins citation is more revealing. Robbins brilliantly excavates the mindset of a class of thinkers who, in the late 17th and early 18th century, called upon the Whig party, then in power, to live up to its traditional ideals. The views of these thinkers mesh nicely with those that Paine evolved on his arrival in America in 1774 — yet by 1750, there weren't many such prominent opposition Whigs around. Indeed, if Paine had looked around him carefully in 1756, he would have seen a largely uni-

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fied government ruling nearly unopposed over a people not exactly up in arms in the struggle to enlarge their rights. The beginning of popular agitation for extending the franchise and reforming government is more properly located after the accession of George III in 1763.

It may seem that I am putting undue pressure on Kaye's word "apparently"; yet he resorts to such devices more than once in his biographical chapters. Paine was in London from 1765 to 1768, when Kaye tells us "he could not have failed to notice working peoples' nascent radicalism." Why not? Kaye himself notes that these were the years when Paine worked frantically to get himself rein-

An historical figure can truly be said to have arrived when B-17s are named for him.

stated as a customs officer after being dismissed in 1765. Perhaps he did have time for political observations amid his vocational struggles, but the burden is on Kaye to prove it, not merely to assert it, especially since Paine's own words tell us that he wasn't primarily a political animal at this time.

Additionally, Kaye sometimes uses variations on the *post hoc, ergo propter hoc* fallacy. A particularly clever example appears on page 25, where he mentions that Paine's first wife Mary died giving birth to a child (stillborn) in 1759: "In the ensuing years Paine would speak little of his losses. Yet he would forever despise regimes that accepted poverty as part of the natural order of things, and he developed a special sympathy for women and the subordination they suffered." Here Paine's silence over the death of his wife and child is silently shifted into hatred of poverty and espousal of the cause of women, as if to suggest that the one gave birth to the other. Absence of evidence becomes positive proof.

When he is not speculating in these

ways, Kaye does a creditable job of presenting the salient details of Paine's life to a general readership. He is particularly good at conveying the excitement and radicalism of "Common Sense," Paine's most important and influential text. As I've said, Kaye's prose is always readable and clear, and when he is moved (as he is by Paine's stirring rhetoric in "Common Sense"), he can be compelling. The real meat of his book is in its second half, and it is there that he makes a lasting and solid contribution to Paine scholarship, even as his larger goal of claiming, or reclaiming, Paine for the Left escapes his grasp.

Chapters 5 through 9 tell the story of America's love-hate-love affair with Paine. In Kaye's hands this is a gripping story. Nevertheless, his urgency to demonstrate that Paine was everywhere in the air that radicals and democrats breathed throughout American history leads him to massage some of his sources and evidence. Had he simply stuck to the facts, his argument would be a great deal more compelling.

Chapter 5 is a useful place to examine the virtues and the defects of his approach. The central portion of the chapter traces the efforts of freethinking societies to keep Paine in favorable remembrance during the 19th century, despite the fact that his name had become a byword for "atheism." By the mid-1790s, New England clergy and Federalists had turned Paine into a whipping boy for the sins of the French Revolution. This trend continued in the first decades of the next century. So it is fascinating to read of the Moral Philanthropists, the Society of Deists, and the Society of Free Enquirers meeting in cities across America to celebrate Paine and "The Age of Reason," even as the second Great Awakening of religion surged into being. The tragicomic tale of deists' attempts to get a monument to Paine erected in New Rochelle is a vivid part of this picture. So is Kaye's account

of Paine's influence on leaders of early workingmen's movements, an important early example of his legacy's being linked to socioeconomic causes. Chapter 5 also recounts Paine's importance to Thoreau, Whitman, and Melville, who named the ship from which Billy Budd was impressed *The Rights of Man*. Kaye does a good job of showing how nascent abolitionist movements took what they liked from Paine, while avoiding elements of his work that clashed with their religious sensibilities.

Given these passages where Kaye uses evidence well, it is painful to read him, in the same chapter, torturing logic and history to aggrandize Paine's influence and reputation. We learn that Lincoln, born in the same year in which Paine died, "arrived at Gettysburg . . . a revolutionary, and though he made no particular reference to Paine, it seems he too carried Paine's ideas with him" (119). How could one establish the truth of that assertion? On the next page, we learn that Lincoln read "The Age of Reason," yet felt threatened by attacks on his own "infidelity" during his 1846 race for Congress. The paragraph concludes by saying that Lincoln "would never join a church, but neither would he *ever again* speak publicly of deism or Paine. Of course, this does not mean Lincoln stopped thinking about them" (120, *italics mine*). Unless I missed it, Kaye never shows that Lincoln spoke in public even *once* about deism or Paine. Be that as it may, Kaye follows



"Well, Mr. Pincus — you have what we call the 'Pincus syndrome.'"

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his assertion with another argument from absence: just because Lincoln didn't mention Paine doesn't mean he wasn't thinking about him.

It gets worse. We learn that though Lincoln never quoted Paine, his famously exact memory "likely could recall exact lines from 'Common Sense'" (120). Even if it were true that Lincoln read "Common Sense" (Kaye cites one contemporary biographer who was told by people in Lincoln's one-time home, New Salem, Illinois, that Lincoln may have read the text), and even if it were true that he could recite vast passages of the work from memory (also never proven), that *still* wouldn't prove that his thought was profoundly shaped by Paine. Indeed, Lincoln's unwillingness to commit his love of Paine to speech or paper suggests that whatever affection he had for him, he managed to control.

We learn that "like Paine," Lincoln believed in "the liberating power of reason" and "the dignity of free labor" (121). So did Voltaire, Theodore Roosevelt (who famously called Paine "that filthy little atheist"), Ronald Reagan, and Chairman Mao. But that "like Paine" becomes a constant refrain in the second half of the book, marring the otherwise interesting use of historical sources. Kaye often says that such and such a liberal figure, "like Paine," assaulted the concentration of capital or the mistreatment of women. If anything, such a formulation shows likeness, not influence, and is misleading in a history written for a general audience.

And Kaye doesn't *need* to tie Paine to every liberal or radical strand in American history; there are plenty of writers and activists who worshiped him and brought his ideas wholesale into political discourse. Had Kaye stuck just to those persons, his text would be a great deal more convincing. As it is, it is convincing some of the time, and merely plausible the rest.

In chapter 6, Kaye tells the story of Robert Ingersoll, delivering the first Paine birthday address. This freethinking Republican speaker actually offered a \$1,000 bounty to Paine's religious attackers to prove that, as they claimed, he died in mortal terror for his soul. This is fun stuff, and clearly shows an explicit link between Paine

and a later political figure of some significance. But on the very next page, Kaye says that Henry George, author of "Progress and Poverty" (1879), "did not cite Paine in the work" but that his "plan to re-create American equality and democratic life descended directly from 'Agrarian Justice' [Paine's 1786 consideration of class inequality] and clearly reflected Paine's spirit" (169). Why? According to Keane's political biography of Paine, "subsequent interpreters of 'Agrarian Justice' were wrong . . . to see it as either a reforming . . . 'bourgeois liberal' or a protosocialist tract." Keane goes on to argue that the "anachronistic language of . . . 'capitalism or socialism' obscures Paine's concern to sketch and defend the democratic-republican principle of citizens' social rights. Paine favored the preservation of a private-property, market-driven economy" (427). Unlike Keane, Kaye is not only comfortable using the anachronistic language of socialism and capitalism to interpret

Elements of Paine's thought look right at home among libertarian as well as conservative positions.

Paine; he is so comfortable that he sees arguments for Paine as a proto-socialist even where specific evidence is lacking.

Paine fell into deeper and deeper disfavor in the 19th century, largely because of malicious mischaracterizations of his religious views. Kaye gives an excellent account of his rehabilitation, primarily through socialists' rediscovery and promotion of him in the first half of the 20th century, as well as the direct and repeated public invocation of him by Franklin Roosevelt. Chapter 7, where Kaye accomplishes this task, is the strongest in the book. The circumlocutions and arguments from absence that mar otherwise decent passages in earlier chapters largely disappear. It is striking to learn that not only Eugene Debs, Socialist presidential candidate, but

also General "Black Jack" Pershing deliberately and positively invoked Paine at key moments of their careers. A historical figure can truly be said to have arrived when B-17s are named for him, and his words "Tyranny, like Hell, is not easily Conquered" appear on the fuselage. Details like this are the kind of things one longs for in a general history.

Chapter 8 is not so sensible. It begins with President Reagan's reference to Paine in his acceptance of the Republican nomination in 1980. For Kaye, this is a gauntlet thrown down, a red cape waved in the *corrida*. To be fair, Reagan's citation of "Common Sense" can be taken quite legitimately as an emblem for the revolution that Reagan wished to lead: "We have it in our power to begin the world over again." But Kaye insists that Reagan was "hijack[ing]" his hero, and that he was allowed to do so because "so much of the left had apparently lost contact with Paine" (226). What follows is a partisan history of the splintering of the old Left into student activism, radical chic, and "crazy distraction" (244).

The result of the Left's betrayal of Paine's memory was that "the nation's democratic impulse and aspiration survived, but increasingly the right, not the left, would mobilize it. While liberals and radicals failed to offer a progressive alternative to the recurring crises, conservatives gathered force. Funded by corporate interests, libertarians and traditionalists alike pursued grassroots campaigns among increasingly anxious and angry white middle-class and working-class people" (257). Kaye argues that this fractious coalition was inspired and held together by an old FDR democrat who had the temerity to invoke Paine at the key moment when he was poised to take power. What nonsense.

I should admit that as one of the humanities professors whom Kaye compliments for having added Paine to their course syllabi, I probably share many if not most of Kaye's political sympathies. But in the end, I have to report that I am unpersuaded by his attempt to deny Paine to the Right. Paine was anything but a systematic or consistent thinker; he published for the occasion and is best thought of as a

propagandist or journalist rather than a political philosopher. He cannot be fit entirely into the modern ideologies of either the Left or the Right. His stubborn resistance to concentrated authority in favor of the masses can legitimately appear in efforts by leftists to use him as a stick to beat corporations and in efforts by conservatives or libertarians to deploy him against big government.

The fact is that Paine preferred governments to mirror as closely as possible the views of the masses. For this reason, he wanted large assemblies, frequent elections, and weakened executives. It is not a stretch to see him, then, as an enemy of big government, if by that term we mean a government with many supervening levels that distance power from the people or government that impinges on the individual's right to liberty and property. Thus Reagan's use of him, however disconcerting to liberals long accus-

tomed to owning Paine, was not wholly anachronistic. (I always wondered why Reagan never quoted Paine's claim in "Common Sense" that "government, even in its best state, is but a necessary evil.")

We might fruitfully speculate that were Paine alive today, he might find inspiration and a real home among the more radically left-wing elements of the blogosphere, and recant some of the views that give comfort to modern conservatives. But Paine died in 1809. While it is true (I would argue) that many, if not most of Paine's views sit more comfortably with the contemporary Left, one cannot deny that elements of Paine's thought look right at home among modern-day libertarian as well as conservative positions in America. To the degree that Kaye's partisan history tries to erase these possibilities, it does a considerable disservice to the intellectual range and vigor of his hero. □

"The Outlaw Sea: A World of Freedom, Chaos and Crime," by William Langewiesche. North Point Press, 2004. 239 pages.

The Ungoverned World

David Friedman

Most of the earth's land is under the control of governments. Most of the ocean is not. The majority of the area of the globe is, legally speaking, a stateless territory.

Thanks to competition among governments, the ocean is stateless in fact as well as in law. A ship can fly the flag of any nation that will permit it — and there are a lot of nations. If some impose conditions on the use of their flag, there are always others willing to sell theirs with fewer conditions. The

result is that the ships of the world are effectively without government regulation of any sort. That effect is reinforced by the nature of the sea itself — big enough and empty enough to make keeping track of what is happening on it difficult and expensive. It is hard to regulate what you cannot see.



"Panama is considered to be an old fashioned 'flag' because its consulates handle the paperwork and collect the registration fees, but 'Liberia' is run by a company in Virginia,

'Cambodia' by another in South Korea, and the proud and independent 'Bahamas' by a group in the City of London."

The author of "The Outlaw Sea" is more interested in describing than in judging; it is hard to tell to what degree he approves or disapproves of the stateless ocean. His first story — the book is mostly a series of linked stories — is of a merchant ship that sank as a result of being pushed too hard, too long, with insufficient repairs. The implication at that point seems to be that if only ships were subject to properly paternalistic regulation, such things would not happen, sailors would not drown, and the world would be a better place.

But would it be? The crew he describes knew the condition of the ship and the risks they were taking. They took them because the job, despite its risks, was more attractive than any alternative. To the economist reader, the outcome of the unregulated

The result is that the ships of the world are effectively without government regulation of any sort.

market looks efficient; the owners of the ship were taking risks that, considering all costs and benefits, were worth taking. At the end of the book, in a discussion of the Third-World wrecking yards where ships end up, Lange-wiesche appears to agree. The work is hard and dangerous, the environment is polluted, but it is better than the alternatives available to the people who work there; the European do-gooders who try to close down such operations are harming the people they claim to be helping.

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The advantages of an ungoverned ocean are less clear in two other contexts — liability and crime. Owners of a ship can and often do hide their ownership in a chain of paper corporations. As long as there is at least one country willing to register a ship without a clear link to its real owners — and there always will be at least one — that situation cannot be prevented. So when an oil tanker goes down, inflicting very large costs on the owners and users of nearby coasts, there is no guarantee that anyone can be found responsible and sued for the damages.

Crime too is a problem in an ungoverned world. The book gives a detailed account of the seizure by pirates of the *Alondra Rainbow*, a \$10 million ship carrying another \$10 million worth of aluminum. Fortunately, the pirates decided to set the crew adrift instead of killing them, and the crew got spotted before they died of hunger or thirst. By more good fortune, a month after the hijacking the Indian navy correctly identified the stolen ship and retook it. What was special about that case was that the happy ending made it possible to reconstruct the crime. More successful seizures of ships — followed by a name change, a new coat of paint, and a new registration under a different flag — occur with some frequency.

"Of 1,228 pirate attacks reported worldwide from 1998 through 2002, about a fourth were on ships under way, and of those about 68 were major, involving gangs of ten pirates or more. . . . Among them during the five years in question they hijacked perhaps twenty-five large ships."

It may occur to those skeptical about the virtues of government authority that crime occurs in areas controlled by states as well as those that are not — both private crime and state crime, on a considerably larger scale than piracy.

The other problems the author introduces in the context of the ungoverned ocean appear elsewhere in the book in other contexts — leaving it unclear to

The European do-gooders who try to close down such operations are harming the people they claim to be helping.

what degree the real problems he describes would be solved by more government control over the oceans.

Consider one of the worst naval catastrophes of recent times, the loss of the ferry *Estonia* in the Baltic in 1994. The ship was as far from stateless as a ship can be. It was owned by the Estonian government in partnership with a publicly traded Swedish company, with extensive support and regular inspection by Swedish authorities. For some reason — the author suspects poor design by its original German builders, although the question has been hotly debated — it sank, killing more than 800 passengers. Or consider the sinking of the *Exxon Valdez*. It was transporting oil from an American port



"He lost Schleswig-Holstein in the divorce settlement."

to an American port and so was required by U.S. law to operate under the U.S. flag and conform to U.S. regulations.

What is interesting about the book is not the author's judgment, or mine, or even the reader's, as to whether the stateless nature of the ocean is a bug or a feature. What is interesting is the observation that a considerable part of the surface of the planet is and always has been, *de jure* and *de facto*, stateless — and human beings continue to live their lives, do business, transport goods, across it.

"There is unembarrassed talk in Washington of a future under control, in which sailors will undergo meaningful background checks and will be supplied with unforgeable, biometrically verifiable IDs by honest, appropriately equipped, and cooperative governments. Panama, for instance, will vouch for the integrity of, say, an Indonesian deckhand working on a ship operated by a Cayman Island company on behalf of an anonymous Greek. This is a vision so disconnected from reality that it might raise questions about the sanity of the United States." □

"King Kong," directed by Peter Jackson. Universal Studios, 2005, 187 minutes.

'Twas Beauty Killed the Beast

Jo Ann Skousen

Director Peter Jackson was just 9 years old when he saw Merian Cooper's 1933 "King Kong" on television in his native New Zealand. Fascinated by the mystery, adventure, and magic of filmmaking, he immediately began making clay models of his own and filming them with his parents' 8mm movie camera, vowing someday to remake "King Kong" with better technology and a greater emphasis on the love story of Kong and Ann Darrow. Along the way he made "The Lord of the Rings," earning several Oscars — enough Hollywood clout to make, finally, the film of his dreams.

Jackson's remake is true to the original story, down to the repetition of certain key lines. Filmmaker Carl Denham (Jack Black) is one step ahead of his creditors as he charts a ship and heads for the mysterious Skull Island, where he and the ship's crew will encounter ferocious dinosaurs, giant man-eating bugs, and a weird voodoo civilization making human

sacrifices to a 50-foot ape. Before Denham and the crew leave for the island, he shanghai's a screenwriter, Jack Driscoll (Adrien Brody), to complete a script for his movie en route. He also engages a beautiful out-of-work actress, Ann Darrow (Naomi Watts), to play the romantic lead. When Ann is captured by the villagers and sacrificed to Kong, Driscoll and Denham rescue her, capture Kong, and take him back to New York to display as the "eighth wonder of the world."

Jackson's new version expands the themes Cooper only hints at. For example, Cooper waits until the end to suggest the love angle between King Kong and Ann Darrow, giving the audience an "aha" moment when the beast's motivation becomes clear; only then do we feel chagrin for having been afraid of this beast who was merely trying to protect his woman and go back home. Jackson, however, develops the love story as it happens: Ann falls for Kong, the strong, macho hero who literally sweeps her off her feet in a thrilling scene as he battles

three attacking T-rexes to protect her; meanwhile, Kong falls for the delicate beauty with a seductive sense of humor, who woos him with her vaudeville act.

It may sound implausible, but who wouldn't fall for a big lug who watches a whole sunset without reaching for the remote, and knows it's *his* job to kill the giant bugs that hang around the cave? Later, in New York, Jackson adds a scene of Kong and Ann frolicking on the ice pond at Central Park, a carefree romp reminiscent of romantic comedies of the '40s and '50s. For Jackson's King Kong, the relationship with Ann is no unrequited afterthought but a developing, two-way emotion based on humor, respect, and yes, animal magnetism.

That emotion is developed brilliantly by Andy Serkis (Gollum in Jackson's "Lord of the Rings"), who brings life to the computerized Kong, and by Naomi Watts as Ann. Although Watts receives top billing, she has very little dialogue, mostly reacting with animal emotion — hunger, survival, terror, sexuality. Hauntingly beautiful, with expressive eyes, Watts carries the role without becoming melodramatic. Her Ann is as animalistic and primitive as Serkis' Kong is human and thoughtful.

Ann, in this depiction, is drawn in by the primal urge for storytelling. Early in the film, as Denham describes his obsession to make his movie, her eyes tell us that she is captivated by the story. She already knows the story: she *is* the story. She anticipates its ending when she says, "Good things never last."

If this film has a flaw, it is that it lasts too long. At three hours and seven minutes, it needs trimming. I wouldn't remove any scenes, but each scene could be shorter. Trim ten seconds here, 30 seconds there, a minute or two from somewhere else, and the film could come in at a reasonable two hours and 20 minutes. But when you've asked the studio for an extra

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of social interaction.*

\$20 million for computer graphics, and coughed up an additional \$30 million of your own, it must be hard to say, "Sorry, I changed my mind."

Nevertheless, this "King Kong" delivers. Jackson has written an intelligent, literary script to go with his tensely drawn action sequences. He inserts multiple references to other literary works. A mysterious cabin boy reads Joseph Conrad's "Heart of Darkness," suggesting that the film will explore Conrad's themes of obsession, imperialism, and what it means to be human. Denham's obsession to press forward, his need to uncover the mysteries, echoes the doomed Oedipus. Jackson recalls Hemingway's "The Sun Also Rises" with a stampede of dinosaurs reminiscent of the running of the bulls at Pamplona. He subtly pays homage to the original Ann Darrow by having Denham refer to actress Fay Wray. And Kong's now iconic climb is no longer an escape to a rocky tower that he remembers from his island; it's a doomed lovers' rendezvous. Evidently, even before "An Affair to Remember" spawned "Sleepless in Seattle," Kong and Ann had headed for the most romantic spot in New York City — the top of the Empire State Building.

Perhaps the most significant, and

the most subtle, literary echo is that of "Dr. Jekyll and Mr. Hyde." When writer Driscoll is tricked into sailing with the ship to Skull Island, there aren't enough cabins for him, so he beds down in an animal cage in the hold. Several scenes show him writing behind bars, while director Denham dictates what to write. Ann falls simultaneously for the writer inside the cage, who attracts her with words, and for the beast in the jungle, who attracts her with his unspoken manliness. Both Kong and Driscoll entertain her, rescue her, and seduce her, yet they never fight each other for her. When Kong dies, Driscoll is there to comfort her. Did Kong really exist, or is he merely the writer's alter ego?

In this new context, Denham's closing line, "'Twas Beauty killed the Beast," seems to suggest that the magnetic beastliness that attracts a woman to a man is, ironically, tamed out of existence through love. Although she feels safe in Driscoll's cerebral embrace, a part of her will always yearn for the beast. But the cerebral writer has been changed by the experience too — he has run with the bulls, faced down a giant gorilla, and proved that no mountain is high enough to keep him from getting to the woman he loves. Kong lives, after all. □

Dada in most books about French art history, even though Surrealism, centered in Paris except during World War II, was profoundly authoritarian. More tightly organized, much like the Communism that engaged its dopes for an unfortunate spell, Surrealism always had better publicists and thus more exhibitions. As an artist with libertarian-anarchist politics, I have always considered Dada my modernism.

With this background in mind, I recently saw in Paris, occupying the entire top floor of the Pompidou, the mammoth DADA exhibition that will come this spring to both our National Gallery in Washington, D.C. (Feb. 18–May 14), and the Museum of Modern Art in New York (June 18–September 11). The most radical quality of the Paris show was the predominance of small-format items — magazines, books, exhibition announcements, even handwritten letters among the participants — that had never been seen before, certainly not in one place.

Indeed, perhaps the most profound theme of the show was that much major Modern Art is not big (BIG), like the stuff predominant in my 'hood of SoHo for the past few decades, but as small as this magazine. Middle-aged me needed to don my reading glasses and get "up close and personal," to recall a TV slogan, not only to read the captions but literally to "see" most of the Dada art. Since I personally prefer to read small words not standing up but sitting down, I wish the museum had provided high chairs, with backs.

The first fault noticed by this American was the slighting of New York Dada, which was confined to one section of the exhibit, amounting to perhaps 2% of the entire space. Dollars to croissants, can we bet that the representation of American Dada will be improved in the two installations here? Secondly, the exhibition was a disordered mess, lacking any order or, implicitly, any installation intelligence — reflecting an odd curatorial reluctance, if not an anarchic refusal, to decide, several decades later, that one object or one artist might be more important than another.

This principle of the *de facto* mess also informs the French exhibition cata-

DADA Exhibition. Pompidou Museum, Paris.

Dada's on Its Way

Richard Kostelanetz

Of all the great movements in modern art, none was more essentially libertarian than Dada, most of whose founders were young men escaping from conscription into World War I, preternaturally recognizing the war, as we libertarians do now, as unneces-

sary, profoundly unnecessary, much like our own Civil War.

Even in its structure, the Dada was antiauthoritarian with people of similar sympathies scattered around the world, lacking a "leader" or spokesperson comparable to Andre Breton, who stood for Surrealism — the movement customarily regarded as a successor to

log, 12" high and 9" wide, over a thousand pages in length, printed on thin paper, oddly feeling more like a telephone directory than the customary art-museum catalog. Not unlike other thick directories, this book is organized alphabetically, so that, say, the 54-page "Bibliographie" appears after a single page about "Berlin Club Dada" and before another single page (wholly in French) about The Blindman, a magazine whose two issues appeared in New York in 1917. Superficially complete though the whopping bibliography might seem, I found it messy too, typically acknowledging something of mine only slightly relevant but missing my 1968 essay on "Dada and the Future of Literature," which can be found not only in the bibliography on my website but in a routine Google search of "Richard Kostelanetz dada."

Again much like the exhibition, the most valuable quality of the catalog (40 euros in Paris, roughly \$60 on the Internet) is the huge number of illustrations, mostly black and white, of art and literature not seen in one place before, beginning with choice pages from the Dada publications. However, what's missing from the captions, oddly, are measurements (no inches, no centimeters), so that I know only from seeing the exhibition itself that

the issues of the legendary New York Art periodicals 291 and 391 were, to my surprise, almost the size of a newspaper tabloid.

For the American venues our National Gallery, bless 'em, has already published a different, more conventional Dada catalogue, likewise large and expensive (\$65), illustratively subtitled "Zurich, Berlin, Hannover, Cologne, New York, Paris," wholly in English, on heavier paper, with the content, typical of the genre, of extended scholarly essays and many color illustrations mostly of visual art, implicitly demoting Dada, dammit, from Something Special into just another art episode.

The tour of this long-awaited exhibition is incidentally generating a wealth of new Dada publications. Among the more successful is Marc Dachy's short monograph, "Dada: La révolte de l'art" (Gallimard), which Abrams will reprint here in English translation, with (I hope) all the informative illustrations in the original. Though residing in Paris now, Dachy in his chapter on "Dada Diaspora" devotes more attention to Dada activities in Holland, Barcelona, Tokyo, and, yes, New York, than was so far evident in the big show, at least as witnessed in Paris. □

"Munich," directed by Steven Spielberg, Universal Pictures, 2005, 164 minutes.

Do Two Wrongs Make a Right?

Jo Ann Skousen

Several years ago, while attending a bat mitzvah with my daughter, I noticed a large ornate altar piece on the wall behind the pulpit. It proclaimed: "Never forgive, never forget." The motto was shocking to my Christian sensibility, which teaches "Ye are to forgive seventy times seven." Yet I

understood the sentiment. Its reference to the Holocaust was a reminder that those who do not remember history are doomed to repeat it. Moreover, forgiving something as grievous as the Holocaust would be an unforgivable insult to those who had been tortured and killed by the Nazis. Thus, never forgive, and never forget.

Steven Spielberg's "Munich" seems

to add a third branch to that dictum: "Never retaliate." The film tells the story of a young agent of Mossad (Israeli CIA) who is assigned to track down and kill the masterminds behind the kidnapping and murder of Israeli athletes at the Munich Olympics in 1972. The men assigned to the task are ordinary in their day jobs: a toy maker, an antiques dealer, a cook. One of them reminds me of an old friend of mine, an Idaho potato farmer, who used to break into embassies for the CIA with the greatest aplomb.

The protagonist, Avner (Eric Bana) is a family man whose wife is expecting a baby. We know he is moral, despite what he does for a living, because he remains faithful to his wife when a woman comes on to him in a bar. But he doesn't feel like a patriot. Killing is killing, no matter what the reason, and the job of an assassin gradually destroys him. He is motivated by memories of the athletes who were murdered, but it isn't enough to comfort his growing guilt.

Does violence justify violence? Spielberg's film vehemently says no. As the retaliation squad assassinates the men behind Black September, the group that invaded the Munich Olympic Village, attacks against Israel escalate. Those that the squad kills are replaced by leaders who are even more diabolical. Letter bombs, assassinations, and hijackings occur. The Frenchman who helps track down the terrorists calls himself "ideologically promiscuous; we can find anybody, as long as you don't work for a government." He encourages the members of the squad in their cause by saying, "You have been treated roughly; you are right to respond roughly." But he adds cynically, "and you pay well." Before long they are caught in the crossfire of conflicting hits, their informant willing to sell information about them as well as to them.

In justifying her decision to retaliate, Israeli prime minister Golda Meir (Lynn Cohen) says, "While the world



played games, Jews are dead in Germany, and nobody cares . . . Every civilization finds it necessary to negotiate compromises with its own values . . . They will learn that killing Jews will be an expensive proposition." Evidence over the past 30 years indicates that Meir was right, especially in her deci-

Spielberg gets away with visual effects that would be considered pornographic in other films.

sion to go after the leaders who plan attacks, not just those who implement the plans. Israel's tough stance against terrorists has allowed it to exist in the middle of a hotbed of Arab hatred.

However, the message of this film is simple: violence begets more violence. Find another way. Yet Spielberg has no problem with inflicting horrifyingly graphic scenes of violence on his audience.

Spielberg made his mark with action-packed entertainment, and that's where his true talent lies. With films like "Jaws" and the "Indiana Jones" trilogy he demonstrated that suspense can be created thrillingly through careful plotting, skillful music, and impeccable timing. But he yearns to be known as a "serious director," through films such as "The Color Purple," "Schindler's List," "Amistad," "Saving Private Ryan," and now "Munich." Because the topics are "important," he gets away with visual effects that would be considered pornographic in other films. Brutality, nudity, and gaping, pumping wounds earn R ratings that would garner an NC-17 in an action thriller or detective movie.

Unfortunately, these scenes are later cited by other filmmakers, with less substantial topics, as precedents to justify their own graphic violence, with

the result that films have become painful to watch. It simply isn't necessary. I'm quite capable of imagining horror without having to see blood spurting from every artery. Make me care by making the story realistic, not the blood. The most suspenseful scene in the film involves a little girl, and it has no blood at all.

"Munich" is tense and compelling. Early scenes using actual footage of Jim McKay and Howard Cosell reporting on the hostage crisis are eerily familiar to those old enough to remember 1972, creating a personal connection with the

story. It asks some important questions about warfare waged "off the books," and suggests controversial answers that only a Jewish film maker could get away with.

To be sure, it is a one-sided story, ignoring the important role of resistance in maintaining freedom; when Ben Franklin said "I have never seen a good war, or a bad peace," he hadn't seen "peace" in the Soviet Union. Still, in this new era when the threat of retaliation is no threat at all to a suicide bomber, Spielberg's film challenges us to look for new deterrents to terrorism. □

Notes on Contributors

Baloo is a *nom de plume* of Rex F. May.

Alan W. Bock is a senior columnist for the Orange County Register.

Doug Casey is a contributing editor of Liberty.

Scott Chambers is a cartoonist living in California.

Stephen Cox is a professor of literature at UCSD.

Brian Doherty is a senior editor at Reason and author of *This is Burning Man* (Little, Brown).

Andrew Ferguson is managing editor of Liberty.

David Friedman is a professor of economics at Santa Clara University, and the author of *The Machinery of Freedom and Law's Order*.

Robert Higgs is an economist and editor of Independent Review.

Tom Isenberg is a writer living in Idaho.

Eric Kenning is a freelance writer living in New York.

Richard Kostelanetz has written many books about contemporary art and literature.

John Lalor writes for the "Jerusalem Post" and Ireland's "Sunday Independent."

Wendy McElroy is editor of *ifeminists.com*.

Randal O'Toole is senior economist with the Thoreau Institute.

Ross Overbeek works in Illinois, in the field of computational biology. He is a cofounder of The Fellowship for Interpretation of Genomes.

Durk Pearson is co-author with Sandy Shaw of *Freedom of Informed Choice: FDA vs. Nutrient Supplements*.

Patrick Quealy can be seen in his natural habitat, a Seattle coffee shop.

Paul Rako is a consultant living in Sunnyvale, Calif.

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Ted Roberts is a freelance humorist living in Huntsville, Ala.

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Sandy Shaw is a research scientist, best-selling author, and rabble-rouser.

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Tim Slagle is a stand-up comedian living in Chicago whose website is www.timslagle.com.

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U.S.A.

Admirable commitment to low prices, from the U.S. Postal Service's "Frequently Asked Questions about the Rate Change":

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A. No one should have to pay more than necessary.

Washington, D.C.

Innovation in performance review, reported in the *Washington Times*:

Former D.C. Mayor Marion Barry was robbed at gunpoint in his apartment by two young men.

Barry felt downhearted about being robbed in the Ward 8 neighborhood he represents on the D.C. Council. "I was really kind of hurt," he said. "There's sort of an unwritten code in Washington among the underworld, the hustlers, and these other guys that I'm their friend."

Harrisville, N.H.

Democracy in action, noted in the *Concord Monitor*:

Rep. Peter Allen is helping his town's fourth-graders learn about government by sponsoring their bill to make the pumpkin the state fruit.

Boise, Idaho

Solution for the population boom out West, from the *Boise Spokesman-Review*:

With space scarce as the U.S. prison population grows, State Sen. Robert Geddes is proposing that inmates share beds by sleeping in shifts, a practice sometimes used by the U.S. military.

The issue arises as Idaho and other states stiffen penalties for drug-related crimes, putting a premium on prison space.

Portland, Ore.

Report from the front of the War on Drugs, filed in the *Willamette Week*:

Behind the counter of many convenience stores, a seemingly harmless item is stashed out of sight near the lottery scratch-off tickets and cigarettes. It is a common copper scrub pad, used in kitchens and homes everywhere.

But located near it is a box of short glass tubes capped by a small piece of cork, containing a small plastic flower.

The possible real-world uses for the glass tube, known as a rose pipe, seem limited — but put the tube and the scouring pad together, at a total cost of about \$3, and you have the makings of a common crack pipe.

Special thanks to Russell Garrard, Tom Isenberg, and Patrick Quealy for contributions to Terra Incognita.

(Readers are invited to forward news clippings or other items for publication in Terra Incognita, or email to terraincognita@libertyunbound.com.)

Culver City, Calif.

Inculcation of a proper educational mindset, reported in the *Culver City Times*:

At the only public middle school in Culver City, it is against school policy for students to touch on campus.

"We can't touch each other. We couldn't even do this," eighth-grader Brenda Esquivel said as she put her arm around a friend's shoulder.

During a recent lunch, various couples on campus were holding hands; most declined to talk to a reporter, fearing they would get in trouble.

Tallahassee, Fla.

Brave support for the First Amendment, from the *St. Petersburg Times*:

"Spam is an annoying, intrusive form of email that almost all of us receive but few of us want. Much of it is just clutter, but some of it can be downright offensive," declared Attorney General Charlie Crist in a May press release heralding his efforts to fight unwanted email.

Crist defends as "protected political speech" the unsolicited emails he sends out to advertise his gubernatorial campaign and solicit donations.

Philadelphia

Keeping our nation's airways safe, from the *Philadelphia Inquirer*:

After two separate field tests at Philadelphia International Airport showed that powder in Janet Lee's luggage contained opium and cocaine, Lee spent three weeks in prison. She was released when a lab test proved the substance was flour.

Jefferson City, Mo.

Democracy in action, redux, reported in the *Kansas City Star*:

Under a bill by Sen. Bill Alter, grocery and convenience stores would risk losing their liquor licenses if they sold beer colder than 60 degrees.

The idea came from a fifth-grade student participating in a program to teach students about state government.

Last year, a fourth-grade class submitted a proposal to make the American bullfrog the state amphibian. Alter said the jump from naming state animals to restricting how alcohol can be purchased didn't really surprise him.

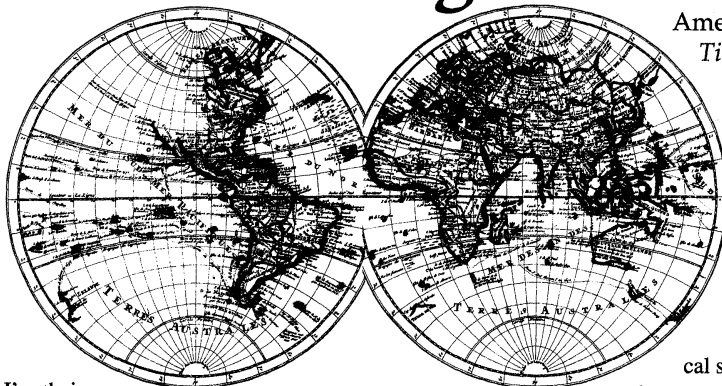
Danbury, Conn.

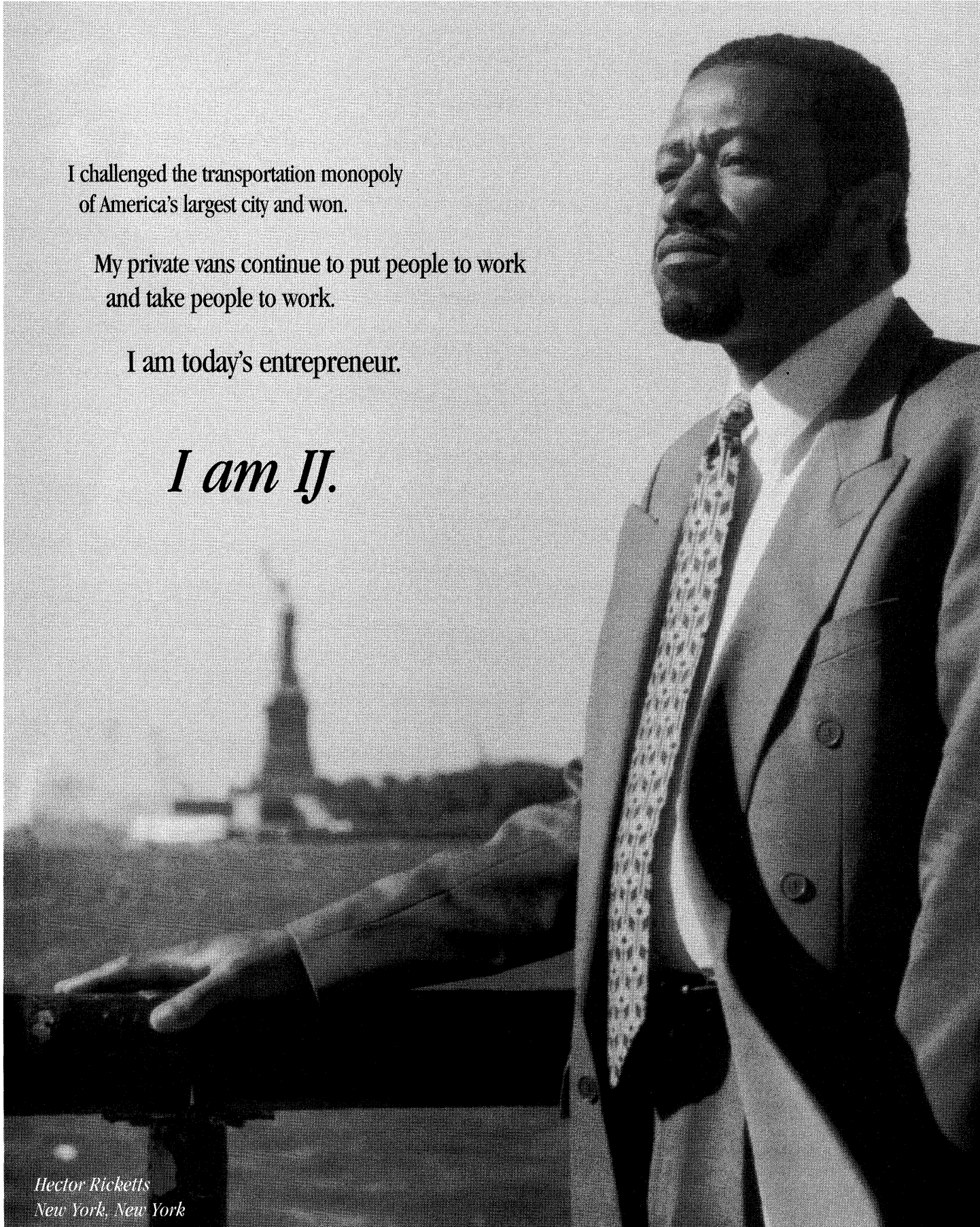
Vigilance in the fight against intoxicated drivers, reported in the *Danbury News-Times*:

Over the course of a week, a sobriety checkpoint in Connecticut stopped more than a thousand cars, issued 29 tickets, towed 15 cars, and made two arrests for drug possession. Ten police officers manned the roadblock.

They made one arrest for drunk driving.

Terra Incognita





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