

# the Freeman

VOL. 20, NO. 3 • MARCH 1970

<b>Drugs and the Law</b>	<b>Donald M. Dozer</b>	<b>131</b>
The lawmaker turned moralist may create more social problems than he solves.		
<b>Freedom for Intellectual Progress</b>	<b>Sue Pick</b>	<b>136</b>
Socialism stifles not only industrial progress but intellectual and moral growth as well.		
<b>Freedom for Farmers</b>	<b>Charles B. Shuman</b>	<b>138</b>
Forty years of government intervention in agriculture have failed; the better alternative is freedom.		
<b>Getting to Know Beans</b>	<b>Leonard E. Read</b>	<b>146</b>
If human labor were not a scarce economic resource, there would be no need for the market method of pricing it as a commodity.		
<b>Economics</b>	<b>Henry Hazlitt</b>	<b>152</b>
An encyclopedic review of the scope and purpose of the study of economics.		
<b>William Jay Gaynor: Libertarian Mayor of New York</b>	<b>Robert M. Thornton</b>	<b>156</b>
Once in a while, it seems, people get a better man in office than they deserve.		
<b>The Draft in Principle and Practice</b>	<b>Paul L. Poirot</b>	<b>165</b>
Maxi-government requires massive measures to carry out the coercion involved.		
<b>It Began with the Greeks</b>	<b>George Charles Roche III</b>	<b>168</b>
An early chapter in Western man's struggle to understand himself and his universe, and in the process, to free his soul.		
<b>Don't Be a Lonesome Libertarian</b>	<b>Robert G. Bearce</b>	<b>184</b>
A plea for the faith in freedom that can tolerate differences of opinion.		
<b>The Laws of Freedom</b>	<b>Herbert J. Denton, Jr.</b>	<b>188</b>
Why human relations are more difficult to manage than are moon landings.		
<b>Book Reviews:</b>		<b>189</b>
"Legacy of Freedom" by George Charles Roche III		

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# the Freeman

A MONTHLY JOURNAL OF IDEAS ON LIBERTY

IRVINGTON-ON-HUDSON, N. Y. 10533 TEL.: (914) 591-7230

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THE FREEMAN is published monthly by the Foundation for Economic Education, Inc., a non-political, nonprofit, educational champion of private property, the free market, the profit and loss system and limited government.

Any interested person may receive its publications for the asking. The costs of Foundation projects and services, including THE FREEMAN, are met through voluntary donations. Total expenses average \$12.00 a year per person on the mailing list. Donations are invited in any amount—\$5.00 to \$10,000—as the means of maintaining and extending the Foundation's work.

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# DRUGS AND THE LAW

DONALD M. DOZER

MARIJUANA, LSD, barbiturates, amphetamines, and now the cyclamates have become targets of legal extermination. When marijuana is found growing on our hillsides or in a neglected crevice of a downtown building it must be attacked with hoe and shovel and destroyed under the surveillance of police authorities. The zeal of the national government to prevent the importation of marijuana has produced a border crisis with Mexico. Tobacco has been proved to be a serious offender against the health of our people. Will the new crusaders, acting in the name of the public welfare, now mobilize and march with hoes and shovels against the dread plants ranged in militant phalanx in the fields of Marlboro country?

A young college student seeking escape from the ordeal of modern living brews himself a jimson weed broth on his hot plate and after hallucinogenic contortions

dies. Will the law now undertake to extirpate all jimson weeds from the countryside and clamp a quarantine on it at the borders of the nation? And the possibility must not be overlooked that seeds of these *plantes noires* may be carried across the border by birds, which obviously therefore must be brought under the surveillance of the immigration authorities.

A half century ago the United States undertook by law to prevent the sale and use of intoxicating beverages and as a result produced a nation of informers, bootleggers, lawbreakers, and drunkards. In panicked anxiety we adopted a policy of paternalistic authoritarianism which is now repeating itself as another periodic spasm of concern to be our brother's keeper. Now police officers are given instruction in detecting the smell of marijuana smoke, and they snoop outside the apartments of suspected users in an effort to catch a whiff drifting through windows or over transoms.

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Dr. Dozer is Professor of History at the University of California, Santa Barbara.

### **Inviolability of Free Choice or Social Control through Law**

The central idea of the law in the nineteenth century was the importance and, derivatively, the inviolability of the free individual will. But the law has come increasingly to involve itself not only in protecting individual life but in assuring to the individual a productive and satisfying life. All this is being done under the modern postulate, so well expressed by Dean Roscoe Pound, that "the risk of misfortune to individuals is to be borne by society as a whole," and consequently society must assume the obligation to prevent misfortune to individuals even when committed by their own hand.<sup>1</sup>

This places the state squarely in the position of being the guardian of the morals of each individual in society who may engage in acts harmful to no one but himself. In such cases the state may even impose punishment without proving that his act produced any harm to himself. The tendency in this direction, it appears, increases with the growth of the consensus society, with the expansion of the agencies of responsiveness between citizens and the instrumentalities of government, in short

<sup>1</sup> Roscoe Pound, *Social Control Through Law*, 2nd printing (Hamden, Conn.: Archon Books, 1968), p. 116.

with the coercive facilities available to society.

What, then, is the stake that society has in the preservation of the life of an individual citizen? Is it obliged to see to it that no individual harms himself even though he may wish to do so? Should government rightly assume any role in the enactment and enforcement of sumptuary legislation, that is legislation affecting the appetites, dress, and health of individuals?

These questions lie close to the heart of responsible civilian government. They impinge directly upon the problem of the optimum relationship between the individual and society, a perennial problem in our human situation. Legal restraints which are couched in too repressive language may be tempered by administrative discretion, which in turn may give rise to inequities in the application of the law, or such restraints may, on the other hand, be judged to necessitate rigorous enforcement action, even to the calling out of troops and the imposition of military controls with consequences fatal to consensual government. For, significantly, the limitations upon individual freedom are bracketed under the police power opening the way inexorably to the establishment of the police state.

**Limited Use of Force**

It has been the persistent objective of the champions of freedom to limit the area within which the law, construed as the force of society, may impinge upon the individual. The basic principle of a free society, as defined by John Stuart Mill, is that "mankind are greater gainers by suffering each other to live as seems good to themselves than by compelling each to live as seems good to the rest." The individual is entitled as of right to enjoy legal noninterference with his natural freedom.

We are living in a period marked by a wide dichotomy between law and morals when law is seeking to replace morals as the cement of society. The justice that is sought is to be achieved, it is thought, through the force of state action, by the acts of a society which is politically organized. This society, as it perceives its moral values slipping away, seeks to establish canons of value through legal enactment and to constrain all members of society to follow them. The law has thus extended its domain to become an instrument of ethical behavior and social change.

The lawmaker and the moralist are alike actuated by a more or less ideal conception of what life should be and of what makes for order and progress in society.

Their conception may or may not bear much relationship to the actual conditions of living, but to the extent that it soars far away from those conditions it forfeits both its credibility and its social force. And when the lawmaker and the moralist, having thus divorced themselves from reality, assume a command role, they find that their conception, however beautiful, is unattainable except through the application of force. Narrow is the line that separates the dogmatist who argues that what is is unequivocally right and the dogmatist who insists that what is is unequivocally *not* right — between him who insists that the state can do no right and him who insists that the state can do no wrong.

**Self-Executing Legislation**

The only effective legislation is self-executing. This truism is as applicable to the moral as to human law. When it is ignored or violated, the law itself ceases to be a force making for order, and it yields place to a politicized society which operates in accordance with prejudice and whim and which exerts moral force only because it possesses physical power. Those, then, who would impose sumptuary restrictions upon human conduct are dissolving the concept of law into an instrument

of social control and social order. They are thus creating insoluble problems of enforcement.

"Moral populism," to use H.L.A. Hart's phrase, "is a necessary cohesive factor in any society as implying a hard-core moral consensus. It becomes a threat to that society when it undertakes to use law to enforce that consensus and thus impose itself forcibly upon the minority."<sup>2</sup> This is one of the things which government must not be allowed to do. Much of the student unrest today is directed against the excessive intrusion of the law into areas where it has no business to be.

The law as such will not and cannot be expected to produce that voluntary restraint which alone will develop a moral citizenry, a citizenry dedicated to that better way envisioned by the moralists. "Virtue," as Malcolm Muggeridge has observed, "should be implicit rather than explicit." It should be "revealed in living" rather than in laws.

### **Wards of Society**

The law, therefore, must not concern itself with victimless crimes. Society must not hold an individual accountable for actions which do not harm anyone but

himself. Restrictions on the high-way speed of motor vehicles are imposed, it may be assumed, not for the purpose of preventing drivers from injuring themselves or from destroying their property interest in their vehicles, but rather exclusively for the purpose of preventing drivers from committing physical injury to others and causing an increase in insurance rates. To argue the contrary is to hold that society is entitled to assure the function and to claim the product of every individual in society as of interest to it and that society will be prejudiced by his loss.

If government bases its action upon such a claim, namely, the functional usefulness of human life and the corresponding obligation of society to protect the physical integrity of the person, then does not society possess the corollary obligation to enhance the social utility of the individual even against his will, that is, to promote a state-defined virtue? Under this proposition the state can resort to almost any method of dealing with individuals on the plea of the good of the state, thus opening up the way broadly for completely paternalistic government. It would then be obliged, for example, to judge attempted suicide to be as heinous as murder, and the person who only half succeeds


<sup>2</sup> H. L. A. Hart, *Law, Liberty and Morality* (Stanford, California: Stanford University Press, 1963), p. 79.

in a suicide attempt should be punished after recovering.

Legislative enactment cannot successfully rebut the daily legislation of the people. In this context, as Dr. Margaret Mead has pointed out, the legal prohibitions against the use of marijuana are doing greater damage than the harmful effects on those who use marijuana. The broader the ambit of the law, the greater is the danger of building a society of force. Ironically, therefore, the stronger the attempt to create a system of reason, the greater is the danger of creating a system that indulges in arbitrary action and responds only to impulse. In the attempt to impose sumptuary regulations we come dangerously near to championing the proposition that coercion must be used to maintain the moral status quo and to eliminate deviations from it. But we must face the consequent fact that the act of thus freezing a moral system at a given moment in time will arrest even those processes of social changes which are judged wholesome by the mass of society. Surely an indisputable prerequisite to the maintenance of a civilized society is to maintain optimum conditions for the fullest possible realization of the idea of liberty in human experience.

The traffic in drugs which have been proved dangerous to human

life ought to be prohibited, for when the "pusher" peddles his wares he is harming others — his customers. But the mere use of such drugs or the fact of an individual's being in a place where such drugs are being used by others should by no means be punishable. These acts must be regarded as individual rights which are beyond the concern and business of the law. If an individual or a group of consenting adults find pleasure in sitting around and using drugs, which all the evidence shows will harm them, their action should be no concern of the law, however flagrantly it may flaunt public morality.

In short, narcotic and hallucinogenic drugs present a serious challenge to the moral forces in society; but they must not be allowed to become a major preoccupation of the law. Punitive laws ought to be designed to curb only the patently antisocial actions of the almost infinitesimally small minority of the members of any society who, if not curbed, will destroy that society. When they go beyond that limit and undertake to define other human actions as misdemeanors, felonies, and crimes, they stimulate in the heart of every man the desire to commit the very offenses which they purport to prohibit. 

# Freedom

## FOR INTELLECTUAL PROGRESS

SUE PICK

SOME DEFENDERS of socialism will concede the fact that free enterprise is the most efficient economic system for the bringing of "material prosperity." Perhaps they will even admit that inflation, the booms and depressions of the trade cycle, and mass unemployment are caused by governmental interference in the free market and that these problems would be greatly lessened, if not completely abolished, under a free market system. A man of these opinions will usually say something like this:

"Of course free enterprise does have its advantages. I will even go so far as to say that for the average man it is ideal. But what about the intellectual and intel-

lectual progress?" Here he pauses. This is often considered to be sufficient argument against an unhampered market economy.

He thinks that aiming for a high standard of living is incompatible with intellectual progress. The implication is that, in a society where profit is made by those who satisfy the wants of consumers, the intellectual will be crushed and intellectual progress will be halted.

The underlying argument is that most people have vulgar tastes in art and literature; so the work of a great poet, novelist, or artist will not be in demand; therefore, valuable creative work will vanish.

I cannot argue against him by protesting that people do not have vulgar tastes and that if Shakespeare were alive today the majority of people would rush out and buy his works, hence enabling him to survive. This is mere conjecture and he could just as well deny the truth of my supposition.

I do not wish to claim that in a free enterprise system the genius will have an easy time and have no problems. My argument is only that in such a system he, and intellectual progress in general, will be incomparably better off than in a socialist system.

The first thing to be made clear is that in a state where the gov-

Mrs. Pick, a young Australian free-lance author, currently shares with her husband a working holiday in London.



ernment, instead of the consumer, is in control of the media of communication, a creator of any sort, regardless of the standard of his work, will not be allowed to publish anything that is out of line with current government policy. This fact is, I think, so well known by supporters of free enterprise that I will not enlarge further upon it.

### *The Intellectual Under Socialism*

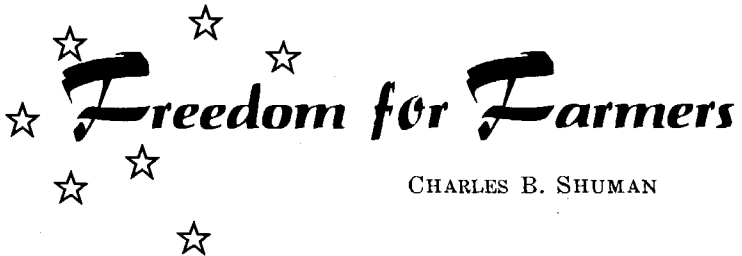
Now, my opponent believes that an intellectual cannot thrive in a society which aims at securing a high standard of living. So, let's examine two possible situations in which a creator would find himself under socialism in order to show why a free enterprise system is essential for the promotion of this creator and, through him, the continuation of intellectual progress.

The first situation has him paid by the government to produce, allowing him to make a living independent of the "vulgar tastes of the masses." But, as mentioned above, he would be little more than a tool of current governmental opinion and would not be permitted to have any will of his own. In a situation like this, if it were allowed to continue, the present beliefs of the government would be perpetuated and progress would cease.

The second situation finds the

creative person not officially recognized by the state but required to make his living independent of his creative work. His society has a low standard of living. He has to work long hours merely to survive. He has very little spare time for creative work. He may create something of value but could probably create much more if his society had a high standard of living and an absence of government interference in what is published. In a free enterprise system, even if his creative work brought him no money during his lifetime, he would still have far more leisure time in which to produce it. His job would bring him richer financial returns and potential savings. Such savings might enable him to quit his job, if he so desired, for periods of intensive creative work, and perhaps let him publish his work if no one else were willing to do so. In addition, he has the chance of earning money from the sale of his work or from grants made to him by interested people.

A free enterprise system is not only the most productive for those who live under it, but also essential for the intellectual enrichment of society. In view of the massive body of socialistic propaganda to the contrary, the need for demonstrating the intellectual advantages of free enterprise can scarcely be overemphasized. ⊕



# Freedom for Farmers

CHARLES B. SHUMAN

WE ARE A NATION of frustrated people. The liberals are bitter because their socialist schemes have not produced the results they expected. The intended beneficiaries are unhappy because the promised utopia did not materialize. Black people were promised immediate equality and prosperity. The aged were given increases in social security payments only to find that inflation gobbled up the gains. Union labor was given everything it asked for but the cost of living skyrocketed and some unions have priced their members' services out of the market. Farmers who produce grain and cotton were given price supports and payments but found that these "benefits" were offset by depressed market prices

and reduced sales. The poverty program failed to reduce poverty, and socialized medicine for the elderly is a miserable and costly failure. In a desperate effort to make these schemes work the liberal politicians have voted vast increases in power for the Federal government. The excuse was that only the Federal government could provide enough money and move with sufficient speed to break down the barriers that were slowing social and economic reform.

The most recent "national emergency" to be treated to the massive infusion of Federal funds cure is hunger and malnutrition. The White House conference on food, nutrition, and health which was held last week in Washington resulted in new proposals for huge appropriations, and low income is an important factor. The organizer of the conference estimated that

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Mr. Shuman has served for the past fifteen years as President of the American Farm Bureau Federation. This article is from his address on December 8, 1969, at the fiftieth annual meeting of the AFBF.

there are 30 million hungry people in America but that hunger could be eliminated within three years by appropriating three to five billion dollars per year for food payments out of the Federal treasury.

While there may be 30 million undernourished people in the United States, there are other causes. Much of this so-called hunger is the result of ignorance of proper nutrition, prejudice about food, or unwise dieting practices, and it cannot be cured by food stamps or other spending programs. Like all of its predecessor national emergency programs, the hunger program will probably result in a huge new Federal bureaucracy busily soliciting clients to put on the free food list. Many people will be encouraged to reduce their efforts to help themselves and thus become eligible for food stamps. The "hunger" situation may actually worsen rather than improve.

Much of the frustration and unhappiness which has exploded into present-day demonstrations and protests are a direct result of the disappointment of those who expected more than could be delivered by government, and in reality found themselves worse off because of the inflation which destroyed their purchasing power. In difficult times like these it is natural to look for a scapegoat,

but I believe that all of us — businessmen, farmers, workers, and professional people — have become obsessed with the notion that we can legislate prosperity for ourselves and — therefore, we must all take the major responsibility for the present trouble. Like Pogo, "We has found the enemy and he is us."

### **Schemes That Failed**

If anyone in America has an excuse to be frustrated and bitter, it would be farmers and ranchers. For 40 years, the Congress has experimented with many different schemes to manage production, prices, and marketing of farm products. Almost without exception these schemes have failed, only to be replaced with some new concoction. Even now, the House Agriculture Committee is floundering around trying to find some way to patch up and extend the decrepit and costly Food and Agriculture Act of 1965.

The objective of this legislation was to reduce production and increase prices of feed grain, wheat, and cotton. It has failed in both objectives. The acreage of wheat and feed grains has been cut sharply in the last two years, yet total production has continued to move upwards. Acreage allotments of wheat were cut 13 per cent in 1968 and another 13 per cent in 1969,

but the carryover stocks have continued to pile up and the 1.9 billion bushels on hand October 1 is the largest October stocks since 1963. Corn and grain sorghum acreage was cut 2 per cent in 1969, but the tonnage harvested was 2 per cent more than the 1968 crop — the carryover is up for the third straight year and now totals 50.2 million tons. The price of wheat fell to the lowest level in 27 years.

The effect of the Act of 1965 on cotton producers is even more discouraging. Despite a government check-off for research, advertising, and promotion, cotton farmers are rapidly losing their market to synthetics — sales are down 5,000 bales per day in two years. Extension of the Act of 1965 could result in completely destroying the cotton industry in the United States. This is overpowering evidence, especially when this sorry record is contrasted with the uncontrolled, unsubsidized, but booming livestock business.

It is obvious that when farmers turned to government, first in 1929 and more definitely in 1933, they took a turn in the wrong direction. Fortunately, Farm Bureau members recognized the mistake several years ago and, almost single-handedly, have prevented the spread of government management to all of agricultural production and marketing. Only about 40

per cent of agricultural production is under government farm programs. Most of the sickness in our industry is in this segment that is government controlled and priced. While Farm Bureau has succeeded in its efforts to block the extension of supply management to livestock, dairy, poultry, and fruits and vegetables, we have not yet succeeded in restoring the government crops to the market place, although most farmers now know that they cannot share equitably in prosperity until this change is made.

#### ***"Everyone Else Doing it"***

The wrong turn we took in agriculture 40 years ago was motivated by the same needs and desires that have caused other citizens to turn to government for special privileges, subsidies, and protectionist devices. In fact, many farmers have justified their acceptance of controls, subsidies, and price supports with the excuse that "everyone else is doing it." This might be a plausible argument if it could be demonstrated that the government programs have actually benefited farmers. The opposite is true.

Government farm programs have stimulated excess production and have been used to hold farm prices at low levels. One of the major causes of excessive produc-

tion is the requirement that the support price be announced before the crop is planted. When farmers know the price before planting, they are encouraged to spend more money on fertilizer and other production inputs than they would if the price was uncertain. This one feature of the Food and Agriculture Act of 1965 is probably responsible for much of the increased production that has more than offset the acreage cuts. Yet the cries go up from those who are hooked on payments or who have jobs or warehouses to protect, "It is better than nothing." This is not the alternative, but even if it were, I would challenge this assumption.

While the support prices implemented by Commodity Credit Corporation purchases have at times acted as a floor under the market, they have also acted as a ceiling, and prevented price gains when the supply was short or the demand high. Very seldom have the prices of the government crops risen above the support level. In fact, political management of marketing under the Food and Agriculture Act of 1965 has often depressed prices both in years of abundant production and when the crop was short. When a large crop is in prospect, those in charge of Commodity Credit Corporation marketing tend to panic because

they know that it is a political liability to have large quantities of grain piling up in government storage. Under these conditions the domestic market is already overburdened and it is necessary to unload the excess supplies on the world market. During the past summer we have seen a dramatic demonstration of government financed price cutting in the world market for wheat.

#### ***International Wheat Agreement***

The International Grain Trade Convention (wheat agreement) is an international treaty which was approved by the Senate of the United States in 1968 and which attempted to establish the world price for wheat somewhat above the market price. The ink had hardly dried on the signatures on this treaty before several nations were attempting to find ways to move their huge crops by cutting the price. First one country, then another, including the United States, made sales considerably under the agreed on price. Since the losses incurred in this international price-cutting war were paid by the taxpayers of these wheat producing countries, the cuts in price were far greater than if the losses had come out of the pockets of the individuals who were making the sales.

The international wheat agree-

ment has cost wheat farmers many millions of dollars and should be suspended immediately. If the other nations party to the agreement will not agree to a suspension, the United States should announce that it will not be bound by the terms of this now discredited scrap of paper.

It may seem strange but a similar downward pressure on markets is exerted by the Commodity Credit Corporation in a short crop year. Government supply managers also tend to panic in a short crop season especially if the housewives begin to picket the retail stores to complain about high retail food prices. The farmers and ranchers of America were given a painful demonstration of this panic about three years ago when Secretary of Agriculture Orville Freeman dumped hundreds of millions of bushels of grain on the market to hold feed prices down in an effort to stimulate livestock feeding. During recent months the Commodity Credit Corporation has been moving substantial quantities of wheat into the feed grain market.

When Congress passed the Food and Agriculture Act of 1965, it included provision for making direct payments to farmers. This action in itself was an admission that the net effect of government-managed production, pricing, and

marketing was to reduce the prices to farmers. These direct payments have only been a partial offset to the market price losses sustained under this legislation. Approximately 23 per cent of net farm income is now represented by these payments and cotton farmers look to these payments for about 40 per cent of their gross receipts from cotton lint.

#### **Further Payments No Help in Getting "Unhooked"**

Causing farmers to be dependent on Congressional appropriations for so much of their income is a sorry state of affairs and one which cannot be continued if there is to be a good future for farmers. Consumers and taxpayers look upon these payments in the same light as they look upon welfare payments to the poverty stricken. This means that limitations on the amount paid to any one producer will be imposed and eventually Agricultural Stabilization and Conservation "case workers" will supervise the spending of these "welfare" checks. Many farmers are hooked on payments because the price in the market has been depressed to such a low level that their only hope of covering production expenses is to add the payments to the market price. However, the solution is not to continue payments. The only sensible

approach is to find a way to get unhooked.

Getting unhooked from farm programs will be a costly operation because the distortions and imagined advantages of the programs have been capitalized into land values and machinery.

### **Three Steps to De-Control**

There are three essentials that must be adhered to in any program to change directions. First, the unsuccessful attempts to control production by government allotments and quotas must be terminated. Acreage controls have been worse than useless — they have actually stimulated surplus production. Second, price supports have acted as a ceiling to prevent price increases and must be phased out or keyed to market prices if farmers are to share in the prosperity of our competitive enterprise economy. Third, welfare-type direct payments in lieu of competitive prices must be phased out.

Making the transition from the present program to a market price agriculture should not be too difficult once the Congress has agreed on the objective of phasing out government supply management in agriculture.

The temptation for farmers to seek an "easy" way to develop market power remains, even

though Federal control of production and pricing have proven unsuccessful. Those who would "let the government do it" favor nationwide marketing orders, Federal marketing boards, or other government supervised and managed marketing and bargaining. Government has a proper and important role in the marketing system; however this role is not to supervise marketing or to participate in the price-making process. Government should act as a referee to establish rules and to protect consumers against conspiracies to set price, or other monopolistic practices.

Experience in other countries with government marketing boards and other devices to control the marketing of farm products have proven to be ineffective and unsatisfactory from the farmers' standpoint. Here again, political appointees who administer the programs must please the majority of voters — the 95 per cent who are consumers. It is inevitable that any government price management will result in holding prices down to please this big consumer majority. The egg marketing board in the United Kingdom was recently abandoned because it had stimulated surplus production, depressed prices, reduced the quality, and increased the retail cost of eggs. If the labor-socialist government of

the United Kingdom, which is dedicated to a managed economy, cannot control the egg market, who can say that our government can manage the marketing of any agricultural commodity successfully?

### **Congress Must Control Spending**

Nineteen seventy will perhaps be one of the most crucial election years in history. The nation is in need of a change in direction. That change can come if the new Congress is willing to accept its responsibility to control Federal spending. Government, fiscal, and monetary policies must be stabilized and the budget brought into balance. Irresponsibility in high public office invites the same attitude by the people. Much of the bitterness and frustration which is evidenced in the demonstrations and riots is in part a by-product of government fiscal irresponsibility. Extravagant promises of instant prosperity and total security could not be fulfilled, and so the disillusioned protested.

Much of the present discontent probably should be charged up to the rapidly escalating inflation which is boosting prices and destroying the value of savings. Inflation is caused by huge government spending programs to satisfy the demands of the citizens for ever-increasing government benefits — the “something for nothing”

idea. The costly war in Vietnam has generated inflation but so too have the multi-billion-dollar domestic spending programs, such as urban renewal, poverty, and farm subsidies.

Centuries ago, Pericles said: “Happiness is freedom and freedom is courage.” In our search for the good life we have been concentrating on material comforts while neglecting more fundamental values. True happiness cannot be purchased, it cannot be found in material comforts alone.

Undoubtedly, much of the current turmoil is the result of the frustration experienced by many people when they find that money and things have not brought happiness. It is also probable that increasing restrictions on individual freedom are being felt but not always identified. Ever higher property taxes, sales taxes, income taxes, and surtaxes are required to pay for planned society schemes, and this reduces the individual's freedom to spend his income.

Furthermore, the welfare state breeds countless rules and regulations as thousands of new laws are passed each year. Big government and individual freedom are not compatible.

Money, luxury goods, leisure time, security from the cradle to the grave — all these are valued by



many people but they alone do not bring happiness. What we need in America is a big dose of courage: courage to take a position on controversial issues; courage to reject compromise between good and evil; courage to take a stand on moral issues; courage to refuse to be "bought" by government payments or private bribes; courage to accept risk as the price for opportunity.

***Produce for the Market,  
Not for Government Storage***

Up to now, this has been a rather doleful recital of the sad state of affairs in the United States generally, and particularly in agriculture. If we stopped here in our analysis, the conclusion could be drawn that the future is bleak, but I am optimistic. I believe that the next few years will bring a change in direction, a change in the attitude of people

toward government and new hope for farmers as they seek to produce for consumer markets rather than government storage.

The time for a change is long past due. It is time to rid the United States of welfare state policies and philosophies. Time to return government to its proper role of providing a healthy economic climate for private enterprise rather than attempting to guarantee security from the cradle to the grave. Time to recognize the failure of the wild spending "new economics" theories and to re-establish government fiscal responsibility by balancing the budget. Time to abandon government policies that force farm families to depend upon welfare type subsidy payments for their income. Time to re-establish a free market agriculture with income derived from profits. Time to restore proper respect for law and order.



***Look to the Individual***

THE RENEWAL OF CIVILIZATION has nothing to do with movements which bear the character of experiences of the crowd; these are never anything but reactions to external happenings. But civilization can only revive when there shall come into being in a number of individuals a new tone of mind independent of the one prevalent among the crowd and in opposition to it, a tone of mind which will gradually win influence over the collective one, and in the end determine its character. It is only an ethical movement which can rescue us from the slough of barbarism, and the ethical comes into existence only in individuals. . . .

ALBERT SCHWEITZER, *The Decay and the Restoration of Civilization*

IDEAS ON



LIBERTY

**Getting to know**

# BEANS

LEONARD E. READ

IF WE KNEW BEANS — and I mean this literally — we would know that labor is a commodity. My dictionary states that a commodity is “any useful thing; anything bought and sold; any article of commerce.” This definition would seem to be acceptable to any economist.

Listen to a distinguished businessman who puts himself on the side of the overwhelming majority:

The concept of labor as a “commodity” is so outmoded that we don’t even talk about it today.<sup>1</sup>

Granted, this concept is outmoded. Further, it is against the law: “The labor of a human being is not a commodity or article of commerce.”<sup>2</sup> But it’s not the first

time men have thought the truth had been outmoded. When a truth is out of style, or at odds with legislation, that’s precisely when we should be thinking, writing, talking about it — especially when the confusion is as costly as in this case.

The widespread impression that labor is not a commodity results in enormous economic mischief. If labor is not a commodity, then the argument seems to be that its price (wage) ought not to be determined by competitive forces of supply and demand in an open market. In other words, those who argue that labor is not a commodity would in effect deny the laborer access to the market — would compel him to find some other way to get what he wants from others.

Historically, that other way was

<sup>1</sup> Ira Mosher, President, National Association of Manufacturers, 1949.

<sup>2</sup> The Clayton Anti-Trust Act, 1914.

for many laborers to serve as somebody's slave — after having lost a war and being taken captive. The serfdom of the Middle Ages marked little if any improvement in these people's condition. Not until the Industrial Revolution made it profitable for employers to compete to hire people to use tools was there much chance to live better lives. Capital and competition freed slaves to sell their services to the highest bidder in the open market.

The modern argument that labor is not a commodity generally implies that we who work for a living would fare better under compulsory unionism than in the voluntarism of the market. But this is only another form of warfare and slavery, and not a path to progress. This way — price and exchange control — is at the intellectual level of mirror smashing. It keeps others from seeing what we have to offer and us from seeing what they have to offer in exchange. So, let's be done with the notion that labor is not a commodity.

### **Different Meanings**

What lies at the root of such widespread confusion? Quite simple: Most people use one dictionary definition of labor only: "Laborers, operatives, and artisans as a body or class" — in a word, hu-

man beings. This figure of speech is useful for political purposes.

The definition an economist must use is quite different: "The product or result of labor or work" — in a word, the *productive effort* of human beings. Interestingly enough, this definition has after it, *archaic*.

A laborer, be he the janitor or the president of the company, is a human being and not a commodity. No argument! But the labor or work of any human being, regardless of occupational status, is a commodity. About this there should be no argument among those who respect the dignity of every man, and would have him free to buy and sell in the open market.

We quite properly regard a bag of beans as a commodity. But what is a bag of beans, really? It is exclusively a manifestation of numerous forms of labor applied to the good earth, that is, it is a product of varying types of human energy. Except for Creation's endowments — natural resources — in which man has had no hand, the bag of beans is labor and nothing else.

From an economist's viewpoint, the dictionary misleads in still another way; it describes labor as "physical or mental toil; bodily or intellectual exertion, esp. when fatiguing, painful, or irksome, or

unavoidable" — in a word, menial or servile effort. Were this correct, we would be forced to measure the value of labor by the amount of perspiration or degree of tiredness — an absurdity! We are all tool users. In today's world, there is a mop or hoe or plow or truck or jumbo jet to augment labor. These are all tools — capital. The captain of a jet no less labors than does a carpenter or a plumber. It is economic nonsense to categorize as labor some lower form of human exertion, to draw a line between "the working man" and an inventor, for instance. Both are working men and oftentimes the latter labors and creates more than the former. It would be just as wrong to define labor as exclusively a higher form of exertion — the insights of Leonardo da Vinci, for instance. Quality or quantity of exertion has nothing whatsoever to do with what is or is not labor: labor is human effort, whether the exertion be muscular, mental, or spiritual.

In the case of a bag of beans, there's the labor of men who till the soil, the labor of those who skinned the hides that went into harnesses, of those who grew and ginned the cotton that made the bags, of those who mined and refined the ore that made the plow and other implements — an endless profusion of kinds of labor rang-

ing from ideas laboriously refined, to the labor of saving capital, to the labor-saving but labor-produced machinery — trillions of labor bits in that bag of beans!

#### **Labor-Saving Effort**

The accumulation of capital helps to emphasize the varying kinds of labor or effort. What is the nature of this effort? It is abstention from spending all of one's income right now. For some, this is more difficult than pulling weeds; for others, it is the easiest thing they do. If the price we pay for capital — interest rates — were to be governed by how difficult it is for people to save, we would have to invent some electronic gadget, perhaps an "effortometer," comparable to measuring the value of labor by the amount of perspiration. Capital, in this sense, is a commodity and, as the bag of beans, has its origin in a form of labor or effort.

Nor can we say that the bag of beans is an end product of labor. There's a can of beans! Contemplate the labor in transport, of mining tin, and of all the labor that went into the canning factory — another profusion of labor bits, even to the kind of labor that goes into advertising and into the paper on which it is printed.

And the end is not yet. There are countless forms in which the

canned beans are prepared and presented for human consumption — the labor of cooks and of recipe creators and all the labor bits that go into the accompanying ingredients.

The dish set before the king is labor — and so is the dishwasher, whether manual or mechanical!

### ***The Value Depends on Buyers in the Market***

Everyone will agree that a bag of beans qualifies as a commodity: “a useful thing; anything bought and sold; any article of commerce.” But the bag of beans is only one of the myriad forms in which labor is manifested. Labor, thus, is a commodity precisely as is the bag of beans.

All except socialist planners will agree that a bag of beans should go to market and find its price at whatever level free and willing exchange dictates. But very few in today’s world — even those who give lip service to free enterprise — will agree that a laborer’s labor should find its price in this manner. And all because most people entertain the notion that labor is *not* a commodity. They personify labor as a cartoonist’s figure in overalls, just as they personify capital as a top-hatted figure with dollar signs on his vest.

My labor, let us say, goes into raising beans. In this case, my

labor goes to market as a bag of beans, so let my labor find its price in the market. But suppose I choose, instead, to hire out to a grower of beans. Then my labor — no different from the former case — should not find its price in the same way as the bag of beans? By what quirk of reasoning can such a deduction be drawn? This is not a reasonable deduction but only a conclusion falsely arrived at. It doesn’t make sense and no amount of labor can make sense of it.

Beans vary in quality. People will pay more for good beans than for poor beans. Beans also vary in quantity, that is, in supply. People will pay more or turn to other foods when beans are scarce and high-priced and will buy more when they are plentiful and low-priced. This is to say that people will use their judgment as to how much they will pay for labor going into beans. Can they be faulted for this? Of course not! Should you tire of beans, then you will pay absolutely nothing for such labor; and if every consumer were to feel the same, then labor manifesting itself in beans would receive nothing whatsoever. What’s wrong with this? Nothing! For isn’t the value of anything — labor as beans or labor as service — the amount that will be paid by buyers in willing exchange? To argue contrarily is to assert that what is of value to me — labor however it pre-

sents itself — is not a matter of self-determination. Shades of Marx!

### ***Is Our Labor Needed?***

The rebuttal, of course, is founded on the confusion of definitions, namely, that labor has needs whereas beans do not. True, regardless of the form our labor takes, we laborers have needs. But our labor, as one of the scarce factors of production in the economic sense, no more has needs than do the beans for they are one and the same. The only relevant question is this: *Is our labor needed?* If we are to gratify our needs as laborers, it's up to us to see that our labor is needed, whether manifested in beans or writing or waiting on table. The sole sense in which labor can be said to have needs is the need for constantly improving performance, that is, a need for a greater marketability and exchange value. As I increase the attractiveness of my performance, my personal needs as a laborer can be increasingly gratified. Further, only I, not you, can effect the improvement of my labor. So far as my labor is concerned, you alone may determine what you will offer in exchange for it — and that's the way it should be. I may accept your offer — or a better one — or none.

These confusions as to the na-

ture of labor lead to mischief when we institutionalize the confusions. Witness the countless political enactments that subsidize labor in employments free choice no longer demands — Federal Urban Renewal, for example — or the tactics of the National Labor Relations Board or the coercive practices of labor unions. Lamented one industrialist, "We are now buying time, not labor." The whole political pressure is away from the market — free choice — and in the direction of more money for less work and fewer hours. Instead of a concentration on the improvement of labor and its market attractiveness, the movement is toward monopoly, a forming of cartels. The cartel's message is: Accept us for as little as we choose to give and at our price; you have no alternative; the most important decision in economic affairs is to be made by us and not by management or even by consumers. Take us as we choose to be or close shop.

It is not necessary, however, to read my explanations to see the fallacies in the current "labor" movement. There isn't a single "pro-labor" member of Congress, a staff member of the NLRB, a labor union official, or one of their millions of members who really believes that a laborer should be paid more for his labor than a free and unfettered market has to of-


fer. Not if we test their beliefs by their actions rather than by their pronouncements!

Merely observe that every one of these individuals — as does each of the rest of us — shops around for bargains. He'll buy a can of beans from the store that offers it for 20 cents rather than from a store that offers the identical can for 30 cents. What do his actions prove? *He is attempting to buy labor as cheaply as he possibly can*, for that can of beans is but the manifestation of countless labor bits applied to the bounties of the good earth.

Were the actions of these people consistent with their pronouncements backed by coercion, they would buy the 30-cent can of beans; that is, they would insist on paying more for labor than the free market offers. Not until they engage in this foolish action will I believe

they mean what they say by their anti-market pronouncements.

It's human nature and common sense for every bidder to buy services as cheaply as he can. But this does not force wages down. Nor is it a reason why laborers should mistrust the market. The overall scarcity of labor as an economic resource, and the competitive bidding for that scarce and valuable resource, is the only way in the world for the laborer to obtain the full value for his services and fully enjoy the manifold blessings of freedom. But we must be done with the nonsense that labor isn't a commodity.

Getting to know beans is one way of restoring some economic sanity, of bringing to light a concept that has been too long outmoded. 

### ***The Most Hopeful Idea***

I THINK the most hopeful idea in the department of economics is this: That it is possible for a man to make a lot of money without taking advantage of anyone else.

IDEAS ON



LIBERTY

This means that one man may get richer without making others poorer.

National prosperity is the inevitable companion of individual prosperity, provided only that the individual's prosperity is founded on production.

In this situation we have economic health and assurance of growth. No other system has ever been suggested which gives even a promise of comparable results. The present system works. It stimulates enterprise and distributes its benefits to all, including the unenterprising.

*Some readers of THE FREEMAN may deem this article a bit elementary for their taste. It was especially written for the forthcoming Jefferson Encyclopedia and is reprinted here by permission of the World Publishing Company of Cleveland, Ohio. Obviously, it is intended for high school students and laymen rather than for specialists in economics.*

# Economics

HENRY HAZLITT

*Henry Hazlitt is no layman in his field. The Failure of the "New Economics," his analysis of the Keynesian fallacies, is the work of a master. Yet, he is not one of the overspecialized specialists of our time. The ever popular Economics in One Lesson reveals his capacity to handle his subject in terms anyone can grasp.*

*Those of us who presume to specialize do well from time to time to back off and view our field broadly, as in this article, that we may better play our individual roles in the general scheme of things.*

ECONOMICS is the science that studies how men make their living — how they provide for their material wants.

A Robinson Crusoe, alone on an island, would face a tremendous problem. He would have to find enough fresh water to slake his immediate thirst and then find enough to eat before, say, he could try to build himself some crude shelter. He would have to work to fill his most urgent need up to a certain point before he could try to fill his next most urgent need, and so on.

In a great society this problem, of each man trying to fill a hundred different needs and wants of different urgency, is solved by the division of labor. Each man devotes himself to making a single thing, or even to a single process in making that thing, and then ex-



changes the product of his labor for the products of other people's labor.

In a primitive society this exchange is made directly, by barter. In a modern community goods and services are first exchanged for money, and then the money in turn is exchanged for the particular quantities of other things that each man wants.

In origin, money was some commodity that was found to be more generally acceptable than any other, and later came to be wanted mainly as a medium of exchange for other things.

Historically, cattle, tobacco, copper, silver, and gold have served as money. Of these, gold came to be much the most widely used. Except for final payments between nations, however, even gold has now been largely displaced by currency notes, and by bank deposits that can be transferred by checks.

The division of labor, made possible by voluntary exchange, enormously increases the total of goods and services that a community can produce. Each man tends to devote himself to the thing that he can do best. He acquires a special skill, and uses special tools. Generally speaking, the more labor is divided the more productive it is.

In a free enterprise economy people also are constantly seeking to produce the things that yield

the highest profit above their cost of production. These are usually the things that are in shortest supply in comparison with the demand for them. But as the supply of these particular things is increased, and the need for more of them becomes less and less urgent, their price tends to fall, and there is less profit in producing them. By this process profits and wages in different lines tend to be more equalized, and the thousands of different goods and services tend to be produced in the proportions in which they are most wanted — in other words, in proportion to the comparative demand for them.

#### *Parts of a Continuous Process*

Men must work and produce goods and services in order to be able to enjoy and consume them. Yet they must have their health and strength and enough to eat in order to be able to produce. Production, distribution, and consumption are not, as is often supposed, three separate and independent processes, but inseparable parts of one continuous process.

Men early discovered that they could produce most of the things they wanted only with the help of tools. This meant that they first had to divert part of their time and energies to making such tools — axes, hammers, saws, scissors, needles, hoes, spades, wheels, and

thousands of more complicated implements. Then, still further, they had to divert part of their time and energies to making tools to make tools, and then to building the factories and developing the mines and smelters and other processes to obtain the metals to make the machines that make the tools to make tools.

### ***The Importance of Capital***

Economists divide goods into two main classes — consumption goods, which are those that directly meet the needs of the people, and capital goods, which are necessary to produce the consumption goods.

A solitary individual would have to divert part of his time to producing capital goods. But with the division of labor in a modern society some people devote themselves wholly to making consumption goods and others wholly to making production goods.

This is made possible, in turn, only by the process of saving and investment. Instead of spending all they earn on immediate consumption or current enjoyment, some people save part of their earnings to invest them, directly or indirectly, in the production of capital goods to increase production in the future. The money they save is lent at interest to producers who use it to pay the workers

who make the capital goods during the period required to make these goods and before they can be sold.

The greater the amount of saving and investment in a nation, the more and better the tools and other means of production that can be placed in the hands of workers. Therefore, the more productive the workers can be, the more they can be paid, and the better off the whole society can be.

Individuals are constantly deciding, by the amount of their saving and investment, how much of their income they will devote to immediate consumption and enjoyment, and how much they are willing to sacrifice of their present consumption and enjoyment in order to increase their future income and future consumption and enjoyment.

In recent years a great deal of emphasis has been placed on the need to increase the rate of "economic growth" of a nation — by which is meant the rate of increase of income and production. This rate of economic growth is directly dependent on the rate of saving and capital investment.

In recent times, also, there has been a constant increase in the number of processes of production, formerly performed by hand, that are taken over by machines. This is known as "automation." Ever

since this replacement of hand labor by machinery became widely noticeable (beginning as far back as the Industrial Revolution in the middle of the eighteenth century) there have been fears that machines destroy jobs. It is true that machines often destroy old jobs, and may render valueless skills that some workers may have taken a lifetime to acquire. But experience has shown that on net balance machines not only create as many jobs as they destroy, but that they usually create far more productive and better paid jobs than the ones they destroyed. In addition, by reducing costs of production, they enable the masses to afford goods and luxuries previously beyond their reach.


### ***The Conditions of Freedom Versus Coercive Collectivism***

A system by which everybody, subject to the competition of others, and guided by the conditions of supply and demand, is free to choose his line of work, or to produce and sell what he wishes, is variously known as a capitalist system, a profit-and-loss system, or a free-enterprise system. Such a system, of course, can be "free"

only within limits. It can operate only within a framework of laws which forbid violence, force, theft, and fraud, oblige men to live up to their agreements, and protect the right of private property.

The opposite of a free enterprise system is socialism. Under socialism it is not private individuals or companies but the government that owns the means of production and operates industry.

In practically no country of the world today do we find capitalism or socialism in a pure form. In many "capitalist" countries the government operates some industries—the postal service, telegraph and telephones, railroads and electric power, gas and water supply. In nearly all countries where private companies supply such "public utility" services they are subject to strict government regulation of their charges.

Today most governments attempt much more directly than in the past to relieve poverty and prevent widespread unemployment. And all governments now deeply influence the economy of their own country, for good or ill, by their spending, taxation, and monetary policies. 



*William Jay Gaynor*  
LIBERTARIAN MAYOR  
OF NEW YORK

TAMMANY HALL faced a crisis in 1909. The Democratic Club had sniffed the political winds and knew that reform was in the air. It was one of those times when the urge is to "throw the rascals out" so voters were unlikely to look with favor on another mayor who was a creature of Tammany. The best vote-getter would be a man not associated with any political organization but well-known for a record of honest public service. This would, of course, mean dry times for Tammany; but rather a temporary drought than a repudiation at the polls that might have permanent effects. Yes,

the best candidate would be one with a reputation for independence and incorruptibility. No political hack or Tammany puppet would do. And so it was that Judge William J. Gaynor received the Democratic nomination for Mayor of New York City.

William J. (baptized James but later changed to Jay) Gaynor was probably born in the village of Whitesboro, in central New York State, and evidence points to the correct date as being 1848, the year John Quincy Adams died. The two men had several things in common. Each was a man of integrity who somehow reached high office. Both were thin-skinned where politicians should be insen-

sitive, worked alone instead of within a party, and were abrupt, forthright, and final in their conclusions instead of compromising. Gaynor never said anything he did not mean and, more remarkable, he never meant anything he did not say. He was "one of those old-fashioned kind of men, who merely says in plain and peculiarly pungent and interesting English just what is in his mind and lets the consequences take care of themselves." He defended his private life from intrusions and demonstrated his scorn of "public relations" by his treatment of reporters and newspapers. Writing to the National Publicity Bureau, he said: "You ask me to give an interview saying, 'What would I say to the readers of 3,000 newspapers?' I would say to them to be very careful about believing all they see in the newspapers." Gaynor was a public figure with a "bent towards solitude, study, serenity, contemplation, everything he summed up in the word 'contentment.'" He liked a good fight, but feeling that the office should seek the man, he never thrust himself forward in pursuit of a place of honor and emolument.

### **Lawyer and Judge**

Gaynor tried his hand at several things before settling on the legal profession where his keen

mind and boundless energy brought him great success as one of the busiest of Brooklyn lawyers. He proved himself not only a colorful personality but an enemy of corruption and oppression. In 1894 he became a New York Supreme Court justice. When he presided for the first time, in Brooklyn, "the courtroom was crowded with lawyers. The brisk pace he set caused a raising of eyebrows among the oldsters. Gaynor dispatched the business on hand with such promptitude that court was adjourned at noon. Prosy counsel never had a chance.

"Thereafter it became an almost daily exhibition of speediness, thoroughness, unerring perception of the issues at stake, and sure application of legal principles leavened with common sense.

"For Gaynor, law (though not necessarily the law) was codified common sense. With pettifoggers, wasters of time, and slovenly pleaders he had no patience, and when these irritated him sufficiently he could grow rude and even insulting. His temper was uncertain. He worked prodigiously, and expected everybody else to do so. He never adjourned court for mere convenience, and the quantity of work he got through was impressive, yet his decisions stood up on appeal better than those of any other Supreme Court judge."

But Gaynor for all his bullying of counsel and crustiness toward witnesses "kept one thing foremost in his mind — the interests of the litigant.

"'It isn't the lawyer I see in court, it's the litigant behind him, pale with anxiety and eating up his substance in dragged-out legal expenses,' he wrote. 'It is for his sake that I use all my authority to compel a rapid determination of cases.'

"His preachment over and over again was:

"'A trial is a search for the Truth. A lawsuit is not a game for sharp advantage.'"

After serving a fourteen-year term, Gaynor was re-elected in 1907 to a second term but he resigned in 1909 to run for mayor of New York City. He won the election and then four years later, having been dropped by Tammany Hall, he was nominated for a second term by an independent citizens' committee. He accepted the nomination on September 4 and on the following day sailed to England for a few weeks' vacation. On September 12, while still at sea, he died.

### **Not Without Flaws**

What makes Gaynor worth remembering and knowing is not what he did, but what he was. Studying the man may just lead

us to reflect on the nature of government and its rightful role, the duty of public officials, and the responsibilities of private citizens. In an age when everything is becoming politicalized, such questions are especially worth pondering.

The temptation, when writing about Gaynor, is to dwell on his dynamic personality, his colorful speech and writing. He was an effective extemporaneous speaker and letter writer par excellence and never found it necessary to hire a "ghost." Such habits as walking the five miles from his home in Brooklyn to City Hall each day marked him as somebody distinctly different from the run-of-the-mill public official. Such practices as quoting from ancients like Marcus Aurelius, Epictetus, and Cato set him apart from the ordinary politician. But it is one thing to read about a strong character such as Gaynor, and quite another to have personal contact with him. Even those persons devoted to the man acknowledged him as irascible, unstable, and impatient. And he became even more so after being shot during his first year as mayor by a disgruntled ex-employee of the city.

During the rest of his term his health deteriorated and there was an aggravation and intensifying of certain flaws in his character.

He shut his mind to the fact that reality did not match his inner vision and he became even more sensitive to all criticisms of himself or his administration. And like all the rest of us, he was not always consistent. No, Gaynor was not a pleasant companion much of the time though with the right company he was a charming person and brilliant conversationalist. But as one newspaper declared, "We are aware of no provision in the constitution of the state or the charter of the city which asserts that the mayor of New York must be sweet-tempered and gentle and lovable. Mr. Gaynor is rather difficult to get along with at times and we are glad that we have no personal relations with him; but these infirmities do not greatly concern the public welfare."

#### ***"Ablest Man in Public Life"***

The late Albert Jay Nock once remarked that William Jay Gaynor "impressed me as by far the ablest man in our public life." What an extraordinary man he was, said Nock. "No one in my time understood so well the function of a public servant under a republic." Gaynor was, in Nock's opinion, the last American, "the last, at any rate, in public life."

In 1912, the Superintendent of Public Instruction asked Gaynor for a message to be read to all the school-

children of New York on the Fourth of July. He got it. Not a scream from the eagle, not a word of fustian about the Founding Fathers, or about how grand and glorious our civilization is, how good and wise we all are, and above all, how rich. Instead, about 800 words of a magnificent exposition of what republican government really is, and what the people's responsibility for it is—sound, old-fashioned American doctrine, mostly in words of one syllable. It ended with this:

We must therefore be vigilant of every little approach to despotism, however little it may be. We must see to it that those whom we elect to office do not go outside of the laws, or set themselves up above the laws, and do as they please. It has always been the case throughout the world that the officials who did this did it on the plea that the laws were not good enough; that they could do better than the laws prescribed. Beware of all such officials. We do not want officials who have any lust of power. We want officials who are very careful about exercising power. We want officials who are careful to exercise no power except that given to them by the people by their laws. There is no more dangerous man in a free country, in a democracy, than an official who thinks he is better than the laws. The good man in office should be most careful not to set a bad example or precedent for his bad successor, who will come along sooner or later.

On the duty of public men Gaynor had this to say in a letter to a Philadelphia supporter:

Might I say to you that what we most need in this country now is for our public men and statesmen to discontinue loose talk, and speak with exactness on public questions, and without regard to what effect they may think the truth may have on their own future. To try to advance in the field of politics, and in the attainment of office, by loose or false statements, is despicable. What we need is that our public men, instead of loosely crying out all sorts of evils, should put their finger exactly on the thing, and define it, and hold it up and show it, so that everyone of average intelligence may see it and understand it. Those who are not willing to do this should hold their peace.

#### ***Unyielding Sense of Duty***

What sets Gaynor apart from most other public officials? At the time of his death, why did the "poor people of the East Side (turn) out at break of dawn to go down to the City Hall where his body lay"? He certainly "never flattered them, never played up to them," said Nock. He never tried to buy votes with promises of something for nothing and he never catered to the demands of minority pressure groups. Perhaps, said Mortimer Smith, "there were not a few who sincerely regretted the passing of an intransi-

gent individualist, for the crowd sometimes covertly admires and envies the nonconformist." Or maybe Nock was right in answering that the poor people understood in their own way that Mayor Gaynor, as an enemy of all injustice, was their friend.

Gaynor's character and accomplishments were unique. His career as a lawyer, judge, and mayor, observed Smith, was "a long record of almost startling variation from type. Among political hacks, dandies, venal spoilsmen, and near morons who have served as Mayors of New York, he towers as a great unorthodox figure, a man of enormous but erratic ability, a vivid and sometimes frightening personality, and with an unyielding sense of public duty."

His seasoned, philosophical point of view was opposed to "the pragmatic sail-trimming and mere expediency of the average politician. He was a libertarian, the last thoroughgoing, primitive Jeffersonian in our public life." Like Jefferson he had "sworn eternal hostility against every form of tyranny over the mind of man" and in everything he said or did he showed devotion to the Jeffersonian dictum: "That government is best which governs least." He was, then, "the perfect nonpolitical type" who "abhorred pussy-



footing" and liked to "air his opinions, even when there was no necessity to do so — or, especially when there was no necessity. . . ."

Gaynor believed that government "was a convenient and necessary device for maintaining order and justice under law but should be little more." He maintained "that there are certain ills inherent in nature and associated living which cannot be cured but only endured, but that the worse ills are, in the words of William Graham Sumner, 'the complicated products of all the tinkering, meddling, and blundering of social doctors.'" He believed that "men have the best chance of happiness and effectiveness when they are allowed the widest possible areas in which to function without restraint. . . . He mistrusted large power and big government" and with Sumner felt that "when the state becomes too powerful, too mixed up in the affairs of its citizens, it becomes 'the best prize of base struggles, and the most powerful engine by which some men may exploit others.'"

Gaynor had little patience with the many reformers who were always pestering him to "do something" about the people whose behavior they frowned upon. But Gaynor objected to "adding to the multiplicity of laws" and to "putting additional power in the hands

of government. He was loath to give government the power of deciding whether a man could take a drink, read a book, play baseball on Sunday, see a play or moving-picture, or go to a prize fight."

### ***Improvement a Slow Process***

Mayor Gaynor believed the "principal duty of the police is to preserve the public peace, and keep outward order and decency." Lately Thomas writes about what Gaynor said to those who disagreed with him.

Directing his fire at those "societies, and private enthusiasts, for the 'suppression of vice,'" who urged the necessity of extralegal methods to combat crime and vice effectively, Gaynor advised that they "read history, and learn the supreme danger of trying to do all at once by the policeman's club what can be done at all only gradually by the slow moral development which comes principally from our schools and churches. . . ."

"The notion that the morals of the community can be reformed and made better, or that government can be purified and lifted up, instead of being debased and demoralized, by the policeman's club and axe, is so pernicious and dangerous in any government, let alone a free government, that no one can harbor it whose intellectuals are not, as Macaulay says, 'in that most unhappy of all states, that is to say, too much disordered for liberty, and not sufficiently disordered for Bedlam.'

"It would be difficult to speak with forbearance of the strange pretense that the police could not enforce the law if they kept within the law themselves . . . . Crimes and vices are evils to the community; but it behooves a free people never to forget that they have more to fear from the growth of the one vice of arbitrary power in government than from all the other vices and crimes combined. It debases everybody, and brings in its train all of the vices."

Themes that Gaynor never ceased to emphasize during his years on the bench were the defense of personal liberty, and opposition to the ill-advised attempts of meddling reformers to remold social concepts and correct long-standing abuses by restrictive legislation and force. Again and again he preached:

"The law knows of no greater folly than the notion that the police are the custodians or conservers of the private morals of the community, or could be made such with any safety whatever, or with any possibility of uplifting morals instead of debasing them. The moral growth of a community depends on its churches, schools, and teachers, and the influence of a healthy and comfortable home life, and not on the police."

Nothing good or lasting can be accomplished in a hurry, he counseled over and over. In a speech before the New York Agricultural Society he would embody the fullest statement of his belief on this basic point:

"Some things that exist in the body politic which are wrong cannot be

abolished offhand; we have to move slowly, so that all we can do under such conditions which society has created is to lessen them by degrees, little by little, here a little and there a little, until we gradually climb down to the level we want to reach, and do no injury to anybody. Everything is of slow growth, my friends, in this world, that is good. . . . In all things, material, moral, political, economical, the rule is slow growth. We must do the best we can, and if we find a thing wrong, we must wait a long period of time to fix it."

This truth, of course, was unpalatable to those who were calling for social realignments and reforms *now* . . . .

### **Replacing Workers Who Quit**

Gaynor's rule with regard to labor disputes was to maintain law and order but to practice strict neutrality between the opposing factions. This, of course, infuriated the employers who were accustomed to being treated with favoritism in their conflicts with employees. The exception to Gaynor's rule was when strikes were against the public welfare; this he refused to countenance and he consequently angered labor representatives. When, for instance, employees of the city threatened a ferry strike, Gaynor told them bluntly that if they did they would never work for the city again while he was Mayor. "Under civil

service rules," explains Lately Thomas, "insubordination was grounds for dismissal; and nobody doubted that Mayor Gaynor, unpledged and unbossed, with a lifetime reputation of meaning just what he said, would if necessary execute the law to the letter. There was no ferry strike."

When the drivers of ash and garbage wagons did walk off the job, Gaynor treated them as men who had quit their jobs. He instructed Commissioner Edwards to hire replacements and give them examinations that would meet civil service requirements. For a day or so garbage collection almost ceased and when the weather turned warm the health department warned of an imminent threat of disease. Gaynor held firm and to inquirers made his stand perfectly clear.

The city officials are not trying to "break" any "strike." The drivers of the ash and garbage wagons have quit their jobs and their places are being filled by others. They are not to be taken back. There is a great misunderstanding on this head. The commissioner could not take them back if he wanted to. He can employ such men only from the civil service list. When men in the city departments quit they are struck from the payroll and their employment by the city is at an end. Their places then have to be filled from the civil service lists. None of these men can ever be em-

ployed by the city again unless they undergo civil service examinations and get on the eligible list again. That the civil service board would ever permit them to get on the list again is not conceivable. None of them will get back.

Six days after the start of the walkout the movement collapsed, and the next day street cleaning operations were back at normal.

After the strike ended, pressure was brought on Gaynor to take the strikers back, but he gave them no satisfaction. To the wife of a striker he wrote: "Your husband quit work without any cause whatever and I can do nothing for him. He treated the city very shabbily." "The notion that one should not treat 'the city'—that is, the public, the entire community—shabbily," writes Thomas, "was novel then to some of its employees, and remains novel still."

### ***The Importance of Economic Freedom***

Unlike some who profess a fondness for political liberty, Mayor Gaynor understood the importance of economic freedom. The socialist scheme of placing all lands and instruments of production under the control of the state, said Gaynor, "would by doing away with the incentives to individual freedom greatly reduce production, and thereby increase poverty and distress. . . ." And elsewhere he


had noted that "the mother of excellence in the world is competition." He did not favor interfering with business, either in the way of passing statutes to curb it or to expand it "because the right principle is that the law should leave all business free, with no favor to anyone. . . ." Monopolies, he understood, "were the artificial creation of government itself, evils which had their origin 'in laws which we have passed instead of any failure to pass laws.' "

In our society today there are surely many men of integrity such as was William Jay Gaynor. Why do we so seldom find them in public office? We can answer this question in Gaynor's own words: "If the people of a city are generally ignorant, base, and corrupt," he said, "they will have that kind of government. . . . government like water does not rise higher than its source."

Gaynor was always his own

master, wrote Louis Heaton Pink. "No one — no politician, financier, or priest — ever controlled him. With all his faults and petty weaknesses he towered above his fellows. 'I have been Mayor' — for this posterity will remember him."

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### Self-Service

IF IT BE SELFISHNESS to work on the job one likes, because one likes it and for no other end, let us accept the odium. I had rather live forever in a company of Don Quixotes, than among a set of angels professing to be solely moved to the betterment of one another. A community of creatures engaged primarily in serving one another, except for the joy of meddling in one another's business, appears, to me at least, so dreary and so empty, that I would have no part or parcel in their pallid enterprises. Let us then, if one insist on candor, *do our jobs for ourselves*; we are in no danger of disserving the State.

IDEAS ON



LIBERTY



# *The Draft*

## *in PRINCIPLE and PRACTICE*



PAUL L. POIROT

CONSCRIPTION for military service often is discussed as though it were the only or at least the major instance in which the compulsory power of government is directed against peaceful citizens. Scarcely a second thought in that direction is given to some 45,000,000 youngsters drafted annually for school attendance in the United States. And who ever bothers to count the millions of taxpayers drafted for terms ranging from one to nine months of every year in the war against poverty or to help maintain the supply lines for invasion of the moon?

The foregoing listing is illustrative rather than exhaustive. The typical American citizen is, in effect, drafted for five months of each year to serve the various

purposes of governments at all levels. In other words, that is the proportion of his earnings taken in taxes. In principle and in reality, the draft is a form of taxation.

To acknowledge reality is not necessarily to approve. One may object to a particular war, or to the way it was declared or fought — may indeed object to war altogether. But that is not the same thing as objecting to the principle of the draft. When the Mayor of Metropole wants American troops out of Vietnam so that the resources otherwise used there can be diverted to various welfare programs for the citizens of Metropole, the Mayor is advocating rather than opposing the principle of the draft. He simply wants to be the one to disburse the resources drafted.

Whether the youth of America are better protected and prepared for life by the waging of war in Vietnam or by the construction and staffing of a Center for African Studies at National University may involve a difference of opinion. But there is no difference in principle between drafting men and materials for the one purpose rather than the other. Both projects rely upon the coercive power of government to accomplish the objectives of some persons, at least partly — if not primarily — at the

expense of others who do not approve. In principle and in reality, government is a process of taxation, a form of the draft — compelling individuals to conform to the will of the ruling body.

### **What Are the Rules?**

The great question confronting the people of America in 1970 — and it's the same major question man always has pondered — is not who should rule and who should be ruled. The question is this: *What are the rules?* How far do we trust one another, trust ourselves, each to act of his own volition? Where do we draw the line, with penalties and punishment of those who trespass? For what purposes will we tax and draft one another instead of leaving each to achieve his own purposes as best he can in open competition with other peaceful persons? In the final analysis, the question is whether men will live by the rules of peace or submit to the rules of war.

The distinction between peace and war seems to have become blurred in our time. From time immemorial, the first rule of war has been that "might makes right." But in the latter half of the twentieth century, the United States finds itself fighting foreign wars without a will to win. And what strange outbursts of vio-

lence we see at home in the name of peace! "Peace" suddenly seems to cover any form of human action antagonistic to governmental law and order, as though there were no acceptable rules of peace.

Men ought to know by now the first rule of peace: "I'll respect your life." And its corollary: "I'll respect your property." Those are the rules essential to peaceful production and trade and the growth and development of civilization. Such rules are voluntary in the sense that they stem from the individual with enough self-respect to control himself in his actions toward others. But none of us is perfect; and those who accept this fact are inclined to look to government to help enforce the basic rules of self-control if individuals or groups forget or neglect to follow those rules.

So, the difference between war and peace does not hinge upon the presence or the absence of government. Law and order is as much a part of the one condition as of the other. Whether one believes in a maxi-government or in a mini-government is the sort of ideological difference that begins to get at the distinction between war and peace. If one accepts the rule that "might makes right," he'll see no logical limits to the things the government can do for him by coercing others. But if he


respects the dignity of the individual and believes in private ownership and control of property, then he may understand why governmental force ought to be limited to defending the lives and property of peaceful persons.

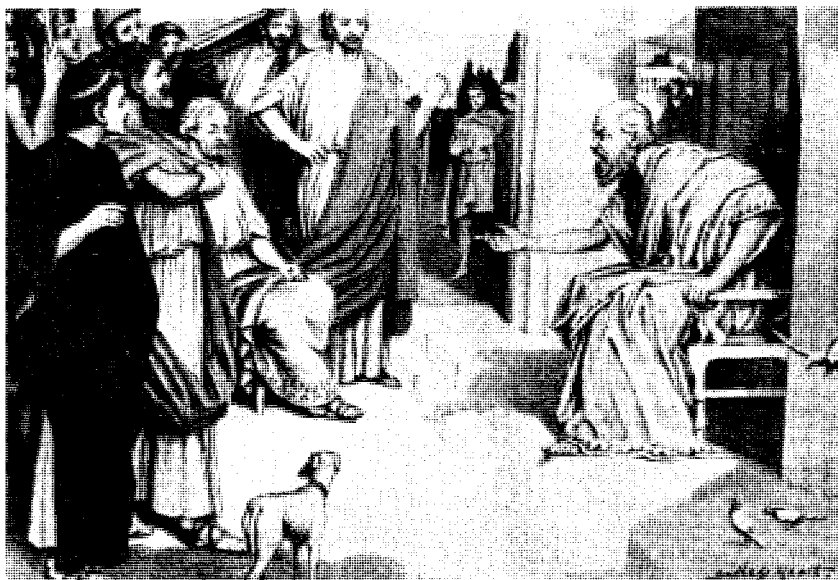
The government that prevails among imperfect men will inevitably be a compromise that probably does not correspond to the ideal of any one of them. But it will be what individuals of their caliber deserve. And the only effective way to improve upon the prevailing government is to elevate the characters of the individuals comprising the society. Those who believe in maxi-government will expect the government to reform the characters of other persons. Those who believe in mini-government will understand that self-improvement is the only method consistent with their objective.

So long as the advocates of maxi-government predominate, as in our own society, we may expect such manifestations as interminable foreign wars and all sorts of domestic wars on poverty, population, pornography, profit, prudence, pride, and other "deadly sins." And fully consistent with the rules of war is the drafting of manpower and other resources to conduct these campaigns of coercion.

If we would effectively rid ourselves of the consequences of government intervention, such as burdensome inflation and taxation and the draft, then we first must rid ourselves of the habit of running to the government for aid every time a personal problem arises or we feel an urge to reform society or want to be "charitable" with other people's property.

If we seriously propose to stop drafting 19-year-olds to see the world through the peep-sight of a rifle, we first must reconsider the practices of drafting 5-year-olds into operation "Head Start" and compelling every wage-earner to contribute toward the livelihood of retirees. Even if he wanted to, the policeman we hire to plunder others cannot very well serve at the same time to protect the lives and property of peaceful persons.

Except as we individually and voluntarily resolve to respect the lives and the property of others, there is little chance of our having a government that will not draft us to conduct wars. We first must understand and observe the rules of peace if we want to be rid of the draft. This is strictly a do-it-yourself project. Until it succeeds, there is little prospect of mustering the political majority needed to repeal the draft laws. When it succeeds, the draft laws will be dead letters anyway. 



(Bettmann Archive)

Socrates addressing the Athenians

It Began with  
**THE GREEKS**

GEORGE CHARLES ROCHE III



WESTERN MAN'S search for an understanding of himself and of his universe began with the Greeks in the sense that they gave the greatest impetus to the classical search for man's identity.

To the Greeks, the word philosophy meant "world view." This "world view," unlike our modern definition of philosophy, had a very broad meaning and included scientific study. It is in the area of what we would call science that the Greeks first excelled. Thales, a Greek who lived six hundred years before Christ, devoted himself to this scientific portion of the "world view," and is generally regarded as the "Father of Philosophy." He was the first in a long line of inquiring minds, including, among others, Pythagoras, Heraclitus, Anaxagoras, Democritus, and the famous Hippocrates, the "Father of Medicine," in whose name today's medical men still pledge their skills.

Ancient knowledge of the physical universe was so slight by our standards as to be almost meaningless. Yet these pioneers are important to us, not for what they knew, but for their curiosity toward what they didn't know. They epitomized the "inquiring mind"

and operated on the principle that man *can* learn about his universe. Perhaps the best term to describe these early Greeks would be "the physical philosophers."

If these Greeks were doing a little original thinking about their "world view" in the scientific realm, they also had time to do some very original thinking in political matters. They conceived the idea of the *polis*, the Greek city-state. In fact, our words "political" and "politics" have their origin in this Greek idea. Many of the words by which Western man has done his political thinking were originally used by the Greeks. They tried a variety of forms: monarchy, oligarchy, tyranny, democracy, aristocracy. They fared best under direct democracy — a system by which informed and concerned individuals took the responsibility of meeting to discuss the problems faced by the city-state and how to resolve them. In their political forms, as in their scientific thinking, the Greeks placed a high priority upon the *informed, responsible individual*.

In artistic endeavor, the Greeks were also turning out some highly original thinking. The epic poetry of Homer in the *Iliad* and the *Odyssey* is filled with beautiful language and exciting adventure and concerns man's perpetual problems concerning the *who?*

Dr. Roche is a member of the staff of FEE. This article is reprinted by permission from his *Legacy of Freedom* (Arlington House, 1969). The book also is available from the Foundation for Economic Education, Irvington-on-Hudson, N. Y. \$6.00.

*what? where? and why?* of human experience. The Greeks also gave us the drama. While they pioneered in this new art form, in the tragedies of Aeschylus, Sophocles, and Euripides, and the comedies of Aristophanes, they also probed deeply into those perpetual problems of man.

In all these endeavors, the Greeks would have been the last to say they had final answers. But at least they pointed the way for Western civilization, emphasizing the need to look beneath the surface of everyday human experience if man wishes to learn and grow.

In addition to their scientific, political, and literary efforts, early Greek contributions in art and architecture also laid a substantial base for the building of Western civilization. By about 500 B.C., the Greek city-states, with Athens leading the way, had built well upon two basic principles: responsible, informed individualism, and the inquiring mind. But like any number of other societies both before and after them, their faith in their own ideals seemed to weaken as they grew more prosperous. After a series of wars, first with the Persians and then among the Greeks themselves, the concepts of the individual and the inquiring mind came to be viewed even by the Athenians as a "threat

to the safety of the state." A Socrates who thought for himself was now viewed as undermining the youth of the city-state.

### **Let There Be Light**

The rest of the story is quickly told. A young prince in nearby Macedonia had been tutored by Aristotle and believed that his mission was to carry the Greek message to the world. This young prince, Alexander the Great, like many "message carriers" since, thought that the method for getting this message across was to conquer the world with his army. Starting with the Greek city-states, he did just that. At least, he conquered the then-known world around the eastern end of the Mediterranean and even marched his armies as far as India.

Like most "conquerors," Alexander agreed with the people who called him Great. He saw himself as a patron of the arts, and was especially interested in philosophy. The story is told that while traveling with his entourage, Alexander was confronted by one of his ministers who rushed up to him to announce breathlessly, "Sire, Sire, just beyond the next hill is the greatest philosopher in all your realms!" Alexander himself hurried over the hill to discover Diogenes, lying on his back on a grassy knoll and sunning himself

while he contemplated some philosophical puzzle or another.

"I am Alexander the Great, master of the world," the young ruler announced. Alexander continued, "I am also patron of the arts and can give you anything you wish. . . . You have merely to state your desire."

Now that was a generous offer, and Diogenes didn't respond immediately. But when he did his answer was right to the point. "Please move, Sire, you are standing between me and the sun." At least one of those individualistic Greeks with an inquiring mind was still around, and one may hope that Alexander got the idea. After all, the Greek philosophy he admired so much was based on the very antithesis of the political patronage he was offering. And there is no record that Diogenes was executed as "an enemy of the people."

The empire of Alexander soon crumbled, as do most programs based on coercion. But Alexander's interest in Greek thought and culture did spread those ideas throughout the Mediterranean area. The Greeks were finished as leaders in their city-states; Hellenic culture was gone. But in its place, Hellenistic culture, culture based on Greek ideas, yet espoused by others than the Greeks themselves, arose to pass along the

best of those ideas to the next generations of Western civilization.

### *Theoretical and Practical*

The most important part of this Greek contribution lies not in the scientific, artistic, or political forms of the Greeks, but in the Greek view of man and his meaning, in the Greek assumption that man's past, present, and future posed problems worthy of an inquiring mind. Yet for all that penetrating analysis, the Greeks were a practical people and usually managed a sense of humor. Thales, the "Father of Philosophy," a man who knew enough astronomy to predict successfully an eclipse in 585 B.C., often has had the story told at his expense that once he gazed so intently into the heavens while out for a walk that he fell into a well. But he was a long way from being either an absent-minded professor or an impractical man. One year he noted that the next olive crop promised to be a large one, so he picked up options on all the olive presses on the Isle of Lesbos. Thales cornered the market and made a handsome profit when the inevitable rush for olive oil came at the end of the season, thus demonstrating that even philosophers can make a living.

A similar story is told of a

friend of Socrates who was bankrupted by one of the wars leading to the decline of the great city-states. He not only was broke, but he had fourteen female relatives on his hands. The Greek polis was no welfare state. It was far too individualistic for that. So Aristarchus, Socrates' friend, was bemoaning his fate when the practical philosopher suggested that there would always be demand for clothes and that Aristarchus should buy wool and put the women to work spinning and making garments. He did so, and soon everyone was making a nice living, including the fourteen female relatives. But Aristarchus quickly developed another problem . . . now the women were accusing him of living in idleness while they worked! He returned to Socrates for a bit more advice. What he got is both a demonstration of Greek practicality and a suggestion that the entrepreneurial function is a very old idea indeed. Socrates advised, "Tell them of the story of the sheep who complained that the watchdog did nothing."

These stories of Thales and Socrates are not mere entertainment. They also demonstrate that the Greeks were extremely practical people who did their thinking with a hardheaded sense of reality. Often the men who are most

genuinely practical also prove to be those most willing to search for answers beneath the surface of events. Because of that Greek belief that the individual *can* discover such answers, and because some Greeks made the attempt to do so, the largest of the Hellenic contributions to Western civilization lies in the analysis of man and his purpose, in the determination of right and wrong, and the relationship of that right and wrong to human nature and human institutions.

#### **Ethical Considerations**

The problem of right and wrong in human concerns began to play a dominant role in Greek thought in the fifth century before Christ. Such studies centered not on the physical universe, but on man's relationship to man, that is, upon *ethical* considerations.

At that time in Athens there arose a group of teachers who advertised themselves as capable of teaching the science of improved personal relations between the individual and his associates. This new group of teachers tended to emphasize ways of persuading one's neighbor to a different viewpoint. For example, courses were offered in how to plead one's case before a jury. This early emphasis on "How to Win Friends and Influence People," was offered to

the public by a group of men who came to be known as Sophists (men of wisdom).

Many Greeks did not approve of this approach to teaching. As a number of them, Socrates included, pointed out, these teachers seemed not to be searching after truth, but only looking for immediate results. What standard could remain for truth if all things were judged only by how well they work? Socrates must have been persuasive in criticizing the Sophists for their failure to make truth their guide; because even today, after twenty-five hundred years, the word "sophistry" suggests not only fallacious reasoning, but dishonest reasoning as well.

### ***The Sophists and Relativity***

Actually the Sophists varied widely among themselves. Some were only what today would be called speech teachers, while others went far beyond the mere teaching of technique to insist that the usefulness of any doctrine was the only reliable guideline, since no possibility existed of the establishment of absolute truth. Some Sophists carried their viewpoint to an attack upon the state, while others tried to uphold the existing political format. In the *Republic*, Plato sarcastically describes the Sophists, Protagoras

and Prodicus, who, he said, felt they had "only to whisper to their contemporaries: 'You will never be able to manage either your own house or your own State until you appoint us to be your Ministers of Education'—and this ingenious device of theirs has such an effect in making men love them that their companions all but carry them about on their shoulders." Yet other Sophists were what we would call anarchists, men who thought law was based on fraud and "put over" on the people through the misleading tenets of religion.

Protagoras, perhaps the most outstanding of the Sophists, asserted that he was the wisest man in the world and insisted that anyone who came to him as a student could develop the same skills. As a sort of money-back guarantee, Protagoras even promised that any student who studied under him was guaranteed to win his first trial in court or his tuition would be refunded. It was Protagoras who first said that "man is the measure of all things," which in effect made the definition of reality relative to each man's view of that reality. This reduced truth to the level of opinion and denied objective reality.

Gorgias, another of the most distinguished Sophists, carried these relative standards to the

definition of virtue, thus developing the theory of moral relativism. Such definitions of reality, truth, and virtue contain within them a number of implications: ". . . an individual's perceptions and judgments are relative; universal truth valid for all men is denied, each man being the sole judge of what seems so, and therefore true to him; there is no authority higher than man to weigh and decide between conflicting opinions; and since man is constantly changing his mind, truth is not only a matter of the individual, but of the individual at that moment."<sup>1</sup> The standards adopted by the Sophists sound quite familiar to our modern ear. In fact, similar statements confront us every day from our communications media, our schools, and even our pulpits.

### ***The Mind of Man***

While the Sophists directed their attention to analyzing the feelings and impulses which they saw governing the decisions made by individual men, and therefore saw no purpose or guiding direction to man's activities except that in accordance with the necessity of nature, Socrates recognized that man's importance rested not upon that physical side of his nature, but upon his insight, an insight into his own

nature and that of his universe that provided an objective standard for the estimation of men and their actions. Socrates thus resisted the current of his age in an effort to discover a standard of truth and a definition of reality that gave man a greater dignity than the Sophists' view of human nature permitted. The short, bandy-legged, ugly man whom the Greeks knew as Socrates possessed the sort of character perfectly capable of standing against the spirit of an age. His principal biographers, Plato and Xenophon, dwell at great length on his amazing powers of physical endurance and the excellence of his record as a fighting man. Not the least of the demonstrations of his physical vigor was that, at the time of his death at the age of seventy, Socrates left two small children, one a babe in arms. A man of extreme simplicity in his habits of eating and drinking, and yet with a reputation for being able to drink heavily with no apparent effects, Socrates wore the same simple clothing winter and summer and habitually went barefoot, even in the midst of a winter campaign.

Socrates was beloved as a teacher rather than as a man of affairs. He wrote no treatises, taught in no classroom; his only classroom was the street in

Athens, where he would stop a citizen and start a conversation. What we today call the Socratic method, the process of question and answer, is at once the best and the most difficult of all teaching methods. Only a man of exceptional intellectual capacity, and, more important, with a highly developed moral sense, could have successfully used such a method. Once one of his students admitted at the end of a Socratic dialogue, "I cannot refute you, Socrates."

Socrates replied, "Ah, no! Say rather . . . that you cannot refute the truth, for Socrates is easily refuted."

Yet, that truth was sometimes hard to discover, as Socrates would have been the first to admit. Once when a young man was introduced to Socrates as being a student of brilliant promise, the old teacher said that he felt sure the young man must have thought a great deal. The boy answered, "Oh, no — not that, but at least I have wondered a great deal."

"Ah, that shows the lover of wisdom," Socrates said, "for wisdom begins in wonder."

### ***Search for Objective Truth***

For Socrates, and ultimately for Western man, wisdom did indeed begin in wonder. The knowledge of the truth is only revealed to those who are first willing to ad-

mit its existence and begin to ponder its content. As Socrates, and after him, Plato and Aristotle, pointed out, the person who believes that all truth is subjective and is a matter only of opinion, must finally concede to one who believes that truth is an objective reality. If Protagoras or another relativist insisted that one man's opinion was equally valid with another's opinion, then he could not deny the validity of the opinion of a Socrates that such a thing as objective truth exists. Socrates thus began with the assumption that truth is a matter of objective reality, and that it is error which is subjective and relative, since it exists only in the mind of the individual person. The means by which such error was to be avoided was to come to a knowledge of the truth. That which is true is that which is good; thus knowledge equals virtue in the Socratic equation. What was the source of this knowledge? Ultimately, self-knowledge was most valuable since knowledge of the truth, and therefore knowledge of virtue, only had meaning when practiced through the self-control of the individual. Thus the Socratic injunction, "Know thyself."

Socrates never committed anything to paper, and what we know of him is based primarily on the reports of his principal student,

Plato. Plato used Socrates and his dialogues as a literary device to convey the philosophy of Plato himself, as well as the ideas of his teacher. Thus, it is impossible to say precisely which ideas belong to each. Yet, the direction which Socrates was pointing is clear. Since he believed that goodness and truth were basic realities and that only lack of knowledge would cause man to pursue anything but truth and virtue, he spent his life attempting to open his own eyes and the eyes of those about him to the realization that a knowledge of virtue and truth was man's only road to happiness. He preached no dogma and insisted upon no fixed set of beliefs, saying simply, "Although my mind is far from wise, some of those who come to me make astonishing progress. They discover for themselves, not from me — and yet I am an instrument in the hands of God."<sup>2</sup> Man's happiness was to be found deep in the heart of the individual as he came to understand his own nature and to strive to live in accordance with the best of that nature. Here, five hundred years before Christ, much of the idea of self-transcendence was already beginning to take shape in the mind and heart of Socrates.

Though Socrates never pretended to erect a philosophic system, his thinking was consistently

directed toward an ethical frame of reference. He deeply felt the need for a fixed system of truth to provide a framework within which man made his decisions.

***The Need for a Higher Goal  
if the Individual Is to Improve***

"Know thyself." Some very vital ideas are contained within that simple advice. If man is indeed capable of knowing himself, such self-knowledge would demand the most rigorous rationality. True knowledge could scarcely be taught, but could only be understood by each man through his own efforts. Man's intelligence alone is capable of the creation of abstract ideas. Thus man's rationality allows him to perceive his spiritual personality and allows an understanding, a self-knowledge, attainable by no other being within the natural order.

Even long before Socrates, the Greeks had come to understand nature as a never-ending process of birth and growth, what they called *Dynamis*, a maturation and discovery of the treasures written deep within the nature of mankind. It was Socrates' contribution to recognize that such development toward a higher goal could only be achieved by man if that higher goal were fixed, and not dependent upon man's nature in itself.



The Greeks at their best had emphasized the individual and the inquiring mind. Socrates' special addition to these concepts was the idea of a fixed right and wrong, giving order and purpose to the cosmos and pointing the way toward man's discovery of what that order and purpose might be.

Socrates never developed a complete philosophy. Throughout his long life he perceived the concept of absolute good, searching his own inner experience and that of others for proof that such absolute good existed. He admitted late in life that he had not found the answer that he was seeking. Yet he, more than any other, pointed the way for later fruitful consideration of the possibility of man's self-knowledge and for the development of man's higher side in accord with fixed moral principles.

### **An Idea Takes Root**

Socrates was not the only teacher of his time to insist that fixed standards of right and wrong existed independently of man. Within one hundred years of Socrates' lifetime, Buddha, Confucius, and Zoroaster, each in his own respective civilization of India, China, and Persia, had also insisted that man could prosper only in terms of a fixed code of conduct. Thus, even though life in

some form had existed on this earth for over a billion years and human life for over a million years, it was only within the past twenty-five hundred years, in man's most recent moment of existence, that the human mind had begun to look about it and consider its nature, its origins, and its future. Even then, most of this thinking seemed to be occurring in the minds of a very few men indeed. It is the period of time marked by the beginning of their thinking, roughly 600 B.C. to 400 B.C., that may properly be spoken of as the beginning of Western civilization, since the civilizing influence of these ideas became effective as it was channeled through the Western experience.

Despite the fact that the first great outburst of energy devoted to the study of the nature and purpose of man occurred about twenty-five hundred years ago, we should not forget that some such moral sense, however poorly understood and enunciated, had actually been in existence for five thousand years. As long before the time of Socrates as Socrates' own time is before our days, Egyptian scribes were recording advice to rulers and heads of families concerning the moral obligations of right conduct which these men of responsibility owed to those about them. Man had long realized, or

at least suspected, the existence of some such moral code.

Still, the great outburst of energy occurring almost simultaneously in China, India, Persia, and Greece pointed the way toward Western civilization and toward man's first systematic thoughts in terms of an underlying cosmic cause which gave meaning to all existence. Buddha's attempts at Nirvana (the total emancipation from the material life), Zoroaster's preaching of the never-ending struggle of good and evil and light and darkness in this life, and Confucius' insistence upon the ethics of personal self-control leading to righteousness and wisdom as man's source of happiness, all were beginning to make the ethical assumptions which presupposed a higher order of meaning than a merely material universe.

The battle of definition between mind and spirit, the definition which had to be worked out to distinguish man from the animal world and to enable him to know the truth which would give him his place in the universe, was beginning. In St. Paul's later assertion that the things which are seen are temporal and the things which are not seen are eternal, we can sense what difficulty the early moral thinker had in his attempts to define the realm of the mind and the spirit.

### **The Hebrew Influence**

Another primary influence upon the developing ethical system that was to serve as the basis of Western civilization was the developing world view of the Hebrew people. With the Hebrews, for the first time history became more than mere chronology. God, a fixed ethical system of right and wrong, and a discussion of man's failures to measure up to such a system, together with an accounting of the high price which man paid for such failings, were all elements of Jewish history as it developed. The Old Testament is at once the history of man's tribulations in this life and the promise of his redemption from those tribulations. In fact, it was the opinion of the brilliant nineteenth-century historian of liberty, Lord Acton, that the Jews in their federation and in their strictly limited view of political power, were giving the world an early demonstration of the achievement of human liberty by placing man under Divine authority, rather than human authority.<sup>3</sup> Another student of liberty, Henry Grady Weaver, saw in the history of the Jews the evolution of a moral code. Weaver makes clear that this moral code was a demonstration of man's striving after a higher reality in line with his spiritual nature.<sup>4</sup>

Yet, all of man's earlier striv-

ing for the first several thousand years, as exemplified by the Egyptian attempts, by all of the moral teachings in the work of Confucius, Buddha, and Zoroaster, by all of the moral framework and the development of the idea of a human history as produced by the Hebrews, only achieved their focus and direction and formulation when developed by the Greeks and subsequent Western man. Thus Western civilization is the heir to a tradition that extends far back in human history and encapsules the best of these early strivings to pass them on toward modern man.

***Man Builds upon Tradition  
toward a Higher Understanding***

Other Greeks than Socrates were concerning themselves with the same problem. The plays of Euripides demonstrated that a natural moral order exists. Again and again, as, for example, in *The Trojan Women*, Euripides made clear that an act of injustice or impiety carried within itself the seeds of destruction that would inevitably bear bitter fruit with the passage of time. In *Works and Days*, Hesiod also presupposed a moral order in the universe, a code of conduct to which all men were subject even when they attempted to violate it.

Yet it is Socrates who was the

true spokesman for the first positive statement of such a program. He, more than any other, was most emphatic that the individual man could achieve his own salvation. If Buddha wished for the annihilation of material life, Socrates was willing to enjoy its blessings. If Confucius would have had men guide their conduct only by tradition, Socrates thought that man could evolve toward a *higher understanding* building upon such a tradition. If the Hebrews had insisted that man could not grasp truth unless that truth were given him by God, Socrates insisted that man's striving of spirit and intelligence was also the means whereby man might come to improve his comprehension of that truth. Thus the whole problem of ethics, as a problem with which man could work, was first clearly presented as a field of human endeavor by Socrates.

For all the originality of Socrates' contribution, we should not forget the impact of the unique Greek matrix from which he grew. It was the Greeks who first influenced the Western world in its course, destined to be so uniquely different from the Eastern world. Consider the change wrought by the Greeks as described by Edith Hamilton: "The ancient world, insofar as we can reconstruct it, bears everywhere the same stamp.

In Egypt, in Crete, in Mesopotamia, wherever we can read bits of the story, we find the same conditions: a despot enthroned, whose whims and passions are the determining factor in the state; a wretched, subjugated populace; a great priestly organization to which is handed over the domain of the intellect. This is what we know as the Oriental states today. It has persisted down from the ancient world through thousands of years, never changing in any essential. . . . This state and this spirit were alien to the Greeks. None of the great civilizations that preceded them and surrounded them served as model. With them something completely new came into the world. They were the first Westerners; the spirit of the West, the modern spirit, is a Greek discovery and the place of the Greeks is in the modern world."<sup>2</sup>

The earlier moral teachers had turned away from the world. Buddha, Confucius, and Zoroaster, while offering much of sound moral value, largely believed that such value could be achieved by turning from this life. It was the Greeks who began the valuable idea implicit in Western civilization which emphasizes the place of the individual and the importance of a fixed moral order *without* neglecting this life and this world.

### **Greek Decline**

Why did the Greeks ultimately decline? What happened to a people with such faith in the individual, with such a desire to learn and grow, with such tremendous creative capacity in every phase of human endeavor? The answer lies, it appears, in evils which have led a number of other civilizations, Rome included, down the road to dusty death: war, centralization, decline of old values and honorable traditions, and unwillingness to allow the free play of the individual. Each of these tragic causes and effects is readily apparent in the history of Greece as it declined.

Most of the accomplishments of what we call "The Greeks" were really the accomplishments of the citizens of one particular city-state, Athens. One of the neighbors of Athens, Sparta, in fact pioneered in all the repressions of the individual with which we associate the modern totalitarian state. The young Spartan was trained from birth to maintain an obligation to the power of the state and to ignore or destroy everything which did not serve that obligation. All creativity, all dignity, all human aspiration, had purpose only as it served Sparta. As Plutarch described the citizens, "In Sparta, the citizens' way of life was fixed. In general, they

had neither the will nor the ability to lead a private life. They were like a community of bees, clinging together around the leader and in an ecstasy of enthusiasm and selfless ambition belonging wholly to the country."

Of course, it was not this Spartan society that produced the creativity and the divine spark of human dignity which we sense in ancient Greece. Athenian democracy was the home of that human progress. In Athens the state took no responsibility for the individual and the Athenian thought of himself as one of a union of individuals free to develop his own powers and pursue his own life. This freedom was to be limited by self-control. And in that freedom and self-discipline, the heights of Athenian creativity and dignity were reached. But when the Athenians were no longer willing to exercise that self-discipline in their political affairs or in their personal lives, Greece declined. As Thucydides tells us, "The cause of all these evils was the desire for power which greed and ambition inspire." Thus the Greeks ultimately failed through their inability to discover *why* and, ultimately, *how*, political power should be limited.

The Athenians were the only people of antiquity who grew great through the exercise of

democratic institutions. But when those democratic institutions came to be corrupted, and when the people of Athens no longer recognized any limitation to their power except their own appetite, "no force that existed could restrain them; and they resolved that no duties should restrain them. . . . In this way the emancipated people of Athens became a tyrant. . . . They ruined their city by attempting to conduct war by debate in the market place. Like the French Republic, they put their unsuccessful commanders to death. They treated their dependencies with such injustice that they lost their maritime Empire. They plundered the rich until the rich conspired with the public enemy, and they crowned their guilt by the martyrdom of Socrates."<sup>3</sup>

### ***Suicidal Democracy***

Thus an excess of democracy proved to be the death of democracy. Once the desire to rule, or any other human appetite, becomes so strong that it accepts no restraint, and once it begins to insist that man is the measure of all things and that no standard of right and wrong should limit the exercise of his power, the way is paved for the decline of faith in the individual, the destruction of creativity, and the reign of coercion.

As Greece lost her way politically due to a collapse in the standards of her morality, the same declining standard of morality also wrought havoc with the standards of Greek society. Traditional Greek morality had been based on the cardinal virtues of justice, wisdom, self-restraint, and courage. The doctrine of self-discipline in conformity with a higher moral law was an accepted standard. The rise of relativism in the Fifth Century B.C. that produced the Sophists turned the old standards topsy-turvy. Why talk of justice or virtue if we no longer know what these qualities mean? Standards began to decline. And if Greek creativity and individual genius began to decline as well, that was due to "environment" or "the system," never to the individual's departure from a high moral standard. If these arguments have a peculiarly modern ring to our ears, we might remember that if the Greeks pointed the way for us when they were right, it would seem perfectly natural that they could also point the way for us when we are wrong.

The patriarchal family was the vehicle for the creation and preservation of many of the ideas which have formed our civilization. Honor, modesty, wisdom, and justice, all on the level of personal responsibility, were always re-

flected through the agency of the family. As belief in the individual and belief in a standard of morality waned among the Greeks, it naturally brought a decline to the family, representing as it did the very values that the new spirit of the age had set out to destroy.

As the life ebbed from the institutions and values that for a moment had made Greece great in the full flower of her creative genius, the individual human dignity which had been protected by those institutions and by a fixed moral code declined as well until the Greek citizen was both rootless and defenseless. Without standards, without a moral guide, without the ability either to create or to stand firm against adversity, the Greek now found his sole satisfaction in the exercise of his unlimited political power. That he destroyed Athens through the exercise of that political power should not be surprising.

### **Socrates Chose Truth**

As Greek society declined around him, Socrates chose to stand firm in defense of the principles and attitudes to which he had devoted his life. Perhaps he understood the idea that Ralph Waldo Emerson was to phrase twenty-four hundred years later: "God offers to everyone his choice between truth and repose. Take which you please—

you can never have both." Socrates chose truth.

To a society which had come to recognize coercion and absolutely unlimited political power as the final arbiter of all matters, Socrates' insistence on principle was anathema. He was tried and sentenced to death. Even at that moment, the serenity that comes to a man when he senses the truth and knows that he does, came to Socrates. To those who had just condemned him to death, he responded, "Be of good cheer and know of a certainty that no evil can happen to a good man either in life or after death. I see clearly that the time has come when it is better for me to die, and my accusers have done me no harm. Still, they did not mean to do me good — and for this I may gently blame them. And now we go our ways, you to live and I to die. Which is better, God only knows."<sup>2</sup>

Socrates did go on to die, in one of the most moving death scenes recorded in literature. To the end he maintained that good and truth did exist and that man could move toward an understanding of that good and that truth

by an increased realization of the potentiality of his mind and spirit.

The name and ideas of Socrates come to us as a hallowed part of the tradition of Western man. The petty politicians, who destroyed a man whom they could not coerce, perished in their own time. Thus ended an early round in Western man's struggle to understand himself and his universe and, in the process, to free his soul.


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SUGGESTED ADDITIONAL READINGS:

<sup>1</sup> Helmut Schoeck and James Wiggins (Editors), *Relativism and the Study of Man*, D. Van Nostrand Company, Inc., 1961. This collection of scholarly essays examines the pitfalls of modern relativism, especially in those areas where that relativism has distorted the "social sciences."

<sup>2</sup> Edith Hamilton, *The Greek Way*, W. W. Norton & Co., Inc., 1930. An excellent treatment of the contribution of Greek civilization to the Western world.

<sup>3</sup> Lord Acton, *Essays on Freedom and Power*, The Free Press, 1948. A thoughtful analysis by a distinguished nineteenth-century historian which examines the concepts of freedom throughout history, especially the history of the Western world.

<sup>4</sup> Henry Grady Weaver, *The Main-spring of Human Progress*, The Foundation for Economic Education, Inc., 1953. A helpful introduction to many of the ideas which have made Western civilization so uniquely successful. 

# Don't be a LONESOME LIBERTARIAN



ROBERT G. BEARCE

THOSE OF US who have read George Orwell's 1984 appreciate the striking parallel between this exposé of absolute authoritarianism and the present regimented society in Red China where the tactics of propaganda and brainwashing are far advanced. Thought control over the Chinese people approaches the absolute.

Mao Tse-tung and his writings are as sacred to the Chinese as the Koran is to the devout Moslem. The Chinese read Mao, love Mao, think Mao, and sleep Mao. Mao is Big Brother. Mao is life itself! Any wayward Chinese citizen who neglects his allegiance to Brother Mao is subject to personal sacrifice to Mao, or to the possible alternative of public repentance, allowing the Doubting Thomas or slothful Chinese to publicly reprimand himself. For instance, if he has not been diligent in praising

Mao, he is given the involuntary opportunity to express openly his deeply felt shame in failing Big Brother. This self-castigation is quite the vogue now in Red China. Although it is an example of authoritarianism in its most brutal form, I suggest we free men might practice it once in a while — voluntarily, of course.

And I'll be the first to do so. You see, I have a public confession to make. I used to harbor antilibertarian views and thoughts.

Unwittingly, I've practiced slander and dishonor against freedom. Indeed, I'm not at all certain that I've wholly rid myself of this blasphemy. At least I know my weak point and hope to cleanse myself of all insults to freedom — mainly, that of intolerance. My hope is that this personal testimony will also light the spark of repentance in my fellow citizens.

Search yourself and see if there isn't a little bit of the hypocrite

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Mr. Bearce is a free lance writer in Humble, Texas.



in you. Or what is worse, are you inwardly defiled by intolerance?

I'm convinced that intolerance is one of the deadly pitfalls of those who advocate freedom. In our zeal to strengthen freedom and inspire others to love liberty as we do, we often become downright belligerent. I've had to learn this the painful way, but I know that you can't forcefully proselytize or evangelize people to believe in freedom.

Men are free beings with the ability to think, reason, choose, and reject. If we truly recognize that men are free beings, we will understand that we cannot force the refreshing truth of freedom upon our fellow man. Such fervent evangelism often causes in others deaf ears and closed minds. It is a personal discovery that gives dearness to a truth. Perhaps Goethe was thinking of this when he stated: "What you have inherited from your fathers, earn over again for yourselves, or it will not be yours."

Among my pen pals is a young man three or four years my junior. Quite frankly, his socio-political beliefs are antagonistic to mine. He believes that socialism is the last hope of the world. He curses the capitalistic system as being the root of all his woes. Now, this fellow leaves himself wide open for an avalanche of

freedom literature and lengthy letters setting him straight.

Correspondence between us continues, but I limit myself merely to clarifying my own thoughts rather than attempting to convert him. We seldom agree on the free market and the role of government, and the only visible progress toward mutual understanding is that we both watch *Mission Impossible*.

Some of his beliefs are quite nauseating to me. They approach heresy. Yet, I continue corresponding, hoping somehow to plant a seed of inquiry that will eventually flower into understanding the truth of freedom.

Another of my pen pals is a young woman who claims to be an atheist. Here I face a real dilemma. I must be tolerant, yet belief in God seems to me a necessity for the preservation of freedom.

The urge throbs within me to inundate her with all manner of pamphlets, books, and arguments. This urge, if followed, would probably lose a pen pal. Nor would it help prove to her that God exists. Coercion, however well-intended, simply doesn't work that way. Pursue these rude tactics of persuasion, and you'll find you are a lonesome libertarian.

My friend respects my feelings and I respect hers. And I hope to

be on hand if and when God should wish to ignite the spark of belief in her.

One of my pastimes is reading American history, and one of my heroes is Thomas Jefferson. He was a liberal in the most honored sense of the word, and he recognized the importance of tolerance in a free society:

Of liberty then I would say that, in the whole plenitude of its extent it is unobstructed action according to our will, but rightful liberty is unobstructed action according to our will within limits drawn around us by the equal rights of others —

If there be any among us who wish to dissolve this union, or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left to combat it.

Justice Oliver Wendell Holmes stated the case for tolerance in even more definite terms:


If there is any principle of the *Constitution* that more imperatively calls for attachment than any other it is the principle of free thought — not free thought for those who agree with us but freedom for the thought that we hate.

Personally, I believe that freedom in America is being weakened. I consider myself an optimist, but I see blatant threats to freedom from government en-

croachments and from violent mobs who are inviting a brutal repression that will destroy freedom for them and me, too.

I feel an obligation to *do* something for the preservation of freedom. I read, study, and philosophize on the subject and prepare myself for the time I might be called upon to defend liberty with word or pen. But I need to be reminded constantly that a rude, pugnacious enthusiasm will only lose potential defenders of freedom.

I have no great fondness for writing letters, but write letters I do — letters for freedom. The personal, sincere letter can succeed where an emotional, vocal argument will antagonize.

I find letters-to-the-editor an excellent outlet for my passion to defend freedom. Readers respond, too. Phone calls, letters, and comments from my friends. In reply to my letters-to-the-editor, I have received but two adverse criticisms. I credit this low number of angry rebukes not to apathy but to the fact that I avoid being vindictive or “pushy.” In all that I write, I strive for tolerance and gentlemanly conduct. All that is required of any of us is understanding, humility, honesty, sincerity, and tolerance. Practice these daily and you won’t be a lonesome libertarian. 

# *The* Laws of Freedom

HERBERT J. DENTON, JR.

MANNED FLIGHT to the moon has brought a rash of statements to the effect, "If we have the knowledge and money to go to the moon, we should also be able to solve man's problems on earth." It would seem that we have not yet mastered the laws and principles applicable to earthly economic and social conditions.

The universe is subject to certain natural laws. In the classic sense, scientists discover these natural laws, and engineers apply them to make items man can use. They are said to be natural laws because one can depend on specific results under given conditions. If air is heated in a confined space, its pressure will increase. Sound travels at a certain rate through air, and under the same conditions will travel at the same rate day

after day. Otherwise, one would have little use for the horn on his car. Today it would work fine, but tomorrow the sound might not travel fast enough to attract attention. Aluminum transfers heat faster than steel. This will happen today, tomorrow, and every other day. Bodies attract each other in proportion to the product of their masses and inversely proportional to their separation squared. Most people do not question these natural laws.


Natural laws, however, are not confined to the realm of material things as many would suppose. There are numerous natural laws, just waiting to be identified. There are natural laws concerning sociology and economics, and some of them have been found. It is a natural law that the number of poor will not decrease by making poverty easy. It is a natural law that prices will increase if more money is

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The Honorable Mr. Denton is State Representative from Sullivan County, Blountville, Tennessee.

generated. It is a natural law that the demand for an item will affect its price. It is a natural law that labor will be encouraged by letting the laborer keep the fruits of his labor. The free market is self regulating . . . eminently orderly; that is the first law of economics.

Why are the natural laws of

human freedom so much more difficult to accept than are the ones which apply to landing on the moon? In this area of human action and reaction, men continue to behave as though the world were flat. Improvement will come only as we see and understand the need to be free. 

### *The Individual and Society*

Each one of us, as his awareness grows,  
Perceives the structure's vague outlines,  
And wonders where he is.  
"What level am I on?" you ask,  
"How many floors are up and down from here?"  
Your fellow occupants are glad to help  
And show you many escalators, all marked *DOWN*.  
How easy it is to tour the lower levels,  
Being joined by millions in your search!  
But going up, where truth and rationality prevail,  
How hard that is!  
You must run fast, and dodge or push aside  
The hordes who bar your way.  
And if your energy is equal to the task,  
You face the loneliness of those deserted halls.

IDEAS ON



LIBERTY

RICHARD L. ROPIQUET, President  
Alta Industries, Inc., Portland, Oregon

# Legacy of Freedom

THERE IS OBVIOUSLY a Western tradition. The Westerner is Promethean, he acts as though he had free will even when he is a Calvinist, he considers that he has rights that inhere in his nature, he thinks the state should be limited in its power to tell him what to do. He believes in variety, in pluralism, yet he knows there are objective standards in ethics and esthetics.

How did the Westerner evolve? Where did he get his ideas? The Greeks taught him to trust his mind, to pursue virtue, to try to find the pure form, the basic idea, behind the flux of events. The Romans gave him the concept of Natural Law, and disclosed to him some of the secrets of limited government before the burdens of empire brought the Caesars on the scene. The ancient Hebrews promised Western man (indeed, all men who would listen) a Messiah, and when the Messiah came He was careful to distinguish between the things that are Caesar's and the

things that are God's, thus putting the force of Christianity behind the Aristotelian and Stoic view that our governors must themselves bow to the moral law.

In the Middle Ages the church, as the great civilizer, enabled Western man to endure the feudal order; the bishops kept the rude barons humble, and the serf, though bound to the soil, was never quite reduced to slavery. When Western man finally escaped from his millennia-long isolationist trap in the peninsulas of maritime Europe by reopening the roads to the East, and by discovering the new lands of the Americas, he found new philosophers to build on what the Hebrews, the Greeks, the Romans, and the medieval Christian doctors had bequeathed him. It's been a great story, and despite its complexity, it can be caught and held in a few hundred pages, as George Charles Roche III ably demonstrates in his *Legacy of Freedom* (Arlington House, \$6.00).

In a preamble to his historical

account of the philosophies that have made the Western mind, Dr. Roche talks about the "modern malady," identifying it as "hybris," or man's "sin of pride." Western man, worshiping the scientists who tell him that there is nothing he cannot know, has made a quantum jump in his assumptions, and now believes that there is nothing that he cannot have. As Richard Weaver has said, we Westerners have become spoiled children; our very successes have led us to believe that we can create Heaven on earth if only we change a few laws, or give a little more power to planners. We are forgetting that there is a relationship between effort and reward, and that individual effort will not be made if the coercive state steps in to rob a man of the fruits of his endeavors.

### **Coercion the Villain**

The villain, throughout the span of Dr. Roche's story, has always been this idea of coercion, of power unchecked by the philosophy of freedom which insists that the rights of the individual are anterior to government. Much of the time the villain is off stage, muttering in lands to the east and south of Europe. But the West has had its own coercive heretics, such as some of the progenitors of the terroristic phases of the French

Revolution, and there have been heretical strains in some of the thinkers who have done much to establish the basic traditions of freedom.

Dr. Roche is especially good in dealing with the discordant elements in people he admires for their over-all contribution to the freedom philosophy. I had not been enough of a student to realize that Plato, whose original obeisance to the Philosopher-King is pure Orientalism, began to revise his theory of politics in middle life. In his *Politicus*, written some time after *The Republic*, Plato suggests that his Philosopher-King has obligations to those he governs, and in *The Laws*, a product of Plato's old age, the idea of limiting the ruler by a constitution makes its appearance.

Aristotle, who came to Plato as a young student, always believed in the idea of limited government. Dr. Roche says it is an "interesting question, which must remain forever only a question, as to whether Plato's gradual departure from the idea of a planned society was the product of his own growth in understanding, or whether it came from the prodding of the young Aristotle. As is often the case, we are unable to distinguish the influence of the master on the pupil from the influence of the pupil on the master."

### **Contracts and Capitalism**

Dr. Roche believes in capitalism because he believes in freedom, and he notes more than once that Christianity is far more compatible with the contractual relations of capitalism than it is with any of the varieties of socialism. The medieval Christians believed in the binding force of contracts, which were at the heart of feudal society. The Magna Carta of 1215, as Rousas Rushdoony says, "strongly affirmed" the principle of contract, specifying "no forcible seizure without due process of law" and insisting that there be "no taxation without representation of property owners." And the greatest thinker of the Middle Ages, St. Thomas Aquinas, said that "no government has a right to levy taxes beyond the limit determined by the people."

Dr. Roche follows Murray Rothbard in arguing that capitalism had already started to "rise" in the Middle Ages long before John Calvin proclaimed the discipline of hard work in Geneva. St. Thomas taught that there was nothing wrong in making a profit on loaned capital as long as the contract bound two parties to a mutual risk. And the "just price," with the medievals, was the free market price.

Amusingly, the medieval philosophers whom Dr. Roche quotes

often sound more modern than the moderns. It was St. Thomas Aquinas, not Thomas Jefferson, who wrote: "A king who is unfaithful to his duty forfeits his claim to obedience. It is not rebellion to depose him, for he is himself a rebel whom the nation has a right to put down . . . the Constitution ought to combine a limited and elected monarchy, with an aristocracy of merit, and such an admixture of democracy as shall admit all classes to office by popular election."

### **The Present Age of Retreat**

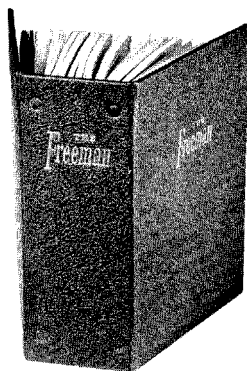
Dr. Roche attacks twentieth century collectivism as a descent into a morass. By tampering with our traditions we have tampered with our freedoms. Reading Dr. Roche's story, one wonders if modern Western man is going to do as well as his medieval forebears in living through a dark period. The monasteries kept the classical tradition alive along with the principles of Christianity when western Europe was surrounded by the barbarians. But who is going to sustain our will in the present Age of Retreat?

The young, in many instances, seem to have given up thinking save in terms of the crudest sort of sloganeering. Socrates, the asker of questions, is no longer the model; the modern "seeker" wants to feel, not think, and to "experi-

ence," not read. The big democracies of the West seem unable to come to the aid of those in the outer world who are most like themselves. In Nigeria, the Christian Ibos, who are the enterprisers of their part of West Africa, are beaten down by a less able majority which had the good fortune to command artillery and planes sent by the Marxists of Moscow. The

West deserted Moïse Tshombe, a believer in the value of competitive capitalism, in the Congo. These are happenings "on the fringe." But "the fringe" comes right into our midst when Fidel Castro helps promote campus uprisings in the United States.

Dr. Roche's book should have the widest possible reading. There isn't much time to spare. ⊕



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