



the man who knows what freedom means will find a way to be free



Responsibility in a Crowd

The arena for human action is vast. The ability of man to act as he pleases is limited only by the laws of reality within the universe where man has his being. Man is able to interrelate with his environment and extract from it those items he finds necessary or useful for his survival or pleasure. He is capable of great kindness and generosity. He is equally capable of cruelty and rapacious greed. His behavior can and does range across an enormous spectrum.

The arena and range of human thought is even more impressive. There appears to be no natural law or law of reality which limits or constrains human thought. Man is capable of thinking logically and in harmony with reality. Man is also capable of hallucinating and fantasizing. More, man is capable of envisioning the future, and then of taking actions which will bring into existence circumstances, conditions or things which do not presently exist. Thus he can visualize in harmony with the laws of reality and thus become a kind of creator, as any artist, architect or engineer can demonstrate. Where there was nothing, man can produce something.

BELIEF

In the realm of thought there is something called belief. A belief is nothing more than an idea in which a person has confidence. A belief, like any other thought, is what the individual human being

wants it to be. Most of us like to believe that our beliefs are based on reality. Sometimes they are and sometimes they aren't. We believe them anyway because we wish to do so.

When it comes to human action, men invariably act on the basis of their deepest beliefs. If men believe that the world is governed by little green aliens in flying saucers, they will act in accordance with that belief. If they believe that the world is governed by an anthropomorphic interventionist being who will set aside the laws of nature in one's favor, they will act in accordance with that. If they believe that the world is governed by their own egos, then they will act in harmony with that view.

There is nothing in nature that demands acceptance of any particular belief. There is merely the fact that if a person believes what is contrary to reality, he will constantly be confronted by reality which will frustrate him as he acts or seeks to act.

HISTORY — A TYPE OF BELIEF

The story of man's actions, which we sometimes call history, is invariably incomplete. We usually concede that history begins with the development of the art of writing. The art of writing was contrived a relatively few years ago, probably no more than 6,000 years in all, give or take a few hundred years in either direction. Even the most ancient of history begins in the middle of the

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human story. We do not know man's beginnings or his origins.

Even with the advent of human history (the written record) we do not necessarily learn the truth. We learn instead what the writers of history believed was true. Thus there are a number of beliefs available about human origins and human beginnings. There is nothing in nature requiring that we accept any particular view of history.

Most of us seek to tie our beliefs about human origins to the evidence available. But there is no body of evidence that is so conclusive that it automatically nullifies other and conflicting evidence. We are left with those ideas which, to us, appear to instill confidence. Perhaps this dearth of conclusiveness will be swept away in time. Meanwhile, we have our beliefs, the theories each of us accept.

PROPERTY BELIEFS

One of the ideas that has helped to engender and solidify my own beliefs about history relates to man's relationship to property. As I see it, man is a creature who does not create himself, but is thrust into this world by a force or forces over which he has no control. Unless he takes his own life (always a possibility), he leaves this world because of a force or forces which he does not govern. What is this force? I have no idea. I note its existence, but to my limited mentality it remains a mystery. Calling it evolution, or nature, or god is merely an effort to provide identification. The name chosen explains nothing, although it may provide direction for our thoughts.

So I begin my reasoning efforts by acknowledging that I do not know *human* origins.

When I was younger, this annoyed me. I wanted to know it all. I continue to run into people who believe that they know it all. I happily acknowledge that I do not.

Rather than seeking to deal with a mystery I have not been able to fathom, I like to begin where the evidence begins. That is in the midst of the story.

SELF-CONTROL

According to the evidence, each individual human being is born with the ability to control himself. He may do it well or badly, but he alone does it.

I am not speaking of either influence or coercion. It is clear that by persuasion, argument, demonstration or plea, I may be able to influence others as to how they control themselves. It is equally clear that by force, or threat I may also be able to get others to act as I wish them to act. But I do not control them. That is impossible.

Indeed, the processes of persuasion or coercion

help to prove my point. Were it possible for me to control others, neither persuasion nor coercion would ever be employed. If I could control others, doubtless I would do so. Then I would not have to persuade or coerce them. I would simply hold in my mind the image of how I want them to act and they would respond to my thought. But they don't. Man's efforts to engender the kind of conduct in others which he finds satisfactory demonstrates conclusively that he does not control others. However, his ability to act as an individual in the great arena of human action is limited only by the laws of reality. This is to say that I am capable of doing everything that any man is capable of doing, according to the laws of my own reality.

Obviously, there are some things that I can do better than others. In some areas of behavior I have trained myself and developed skills and possibly even artistry. In other areas of behavior I have neither training nor grace. Thus, while I am a fairly competent typist, I am a flop as a saber dancer. I can drive an automobile, but I do not know how to pilot an airplane.

This does not imply that it is non-human to dance with a saber or to act as a pilot. It simply means that I have developed some skills and neglected others I might have developed.

This same tendency toward specialization is a characteristic of human development. Each of us learns to do some things: none of us learns to do everything. But the first human condition arising from the evidence of our existence is now clear. Each of us controls himself according to his own best interests as he learns to view them. No one achieves everything.

ACTING MAN

The next characteristic now emerges. Man is dependent upon his surroundings for his survival. Man is not a perpetual motion mechanism, arriving with a built-in power-pac that will enable him to live out his life. He is capable of acting, according to his own best interests, as he pleases. But he cannot survive without acting.

For a person to survive he must dominate his own environment in his own best interests to some degree. This is to say that he must utilize, not only his own body and mind, but the various items which exist in this world that could be converted into something useful to him. He must eat, slake his thirst, find shelter from inclement elements and even develop that kind of personal shelter we call clothing (portable body protection).

The world is not a paradise with man automatically flourishing because of what his environment does to him or for him. The world is a rugged place and, if man is to flourish, man has to do things to or with his environment in his own best interest. Man is capable of controlling himself as an individual. He is also capable of controlling

Vesta is Gone

Students who enrolled with me in Colorado will surely remember our friendly boxer, a gift of Al Hemphill of San Diego. She was a great dog.

Last March, Vesta succumbed to a massive stroke and had to be put to sleep. She is survived by her immediate human family and hundreds of delightful memories.



various elements in his environment.

It is out of man's ability to control that concepts of property arise.

Were we dealing with only one human being, the problem would be enormously simplified. Consider life on this planet for a single human being, no others being present. His problems relating to survival would all be natural ones, provided by the nature of the world and by his own nature. He would have to consider his own strength and endurance, but certainly not the strength or endurance of others. He would have to consider his own wants, but not the wants of others. He would never have to overcome an obstacle caused by any other person. Similarly, no other person would ever create an obstacle for him.

In such a situation, while the single individual might reasonably deduce that he owned and controlled himself, he would probably never seek to consider the ownership of anything other than himself. No necessity would exist for consideration of anything but himself and hence the entire world would appear to be his property.

The evidence shows that the problems of a single individual in this world do not have to be dealt with except for the lone islander after shipwreck. The individual would either perform successfully to stay alive or he would not. In such a case if he fails to survive, the problem ends. If he manages to survive, the problem is dealt with successfully.

This simplistic situation is extraordinary and need not take our time. The evidence must be examined in terms of the ordinary.

THERE IS ALWAYS MORE THAN ONE

Our species is gendered; that is to say, we have both male and female people. I am not seeking to argue that an individual having both male and

female genitalia is impossible. It may be possible. But unless we are to argue that only one person can be alive at a time, and that reproduction occurs in such a way that the bi-gendered person reproduces another equally bi-gendered individual and perishes with the birth of the single offspring, we confront the evidence that more than one person is going to be alive at a given time and place.

When we consider that more than one person will be alive at a given time and in the same general locality, the problem of human survival becomes complex. It seems to me that out of this evidence the need arises for understanding relating to ownership and use of property.

When we recognize, in sum, that man is a member of a species and not a unitary creature existing one by one, we are confronted with the problem of human interaction.

With species other than human, the individuals within the species are born with genetic patterns already implanted. They do not "know" how to interact by reasoning processes, so far as we can tell. But they do interact in accordance with their genetic programming. Thus, their actions are nearly always in favor of the survival of their own species, although here and there individuals destroy themselves or are destroyed.

The evidence exists that man has an unusually large brain, and particularly an enlarged cerebrum, that area where the rational processes are believed to occur.

It appears that man has the capacity, or ability, to act in ways other than his instincts might guide him. Indeed, it appears that man's forebrain is so powerful that even though he may have strong genetically implanted drives, urges or desires, his reason is sufficiently potent to override them.

Discovering that he is capable of thinking anything he will, either in harmony or out of harmony
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with reality, man has the ability to believe anything. He is thus able to act in a wide variety of ways, either ways that enhance his life or that destroy his life. He is even capable of acting in ways that are destructive of his own species, and hence, extended in time, toward the extinction of himself through the elimination of his own kind.

DESIRABLE HUMAN CONDUCT

We have no competent historic records as to who it was that first sensed the importance of engendering desirable conduct among others. But it must have been seen at a very early date that in addition to dealing with storms, cold, wild beasts, earthquakes, volcanic eruptions, sickness and hunger, human beings would have to deal with other human beings. The nature of the world was such that natural obstacles and dangers abounded. But it soon must have become apparent that man's ability to act was not checked by either his instincts nor by any natural law. Man faced a world which teemed with dangers both human and non-human.

There is a profound difference between natural dangers and man-made dangers.

When a natural danger is faced, all men can profitably join hands in an effort to deal with it. But when a man-made danger emerges, it may appear profitable for some to join hands with those creating the danger. All of us can profit when we tame the dangers in nature. But some of us can profit at the expense of others when human dangers are manufactured.

This emphasizes the importance of property and the manner in which human beings relate to it. While every man is entirely dependent upon property, each unit of property has distinct and unique characteristics. So the dominant question became, who is to control how much of what? Some men found it profitable to control certain properties no other human being had yet attempted to control. Others found it profitable to take properties away from those who already controlled them.

It must have become apparent at an early time that some rules, some body of thought or system of belief would have to be generally accepted by groups of human beings living in close proximity, or man's ability to act as he sees fit could destroy various individuals, and, the process continuing, ultimately destroy the species.

But how, in a state of nature, does one invoke a body of thought, a belief, if you will, to which others will agree? Clearly there are profound obstacles.

THE FIRST SHAMMAN

My conclusion is that this necessity for dealing with other persons, while at the same time

controlling one's own person and property, first crystallized in the form of primitive religion.

Someone, the first shaman or witch doctor, took advantage of the general ignorance of his fellows. Probably endowed with a high I.Q., he proceeded to announce that he was in touch with invisible forces others could not contact. Some such procedure would have been necessary, for otherwise, why would his associates follow the shaman's rules when he laid them down? His opinion was no better than another's.

In an effort to engender beliefs in harmony with his own and thus obtain satisfactory conduct from others he could not control, the shaman announced that the rules he would set forth did not come from him. He assured his fellow tribesmen that he was made of the same stuff from which they were formed. But due to certain forces that were inexplicable, he was in touch with super beings or forces who would now use him to transmit to them the rules by which they were to be governed.

This is the standard format. It is still employed with varying degrees of success.

By this process, groups of persons began to believe specific bodies of thought, uniting behind their shaman. To further the process, the shaman explained that those who disobeyed the rules set forth would be punished, not by the shaman, but by the invisible entities or forces which dictated the rules.

It is likely that some early shamans were more capable of sensing reality than others. Those, thus able, probably set forth rules respecting the conduct of others which enhanced their ability to stay alive and to work together. Others would have been less successful. From this divergence of individual sensitivity came the belief that some early gods were more potent than others. It behooved any specific group to attract the most pusient and power gods.

And then there were the skeptics who denied that any evidence existed as to the superior connections of a shaman or that the disobedient were in fact punished in the hereafter. Taking a more practical step, the skeptics organized military forces and proceeded to set forth rules of their own. The disobedient were to be punished, not by the invisible, but by those strong enough to inflict punishment. And the punishment for unwelcome conduct was to occur in the here and now and not the hereafter.

Government emerged as the practical, the pragmatic religion. God became visible in the person of the ruler and force was used to invoke desired conduct. Early religions employed persuasion and invoked fear and superstition. Later religions, called governments, employed violence and obtained obedience by reason of their ability to enforce.

I need not point out that President Carter is regarded by millions as though he were a divine figure. His favor is sought, he is importuned and appealed to by petition and prayer. If he agrees to a specific plea or request, the people adore him. When he frowns, they whisper darkly against him and hope for a replacement whose face will shine in their direction. Many people actually believe that the President runs the country. In actual fact, no one man does or can.

The purpose of this writing is to place these two early methods for obtaining group acquiescence to authority in perspective so that the purpose of libertarian thought can be glimpsed in context.

Bear in mind that both religions and governments are nothing more than means to an end. The end sought is orderly process. The necessity is human conduct that will not be destructive of either individual human beings, nor destructive of the species, and in consequence, all individuals.

Prior to the birth of libertarian thinking it was generally believed that desirable conduct was only possible if force or the threat to use it was invoked as a device for discouraging undesirable conduct. Whether the force is to be inflicted quickly or at a later time by visible or invisible forces becomes academic, if, as libertarians see it, force is to be abandoned as a *modus vivendi*.

MORAL THINKING

Libertarian thinking is moral thinking.

The purpose of the libertarian is to arrive at conditions for human interaction which enhance human life and, to the degree possible, eliminate human conduct which is destructive of human well being. The libertarian seeks constructive human interaction through liberty rather than through force.

It is conspicuous to libertarians that compulsory compliance with arbitrary rules set forth by the shamans of superstition or by the shamans of violence provide, at best, only a mixed blessing. While orderly process is necessary, and hence certain rules must be recognized and agreed upon, neither organized church nor state has demonstrated ability to provide orderly process without accompanying evils. Either the threat to punish or actual punishment is invoked against the wayward. Hell is the threat after death; war is the hell invoked here and now.

It is equally conspicuous to libertarians that it is impossible for one person to control another, even if fear and terror are invoked. Thus, the possibility for aberrant conduct will always be present. The libertarian does not imagine that he has any magic elixir by means of which the possibility that one person might injure another will vanish. Instead, he seeks to maximize human well being by the uses of reason and understanding, knowing

that there will always be some who fail to use reason or who do not or will not understand.

The search for the maximization of human well being is a continuing one. Like the search for food, it never ends. We eat today but we will hunger again tomorrow. The cost of liberty is an ongoing cost. It is never paid in full. We achieve some measure of liberty today but we must strive again tomorrow. Were a totally libertarian society to emerge today, we would have to strive for it again the next day.

POWER SEEKERS

There are some calling themselves "libertarian" who seek power within the known political and governmental structures. It is their argument that when they have power they will reduce the size and scope of government. They proclaim that this position is the practical one. They tell us that it is impossible to achieve liberty without the power to punish others who perform evil acts.

The philosophic contradiction is apparent. Contending that government is not necessary, they tell us at the same time that government is the necessary mechanism for those who wish to reduce or eliminate government. Thus they tell us that it is necessary to do the unnecessary before the unnecessary will cease.

The virtue of the libertarian position is that it proclaims and practices the concept that reason is superior to force. Many give lip-service to this idea. They tell us they believe that reason is superior to force. But when crisis situations emerge, they usually abandon their position and argue that in such a circumstance force can rightfully be invoked.

What they are really saying is that we will try reason first, and if it doesn't work, we can always use force as our ace in the hole. This is not to rely on reason; it is to rely on force. Those who truly believe in reason will say that we have tried force repeatedly and the ace of trumps we hold is reason. The ace of trumps cannot be topped.

All that is discernible in the disputes which have filled much "libertarian" literature for some years is an effort to find some logical justification for the use of force. But that is all that any organized church or government has ever done. Persons calling themselves libertarian who are engaged in seeking only to modify existing controls are still trapped in the ancient superstitions and conditionings.

The base of the libertarian position is reality; the tool is reason.

The rules to be recognized are the rules of reality and not those of any human being, however superbly motivated he may be. The libertarian task is to understand reality and not to obtain prestige or power by developing a political following.

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JOHN D. FARR: "Keep the *Journal* coming. Sad to hear about Ruth. She lived a great life. I am a candidate for County Commissioner in Summit County. Water is my issue—the private use of it. Will be fun." *I trust you recover from your present illness as a Candidate for political office. Knowing you to be fundamentally honest, I can hope that the voters will provide the necessary medication.*

L. E. COUNTRYMAN: "I am amazed that a man of your intelligence must confess ignorance as to what a fetus is. It is the recipient of human life and is a human in the most innocent and defenseless stage. It is God's creation through the process he ordained. It takes only the addition of time and nourishment to see what was created 9 months before, and it takes many years before we know what character was created in that creative act. But that life is sacred in all stages. Life, however, is not sacred in an absolute sense. Under the Laws of Moses, those who committed adultery, a married woman joining in the creative act with other than her husband, were both to be slain, which included the fetus. It represented the invasion of the right to property, not only the earthly inheritance, but a right to position in the family relationship and responsibility. What is marriage? It is the consent of male and female to become one flesh until death. Isaac took Rebecca to his mother's tent and she became his wife. There was no ceremony. This is common law marriage. The purpose of public vows is to protect the right of the woman to the support and defense of herself and child by her husband, and a woman is foolish, indeed, to join in the creative act with a man who is not willing to first make his intentions a matter of record, man being what he is. Also a man who sheds innocent blood has forfeited his right to life

under God's system of justice, under which we live. (Gen. 9:6) Prior to this time we had the system of freedom which you appear to advocate, and man was prohibited from administering justice (Gen. 4:15). Note the result (Gen. 6:11-13). We have returned to the former system and officially give aid and comfort to organized things who have murdered millions. Now we are in the process of turning over to them the American Canal in Panama to further aid their operations." *My response to the major theme of this letter is embodied in the article making up this issue of LeFevre's Journal. In response to the final paragraph, the Germans under Nazi domination killed millions. They are now our friends. The Japanese government killed millions, and we love them today. The British government, indeed, all governments including our own have instituted massive killings of innocent people. In respect to Panama, the American government participated in bringing on a revolution in Columbia, which netted us the territory of Panama by foreign conquest. The problem with giving it back to the Panamanians relates not only to the gift, but also to an on-going commitment to pay Panama millions annually. No government is innocent, including the governments of America and Panama. I disagree profoundly with the assertion that life is not sacred in an absolute sense. From my point of view, human life should be treated as sacred when certainty exists that it is human life. A God of vengeance is the continuing symbol of the barbarian.*

WELLS GARVIN: "All the eulogies I have read or heard seem to be a little shabby compared to your remarks and Loy's in your winter 1977 *Journal*. 'Requiem for Ruth Dazey' was the song of a lark, a California sunset, a Rembrandt portrait, and the memories of life's most rewarding experiences.

Thank you again!

EVIS HAYS: "The last *Journal* was outstanding. I look forward to the arrival of each and will truly be saddened when they come no more. One of the blessings in my life has been the privilege of knowing you and Loy and the three girls: Marjorie, Ruth and Edith." *Don't be sad. As one door closes, another opens. I expect to be as busy as ever but more effective. And I agree about those marvelous women who gave so much of themselves and made Freedom School a reality.*

DAN HENRY: "The most intellectual publication."

DICK RADFORD: "I was disappointed to find you applying your talents to a rehabilitation of the 'human rights' concept. It was evident that your analysis was much deeper and more radical than any other contemporary treatment I've seen. But it was also evident that you weren't discussing 'rights' as the term has been understood for centuries. In your reluctance to coin a new 'but thus far meaningless' word, you've presented a new idea and attempted to tie it to an old (and essentially meaningless) word." *I believe our differences here are semantic and not substantive. If so, then I am entitled to use any word I please, provided the word is defined in such a way that the meaning is clear. No particular word is either demanded nor taboo.*

MANUEL S. KLAUSNER: "I look forward to receiving *LeFevre's Journal* and hope you will reconsider your plans to publish only two more issues. Enclosed is a gift to help defray your costs." *My thanks. But the decision is firm. I am discontinuing the Journal so I may be able to be more effective doing other things. Personally, I am not stopping. I am merely stopping the Journal.*

A. PHELPS LANGTRY: "Thanks so much for sending those 3 back issues of your fine *Journal*. By your filled-up teaching schedule we can measure the tremendous esteem you are held by a few people. Too bad 1,000 fold this number of admirers don't hold you in only slightly less esteem. Then we would all be closer to our goal."

JOHN KIDD: "Bob, you started my thinking in these channels, and I've never been regretful of it. Does make me unpopular with some, but the truth is always safe, if anything is safe. Sorry to say, the honest truth is not momentarily safe these days, is it?" *Truth is safe; but he who tells it often runs grave risks.*

BARBARA WEIGANDT: "I define

the words 'perfect,' 'perfecting,' and 'perfection' differently from you. I think this is a perfect world. I think you are perfect. I am perfect. Everyone is perfect. In other words, I believe in Natural Law. I believe that the Laws of Nature — of Cause and Effect — are manifested perfectly in this world and in us — no exceptions. Which is the nature of Natural Law — no exceptions. 'Freedom is self-control.' 'You are responsible for your own life.' These statements I believe to be true — perfectly true. And acting as if they are not true does not change their truth. They are true whether those truths are recognized or not. They may be ignored — but not with impunity. I have enjoyed your *Journals* tremendously, Bob. As far as I am concerned, you are right in your philosophic viewpoint. I try to live my life in accordance with the principles that you expound, but I am still far from 'pure.' I would still rather have the knowledge and not be able to perform properly than not know. It is most helpful to have your writings and that is the understatement of the year. Please put me on the mailing list for the remaining issues and I would appreciate receiving the available back issues." *You're there. And I hope the back issues are already in your possession. And thank you for your generous statements. Anyone is at liberty to define his terms as he pleases so long as communication occurs. Your definition of perfection makes it synonymous with "natural." From my point of view that removes the word from usefulness. A baby is born malformed. Is that a "perfect" baby? A man adds up a series of events and reaches an inaccurate conclusion. Is that a "perfect" conclusion? What I am trying to say is that the word "perfection," as I employ the term, implies a model so totally beautiful, useful and harmonious in every way that for anything to be "perfect" in reality it must match the abstract model. That "perfection" is so exalted that I cannot even imagine it. For me to be "perfect" I would have to be beyond improvement. I don't think I'm even a borderline case.*

PAUL JOHNSON: "I have kept meaning to stop scrounging my Dad's copies of *LeFevre's Journal* for sometime now, and I've finally gotten around to it. I always enjoy reading your ruminations—it certainly makes a nice change of pace from conversing with my colleagues at Yale. Keep up the good work."

PHIL O'CONNELL: "The best compliment I can give to you or anyone

else is to say: I wish you were my neighbor. I wish this because you would make the ideal neighbor. You would be neither a threat to my security nor my freedom. Equally important, you would express your freedom in such a way that it would stimulate me and benefit me. This, Bob, to a degree, is what you have done through the *Journal* and other communications. You have been an ideal neighbor. Peaceful, but stimulating, and beneficial. I might add, more so than any other person I know. There is no way one can buy a good neighbor, if for economic or opportunity reasons he has to move on to another area." *What Phil O'Connell attributes to me is nothing more than a mirroring of his own "good neighbor" attitude and policy through the years. Thank you, good neighbor. And, Phil, I'm not stopping my efforts. I'm just folding the Journal.*

ARTHUR PROSSER: "How about auctioning spare back copies of the *Journal* for \$1.00, \$5.00 apiece? Could be collectors' items some day. . . ." *Thanks for the suggestion. Originals are available of most editions and copies could be provided of those not available. I would have to recover costs.*

CHARLES SINGER: "Best wishes with your future."

LESLIE FLEMING: "Your remarks likening a backside reminder to a Pavlovian descent to animalism bemuses me. An Arkansas school district gives a course in economics to first graders. The reported object is to teach the difference between a 'want' and a 'need.' At the end of the course each six-year-old is to bring a dollar from home and the class invades a supermarket to put their knowledge to work. As reported, all ended up at the candy counter selecting their 'need' and their 'want.'" *After this, who needs Pavlov?*

DON McCLELLAND: "I have always thought of your teaching as essentially an enlarged understanding of 'thou shalt not kill' and 'thou shalt not steal.' So the thought is that you have spent your life enlightening man's understanding of basic moral principles so that man may more readily progress in his understanding of the things of the spirit—the very thing in which you seem to think you don't believe." *I believe in moral law, deduced by the scientific method, based on reality and discernible by human reason.*

REV. KEN TAMER: "Sorry to hear *LeFevre's Journal* is going out of being. It's tragic. Oh well, the world is in a severe depression (Must be quite dis-

trussing to you libertarians, who constantly deify and exalt the free market, i.e., it can never err or do any wrong. What happens when the free market goes into a prolonged slump and there is nothing to pull you out of it?) I wish to reply to your italicized statements. Man is evil but by second nature not by first. . . . We need protection from evil. Hence we need government, evil men protecting us from evil. We need a government of evil men to protect us from other evil men far, far worse because it is the least of evils, i.e., the only realistic way to go. We need the government of evil men to protect us from the worst universal evil of all, ravaging anarchy. Thus government becomes the great restrainer of total evil or anarchy. It is thus our great protector (thus it acquires its somewhat deceptive character of good). I strongly feel I have won this argument (and it is a hard one to win) even if the notion of evil men protecting us from greater evils is a terribly difficult and paradoxical one." *I know of no informed libertarian who thinks a free market is a panacea for all ills. However, given a market slump and freedom from government interferences, and the natural system, built on the realities of scarce resources; uneven distribution of resources; variable value judgments, and so on, will relieve or solve the problem to the degree that it can be relieved or resolved. This isn't perfection. But it is the best attainable in an imperfect world. As for 'winning the argument' I can only say that the person who doesn't comprehend the question can readily conclude that his opponent has handed him a laurel wreath when his vistas open and he at last grasps the major premise of a syllogism. I agree that 'ravaging anarchy' would be tragic. The libertarian position does not favor 'ravaging anarchy' and hence must oppose the evil of government, placed, as admitted, in the hands of evil men.*

MARGARET HARKNESS: "I think I expressed my sympathy when I sent you a Christmas card; if not, I wish to express it now."

HARRY A. DAVIDSON: "I have been reading *LeFevre* and friends since the days of Rampart College. The *LeFevre* view of the human species, and faith in it, is different. While I don't have faith that the human species can or will ever meet ideal goals, it is certainly worthwhile to have someone who can straighten us out and keep us aware of what the goals are and which way to get there."



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SEARCH FOR MORAL RULES

Because human beings are gendered and interrelate with other human beings, the rules of reality we seek to discover are moral rules. It is the contention of the libertarian that when we have successfully stated the moral rules, that their recognition will prove more successful in creating and maintaining orderly process than either the threat of intimidation or imposed violence.

The necessity for morality arises out of man's ability to act as he will.

Any rule that is to be discovered must stem from the nature of man. And it must tell us how men OUGHT to act, rather than what their capacity to act may be.

The difficulty in discovering such a rule arises because of man's constant employment of his own value judgments. None of us can rid ourselves of our own personal views of what we would LIKE. It is always true that what I LIKE will differ in some degree from what others LIKE.

This fact: man's INVARIABLE employment of subjective value judgments, has discouraged many fine scholars from going beyond this point. They see morality as nothing more than a code of conduct which has been accepted subjectively. If it is subjective, then it contains the element of human preference. If it contains the element of human preference, then it is not objective in the sense that it is separate and distinct from human thought formation.

THE COJUNCTIVE ORDER

While accurately drawing a line of demarcation between the subjective and the objective, these scholars have failed to glimpse a third category which I have called the "COJUNCTIVE." (See *LeFevre's Journal* (vol. IV, no. 2).) Man's ability to act creatively makes it possible for him to contrive a table of mathematics, to originate contracts, and to formulate accurate mental images of the processes of reality. Thus, he can create structures in the mind as readily as he can construct a building.

These mental structures, although obviously the product of subjective processes, can be totally in harmony with the objective. The conjunctive order is comprised of mental images which accurately depict reality.

While it is impossible for man to know anything without subjectively employing his mind, it is possible for him to value objectivity sufficiently to rule out his own personal preferences except his preference for truth. In sum, this is the scientific method. The scientific method calls for adherence to truth, even if the truth one finds is one that is personally distasteful. Man can and does control his own value judgment mechanism. The value judgment mech-

anism need not control him. Admittedly, only he who practices strict mental discipline will be willing to acknowledge moral principles which might lead to conclusions he does not personally like.

The proof of the foregoing is readily demonstrated by the assertion that it is ALWAYS true that a person will act in terms of his subjective values.

If something is always true, then it is a principle. If it is a principle, it belongs to the objective order. This is contradictory, if we always act subjectively.

If we admit of the conjunctive order, the contradiction vanishes.

Concepts of morality belong to the conjunctive order. They do not exist in the real world separate and distinct from man. Therefore, men must structure them, intellectually. If something is structured by the human intellect, then it is the product of subjective processes.

However, man is real and can discover conditions which invariably affect him in certain predictable ways. Predictability rests upon principle and all principles stem from the objective order. Thus we have the subjective and the objective joined in the conjunctive.

THE MORAL THEATER

To see the workings of morality, the following minimal conditions must be obtained. First, there must be a moral theater. That is to say that there must be an arena for human action in which the question of morality can be raised.

The question of morality does not arise except where human interaction is possible. The moral theater must contain more than one person.

Second, there must be the possibility for alternate courses of human action. In short, freedom to some degree must exist. There must be the human ability to act either morally or immorally.

If we are in the unique situation where only one human being is present and whatever he does can in no way affect anyone but himself, how he OUGHT to behave is a matter that interests him, alone. His actions cannot affect others either favorably or unfavorably. He is outside the moral theater.

Similarly, if we have a situation where more than one person is present, but one of the persons is physically constrained by force, applied in some manner, the question of the moral judgment of the party thus constrained does not arise. He is not free to choose. If a moral action is compelled, it is no longer a moral action. If an immoral action is prevented by force, the result is not morality but constraint.

It follows as a matter of course that the more governments or other external organizations constrain individuals by imposing force or the threat of force upon them, the less moral they will be. Presently, people become unable to discern moral

procedures. They learn, instead, to obey in an effort to avoid violence imposed upon them. Individuals stop weighing the morality of their own choices and actions. The only criterion becomes: what can I get away with?

I have established that man is not a perpetual motion mechanism endowed with a lifelong power-pac. Man is dependent upon the properties in his environment. Some of these he must control in his own best interests or perish. Hence, ownership.

I have also established that the world is not a paradise that is supportive of man. Man must support himself.

Let me add at this juncture that man is a sensitive being capable of experiencing pleasure and displeasure. He experiences displeasure when the natural forces of reality, such as sickness, wild animals or various weather-related disasters impose upon him. But here he can readily join hands with his fellows to ward off or overcome the displeasure by conquering or avoiding these non-human forces.

Non-human forces that might destroy man, even though they engender displeasure, are not immoral. Non-human reality is amoral. It simply is. Some parts of reality are benevolent to man and some are not. They exist outside the moral theater.

IMPOSED DISPLEASURE

When one human being imposes a threat or a danger on another human being, we have humanly-contrived displeasure. Clearly the party imposing does not find displeasure in his actions. It is his intended victim who experiences the displeasure.

Now we have persons in a moral theater with the human interaction of one imposing displeasure upon another of his own kind. This is the *ONLY* immoral act.

I have already written extensively on this point and will not repeat my many arguments here. Suffice it to say that the actual moment when the injury or displeasure occurs is at the point where the boundaries of person or property are physically violated by another person. Thus boundary violations, occurring physically, predictably create displeasure on the part of the person whose boundaries are violated.

Note, I have not stated that when boundaries are *crossed* displeasure invariably arises. Boundaries crossed by invitation provide some of the greatest pleasures known in all human interactions. But boundaries crossed without invitation create hazard and displeasure. When they occur, human beings suffer. Regardless of the justification employed by means of which some boundary violations are imposed, the actual violation is contrary to the nature of man and is an immoral act. That and that alone is the moral rule.

VALUE JUDGMENTS

The difficulty many experience at this juncture

arises because of their own subjective value judgments. Human beings are capable of being victimized. But they are also capable of victimizing. No one wishes to be a victim. But many and loud are the cries of those who seek a moral base on which to stand when they perform the violation.

Thus, when it comes to seeing how human beings OUGHT to act, few will argue that they would welcome their own boundary violations. But they insist that boundary violations are not only justified, that they are moral when (in their subjective judgment) their victim deserves to be punished for whatever reason.

Ever since Plato, men have become concerned, not so much with reality, but with administering justice. They arrogate to themselves the rank of deity and presume that they cannot only judge others but that they can rightfully take vengeance on others, violating their boundaries as they please. This is the core of organized church and state.

By this ambivalent rationalization, men destroy the moral principle. They end with situational ethics. A boundary violation is viewed as neither moral nor immoral *per se*. It is moral if some approve, immoral if they don't.

NATURAL RIGHTS

One of the more effective arguments offered here by those who support situational ethics relates to a position, presumably based upon natural rights. It is argued that every human being is born with equal and unalienable rights. But it is recognized that an individual very well might violate the boundaries of another. If he does so, it is argued that by performing in such a way, the violator has forfeited his rights. Likewise that this creates a new right in others to violate his boundaries in return.

The essence of this argument is found in the Code of Hammurabi, popularly referred to as "an eye for an eye; a tooth for a tooth."

The purpose is moral justification for a second action, which was immoral when it occurred the first time.

On its face, the position is contradictory. If natural rights exist in reality (I think they do . . . see *LeFevre's Journal* (vol. V. no. 2), then rights must be both equal and unalienable. If they are equal, then regardless of manifest differences among every member of the human species, no one has or can obtain a right over another human being. Seen within a moral context, this simply sets forth the proposition that no one is, by nature, morally superior or inferior to another. The actions he takes may be. The ideas he has may be. But as a human being he is always human. He is never other than human. He is not super-human; nor is he sub-human. As a human being he has the natural capacity to act. But he has no natural

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(continued)

capacity to be other than human.

If rights are unalienable, they cannot be alienated. This is to say that natural rights cannot be transferred, bought or sold, lost or accumulated. Indeed, equality of rights demands unalienability of rights. For if a person could lose a right by any process whatever, from that point on, rights would never again be equal and the concept of natural rights falls on its face. If there are natural rights, they are bestowed by nature and not by human conduct. Therefore, they cannot be removed by human conduct we may not happen to like. They simply exist as a part of reality. If this is not so, then rights are no more than privileges.

RESTITUTION

But proponents of situational ethics take a further step. They contend that if an individual violates another's boundaries, that an automatic obligation is created. This would mean that the party performing the immoral act now has an automatic obligation to make restitution.

I do not deny the desirability of restitution. But what I like and what exists in reality may be quite different.

If there is an obligation between the violator and the one violated, then I would have to argue that a contract has emerged as a result of the violation. If a person is, in fact, obligated, it is because he has agreed contractually to be bound.

At one time, this concept had even been crystallized into formal law. It used to be a matter of legal definition that if a person was placed under obligation or under duress and against his will, that the obligation or contract was null and void on its face.

If we open the door to the idea that obligations can be created against the will of one of the contracting parties, then we open the door to justification for every tax that has ever been collected; to selective service; and to a host of other injuries which are precisely injurious because they are imposed upon individuals against their wills.

More, if by virtue of the violation of the boundary of one party by another an automatic contract exists for restitution, then a contractual agreement exists between the wronged and the wrongdoer. If a contract exists, then the wrongful act becomes an act occurring under contract and is not wrong. It is only one half of the contract and clearly the obligation would exist for the fulfillment of the second half of the contract, hence restitution.

It is precisely because an act which violates a boundary has not been contracted for, that classifies it as a wrongful act. Had a contract existed, the boundary crossing would have occurred by invitation under contract and would not be a violation.

I will always praise efforts taken which seek to

persuade the wrongdoer to make restitution. Clearly it would be a moral act if the obligation to make restitution were accepted. But for it to be a moral act, choice must be present. A moral act cannot be forced.

WHAT OF ABORTION

There is one extremely sensitive area that should be examined in this context. It is the question of abortion.

Arguments here tend to be so fraught with subjective values and with deep emotion that it is difficult to wade through the turmoil. Personally, I do not favor abortion. My subjective view leans heavily in favor of the unborn child. Perhaps, if the development of cloning proceeds, the entire question of abortion will take on new and broader overtones. But that is at the moment speculative and the problem is with us now.

If a woman obtains an abortion, has she engaged in an immoral act?

If the unborn material in the womb (be it zygote, embryo or fetus) is a person, then an abortion violates the boundary of that person and is an immoral act. If the material is not a person, then the mother is the rightful controller of that material and may dispose of it as she pleases.

Thus far, and despite all the arguments pro and con, I have seen no argument that conclusively proves either position. People tend to take the evidence they like and make it a part of their belief. I must be careful here to remove my own subjectivity and to seek only truth.

I do not think an abortion is a good in itself. Clearly IN MOST CASES, it is desirable for the delivery to occur and for the child to be born. That is one of the reasons we have so many people on this planet. Giving birth to babies is not at present classifiable as a rare phenomenon.

But what is desirable (from my point of view) is subjective and not principle.

Since a woman can obviously obtain a rightful abortion IF the material in her womb is not a person, I must *presume* in the face of my ignorance and to develop the argument, that the opposite is true. Otherwise, there is nothing to discuss.

The position of the anti-abortionists calls for legislation to be enacted which will punish women who obtain abortions. Their contention is that the existence of the material in the womb creates an automatic obligation for the woman to give birth to it and to raise it as a child. Any woman who refuses to carry out THEIR wishes has violated a boundary, as they see it.

We are back to a specialized type of boundary violation, not as clearly defined as other boundary violations can be.

Happily, most women who find themselves pregnant willingly assume the obligation, of giving birth and raising the child. Some assume the obli-

gation of giving birth but seek foster parents to provide for the rearing of the infant. Others seek abortion as a way of doing neither.

The reasons given for seeking abortions vary from the profound to the trivial, from the obvious to the obscure.

Sometimes the anti-abortionists argue that the pregnancy occurred because of the willing compliance of the woman who knew in advance that a pregnancy might ensue as a result of actions she proposed to take.

Since, in such a case, the woman would clearly be responsible for the actions already taken, they clamor to establish that an automatic obligation exists.

But responsibility is not always the case. On occasion a woman is the victim of rape and a pregnancy ensues. Is she automatically obligated to have the child? Suppose she is raped by her own father or brother? What then? Suppose prior examination establishes that the material in the womb will lead to the birth of a monster, if the pregnancy proceeds to fulfillment; is she obligated to give birth to a monster?

Anti-abortionists usually cavil when these questions are posed. They are willing to make exceptions in the law they seek, to accommodate these rare occurrences.

There is also the not-so-rare instance of the medical judgment that if the baby is born, the mother will die. Is the woman now automatically obligated to give birth and thus forfeit her own life?

NO DISCERNIBLE PRINCIPLE

When so many possible exceptions to a given piece of legislation emerge as conspicuously as they do here, it is clear that the anti-abortionists are not arguing from principle. They are arguing from their subjective value judgments.

I find myself, however unwillingly, going back to what I have already said about obligation. There is no such thing as an automatic obligation. Responsibilities are automatic but obligations, to be valid, must be voluntarily assumed. For a moral decision to be made, choice must be present. I see no reason for legislation in this area. Perhaps it is usually desirable for the pregnancy to run its full course. But I cannot decide that for another. My will or wishes over what a woman elects to do with her child, born or unborn, does not transcend her position.

To enact legislation which would, in effect, categorize all pregnant women as contractually obligated to give birth would be to enslave all pregnant women to my particular value judgments. To convert women into pregnancy slaves is not moral. It is contrary to reality and would be a wrong in itself.

Further, I will deny that this will bring harm to unborn infants. If the infant is not wanted, his life

could be brutalized, ugly and short. Having a child is a wonderful thing when the mother willingly assumes the obligation. It becomes hideous when it is forced.

I favor life. Indeed, I favor the perpetuation of the species known as *Homo sapiens*. I favor life as a free being, not as a slave. And the long term view, if I really favor life, is to oppose the enslavement of each and every human being regardless of gains I may believe I can momentarily obtain by employing force on others. That I live, is not as important as how I live. Human survival, if no more than retention of life, is not a necessarily good thing.

CERTAINTY V.S. UNCERTAINTY

Every human being is a part of objective reality. A pregnant woman is a real person whose claim to freedom and life are already established. This fact is not subject to debate.

But what is a fetus? At best, it is potentially human, but so long as it remains in a fetal condition it is not yet capable of laying claim to property of any kind, including the ownership of itself.

The survival of any human being does not occur as a result of automatic obligations. No one owes anything to anyone unless the debt has been agreed upon or contracted for. To argue otherwise is to argue in favor of the obligation of children as yet unborn, to pay off the debts of their parents. Such an argument supports slavery. And such is the argument of the anti-abortionists who wish to reduce the pregnant woman to slave status respecting a fetus.

If the concept of morality has validity as a principle, then there can be no contradiction nor exception. No one person can, in nature, rightfully violate the boundaries of any other person. Nature is always correct. It is what it is.

The certainty of the moral existence of the
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(continued)

pregnant woman is not subject to debate. But the manifold uncertainties respecting the possible existence of the fetus help to clear away the confusion. The fetus is not a person. The rights of one person do not, by nature, intrude on the rights of another. It follows that the fetus is a property until after its delivery. When birth has occurred, whether premature or otherwise, the fetus becomes an infant and is a separate and distinct entity capable of owning itself. Prior to this time, it is a property subject to disposal by its owner or owners.

Abortion is not a good. It is, in my judgment, invariably a tragedy. But a pregnancy is not always a good either. My personal wishes are that every woman who can (when conditions make it possible) ought to deliver and raise her own child. But this is not always possible, as we have seen.

My wishes and preferences, however, are not binding on others. Those are my value judgments. To proceed, by government, to compel others to abide by my values or to suffer such harm and punishment as government can inflict, converts a tragic situation into a double or triple tragedy.

There should be no legislation in this area whatever. If the anti-abortionists would content themselves with moral argument, precept and

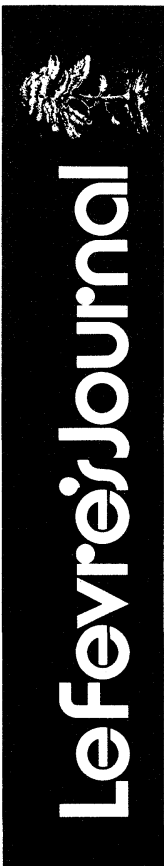
example, I would unhesitatingly add my voice to theirs. The arrival of the wanted child; his acceptance and rearing; the necessary disciplines such procedures demand are among the greatest rewards available to our species.

But when they appeal to the state to compel all members of a single gender to behave according to their subjective value judgments, we have a portion of our society seeking to enslave, by force and unnatural restraints, another portion of society. This procedure is abominable and should be halted at once.

REALITY CONTAINS LIFE AND DEATH

It is in the nature of reality that we live and that we die. I rebel against neither life nor death. I rebel only against man's inhumanity to man; his thirst for power over others; his assumption that somehow his value judgments should be carried out by force.

Boundaries will be violated. I do not wish this to happen, but the only person I can control is myself. My task is to make certain that I violate no boundaries for any reason. I seek to leave all persons free to make their own choices. I hope their choices will be wise. I know that some will not be. But the greatest folly is for me to suppose that because some will make foolish decisions that I am so wise and I must force my decisions on them.



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