

# The Industrial Radical

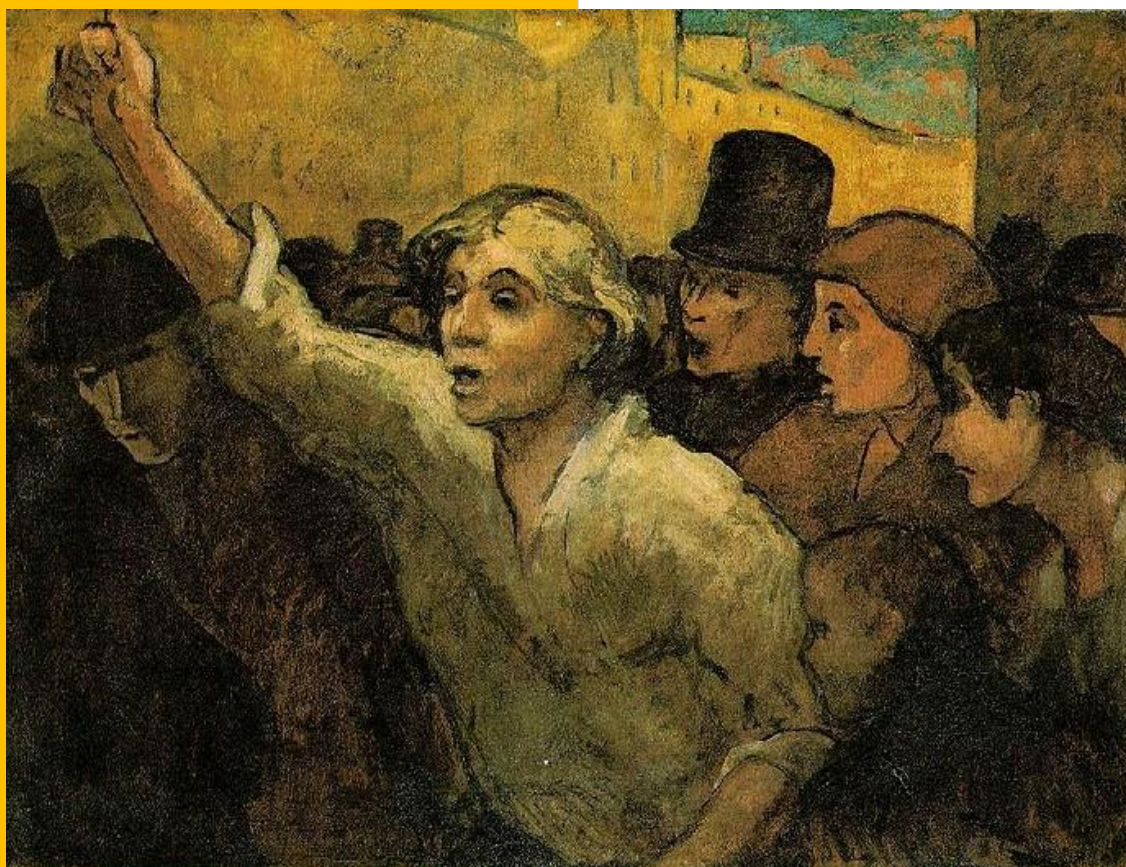
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*Liberty the Mother not the Daughter of Order*

Summer 2013

## CLASS STRUGGLE IN BRAZIL



**Chelsea Manning and the Persecution of Whistleblowers**

**Obama vs. the Environment**

**American History: Reality vs. Fantasy**

**The George Zimmerman Verdict: Pro and Con**

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*The Industrial Radical* is devoted to radical libertarian political and social analysis in the tradition of Benjamin Tucker’s 1881-1908 *Liberty*, Emma Goldman’s 1906-1917 *Mother Earth*, and Murray Rothbard’s 1965-1968 *Left & Right*.

The title “Industrial Radical” honors the libertarian and individualist anarchist thinkers and activists of the 19th century, who were “industrial” in the sense of championing what they called the industrial mode of social organization, based on voluntary cooperation and mutual benefit, over the militant mode, based on hierarchy, regimentation, and violence; and who were “radical” in the sense of recognising that social problems are embedded in sustaining networks of institutions and practices, and so can be addressed only via thoroughgoing social change. Their approach informs our vision.

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**cover pic:** *L’Émeute*, by Honoré Daumier, 1848  
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## Anarcho-“Capitalism” Is Impossible

**Anna O. Morgenstern**

[19 September 2010, C4SS]

Many anarchists of various stripes have made the claim that anarcho-capitalists aren't really anarchists because anarchism entails anti-capitalism. I happen to think this is actually backwards. If they genuinely wish to eliminate the state, they are anarchists, but they aren't really capitalists, no matter how much they want to claim they are.

People calling themselves “anarcho-capitalists” usually want to define “capitalism” as the same thing as a free market, and “socialism” as state intervention against such. But what then is a free market? If you mean simply all voluntary transactions that occur without state interference, then it's a circular and redundant definition. In that case, all anarchists are “anarcho-capitalists,” even the most die-hard anarcho-syndicalist.

Defining capitalism as a system of private property is equally problematic, because where would you draw the line between private and public? Under a state, state property is considered “public,” but as an anarchist, you know that's a sham. It's private property owned by a group that calls themselves the State. Whether something is owned by 10 people or 10 million doesn't make it more or less “private.”

Going a bit deeper, there may be issues about how property rights are defined, and the nature of ownership between different sorts of anarchists. Obviously, anarcho-capitalists do not want the government to decide who owns what property. So even at their hardest of hard-core propertarianism, they are still effectively anarchists; they just have a different idea of how an anarchist society will organize itself.

But the focus on goals, I think, is very much over-emphasized in anarchist communities, at the expense of looking at means. Goals sometimes lead people toward certain means, but it is the means that determine results, not the goals. And if the anarcho-

capitalists follow anarchist means, the results will be anarchy, not some impossible “anarcho-capitalism”.

Anarchy does not mean social utopia, it means a society where there is no privileged authority. There will still be social evils to be dealt with under anarchy. But anarchy is an important step toward fighting those evils without giving birth to all new ones.

My take on the impossibility of anarcho-capitalism is simply as follows:

- Under anarchism, mass accumulation and concentration of capital is impossible.
- Without concentration of capital, wage slavery is impossible.
- Without wage slavery, there's nothing most people would recognize as “capitalism.”

The first part of this, that mass accumulation and concentration of capital is impossible under anarchism, has several aspects.

One big one is that the cost of protecting property rises dramatically as the amount of property owned increases, without a state. This is something that rarely gets examined by libertarians, but it's crucial.

One reason for this is that large scale property ownership is never all geographically massed. A billionaire doesn't have all his property in one small geographic area. In fact, this sort of absentee-ownership is necessary to become a billionaire in the first place. Most super-wealthy own stock in large corporations that have many factories, retail outlets,

offices and the like all over the place. Leaving aside whether joint-stock companies are even likely in anarchy for now, this geographical dispersion means that the cost of protecting all of this property is enormous. Not only because of the sheer number of guardians necessary, but because one must pay those guardians enough that they don't just decide to take over the local outlet. You could hire guardians to watch the guardians, but that in itself becomes a new problem ....

But the property needs to be protected not only from domestic trespassers, but from foreign invasion as well. Let us imagine that an anarcho-capitalist



society does manage to form, Ancapistan, if we will. Next to Ancapistan is a statist capitalist nation, let us call it Aynrandia. Well, the Aynrandians decide “hmm, Ancapistan lacks a state to protect its citizens. We should take over and give them one, for their own good of course.” At this point the billionaires in Ancapistan must either capitulate, welcome the Aynrandians, and Ancapistan is no more, or they must raise a private army to repel the Aynrandians. Not only will the second option be ridiculously expensive, for the reasons I’ve outlined above, but a lot of property will get destroyed if the Aynrandians decide to engage in modern total warfare. Ahh but what about all the middle class people in Ancapistan, won’t they form a militia to defend themselves? Well yes, but they won’t form a militia to defend a bunch of billionaires’ property.

The anarcho-capitalists often have a nonsensical rosy picture of the boss-worker relationship that has no basis in reality. Almost no one wakes up and goes in to work thinking “thank the heavens for my wonderful boss, who was kind enough to employ a loser like me.” When external invasion arrives, the middle classes will defend themselves and their own property. But they’re not going to risk their lives for Walmart without getting a piece of the action.

So, due to the rising cost of protecting property, there comes a threshold level, where accumulating more capital becomes economically inefficient, simply in terms of guarding the property. Police and military protection is the biggest subsidy that the State gives to the rich. In some sense the Objectivists are correct that capitalism requires a government to protect private property.

Furthermore, without a state-protected banking/financial system, accumulating endless high profits is well-nigh impossible. The police/military state helps keep the rich rich, but it is the financial system that helped them get rich in the first place, at everyone else’s expense.

First off, state-chartered banking creates a limited supply of sources from which one can receive banking services. This cartelization allows them to get away with a fairly large amount of fractional-reserve banking, in which more is loaned out than actually exists. By increasing the in-use money supply in a one-sided manner, this creates a situation where the people who take out loans are effectively stealing from everyone else. Companies that finance expansion force their competitors to do so or fail, by bidding up the price of resources. By raising the cost

of entry, this limits and reduces the amount of competitors in every industry, driving wages down.

And the current fiat money/central banking regime, by constantly inflating the money supply, destroys the ability of people to save, thus forcing them to borrow in order to start or expand a business, to buy a home or a car. It literally and directly concentrates the supply of capital in the hands of a smaller and smaller group of people, destroying savings and feeding effective purchasing power to those with higher credit ratings. This drives down wages and makes people dependent on those who still have large amounts of capital to hire them.

Under anarchy, anyone could lend money to anyone, there would be no special thing known as a “bank” per se (or to put it a different way, anyone could put up a shingle that said “bank”). Without legal tender and the ability to create large amounts of money out of thin air (the threat of “bank runs” and/or devaluation of bank notes would effectively limit this to a very small level, enough to minimally pay for itself at most), the money supply would no longer be in the hands of a cartel. Borrowing would become rare, and saving would become widespread, distributing capital more and more widely, rather than more and more narrowly, thus diluting the price of capital. Under such a system, any shift in demand would be met by a vast array of competitors, driving profits back down to the average.

Obviously, under anarchism, such a thing as “intellectual property” wouldn’t exist, so any business model that relies on patents and copyrights to make money would not exist either. This would contribute to the dilution I mentioned above.

As the price of capital is diluted, the share of production that goes to the workers increases. What we would eventually see is essentially, a permanent global labor shortage. Companies would compete for workers, rather than the other way around.

What is likely, judging from history, is that something like a private syndicalism would arise, where owners of value-producing property would lease it out to organizations of workers, simply because it would be easier for them than trying to hire people on a semi-permanent basis.

Mining was organized like this for quite a while, for instance, until the advent of bank-financed joint stock mining companies, which bought out most of the prospector/owners in the 1800s.

So we see, even assuming an “anarcho-capitalist” property regime, anything recognizable as “capi-



talism” to anyone else could not exist. In fact the society would look a lot like what “anarcho-socialists” think of as “socialism.” Not exactly like it, but much closer than anything they’d imagine as capitalism.

However, under anarchism, even such a strict property regime is not guaranteed. There is no way to impose it on a community that wants to operate a different way. I predict there will lots of different communities and systems that will compete for people to live in them and whatever seems to work the best will tend to spread. There’s nothing the anarcho-capitalists could do to prevent people from agreeing to treat property in a more fluid or communal manner than they’d prefer. Nor is there anything the anarcho-socialists could do to prevent a community from organizing property in a more rigid or individualistic manner than they’d prefer.

For, just as anarcho-capitalism is impossible, anarcho-socialism is also impossible, *depending on how you define things*. In reality all of us who are opposed to the state, as that great fiction that some people have a special right to do things that anyone else doesn’t, are anarchists, and what will happen under anarchy? **Everything.** Δ

*CASS Contributing Writer Anna O. Morgenstern has been an anarchist of one stripe or another for almost 30 years. Her intellectual interests include economic history, social psychology and voluntary organization theory. She likes piña coladas, but not getting caught in the rain. Her website is [tranarchist.blogspot.com](http://tranarchist.blogspot.com)*

## Authority: If It’s Good, Why Does It Make Us Feel So Bad?

**Kevin A. Carson**

[17 March 2013, CASS]

In the past, I’ve argued against authority on both principled and consequential grounds. Institutions like the state don’t have legitimate authority over you because we don’t own other people, and you can’t delegate an authority you don’t have to an institution to exercise on your behalf.

On a purely practical level, authority leads to irrationality and inefficiency because it filters and distorts information flow and causes decision-makers to operate in a purely imaginary world. That was true of Gosplan in the old USSR, and every Fortune 500 corporate headquarters is for all intents and purposes just a mini-Gosplan. Authority leads to socially suboptimal outcomes because decision-makers are able to externalize the negative consequences of their decisions on subordinates and appropriate the positive consequences for themselves.

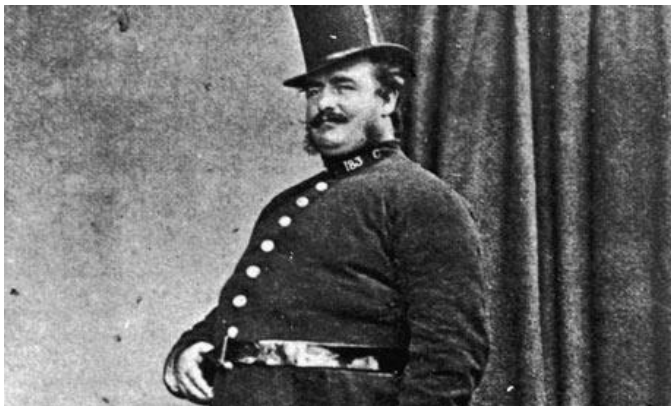
But a lot of people don’t find such intellectual arguments convincing. They don’t feel them in their gut.

So this time I’m going to attack it from a different angle: Authority is bad because of the way it makes you feel.



AN ANARCHIST "SUNDAY SCHOOL." TEACHING UNBELIEF AND LAWLESSNESS.

Imagine you're driving along, and you look in your rearview mirror and see a police car behind you. Do you feel confident and relieved, thinking "I'm so glad I'm being protected and served"? I doubt it. Your first thought is most likely of how soon you can lose the cop, either by making a turn or letting them pass you. As you continue to see the police car behind you, your thoughts almost certainly turn to whether you did something wrong, or whether you're inadvertently doing something wrong right now the cop can seize on to pull you over. And the longer the police car stays behind you, the more turns it follows you through, the louder that panicky voice in your head becomes: "I'm in trouble! I must've done something wrong."



In short, you're reduced to feeling like a "bad" child in the face of an adult authority figure.

Remember when you actually were a child, and your mom or dad said, "Come here. We need to have a talk"? Or when your teacher called you aside for a "little talk," or you got summoned to the principal's office? You felt like the authority figure behind the desk was a hundred feet tall and looking at you, miserable little worm that you were, through a microscope. You felt like a puppy that had just been caught piddling on the rug.

You probably feel the same way as an adult, at work, when your boss calls you into her office. If you don't know what it's about, you start racking your brain trying to think of a million and one things you might have done wrong. Will she be mad at me? Will I get yelled at? Will I lose my job? I'm in trouble. *I'm bad.*

At the most fundamental level, this is why authority is evil. It reduces you to the feelings of fear and powerlessness you experienced as a child. It makes you think you're bad. It makes you think you must have done something wrong.

This isn't a good way for anyone to feel. And a society in which we spend a major part of our lives under the control of institutions directed by authority figures with the power to make us feel that way, is a fundamentally sick society.

Looking at things from the other direction, authority is bad because of the way it makes you feel when you identify with it – like other people are bad.

Whenever there's a news story online about someone being beaten up by a cop, the comments are bound to include people saying things like "Well, that ought to teach them a lesson. When a cop tells you to do something, you do it!" A dismaying share of American political discourse, especially from the Right, involves accusing one's opponent of being "soft on" this or that, promising to "get tough on" the other thing, and calling for a whole host of outgroups or dissidents – protestors, disobedient foreign countries, gays, racial minorities, women, "illegal aliens," etc. – to be "taught a lesson" or "shown who's boss."

People who view the world through this framework, typically, were beaten (literally or figuratively) by authority until they saw identifying with authority and redirecting their suppressed rage against the enemies of authority as the only way of escaping the double bind. They learned to love Big Brother.

A society that creates this mindset is also sick.

Dealing with other human beings – all other human beings – as equals, confident and unafraid, is the right way to live. It's the only right way to live. Δ

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## The Pervasive and Grotesque Logic of Victim Blaming

**Nathan Goodman**

[20 June 2013, C4SS]

A recent story<sup>1</sup> out of Elwood, Indiana once again underscores the pervasiveness of victim blaming in our culture. In Elwood, a 14-year-old girl faces relentless bullying and harassment, all because she was raped and impregnated by a 17 year old boy. “I can’t walk out the door without someone calling me a whore or slut,” she said. Locals have vandalized her family’s home, writing misogynistic slurs on their garage doors.

This story is a horrifying reminder of how often people in our society blame and re-victimize survivors of violence and abuse. But often victim blaming isn’t just perpetuated by individuals, but institutionalized, as in the US military. Lisa Wilken, who was raped in the US Air Force, told *USA Today*, “The damage that has been done to me hasn’t been by the act of the assault, it has been the treatment that I have received through the process.” Likewise, there have been many cases of prisoners being threatened and attacked by guards for reporting rapes.

And while victim blaming in sexual violence cases is particularly traumatizing, victim blaming is often applied to other forms of violence as well. For example, it permeates the justifications given for US bombings that kill civilians. The Obama administration claims that all military age males killed are “militants” until proven otherwise. Even 16-year old American citizen Abdulrahman Al-Awlaki was initially branded a militant after a US drone strike killed him in Yemen, although as Glenn Greenwald points out “nobody claims the teenager was anything but completely innocent.”

After Abdulrahman was identified, a different style of victim blaming was used. When asked about

the executive branch killing an innocent American 16-year old, White House press secretary Robert Gibbs responded “I would suggest that you should have a far more responsible father if they are truly concerned about the well-being of their children.” Gibbs was referencing Anwar al-Awlaki, Abdulrahman’s father, an American citizen and radical Muslim cleric who was also assassinated by the US government with no charges or trial. Anwar al-Awlaki was already known to be dead by the time Abdulrahman was killed, so it is not just cruel to blame him for his son’s death, but chronologically absurd.

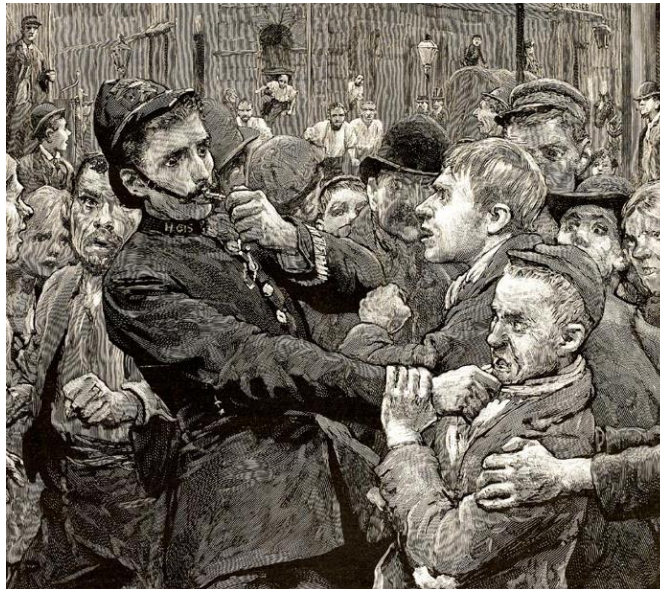
Victim blaming is similarly used to justify state violence at home – for example, in cases of police militarization.

Late at night on January 4th, 2012, armed men broke into Matthew Stewart’s home with guns blazing. Matthew, a startled gun owner and military veteran, fired back on the home invaders, killing one and wounding several others. Stewart was also severely wounded and hospitalized.

In an ordinary home invasion, the victim would not be blamed for defending himself. But in this case the aggressors were police officers, so Matthew Stewart was jailed and the state began a victim blaming smear campaign against him. The accusations flew fast. Weber County Attorney Dee Smith was not content to just smear Matthew Stewart as a “cop killer,”

seek the death penalty against him, and claim that the cops were justified in their aggression because Matthew was peacefully growing marijuana plants. No, he also found it necessary to spread baseless lies that Matthew Stewart was a pedophile and a terrorist. All this because Matthew defended his home from violent aggressors.

After a year and a half of abuse in jail, Matthew Stewart committed suicide. And the victim blaming and degradation still didn’t end. Police officers trespassed in his home again even after he was dead and the state’s case against him was closed. Officer Jason Vanderwarf<sup>2</sup> harassed Matthew’s grieving family



members on Facebook, writing “now you all can feel our pain.” Vanderwarf was one of the initial aggressors, having lied on the initial search warrant and participated in the home invasion.

Here are two simple principles for decent human beings: 1) Initiating violence is wrong; 2) Don’t blame the victims of aggression and violence.

We need to stand up for these principles. And we need to hold those who violate them accountable, whether they are rapists, misogynists, military commanders, presidents, prosecutors, or police. Δ

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#### Notes:

[1] <http://thinkprogress.org/health/2013/06/10/2113781/another-town-shames-rape-victim>

[2] <http://ut4ps.tumblr.com/post/51673681783/how-to-be-a-terrorist-thug-cop-in-america-by>

## A Moral Spring

**Grant Mincey**

[27 June 2013, CASS]

Direct action – peaceful, dignified, civil disobedience<sup>1</sup> – is practiced when one wishes to purposely break the law for a social, economic or environmental purpose. It is proper, even necessary, to disobey the law when human rights are at stake. It is proper to challenge the status quo. It is proper to challenge power structures and it is proper to challenge the rule of law. If a society is totally obedient totalitarianism will surely reign. In a civil society people must obey conscience rather than law – if a law is unjust it must be broken. As elected officials ignore cries from the public and seek to enact laws that favor big business at the expense of the population it is proper to disobey. This is what is happening in North Carolina.<sup>2</sup>

The new veto-proof Republican majority has been moving quickly, working on a number of new

powerful laws that seek to serve special interests as opposed to people.

Duke-Progress Energy, the largest utility monopoly in the United States, is being awarded rate hikes<sup>3</sup> by a favorable energy commission (the energy commission attempts to simulate a “market force” to keep the giant in check) in hard economic times. The utility giant is also doubling down on dirty energy resources<sup>4</sup> while backing away from conservation and efficiency programs which would save working families money in the current economic slump.

Aqua America, the nation’s largest private water company, has an active subsidiary in North Carolina. Privatization of local municipalities is becoming a big issue<sup>5</sup> in the state all while the legislature is also moving to strip local municipalities of the right to manage their own water.<sup>6</sup> Government officials are also trying to bring fracking to the Tar Heel state. The bills promoting our nation’s latest energy boom<sup>7</sup> classically use state power to uphold industry. The latest “fast track frack bill”<sup>8</sup> seeks to allow eminent domain, compulsory pooling,<sup>10</sup> and a number of other pro-industry “regulations.”

In the halls of power in Raleigh, politicians are also working to expand the regressive sales tax,<sup>10</sup> cut spending on education,<sup>11</sup> cut public safety nets<sup>12</sup> and reduce unemployment benefits.<sup>13</sup> One must not forget efforts at reforming the state’s criminal justice system<sup>14</sup> and voting rights as well.<sup>16</sup>

In response a small group of people began to organize what has come to be Moral Mondays.<sup>16</sup> Organized by the NAACP, weekly protests have been held every Monday since mid-April to raise awareness about the newest democratic assault occurring in the south. At the first Moral Monday there were 17 arrests while tens of supporters showed solidarity. Every single week this protest has grown, and now, as Reverend William Barber<sup>17</sup> of the NAACP puts it, Moral Mondays “are a movement ... not a moment.” Crowds have surged into the thousands and they sing, cheer and chant as over 100 people are now being arrested. As the legislature is soon drawing to a close, so too are Moral Mondays.

The movement will remain important, however, for a long time to come. It will remain important not because a Republican majority is being challenged. Not because of the progressive wishes of the movement (though folks across all political spectrums have shown support). Not even because of the calls for a more representative government. Moral



Mondays will remain important rather because of the disobedience. Moral Mondays are composed of active, concerned and engaged individuals challenging state power. Civil disobedience is the most powerful tool available to libertarians. The power, the right, the willingness to disobey is fundamental to a free society. Power must be challenged.

State interests are different from individual interests. State interests are also different from community interests. Though agents of the state remind us that they are elected officials and that they are “public servants,” we must not forget that first and foremost they are “state servants.” The state seeks power, wealth and influence over society. The state seeks to serve vested interests as opposed to individual/collective interests. As individuals we seek health, creative labor, peace, leisure, love, companionship and clean and safe communities. The public is at odds with the state.

As this “Moral Spring” draws to a close here in North Carolina, I hope the citizens here realize they will always be at odds with the state, even with their preferred “state servants” in power. Indeed only in opposition to rule will our households, communities and Earth be healthy. Only without rule will we truly be liberated. Δ

*CASS Contributor **Grant Mincy** is from the temperate forests of East Tennessee. He has a great interests in sustainability, geology, politics, and activism. He is particularly concerned about environmentally destructive extractive industries, the creation of captive markets, war and overall aggressive policy that halts social progress and, in some cases, even threatens the very existence of the human species. He is not fully within any camp of political thought, but finds the best ideas for individual and collective human liberation come from the libertarian left. His website is [appalachianson.wordpress.com](http://appalachianson.wordpress.com)*

#### Notes:

- [1] Howard Zinn, “Seven Guidelines for Civil Disobedience”; online:  
<http://www.worldpolicy.newschool.edu/wpi/globalrights/usa/1968-Zinn-civil%20disobedience.html>
- [2] <http://www.youtube.com/watch?v=rHpVOZQxJkw>
- [3] <http://www.consumersagainstrathikes.org/news-release-diverse-coalition-calls-for-rejection-of-duke-and-progress-energy-carolinas-business-plans/>
- [4] *Ibid.*
- [5] <http://www.indyweek.com/indyweek/why-aqua-north-carolina-customers-are-furious-about-their-service>

- [6] <http://www.citizen-times.com/article/20130510/NEWS/305100053/Asheville-leaders-past-present-decry-water-bill>
- [7] <http://www.knoxnews.com/news/2013/mar/29/letter-fracking-bust-for-pa>
- [8] <http://web.archive.org/web/20130516115919/http://rafiusa.org/issues/landowner-rights-and-fracking/fast-track-bill-76>
- [9] <http://rafiusa.org/issues/landowner-rights-and-fracking/forced-pooling>
- [10] [http://www.wavy.com/dpp/news/north\\_carolina/sales-tax-could-expand-in-nc-plan](http://www.wavy.com/dpp/news/north_carolina/sales-tax-could-expand-in-nc-plan)
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## The Myth of 19<sup>th</sup>-Century Laissez-Faire: Who Benefits Today?

**Roderick T. Long**

[10 June 2013, C4SS]

Last week Michael Lind asked a silly question: if libertarianism is so great, why hasn’t any country tried it?<sup>1</sup>

The question is silly because the libertarian answer is obvious: Libertarianism is great for ordinary people, but not for the power elites that control countries and determine what policies they implement, and who don’t welcome seeing their privileged status subjected to free-market competition. And ordinary people don’t agitate for libertarian policies because most of them are not familiar with the full case for libertarianism’s benefits, in large part because the education system is controlled by the aforementioned elites.

Lind’s question is analogous to ones that might have been asked a few centuries ago: If religious toleration, or equality for women, or the abolition of

slavery are so great, why haven't any countries tried them? All such questions amount to asking: If liberation from oppression is so great for the oppressed, why haven't their oppressors embraced it?

Now E. J. Dionne proposes a different answer to Lind's question: "We had something close to a small government libertarian utopia in the late 19th century and we decided it didn't work."<sup>2</sup>

Leaving aside the Orwellian use of "we" – as a serious claim about history, this is absurd. Even if we ignore, as we shouldn't, the anti-libertarian legal disabilities imposed on women, nonwhites, and homosexuals (i.e., the majority of the population), it remains true that the late 19<sup>th</sup> century American economy was characterized by vigorous and systematic government intervention on behalf of big business (wrapped sometimes in laissez-faire rhetoric and sometimes in progressive rhetoric). A government that routinely brings in police or the army to break up strikes is hardly a laissez-faire regime.

In the 1880s, free-market anarchist Benjamin Tucker identified the domination of business interests in the Gilded Age as grounded in a variety of state-imposed monopolies, stressing four in particular: Protectionist tariffs; the monopolization of credit through government control of the money supply; the suppression of competition via informational monopolies (patents and copyrights); and the assignment of titles to land and natural resources on the basis of expropriation and political pull rather than homesteading and trade.<sup>3</sup> Alongside these, Tucker listed the monopolization of security services represented by the institution of the state itself.

The rigging of the market in favor of big business did not end with the Gilded Age. Dionne's claim that in that era "monopolies were formed too easily" ignores historical research by James Weinstein<sup>4</sup> and Gabriel Kolko<sup>5</sup> showing that the supposedly anti-business regulations of the Progressive era (and likewise, Butler Shaffer<sup>6</sup> has shown, those of the New Deal) were actually lobbied for by the corporate elite,

in order to prop up monopolies that could not survive in an unhampered market. Dionne's vision of the New Deal as coming to the rescue of a government that was previously "helpless" and "handcuffed" by "anti-government ideology" is ludicrous; Roosevelt's big-government, pro-cartelization policies were largely a continuation of Hoover's.<sup>7</sup> And given the destruction of affordable health insurance in the early 20th century via the political might of the medical establishment, as documented by historian David Beito,<sup>8</sup> Dionne's claim that laissez-faire left the poor "unable to afford health insurance" is literally adding insult to injury.

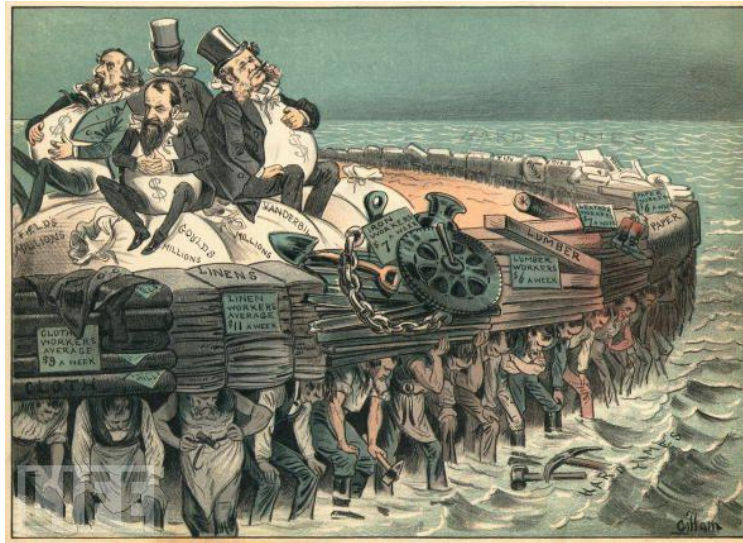
The myth of 19<sup>th</sup>-century laissez-faire is useful to statists on both the left and the right. As

contemporary market anarchist Kevin Carson observes,<sup>9</sup> "advocates of the regulatory-welfare state must pretend that the injustices of the capitalist economy result from the unbridled market, rather than from state intervention in the market," since otherwise "they could not justify their own power as a remedy." And by the same token, "apologists of big business" need to

"pretend that the regulatory-welfare state was something forced on them by anti-business ideologues, rather than something they themselves played a central role in creating."

Dionne's identification of the Tea Party as representing "anti-statist libertarianism" shows that he has let himself be bamboozled by the anti-government rhetoric of what is mainly (with some honorable exceptions) a pro-big-government campaign for crony capitalism, intrusive morals legislation, harassment of peaceful immigrants, and a sanguinary foreign policy. The regulations against which Tea Partiers rail are mainly secondary regulations,<sup>10</sup> the belt over the bones,<sup>11</sup> designed merely to ameliorate the effects of those primary regulations that maintain the essential power structures in place.

A better question we might ask Lind and Dionne: if the intrusive state is so great, why does it need to



retain its clients by force, rather than letting them peacefully opt out? Δ

**Roderick T. Long** is Professor of Philosophy at Auburn University, President of the Molinari Institute, and Editor of **The Industrial Radical**; he blogs at *Austro-Athenian Empire*.

#### Notes:

- [1] "The Question Libertarians Just Can't Answer," *Salon*, June 4: [http://www.salon.com/2013/06/04/the\\_question\\_libertarians\\_just\\_cant\\_answer](http://www.salon.com/2013/06/04/the_question_libertarians_just_cant_answer)
- [2] "Libertarianism's Achilles' Heel": <http://www.houstonchronicle.com/opinion/article/Dionne-Libertarianism-s-Achilles-Heel-4588015.php>
- [3] "State Socialism and Anarchism: How Far They Agree, And Wherein They Differ": <http://fair-use.org/benjamin-tucker/instead-of-a-book/state-socialism-and-anarchism>
- [4] *The Corporate Ideal in the Liberal State, 1900-1918* (Beacon Press, 1985).
- [5] *Railroads and Regulation: 1877-1916* (W. W. Norton, 1970); *The Triumph of Conservatism: A Reinterpretation of American History, 1900-1916* (Free Press, 1977).
- [6] *In Restraint of Trade: The Business Campaign Against Competition, 1918-1938* (Bucknell, 1996).
- [7] Murray N. Rothbard, "The Hoover New Deal of 1932": <http://mises.org/rothbard/agd/chapter11.asp>
- [8] *From Mutual Aid to the Welfare State: Fraternal Societies and Social Services, 1890-1967* (UNC, 2000).
- [9] "The State and Capitalism in the 'Laissez-Faire' Era": <http://mutualist.org/id72.html>
- [10] Kevin A. Carson, "Dialectical Libertarianism": <http://c4ss.org/content/15318>
- [11] Charles Johnson, "The Many Monopolies": [http://www.fee.org/the\\_freeman/detail/the-many-monopolies](http://www.fee.org/the_freeman/detail/the-many-monopolies)

## Financial Freedom versus the Stability-Stagnation- Surveillance State

**Amir Taaki**

[24 June 2013, C4SS]

David Cameron, the UK prime minister, has been caught pants down. His tie is not on straight and he begins his speech grasping for straws. "We do live in a dangerous world. We live in a world of terror and terrorism," he says, playing on people's fear. He references a recent attack on a British soldier before

launching into praise for the UK's security apparatus. Cameron gives a firm defence of the secret services.

An explosive leak of documents has been exposed out of the shadow of darkness detailing the full extent of the global surveillance state. The US, it turns out, has been spying not just on the world but on its own citizens as well. Americans are angry. What an outrageous flagrant abuse of their rights! The American people have discovered that the ring of gangsters in power does not include them. They are outside that inner circle. The vested, powerful interests do not exist for their benefit.

After the sinkhole of university debt, the rhythm of life becomes a steady climb up the property ladder into a deeper hole of debt against the steady backdrop of the humdrum march of salaried work.

Workers will never be free. Bosses will always rule. Asking the state to gift you the privilege of shorter hours and high wages is a fantasy. In the fairy-tale of Cinderella, a poor working girl is whisked off her feet into a glamorous kingdom of wealth and riches. The message is a pathetic hope of vanity and acceptance.

Employees, don't be slaves! The boss will always reap the rewards of your work. You will never own the products of your work. You will never own your dignity. You will always be owned.

Take back your work. We need a world of entrepreneurs and small businesses. Creating your own business to challenge the power of a corporation is the most subversive thing you can do.

Bitcoin is a tool towards this goal. Anyone can engage in trade.

When the odds are uncertain, the ballsy gain. But when you start your demand for certainty, you start following what everyone else is doing and nothing new gets made. An economy can't progress if we're all doing the same, and any profit there is not real (probably from exploitation).

There is a centuries-old conflict since the beginning of history between a side that wants to systematise and centralise, and a side that challenges established tradition and culture. "Work within the rule of law," they say. Place your trust in experts to judge for us they say. Put limits on what can or cannot be done, and abide by them, they say. But for all their posturing and alluring talk, that attitude is and always will be one of servile following and faceless lack of identity.

The power of the state derives from a self-certification of serving the national interest. And the



more that we give up our power as free individuals, the more we become dependents in the hands of an elite class asking to be gifted higher wages and better working conditions.

When the system becomes centralised, it becomes a magnet for powerful economic actors. Corporate lobbyists subvert democratic mechanisms, huge cartels dominate and small businesses are forced out. Tools of oppression like patents and copyrights grant huge amounts of power over the economy. And that is how the system becomes corrupt.

The co-opted watch television, work 9-5 to pay off debt for the car and the house just mortgaged, and keep voting for politicians who support global tyranny and the destruction of individual freedom ("Well, the other guy is worse, right?"). And, worst of all, they keep paying taxes to fund the architecture of oppression. They will defend positive aspects while downplaying the impact or severity of the reprehensible.

I want to address tax avoidance. Tax avoidance is a legitimate form of protest. There is no reasonable excuse for supporting an organisation whose policies you fundamentally disagree with. Using a moral imperative to compel citizens to offer their financial consent to morally corrupt organisations (such as the state) is the biggest myth of our time. At best it's a logically fallacious conflicting condition. At worst it's bare-faced manipulation.

Bitcoin is a powerful tool to withdraw financial support for organisations we disagree with on a moral level. Forget its financial benefits (of which there are many). It has a deeper fundamental argument. This is why financial anonymity and lack of financial censorship is important.

We need the ability to choose to whom we make our payments. Payment is a form of speech – financial speech. When you pay someone, you are consenting to their work. A payment is giving approval to the recipient. This is the basis of the free market, and one lost with compulsory payment like the taxation process.

When the ability for freedom of financial speech is totally compromised, then we have lost a fundamental power. Our payments landscape is dominated by a cartel.



In December 2010, an arbitrary and unlawful financial blockade was imposed on WikiLeaks by Bank of America, VISA, MasterCard, PayPal and Western Union. WikiLeaks had published the biggest leaks in journalistic history, which triggered an aggressive retaliation from powerful groups. The attack has destroyed 95% of their revenue, and Bitcoin was their single lifeline.

The ongoing blockade is outside of any accountable public process. It is without democratic oversight or transparency. The blockade of WikiLeaks by politicized US finance companies continues regardless.

And WikiLeaks is not an odd case. Financial censorship is a regular tool of control.

Anonymity is another important factor. Anonymity preserves individual dignity. When the rule of law outgrows the moral judgement of its population, black markets emerge. Trade moves underground and the counter-economy establishes itself as a thriving bazaar of fast-moving creatives.

Revolutionary ideals materialise when society protects individuals.

Can a society which rigidly enforces all its complex conflicting laws progress? Women and gay rights were radicals less than a century ago. History shows us that many guilty figures in hindsight turned out to be luminaries and heroes before their time.

David Cameron continues by asserting that the UK secret services abide by a strict framework of law. He is on the defensive and makes a series of statements that are no less than lies. He tells how the UK government values the privacy and respect of its citizens in the highest regard, despite that the UK has the highest density of surveillance anywhere.

Just this week the leaders from the 8<sup>th</sup> wealthiest nations met in London for the G8 summit amidst protests across the capitals. The response was swift. Police heavy-handedly suppressed dissent, arresting over 50 people and breaking up demonstrations. Their excuse: if the protestors had only collaborated to plan a 'proper' protest with the police, then it would be a legal protest.

Let's build our own markets.

Let's find ways of constructing systems that don't need corrupt authorities.

The counter-economy is here and now. A market

of over a billion people: exchanges, markets, all over Europe. Bitcoin is booming. Bitcoin is not the revolution, but it is a big tool towards a grander future. One full of vision, empowerment, liberty and progress. We have a chance to take things forwards, to reconstruct our financial system (a powerful oppressor of people worldwide). Don't fuck it up. Be part of it. Engage with this growing market; otherwise you'll be left behind. Δ

***Amir Taaki** is a London-and-elsewhere-based Bitcoin pioneer and developer of (among other things) libbitcoin, the first full re-implementation of the Bitcoin protocol, as well as organizer for cryptocurrency conferences and a founder of several Bitcoin businesses. When he's not plotting brilliant futures and how to get there, he can sometimes be found squatting office buildings in London's central business district.*

## The Revolution of Brazil: An Interview

**Grant Mincey**

[2 July 2013, C4SS]

Brazil is in a state of revolt. Demonstrations have been taking place all across South America's largest country in over 350 Brazilian cities. Demonstrations against political corruption, poor education, poor healthcare, police violence, public transit costs and more are taking place on the streets. The public demonstrations are so large in scale that the nation's political ruling class is working to enact legislation to calm the storm.

Tairone Leão, a close friend of mine, is an adjunct professor at the University of Brasilia at the Agronomy and Veterinary Medicine School in Brasilia, DF, Brazil. He is an Agronomist from Rio Verde, GO, Brazil where he was born and raised. He holds a graduate degree in Agronomy from the University of Sao Paulo and also a PhD in Geology from the University of Tennessee, Knoxville – where we became quick friends. Rio Verde is located 430 km away from Brasilia where he lives now.

In this article, Tairone shares with us his thoughts on Brazil's social movement; questions were developed with the help of C4SS contributors.

**C4SS:** A picture says a thousand words. This

picture was taken at a recent demonstration, can you explain what is happening here?



**Tairone:** This picture was taken in Brasilia, the capital of Brazil, during last week's protests. The protests took place in front of the National Congress building where there is a small lake; the ministry buildings can be seen at the back. At some point protesters tried to invade the building across the lake and were repelled by the police with tear gas and batons. They are known to have been using rubber bullets as well. Later in the evening the protesters broke through and ended up on top of the building. It was a huge symbol to Brazil when they broke through. A few of them were quoted as saying something in the lines of "we are taking our home back." A picture from the media will help show what happened.



**C4SS:** Brazil as a nation-state – what exactly is going on? What sparked so many people to take to the streets?

**Tairone:** As of now nobody knows for sure what is going on. We are slowly understanding the process and the direction it might take. A couple of weeks ago everything seemed perfectly normal. The president was going on TV, talking about the World Cup, how

inflation was under control, and enjoying approval rates of up to 70%. However, behind all of that something was bubbling. The amount of taxes paid by Brazilians reached 700 billion Reais (1 Dollar is roughly 2 Reais), the amount of money spent on construction for the World Cup kept rising well beyond the initial budget and several planned infrastructure works got cancelled because of budget and scheduling issues. FIFA (the soccer federation) enjoyed unlimited fiscal benefits and controls where, when, and if things are going to happen. Meanwhile people die in hospital rooms because there are not enough doctors, equipment, and money; public transportation in major cities is nothing less than chaos because of lack of basic infrastructure; and basic and high-school level teachers get paid R\$ 1567.00 a month (around 700 US\$). The straw that broke the camel's back was a raise in public transport fare from R\$ 3.00 to 3.20 in São Paulo city. A few hundred people from the Movimento Passe Livre (Free Public Transportation Movement) took the streets to protest and were violently repelled by the São Paulo police. The next day the word spread in social media and hundreds of thousands of people went to the streets, but now it wasn't about bus fares only, people were now crying for political reformation, punishment for corruption, against the exorbitant amount of money spent in the world cup and against the PEC-37, a proposal of an amendment to the constitution limiting federal prosecutors to investigate crimes (mainly corruption by high ranked politicians). From there the thing took off and a couple of weeks ago more than one million people were on the streets protesting and rioting.

**C4SS:** Are you involved in any way? Do you support the movement? Why, or why not?

**Tairone:** I am trying to spread the word. I live in Brasília and I went to the congress twice last week, but people were dispersing at the time I got there. I fully support the movement. I was upset a week before the protests about how much we pay on taxes and how little we get back in public services because of corruption and the ridiculous amount of money spent to support politicians and their mostly useless staff.

**C4SS:** What do the activists on the ground think is happening? Are there goals?

**Tairone:** The main goal was at first to lower the bus fares. When the thing took off it became a fight against corruption and the exorbitant amount of money spent in the world cup while the population

gets nothing in return. Last week the protests focused on the PEC-37 which was voted and did not pass. I think now the focus will be on several high-profile politicians which were convicted for corruption and are still in power such as Renan Calheiros (President of Senate) and congressman José Dirceu (ironically or not, he was convicted for active corruption and later became president of the Justice and Constitution Commission in the congress). The ultimate goal of the movement might be political reformation. As of now politicians cannot be judged as common citizens and this has been a major problem since they rarely or never get punished for anything. This is an old law that was meant to prevent politicians from being judged and condemned for activism during the military rule which horribly backfired in our faces.

**C4SS:** What are the main concerns?

**Tairone:** There are not a lot of thoughts put on concerns about where the movement is going. At first my main concerns were that the movement wouldn't go anywhere or that it could throw the country into a chaotic state. Regarding the first, a few important changes in the congress have already been achieved; although there is a lot more to be achieved, we can already say the movement is successful. I also don't think it will lead the country to total chaos, as violent protests and ransacks have not been as frequent. The media have been criticizing rioters nonstop; I, however, think that they might have their place in the long run.

**C4SS:** How are the protests organized? Are there known grassroots groups coordinating the protest? Is it spontaneous?

**Tairone:** At first it was coordinated by the Passe Livre Movement. After the first week it went viral and it has been controlled by social media. There is no clear leadership; protests are being organized mainly by Facebook. Anonymous Brasil has been playing a part in the movement as well, however as violent protests have been shunned by the majority, the amount of people wearing Guy Fawkes masks is much less than it was a week ago. People are being encouraged to show their faces and show who they are in the movement instead of hiding behind a mask. The call for protesting is now coming from nearly all sectors of society, it is spontaneous at this point, and there are no political parties involved.

**C4SS:** Are there non-state solutions to social/economic/environmental problems being explored?



**Tairone:** The concept of a stateless society is very little explored and knowledge about it is almost nonexistent here. In my point of view most people here were never exposed to that idea. We have a culture that goes way back to the Portuguese empire and monarchy in Brazil, followed by Presidents and military rule, so people are indoctrinated to have someone in power telling them what to do. The idea of not having a leader, a strong figure in power, a savior of the country, is seen by many as a passport to chaos and anarchy. Of course they understand anarchy in the derogatory sense of the word, not as a political system. I am and have always been open to the idea of a society organized in a way that each individual is free and knows his or her role to the functioning of the community and executes it without having to be told by an authority figure how and when to do it. We have a lot of NGOs here but in the end they all have their own agenda and their effectiveness addressing these issues is limited.

**C4SS:** Is this a leaderless (horizontal) movement?

**Tairone:** It is now for what I can see. Since there are no political flags it is hard to see who is behind it. The traditional leftist social movements such as the CUT (Workers Central), PT (Workers Party) and MST (Landless Workers Movement) that used to be behind all protests in the past are not being very welcomed this time because of their association with the corrupt government. The role of social media where everyone has an equal voice in raising awareness to the issues and the organization of the protests is a clear sign to me that people might not need leadership (or a formal state for that matter) to direct them in the long run.

**C4SS:** There have been reports that people have been reclaiming large tracts of land and farming it; is there a back to the land constituency?

**Tairone:** Up to now the MST or other agrarian reformation movements have not been directly involved in the protests. The agrarian problem in Brazil is very complex and probably needs to be addressed on its own. It involves big farming companies, logging corporations, native Brazilians' struggle for land demarcation, small, medium and large size farms and the government. To understand a little more about the land problem here I highly recommend the documentary film *Vale dos Esquecidos* (*Valley of the Forgotten*) by Maria Raduan.

**C4SS:** There has been talk, or at least insinuation, about right-wing and neo-nazi presence or influence in the protests, have you noticed this?

**Tairone:** Very little. Some of the more violent riots had skinheads and traditional anarchists involved. As people have been calling for dropping the masks and not using any political flags or t-shirts the participation of these groups is now minimal. At some point last week the media and sectors connected with the PT and the government tried to classify the movement as extreme right in order to weaken it and cause internal division. This however has been proven false.

**C4SS:** Are there noteworthy tendencies in how Brazilians have participated in the protests along regional, race, gender, and class lines?

**Tairone:** Protests are now occurring in all regions of the country, from the extreme south to small cities in the Amazon region. Besides the major concerns, every city has its own problems that are being addressed by the protesters. Specific classes are also protesting for specific problems, such as the medical class, cab drivers and others. For what I've seen, for the most part, the movement is mainly composed of young people, mainly high school and college students and young workers.

**C4SS:** There seems to be hostility to party flags, a growing narrative of opposition to corruption, and the preeminence of Brazilian flags. While the latter might be problematically nationalist, the former seem on the face of it quite praiseworthy from an anarchist perspective. What, in your perspective, is the make-up of the crowds? Do you see a generalized left-libertarian populism being built that is critical of both state politics and neoliberalism?

**Tairone:** I see the nationalism as a positive thing in the sense that people are seeing themselves as the country. It is different from what happens in other countries. People don't use the flag as a means of showing power and national pride but as a symbol for saying something in the lines of "we are this country, the politicians are not this country and we deserve better than this." It is hard to say what the average political make-up of the crowd is. Libertarianism is a concept little known by us, myself included. What I can say for sure is that the leftist populism is a big part of what brought us to this situation. Former president Lula was an extremely populist leftist leader and is now being viewed by many as the root of many of the problems being addressed including political corruption scandals and the FIFA sellout. Neoliberalism is not very well seen by most people. We had a strictly neoliberal president before Lula, Fernando Henrique Cardoso. Although Cardoso is a

highly regarded intellectual, scandals related to the privatization of public service companies during his government have caused the term “neoliberal” to have a bad connotation around here.

**C4SS:** As an academic, have you felt pressure from the state, from corporatism? If so, do your peers share your concerns – is this movement supported by the intelligentsia?

**Tairone:** The academia in Brazil is seen mainly as leftist in its core. Many of the traditional loud voices in the past are now silent because they were/are connected to or supported the government somehow. However every one of my colleagues I have spoken with fully supports the movement. Until now the government has not pressed us in any way. However the participation of academics in the frontlines of the movement has been minimal. A lot of the intellectuals and preeminent “bossa nova” musicians who were pivotal to the end of the military rule are also silent now because of their support of the government and PT in the past.

**C4SS:** What are your hopes for the revolution?

**Tairone:** From my part I would expect a more concrete revolution with the replacement of the form of government we have now by something more universal and with less monetary onus to the taxpayers. I don't think that is going to happen though. In the end the politicians are rushing trying to approve laws and meet demands from the protesters in order to save their necks and their political careers. They might make enough changes to please people and get to stay in power, and that is my greatest fear.

**C4SS:** Afterward – do you feel the current movement is the beginning of a better society?

**Tairone:** It might be. People realized that they have much more power than they thought. But in the end for a better society we have to change ourselves. What we do ourselves is what makes a better society. We voted for these politicians in the first place. We are the ones trying to get personal benefits from them, we are the ones who cut in line, who throw garbage on the floor, try to cheat on exams or on taxes. When we realize that these small actions are what will help make a better society and that the politicians we put there are a reflection of us, we will

have a better society. Brazil has a culture of trying to find the easy way, not always legal, through things (The Brazilian Way or Jeitinho Brasileiro); when we change that mentality we will be a step closer to a better society. Δ

## Egypt Is Gonna Take a While ....

### B-psycho

[22 July 2013, Psychopolitik.com]

After a brief break last month, I invoked the massive demonstrations in Egypt as at least in the abstract an inspiring sight. The open challenge of authority, reminders to ones claimed rulers that there are more of Us than of You, appeals to more for reasons that should be old hat by now. That such originally brought down Hosni Mubarak after decades of strongman rule was a good thing, at least as far as an outsider can say. At the time, I chalked up the curious supportive presence of the Egyptian military



as a dead canary, basically indicator of just how terribly the “civil” state had been doing. After all, to an extent we see similar unfortunate reaction to the corruption of the political ruling class stateside, as reflected in polls showing a huge gap<sup>1</sup> in confidence between the military & the U.S. congress. That this persists despite the U.S. military being visibly

much less autonomous than the Egyptian military in terms of what it does is, if anything, a strike against *us* for making distinction where there isn't one.

Recent news of goings-on in Egypt since the removal of Mohammed Morsi from power, however, stand as caution flags. For one, opposition to the rule of the Muslim Brotherhood gave way to arrests of its members and outright bans<sup>2</sup> on religious parties. Now, as both a libertarian and a heathen,<sup>3</sup> I have no sympathy whatsoever for policy derived from religious doctrine, whether it be the Muslim Brotherhood over there or the Christian Brotherhood here in the U.S. However, if the charade of representative government is even going to be

*attempted*, it seems clear to me that step one should not be “explicitly exclude some people from the process.” I had previously remarked on this elsewhere<sup>4</sup> last December, in the context of what the political result would be of Egyptian liberals articulating such openly:

So basically if the liberals in this case admitted that since the Islamists want Islamism as a collective condition & not one individually chosen that liberalism in fact *doesn't* reconcile itself with Islamism or similar politically religious ideologies, their stance would be “what Islamists want is not individual liberty, therefore f\*ck 'em.”

Which would 1) be *true!* but 2) result in the liberals losing.

Today this realization is leading to suppression of people based on their political views. To the extent that liberal Egyptians support this, it is liberalism eating itself. That knowledge of what Islamists would do with such power doesn't discourage claiming of it is another glimpse of the contradiction grating at the nerves of humanity. Yet another way in which despite our vastly different backgrounds we slog through much the same mud.<sup>5</sup>

Also, the economic situation in Egypt is such that the most mundane things reveal a state apparatus that seems to have its hand in *everything*. Even something as simple as bread<sup>6</sup> lent itself to the mass demonstrations:

Mohamed Abu Shadi, a 62-year-old former police general with a doctorate in economics, said Mursi's government made “incorrect calculations” regarding Egypt's wheat stocks.

The estimates made by former supplies minister Bassem Ouda, who hails from Mursi's Muslim Brotherhood, were “based on guesses, not on facts,” Abu Shadi told Reuters in an interview.

When asked why Mursi's administration was unable to accurately assess its wheat stocks, a crucial issue for a country where much of the population of 84 million relies on heavily subsidized loaves of bread, Abu Shadi replied: “That was why he left.”

When you give people bread, they call you a good Samaritan. When you heavily subsidize bread, they call you a skillful politician. When you ask why bread

needs to be subsidized simply in order for people to have it .... Δ

*B-psycho* is the net name of a musician and left-wing blogger out of Missouri. His site is **psychopolitik.com**.

#### Notes:

- [1] [gallup.com/poll/148163/americans-confident-military-least-congress.aspx](http://gallup.com/poll/148163/americans-confident-military-least-congress.aspx)
- [2] [independent.co.uk/news/world/africa/egypt-liberals-seek-to-ban-political-islamists-from-power-8724765.html](http://independent.co.uk/news/world/africa/egypt-liberals-seek-to-ban-political-islamists-from-power-8724765.html)
- [3] [psychopolitik.com/2006/12/29/defective-and-proud](http://psychopolitik.com/2006/12/29/defective-and-proud)
- [4] [tinyurl.com/ku7xtdl](http://tinyurl.com/ku7xtdl)
- [5] [psychopolitik.com/2013/06/10/party-hard-headed](http://psychopolitik.com/2013/06/10/party-hard-headed)
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## Biddle on the Land of Liberty

**Irfan Khawaja**

[4 July 2013, Institute for Objectivist Studies]

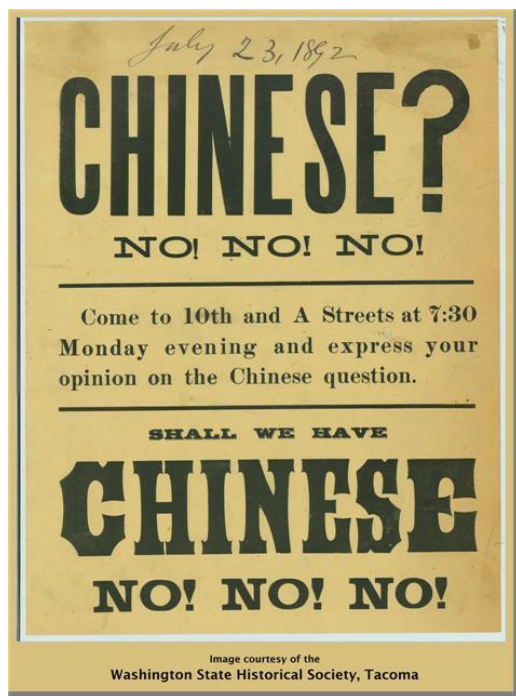
In a somewhat typical discussion,<sup>1</sup> Craig Biddle of *The Objectivist Standard* tells us what to celebrate on the Fourth of July. He begins with the usual invocation of the Introduction and Preamble to the Declaration of Independence, praises it, and then writes:

Although slavery persisted for several decades after the founding, this aberration was ultimately recognized as incompatible with the basic principle of America and thus eradicated. Between the end of the Civil War and the turn of the century, America came close to being a fully rights-respecting society. Men were essentially free to live their own lives, by their own judgment, for their own sake. *This* was the Land of Liberty. And this is what we should work to achieve again.

Biddle is describing a historical period that includes the military occupation of the South by Union forces (as well as its collapse), the rise of Jim Crow<sup>2</sup> as well as the founding of the Ku Klux Klan<sup>3</sup> (along with the rise of lynching as a practice), the *Plessy vs. Ferguson*<sup>4</sup> decision, the Indian Wars<sup>5</sup> (the subjugation of the Ute, the Sioux, the Nez Perce and others), and the Chinese Exclusion Acts.<sup>6</sup> Between 1865 and 1900, women were “essentially” the wards of the men to whom they belonged, and the Spanish-American War<sup>7</sup> turned the US, officially, into an imperialist nation. The same historical period also



gave us the slow death of the decent version of the Republican Party, the rise of a hyper-statist version of the Democratic Party,<sup>8</sup> the appropriation by the federal government of huge tracts of land in the West (e.g., Yosemite) under the influence of environmentalist ideology, the rise of monopolistic crony capitalism (and widespread labor unrest), and all of the statist expedients for dealing with crony capitalism and labor unrest, e.g., the Sherman Antitrust Act<sup>9</sup> (to name just one). To describe this time as “what we should work to achieve again,” we have to abstract from *all* of this, focusing (I suppose) on those parts of the population left untouched by it.



And some parts undoubtedly were. Great things *did* happen in the U.S. between 1865 and 1900; I’m not denying that. We are all, today, beneficiaries of Edison, Westinghouse, Ford, Hill, Carnegie, et. al., and owe them more in gratitude than we can repay. But Objectivists need a historiography that takes seriously the metaphysical-epistemological insight that “human” is an open-ended concept that subsumes all of its referents, not just the white male industrialists or inventors among them. Until we do, we’ll be content to traffic in hagiography and mythology rather than reality, romanticizing our past by ignoring what doesn’t fit the picture, and using the word “essentially” as a dodge for the fact that the picture is fundamentally (and perpetually) out of focus. One

wonders how long the necessary change in attitude will take. In any case, Biddle’s post is the symptom of a problem that needs solution. We need a Declaration of Independence from the attitudes it expresses, and its replacement by something better. I don’t mind pledging my life, my fortune, and my sacred honor to that. Δ

*Irfan Khawaja is Assistant Professor of Philosophy at Felician College, where (with Joseph Biehl) he co-directs the Felician Ethics Institute. He is also co-editor (with Carrie-Ann Biondi) of Reason Papers: A Journal of Interdisciplinary Normative Studies.*

#### Notes:

- [1] <http://www.theobjectivestandard.com/blog/index.php/2012/07/what-to-celebrate-on-independence-day>
- [2] [http://en.wikipedia.org/wiki/Jim\\_Crow\\_laws](http://en.wikipedia.org/wiki/Jim_Crow_laws)
- [3] [http://en.wikipedia.org/wiki/Ku\\_Klux\\_Klan](http://en.wikipedia.org/wiki/Ku_Klux_Klan)
- [4] [http://en.wikipedia.org/wiki/Plessy\\_v.\\_Ferguson](http://en.wikipedia.org/wiki/Plessy_v._Ferguson)
- [5] [http://en.wikipedia.org/wiki/American\\_Indian\\_Wars](http://en.wikipedia.org/wiki/American_Indian_Wars)
- [6] [http://en.wikipedia.org/wiki/Chinese\\_Exclusion\\_Act](http://en.wikipedia.org/wiki/Chinese_Exclusion_Act)
- [7] [http://en.wikipedia.org/wiki/Sherman\\_Antitrust\\_Act](http://en.wikipedia.org/wiki/Sherman_Antitrust_Act)
- [8] [http://en.wikipedia.org/wiki/Democratic\\_Party\\_%28United\\_States%29](http://en.wikipedia.org/wiki/Democratic_Party_%28United_States%29)
- [9] [http://en.wikipedia.org/wiki/Sherman\\_Antitrust\\_Act](http://en.wikipedia.org/wiki/Sherman_Antitrust_Act)

## Passing Over Eisenhower

**Smári McCarthy**

[18 July 2013, C4SS]

*The Internet industries of America may just have inadvertently had their hats handed to them by the military industrial complex. Now it’s up to Europe to provide an alternative to the surveillance state.*

Almost all of the major Internet industry giants are based in the United States. The reasons for this are historical and economical. The tradition of strong entrepreneurship practiced in the US since their inception, mixed with their purchasing power and history of acquiring any sufficiently profitable venture or fascinating technology from abroad, has put the US into a prime position to be the global leader in provision of Internet services.

That may just have ended. While US dominance over the roughly \$11 trillion/year global Internet services market is still unchallenged, the damage that the revelations made about NSA's vast global surveillance scheme may stymie their growth and perhaps even turn them into a localized recession in coming months and years.

The reason for this is Europe. While some Europeans are becoming increasingly comfortable with the notion of living in a surveillance state, most people on the European mainland still grow up hearing stories of totalitarian dictatorships, wars, genocides, and the Holocaust, and have a natural inclination to detest the notion of secret police. As more is learned of the US's secret spying games – aided in part, it seems, by their English counterparts – outrage boils thickly in countries like France and Germany, where despite highly open and inclusive societies in some senses, the notions of privacy as practiced in the United States have often been thought of as quaint. While modern discourse on privacy is dominated by the philosophical foundations of the 4<sup>th</sup> Amendment, a slightly different, somewhat more subtle understanding of privacy reigns in European discourse, with an annoyingly elusive definition.

Over coming months and years, the US government's betrayal of the people of the world will spur a new industry in Europe, not aimed necessarily at pure technological innovation, but rather simply creating secure, privacy-respecting alternatives to the software services provided by the US based companies that can no longer be trusted. We will see Czech and Hungarian startups bringing out new search engines and Croatian and Polish companies developing secure e-mail services. We'll undoubtedly see surveillance-resistant chat software coming out of Austria and global map databases being developed in Estonia. Or something like that.

This is not to say that Europe is ready to take on such a massive task. There is a lot of soul-searching that needs to happen, both culturally and politically in Europe: while privacy is a shared value in most of the continent's corners, due to the lingering fear of a return to totalitarianism – fueled in no small part by the ascension of the likes of Hungarian prime minister Viktor Orbán to power – there is still a

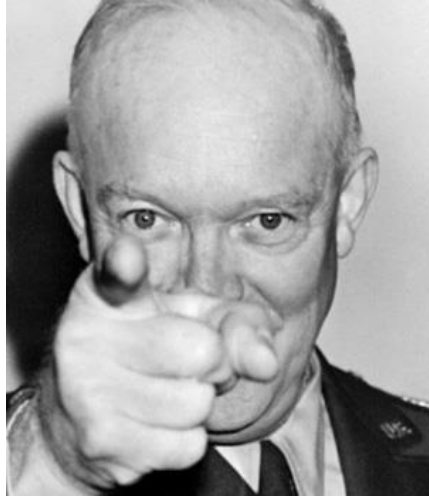
phantom of apprehension in the interactions between the tribes that make up Europe that seems to foreshadow balkanization. On top of this we have a schizophrenic political class that speaks of free trade one minute and restrictions the next, amongst whom are those who get raging hard-ons at the merest mention of censoring pornography or anything else they find offensive or overly stimulating.

That said, this may well turn out to be Europe's decade in tech, and all because the United States failed to heed an important and timeless warning: "We must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military industrial complex." Eisenhower's parting words to a nation being enveloped in a cold war were colder still, as a man who had seen a beast grow out of hand during his years in office was urgently pointing at the writing on the wall. But the years passed and the beast grew – premonitions turning to loathsome misery with each passing President who failed to stop the surveillance state.

And now, the military-industrial complex may have destroyed the US's Internet-industrial complex.

Just as the last two thirds of humanity are preparing to transition into cyberspace, the NSA's actions have revealed it to be far more of a Wild West than any government feels comfortable admitting. The rule of law breaks down really fast when there's no clear monopoly on the legitimate use of violence. There are few acts as violent as stealing everybody's secrets. Almost two hundred countries are screaming for legitimacy, but the one that stayed the most silent – except when berating, say, Iran, for not respecting "Internet freedom" – was the one whose legitimacy had already been eradicated by their violations of the values upon which their country was founded.

Passing over Eisenhower may have been the death-knell for American democracy, but its exposure may sound the beginning of a new era of human rights. Those coming online for the first time a few years or decades from now may be faced with a world altogether different from the one we now live in, perhaps partly in that they will have a choice between the monitored networks of Oceania or the liberal cryptarchies of Eurasia. The market will undoubtedly



have its say in what happens after that.

For now though, there is a plan emerging. The hackers and the human rights activists, the net-freedom-blah people and the technophiles have been awakening from the post-Arab spring burnout and remembering the things that need to be done to prevent the next Mubarak. Better, simpler, more usable cryptography. Peer-to-peer, verifiable, anonymous monetary systems, and democratic decision making systems. Secure communications and full transparency within governance.

During the transition to this new European future, a lot of data is going to have to be stored – refugee data seeking asylum from the terrors of the Anglo-American surveillance state. While the governments of Sweden and the UK may be somewhat too eager to share the data flowing through their resident data centers with their American pals, there are a few countries, notably Iceland, who are willing to provide a strong legal environment, cheap renewable energy, and good connectivity to the rest of the world. Data centers are not the future, but they are the present, and for now there's an amazing business opportunity out there for countries who are willing to stand up and defend data sovereignty, the notion that individuals have the right to privacy and control over the data they generate.

To those who wish to practice data sovereignty before it becomes cool, I'd say: Come to Iceland. Bring data. Δ

***Smári McCarthy** is a software developer, writer, hacker, freedom fighter, and founding member of the Icelandic Pirate Party. His website is [www.smarimccarthy.is](http://www.smarimccarthy.is)*

## Ignore Obama – It's the Green Thing to Do

**Grant Mincey**

[5 July 2013]

On a very cold day in February more than 40,000 people came together in Washington DC from across the United States and Canada for the largest climate rally in US history – Forward on Climate.<sup>1</sup> They urged the Obama administration to take climate science and our energy crisis seriously. They called attention to

devastating storms,<sup>2</sup> freshwater shortages,<sup>3</sup> community<sup>4</sup> and ecosystem destruction,<sup>5</sup> species decline<sup>6</sup> and the need for honest acknowledgment of the environmental injustices<sup>7</sup> of our fossil economy. Forward on Climate was clearly an informed and dedicated social movement demanding environmental action ... while US president Barack Obama golfed with oil tycoons.<sup>8</sup>

Last week, Obama outlined his plan for taking “bold action” on climate change in a speech at George Washington University.<sup>9</sup> That plan is anything but bold. Obama claimed he would not okay Keystone XL if it would significantly affect the climate – very clever words. Ignoring the climate impacts of harvesting tar sands, he talked only about the pipeline – as a recent State Department Report<sup>10</sup> claims pipeline construction will not have significant climate impacts. I think we can expect Keystone, a nod to Trans-Canada, and a green light for eminent domain (so much for property rights).<sup>11</sup>

Also notable is Obama's embrace of fracking.<sup>12</sup> He touts natural gas as a clean burning bridge fuel without mentioning methane emissions (methane is 20 times the greenhouse gas of CO<sub>2</sub>).<sup>13</sup> This is a nod to the natural gas industry – corporatism at its finest.

This is not bold action, it's an embrace of the environmental history of industrialized nation-states.

Industrialized states have traditionally viewed natural resources as commodities to extract and sell. As these nations gained power in the world they continually waged campaigns to get more land and resources. Early US history (e.g. the Trail of Tears and the War of 1812) reflect conquest of land from indigenous people or weaker nation-states for more large tracts of land and new resources.

For all the “war on coal”<sup>14</sup> talk, coal plants are still being built and the Department of the Interior is still approving mountaintop removal mining. What we are seeing is Obama trying to build his legacy as the great leader who turned us to the “bridge fuel” – a hand-out to the oil and gas industry. “Public” (read state) lands are auctioned off to industry<sup>15</sup> as the administration ignores research suggesting that fracking poses a public and environmental health risk<sup>16</sup> – example: Pavilion, Wyoming<sup>17</sup> (goodbye, Lisa Jackson).

So what is the answer? It's not government, it is all of us.

The environmental movement throughout the 20<sup>th</sup> and on into the 21<sup>st</sup> century has reached great heights and is discussed regularly in social, economic



and political arenas. And it should be. Climate Change is just one of many environmental issues affecting global society and the politics that we address – from immigration<sup>18</sup> to health care<sup>19</sup> to justice<sup>20</sup> and everything in between.

The environmental movement is deeply political. Climate change, environmental justice,<sup>21</sup> sustainability and other issues dominate the movement. This growing social conscience *has* influenced western governments to work, though as government has reacted slowly, people's movements have accomplished great victories.<sup>22</sup> This social environmental movement has spanned centuries. That says a lot about how most people regard the natural world. In increasing urban development, perhaps we long to be close to wild places because throughout our human history the natural world has always been home. The human-nature linkage may explain the social forces that have for centuries moved towards preserving and restoring the environment. The nation-state is new, but our connections to the land run deep.

Ignore Obama, instead join the social power revolution – it's the green thing to do. Δ

#### Notes

- [1] <http://action.sierraclub.org/site/PageServer?pagename=forwardonclimate>
- [2] [ftp://texmex.mit.edu/pub/emanuel/PAPERS/EOS\\_mann\\_emanuel\\_2006.pdf](ftp://texmex.mit.edu/pub/emanuel/PAPERS/EOS_mann_emanuel_2006.pdf)
- [3] <http://environment.nationalgeographic.com/environment/freshwater/freshwater-crisis>
- [4] <http://www.wsilvtv.com/news/local/Fracking-Debate-Divides-Landowners-in-Johnson-County-206505421.html>
- [5] [http://palmerlab.umd.edu/Bernhard\\_and\\_Palmer\\_2011.pdf](http://palmerlab.umd.edu/Bernhard_and_Palmer_2011.pdf)
- [6] <http://www.nytimes.com/2012/06/03/opinion/sunday/are-we-in-the-midst-of-a-sixth-mass-extinction.html>
- [7] <http://www.postcarbon.org/issue/13915-social-justice>
- [8] <http://www.thomhartmann.com/forum/2013/02/while-40000-demonstrated-white-house-president-obama-was-playing-golf-oil-and-pipeline>
- [9] <http://www.whitehouse.gov/the-press-office/2013/06/25/remarks-president-climate-change>
- [10] <http://keystonepipeline-xl.state.gov/draftseis/index.htm>
- [11] <http://www.nytimes.com/2012/05/08/us/old-texas-tale-retold-farmer-vs-transcanada.html>
- [12] <http://news.yahoo.com/fracking-critics-unhappy-obama-climate-speech-194545110.html>
- [13] <http://www.reuters.com/article/2011/08/11/us-climate-methane-idUSTRE77A1LN20110811>
- [14] [http://www.huffingtonpost.com/2013/06/11/war-on-coal-campaign-failure\\_n\\_3422524.html](http://www.huffingtonpost.com/2013/06/11/war-on-coal-campaign-failure_n_3422524.html)

[15] <http://reason.com/blog/2012/10/17/on-oil-and-gas-both-romney-and-obama-wer>

[16] [http://www.cbsnews.com/8301-201\\_162-57590888/methane-found-in-pa-drinking-water-near-fracked-wells](http://www.cbsnews.com/8301-201_162-57590888/methane-found-in-pa-drinking-water-near-fracked-wells)

[17] <http://ecowatch.com/2013/groups-call-foul-epa-hands-fracking-contamination-investigation-to-state>

[18] <http://www.treehugger.com/corporate-responsibility/climate-change-could-push-millions-of-mexicans-into-united-states-report.html>

[19] <http://www.nrdc.org/health/climate/disease.asp>

[20] <http://www.guardian.co.uk/global-development/poverty-matters/2011/jun/15/climate-change-cost-poor-countries-billions>

[21] <http://www.ejnet.org/ej/principles.html>

[22] <http://www.earthday.org/earth-day-history-movement>

### Editor's Note:

Most of the following articles discussing Chelsea Manning were written at a time when she was still requesting (evidently for legal reasons) to be referred to as "Bradley" and by the pronoun "he"; hence the usage here.

## Bradley Manning: One Soldier Who Really Did "Defend Our Freedom"

**Kevin A. Carson**

[30 December 2010, C4SS]

When I hear someone say that soldiers "defend our freedom," my immediate response is to gag. I think the last time American soldiers actually fought for the freedom of Americans was probably the Revolutionary War – or maybe the War of 1812, if you want to be generous. Every war since then has been for nothing but to uphold a system of power, and to make the rich folks even richer.

But I can think of one exception. If there's a soldier anywhere in the world who's fought and suffered for my freedom, it's Pfc. Bradley Manning.

Manning is frequently portrayed, among the knuckle-draggers on right-wing message boards, as some sort of spoiled brat or ingrate, acting on an adolescent whim. But that's not quite what happened, according to Johann Hari.<sup>1</sup>

Manning, like many young soldiers, joined up in the naive belief that he was defending the freedom of his fellow Americans. When he got to Iraq, he found himself working under orders “to round up and hand over Iraqi civilians to America’s new Iraqi allies, who he could see were then torturing them with electrical drills and other implements.” The people he arrested, and handed over for torture, were guilty of such “crimes” as writing “scholarly critiques” of the U.S. occupation forces and its puppet government. When he expressed his moral reservations to his supervisor, Manning “was told to shut up and get back to herding up Iraqis.”

The people Manning saw tortured, by the way, were frequently the very same people who had been tortured by Saddam: Trade unionists, members of the Iraqi Freedom Congress, and other freedom-loving people who had no more use for Halliburton and Blackwater than they had for the Baath Party.

For exposing his government’s crimes against humanity, Manning has spent seven months in solitary confinement – a torture deliberately calculated to break the human mind.

We see a lot of “serious thinkers” on the op-ed pages and talking head shows, people like David Gergen, Chris Matthews and Michael Kinsley, going on about all the stuff that Manning’s leaks have impaired the ability of “our government” to do.

He’s impaired the ability of the U.S. government to conduct diplomacy in pursuit of some fabled “national interest” that I supposedly have in common with Microsoft, Wal-Mart and Disney. He’s risked untold numbers of innocent lives, according to the very same people who have ordered the deaths of untold thousands of innocent people. According to White House Press Secretary Robert Gibbs, Manning’s exposure of secret U.S. collusion with authoritarian governments in the Middle East, to promote policies that their peoples would find abhorrent, undermines America’s ability to promote “democracy, open government, and free and open societies.”



But I’ll tell you what Manning’s really impaired government’s ability to do.

He’s impaired the U.S. government’s ability to lie us into wars where thousands of Americans and tens of thousands of foreigners are murdered.

He’s impaired its ability to use such wars – under the guise of promoting “democracy” – to install puppet governments like the Coalition Provisional Authority, that will rubber stamp neoliberal “free trade” agreements (including harsh “intellectual property” provisions written by the proprietary content industries) and cut special deals with American crony capitalists.

He’s impaired its ability to seize good, decent people who – unlike most soldiers – really are fighting for freedom, and hand them over to thuggish governments for torture with power tools.

Let’s get something straight. Bradley Manning may be a criminal by the standards of the American state. But by all human standards of morality, the government and its functionaries that Manning exposed to the light of day are criminals. And Manning is a hero of freedom for doing it.

So if you’re one of the authoritarian state-worshippers, one of the groveling sycophants of power, who are cheering on Manning’s punishment and calling for even harsher treatment, all I can say is that you’d probably have been there at the crucifixion urging Pontius Pilate to lay the lashes on a little harder. You’d have told the Nazis where Anne Frank was hiding. You’re unworthy of the freedoms which so many heroes and martyrs throughout history – heroes like Bradley Manning – have fought to give you.

#### Notes:

[1] “The under-appreciated heroes of 2010,” *The Independent*, Dec. 24: [tinyurl.com/ky798et](http://tinyurl.com/ky798et)

## What Makes Bradley Manning a Hero?

**Darian Worden**

[21 July 2010, C4SS]

On Wednesday, July 21, members of the Facebook group **savebradley**<sup>1</sup> encouraged supporters to change their profile pictures to say “Google Bradley Manning.” The group hopes to raise public interest in the US Army soldier who was arrested in connection to the appearance of classified material on the website Wikileaks.

The material that Manning is in trouble for leaking includes footage<sup>2</sup> of American helicopter crews eagerly gunning down Iraqi civilians, including the occupants of a van attempting to carry away wounded people. The giggling murderers caught on tape do not appear to have suffered any official consequences, but the soldier who exposed the killings to public scrutiny has been arrested.

Manning’s increasing disillusionment with the Army was punctuated by episodes including his discovery that Iraqis had been arrested for criticizing corruption in the Prime Minister’s cabinet. After he brought the issue to his officers he was told to shut up and get more detainees. Eventually, in the face of court martial and the harshest “military justice,” Manning allegedly decided to release classified information to Wikileaks.

Problems arose when he discussed his actions with the wrong person. Adrian Lamo, deciding to take the side of occupation and murder cover-ups, provided investigators with records of communications in which Manning allegedly discussed his law-breaking.

So Manning felt a need to talk. Maybe even to brag to someone. This was a tactical error that doesn’t make his actions any less honorable. Are people only to act selflessly and negate pride and ambition? Nobody meets this standard. Manning just failed to exercise proper judgment.

Detractors have tried to invalidate Manning’s actions by claiming that he had psychological problems or saying that he was in trouble for assaulting another soldier. If someone is unable to hold himself together while figuring out the right thing to do, it only shows that he wasn’t strong enough to prevail all of the time against forces that

yanked at his conscience. And who is rational all of the time anyway?

As for allegations of assault, Manning was in a profession with the explicit purpose of doing violence. If he used violence inappropriately, the best thing to do would be to try to make restitution and redeem himself. Exposing the violence the system tries to hide seems a good step towards this goal.

Why shouldn’t Manning have been angry at the system and those knowingly complicit in it? If oppression wasn’t so infuriating, it might never be fought against.

Everybody must deal with stress and everybody makes mistakes. A hero is not someone without weakness. A hero is someone who manages to do the right thing in spite of his weaknesses.

Manning realized the tyranny of an organization he played an active part in. Instead of force-feeding himself more propaganda or eating his gun, he did something positive about it.

As Henry David Thoreau said in *Civil Disobedience*, “Must the citizen ever for a moment, or in the least degree, resign his conscience to the legislator? Why has every man a conscience, then?”

Bradley Manning did not resign his conscience to his officers or to policy makers.

His moral choice provides an example for others to look to. If more soldiers, commanders, and politicians took responsibility for their actions and honestly evaluated the claims of authority that have been battered into them since birth, the world would be much better.

Holding heroes to an unrealistic standard of perfection means idolizing lies. The truth is, nobody is that great. Some overcome their flaws to do great things. When Bradley Manning found that he was complicit in the violent suppression of freedom, he did the best he could to make things right.

And now he sits in a jail cell while those who make the policies of death sleep comfortably. Δ

*Center for a Stateless Society News Analyst* **Darian Worden** is a left-libertarian writer and historian. He has hosted an internet radio show, written essays and fiction, and is the lead writer for *Head First*, a history adventure series. His website is **DarianWorden.com**.

### Notes:

[1] [facebook.com/savebradley](https://facebook.com/savebradley)

[2] [collateralmurder.com](http://collateralmurder.com)

## The Government's Us? Not Last Time I Checked

**Kevin A. Carson**

[9 May 2013, C4SS]

In a speech last month about proposed gun control legislation, President Obama decried opponents' attempts to encourage "suspicion about government." "The government's us," he responded. "These officials are elected by you. They are constrained as I am constrained, by a system that our founders put in place."

But if government were "us," why would we have ever needed a Bill of Rights or defense attorneys?

In order for the government to be "us," and for its elected officials to be our "representatives" in any meaningful sense, a number of prerequisites would have to be met.

For government to be us, the policies candidates campaigned on would have to be reliable indicators of the policies they would pursue once elected. Remember Obama the peace candidate in 2008, who ran against warrantless wiretapping and torture? Remember his promises of common sense reform of the worst excesses of marijuana laws and copyright law? The changeling who replaced Obama in early 2009 has gone full speed ahead on illegal wiretaps, refused to end extraordinary rendition, quietly turned Baghram AFB into a new Gitmo with even less oversight, pursued an ultra-hawkish line on "intellectual property" law, and actively pursues every means at his disposal to shut down medical marijuana dispensaries.

The changeling who replaced Obama in early 2009 has gone full speed ahead on illegal wiretaps, refused to end extraordinary rendition, quietly turned Baghram AFB into a new Gitmo with even less oversight, pursued an ultra-hawkish line on "intellectual property" law, and actively pursues every means at his disposal to shut down medical marijuana dispensaries.

If government were us, the public positions taken by elected officials during major policy debates would bear at least some vague resemblance to the policies they were actually making behind the scenes. Remember Summer 2009, when Obama was publicly demanding healthcare reform legislation that included a public option, while quietly assuring the insurance

industry that the public option was off the table? Remember when the Obama administration quietly capped the amount drug companies would be asked to reduce their enormous patent-bloated monopoly prices, and promised not to use the purchasing power of Medicare to negotiate lower prices?

If government were us, it wouldn't treat us as an enemy to be propagandized and manipulated into voting the way the government wants us to. The Obama administration's record of prosecuting and harassing whistle-blowers is even worse than the Bush administration's abysmal record. Bradley Manning has been tortured in solitary confinement for almost three years for allegedly leaking documents that revealed actions of the U.S. national security establishment 180 degree opposite what government officials have told the American public. Manning is accused of "giving aid and comfort to the enemy" – which makes a lot more sense if you remember that the "enemy" is us.

Lest you dismiss that as hyperbole, recall former Clinton National Security Adviser Sandy Berger's statement in 2004: "We have too much at stake in Iraq to lose the American people." The American people clearly are not "us" from the standpoint of the corporate state and its policy establishment.

If the government were us, the policy alternatives presented to the public for consideration and debate

would represent the range of actual possibilities, rather than the options acceptable to the right and left wings of the corporate-state ruling class. The only policy alternatives presented to the American people are those consistent with the continued dominance of the existing political and economic political framework. Anything outside this permissible range is dismissed as "radical," "extremist," and utterly naive and unrealistic. Even when the American people take a wide range of positions, the policies considered by the ruling elite itself generally range from about L to O. Probably 80% of issues never even appear as such because the two parties are in total agreement on them. The only stuff presented to the American people for debate are second-order





issues that don't concern the fundamental system of power.

For government to be us, elected representatives and their publicly stated policy preferences – not an unelected “permanent government” of civil servants and corporate lobbyists that start coopting those elected officials the same day they enter office – would have to be the primary influence on what government does. How's that workin' out for ya?

For government to be us, it would have to actually matter what the law said – all those “constraints” Obama says he and other elected officials operate under. But if constitutional protections like the Fourth Amendment meant a damned thing, warrantless wiretapping would never have been an issue in the first place. And by his very threat to veto the proposed CISPACTY cyber-security bill, Obama made it clear it doesn't really matter what the law is. The FBI has long privately assured Internet Service Providers that they're protected from prosecution if they cooperate with “the authorities” in providing confidential customer information.

Next time Obama or anyone else of his ilk says “government is us,” give them a one-fingered salute. Δ

## Stand With Whistleblowers

**Nathan Goodman**

[29 June 2013, C4SS]

The recent reports of secret NSA surveillance reveal the important role the whistleblowers play in uncovering government wrongdoing. Edward Snowden is the latest whistleblower to face the Obama administration's wrath for uncovering executive branch criminality. But another victim of the administration's War on Whistleblowers is Private Bradley Manning. Manning currently faces charges of “aiding the enemy,” and was tortured<sup>1</sup> in solitary confinement for months on end, all for releasing documents to WikiLeaks.

While there is no evidence that anyone was harmed by these leaks, the good they have done is enormous. Manning exposed a litany of US war crimes, most famously US troops shooting innocent civilians in the Collateral Murder video.<sup>2</sup> Manning's disclosures helped end the US occupation of Iraq<sup>3</sup> by

revealing “evidence that U.S. troops executed at least 10 Iraqi civilians, including a woman in her 70s and a 5-month-old infant, then called in an airstrike to destroy the evidence.” The leaks also played an important role in helping start the Arab Spring.<sup>4</sup>

But not everyone appreciates Manning's courageous stand for truth, justice, peace, and liberty. Lisa Williams, president of the board of San Francisco Pride, said that “even the hint of support” for Manning's actions” will not be tolerated by the leadership of San Francisco Pride.” This even though Manning is a courageous member of the LGBT community, and has been praised by famed gay rights activist Lt. Dan Choi.

The San Francisco Pride Festival is this weekend, and freedom fighters across the country are uniting to show far more than a “hint” of support. The Bradley Manning Freedom Torch Parade<sup>5</sup> began this weekend in San Francisco, and will feature solidarity events across the US. We at the Center for a Stateless Society were among the first organizations to sponsor this effort to defend whistleblowers.<sup>6</sup> If there is an event near you,<sup>7</sup> I urge you to participate. If not, I suggest you organize one.

Whistleblowers like Manning risk their lives and liberty to shine a light on abusive state power. It's time for us to stand in solidarity with them. Δ

### Notes:

- [1] <http://ccrjustice.org/bradley-manning-solitary-confinement-and-occupy-4-prisoners>
- [2] <http://www.collateralmurder.com>
- [3] [http://www.salon.com/2011/10/23/wikileaks\\_cables\\_and\\_the\\_iraq\\_war](http://www.salon.com/2011/10/23/wikileaks_cables_and_the_iraq_war)
- [4] <http://www.worldaffairsjournal.org/article/wikihistory-did-leaks-inspire-arab-spring>
- [5] <http://freedomtorch.us>
- [6] <http://freedomtorch.us/sponsors>
- [7] <http://freedomtorch.us/map>



## Another Hero of the Freedom Movement: Jeremy Hammond

**Kevin A. Carson**

[27 March 2013, C4SS]

While the anarchist, antiwar and information freedom movements focus their attention – rightly so – on Bradley Manning’s torture and detention for exposing U.S. war crimes, let’s also spare some attention for another hero: Jeremy Hammond.

Hammond is allegedly the main hacker behind last December’s LulzSec hack of Stratfor, a quasi-private corporate intelligence and strategic analysis firm with close ties to the national security state. As someone who used to regularly read their analysis (helpfully “pirated” and distributed by a subscriber on an email list I frequented), I can testify to its quality.

Stratfor, although firmly on the side of the bad guys, delivers brutally frank and realistic assessments of the strategic situation for the American national security community and for transnational corporations in need of amoral and honest situational analysis of the countries they’re planning to bleed, rape and pillage.

Stratfor analyses of geopolitical realities, like the coalescence of the Shanghai Cooperation Organization as a counter to U.S. military hegemony in Central Asia, read like an Inner Party briefing for Big Brother on the balance of power between Oceania and Eurasia. Stratfor earns every dollar it receives from its paymasters.

LulzSec (and allegedly Hammond) hacked Stratfor’s intranet and publicized an enormous cache of internal documents, emails, and subscriber data. This was a near-crippling blow to Stratfor, as well as a revelation into the cynical terms in which the good old boys of the national security state discuss the world when they think the rabble who supply blood and treasure for their wars are out of earshot. No talk about “spreading democracy” and “defending our

freedoms,” when the women and servants are in bed and it’s “just us men” sitting in leather chairs with their cigars and brandy snifters.

Of course the response of the mainstream press and establishment liberal commentariat is drivel, ranging in tone from scathing denunciation to concerned hand-wringing about Hammond’s “troubled past.” Some of it, like his marijuana arrests, only an idiot would regard as relevant to anything.

AP correspondent Michael Tarm calls Hammond a “dogged, malicious hacker,” based on an alleged online chat in which he “appears to delight in the damage he caused Stratfor.” In other words, he’s “doggedly malicious” against the corporate state in exactly the same way as Sam Adams against the British Empire and Nelson Mandela against the Apartheid. Hammond’s alleged exultation at the downfall of Stratfor sounds to me an awful lot like Americans cheering the staged pulldown of Saddam’s statue in April 2003.

Tarm may consider the Little Eichmanns in the CIA, Pentagon, State Department and Stratfor the “good guys,” and Hammond and LulzSec the “bad guys.” But that hardly makes Hammond a sociopathic caricature like Leopold and Loeb. Anyone who feels sorry for the Stratfor subscribers whose identities and credit information were publicized should bear in mind that these people included a former Vice President and a former CIA Director.

The FBI had better hope they’ve arrested the six people in the world with skills equal to the Stratfor doxing. I believe such skills are proliferating faster than their possessors can be arrested. The first large-scale doxing, against HBGary, occurred over a year ago, before Sabu was turned – and when who knows how many second- and third-tier hackers were learning under his mentorship.

If the FBI failed to eviscerate the human capital of Anonymous, then when they manage to regroup the FBI will be at the top of the list of institutions that should “be very afraid.” Security analyst John Robb suggests that security in the FBI’s enormous computer infrastructure is about as full of holes as



HBGary's and Stratfor's. Imagine the goodies: Unredacted files on activists, new identities of participants in the witness protection program, etc. Despite this setback, I believe we're headed for a near future in which another government agency or large corporation falls victim to a Stratfor-scale hack every week.

Villains and heroes usually switch places in historical accounts when a revolution succeeds. Today's "insurgents," "terrorists" and "traitors" become tomorrow's "freedom fighters." And today's "leaders" and "patriots" become tomorrow's tyrants and state terrorists. We're in the early stages of a prolonged revolutionary struggle between self-organized networks and hierarchical institutions – a struggle in which I believe the forces of voluntary association and horizontalism are almost certain to win in the long run. And when that struggle is won, when the Pentagon is leveled and sown with salt and the NYSE is a manure storage warehouse, people like Assange, Manning and Hammond will be remembered as martyrs of the Revolution.

Stratfor is on the side of evil and Hammond's alleged actions against it were entirely warranted. I condemn his arrest and prosecution. Δ

## The Manning Show Trial: These Teachable Moments

**Thomas L. Knapp**

[18 July 2013, C4SS]

I'm shocked – shocked! – that Colonel Denise Lind, the military judge who ruled<sup>1</sup> in February that Bradley Manning could be tried on various charges even after being held prior to arraignment for more than five times the absolute longest time specified in the US Armed Forces' "speedy trial" rules, has now also ruled<sup>2</sup> that Manning can be convicted of aiding an enemy that does not exist.

Yes, you read that right: There's only an "enemy" to aid, in any legal sense, if the United States is at war, a state created by a congressional declaration. There's been no such declaration since World War II.

Lind had only one legal duty as judge in this case: To dismiss all charges due to the government's failure to meet the "speedy trial" deadline. If the United

States was, as John Adams put it, "a government of laws, not of men," that's exactly what she would have done.

Lind's superiors had a clear duty as well — to remove her from the bench after that first illegal ruling and charge her under Article 98 of the Uniform Code of Military Justice:

Any person subject to this chapter who –

- (1) is responsible for unnecessary delay in the disposition of any case of a person accused of an offense under this chapter; or
- (2) Knowingly and intentionally fails to enforce or comply with any provision of this chapter regulating the proceedings before, during, or after trial of an accused; shall be punished as a court-martial may direct.

No, I'm not really shocked that none of this happened. It's par for the course. Laws, including the "supreme law of the land," a.k.a. the US Constitution, are for us little people. The US government doesn't need or want them, except for use as camouflage. It does whatever it wants to do (or rather whatever the ruling members of the American political class tell it to do).

The only reasonable takeaway from the Manning trial is that American "rule of law" is a sham. The US government doesn't operate within the Constitution's constraints on state power, nor does it honor that Constitution's list of enshrined individual rights. It never has done so absent extreme compulsion and it never will do so on anything like a regular basis.

The corollary: If the US government isn't bound by its own alleged rules, why on Earth would anyone else be? Δ

*Thomas L. Knapp is Senior News Analyst and Media Coordinator at the Center for a Stateless Society. His own website is [knappster.blogspot.com](http://knappster.blogspot.com)*

### Notes:

[1] <http://www.heraldsun.com.au/news/breaking-news/us-wikileaks-case-delays-reasonable-judge/story-e6frf7k6-1226586619766>

[2] <http://www.nytimes.com/2013/07/19/us/judge-in-manning-case-allows-charge-of-aiding-the-enemy.html>

## Manning Show Trial Exposes the Fraud of Representative Democracy

**Kevin A. Carson**

[30 July 2013, C4SS]

Major Ashlend Fein, US Army prosecutor in Bradley Manning's court martial, caught my attention when he referred to Manning as an "anarchist" in closing arguments. As an anarchist, I'd be proud to share that label with Manning. But I've never heard from any reliable source that he considers himself one.

Manning – if indeed guilty of supplying thousands of military and state department documents to Wikileaks – has certainly helped to promote anarchism. Exposing the corrupt reality of the state – its lies, torture, atrocities and collusion with authoritarian governments against their own people – behind all the talk of "peace" and "freedom" is the method of promoting anarchism. But equally deserving of credit, in helping us further the cause of anarchy, are Major Fein himself and everyone else involved in the Manning show trial.

The charges leveled against Manning, and the lengths to which they have gone to have their vengeance against him, have done more than a thousand anarchist tracts could do to show the fraudulent nature of so-called "representative democracy."

The most serious charge against Manning was "aiding the enemy." Although this was the sole charge of which military judge Denise Lind acquitted him, the fact that the entire executive branch brought its full force to bear in pushing such charges in the first place is significant. According to the Obama administration, Manning "indirectly" provided the enemy with classified information, by releasing it to be published in venues where he knew it would be accessible to the enemy.

Now, let's stop to think about who this "enemy" might be. What kind of information did the leaked documents reveal? They revealed

- war crimes by U.S. military forces, murdering civilians and journalists in cold blood;
- torture by U.S. military personnel;
- the corrupt dealings of U.S. State Department and other functionaries with the local

authoritarian governments of the Middle East, including secret authorizations by local governments for the use of American drones to carry out extrajudicial killings on their own territory – facts that would have resulted in rioting in the streets.

I doubt any of this was surprising to al Qaeda. They almost certainly assumed it to be true. If exposing this stuff "aided" al Qaeda in any way, it did so only by giving them hard evidence of the truth to share with those who weren't already aware of it – namely the publics of the Middle East, the U.S. and its allies, and the world. And this would be harmful to the interests of the U.S. government only to the extent that it was true – i.e., to the extent that it revealed to the allegedly sovereign people of the allegedly democratic United States the real nature of "their" government's policy, or revealed to the people of the Middle East what kind of sham democracy the U.S. was promoting in their region.

The U.S. government fears an informed American people, and an informed world public opinion, far more than it ever feared al Qaeda. What we've called "representative democracy," since the rise of universal suffrage in the West a century or so ago, has been an elaborate exercise in securing the outcome desired by ruling elites – preserving an intersecting alliance of corporate and state oligarchies – while maintaining the fiction of popular rule.

This ruling class has maintained its power mainly through what Edward Bernays called "manufacturing consent" – carefully restricting the range of alternatives on the table and shaping public consciousness to see that restricted range as exhaustive. The range is bounded, basically, by the preferences of the left and right wings of the corporate elite. It encompasses only measures consistent with, and which can largely be carried out by the people running, the present structure of power. Anything else is deemed "extremist" or "silly," beyond the range of thought of Serious People.

The basic structural presuppositions of this system are justified in terms of inevitability and necessity – because it's the only conceivable way of efficiently organizing things. For the American people, a decentralized and horizontally organized society without centralized state power, Fortune 500 corporations, giant banks and millionaire CEOs must be as unthinkable as an Animal Farm without a class of pigs (well fed on apples and milk, of course) to



manage problems beyond the competence of mere lower animals. It requires distracting the public from any awareness that “another world is possible,” or that the present system exists to serve not the public, but rather the interests of those running things.

Manning committed the one unforgivable sin in a sham representative democracy: He let the “sovereign” people in on what “their” government is really doing, and whose interests it’s really serving. For that, the political class will never forgive him. Δ

## **J’Accuse...!**

**Thomas L. Knapp**

[30 July 2013, C4SS]

Dear President Obama,

I possess neither Emile Zola’s writing talent nor his penchant for presidential flattery, but I think I may perhaps lay rightful claim to some semblance of his well-developed sense of moral outrage.

I address you as “president” only as a concession to popular convention. In truth, your claimed authority is a fraud, and your actual status is that of defendant in the matter of the persecution of Bradley Manning.

From the beginnings of this drama, it was clear to all who cared to notice that Manning is no criminal but rather the worthy nemesis of a crime syndicate formally headed by yourself. He was wrongfully arrested, illegally detained without charge for a period far in excess of the legally prescribed maximums, and finally and illegally put on trial not for his alleged criminal acts but for exposing your crimes and the crimes of your gang, “the government of the United States.”

Neither the verdict nor the sentence are any surprise; the “not guilty” verdict on the charge of “aiding the enemy” is clearly intended as a distraction from the irrefutable fact that the entire trial was a farce and a sham, conducted in open violation of the law, and that not a single charge is valid. The purposes of show trials and the punishments which follow are to procure convictions and make the public quail in terror before the awesome power of the state, not to render justice, and in this respect the Manning

court martial puts Stalin to shame. Colonel Denise Lind’s blatantly and irrefutably illegal actions and rulings as “judge” would make Vyshinsky blush.

The Manning show trial is the latest evidence that Thomas Paine erred in claiming that “society in every state is a blessing, but Government, even in its best state, is but a necessary evil.”

While the state is indeed evil, it is far from necessary. It is wicked through and through. It is born of coercion, weaned on theft, raised on corruption and thrives on murder.

In the round it can do not good at all, and any specific good it may seem to do must rest on a foundation of evil.

To give me a dollar it picks your pocket for two. To feed your child lunch it deprives a family of dinner. If it suffers you and your neighbors to live it murders a village elsewhere, and if it removes so much as an ounce of weight from your chest that you might breathe easier, it places a pound on your shoulders and orders you to carry.

To willingly tolerate the continued existence of such an evil, or to purposely delay, impede or oppose that evil’s abolition, is to become an accessory to that evil.

As an anarchist, it goes without saying that I support the abolition of the state. The Manning show trial is one more argument for appending to that statement the clauses “as soon as humanly possible” and “by any means necessary.” Δ

## **A Radical Constitutional Amendment to Protect Whistleblowers**

**Jason Lee Byas**

[8 August 2013, C4SS]

Lately, it hasn’t been clear what exactly the First Amendment protects. Between whistleblowers PFC Manning and Edward Snowden, one awaits a sentencing of potentially 90 years in prison, and the other finds himself trapped in a country where he doesn’t speak the language. Perhaps it’s time to find a better way to protect free speech.

Though the First Amendment claims to ensure that “Congress shall make no law ... abridging the freedom of speech,” this didn’t stop the creation of

the 1917 Espionage Act used to prosecute whistleblowers. One of those prosecuted and convicted was PFC Manning, for leaking documents mostly related the Afghanistan and Iraq Wars.

After arrest, Manning was held without trial for more than 1,000 days.<sup>1</sup> Eleven months<sup>2</sup> of that time was spent in solitary confinement.

During solitary, Manning was stripped to wearing only underwear and flip flops. Eventually, the “privilege” of wearing even those clothes was taken away. Such is an image of the free speech protections provided by the First Amendment.

This might be part of the reason Edward Snowden has fled the United States. Snowden, the man who came forward with information revealing the National Security Administration’s illegal PRISM program, has been desperately going wherever he can to avoid extradition. First releasing the information from a hotel in Hong Kong, he then spent the last few days of June and all of July in Moscow’s Sheremetyevo International Airport, before being granted asylum in Russia for one year.

The Constitution’s failure to protect free speech at a seemingly basic level points to a major defect in its design. While it may be praiseworthy in forcefully demanding that the government it authorizes respect the rights of its citizens, it has not provided the real structural support to ensure that those demands are met.

Anyone seriously interested in protecting free speech must push for a very radical “constitutional amendment.” We should work not just to change the words of the document we call “the Constitution,” but instead amend our legal system by completely changing the way it’s constituted.<sup>3</sup>

We shouldn’t be in a position where our only hope is to trust political institutions to keep their promises. Hence the constitutional amendment I have in mind: Abolish the state and its monopoly on provision of law and security.

The idea is basically the same as the US Constitution’s splitting of government into three separate branches: Checks and balances. The difference is that one is a system of real checks and balances, while the other is not.

Even if Congress, the President, and the Supreme Court have divergent interests, they still share a very

important interest in the fact that they’re all a part of the same over-arching organization. By contrast, dissolving<sup>4</sup> the services associated with law and security into free competition between an endless array of voluntary associations creates a more dependable guarantee that your rights will actually be respected.

To emphasize this point, consider the fact that the government to grant Snowden asylum was Russia’s. That this was out of some deep, heartfelt love for human freedom seems unlikely, given that the same government recently passed a law banning the spread of “homosexual propaganda.”<sup>5</sup>

Vladimir Putin and the Russian government have granted Snowden asylum for one reason, and one reason only: There does exist a very limited kind of competition between governments, and the Russian government has interests contrary to those of the American government.

In the polycentric legal order that a stateless world would foster, the same thing would happen for a Snowden or Manning (or distributors of “homosexual propaganda,” for that matter) – except that there would be more competitors willing to protect them, and they wouldn’t have to move halfway across the globe for that protection.

Furthermore, those who didn’t support prosecuting them could immediately stop funding attempts to do so. The social dynamics of such a system would be a significantly more ironclad constitutional check than any string of words, no matter how elegant.

That said, talking about a Manning or a Snowden in a stateless society might be a bit odd. There would be no Iraq or Afghanistan wars for a Manning to tell us about, nor any invasive data-mining on the scale of the PRISM program for a Snowden to reveal. Even if an organization had the resources for such evil, they would lose customers and would face competitors willing to protect their customers or willing members from such attacks.

Some have drawn attention to the Obama administration’s removal of its old pledge to protect whistleblowers from its website.<sup>6</sup> What we need is a legal environment where we don’t have to trust anyone to follow through on those kinds of promises. A system where no one is above the law.<sup>7</sup>



To create such an environment, we must abolish political government. Δ

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#### Notes

- [1] <http://solitarywatch.com/2013/02/23/bradley-manning-marks-1000-days-in-pre-trial-detention>
- [2] <http://www.theguardian.com/world/2012/mar/12/bradley-manning-cruel-inhuman-treatment-un>
- [3] <http://praxeology.net/Anarconst2.pdf>
- [4] <http://praxeology.net/RTL-pcpe2011.pdf>
- [5] <http://www.telegraph.co.uk/news/worldnews/europe/russia/10151790/Vladimir-Putin-signs-anti-gay-propaganda-bill.html>
- [6] <http://www.dailykos.com/story/2013/07/26/1226865/-Obama-s-Promise-to-Protect-Whistleblowers-Has-Disappeared-From-Change-gov>
- [7] <http://www.freenation.org/a/fl411.html>

## The Security State's Reaction to Snowden Shows Why It's Doomed

**Kevin A. Carson**

[9 August 2013, C4SS]

Back in 2006 Ori Brafman and Rod Beckstrom, in *The Starfish and the Spider*, contrasted the way networks and hierarchies respond to outside attacks. Networks, when attacked, become even more decentralized and resilient. A good example is Napster and its successors, each of which has more closely approached an ideal peer-to-peer model, and further freed itself from reliance on infrastructure that can be shut down by central authority, than its predecessors. Hierarchies, on the other hand, respond to attack by becoming even more ossified, brittle and closed. Hierarchies respond to leaks by becoming internally opaque and closed even to themselves, so that their information is compartmentalized and they are less able to make effective use of the knowledge dispersed

among their members.

We can see this in the way the national security state has responded to leaks, first by US Army PFC Bradley Manning and now by former NSA contractor Edward Snowden. Hugh Gusterton, in *Bulletin of the Atomic Scientists*,<sup>1</sup> notes that the government is taking measures to avoid future such leaks by “segmenting access to information so that individual analysts cannot avail themselves of so much, and by giving fewer security clearances, especially to employees of contractors.”

This approach is doomed. “Segmentation of access runs counter to the whole point of the latest intelligence strategy, which is fusion of data from disparate sources. The more Balkanized the data, the less effective the intelligence. And ... intelligence agencies are collecting so much information that they have to hire vast numbers of new employees, many of whom cannot be adequately vetted.”

Meanwhile, the internal witch hunt atmosphere in the U.S. security apparatus is alienating the very contract-work hackers whose skills it is increasingly dependent on. The Electronic Frontier Foundation (EFF) sticker on Snowden’s laptop wasn’t a deviation the NSA’s leadership failed to catch. It’s typical of the cultural pool from which the NSA, of necessity, recruits its contractors. Such people read the news, and they aren’t impressed with the government’s draconian treatment of people like Aaron Swartz, Bradley Manning and Edward Snowden. Recruiters are running up against increased skepticism among those with the skills it needs; the chilly reception NSA chief Keith Alexander met with at DefCon is symbolic of this new atmosphere.

Further, as an anonymous former EFF intern notes, even idealistic young people who believe in the NSA’s mission find themselves paralyzed by the increasingly adversarial atmosphere, afraid even to type code into a terminal for fear of learning after the fact that they violated one of the CFAA’s vague, Kafkaesque provisions.

All this is happening even as surveillance agencies are deluged with ever-increasing, unmanageable amounts of raw data. The ratio of hay to needles is growing exponentially. The larger the volume of raw data to be analyzed algorithmically, the larger the number of false positives the system generates. The sheer volume of false positives, and the ratio of false positives to genuine leads, is enough to paralyze government. Back in 2009, Homeland Security couldn’t react in time to stop the Underwear Bomber

when his own father directly notified them he was planning to blow up a plane.

The very people the security state is most interested in monitoring – ranging from genuine terrorists to domestic dissidents like Snowden and the occupy movement – respond to every increase in surveillance by making themselves more opaque to the government. The Snowden scandal resulted in a spike in adoption of measures like PGP encryption and TOR browsing. Even as the NSA is hoovering up more and more hay, more and more needles quietly remove themselves from the haystack.

The U.S. security state and its agencies, in the long run, are doomed for the same reason that all authoritarian hierarchies are doomed: They're stupid. And the people they're trying to control are smart. Δ

#### Notes

[1] "Not All Secrets are Alike," July 23: <http://thebulletin.org/not-all-secrets-are-alike>

## Bradley Manning: The Mighty Fist!

**Grant Mincy**

[21 August 2013, C4SS]

On Wednesday, we learned the fate of American whistleblower PFC Bradley Manning. Manning was sentenced to 35 years in prison for leaking documentation of war crimes to Wikileaks,<sup>1</sup> after conviction on violating key provisions of the Espionage Act (an act which is in and of itself an offense to liberty and repeatedly abused<sup>2</sup> by the Obama administration) and for stealing government property. There was a small victory, however, as the state tried with all its might to convict Manning on the charge of "Aiding the Enemy" – a charge that would have left him a prisoner long after his death. Pressure from the community that quickly surrounded and supported Manning<sup>3</sup> got this charge dropped by the judge.

The state is not omnipotent, we know it and this is what it fears – we are a fundamental threat to its power.

This is why Manning became such a target. While US president Barack Obama was extending old and beginning new wars<sup>4</sup> (and getting himself a Peace Prize),<sup>5</sup> Manning's actions caused exactly zero deaths.

Manning's actions did not terrorize families with fist or gun or bomb. But Manning did directly challenge power in war time – and in war time state power is at its greatest.

This war is a war without an end.<sup>6</sup> A "War on Terror" – against an adjective where countless people have been affected. This war is an incredible assault on living, breathing human beings,<sup>7</sup> the very type of terror campaign it is supposed to oppose. In the name of this war the US government has occupied cities, destroyed lives and shattered any hope of liberty for people living in the territories targeted by military interventionism. This war has also, surely, fostered even more "blow back"<sup>8</sup> against civilians under the rule of government.

This war has carried over two administrations. It has gone through waves of shock and awe<sup>9</sup> and high tech drones.<sup>10</sup> It has ended and injured the lives of troops sacrificed by a power drunk government. It has ended the lives of millions of innocent civilians<sup>11</sup> – children, women and men. It has maimed even more<sup>12</sup> and displaced an endless number of people.<sup>13</sup> It has allowed the world's most powerful nation state to become even more repressive.<sup>14</sup> It has created a giant security complex – dedicated to bombs and bribes and back room deals. Dedicated, no matter the human cost, to an endless campaign of aggression.

As we learn the fate of PFC Manning, this is truly a time to mourn. Our hearts go out to Manning. Our hearts go out to the countless lives impacted by these unlawful wars. We lament that such a peaceful act could be met with such brutal force, while the brutal forces of the machines of war are hardly protested.<sup>15</sup> Our blood boils because of this injustice.

We stand in solidarity with PFC Manning and the peace his actions stand for. The state has grown far too large. The centralized, federated nation-state is a great agent of repression. Its power lies in the hands of state servants who wish to extinguish what tiny flames of liberty are left among us. But for many, this sentence has inspired a howl<sup>16</sup> so large that these flames may rage into a roaring fire. If such an injustice can come down on Manning then it can come down on any of us who wish to challenge the immoral actions of the state. May the mighty fist of solidarity vanquish this state! Δ

#### Notes

[1] <http://www.latimes.com/nation/nationnow/la-na-nn->



bradley-manning-court-martial-20130710-story.html

[2] <http://www.deathandtaxesmag.com/202929/bradley-manning-verdict-reminds-us-that-the-espionage-act-of-1917-must-be-changed>

[3] <http://www.bradleymanning.org>

[4] [http://articles.chicagotribune.com/2011-06-12/news/ct-oped-0612-chapman-20110610\\_1\\_barack-obama-endless-war-generals](http://articles.chicagotribune.com/2011-06-12/news/ct-oped-0612-chapman-20110610_1_barack-obama-endless-war-generals)

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[14] <http://www.thedailybeast.com/features/2013/06/the-surveillance-scandals.html>

[15] <http://www.npr.org/2011/04/15/135391188/whatever-happened-to-the-anti-war-movement>

[16] <http://c4ss.org/content/20576>

## The State, Not Manning, Is the Criminal

**Nathan Goodman**

[21 August 2013, C4SS]

From the beginning of the Bradley Manning show trial, it has been apparent that the state is the criminal, not Pfc. Manning. Yet the WikiLeaks whistleblower was just sentenced to 35 years in prison.

Manning is being punished for exposing government crimes, most famously U.S. troops shooting innocent civilians, including two Reuters journalists, in the Collateral Murder video.<sup>1</sup> Manning's disclosures also shed light on what McClatchy Newspapers called "evidence that U.S. troops executed at least 10 Iraqi civilians, including a woman in her 70s and a 5-month-old infant, then called in an airstrike to destroy the evidence."<sup>2</sup> The outrage caused by exposure of this brutal war crime helped end the U.S. occupation of Iraq.<sup>3</sup>

After Manning exposed these and countless other government crimes, the perpetrators should have

been held accountable. They were not. Instead, the state engaged in a series of crimes against Private Manning.

Perhaps the most heinous of these crimes is torture. The accused whistleblower was held in solitary confinement for months on end before the trial. UN special rapporteur on torture Juan Mendez conducted a 14-month investigation into this abusive detention. Mendez explained his findings to the Guardian as follows:

I conclude that the 11 months under conditions of solitary confinement (regardless of the name given to his regime by the prison authorities) constitutes at a minimum cruel, inhuman and degrading treatment in violation of article 16 of the convention against torture. If the effects in regards to pain and suffering inflicted on Manning were more severe, they could constitute torture.

Mendez is not alone in considering long term solitary confinement torture. For example, John McCain has written that solitary "crushes your spirit and weakens your resistance more effectively than any other form of mistreatment."

So why was Manning tortured for months on end before trial? Some observers, such as civil rights attorney Michael Ratner,<sup>4</sup> speculate that the military tortured Manning in order to pressure the whistleblower to testify against WikiLeaks and Julian Assange. Torturing a whistleblower in order to implicate a journalistic organization is despicable.

But there's another likely motive behind the torture: Manning's gender identity. According to a recent article in *Jacobin*:

Manning was tortured in part because he signed a few letters from the brig as "Breanna Elizabeth." Marine Corps Master Sgt. Craig Blenis defended his cruelty in a December pre-trial hearing. Coombs asked why the marine thought Manning's gender dysphoria should factor into his "prevention of Injury" status. Blenis answered because "that's not normal, sir."<sup>5</sup>

So the torture of Pfc. Manning was not just a crime, but a hate crime. This is what the state thinks of transgender people, that it is okay to torture them because they are "not normal."

This kind of torture happens in cages across the United States. Transgender people are disproportionately incarcerated<sup>5</sup> in this country. When they are caged, they are often housed based on their birth

assigned sex, not their gender identity. This placement, particularly of trans women in men's prisons, subjects them to harassment, bigotry, abuse, and rape. In response to these risks, they are often placed in solitary for their "protection." The United States government tortures transgender inmates for who they are, and Pfc. Manning is one victim of this institutionalized hate crime.

And for the next 35 years the state will cage Pfc. Manning and likely continue to inflict torture and abuse on the whistleblower. Meanwhile, the war criminals and torturers this hero exposed will go unpunished. This is what the state's "justice" system does. It uses brutal force against those who expose powerful criminals, thus insulating said criminals from accountability. Δ

#### Notes

- [1] <http://www.collateralmurder.com>
- [2] <http://www.mcclatchydc.com/2011/08/31/122789/wikileaks-iraqi-children-in-us.html>
- [3] [http://www.salon.com/2011/10/23/wikileaks\\_cables\\_and\\_the\\_iraq\\_war](http://www.salon.com/2011/10/23/wikileaks_cables_and_the_iraq_war)
- [4] <http://tinyurl.com/brc9xr7>
- [5] <http://www.jacobinmag.com/2013/07/bradley-manning-on-trial>
- [6] [http://transequality.org/Resources/NCTE\\_Blueprint\\_for\\_Equality2012\\_Prison\\_Reform.pdf](http://transequality.org/Resources/NCTE_Blueprint_for_Equality2012_Prison_Reform.pdf)

## The State: Judge in Its Own Cause

**Kevin A. Carson**

[22 August 2013, C4SS]

At a 2011 press conference President Obama, in response to a question about Bradley (now Chelsea) Manning, said "We are a nation of laws. We don't let individuals make decisions about how the law operates."

Is this really a nation of laws, though? There's an old legal principle, "*nemo iudex in causa sua*," which translated into English means "no one should be the judge of their own cause." But in fact all the laws theoretically limiting the state's power are interpreted by – wait for it – officials of the state.

The state is, in a very real sense, judge in its own cause. Consider what the security community's classification system amounts to, stripped of its phony

vener of "public safety" and disinterestedness. The U.S. government, to further the interests that control it, commits atrocities and crimes against the peoples of the world. It then decides for itself how much of its criminal activities it will allow its own domestic population – supposedly its sovereign masters to whom it is accountable – to know about. If one of its functionaries possesses the career-killing handicap of a conscience and feels morally bound to let the people know what kinds of criminal stuff "their" government is really doing, the same government that's doing all these awful things also sets the criminal penalties for clueing in the American people to what it's doing.

The commission of the actual military, intelligence and diplomatic crimes themselves, the classification of documents that evidence those crimes, and the setting of civil and criminal penalties for revealing wickedness in high places – all these things are done by officials of the same government.

During the administration of Richard Nixon, who was less vindictive toward whistleblowers than our current President, Daniel Ellsberg leaked the Pentagon Papers, a collection of classified documents showing how the United States had inexorably increased its involvement in Indochina ever since the French withdrawal, lying to the American people about the situation the whole time. That secret decision-making process, uncovered by Ellsberg after the fact, cost over 50,000 American and millions of Vietnamese lives, and turned most of south Indochina into a dioxin-soaked hell.

In 1953 the CIA helped overthrow Iran's elected government – an act which eventually led to the Islamic Revolution of 1979 and thirty subsequent years of war and tension in the Gulf. It led indirectly to a bloody war between Iran and Iraq in which millions died, creating a regional political climate that at times threatened superpower war. It was only in the past month – sixty years after the fact – the CIA officially admitted it had written a check to be cashed with the asses of the American people.

In the late '70s, under Zbigniew Brzezinski's foreign policy leadership, the U.S. began backing Islamic fundamentalist rebels against the Soviet-friendly government of Afghanistan, resulting in a Soviet-backed coup and subsequent invasion reminiscent of what the U.S. engineered in South Vietnam in 1963-1965. The explicit goal of Brzezinski's move in the "Great Game" was to get the USSR bogged down in its own sucking chest wound of a counter-insurgency war, with the possible

side-benefit of destabilizing control in the largely Muslim southern republics of the Soviet Union. Other unintended consequences of this brilliant chess move included the rise of al Qaeda and the 9/11 attacks. Even after 9/11, though, Brzezinski still said it was worth it. Funny thing is – I never heard of the American people getting a vote on it.

The farce is made even more absurd by the fact that high-ranking officials like Obama do, in fact, break the law whenever they feel like it – with impunity. At the same press conference where he gave the quote above, Obama said: “... I have to abide by certain rules of classified information. If I were to release material I weren’t allowed to, I’d be breaking the law.” But Obama does that all the time. The movie *Zero Dark Thirty* is chock full of classified material leaked with the full complicity of the Obama administration. Last I heard, nobody was in prison, or holed up in an embassy, or had their plane forced down, pursuant to an effort to track down the leakers. Government illegally leaks classified information all the time, to smear its enemies or promote its propaganda line, and heads don’t roll for it. Because, you know, government.

That’s the way it works. The government commits crimes, classifies all the evidence of its criminal activity, and punishes anyone with the audacity to tell you about it. The government is judge of its own cause, every step of the way. This is not a government of laws. The state is the opposite of law. Δ

## Chelsea Manning and the State’s Abusive Transphobia

**Nathan Goodman**

[24 August 2013, C4SS]

*Trigger warning: The following article discusses rape, sexual assault, and transphobic violence.*

Chelsea Manning, the whistleblower who released evidence of US war crimes to WikiLeaks, has announced that she identifies as a woman. “Given the way I feel and have felt since childhood, I want to begin hormone therapy as soon as possible,” she wrote in a statement.

But the US Army, which will be incarcerating the whistleblower throughout her 35 year sentence, has shown no interest in respecting her gender identity. Manning will be caged with men throughout her sentence. Furthermore, Army spokesman George Wright has stated that “The Army does not provide hormone therapy or sex-reassignment surgery for gender-identity disorder.”

Denying Manning hormone treatment and other transgender health care could have serious consequences for her. As the ACLU explained in a recent statement:

Gender dysphoria is a serious medical condition in which a person’s gender identity does not correspond to his or her assigned sex at birth, and hormone therapy is part of the accepted standards of care for this condition. Without the necessary treatment, gender dysphoria can cause severe psychological distress, including anxiety and suicide.<sup>1</sup>

Denying Ms. Manning this care would violate the state’s own laws. As the ACLU notes, “courts have consistently found that denying such care to prisoners based on blanket exclusions violates the Eighth Amendment of the Constitution.”

But denial of medical treatment is certainly not the only abuse that transgender inmates like Manning face in American prisons. A 2007 study of California prisons found that “[s]exual assault is 13 times more prevalent among transgender inmates, with 59 percent reporting being sexually assaulted.”<sup>2</sup>

These sexual assaults are often committed by guards, whose power over prisoners shields them from accountability. When prisoners assault transgender inmates, they are often aided and abetted by guards, who force trans\* women into prostitution. Gabriel Arkles of the Sylvia Rivera Law Project testified at a Department of Justice hearing that “In these systems, corrections officers bring transgender women to the cell of male inmates and lock them in for the male inmate to have sex with.”

Victoria Law also notes that in some male prisons, “officers practice ‘V-Coding’ – placing transgender and transsexual women in cells with sexually aggressive men.”

Because of this pervasive violence, transgender inmates are often placed in solitary confinement, ostensibly for their “protection.” Yet solitary confinement is internationally recognized as a form of

torture.

Before her trial, Manning was held in solitary for months on end, treatment that UN special rapporteur on torture Juan Mendez concluded “constitutes at a minimum cruel, inhuman and degrading treatment in violation of article 16 of the convention against torture.”

When asked why Manning’s gender identity justified placing her in solitary, Marine Corps Master Sgt. Craig Blenis answered “that’s not normal, sir.” Years before she even came out publicly, Chelsea Manning was tortured by the United States government for her gender identity.

Manning’s attorney, David Coombs, remains optimistic. He does not fear for Ms. Manning’s safety in prison, because “Everyone that’s in a military prison is a first-time offender. These are soldiers who have done something wrong, have gone to prison and are really just trying to do their time and then get out.”

I hope that Mr. Coombs is correct. But given the military’s violence, authoritarianism, cultural conservatism, and abysmal record on sexual violence issues, I fear that Chelsea Manning may face brutal violence and abuse throughout her sentence.

Even if the state does not torture or brutalize Ms. Manning while she is incarcerated, it’s worth remembering that she should not be incarcerated or punished at all. Instead, she should be commended. Having witnessed atrocities, Chelsea Manning released the evidence to the public, hoping to help end the carnage. She exposed evidence of murder,<sup>3</sup> torture,<sup>4</sup> rape,<sup>5</sup> and numerous other crimes.<sup>6</sup> Her courageous actions warrant gratitude and respect, not bigotry and state violence.

Thank you, Chelsea Manning. Δ

## Notes

[1] <https://www.aclu.org/blog/lgbt-rights-free-speech/aclu-response-chelsea-mannings-disclosure-gender-dysphoria>

[2] <http://nicic.gov/library/022362>

[3] <http://www.collateralmurder.com>

[4] <http://www.hrw.org/news/2010/10/24/iraq-wikileaks-documents-describe-torture-detainees>

[5] [http://www.huffingtonpost.com/david-isenberg/its-dj-vu-for-dyncorp-all\\_b\\_792394.html](http://www.huffingtonpost.com/david-isenberg/its-dj-vu-for-dyncorp-all_b_792394.html)

[6] <http://www.chelseamanning.org/learn-more/what-did-wikileaks-reveal>

# Zimmerman and Manning: The Demands of Justice

**Grant Mincy**

[16 July 2013, C4SS]

Long after the February 2012 shooting of 17-year-old Trayvon Martin,<sup>1</sup> defendant George Zimmerman, has been found not guilty<sup>2</sup> by a jury of his peers. The case has remained a hot topic for media since it was first reported. The unarmed teenager was shot and killed in a street fight with Zimmerman, a 29-year-old member of his neighborhood watch. Details of the case are known, reported, and have long been part of a national discussion.<sup>3</sup> This is a very high profile case.

As the Zimmerman trial has been conducted, so too has the trial of Bradley Manning.<sup>4</sup> Manning has become a household name among civil libertarians, but not to the majority of Americans.

Manning is a US Army soldier arrested in May 2010 for leaking classified material to WikiLeaks.<sup>5</sup> Since his detention he has been charged with 22 offenses,<sup>6</sup> including “aiding the enemy.” Perhaps the most well-known of the Manning leaks<sup>7</sup> is the video showing war crimes<sup>8</sup> – the repeated targeting of unarmed men, news informants and children – by US troops in Iraq. This leak raises disturbing questions about US foreign policy and is being treated as espionage rather than whistle blowing by the government (as is the Edward Snowden case).<sup>9</sup>

What’s the difference between the Zimmerman case and the Manning case? Both trials are current, but there is no national discourse for Manning. One cannot make broad claims as to why, but maybe the answer lies in our conceptions of justice.

The system of justice utilized by the United States is “procedural justice.”<sup>10</sup> In this system justice is a procedure, not an outcome. The system depends on due process rights and adherence to law.

What the American public tends to champion is “retributive justice”<sup>11</sup> – justice based in the outcome of a trial. If a defendant is believed to be guilty in the public conscience then “justice” is only served if said defendant is found guilty.

“Restorative justice,”<sup>12</sup> however, encourages deep reflection. It focuses on the needs of the victims, the offenders and the impacted community. This type of justice is not concerned with procedure. Victims here



take an active part in the process of justice and offenders are held accountable for, and take ownership of, their actions. Restorative justice focuses on human need and seeks solutions/support so that future offenses are prevented. Here, crime is done to individuals or communities instead of the state. It is the “why” – and what to do about it.

In restorative justice we see a major difference in the cases. In the much sensationalized Zimmerman trial we see a trial involving two individuals – more importantly, two Americans. We see historical tensions, social justice issues, and questions of power, force, and race. We are all a part of this history, but we did not all participate in the crime, allowing us to reflect and form opinions of how to move forward.

This is where Bradley Manning is different. The same issues are raised, but we are all implicated in the story. It isn't a crime among two individuals. This information charges all of us. It is our nation-state that has waged a never ending war on terror. It is our republic that is the offender. There are millions of victims and the global community is watching.

Perhaps we demanded coverage of the Zimmerman trial because there is a way to move forward, objectives achievable in the short term and clear goals for the long term. We are taking a national interest because Americans are involved and we wish to move the nation forward.

With the Bradley Manning case, however, our entire system is at war with “others.” Without dissent we support this behavior. We as a nation are the offenders. This makes us uncomfortable. The thought of owning up to our crimes is daunting, and what to do about US imperial hegemony – well, that makes us really uncomfortable. Instead of a calling to move our nation forward, hegemony gives us pause. It calls for deconstruction of our existing military, economic and political class.

One case rightly calls for a better nation, the other calls for the torch of liberty – our lost ideal. Δ

#### Notes:

- [1] [http://www.cbsnews.com/8301-504083\\_162-57412417-504083/trayvon-martin-shooting-a-timeline-of-events](http://www.cbsnews.com/8301-504083_162-57412417-504083/trayvon-martin-shooting-a-timeline-of-events)
- [2] <http://www.usatoday.com/story/news/nation/2013/07/13/george-zimmerman-found-not-guilty/2514163>
- [3] <http://www.npr.org/templates/archives/archive.php?thingId=148905681>
- [4] <http://www.guardian.co.uk/world/2013/jun/03/bradley-manning-trial-opening-statements>

- [5] <http://www.latimes.com/news/nation/nationnow/la-na-nn-bradley-manning-court-martial-20130710,0,6795975.story>
- [6] <http://www.wired.com/threatlevel/2011/03/bradley-manning-more-charge>
- [7] <http://www.bradleymanning.org/news/what-did-wikileaks-reveal>
- [8] <http://dissenter.firedoglake.com/2013/02/28/bradley-manning-describes-collateral-murder-video-as-war-porn>
- [9] <http://www.straight.com/news/400246/gwynne-dyer-edward-snowden-bradley-manning-spies-and-whistle-blowers>
- [10] [http://www.princeton.edu/~achaney/tmve/wiki100k/docs/Procedural\\_justice.html](http://www.princeton.edu/~achaney/tmve/wiki100k/docs/Procedural_justice.html)
- [11] <http://www.beyondintractability.org/bi-essay/retributive-justice>
- [12] <http://www.restorativejustice.org>

## Zimmerman Case Is No Grounds for Gun Control

**Sheldon Richman**

[16 July 2013, Future of Freedom Foundation]

From the beginning, people who would ban all private guns if they could have used the George Zimmerman case to push their agenda. They push on two fronts: First, they argue that Zimmerman's 2012 fatal shooting of Trayvon Martin, who had no gun, demonstrates that guns are an unmitigated evil. Second, the antigun lobby is using the case to agitate for the repeal of “stand your ground” laws,<sup>1</sup> which are on the books in many states.

It is hard to see how this case, in which Zimmerman was acquitted of murder and manslaughter, condemns gun ownership or concealed carry. Zimmerman claims he shot Martin in self-defense. The prosecution was unable to impeach that claim. It's true that Martin had no gun and Zimmerman did. For many people, this in itself proves that Zimmerman used his gun unjustifiably, hence demonstrating that guns are bad per se.

But that makes no sense. Are we to believe that a gun is the only means of threatening a person with death or serious injury? People were killed by a variety of means before guns existed, including fists. So there is no prima facie case that a gun was used improperly merely because the person shot had no firearm. (In the murder case, the jurors apparently believed

Zimmerman's account that Martin knocked him down with a sucker punch to the face, then sat on his chest, banging his head against the pavement.)

Thus the Zimmerman case furnishes no ammunition – pun intended – for gun controllers. How could a justifiable homicide – the jury's finding – provide evidence for banning or restricting guns?

We may go further and note that even a guilty verdict would have been no grounds for gun control. No matter what gun laws are on the books, bad guys will always get firearms. Gunrunning is as old as guns themselves. It is only the innocent who would be without guns, and that means more murders, more rapes, more assaults. The answer to gun violence is not to deprive the innocent of guns.

Let's move on to "stand your ground" laws. Many states have passed these laws to clarify the law of self-defense. It is an old principle that one may use deadly force to defend one's life (or other innocent life) in one's own home. In other words, one has no "duty to retreat."<sup>2</sup> Elsewhere, however, there *is* a general duty to retreat. If you are threatened but can get away safely, the law requires you to do so rather than confronting the threat. This rule presumably evolved to prevent escalation of violence and to preserve the peace. The "stand your ground" principle clarifies things by holding that if one cannot retreat safely from a deadly or other serious threat when away from home, one may use deadly force to counter the threat. That's all it does. It does not permit one to shoot someone else casually with impunity.

You may be asking what this has to do with George Zimmerman. The answer is – nothing. Zimmerman did not invoke "stand your ground" after the shooting last year. He could have asked for a hearing on the matter, but he did not. (Had he prevailed in that hearing, there would have been no murder trial.) The reason Zimmerman did not invoke the principle is obvious: His account of events rules out "stand your ground." Remember, he claims that Martin knocked him down with a blow and then sat on his chest beating him. If you're on the ground, you can't stand your ground.

Ironically, Martin's actions look more like a case of "stand your ground." The prosecution's account is that Martin saw Zimmerman following him. The residence to which Martin was walking was a short distance away, but instead of retreating for protection, he ended up in the deadly altercation. Why? If he felt he could not retreat safely, then *he* was standing his

ground when he confronted Zimmerman.

"Stand your ground" is reasonable law. The Zimmerman case provides no reason to repeal it. Δ

*Sheldon Richman is vice president of the Future of Freedom Foundation and editor of its monthly, Future of Freedom. He is the author of Separating School and State, Your Money or Your Life, and Tethered Citizens, and keeps the blog Free Association (sheldonrichman.com).*

#### Notes:

- [1] [tinyurl.com/l8wbzmmw](http://tinyurl.com/l8wbzmmw)
- [2] [en.wikipedia.org/wiki/Duty\\_to\\_retreat](http://en.wikipedia.org/wiki/Duty_to_retreat)

## Idle Threats

### B-psycho

[14 July 2013, Psychopolitik]

In Florida, George Zimmerman, a wannabe cop & self-assumed neighborhood watchman in a gated community, stalked, picked a fight with, & executed a teenage boy. After a trial that only took place due to protests (he originally wasn't even charged), he walked.<sup>1</sup>

Same state. A woman fends off a violent, abusive husband by firing warning shots, striking no one. She is charged, convicted & sentenced to 20 years in prison.<sup>2</sup>

Why? Simple: in the first case, the teenage boy George suspected and tracked down was black. In the second, the woman who clearly was defending herself was black. She didn't even get to invoke "Stand Your Ground," as it was blocked. George was let go the first time due to the cops knowing about that law and saying "oh well," and he ended up not even needing it to get a not guilty verdict at trial when it finally happened. The very idea that *Trayvon Martin* was justifiably in fear of his life (well, he was clearly correct on that fear, since his life ended that night ...)? Nah, not applicable. George could assume the worst of any black kids and clutch a shaky hand at his gun all he wanted, and whoever was on the other end has no choice but to damn near genuflect before him.

The point on paper for the “Stand Your Ground” laws is supposed to be to simply recognize right to self-defense. In theory, this would be a rollback of state power. Yet clearly in practice what it has instead done is strengthened the hand of government by way of providing a hole for arbitrary and contradictory judgment to seep further into. As with other parts of the “justice” system, this inevitably skews by prejudices both institutional and latent, in this case racially.

George isn’t the alpha and omega to this though. Not at all. What George Zimmerman is is merely another example of a symptom of a further disease. He is just someone who aspired to be a cop and didn’t get the badge. Many have come before him, especially those *with* the badges and uniforms, and many will come afterwards. According to one extensive study,<sup>3</sup> a black person is killed by police or their mini-mes every 28 hours. These occur because there is a latent assumption in America that blacks are by definition suspicious, dangerous, violent. The underlying American mindset is as if the entire country subscribed to a Bizarro World version of the conclusion of Ras Kass’ “Nature of the Threat.”<sup>4</sup> This manifests itself in various ways, from the frequency of killings of blacks, to the disproportionate enforcement tactics in the “War on Drugs” towards blacks, to the cited assumptions in the run-up to the verdict that there would be blacks rioting in the streets if Zimmerman got off, even to your average little old lady clutching her purse tighter or crossing the street when a black man is walking her direction.

To an extent, there seems to me a higher, political reason for some of the above sentiment. See, as you may know from history, most blacks did not choose to come to the U.S. in the first place. From slavery, we went through Jim Crow, intentional economic sabotage and terrorism, to today with the modern prison-industrial complex. We have taken a *lot* of crap as a people over those few hundred years.

Frankly, I can understand if after all that, there’s a bit of fear in some circles, a bit of worry of an awaiting revenge nightmare coming true. Those people probably figure “man, they have to have some



serious monk-like patience to not erupt.” Come to think of it, over that time, we’ve learned a few things. *Oh yeah!* This is America we’re talking about here! Coming up in the US of A is like the geopolitical violence version of training with Bruce Lee! There’s some *skills* floating around this here piece!

But don’t worry. We’re peaceful people. Don’t be so tense. Rather than fear we’ll wreck everything, sit down, take a deep breath ... and be really, *really* glad we haven’t.

Have a nice day. Δ

#### Notes:

- [1] [cnn.com/2013/07/13/justice/zimmerman-trial/index.html](http://cnn.com/2013/07/13/justice/zimmerman-trial/index.html)
- [2] [examiner.com/article/fla-mom-gets-20-years-jail-for-firing-warning-shots-against-abusive-husband](http://examiner.com/article/fla-mom-gets-20-years-jail-for-firing-warning-shots-against-abusive-husband)
- [3] [mxgm.org/wp-content/uploads/2013/04/Operation-Ghetto-Storm.pdf](http://mxgm.org/wp-content/uploads/2013/04/Operation-Ghetto-Storm.pdf)
- [4] [ohhla.com/anonymous/ras\\_kass/sl\\_onice/threat.rsk.txt](http://ohhla.com/anonymous/ras_kass/sl_onice/threat.rsk.txt)

Two things about that:

- 1) no, I don’t agree with him on that.
- 2) note that a variation of that assumption is embedded in our “security”/“defense” policy: an ongoing assumption that Muslim populations are inherently threats to the U.S.

## George Zimmerman, Prosecutorial Abuse, and the Sorry Politics of Race

**William L. Anderson**

[16 July 2013, LewRockwell.com]

As a somewhat casual observer of George Zimmerman’s show trial, I was surprised that it ended with a “not guilty” verdict, given how the politics of race had so infected the entire saga from beginning to the announcement of the jury’s decision. After all, not only was Zimmerman indicted on charges that assumed he had intentionally pursued Trayvon Martin with personal ill will and animosity with his being in

that supposed frame of mind when he shot the teenager, but the very President of the United States already had effectively declared Zimmerman guilty of a racially-motivated murder.

There will be no shortfall of commentary on the verdict and the outlandish media coverage (which declared Zimmerman to be a “white Hispanic” in hopes that the racial angle in the case could be most fully exploited), I would like to deal with another perspective with which I am more familiar, that being the prosecutorial abuse that helped drive this case. The politics of race, while front-and-center, did drive the push for criminal charges, but so did electoral politics, and specifically electoral politics that have defined the recent career of Special Prosecutor Angela Corey.<sup>1</sup>

At this point, let me say that even after the trial has ended, I am not sure what happened, but it also was clear that the State of Florida did not meet the legal burden of proof needed for a conviction. That is important to remember, because President Obama, Al Sharpton, and any number of commentators openly are declaring that when there is a high-profile action involving race and a trial, the law should be bypassed and mob rule installed. Make no mistake; Obama, Sharpton, and the *New York Times* were declaring<sup>2</sup> their belief that the jury should have ignored legal standards of proof in exchange for a verdict that the NYT declared would have been an “emotional catharsis.”

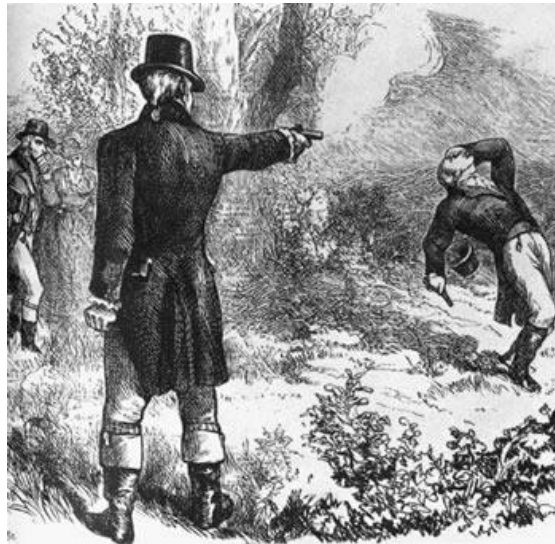
The NYT and most news outlets had refused to note that the gated community where Zimmerman lived had been hit hard with numerous burglaries,<sup>3</sup> thefts, and break-ins in recent months. While the NAACP already has publicly declared Zimmerman a racist because he had made a number of calls before when on neighborhood watch, both blacks and whites who lived there were adamant in their statements<sup>4</sup> about the problems of crime:

One black neighbor of George Zimmerman said the neighborhood’s recent history should be taken into account.

*“Let’s talk about the elephant in the room. I’m black, OK?” the woman said, declining to be identified because*

*she anticipated backlash due to her race. She leaned in to look a reporter directly in the eyes. “There were black boys robbing houses in this neighborhood,” she said. “That’s why George was suspicious of Trayvon Martin.”*

Understand that this information was easily available to any journalist who was interested in finding out some fact, but in retrospect, most mainstream journalists and pundits had no interest in going outside of their narrow narratives of race. Ironically, those journalists would then champion a prosecutor who indeed had engaged in conduct that raised questions about her fairness in cases involving people of color. In fact, I have not read one mainstream account that ever referred to Corey’s tenuous relations with ethnic minorities; once she secured charges of second-degree murder, she was considered to be heroic in the eyes of the media.



I was familiar with Corey even before Martin was killed and knew about the complaints of prosecutorial abuse that were threatening her career. After I heard that Florida Gov. Rick Scott had appointed Corey as a special prosecutor to investigate the shooting (after police and local prosecutors had elected not to charge Zimmerman), I knew things would end badly. Corey was in the midst of severe criticism for prosecutorial abuse in a case involving a 12-year-old boy named Cristian Fernandez charged<sup>5</sup> as an adult with murder.

Fernandez had pushed his two-year-old brother against a bookshelf, and the child died soon afterward. While punishment clearly was warranted, Corey’s decision to try him as an adult with him facing life in prison was seen as overkill by a number of people involved in Florida’s system of “justice.”<sup>6</sup> Cory had not expected the level of public anger about her heavy-handed decision, and she clearly was looking for a way to save or at least re-charge her career.

Scott’s appointment clearly was a way for her to do it. First, it would re-establish her “get tough with crime” persona and second, it would blunt the wrath that racial minorities already had shown toward her. As one might expect, she pursued what essentially was a sham investigation that had an inevitable



outcome, an outcome that had obvious political ramifications.

The lead-up to Corey's second-degree murder indictment against George Zimmerman came after what was an almost unprecedented campaign of vilification against him that involved what clearly were coordinated efforts by prominent blacks such as Al Sharpton, the U.S. Department of Justice (led by Attorney General Eric Holder), and the news media. As one who was heavily involved in the infamous Duke Lacrosse Case and who had personal contact with a number of journalists who covered the proceedings, I must admit that I was shocked at just what went on.

Early on, the media from CNN to the *New York Times* to NBC News<sup>7</sup> (and especially its sister network, MSNBC) falsely claimed that the Hispanic Zimmerman was "white," and that he killed Martin for "racial reasons." There was no proof, but that didn't matter as journalists simply declared what they wanted to say.

Perhaps the lowest point of what was a very low standard for media coverage came when NBC News literally spliced together quotes from Zimmerman on a 911 call in order to make it look as though Zimmerman was racially profiling Martin. NBC reported the conversation between Zimmerman and the 911 dispatcher as follows:

**Zimmerman:** This guy looks like he's up to no good. He looks black.

This actually is what transpired during the call:

**Zimmerman:** This guy looks like he's up to no good. Or he's on drugs or something. It's raining and he's just walking around, looking about.

**Dispatcher:** OK, and this guy – is he black, white or Hispanic?

**Zimmerman:** He looks black.

The contrast is obvious, as NBC deliberately tried to make the conversation something that it wasn't for the purpose of painting Zimmerman as a homicidal racist. (The NBC brass first insisted that the network had done no wrong, but later quietly fired some people as even by the abysmal standards to which

mainstream journalists adhere this was over the top.)

However, the mainstream journalists hardly were finished completing their self-appointed tasks of trying to railroad Zimmerman to prison. About the time NBC News was busy splicing together Zimmerman's comments, CNN solemnly broadcast that Zimmerman had called Martin a "f\*cking coon."



The left-wing Daily Kos picked it up, as did other news outlets. Two weeks later, CNN finally admitted that he was saying, "f\*cking cold," but not before legal analysts all over the country were declaring that the statement "proved" Zimmerman was targeting and intending to kill black people.

Not to be outdone by its competitors, ABC News declared to its viewers that Zimmerman had "no injuries" from his encounter with Martin. Finally, President Barack Obama himself weighed in, essentially claiming that Zimmerman was a racist murderer who needed to be prosecuted. (He and his attorney general Eric Holder – the same Eric Holder who was in charge of covering up the federal murders at Waco in 1993 – would look into pursuing federal charges against Zimmerman, something the journalists applauded. (Obama made more inflammatory statements<sup>8</sup> at a press conference the afternoon after the announcement of the verdict.)

There was another reason other than sheer dishonesty and the desire to railroad a man into prison that led ABC to cover up the fact that Zimmerman, indeed, had received some injuries during that fateful encounter. It turns out that Corey herself had withheld photographs and other evidence that Martin had injured Zimmerman before gaining the indictment, an action that has enraged the famed defense attorney Alan Dershowitz, who publicly criticized her.<sup>9</sup> (For her part, Corey called Harvard University<sup>10</sup> and ranted for 40 minutes and threatened to sue the university.)

Why did Corey even file second-degree murder charges when it was clear that the state could not meet that threshold of evidence? My belief is that the mainstream media made it more likely, as journalists of supposedly reputable organizations literally made things up out of whole cloth and then put the lies on the Internet and in the airwaves. The frenzy that the

media worked up made it easier for Corey to look like a crusader for justice rather than the dishonest opportunist that she really is.

As I noted at the beginning of this article, I do not know what happened in that encounter, other than Trayvon Martin was shot dead. At some point, Martin and Zimmerman tangled and it looks as though Zimmerman was getting the worst of it, which led to the shooting. What I do know, however, is that Corey's people did not come close to presenting evidence that matched their rhetoric and the poisonous rhetoric that American politicians and journalists have been spewing.

The trial of George Zimmerman was a show trial, but somewhere along the line, the six female jurors did not adhere to their pre-written script. However, that will not stop those in power and those who supposedly make a living as journalists from making ludicrous claims that Trayvon Martin was the Second Coming of Emmett Till and that Zimmerman was guilty of second-degree murder because Al Sharpton said so. That is the sorry state of current "justice" in the United States and it will only become worse. Δ

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## What an Honest Conversation About Race Would Look Like

**Sheldon Richman**

[19 July 2013, Future of Freedom Foundation]

Ever since George Zimmerman's fatal shooting of Trayvon Martin hit the national headlines last year, calls for an "honest conversation about race" have been heard throughout America. (Up until then, apparently, we've had only conversations about having a conversation about race.) However, one need not believe that the Zimmerman shooting and verdict were about race – I watched the trial and I don't – to think that an honest conversation about race is indeed long overdue.

First on the agenda should be the many ways that *government policies* – either by intent or by palpable effect – embody racism. Let's call them vehicles for official racism. I have in mind things like the war on certain drug manufacturers, merchants, and consumers; the crusade against "illegal" guns; the minimum wage and related laws; and the government's schools. All of these by far take their greatest toll on people of color.

Private racism, whether violent or nonviolent, is evil and abhorrent; it is also *unlibertarian* – yes, even nonviolent racism is *unlibertarian*, as I point out in "Libertarianism = Anti-Racism."<sup>1</sup> There I wrote:

What could be a libertarian reason to oppose nonviolent racism? Charles Johnson<sup>2</sup> spelled it out in *The Freeman*. Libertarianism is a commitment to the nonaggression principle. That principle rests on some justification. Thus it is conceivable that a principle of nonviolent action, such as racism, though not involving the initiation of force and contradicting libertarianism per se, could nevertheless contradict the justification for one's libertarianism.

For example, a libertarian who holds his or her philosophy out of a conviction that all men and women are (or should be) equal in authority and thus none may subordinate another against his or her will (the most common justification) – that libertarian would naturally object to even nonviolent forms of subordination. Racism is just such a form (though not the only one), since existentially it entails at least an obligatory

humiliating deference by members of one racial group to members of the dominant racial group. (The obligatory deference need not always be enforced by physical coercion.)

Seeing fellow human beings locked into a servile role – even if that role is not explicitly maintained by force – properly, *reflexively* summons in libertarians an urge to object. (I’m reminded of what H. L. Mencken said when asked what he thought of slavery: “I don’t like slavery because I don’t like slaves.”)

Another, related, libertarian reason to oppose nonviolent racism is that it all too easily metamorphoses from subtle intimidation into outright violence. Even in a culture where racial “places” have long been established by custom and require no coercive enforcement, members of a rising generation will sooner or later defiantly reject their assigned place and demand equality of authority. What happens then? It takes little imagination to envision members of the dominant race – even if they have professed a “thin” libertarianism to that point – turning to physical force to protect their “way of life.”

It should go without saying that a libertarian protest of nonviolent racist conduct must not itself be violent.

But as bad as private racism is, official racism is worse, since it is committed under color of law and leaves its victims all the more vulnerable.

No one with open eyes can possibly believe that a black or Hispanic male walking down the street at night – or even during the day – faces the same hazards presented by the police that a white person does. The criminal justice [!] system – from the police to the courts to the prison complex — is far more entangled in the lives of men of color than of white men. Blacks and Hispanics are stopped disproportionately under New York City’s abominable stop-and-frisk policy. (See David D’Amato’s article in the August issue of *Future of Freedom*.) What are the cops looking for? Drugs and guns. Police can stop virtually anyone because the official standard for suspicion is low and subjective – and that gives racist cops plenty of scope to harass (and worse) people they dislike. It’s a vehicle for official racism.

The drug laws were originally inspired by racial and ethnic animus against blacks, Mexicans, and Chinese. (See Thomas Szasz’s books *Ceremonial*

*Chemistry: The Ritual Persecution of Drugs, Addicts, and Pushers* and *Our Right to Drugs: The Case for a Free Market*.) Since drug prohibition is a crime by the standard of natural law and justice, and since it was motivated by racism and is racist in effect, those who passed and those who now enforce those laws are arguably guilty of hate crimes.

Prohibition – and the violent black markets and gang culture it spawns – makes the inner cities barely livable, while chasing legal businesses and jobs away. (Other government regulations contribute to this devastating result.) The cost to young people in terms of their futures is incalculable.

What about the war against “illegal” guns? It’s much the same story. As gun historian Clayton E. Cramer writes:

The historical record provides compelling evidence that racism underlies gun control laws – and not in any subtle way. Throughout much of American history, gun control was openly stated as a method for keeping blacks and Hispanics “in their place,” and to quiet the racial fears of whites. ...

It is not surprising that the first North American English colonies, then the states of the new republic, remained in dread fear of armed blacks, for slave revolts against slave owners often degenerated into less selective forms of racial warfare. The perception that free blacks were sympathetic to the plight of their enslaved brothers, and the dangerous example that “a Negro could be free” also caused the slave states to pass laws designed to disarm all blacks, both slave and free. Unlike the gun control laws passed after the Civil War, these antebellum statutes were for blacks alone.<sup>3</sup>

While the drug and gun laws today may not be racial in intent (though they may be), they are such in consequence. Again, they are vehicles for official racism. Whose neighborhood has more to fear from a local militarized police SWAT raid?

The government’s schools for decades consigned black children to ramshackle custodial institutions misleadingly called “schools,” where the kids’ future choices were systematically narrowed to a demeaning few. With white-controlled elitist school boards depriving minority communities of resources (through taxation), it took heroic family and neighborhood action to help kids to overcome these

official barriers. Things are little different today. Even though a great deal more tax money is spent on inner-city schools now than previously, the results are not much better.

These handicaps on minority children are reinforced by the minimum wage and related laws, such as the Davis-Bacon Act.<sup>4</sup> By pricing low-skilled, poorly educated workers out of the market, these laws make getting a first job especially hard if not impossible. For many unfortunate victims of the law, their lives are stifled in ways that cannot be reversed without herculean effort.

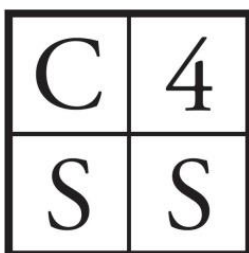
Tragic coincidence? No. The laws were racially motivated – intended as barriers against black workers aspiring to compete with exclusionist white unions. (See “Eugenics: Progressivism’s Ultimate Social Engineering” by Art Carden and Steven Horwitz.)<sup>5</sup>

And to this list of offensive interventions let us add immigration controls, zoning laws, occupational licensing, and restrictions on street vendors and taxi drivers,<sup>6</sup> all of which impose their heaviest burdens<sup>7</sup> on people of color, who are thwarted at every turn, as my account here indicates. Most tragically, all these government inventions, which serve to create dysfunctional communities, feed the private racists’ poisonous narrative.

This hardly exhausts the discussion of official racism. So, yes, let’s have that honest conversation about race. And let’s begin with the biggest enabler of racism of all: the state. Δ

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## Class vs. “Identity Politics,” Intersectionality, Etc.: Some General Observations

**Kevin A. Carson**

[26 March 2013, C4SS]

Those of us involved in various justice movements of the Left sometimes argue among ourselves as though the struggles for class, racial and gender justice existed in a zero-sum relationship.

Many people in the workers’ and economic justice movements complain – rightly so in my view – that “identity politics” in far too many cases became a substitute for class struggle, with racial and gender justice movements led by upper middle-class managerial-professional types focusing almost entirely on equal representation in the professions and boardrooms at the expense of economic justice. This approach is commonly derided as “black, female, etc., faces in high places.”

We can see this in the recent high profile coverage of the version of feminism promoted by Yahoo CEO Marissa Mayer and Facebook COO Sheryl Sandberg. Mayer, notably, was hailed as a triumph of feminism at the very time when she’d been showing her contempt for working mothers by eliminating Yahoo’s work-at-home arrangements.

On the CNN special “Black in America” several years ago, Soledad O’Brien cited, as evidence of the fulfillment of MLK’s dream, the fact that “Some are Secretary of State; some are CEO” – a source of some dismay for those of us whose fondest dream is to strangle the last Secretary of State with the entrails of the last CEO.

But some of the above-mentioned critics from the economic justice movement go even further, blaming gender and racial “identity politics” as a distraction from the class struggle. The struggle for labor rights and economic justice should take precedence over racial and gender justice, they say, because racism and sexism have been subsumed to a large extent within the class struggle. And to the extent that structural racism and sexism, homophobia, and transphobia continue to be real problems, the victims of such oppression should throw in with the economic justice movement and treat winning the class struggle as their immediate priority – after which the working class

will return the favor by shifting its fraternal efforts to the racial and gender justice fronts.

This goes too far – way too far. First of all, it's not just a question of priority. It's a matter of people not being actively horrible to one another. The most radical members of one social justice movement are frequently the most bigoted and hateful voices against victims of other forms of oppression. A good example is the slew of radical feminist writers at *The Guardian*, the American RadFem (and, ahem, corporate trademark lawyer) Cathy "Bug" Brennan, and Rosanne Barr – all of whom have assaulted transgender people with the most vile, toxic abuse imaginable. RadFems also commonly take a dismissive and patronizing attitude toward sex workers, ignoring their own agency and preferences in the quest to criminalize sex work "for their own good."

Second, for those who mercifully do at least recognize in principle the validity of other struggles against oppression, it's important to recognize that these struggles are not in a zero-sum relationship with one another. They are complementary and cumulative. It is not a distraction from the racial and gender justice struggle to put a special focus on the needs of the economically oppressed. It is not a distraction or detraction from the struggle for economic justice to address the needs of workers of color or of women, gay and transgender workers. Just the opposite. It creates a positive synergy.

Treating the relationship between these struggles as zero-sum undermines each one severally. Treating them as mutually reinforcing, as natural allies in a larger fight for justice, on the other hand, creates a whole greater than the sum of its parts.

That's what the idea of "intersectionality" – paying attention to the way that intersecting membership in more than one oppressed group – is all about. Intersectionality is sometimes dismissed by critics of "political correctness" as a sort of

"oppression olympics" in which people compete to see who is the most oppressed of all, in order to extract maximum guilt from everyone else.

In fact it's just the opposite. Intersectionality is not a source of division, but of unity. The idea of intersectionality is to strengthen each movement internally and create solidarity, by considering the special needs of each member and giving her whatever help she needs to function effectively as a

comrade in the struggle. It eliminates potential divisions within the movement that might otherwise be used as a weapon by its enemies.

Differential levels of oppression and exploitation are a lever for maintaining the system of exploitation by the privileged classes. An economic justice movement that fights for the rights and empowerment of workers, without specifically addressing the special needs of the victims of racial and gender oppression in its ranks, is a gravely weakened and divided movement.

Access to underpaid and exploited minority, female and unskilled labor undermines the bargaining power of white, male, skilled labor. Industrial managers in early 20th century labor struggles, who

deliberately chose unemployed blacks as scabs to break strikes, understood this. So did big farmers in the South who exploited racial divisions to break the tenant farmers' union. So, on the other side, did the Wobblies and CIO, who eschewed the racial segregation that so weakened the AFL's craft unions.

Intersectionality undermines the ruling class's "divide and conquer" strategies of labor market segmentation as a strategy for weakening the bargaining power of labor. The workers' movement, as such, by giving additional aid to the most disadvantaged and oppressed segment of the labor force, increases the power of labor as a whole.

Meanwhile, there is a sense in which the struggle for economic and material justice, for everyone's control over the means of livelihood, is of central





importance to racial and gender justice movements. The reason is that even primarily non-economic forms of injustice, like racial and gender oppression, depends to a considerable extent on control over access to the means of material subsistence.

Much of the leverage not only for class and economic oppression, for oppression on the basis of race, gender, sexual preference and gender identity as well, comes from the ability to obstruct access to the means of independent livelihood, and to withhold or take away the prerequisites of comfortable subsistence. the extent to which they are in what Friedrich Engels called the “realm of necessity,” as opposed to the “realm of freedom.”

By eliminating the material bases of class exploitation – by rendering unenforceable the artificial scarcities and artificial property rights from which the ruling class extracts rents – the economic justice movement eliminates the lever of necessity as a central component of all forms of oppression.

Let’s consider a few examples. When the price of land falls precipitously as a result of vacant land no longer being held out of use by artificial land titles, and vernacular building technologies like cheap, snap-together, modular housing designs become widely available without obstruction from local building codes, discrimination in rental housing will likely be significantly less important than it is now. The larger the share of our necessities of life that can be met through self-provisioning in the informal and household sector rather than paying for them with money earned through wage employment, the less will be the proportional effect of job discrimination on our access to the means of subsistence. If freed slaves after the Civil War had received “forty acres and a mule” from broken up plantations, and had been in widespread possession of the means of armed self-defense, the material balance of power would have been far different from that which allowed the reimposition of white rule after 1877.

That’s not to say that many people won’t continue to depend on rental housing or wage employment for some time, or that discrimination won’t matter to them. But the larger the share of the public that has the realistic option of walking away from the bargaining table, the less leeway the owners and employers will have to exploit those who remain.

The less a person’s material dependence on others

for survival, the more it becomes feasible for her to pick and choose her interactions with others, and interact only on terms of dignity and equality. When the majority of people in a society – including oppressed racial and gender groups – obtain the lion’s share of their material subsistence needs independently of the will or whim of others, and are in the habit of seeing themselves as free economic agents in independent control of their own means of livelihood, the spillover effects will color their relations with one another in other areas of life as well. Δ

## **Abortion, Rape Apologism, and Civil Resistance; or, Don’t Hide a Yellow Parchment in the Old Oak Tree**

**Roderick T. Long**

During the last u.s. election, some prominent opponents of abortion rights made the national news for their especially bizarre forays into rape apologism.<sup>1</sup>

But it’s worth keeping in mind that *all* opposition to abortion rights is in essence a form of rape apologism.

What do abortion bans do? They force a woman to allow her body to be used, in the most intimate and painful (and sometimes life-threatening) way, against her will. A ban on abortion, by forcing women to carry unwanted pregnancies to term, is thus the moral equivalent of rape.<sup>2</sup>

How do supporters of such bans justify them? In most cases, by claiming that the woman “invited” pregnancy by having sex – a claim that stretches the concept of “invitation” beyond any normal understanding (and also ignores the concept of bodily inalienability). But this is precisely parallel to the rape apologist’s contention that women “invite” rape by dressing attractively, walking through dangerous neighbourhoods, and so forth. The strategy is to reinterpret ordinary conduct as constituting consent to something, regardless of the alleged consentor’s disavowals.<sup>3</sup>

And of course the most extreme opponents of abortion don't make exceptions for rape, and so don't care whether the pregnancy was "invited" in even the most metaphorical manner. Instead, they argue that *merely by being alive*, the fetus has a right to occupy the mother's body – thus completely subjecting the woman's legal personality to that of the fetus, a kind of coverture from within. Preventing a woman from terminating a pregnancy resulting from rape isn't merely *analogous* to rape; it's essentially being an accessory to rape after the fact.<sup>4</sup>

Given the monstrous evil of anti-abortion laws, it's inspiring to see ordinary people rising up to resist them, as they did recently in Texas to prevent the state senate's Republicans from passing an anti-abortion bill before the midnight deadline in the wake of Wendy Davis' filibuster. But it's also frustrating to see the apparently narrow political focus of this activism.

Speaking of the American colonies before the Revolution, Rose Wilder Lane writes:

The Royal Governors had governed by the authority of charters. A charter was a written statement of the Authority that British Government granted to the Governor of a colony, and the liberties it granted to his subjects.

Because these charters were grants of freedoms, the Americans at first had struggled to keep them. British Government of course had a right to withdraw its grants, and sometimes it did so. The people of Connecticut, when their charter was revoked, stole the charter and hid it in a tree – to keep their liberties!<sup>5</sup>

This "Charter Oak" can be seen today on the Connecticut quarter. For Lane, the Connecticut rebels failed to see "how absurd it is to believe that a Government can give anyone liberty," given that all people are "naturally free." The rise of mass civil resistance – in Texas and around the world – is heartening, representing the most promising pathway to social change.<sup>6</sup> But the focus on trying to stop statutory legislation, rather than trying to *bypass* it and ultimately render it irrelevant, is sadly reminiscent of

trying to safeguard liberty by hiding a piece of paper in an oak tree.

I'm not saying that attempts to influence political legislation aren't sometimes worthwhile. But activism shouldn't focus there, let alone stop there. And the fact that the anti-abortion bill that the activists defeated was passed in a special session two weeks later highlights the weakness of an exclusively government-oriented approach. Nor am I saying that pro-choice activists in Texas *are* confining themselves primarily to petitioning their rulers; I don't know.

But what women with unwanted pregnancies need is access to abortion providers – transportation, funding, *etc.* – not permission slips from the Texas state government; and providing that access should be a pro-choice activist's first priority. Δ

#### Notes:

[1] The instance that achieved the most publicity was Todd Akin's theory that pregnancy resulting from "legitimate rape" is medically impossible and therefore not a valid grounds for an exception to abortion bans, but let's not forget Richard Mourdock's opining that pregnancies resulting from rape are something "God intended," or Ron Paul's remarks about "honest rape."

[2] But fetuses, unlike rapists, are innocent, some may protest. Well, sure. But a) an *early* fetus, not yet having any brain activity, is innocent the way a rhododendron is innocent; b) the right of self-defense against rape does not depend on the innocence or guilt of the rapist anyway; if someone could be involuntarily hypnotised into committing rape this would not be grounds for disarming his victim; and c) in any case, my point is less that the fetus is like a rapist and more that those who pass and enforce anti-abortion laws are like rapists.

[3] For the ways in which rape apologism also parallels tacit-consent social contract theories, see Roderick T. Long, "Immanent Liberalism: The Politics of Mutual Consent," *Social Philosophy and Policy* 12.2 (Summer 1995), pp. 1-31; online at: <http://praxeology.net/immanent-liberalism.PDF>

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*Against Authority* (John Day Co., 1943), p. 185; online at: <http://mises.org/books/discovery.pdf>

[6] See Charles W. Johnson, “In Which I Fail to be Reassured,” *The Industrial Radical* I.1 (Autumn 2012), pp. 7-12, online at: [http://radgeek.com/gt/2008/01/26/in\\_which](http://radgeek.com/gt/2008/01/26/in_which); Roderick T. Long, “Beyond Government,” *The Industrial Radical* I.2 (Winter 2013), pp. 9-10, online at: <http://libertopiafestival.wordpress.com/2011/08/11/beyond-government>; and Roderick T. Long, “Revolutionary Road,” *The Industrial Radical* I.3 (Spring 2013), pp. 43-44, online at: <http://libertopiafestival.wordpress.com/2012/09/28/revolutionary-road>; back issues of *The Industrial Radical* online at: <http://praxeology.net/industrial-radical.htm>

## My Experience at PorcFest X

Mattheus von Guttenberg

[30 June 2013, EconomicThought.net]

Not too long ago, I got back from a week long camping trip in New Hampshire at the Porcupine Freedom Festival (PorcFest), hosted by the Free State Project. The Free State Project, for those unaware, is an organization made of thousands of freedom-lovers of all types to encourage libertarianism in the state of New Hampshire. They espouse the philosophy that the “maximum role of civil government is the protection of life, liberty, and property” and they encourage people to move to New Hampshire to participate in grassroots activism as well as change through the New Hampshire political channels. PorcFest is the Free State Project’s annual camping event in Lancaster, New Hampshire. By the end of PorcFest, there were over 1,700 people gathered in tents, RVs, and for some fortunate ones, nearby hotels.

Prior to this trip, I had no direct knowledge of what lay in store for me. I was not a Free Stater nor was I current with their news and events. Having attended the week-long Mises University twice, and a few days back in February with the Students for Liberty folks at their international conference in D.C., I would have told anyone who asked that I had experienced a wide range of libertarians, and for this very reason I didn’t think PorcFest would bring anything new to me. My knowledge of “active” libertarian *types* was limited to (1) bowtie-wearing Austrian bibliophiles, and (2) college age or young-adult libertarians engaging in political and social

activism around their respective schools.

The general feeling of attending other libertarian venues (week-long or not) is that one comes away with better *arguments* or *positions* with which to convince or persuade others. I’ve studied Austrian economics and praxeology for years in the hopes that I can convince fellow economists and philosophers of their Keynesian or anti-libertarian errors – and in so doing slowly bring them around to a more civil position on society, ethics, etc. For the same reason, I’ve studied the social and economic effects of various types of state intervention and I appeal to people’s decency and rationality when I explain the terrible effects of money printing or occupational licensing laws, or what-have-you. I’ve studied these things in the hopes that I can talk and bring around regular people in my life to a more peaceful, libertarian resolution to their perceived social ills. I enjoyed attending both, and I think both types of work are necessary. But they are certainly not sufficient. If the Mises University is represented as intellectually advancing libertarianism, and groups like Young Americans for Liberty and SFL are represented as politically or socially advancing libertarianism – then PorcFest is about advancing libertarianism through direct action.

Attending PorcFest is nothing but an exercise in direct action. The “theme” of PorcFest, if one could refer to anything, would be a general desire to practice agorism. Agorism is the philosophy of living as much as possible outside the state; to encourage non-compliance, civil resistance, and “opting out” of state-run services. Instead of explaining freedom and trying to make it sound beautiful, we should *create* freedom, and people will come later. As they said, people will become attracted to freedom when they see it. Thus, the whole atmosphere at PorcFest was an atmosphere without a trace of police or state involvement. People were happy to do business with merchants they knew were unlicensed, to buy silver from a loud tattooed man with a rifle on his shoulder, to listen to Ernie Hancock on “Declare Your Independence” in the morning preaching the many and various injustices committed on regular, peaceful people in the name of “law.”

These people were committed to establishing the “new channels” of commerce and exchange – without the purview of the state regulatory boards or food inspection thugs or Bernanke’s whim. Of course, a not-small contingent of these “agorists” were left-libertarians; “hackers” some might say for advancing

the use of encryption and anonymity software, “socialists” some might say for desiring more localized production instead of huge corporate monoliths dominating the economic scene in Randian fashion.

Some people practiced home-schooling or, the more radical variant, “unschooling.” While homeschooling seeks to “bring the public school to the home” in terms of workload, curriculum, etc., unschooling represents a more laissez-faire approach to education where the emphasis is on growth and development of interests instead of efficiency at standardized tests. Unschooling, unfortunately, flies in the face of a thicket of local, state, and federal laws regarding public education, homeschooling, compliance with teaching laws, etc. Practicing unschooling – taking your children out of government schools and seeing to their development yourself – is another way to advance libertarianism by example.

Many more people were united against the injustices being committed to our foods and medicines. The fluoridation of water, the food cartel strengthened by Monsanto and the USDA, the over-medication of pharmaceutical drugs especially to children, the outlawry and subsequent raids on owners of raw milk and cannabis, the ubiquitous presence of genetically modified organisms that a majority of Americans consume – these are all legitimate and often-heard complaints against the state-sponsored monopolization of agribusiness and pharmaceuticals.

A small body of us came as Bitcoin enthusiasts, hoping to spread the use of Bitcoin and the familiarity with digital currency in general. Despite Bitcoin’s large rise in price and its large popularity in libertarian circles, some vendors were totally ignorant of Bitcoin, and others were slanted against it for one reason or another. The Bitcoin panels were excellent at answering common questions regarding its stability, strength, future use, and other technical characteristics of Bitcoin. At Revolution Coffee, one could even use a Bitcoin ATM to exchange with dollars.

Without law enforcement, PorcFest became a peaceful anarchy. Alcohol and cannabis were consumed openly without pretense or permission needed. Social favor was distributed by reputation and conduct – for this reason, one has an incentive in traveling around and meeting new people to impress. Likewise for the merchants, their business is entirely dependent on word of mouth. The bearded guy that sold Texas chili, the Thai family who sold egg rolls and fried rice, the man and woman who operated the



Juice Caboose, even Mandrik the pavilion gyro cook were all dependent on the happiness of their customers. Stations were poised all around the campground with coffee, fruit punch, and lemonade. Other stations included firewood and electrified coolers with bags of ice. All of these operated on an honor system (\$1 for refill, \$6 for firewood, etc.). There were large printed QR codes

in case you wanted to buy with Bitcoin. Such was the level of trust at PorcFest that vendors felt safe leaving their “tip” jars with silver and large bills outside for the whole day.

Of course, for those looking to do more than sit at a smoldering campsite drinking beer or smoking, presentations and events were offered all day. Everything from hula-hooping, to a beginner’s shooting class, to Bob Murphy’s Variety Show were available. There were panels on homeschooling, on natural food production, on libertarian fiction writing, on alternative legal systems, on Remembering Rothbard, on mesh networking, on Bitcoin. There was even an event dedicated to exploring new areas in which savvy agorist entrepreneurs can develop markets and products that don’t exist in today’s state-dominated world.

Even though the overwhelming population of PorcFest were radical libertarian anarchists, by the final few days, even libertarian celebrities and non-anarchists came to show. Peter Schiff came giving an introduction to Gary Johnson, the 2012 Libertarian Party presidential candidate. Only at PorcFest, however, could Gary Johnson get heckled for being a statist. In his plan to slash federal income taxes of all types, people cheered. When he followed with “and I



would replace them with a single tax ...” it turned into outright booing. Gary lamented that the United States engaged in such atrocious foreign policy and members of the audience shouted at him for using the collective words “we” when describing the actions of the US government. “I didn’t murder anybody!” shouted one man from the audience.

More radical anarchism was to follow the next day with the Soapbox Idol contest, where contestants would compete for the best rant they could deliver. Antonio Buehler was the first ranter to earn a perfect score for his powerful and emotional tirade against the “cowardly” nature of police officers and law enforcement. His rant underscored what a lot of libertarians see day in and day out – the terrible abuse of police officers against peaceful citizens, whether in the form of “no-knock raids” where police accidentally kill the wrong person suspected of having drugs, or when they exercise intimidation to stop people filming or recording their actions. Another woman delivered a devastating poem she wrote about the horrors of drone warfare.

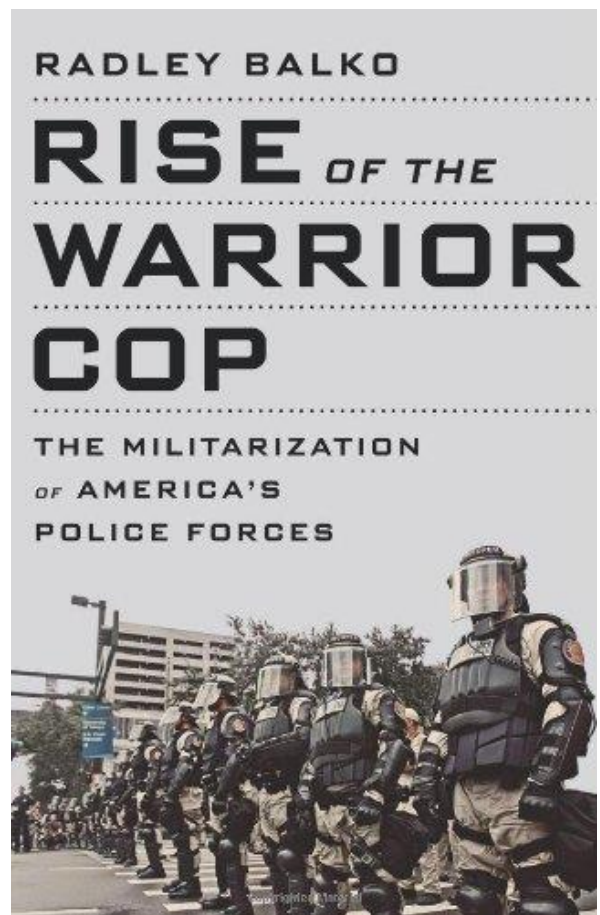
The experience of being at PorcFest, above all, was inspiring. John Bush and others on the peaceful parenting panel were jaw-dropping. One woman told an anecdote describing how she traveled to the local New Hampshire school board and told them that she will *not* be complying with their edicts and regulations, and she left. At first glance, that seems frightening. What if they come to your house? Take your kids? Frightening, until you realize that the locals in New Hampshire have a large community of non-compliant parents, and the city simply doesn’t have the resources to prosecute them all. Joining a community of non-compliant members is certainly much easier than beginning one yourself, and that applies to parents looking to skirt state law as much as any other agorist enterprise. You want to market and sell natural healing products without licenses and paying taxes? It certainly helps to have customers and like-minded business partners that don’t care about licenses or tax evasion.

PorcFest was inspiring because I’ve been talking and thinking about what a free society looks like (or might look like) for years, but I don’t take much action to create it. Living off the grid, learning to produce a portion of your food, earning an undocumented income, keeping healthy – these are all ways to secure yourself from the state and its centralized power structures in society (food, banking, medicine, etc.). PorcFest is a community dedicated to

those principles. The Free State Project, and PorcFest too, gets larger each and every year as more and more people are realizing the benefits of creating the “alternative institutions” to replace the state. Libertarians can offer all the intellectual and social arguments for laissez-faire, but when the state comes crashing down (as La Boétie describes) – what will there be to replace it? PorcFest and the Free State Project are excellent reminders to live and act *now* and to spend energy and time creating the society we all know can exist. Δ

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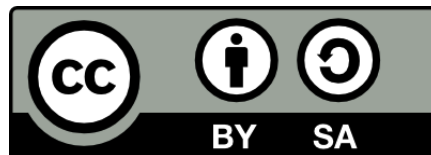
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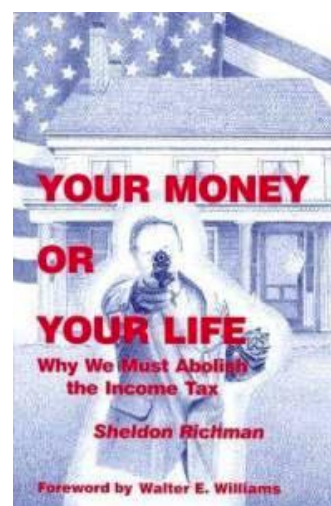
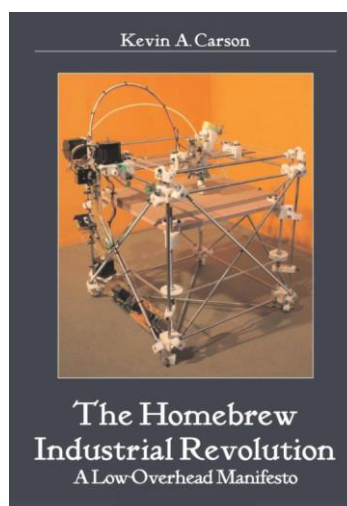
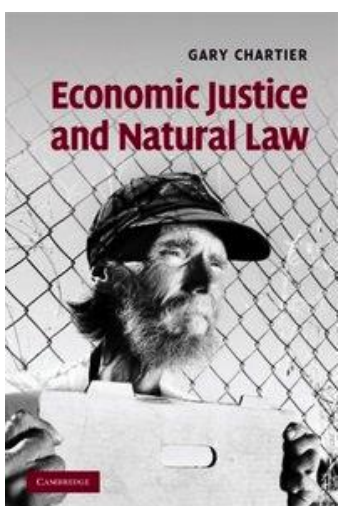
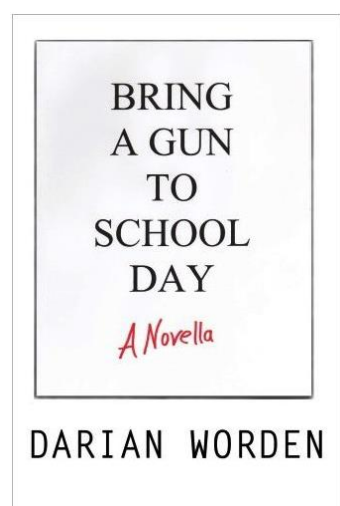
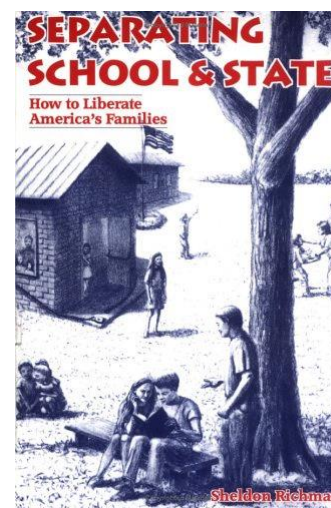
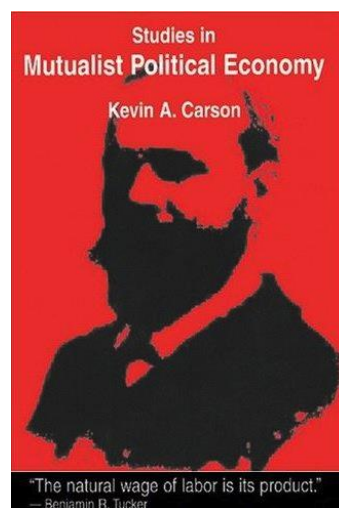
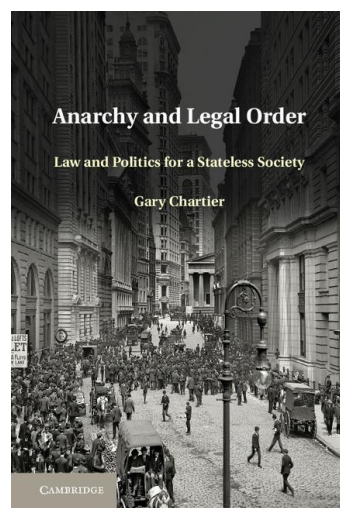
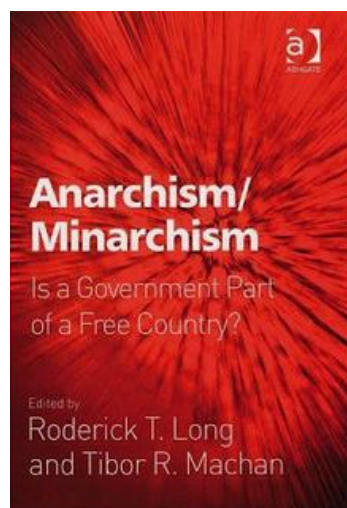
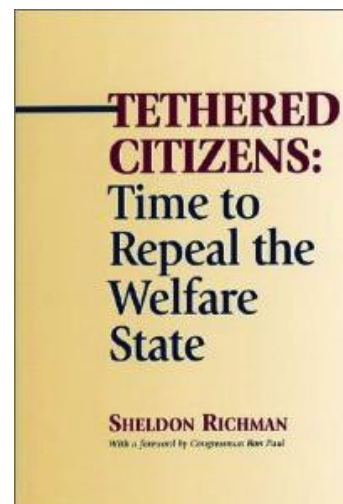
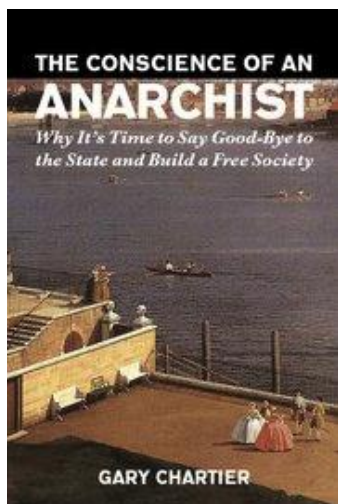
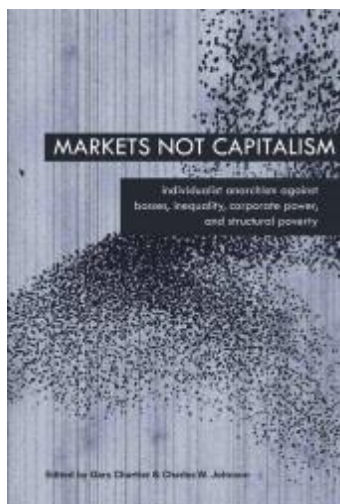


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