

viewpoint

Libertarians are, of course, determined opponents of the Leviathan State. They are also "idealists," believing in the power of ideas to move mountains, to make history, to transform society. Even to overthrow an entrenched coercive despotism. And yet, libertarians have displayed curiously little interest in the *process* by which such social transformations can and do take place. *How* do ideas force a change in social institutions, even those that seem to be deeply entrenched?

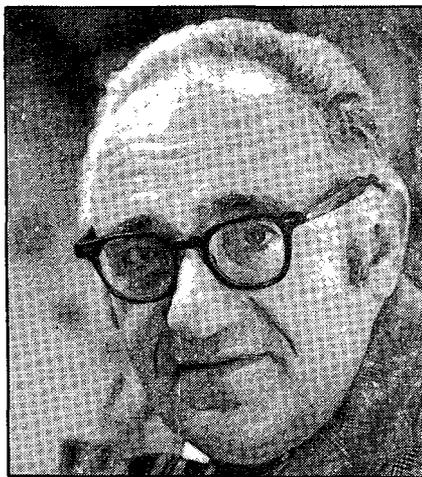
In the first place, it is clear that ideas do not float around or influence historical events by themselves, in a vacuum, as it were; they must be adopted and carried forward by *people*. In short, new or radical ideas must be embodied in a self-conscious *movement* of people who have adopted them. Second, it is impossible for everyone to adopt a new idea at the same time; it is adopted by one or a few people, and then, if conditions are right, it will spread to other groups or persons in the society. One of the major functions of a movement, then, is to carry forward the new idea and to convert as many others as possible.

But everything is not a rose garden. Apart from the intellectual vested interests that any new idea will confront, an idea which opposes an existing power elite will inevitably come into some sort of clash with that power.

Most people, including many libertarians in their pessimistic moments, are despairing of any possible way to overthrow a dictatorial and despotic State. How can the mere power of ideas win out over a totalitarian tyranny that has all the guns?

Again, the flaw in this despair is thinking of ideas as floating abstractions, instead of as animators of a growing and determined movement. But how can such a movement win out?

The recent revolution in Iran illustrates in classic fashion how such a victory can be attained. The regime of Shah Pahlevi seemed to be irresistible. It had been in power for decades. The shah's father had proclaimed himself monarch and had grabbed about half the land area of the country for his own personal use and ownership. From taxes and the proceeds of such ownership, Pahlevi built up a formidable military machine, fueled by enormous military, political, and psychological aid from the United States. The shah's engine of internal terror was equal-



Murray N. Rothbard

ly impressive; anyone who looked like a dissident or opponent was subject to torture, a torture so widespread and systematic that Amnesty International deemed the shah's regime to have the worst human-rights record of any regime in the world. Until the very end, the United States stood ready to back the shah to the hilt. Until the very end, also, the CIA insisted on pronouncing the shah's rule among the most stable and trouble-free in the world.

So what happened? Opposition to the shah had been bubbling for years, but it had no institutional structure to represent it, and it had no guiding idea of any positive alternative. "You can't beat something with nothing" is a cogent motto, and it rules in political affairs. This doesn't mean that an anti-shah opposition movement had to spell out its alternative in detail; to the contrary, any such specification would have been likely to alienate large parts of the opposition coalition. But some guiding theme, some vision, some *idea*, must be there to energize the public and to unify the various strands of opposition. In Nicaragua, a popular movement seemingly united last year to overthrow the hated Somoza dictatorship fell apart and is now further away from triumph than ever. What the Nicaraguan coalition lacked was any kind of positive idea or unified leadership; hence, the propensity for the coalition to fall apart even before victory was achieved.

Whether libertarians like the fact or

not, religion has always proved to be one of the most animating and energizing ideas that mankind can adopt. In the case of Iran, it was religion—or rather, religion as embodied in the institutional structure of the Ayatollah Khomeini and his "Islamic Republican" movement—that provided the vision and the guiding idea that managed to topple the shah's tyranny in an incredibly brief period of time. The Khomeini movement started with no guns at all; it began only with a figure deeply venerated by the Muslim masses of Iran, a figure who had been exiled for many years for his opposition to the shah. Institutionally, the movement had the other ayatollahs and a host of the younger mullahs—in short, they had the Muslim religious structures ready to roll and to activate their flock. The Muslims were deeply aggrieved by the shah's assaults on their religious ways. Once the masses were convinced that it was Islam versus the shah, and that Khomeini was the embodiment of Islamic teachings, the shah, for all his money and might, didn't stand a chance.

The Iranian masses did it, until the very end, without guns. They did it with a repeated series of strikes and demonstrations, each reinforcing the other with cumulative effect. Crackdowns and shootings by the army only succeeded in inflaming the masses and intensifying the revolutionary movement. Finally, when guns appeared at the end, they were only minor auxiliaries to the weight of nearly the entire populace. At the last, it was the masses versus the army, with its virtual monopoly of firepower.

But what happens in all successful revolutions is that finally the army, too, becomes "subverted"—it is either swept up in the revolutionary ideology, or the soldiers refuse to fire upon their own families or upon people very like themselves. And so it was in Iran. While the higher officers remained faithful to their royal patron to the end, the troops and the lower officers began to break off. Finally, the death of the shah's surrogate regime, of Prime Minister Bakhtiar, was spelled the night before the end, when the army announced publicly that it would take no further part in the struggle, that it would let the people decide the nature of the regime. That was it, and the very next day the revolution triumphed. Another mighty and seemingly invincible State had been slain.

(Continued on p. 58.)

spotlight

Alternative Education Fighter

In the spring of 1970, a month after Kent State, Ed Nagel chucked four years' worth of tenure as a New York public high school teacher. He would no longer abide teaching kids about a way of life he was so unsure about.

"At one point, I suddenly realized that I couldn't do it anymore—teach in a public school," Nagel, then 28, recalls. "My daughter was kindergarten age, and I couldn't let her proceed through a System I had so little respect for."

His search for the right alternative led the Nagel family to visit (often for days at a time) a catalogue list of more than 100 counterculture and community schools. They finally settled in Santa Fe, at a school operated cooperatively by parents of 13 children. The school's conceptual base was radical—that a child will learn best what he personally is most interested in. A standardized curriculum was unthinkable among the parent-operators, who switch duties and responsibilities on a regular basis. Some sessions, Nagel performs the role of "principal"; others, the function of janitor. For once in his life, Ed Nagel was free of the System.

Except for one thing. The System wouldn't let go.

Trying his best to drop out, Nagel learned that you can flee but not escape from a society intent on making sure everyone does things pretty much the same way. Luckily, Nagel turned and fought—and won. And won again. Organizing a network of legal talent from across the country, Nagel has repeatedly stood firm against harassment and denial of rights from local, state, and federal agencies, including the Internal Revenue Service. The organization he founded, the National Association for the Legal Support of Alternative Schools (NALSAS), has helped dozens of parents and nonpublic schools cope with—or strike down—government regulations and compulsory attendance laws.

The government made its first mistake in January 1971, when the state-level Department of Education denied accreditation to the Santa Fe Community School's secondary program. Parents were told they would be prosecuted for failing to have their children educated at an approved school. The school's shortcoming: it didn't provide teachers certified in the

30 courses required in public schools. "Since we only had two teachers and thirteen children in the entire school, that seemed pretty silly," Nagel points out.

Just the same, the state was serious, even though a number of New Mexico's rural public high schools failed to meet the 30-course standard. Nagel sought aid from several attorneys and foundations (including the Rockefeller Brothers Family Fund and the New Mexico ACLU). It paid off a year later when the State Supreme Court ruled that New Mexico's constitution delegates no authority to distinguish what type of school satisfies compulsory education requirements. The following year, publicity surrounding the case, and the lobbying efforts of a nonpublic school task force, persuaded the legislature to remove all state authority over nonpublic schools, including the requirement that teachers be certified.



Ed Nagel

But the state wouldn't rest. Because its enrollment included kindergarten-aged children, the Santa Fe Community School was under the jurisdiction of the State Health and Social Services Department. And because the school was known as a troublemaker, it experienced blatant harassment. During one six-month period, 20 government inspections were carried out.

"They came out and said they found 25 code violations that we'd have to correct. We fixed things, and the inspectors suddenly discovered 23 totally new items that didn't conform. They couldn't be satisfied," Nagel reports.

Examples of creative enforcement:

- When the Santa Fe school converted a one-story, ranch-style structure into a school building, the authorities cited the fire code's insistence on corridors six feet wide. "We offered to let the inspector hold a fire drill. He could lock any door,

block any exit, anything he wanted, and we'd have the building cleared inside a minute," tells Nagel. "The inspector said that didn't matter, because we didn't meet code specifications. Then we went over to the state capitol and found dead-end corridors narrower than six feet, right there in the capitol where the stupid law was made. Finally we just knocked down a wall so there was no longer a corridor to worry about."

- One inspector cited the school because the children's faces and hands were dirty. Nagel asked him if the complaint was serious enough to close down the school; the reply was no. Later he brought up the same question with the inspector's supervisor. "The man looked at me with a scowl and said, 'Wash 'em.' He was dead serious."

The frivolous harassment halted suddenly when Nagel and fellow parents prepared a lengthy letter detailing the government's actions. The letter was mailed "to anyone we thought might respond, anywhere in the country." Sen. Joseph Montoya replied by calling in the responsible bureaucrats for a discussion, "and suddenly it turned out we had resolved all our differences. The agencies just stopped annoying us, even though we were doing most things the same as always."

The national pattern of pestering alternative schools was clearly established, however. Operators of small schools all over the country contacted the Santa Fe group to compare notes on legal tactics to avoid bothersome public officials. A regular exchange of correspondence developed.

In May 1973, while attending an Ohio conference of alternative educators, Nagel heard a speaker declare the need for a national clearinghouse of legal strategies for nonpublic schools. The idea "was to hold a later conference to develop a funding proposal and get the thing started once it was financed," Nagel says. "But my approach has always been that if you want to get something done, you do it. So I told them I'd start NALSAS on my own, run it until the conference raised some funds, and then turn it over to them. The funding never came through."

Nagel did come through, though, and just in time. While more traditional parochial schools and private academies are experiencing moderate growth rates, the interest in starting tiny—sometimes one-family—alternative schools is expanding (Continued on p. 59.)