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November 1, 1993

Mr. N. Stephan Kinsella
Jackson & Walker, L.L.P.
1100 Louisiana, Suite 4200
P. O. Box 4771
Houston, Texas 77210-4771

Dear Mr. Kinsella,

Thank you for your letter and enclosures of October 28. It is gratifying for me to learn that you could develop further work based on the ideas in your paper for *Reason Papers*. As you may suspect, I am not so enthusiastic about Hoppe's work as you are, probably in part because I have had first hand reports of his utter disdain for my work (as indeed, unfortunately, was shown in Leland Yeager's review of *Capitalism and Individualism*, published some time ago in *Liberty*). More importantly, however, are you aware of Daniel Shapiro's review of Hoppe's book *A Theory of Socialism and Capitalism*? Shapiro found the book awful, lacking in scholarship, lacking in understanding of socialism, and relying entirely on characterizations Hoppe himself creates. The principle of charity, which characterizes good scholarship, is utterly lacking in that work - i.e., Hoppe treats opponents' arguments as if they were utterly worthless, giving them not even the appearance of strength (thus insulting a large percentage of the human race for thinking these worth the time of day).

I believe you might find some of the criticism leveled at Hoppe by Rasmussen and others worth further study. There is also, incidentally, the piece by Den Uyl and myself, "Gewirth and the Supportive State," in Ed Regis, ed., *Gewirth's Ethical Rationalism* (Chicago UP, 1984), that might interest you.

In any case, thanks again for writing. I hope your career goes well.

Sincerely,



Tibor R. Machan
Professor

TRM:pt

reason

FREE MINDS & FREE MARKETS

Dear Author:

Thank you for submitting your article for us to consider. After reviewing it, however, the editors have concluded that it is not appropriate for REASON at this time.

Good luck in placing your work elsewhere.

Sincerely,

Mary Toledo

Mary Toledo
Editorial Assistant

Hoppe Book Review

August 1993

Liberty

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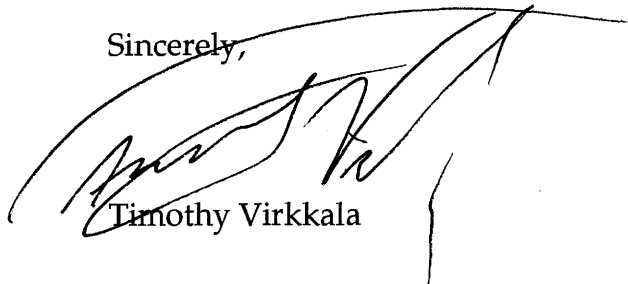
August 17, 1993

Dear Mr Kinsella:

I am sorry to report that neither version of the review you recently submitted to us, dealing with Han-Hermann Hoppe's latest book, has selected for publication here. Best luck in placing your review elsewhere.

Still, I thank you for thinking of us as an outlet for your writings, and hope that you will consider us again.

Sincerely,



Timothy Virkkala

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August 31, 1993

Mr. N. Stephan Kinsella
4848 Pin Oak Park, #703
Houston, TX 77081

Dear Mr. Kinsella:

I am sorry but the Cato Journal is unable to publish your review of The Economics and Ethics of Private Property. We publish only a few reviews each issue, and we have a backlog at this time. Thanks for letting us see the review.

Sincerely,



Sheldon Richman
Book Review Editor

Chronicles

A MAGAZINE OF AMERICAN CULTURE

31 August 1993

N. Stephan Kinsella
4848 Pin Oak Park, #703
Houston, TX 77081

Dear Mr. Kinsella:

I shall send your review of Hoppe on to our reviews editor. For all I know, he may have already commissioned a review, since Hoppe is an occasional contributor--a brilliant writer, even if I disagree with many of his premises.

Your other proposal is interesting, and while I find your conclusions unexceptionable, I am not sure that the method of argument would be convincing. We have struggled for some years at Chronicles to clarify our critique of all philosophies and politics of rights, that they are based on questionable premises that arose under specific historical circumstances--there is nothing universal about universability, that they are false to what we know of human nature, that they are but a secularized form of Christianity--Hamlet without the prince.

We have also pointed out that most human social relations cannot be expressed as abstract/universal equations, because not all obligations are reciprocal in the sense that A and B both owe each other X. More often A owes X and B owes Y, e.g. a parent is obliged to support and protect his kids, while they must honor and respect their parents and give up their labor to them; husbands are to love, wives are to obey. Sometimes we may have an obligation that we do not acknowledge or even repudiate, e.g. I may not wish to support my kids or worship and obey the Creator. What I owe my neighbor or fellow-citizen, I do not owe the world, and I owe things to friends I do not owe to strangers, etc., etc. Some of these obligations arise from nature, others from a particular social order; still others from agreement; some are commanded by God or gods, but in such a world as this, no single principle or set of universal principles can explain the obligation to defend ourselves and our families or the obligation to seek vengeance upon those who have harmed our kinfolk. There

THOMAS FLEMING / EDITOR

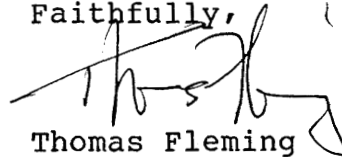
Mr. Kinsella
31 August 1993
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is more wisdom in this point in old Germanic law than in English common law, and the blood feud is far more nearly universal than any philosophy of right.

Properly speaking, a science of ethics begins in observation and only ends in prescription; the schemes of Locke and Kant et al. seem to go artsy-versy and begin with all men being created equal and end up telling us how to school our children, run our shops, or take care of pornographers who enter our neighborhoods. I quite agree with you that such people should not be imprisoned. What are tar and feathers for? A real libertarian would not wish to prosecute either the porn-seller or the neighbors who burned down his store.

Best wishes,

Faithfully,

A handwritten signature in black ink, appearing to read 'Thomas Fleming', written over the typed name.

Thomas Fleming

PS If you have a piece already done, I would be happy to consider it, but you would have to produce more convincing arguments.