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Is Ross Ulbricht of Silk Road a Libertarian Hero?

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Abstract. Ross Ulbricht was sentenced to life imprisonment with no possibility of parole for electronically facilitating trade in illegal drugs with his website Silk Road. This is a more severe penalty given to drug dealers, and even murderers. Is he heroic for violating an unjust law, which makes selling drugs a victimless crime? Is he a libertarian? Is he a libertarian hero? These are the questions addressed in the present paper.

Keywords: Silk Road, Hero, Libertarianism.

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1. Introduction

For those who have been Rip Van Winkling it for the last little while Ross Ulbricht set up Silk Road, which was an electronic market for buying and selling illegal drugs. Unhappily, and unjustly, he was arrested and condemned to a life in prison, with no hope for parole. There is no doubt, at least not in the libertarian community, that this was a horrendous and outrageous violation of human rights. Mr. Ulbricht himself did not engage in the drug trade, which ought to be legal in any case; he only made it easier for other consenting adults to do so. Even murderers get out of jail eventually.

Amongst libertarians, a debate of sorts has broken out as to whether or not this entrepreneur of Silk Road ought to be considered a libertarian hero. This is of particular interest to me, since I am the author of a series of books called *Defending the Undefendable* (Block, 1976; 2013), both of which mention heroes and heroism prominently

In the first publication in this series (Block, 1976) I defended as heroic such stalwart figures as the pimp, the blackmailer, the libeler, the person who yells “Fire” in a crowded theater, the speculator and the profiteer among about another two dozen or so of the same ilk.ⁱ In the second one I did so for such worthies as the smuggler, the picket-line crosser, the peeping Tom, the bad Samaritan, the dwarf thrower and the sexist among an equal number of other reprobates.ⁱⁱ In my view, a person is a hero if he engages in acts that do not violate the libertarian non-aggression principle (NAP), and yet are illegal, or reviled by most people. To give a very pedestrian example, right now there is nothing heroic about wearing a blue tie. But suppose just suppose that for some reason wearing this garment became illegalⁱⁱⁱ and/or hated and scorned by the overwhelming majority of people. Then, I contend, wearing a blue tie would become heroic. After all, despite its presumed unpopularity, and/or legal prohibition, this act would still not violate the NAP.

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With this introduction to the issue, I now turn to considering the contributions of four eminent libertarians, to the issue of whether or not Ross Ulbricht should be considered heroic. As can easily be inferred, I consider him a hero since he did not violate the NAP and yet he was imprisoned. In section II we consider the views on this matter of 1. Deist (2015); 2. Mosquito (2015); 3. Wenzel (2015) and 4. Vance (2015). We conclude in section III.

2. Responses

2.1. Deist

Mr. Deist (2015) pithily asks: “Does lamenting his indefensible sentence mean celebrating him and his actions?” And again: “...do libertarians really want to create a cause célèbre out of a young man who used his intelligence and talents to sell drugs online?”

Deist (2015) denies heroism to Ulbricht on two grounds. First, the pragmatic; his act will retard the promotion of libertarianism: “Unfortunately the Silk Road prosecution will only strengthen dark connections in the public hive mind between internet markets, privacy, cryptocurrencies, and real^{iv} criminality. That these connections are mostly unfounded misses the point: the conflation of voluntaryistagorism with libertarianism is not likely to push the public in our direction.”

In my view, this is an empirical issue and I am unsure of whether libertarianism will be promoted or denigrated by Silk Road. But I regard this as irrelevant to the question of heroism. With my own definition of heroism, mentioned above, which is different from Deist’s, there is no doubt that Ulbricht fits the bill. Consider another case of a cast iron hero: tax evader Irwin Schiff. Will his example help or hurt libertarianism? Again, I am not sure; this is an issue for prudential judgement, not apodictic libertarian theory; well-intentioned folk can agree to disagree on this matter. But there can be no doubt of his heroic status. The point is, whether a person’s acts promote liberty or reduce its chances for acceptance is only indirectly related, if even that much, to the question of heroism.

Mr. Deist’s (2015) second reason is also an important one for us to consider. This author worries about “the conflation of voluntaryistagorism with libertarianism.” This is indeed an important concern. It will not do to have our philosophy conflated with others. Indeed, I made a similar point (Block, 1994), in which I attempted to distinguish libertarianism from libertinism.

Indeed, there is nothing particular libertarian about unusual sex practices or exotic drugs. Supporters of our philosophy insist, only, that these should be legal, not that they are virtuous. There is room in our movement, also, for cultural conservative who abhor such practices. But why this should remove a candidate from being considered a hero is unclear to me.

2.2. Mosquito

Mr. Mosquito (2015) offers this eminently reasonable definition of hero:

a. A man of distinguished *courage* or *ability*, admired for his *brave deeds* and *noble qualities*.

b. A person who, *in the opinion of others*, has *heroic qualities* or has performed a *heroic act* and is regarded as a *model* or *ideal*. He notes that all the italicized words are subjective, and therefore takes an agnostic position on the question.

He mentions Murray Rothbard and Ayn Rand as likely heroes. This is compatible with my own definition, for while neither broke any law,^v they were both reviled and hated by the masses of intellectuals and yet persisted until their dying breaths to promote liberty, each in their own way.

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Mosquito (2015) suggests the following as possible heroes who broke the law: “Edward Snowden, Adam Kokesh, Randy Weaver, David Koresh, Andrew Stack, Timothy McVeigh, and Irwin Schiff – all, rightly or wrongly, conjure up images of this type.” I would quarrel, only, with McVeigh. Yes, he was hated and despised, and broke the law, but the law he broke was a legitimate one, a just one: prohibiting the murder of innocents. It is thus difficult for me to see him as a hero. Mr. Mosquito says: “I find no reason to celebrate those in the violent camp” which would surely preclude McVeigh as a hero. But he paints with too broad a brush I think. Libertarians after all, need not be pacifists. *Defensive* violence is surely justified, and should not eliminate any otherwise qualified candidate for the heroic honorific.

According to Mosquito (2015): “It seems to me that a hero suffers his consequences; he does not back away from the principle that drove him to act.” Ulbricht did “back away” from his principled stand, presumably in an attempt to lighten his sentence. This brings up the question of how many heroic deeds must one commit in order to be considered in that number. The human life consists of an exceedingly large number of acts, not all of them need be heroic, or anything like that, in order to deserve this honorific. Murray Rothbard listened to jazz music, went shopping, read the newspaper, slept, ate food, and committed tens of thousands of other such acts not quintessentially heroic. Surely, that does not in the slightest tarnish his case. Similarly, in “backing away” Ulbricht certainly did not fulfill the role of hero on that one occasion. But others of his acts just as surely qualified. Based on my own definition, the Silk Roader qualifies.

Mr. Mosquito ends on a pensive note. Reading in between the lines, he is very slightly against characterizing Ulbricht as a hero. Well, we have different definitions, he and I, and his are not unreasonable.

2.3. Wenzel

Mr. Wenzel offers yet another definition in his analysis of this issue: “I have long considered a hero as someone who does something that does not directly benefit himself but will benefit others, especially when there is great danger or assured death involved for the person doing the heroic act.”

This, too, is an eminently justified understanding of heroism, and according to it if Ulbricht did not anticipate any danger, then he would not qualify. However, the difficulty is that Murray Rothbard, Ayn Rand, and another hero of all of ours, Ron Paul, probably did not expect their lives to be placed under any physical threat.^{vi} The Wenzel definition would therefore preclude them, and many would see this as a problem.

This author ends on a magnificent note. He says: “If Ulbricht wanted to be a hero, he could have said something like this *before* the judge sentenced him.” Wenzel then offers a glorious speech for the Ross Roader. I will not repeat it here, but it is worth reading again and again. Truly splendid.

2.4. Vance

Mr. Vance approaches the entire issue from an oblique angle. He asks not whether Ross Ulbricht is a hero, or, a libertarian hero, but, rather, whether he is a libertarian at all. He starts off by asking one brilliant question, and giving one insightful answer: “Does facilitating the buying and selling of drugs make one a libertarian? Of course it doesn’t.”

This cannot be denied. A libertarian supports, believes in the importance of, and promotes, liberty. Promoting a drug market is of course compatible with this philosophy, but it is also easy to distinguish the two. They are very different. Many who buy and sell drugs are not at all libertarian in this sense. And the same goes for a whole host of other activities, such as in Vance’s view: “Growing your own

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marijuana does not make you a libertarian; it makes you an entrepreneur. Snorting coke does not make you a libertarian; it makes you a coke addict. Injecting heroin does not make you a libertarian; it makes you high. Smoking crack does not make you a libertarian; it makes you a crackhead. Manufacturing crystal meth does not make you a libertarian; it makes you an idiot. Drug trafficking does not make you a libertarian; it makes you a criminal. Facilitating the buying and selling of drugs does not make you a libertarian; it makes you a facilitator of the buying and selling of drugs.” The man has a way with a word.

Vance also says this: “Ulbricht, was earlier this year found guilty by a federal court of narcotics trafficking, money laundering, and other dubious federal crimes, and was recently sentenced to life in prison without parole. This is an outrageous and unjust sentence for a victimless crime. Too bad he just didn’t commit rape or murder. Even Charles Manson comes up for parole every so often.” All I can say to this author is that he had better hope that the NY Times does not read these words of his. They will undoubtedly accuse Vance of favoring rape and murder.^{vii}

However, he also lists, as not giving evidence of being a libertarian, the following:

- being a pimp does not make one a libertarian,
- being a prostitute does not make one a libertarian,
- drug trafficking does not make you a libertarian

He might as well have added each and every chapter heading in my two Defending books under this rubric. For example, selling babies does not make you a libertarian, coloring movies does not make you a libertarian, going topless in public does not make you a libertarian, smoking does not make you a libertarian, being a ticket scalper does not make you a libertarian, profiteering does not make you a libertarian, etc., etc.

So, are Vance and I in disagreement on all this? Is he rejecting these two books of mine on the basis of these correct and important insights of his?

No. I agree with each and every point made by this brilliant author, but deny that there is any incompatibility between what he says, and what I wrote in that series of books.^{viii} Why? This is because I never said that any of the actors featured in any of these chapters were libertarians. I only maintained that they were heroes, and they are, according to my definition. I also take now, and took the position then, that what they all did was *compatible* with libertarianism, a horse of a very different color.

To conclude. This foray is fascinating to me. Here are four eminent libertarians, five if I may be permitted to include myself in this august company, who have all contributed mightily and wisely to our cause. We are all Rothbardians. And yet we come up with five different takes on this important issue. What is the significance of that? Well, for one thing, the concept of heroism is a slippery one. As Mosquito (2015) says, there is more than just a little bit of subjectivity involved. For another so is the issue of liberty. If I may be permitted to speak for all five of us, we think we know what liberty is. We are all leaders in this movement. And, yet, the deeper we dig, the more richness we come up with. Long live heroism, and liberty, whatever they are. We have it pretty well cornered, but there is more work to be done on it, much more.

Notes

- ⁱ The entire list reads as follows: SEX: Prostitute, Pimp, Male chauvinist pig; MEDICAL: Drug pusher, Drug addict; FREE SPEECH: Blackmailer, Slanderer libeler, Denier of academic freedom, Advertiser, Fire! Yeller; OUTLAW: Gypsy cab driver, Ticket scalper, Dishonest cop; FINANCIAL: Counterfeiter, Miser, Inheritor, Moneylender, Charity non contributor; BUSINESS and TRADE: Curmudgeon, Slumlord, Ghetto merchant, Speculator, Importer, Middleman, Profiteer; ECOLOGY: Stripminer, Litterer, Wastemaker; LABOR: Fat cap pig employer, Scab, Rate buster, Child labor employer.
- ⁱⁱ Here is the entire list: TRADE: The Multinational Enterpriser, The Smuggler, British Petroleum, Nuclear Energy, The Corporate Raider; LABOR: The Hatchet Man, The Home Worker, Picket-Line Crosser, The Daycare Provider, The Automator; MEDICAL: The Smoker, The Human-Organ Merchant, Breast-Milk Substitute Purveyor; SEX: Topless in Public, Polygamous Marriage, Burning Bed; DISCRIMINATORS: The Sexist, Peeping Tom, The Ageist, The Homophobe, Stereotyper; BUSINESS: The War Toy Manufacturer, The Colorizer, The Baby Seller, Heritage Building Destroyer; THE POLITICALLY INCORRECT: The Bad Samaritan, The Duelist, The Executioner, The Dwarf Thrower, Intellectual Property Denier.
- ⁱⁱⁱ Given the direction in which our legal apparatus is moving, everything will soon be either illegal or compulsory
- ^{iv} That is, not victimless.
- ^v At least in an obvious way; there are now so many of them that we are all probably lawbreakers. See on this Boaz, (2015); Carter, (2014); Crews & Young, (2013); Economist, (2010); Hicks, (2011); Matthews, (2015); Shepherd, (2013).
- ^{vi} If the latter had even won the Republican nomination, let alone the presidency, there are those who thought he would become a target. See on this: Chapman, (2011); Shannan, (2007); Tucker, (2012); Watson, (2007); [Retrieved from].
- ^{vii} See on this Dilorenzo, (2015).
- ^{viii} I am about to embark on the third in this series, and none of what I write there will be incompatible with his essay either.

References

- Block, W.E. (2008) [1976]. *Defending the Undefendable*. Auburn, AL: The Mises Institute.
- Block, W.E. (1994). Libertarianism and Libertinism, *The Journal of Libertarian Studies: An Interdisciplinary Review*, 11(1), 1, 117-128. [Retrieved from].
- Block, W.E. (2013). *Defending the Undefendable II: Freedom in all realms*; Terra Libertas Publishing House.
- Boaz, D.(2015). Too Many Laws, Too Many Costs. February. [Retrieved from].
- Carter, S.L. (2014). America's problem? Too many laws. December 5, [Retrieved from].
- Chapman, B. (2011). Ron Paul in danger of being assassinated. December 29. [Retrieved from].
- Crews, W., &Young, R. (2013). The towering Federal Register. May 21. [Retrieved from].
- Deist, J. (2015). Is Ross Ulbricht a Libertarian Hero?, June 3;[Retrieved from].
- DiLorenzo, T. Jr. (2015). Who Do You Believe? The New York Times, or Walter Block and Your Own Lying Eyes? May 28, [Retrieved from] or [Retrieved from].
- Economist. (2010). Rough justice in America: Too many laws, too many prisoners; Never in the civilised world have so many been locked up for so little.July 22,[Retrieved from].
- Hicks, S..(2011). Deregulation? The Federal Register's size. December 11, [Retrieved from]
- Matthews, B. (2015). New CEI report details the vast size, scope and cost of federal regulation. May 12,[Retrieved from]
- Mosquito, B. (2015). We Can Be Heroes. June 6,[Retrieved from].
- Shannan, P. (2007). Paul in crosshairs of elite. December 31,[Retrieved from]
- Shepherd, W. (2013). A Country Overburdened by Too Many Laws. *Criminal Justice*, 28(1), [Retrieved from]
- Tucker, J.P. Jr. (2012). Bilderberg plots Ron Paul assassination. June 2,[Retrieved from]
- Vance, L. (2015). Drugs, Libertarianism, and Ross Ulbricht. June 23.[Retrieved from]
- Watson, P.J. (2007). Estulin: Elitists Consider Assassinating Ron Paul. December 14, [Retrieved from].
- Wenzel, R. (2015). Is Ross Ulbricht a Hero? June 8, [Retrieved from].



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