

Re: High strength fibers for high pressure tubes.

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- *From:* Mitchell Jones <mjones@xxxxxxxxxxxxxxxx>
 - *Date:* 11 May 2005 14:07:09 EDT
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In article <Xns964E53A1F5E42WQAHBGMXSZHVspamnote@xxxxxxxxxxxxxxxx>, > bz <bz+sp@xxxxxxxxxxxxxxxx> wrote:

>> Mitchell Jones <mjones@xxxxxxxxxxxxxxxx> wrote in
>> news:mjones-3FE2BC.13333005052005@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx:

[snip]

>> ***{Shit happens, under any political system. For example, an engineer I
>> used to know (he's dead now) once told me about a refinery in the
>> northeastern U.S. that is in a heavily populated area subject to
>> frequent temperature inversions. According to him, if that refinery were
>> to catch fire under those conditions, a million people could die. If
>> that happens, the people suing the company afterwards will *not* be
>> people who lived in the area, but instead will be relatives who lived
>> elsewhere. While such happenings are tragic, those who think having
>> legislatures pass laws will solve such problems, are mistaken. The fact
>> of the matter is that a legislature is more likely to pass a law
>> exempting the owners of such a refinery from liability, than they are to
>> do something about problems of that sort. The best cure is a system in
>> which the threatened parties have a right to sue and can get a hearing
>> before a neutral arbiter. That way, if they have a solid case, they will
>> win. And the threat posed by such a state of affairs will strongly
>> motivate owners to locate dangerous facilities far from population
>> centers and make sure the danger is widely known
>>
>> A problem comes when the dangers are not known to anyone before the damage
>> occurs.

{In such a case, properly, there is no one to sue. It makes no more sense for the employee to sue the employer than it would make for the employer to sue the employee. Lack of omniscience is not anybody's fault; it's just the way things are. ---MJ}

> Asbestos was once thought safe.

***{Nothing is "safe." Asbestos is heat and fire resistant. Hence its use saves lives by preventing fires. The fact that it also causes an occasional mesothelioma doesn't offset that benefit. No one ever

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balanced off its benefits against its costs: the environmentalist lynch mob was simply whipped up into an ignorant frenzy, as they were with DDT. Result: the use of asbestos was banned, and the idiotic lawsuits began. [For some facts on this topic, see <http://www.heartland.org/archives/perspectives/taylor-leahy.htm>.]

The whole problem traces back to the government courts, which refuse to honor contractual limitations on liability. A company can't simply say, "We will sell you asbestos wallboard, if you exempt us from all liability connected with its use." Similarly, a physician can't say, "I'll operate on you, if you exempt me from liability if a mistake is made." Result: vast numbers of products that, in the net, saved lives, are no longer available, due to the threat of lawsuits or to being banned, and the relevant costs are out of sight due to the costs of more expensive, inferior substitutes, and the related costs of liability insurance.

—Mitchell Jones}***

>>

>>, so that anyone who

>> moves near the facility after it has been built will voluntarily assume

>> the risks, and, thus, cannot sue the owners successfully even if the

>> risks come to fruition. —MJ}***

>

> Involuntary assumption of risk is the more likely occurrence.

{In a system where contractual limitations on liability are not respected by the courts, that is absolutely correct. The public does not recognize that the judgment of the marketplace about product safety is better than the judgment of the government. Result: they also do not recognize that any government which reserves the right to violate property rights in what it deems to be the public interest, in the net, kills people. That's why we need to strip government of the power to make law, and get it out of the business of adjudicating disputes. Governments should be limited to national defense, bringing accused persons to trial, and appointing prosecutors in cases where no private plaintiff has come forward to address a grievance. —MJ}

>>> If the neighbor believes that it is too

>>> close and cannot persuade me to make changes that will put his mind

>>> at ease, then a neutral arbiter should consider the facts of the

>>> case, decide whether the threat is in fact real, and prescribe a

>>> remedy. To ensure neutrality, such an arbiter should be selected by

>>> means of a neutral winnowing process—e.g., by making a list of the

>>> persons willing to decide the case, and the plaintiff and defendant

>>> taking turns striking a third of the names off the list, rounded to

>>> the nearest whole number, until only one name remains.

>>>

>>> I don't know the people on the list. How do I know if they are neutral

>>> and not my neighbor's friends or in his pay?

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>>
>> ***{ You do research. If you can't find out anything about some of the
>> people who offer to arbitrate, you strike them off of the list. If you
>> find out that they are crooks, you strike them off of the list. Result:
>> the list becomes winnowed down to an individual who seems acceptable
>> both to you and to your opponent, and he adjudicates the case.
>>
>> Of course, no system is perfect, including this one. But at least you
>> have a good shot at neutral arbitration: you don't have to face some
>> political hack (a so-called "judge") who will ignore the facts of the
>> case and hand down a verdict based on the orders of a legislature (a
>> "law"), or based on a bribe, or based on ideology, or whatever. And you
>> don't have to face a "jury" of idiots carefully selected, instructed,
>> and controlled by the "judge," so that they will do what he would have
>> done.
>>
>> --Mitchell Jones}***
>
> Our current system is the worst in the world, except for all the others.
> The only way to get the system you advocate (and it looks good to me too,
> in many ways) is to start a new colony somewhere off earth and make those
> part of the covenant signed by emigrants.

***{ Off of Earth, or underground, or under the sea. Independent minded
people need to be able to get away from the narrow-minded,
authoritarian, conformist fools who are destroying this civilization,
before a complete financial and economic collapse occurs. Otherwise, so
much technology may be lost in the coming dark age that mankind will be
unable to rise up again. --MJ}***

>

>>> I agree that government officials are not neutral parties. They have
>>> their own agendas.
>>>
>>> XYZ Chemicals Corporation, in north Baton Rouge, just invaded my
>>> property with a plume of fumes from their operations. I need not even
>>> prove the plume is harmful to me.
>>>
>> ***{ If you want to collect damages, you need to show harm, and the
>> greater the harm, the greater the damages. --MJ}***
>
> Under the current system, I do.
> How about under your proposed system? Why do I need to show harm. It is my
> property. It has been crossed without my permission. Can my neighbor cross
> my land without my permission until I show evidence that he caused harm?

***{ There is no way to assess a penalty for trespassing unless harm has
been demonstrated and quantified. As I pointed out earlier, there is a
residual harm from trespass even when no physical damage to property is
done: anxiety is inflicted on the owner, because trespassing may be a
prelude to other criminal acts, such as robbery or murder. It is a form

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of a threat, and to threaten is a crime. Hence a penalty is appropriate in all cases. The degree of penalty, however, depends on the particulars of each specific case. Under a system of neutral arbitration, the most insightful and logically persuasive decisions about such matters will become established precedent, and the process of proof and the calculation of damages will become routine. My guess is that such things as a fence to mark the property boundary, accompanied by no trespass signs, will be sufficient to indicate denial of permission by the owner to strangers. Given fencing and signs, a stranger on the property would need proof that he had been invited. A friend who visited frequently, however, would be presumed to be welcome unless the owner had proof that the welcome had been withdrawn. But those are just my guesses. I would leave the working out of the details to the arbiters who actually confronted the cases. --MJ}***

>> It was on my property. I was forced, I had no
>>> choice as long as I wanted to breath, forced to breath chemicals.
>
>> ***{Maybe. It depends on the situation. Was the factory there first?
>
> Doesn't matter unless I signed away some of my rights when I moved in.

{Of course it matters. Every right conveyed cannot be explicitly written into a deed. If the title to your tract traces back to a man who settled there 50 years after the factory was in operation, any arbiter worth his salt will conclude that he accepted the noise, bustle, smoke, etc., put out by the factory when he settled there. All property rights trace back to what I call the principle of prior claims: the notion that the earliest provable claim trumps all subsequent claims. That means your title is subject to *encumbrance*—i.e., to implied acceptance of the activities that were ongoing on your neighbor's property at the time when your chain of title began, and to reasonable extensions of those activities across time. Again, the details about such matters have to be worked out by neutral arbiters who are dealing with the particulars of actual disputes, rather than by my guesses and speculation. The important thing is that people should be willing to accept the results of such a system, because it is easy to see that the resulting rules of behavior will be vastly less restrictive than those that exist anywhere on Earth today. --MJ}

>> Did
>> you, for example, purchase your land from the owner of the factory,
>> subject to a proviso that noxious fumes would drift across your property
>> from time to time?
>
> NO.
>
>> If so, you assumed the risks
>
> I agree.

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{Do you also agree that if the chain of title to your property does not date back as far as the chain of title to your neighbor's property, an arbiter would legitimately apply the principle of encumbrance to any dispute that you had with your neighbor, when it concerned activities that were ongoing prior to the origination of your title? --MJ}

>> , and a lawsuit would be

>> nothing more than harassment.

>

> If I signed away my rights, I wouldn't sue.

>

>> You would wind up paying, not he. --MJ}***

>>

>>> What is my remedy?

>>

>> ***{If you were there first and owned your property free and clear, with
>> no deed restrictions permitting such a facility to be erected nearby,
>> then your rights, via the principle of encumbrance, trump the rights of
>> the owner. If he puts a factory there, he will have to make very sure it
>> poses no threat to you, or he can expect to lose a lawsuit. But if he
>> does that, it will run his costs up, so unless there is some strong
>> advantage to being in that area—e.g., because an ore deposit is
>> there—there is a good chance he will opt to locate somewhere else.
>> --MJ}***

>

> The river is there. It is his transportation channel.

{If all disputes over property are settled by neutral arbitration, then somebody is going to own the shipping rights along that channel. If he owns them, then you cannot gripe if ore barges are floating past your house at all hours of the day and night. And if you own it, and the noise interferes with your sleeping, you are probably going to use your profits to relocate your house to a quieter location. Either way, problem solved. And no steinking government courts are required in the process. --MJ}

> He saves enough money by locating there that he can afford to fight me. If
> he loses, he still wins.

{Where's the fight? Somebody is going to own the shipping rights. He decides. Period. End of story. --MJ}

>>> The plume is odorless. The fumes are cumulative and toxic. I don't know

>>> I have been exposed. What is my remedy?

>>

>> ***{You will have to sue when you find out. If you die first, then your
>> relatives will have to sue. Shit happens, and it happens in every
>> system, not merely in systems where people have to prove by means of
>> reasoned arguments that a wrong has been done or is about to be done. At
>> least under a system where such matters are settled by neutral
>> arbitration, the numberless wrongs done by politicized courts would be

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> > eliminated. —MJ}***

>

> More likely transformed into a new set of wrongs.

{How so? —MJ}

> > > Bottom line: those who want to impose "cleanup" requirements on
> > > others ought to be required to demonstrate, on a case-by-case basis,
> > > that the conditions to which they object are violating, or pose a
> > > serious danger of violating, their rights. If they refuse to do so,
> > > they are criminals.

> > >

> > > You don't accord the property owner rights to be security in his own
> > > property.

> >

> > ***{Of course I do, and I have no idea what I said that made you think
> > otherwise. Obviously, a property owner can install a fence, or a hedge
> > of firethorn, let vicious dogs roam on his property, install alarms, or
> > make use of any other procedure that safeguards his property, so long as
> > it respects the property rights of others. —MJ}***

>

> I can't know when a plume of poison gas will invade my property and I
> shouldn't have to install monitors to detect an indefinite series of
> hazards.

***{If a person has a rational basis for worrying about plumes of poison
gas, then he should install monitors, so that he can obtain the evidence
he needs to prevail, when his suit goes into arbitration. And if he does
not have a rational basis for such worries, perhaps he should spend
the money on psychotherapy rather than on poison gas monitors. :-)
—MJ}***

> > > You would give my neighbor the right to cross my property any
> > > time I don't catch him.

> >

> > ***{Why do you say that? I would do no such thing. He wouldn't have the
> > right to trespass, obviously, though of course to take action against
> > him you would have to catch him at it. But that applies to all crime:
> > you have to catch a murderer, or else he gets away with his crime; you
> > have to catch a burglar, else he gets away; etc. —MJ}***

>

> And I have to catch a poluter, else he gets away with it.

***{That's right. And to catch him, you will have to collect evidence,
so you can sue him and win. Is there some problem with that? If so, what
is it? —MJ}***

> > > Not only that, I must then prove that he caused me
> > > damages. That doesn't sound like I have many rights at all.

> >

> > ***{Trespassing is a threat: a reasonable person will fear that the

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>> trespasser intends to steal or kill. And it can be demonstrated that the
>> perception of a threat has significant, adverse effects on the human
>> body. Result: neutral arbiters will consider that damage is done by the
>> act of trespassing, even if no crime has been committed; and if the
>> owner kills or injures a trespasser, he is likely to get off scott free.
>> Result: under a system of neutral arbitration, precedents will be set
>> that, in their effects on behavior, will be very much like law. People
>> will learn what the precedents are, in a system based on neutral
>> arbitration, just as they learn what the laws are, under a system based
>> on law. The difference between the two systems is not that one is
>> anarchistic and the other is tranquil, but rather than under a system of
>> neutral arbitration, the rules are reasonable, and under the system of
>> law, they are tyrannical. --Mitchell Jones}***

>

> I understand and at heart I agree with you but I argue the contrary case.
> By living in a country, one agrees to its rules, so it is not tyranny.

***{Nice try. It would even work, if there were a better country
available to live in. But that is not the case, if you live in the
United States. You might as well say that when a robber points a gun at
you and you give him your wallet, you agree to his rules, so it is not
robbery.

The important distinction, in such cases, is this: any person or
organization that attempts the unilateral settlement of a dispute over
property, commits a criminal act. That means if the robber thinks he has
a better right to your wallet than you, he should make his case before a
neutral arbiter, rather than point a gun at you and take the wallet by
force. Since he didn't, he is a criminal. By the same token, when the
government claims the right to prevent the manufacture and sale of DDT,
refuses to go to neutral arbitration to prove its case, and instead
forces the case into courts that it controls, it also commits a criminal
act.

--Mitchell Jones}***

>>> If I have property rights, the violator has to prove that I gave them
>>> permission to cross my property, otherwise I have NO property rights at
>>> all.

>>

>> ***{Invite an enemy over for dinner, and then kill him. He can't prove
>> he was invited, so you get off scott free! :-)} Clearly, things have to
>> be more complicated than that. A neutral arbiter, looking at a
>> potentially criminal act, would have to base his decision on evidence,
>> and decisions about people killed while trespassing would set
>> precedents, just like other types of cases. One result would likely be
>> that, if you are invited by an enemy to come onto his property, you had
>> better make sure others have proof that he invited you, and that he
>> knows they have proof. --MJ}***

>

> Agreed.

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>
>
>>>> Now 'waste' is a resource out of place. Much 'waste' could, if it
>>>> were in the right location, be used as a raw material in the
>>>> manufacture of some other product.
>>>>
>>>> ***{Yup, but that's for the owners to decide, and becomes the
>>>> business of others only when their property rights are violated, or
>>>> when there is a demonstrable likelihood that they will be violated in
>>>> the future. --MJ}***
>>>>
>>> My property rights are violated when the car in front of me is spewing
>>> a blue cloud into the air.
>>
>> ***{No, it depends on the facts. If the blue cloud is cyanide, you are
>> probably right. But if it is within the range of normal engine exhaust
>> and is relatively non-toxic, or if its detrimental effects were either
>> explicitly or implicitly accepted by you when you put yourself in that
>> situation, then you haven't a leg to stand on. If, for example, you are
>> driving in the Indy 500 and the car ahead of you puts out a cloud of
>> blue smoke, that is merely the lesser of a number of risks you assumed
>> by being where you are. --MJ}***
>
> It is on the expressway. The car in front of me has worn out rings. The
> cloud is unburned oil.

***{Under a system in which disputes over property are settled by
neutral arbitration, someone is going to own the expressway. Whoever
that is sets the rules regarding what is permitted and what is not. If
you drive on his expressway, you accept his rules. --MJ}***

>
>> ***{It is if you transport yourself into an area where such vapors can
>> be reasonably expected. If you do that, you assume the risks
>> voluntarily. You are not the king of the world. You have no right to
>> decide what others can do on their own property. If you enter a
>> restaurant where smoking is allowed, you assume whatever trivial
>> risks--likely none--may be associated with the smoke you will breathe
>> while there. --MJ}***
>>
> And if every restaurant allows smoking, I don't go to restaurants because
> of my asthma. I can't even work in restaurants. I can't even live near one.

***{If your asthma is as bad as that, smokers in restaurants are the
least of your worries, because you are doomed. Well, too bad. Hope for
better lungs in your next life, because there is *no* hope, under a
system of neutral arbitration, of forcing restaurant owners to cater to
your condition. It is simply a fact that being sick has negative
aspects. That's why people prefer to be healthy. --MJ}***

>>>> My 'cleaning up the environment' includes proper use or disposal of

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> >> >> all waste.

> >> >

> >> > ***{That's fine, and you get to decide for your property, just as

> >> > others get to decide for theirs--assuming, of course, that you

> >> > *really* "don't want to force anyone." --MJ}***

> >>

> >> I don't want to force anyone and I don't want to be forced.

> >

> > ***{Until you admit that other people have the right to do things you do

> > not like, on their own property, such statements from you will ring

> > hollow. Do you admit that a restaurant owner has the right to allow

> > smoking in his restaurant, and that if you go there you assume the risk

> > of breathing that smoke voluntarily, and hence have no grounds for

> > complaint?

>

> As long as smoke exhausted from the restaurant does not drift to my house,

> located next door.

***{That's ridiculous. The smoke would be so dilute at that point that you wouldn't even be able to reliably detect its presence, much less show harm. No neutral arbiter would find in your favor on a nonsensical suit like that. It would be you who paid damages, if you brought such a case. Hell, you might as well sue your next door neighbor because, when he turns over in his bed at night, the shift in the gravitational field wakes you up! If you did, how far do you think you ought to get?

--MJ}***

> > Do you agree that if you drive on a private toll road, where

> > the owner is known to tolerate lots of vehicles trailing plumes of

> > white, black, blue, and brown smoke, you assume the risks of breathing

> > that smoke?

>

> Yes, but those vehicles can not drive on public roads nor by my house.

***{A system of neutral arbitration will place all property in someone's hands, and the owners will set the rules in each case. If the owner of a road permits vehicles trailing plumes of white, black, blue, and brown smoke, you assume the risks of breathing it when you drive on his road.

--MJ}***

> > Do you agree that if you buy coffee from a restaurant known

> > to serve coffee very hot, and spill in on your lap and burn yourself,

> > you assumed the risks voluntarily? --MJ}***

>

> Yes. I only have a complaint if I order orange juice and it turns out to be

> scalding hot coffee in the container.

***{Not every mistake is actionable. If you got someone else's order, your remedy is to take it back to the counter and explain what happened.

--MJ}***

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>>> I don't want to be forced to drink water that is contaminated with
>>> runoff from spraying the fields upriver from me, nor the runoff from
>>> that hog farm.

>>

>> ***{And if someone ties you up, sticks a funnel in your mouth, and pours
>> hog-farm runoff down your throat, you will have good grounds for
>> complaint. :-) ---MJ}***

>

> When you are thirsty, no one has to force you to drink with a funnel.
> If you are thirsty enough, you will drink sea water or urine or hog-farm
> runoff.

***{And if someone ties you up, waits until you are out of your mind
with thirst, and then offers you a glass of hog-farm runoff, you have
good grounds for complaint. ---MJ}***

> ...

>>> I have a property right to clean water.

>>

>> ***{Nope. Nobody I ever heard of had a property right to clean water.
>> Not unless you get it piped in from a utility, at any rate.

>

> It usually is.

>

>> The water

>> rights that sometimes come with property are rights to dirty water, for
>> the most part, and depend on the specific package of rights you acquired
>> when you purchased your property. For example, if there is a spring-fed
>> creek on your property, do you own the spring?

>

> If the spring is on my property, I own it.

>

>> If so, then you have a

>> right to keep others from coming onto your property and polluting your
>> spring, and the creek which it feeds. As a practical matter, however, I
>> would advise you not to drink from either your spring or your creek:
>> birds, bears, foxes, fish, bugs, and lots of other critters are going to
>> shit or die in your water, so you had better treat it before you drink
>> it.

>

> Treatment to remove pollution from that chemical dump, 10 miles away, is
> difficult and expensive.

***{Nope. Distillation costs the same amount whether you are removing
organic or inorganic waste. ---MJ}***

> Who pays?

***{If you want safe drinking water, I advise you to distill it.
Government supplied tap water is *not* to be trusted. Home distillers
are cheap and inexpensive to use. ---MJ}***

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>> And if you own a creek fed from sources on the property of others,
>> then your rights are further reduced. For in that case, in addition to
>> the critter-based filth that is going to get into your water from your
>> own property, other filth is going to flow in from other people's
>> property. That's just the way the world is. ---MJ}***

>
> I may own the spring but I do not have the right to pollute the water that
> leave my land. If I do so, my trash is trespassing on my neighbor's land.

***{The world is not so simple as that. Nobody is born with water
rights. They are acquired. If you acquired the right to dump sewage in
the creek, then you have that right. If there is a dispute, the
contending parties should state their cases before a neutral arbiter,
and let him decide. ---MJ}***

>>> The water was clean before the hog farmer and the wheat field
>>> owner invaded MY property.

>>
>> ***{Nope. Water in a state of nature is filthy stuff. When you acquire
>> surface water rights, you had better treat the water before you drink
>> it, whether there is a hog farmer or a wheat field nearby or not. As to
>> whether the hog farmer has the right to pour in so much waste that he
>> kills all the fish and turns the creek into an open sewer, it all
>> depends on who holds the rights to the water, and how they are held. If,
>> for example, the hog farmer originally owned everything for 20 miles
>> around, and sold it off piecemeal with the proviso that he could do with
>> the creek as he wished, then you are out of luck, because you acquired
>> your property, directly or indirectly, from him, and your right to a
>> creek that you could fish in, or even to a creek that did not stink, was
>> explicitly deleted. ---MJ}***

>
> And if he recently started his farm and there are no previous agreements?

***{Then it could get tricky, depending on the specifics of the case.
The proper course would be to take it before a neutral arbiter, and let
him decide. ---MJ}***

>>> What? You say the water belongs to the water company, not to
>>> me? The water company has the right to clean water, not me?
>>> I paid for the water. It is mine and I have the same rights to clean
>>> water that the water company has.

>>
>> ***{No offense, but that just sounds silly. If the water company owns
>> the water, then you don't own it.

>
> I do, once I have paid for it.

***{Did they agree to supply you with treated water that was safe to
drink? If so, and if the water was in fact untreated and filthy, and you
can show harm, then collect the evidence you need to prove your case,

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and demand that they compensate you. If they refuse, then sue. —MJ}***

>> If you own it, the water company does
>> not. Nobody has a "right to clean water," unless they are party to a
>> contract in which someone else agrees, for a fee, to clean up some water
>> and let them have it. Most rights, including water rights, are based on
>> contractual agreements tracing back to the first person reliably known
>> to have possessed the resource. People don't get such rights
>> automatically, and thus the only way to determine who does or does not
>> hold them, is to examine the evidence—to wit: the chain of ownership.
>> —MJ}***
>
> And who owns the waters of the Mississippi river as it flows past Baton
> Rouge?

***{Water rights are rights to take water from a source. No one is big
enough to take all of the water from the Mississippi at Baton Rouge.
Under a system where all disputes over property are settled by neutral
arbitration, rights to take water from the Mississippi will be
disseminated among many entities, and the sum total of all of them is
likely to be less than the water available even in a dry year, unless I
miss my guess. In any case, when disputes arise about such rights, they
should be settled by neutral arbitration, not by government courts.
—MJ}***

>>>
>>> > ***{Unless you plan on lifting the oil to some other celestial body,
>>> > such as the Moon, the fixed and irreducible energy costs will always
>>> > be less than the fuel value of the oil.
>>>
>>> We disagree on the 'always'.
>>
>> ***{The calculation is simple. I posted it, and you made no claim either
>> that it was in error or that there were important considerations that
>> were ignored. Hence your statement that you disagree is without any
>> credibility whatsoever. —MJ}***
>
> I disagreed with the assumptions that underlay your assertion. I still do.

{Why not state your reasoning? —MJ}

>
>>> Nuclear is clearly LESS dangerous than coal, IF handled properly.
>>> Cheaper? Be sure to include the costs of waste disposal and
>>> decommissioning and the cost of accidents.
>>
>> ***{At present, the procedures for waste disposal and decommissioning
>> are prescribed by government; hence so are the costs. Under capitalism,
>> those procedures would be determined by the owners of the property, so
>> long as they did not violate the property rights of others. The likely
>> solution would be to sell any of the radwaste that anyone would pay for,

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>> and either return the rest to the mine from which it was originally
>> extracted for eventual burial, or else pay a concrete supplier to grind
>> it up and mix it into his concrete, etc.
>
> I don't think you understand the effect mixing hot waste into the concrete
> would have.

{The idea is to grind up radwaste and distribute it in ready mix at very low concentrations, in areas where the background count is so low as to be unhealthy. Many regions of the country are like that, and so this technique of waste disposal would save lives. --MJ}

> Putting aside the hazards to those working near the concrete due to the
> increased exposure to radiation

{There would be benefits, not hazards. (Ever heard of "radiation hormesis"? :-) --MJ}

>, there is also the fact that the decay
> products will cause rapid deterioration of the concrete and subsequent
> mechanical failure.

{Nope. We are talking about a slight elevation of the background level, not "hot" concrete. Such concrete would be roughly as radioactive as common granite, no more. --MJ}

>> Result: under capitalism, those
>> costs would be trivial. --MJ}***
>
> You underestimate.

{Nope. The volume of concrete being poured would be gigantic compared to the volume of nuclear waste that would be produced, even if the entire grid were supplied by nuclear. Result: all radwaste could be disposed of in concrete, without rendering the concrete any more radioactive than common granite. What that means is that the problem of nuclear waste disposal is just another example of environmentalist bullshit. The problems are political, and stem ultimately from the fact that people without knowledge or judgment cast more votes than their betters. That's all there is to it. --MJ}

>>> Short term operating costs are not the total cost of fossil fuel nor
>>> nuclear. We need to look at long term costs.

>>
>> ***{I have no idea what you are talking about. Property owners are
>> concerned with the total costs, to them, of disposal of the waste, and
>> will choose the most cost effective pathway to that end. Long term
>> costs, obviously, are part of total costs. --MJ}***

>
> The property owner is only concerned about what happens while they own the
> property. A lifetime is the longest that they will own the property. That

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> is not what I mean by 'long term costs'.

{Telling me what you do *not* mean is useless. Let's see an example of what you *do* mean. --MJ}

>

>> ***{No, in a property based system, it would be necessary to buy up
>> those rights, before extracting the oil. One of my major irritations
>> with the present system, in fact, is that ground-water contamination is
>> so often simply ignored by the authorities, even in cases where the
>> water rights were in private hands long before the oil rights. There are
>> lots of stripper wells in West Texas, to name only one example, where
>> oil interests have had their way in the courts in preference to the
>> owner's of water rights, and because of that judicial bias so much salt
>> has been introduced that all the local water wells have been ruined.
>> --MJ}***

>

> I find this to be unjust.

{And so it seems to be. The only way to be sure, of course, would be to let the contending parties argue their points before neutral arbiters. That, however, was not done. --MJ}

>

>>> There WILL come a day when the peak is past.

>>

>> ***{Of course, but there is no reason to expect that point to arrive
>> while any of us are still alive--or even our great grandchildren, for
>> that matter. --MJ}***

>

> I think it will come much sooner. We may even live to see who is right.

{If total global reserves begin to decline due to political interference, that will look very similar to a decline due to running out of oil. Political interference raises the costs of extraction, hence removes the profitability of deposits, hence reduces the portion of deposits that will qualify as reserves. It may well be, for example, that if the U.S. were to return to the legal system it had in 1880, Texas would have more reserves RIGHT NOW than Saudi Arabia. The reason would be the lowering of the cost of labor, regulation, and taxes. Thus the only way to tell whether a decline is due to politics or geology is to have some independent way of calculating the magnitude of the deposits that are out there. And we do: hydrocarbon fuel in the Earth's crust must be present in the ratio of 12/32nds by mass, to the oxygen in the atmosphere--which means: we have, at minimum, deposits equal to 100,000 years of usage at current rates of consumption. Thus if something hits that looks like "Peak Oil," we know that it is caused by politics, not geology. --MJ}

>

>>> No technology can improve without limits.

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>>

>> ***{It's been a long slog, from living in trees to living in skyscrapers,
>> and that's pretty strong evidence that you are wrong. --MJ}***

>

> There have been changes in location in your example. Unless we go into
> space, that process will soon be at an end.

***{Too true. But you can't blame that on the engineers. They gave us
technology--nuclear rockets--that could have colonized the asteroid belt
50 years ago. It was blocked by politicians and remains blocked to this
very day. --MJ}***

>>>> It is easily proven

>>>> that we have deposits equivalent to more than 100,000 years of usage
>>>> at current rates of consumption,

>>>>

>>>> Deposits of carbon containing strata is not deposits of reduced carbon
>>>> in useable forms.

>>

>> ***{Why are you forcing me to repeat myself? I was referring to deposits
>> of usable hydrocarbon fuel equivalent to more than 100,000 years of
>> usage at current rates of consumption. I've said that repeatedly, when
>> you have forgotten it before. Please try to hold my meaning in your head
>> a little longer this time. If you can't retain the context of the
>> discussion, how can we make progress? --MJ}***

>

> We can agree to disagree on this point (I disagree with the assumptions
> that lay under those figures

{What assumptions? --MJ}

>) and go onward to other things.

>

>

>> ***{Ingenuity is skill at getting around limits. Getting around a
>> limitation involves finding a way to reach a goal that doesn't involve
>> violating the laws of nature. For example, suppose you want to get oil
>> out of deposit where it is entrained in shale. You can't just drill down
>> to the shale and pump out the oil, because it is entrained: it won't
>> flow. So what do you do? Do you just say: "Can't be done--there are
>> limits," and walk away? Well, maybe you do. But lots of minds will
>> linger on a problem like that, and, one day, one of them will find the
>> answer.

>>

>> What kind of mind will that be? It will be a mind who understands the
>> relevant laws of nature, and finds an allowed path to the goal--which
>> means: the problem will be solved by an engineer.

>>

>> And what is the basis for thinking that the ingenuity of engineers is
>> unlimited? Simply that it has been a long slog, from living in trees to
>> living in skyscrapers, and engineers, with and without degrees, brought

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>> us every step of the way. At some point, don't you think we ought to
>> notice what they have done for us, and admit that, if we will merely get
>> out of the way, they will take us to the stars?

>>

>> --Mitchell Jones}***

>

> I find your faith in engineers touching. I have worked as an engineer. My
> wife is a licensed chemical engineer (and has a PhD in analytical
> chemistry). I know some of the limits that engineers face.

***{Yup. George Bush, Dan Rather, Alan Greenspan, Ralph Nader, etc.
Mother Nature, however, ain't anywhere on the list. --MJ}***

>>> Hence the only question is whether the
>>> politicians will let them get at the oil. --MJ}***

>>>

>>> Not politician. The owners of the properties effected.

>>

>> ***{The owners? Hell, they are the main ones who hire the engineers!
>> Engineers are primarily creatures of the private property system. They
>> show the owners of mineral deposits how to get them out of the ground.
>> They show the owners of automobile manufacturing companies how to build
>> cars. They show architects how to build skyscrapers. They show power
>> companies how to build hydroelectric dams. And on and on and on. It
>> isn't the owners who are standing in the way of the engineers. They are
>> standing behind them urging them on! --MJ}***

> ...

>>> ***{Man uses force against animals, 'tis true. But that's OK: it is
>>> perfectly moral to use force against creatures who have voluntarily
>>> accepted its use, and hence its risks, by using it themselves.

>>> --MJ}***

>>>

>>> And animals have voluntarily accepted the use of force?

>>

>> ***{Any creature who violates the property rights of others cannot
>> complain if his own property rights are violated. That is as true of a
>> man who burglarizes my house as it is of a squirrel who gnaws his way
>> into my attic. --MJ}***

>

> The squirrels and other animals were here first. We have invaded THEIR
> territory.

***{Show me a squirrel or any other animal who is willing to take
disputes to a neutral arbiter, and you will have my attention. Until
then, I will regard them as criminals who, by the use of force, gave up
the right to complain when force is used against them. --MJ}***

> If space aliens came down and arbitrated the disputes between us and the
> animal species of earth, justice would demand that we pay reparations to
> the animals.

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{That's totally preposterous. Animals don't respect property rights, and deal with others only by means of force. Hence it is totally appropriate to deal with them by force. --MJ}

> >> Informed consent?

> >

> > ***{Informed schminformed. The thought process that led to the decision
> > to violate someone's rights is irrelevant. I don't care why the squirrel
> > gnawed his way into my attic, and I will not read him his rights before
> > I blow him away. --MJ}***

>

> You built your house on HIS property. He has priority. His ancestors lived
> here before our ancestors came down from the trees in south east africa.

{See above. --MJ}

> >> Or do you classify humans that use force as animals?

> >

> > ***{I classify them as creatures who gave up their right to complain if
> > others use force against them. --MJ}***

>

> Then you give up your right to complain if the squirrel uses force against
> you?

***{The person who fires the first shot violates the principle of
non-initiation of force. The person who returns fire does not. --MJ}***

> ...

> >> My neighbor just invaded my property with cigarett smoke. I do NOT
> >> allow cigarett smoke on my property. I have a right to decide how my
> >> property is used and by whom.

> >

> > ***{Yup. So tell him to stub out his cigarette or leave your house. If,
> > however, he is sitting on his front porch and the smoke is blowing onto
> > your property, then you are out of luck, because any sane arbiter before
> > whom such a complaint was lodged would laugh it out of court. --MJ}***

>

> He is free to smoke as long as his smoke stay off my property. Once it
> crosses onto my property, he is trespassing on my rights, or I do not have
> rights.

***{As I said earlier, you have to be able to show harm. Otherwise, you
could complain that the gravitational field shifted because your
neighbor moved about on his property. Even if you yourself were the
arbiter, I suspect such a claim would be disallowed. :-) --MJ}***

>

> >>> ***{Politically, freedom is the state of the man who can reasonably
> >>> expect that his property rights will not be violated.

> >>>

> >>> Under your system, I do not have property rights.

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>>
>> ***{ You will find no statement to that effect in anything I have
>> written, here or elsewhere. The only question is, what have you been
>> smoking? --MJ}***
>
> I have been breathing my neighbor's second hand smoke. And you have told me
> I have no right to make him stop allowing it to cross onto my property.

{Correct. You would have to show harm, and you can't. --MJ}

>>> > Politically, a
>>> > choice is free if the owner was uncoerced when he decided how to
>>> > employ the property. Period. It doesn't matter whether he was toilet
>>> > trained improperly and wet the bed as a child. It doesn't matter
>>> > whether his choice was influenced by bad advice from his mother. It
>>> > doesn't matter whether she beat him as a child, and, as a result, has
>>> > undue influence over him in the present. All that matters is that he
>>> > made the decision without being subject to force or the threat of
>>> > force, at the time the decision was made. If he felt like he was
>>> > forced because of the way he was treated as a child, it doesn't
>>> > matter. Unless his mother was standing in front of him with a cocked
>>> > revolver pointed at his head, or something similar, he made the
>>> > choice, and he assumed the risks associated with that choice.
>>> > --MJ}***

>>>
>>> Ahh, but I live near the railroad tracks.

>>
>> ***{If they were there first and you chose to move there, and choose to
>> remain, then you accepted both the noise level and the view. Result: you
>> have no grounds for complaint about either, so long as they fall within
>> the realm of what one might reasonably expect when living near a
>> railroad. --MJ}***

>>
>>> I am FORCED by my location to accept certain risks (train derailment,
>>> leaks, explosions, etc.), to accept diesel fumes
>>> from the trains, to accept noise and vibrations from passing trains.
>>> They invade my property. They hold a gun to my head.

>>
>> ***{I repeat: you chose to move there, and you choose to remain.
>> --MJ}***

>>
>>> Lets assume that the tracks were not there when I bought my property
>>> and that they have never received permission to invade my property.

>>>
>>> What is my remedy?

>>
>> ***{Your remedy, which you did not exercise, was to either purchase
>> enough land so that such a use would not have been close enough to
>> bother you, or else purchase a lot in a subdivision where deed
>> restrictions prohibited such use.

>

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- > The railroad already owned the land but it was part of a golf course.
- > I had no reason to expect them to put a railroad there.
- >
- > Before I buy a piece of land, I must see who owns or may buy all land
- > within a 10 mile radius, determine what they may choose to do with their
- > land? If I don't then it is my fault when hazard or harm comes to me from
- > distant property?

{One problem with this discussion is that you ask ambiguous questions, forcing me to assume some specific situation before answering, and after I answer you inform me that you intended different assumptions. Here, therefore, is the answer to all of your questions: if you think you have been wronged, collect evidence, take your case before a neutral arbiter, and see what happens. If you say you can't do it, that the government forces all disputes into courts that they control, then I suggest you do your best to bring about a situation where that is no longer the case. --MJ}

- >> Since you did neither, you have no
- >> grounds to complain about any activity that can be defended as serving a
- >> reasonable purpose, unless it is demonstrably a threat to you. If, for
- >> example, the railroad stores nitro in a shed on their property, 30 feet
- >> from your house, you have grounds to complain, due to the threat.
- >
- > If they are forced to publish notice of what they store and where.

{I am guessing that the precedents that would arise under a system of neutral arbitration would exempt them from liability if they gave public notice of dangerous materials that they had in storage, because those who, despite that, chose to live and work in the danger zone, would have voluntarily accepted the risks. But, again, the generalized solution to all problems of that sort is to establish a system of neutral arbitration, and let appropriate precedents arise from the consideration of actual cases. --MJ}

- >> Or if
- >> they build a track close enough so that you face derailment risk, or
- >> cannot sleep at night, you have a case. Assuming, of course, as you say,
- >> that you were there first. All such details would have to be weighed by
- >> an arbiter, in order to come up with an appropriate solution to such a
- >> conflict. --MJ}***

- >
- > At least here on earth, your system is not likely to come into effect any
- > time soon. Lets move into space. I'll support your system then.
- >
- > Oh, by the way, if we move to space, spreading 2nd hand smoke will likely
- > be an 'airlock offense'

***{If a shopping center on Mars has a good filtration system, they might permit smoking. If so, smoking wouldn't be an "offense" at all. If they do not permit it, and someone smokes, the resulting dispute, and

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the punishment, would have to be decided by neutral arbitration. --MJ}***

> resulting in immediate ejection of the smoke from
> the nearest airlock.

***{I assume you mean ejection of the smoker, not of the smoke. If so,
the answer is that if you did that, you would be acting unilaterally to
settle the dispute, and would be guilty of murder. --MJ}***

> Smokers, are, of course, free to smoke all they want,
> inside a sealed space suit.

{With good filtration, why not? --MJ}

>

> >>

> >> If he was coerced by propaganda, his choices were not free.

> >

> > ***{You are talking about psychology, not coercion. Politically, his
> > choice was free, regardless of whether he was dumb enough, or neurotic
> > enough, to be influenced by propaganda. That's why when a lynch mob
> > hangs an innocent man, they commit a crime. In reason, they cannot
> > escape the responsibility for what they did by claiming that they were
> > "coerced by propaganda." All are guilty, not merely the man whose
> > rhetoric whipped up the mob. --MJ}***

>

> Psychological force is stronger than guns and more dangerous. Many
> dictators came to power through use of psychological force.

***{As I said earlier, when I use the word "force" in a political
context, as here, I am referring to violations of property rights. In
such a context, "psychological force" becomes a contradiction in terms.
--MJ}***

> >> ***{You are talking about psychology, not coercion. Politically, his
> >> choice was free, regardless of whether he was dumb enough, or neurotic
> >> enough, to be influenced by propaganda. That's why when a lynch mob
> >> hangs an innocent man, they commit a crime. In reason, they cannot
> >> escape the responsibility for what they did by claiming that they were
> >> "coerced by propaganda." All are guilty, not merely the man whose
> >> rhetoric whipped up the mob. --MJ}***

> >>

> >>>> You could say a guy was "coerced by hate" into remaining on Earth,
> >>>> because he despises the intellectuality of engineers, scientists, and
> >>>> the like, and knows he will have to associate with lots of them if he
> >>>> moves into space. But would you say that?

> >> If he was coerced by propaganda, his choices were not free.

>

> > ***{That answer has nothing to do with the question. --MJ}***

>

> I disagree. If "hate producing propaganda" was used to sway his decision,

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> it was not a free choice.

{Anyone who can be controlled by demagogic manipulations is of course insane, but an insane person is no less free in the political sense than anyone else. Politically, if his property rights were not violated, then his choice was free. Period. Insanity confers no rights that the person would not have otherwise. ---MJ}

>>> As for being "coerced by poverty," I can't even hazard a guess at
>>> what you mean by that, since free enterprise in space would need
>>> grunt labor so badly that they would doubtlessly pay the fares into
>>> space of those they hired, and train them on the job. (How else could
>>> you train someone to work in zero gravity, other than on the job? You
>>> sure won't be able to learn such skills at a university on Earth.)
>>>

>>> If he was too poor to migrate, then his choices were not free.

>>

>> ***{I said, "free enterprise in space would need grunt labor so badly
>> that they would doubtlessly pay the fares into space of those they
>> hired," and you said, "If he was too poor to migrate, then his choices
>> were not free."

>>

>> Were you drunk when you wrote this stuff?

>

> It has been many years since I have had a drink. NOTE: I do NOT ask you the
> same question. I treat you with respect. :)

{It may not be disrespectful to toss out a question which, had you reflected for a mere instant, you would have seen to be ridiculous, but it can be annoying to the person who has to respond to the question. I'm not trying to make a big deal out of this, mind you. I'm just asking that you self-criticize your stuff a bit more before you send it off. Is that too much to ask? ---MJ}

> ...

>> ***{I wrote a book called *The Dogs of Capitalism,* which among other
>> things explains why slavery, including indentured servitude, is a
>> violation of property rights. That argument is too lengthy to repeat
>> here. If you are interested, you can obtain the book at Amazon.com.
>> ---MJ}***

>

> I am glad you consider indentured servitude a violation of property rights.
> [aside: what do you think of credit cards and the indentured servitude they
> engender?

***{Credit cards are not indentured servitude. If you default on your obligation, you do not go to prison, even under the present system. Slavery and indentured servitude are of course OK, if applied as reasonable punishments for criminal acts. Prisoners in a jail are slaves, whether admitted or not; and if they were offered the choice of serving out their sentences by being indentured to private employers,

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most would jump at the chance. What acts might lead to such punishments, if any, I would of course leave to neutral arbiters to decide. --MJ}***

>]

>

> I have heard of the title, I think.

> I will look for it at the library.

> If it is worth adding to my book collection, I will buy a copy.

>

>> ***{When I speak of "coercion" or "use of force," I am referring to

>> violations of property rights. Since "circumstances" cannot violate

>> property rights, we cannot be coerced by circumstances. Coercion comes

>> from other beings, mostly from other people, and the vastly greater part

>> of coercion by other people occurs through the medium of government.

>> --MJ}***

>

> Coercion by people using 'government' or 'religion' as a prop for their

> power. I am not sure we can get away from that without fundamental changes

> in human nature

***{The human genome is 98.4% identical to that of the chimpanzee. We are apes. Result: most of us have a hard time living in peace with one another. The norm is not to live by production and trade (capitalism), but by the code of Rob Roy—to wit: that he should take who has the power and he should keep who can. Capitalism is the highest achievement of mankind, and creating a governmental form that will preserve and protect it from our animal natures is not easy. The U.S. Constitution was the best attempt so far, but it has failed, and the collapse of the U.S. is now guaranteed. As