

I can remember when I thought it wrong to execute people just for stealing a horse. Why not, instead, make the horse harder to steal? Why not flood the market with the critters so they'd not be worth stealing? Why not provide hard-to-steal and less expensive means of transportation? These three childish kindnesses occurred to me when, almost every Sat., I pd. 5¢ to see the next cliffhanger of Tom Mix et al (circa 60 years ago). Now we know that social (ie, legal) punishment must be contextual as well as appropriate to the "enlightened" moral sense (ie, the going moral ideals of the particular society). As I grew up, my moral sense didn't get duller (in fact, it got sharper) but my contextual hermeneutics improved to the point where I could see the point of hanging horsethieves there and then (ie, in the Old West of Yesteryear, factitious and fictitious).

1. My three childish kindnesses proved, later, to be childish because:

(1) How were you going to make hard to steal a horse leashed to a post in front of the Dry Gulch Saloon? (This thought, which triggered this thinksheet, occurred to me ½ hour ago, 14July86, when I put my bike in the rack in front of the Drug Store and decided not to lock it. Tom Mix COULDN'T lock his horse!)

(2) As for the second matter, taking them in the above order, the Old West could provide no less expensive means of transportation. Even when the Stage and the Rails came through, they couldn't do for you what a horse could do--get you anywhere anytime.

(3) Whoops, error: This is the second, the above being third: Flooding the market with horses was out of the question. Life was too marginal to provide the leisure for horsebreeding locally, and importing was the essence of the \$ problem. The remaining alternative was to steal from the Indians, but the balance of payments was unfavorable: the Indians were better horsethieves and kept the ratio unfavorable to the palefaces.

2. Two weeks ago Indonesia executed two foreigners, 28 & 29, in whose luggage heroin was found. This outraged the authorities in their native land & (of course) ACLU. But in the light of my experience of Tom Mix and all that, including subsequent cogitation & devotion, the executions seemed to me to be a Good Idea. Why? Because the Indonesian government & I agree on the seriousness of the worldwide-and-local drug problem. Except for anti-capital-punishment ideologs, everybody's for capital punishment when the situation is serious enough. This thinksheet is against those ideologs, who (I believe) wrongly are prejudiced against (ie, prejudice) the very notion that any situation could be serious enough to indicate capital punishment. Consider the parallels to Old West horsethievary:

(1) Drugpushers currently find it easy to steal the \$ & brains of the gullible & addicts. Easy as stealing a horse in the Old West.

(2) Drugpushers have succeeded in making drugs less expensive & more potent. Crack is ten times the potency of the heroin for which those two young men were executed in Indonesia. Of course from the addict's standpoint, drugs are not [^]expensive; and even a novice like Len Bias may find they cost everything, life itself....Consider, too, that drugs, unlike Old West horses, are unnecessary. Now it's time for me to say that those horses were (1) easy to steal, (2) expensive, and (3) necessary to getting around, and sometimes even to preserving life itself. A fortiori, how much stronger the argument for executing drug-pushers! Flooding the market with horses would be benign, flooding the market with drugs in malignant.

3. Around the world, civil society is becoming more difficult to maintain. So one would expect what is the fact: Worldwide support for capital punishment is at an alltime high (Pacific News Service, June/86). The argument against executing "minorities" backfires: minorities are the main victims of major crimes of personal assault.