

Guns and coffee

The right to bear arms is not absolute

Sep 18th 2013, 16:01 by J.F. | ATLANTA

YESTERDAY Howard Schultz, who heads Starbucks, released an [open letter](#) containing a "respectful request that customers no longer bring firearms into our stores or outdoor seating areas." His letter was polite, thoughtful, even-handed and thorough. In the past, Mr Schultz explained, Starbucks simply "followed local laws", permitting openly-carried weapons in states that allowed it and banning it in states that did not. This prompted gun enthusiasts to stage "[Starbucks Appreciation Days](#)", during which they descended on Starbucks [while armed](#). In his letter Mr Schultz said bluntly "we do not want these events in our stores". The gun debate, he writes, has grown "increasingly uncivil, and, in some cases, even threatening... The presence of a weapon in our stores is unsettling and upsetting for many of our customers." Hence this respectful request. Not a ban. Not a declaration that guns or gun-owners are bad or wrong. Not a statement in favour of gun control or laws limiting what weapons people can buy or sell or have or carry. Just a simple request: please don't bring guns to our stores.

Cue the predictable outrage from commenters on Mr Schultz's letter and [articles reporting](#) his request: Mr Schultz is "anti-American" and "pro-socialist"; he is trampling on the constitution; he's going to lose business, etc. As one commenter on the *Blaze* writes, "It is my God Endowed Unalienable Individual Right, secured by Our Constitution, to take any firearm I please anywhere I please. Shall not be infringed, means exactly what it says." I might ask him what he thinks "[well-regulated militia](#)" means, and whether he believes laws keeping guns off airplanes are similarly unconstitutional.

The second amendment, as courts have repeatedly made clear, permits private gun ownership and forbids states or cities from banning guns outright. But much ground exists between outright bans and taking "any firearm I please anywhere I please". Not all rights are absolute. The first amendment, for instance, protects free speech. Yet we still have laws against libel, slander and inciting a riot. I cannot stand outside my house at 3.00am and scream my opinions at the top of my voice and claim a first-amendment defence when the police show up to enforce an anti-noise ordinance. The first amendment also protects freedom of religion, but business owners cannot use belief in the [Curse of Ham](#) to deny service to black people. For the same reason, by the way, religious liberty [cannot justify](#) denying service to legally-married couples.

"Compromise", wrote Richard Bosson, the New Mexico Supreme Court justice whose ruling I linked to in the previous sentence, "is part of the glue that holds us together as a nation... That sense of respect we owe others, whether or not they believe as we do...is the price of citizenship." Mr Schultz is simply asking gun owners to show that same sense of respect to their fellow citizens who might not like drinking their coffee while wondering whether the fellow sitting dourly by himself with an AR-15 slung over his shoulders is an Adam Lanza or just a second-amendment absolutist. That shouldn't be too hard. Right?

Marijuana legalisation

Tokers' delight

Sep 18th 2013, 21:10 by The Economist | LOS ANGELES

EVER since November 2012, when Colorado and Washington state became the first jurisdictions in the world to legalise marijuana for recreational use, the big question has been how the federal government would respond. The drug remained illegal under federal law; would Barack Obama's administration tolerate the states' deviation?

History provided smokers with little solace: since the passage in 1970 of the Controlled Substances Act, the foundation of federal drug policy, most presidents have prosecuted the war on drugs with unrestrained vigour. Hopes that Mr Obama, a member in good standing of his high school's "choom gang", might take a more relaxed approach were soon dashed; threats, raids and asset forfeitures directed against medical-marijuana dispensaries (and sometimes their landlords) have been a running theme of his presidency.

But change is afoot. On August 29th Eric Holder, the attorney-general, told the governors of Colorado and Washington that the department of justice would not seek to block their experiments—at least for now. His deputy, James Cole, issued a memo to the 93 US attorneys, who enforce federal law in the states, saying that in states that have legalised marijuana (including the medical sort, 20 states have done so: see map) they should focus their prosecutorial energies on eight priorities, including preventing the distribution of the drug to minors and its diversion to other states.



Surprisingly, that was not all. “Robust” state systems of marijuana regulation, wrote Mr Cole, could address his department’s eight priorities by replacing illegal activity with tightly run markets. This, says Ethan Nadelmann of the Drug Policy Alliance, a lobby group, suggests that the feds are trying to square the public-health aims of the Controlled Substances Act with the realities of state-legalised marijuana. This may not be acquiescence, but it looks like accommodation.

Yet even if Colorado and Washington manage to run their weed regimes to the satisfaction of the DoJ (both begin in 2014), some questions remain. What if a drug warrior wins the White House in 2016? How will the enforcement priorities be interpreted in practice? Most importantly, will the recipients of the Cole memo heed its message? After it was issued several US attorneys said they would continue to crack down on dispensaries.

For now, though, dispensary owners are free to pursue more mundane concerns. Top of the list is access to financial services. Most banks and credit-card companies will not deal with dispensaries for fear of violating federal money-laundering laws. This forces many to operate as cash-only businesses, with all the attendant hassle and security problems. One frustrated dispensary owner says the payroll accountant must spend a day a week sorting employees’ wages into piles of cash: “It’s so old-school I feel like she should be wearing a monocle.”

Grilled at a congressional hearing last week, Mr Cole said the justice department was reviewing the issue with banking regulators. Tax reform, dispensary owners’ other big worry, will be trickier. An obscure provision of the tax code created in the 1980s to target drug dealers stops dispensaries from deducting the usual expenses (rent, utilities, salaries) from their filings. Jaime Lewis, a Denver-based dispensary operator, says she pays an effective tax rate of 67%; about twice as much, she reckons, as comparably sized companies in other sectors. A bill designed to fix the problem is going nowhere in Congress.

Still, Ms Lewis acknowledges that “the conversation has changed.” Indeed, with most Americans backing full legalisation, and more states likely to remove their bans in the next few years, investors are taking a keen interest. Troy Dayton, the boss of Arcview, an angel-investment group with interests in marijuana, says his phone has barely stopped ringing since Mr Cole issued his memo. Heady stuff.

Game theory

Indecision as strategy

Sep 19th 2013, 15:03 by M.S.



I DON'T know much about game theory, but I've been thinking lately about strategy in a modified version of chess. In this version, not only does white go first, but only white gets a queen; the black queen is removed. However, to compensate, black gets a new power: every three moves, rather than moving itself, it can pick one of white's pieces to "block", sending it back to its original position on the board. Which side has more power here? Formally, probably black, since it can blow apart any strategy white tries to pursue by picking apart the structures of pieces white builds up. But there may be ways for white to counter black's power. What if white pursues multiple loose strategies at the same time, so that whichever setup of pieces black tries to dismantle, white can shift to another offensive, taking advantage of black's missed turn? The key here for white might be to entice black to commit to blocking one piece, wasting its own move, and then go ahead with whichever strategy black had chosen not to interfere with.

This is analogous to a lot of real-life situations. Usually, we're faced with a number of options we might pursue, and we may be more or less indifferent to which of them we end up with. If we are making the choice within a group (a company, a set of friends, a family), we may find that others have the power to block whatever option we select. Indeed, we may find that other group members tend, in a dialogic reflex, to react to our preference for one option by vocally supporting a different one. Someone who recognises this tendency may react by making sure they keep several viable choices open, so that they will still be satisfied with whichever option the opponent decides not to block. Or they may delay statements of preference until the opponent has committed to blocking one option. Fortunately, once an opponent has blocked an option, they tend to be stuck with their block; it is usually hard for an opponent who has just resolutely committed to striking down option A to turn around and blast option B a moment later.

Indeed, the most effective tactic of all may be to ensure one has several equally good (or bad) options and to tentatively hint at a preference without formally committing to it, and then to let it dangle for some time, hoping that the opponent decides to use up their "block" and leave the other options freely available. It may even be a good idea to provoke the opponent's antagonism, making it appear that a block on this choice would be a severe defeat. The objective is to get the opponent to limit their freedom of movement by committing to a block, while maintaining one's own freedom of manoeuvre by refraining from commitment.

Of course, this type of approach risks the appearance of indecisiveness and ineffectuality. If you are acting with a group of colleagues or teammates, your failure to choose decisively between options may be demoralising, even if you are genuinely indifferent to which option is chosen. When hinting at a preference purely in order to lure the opponent into committing their block, you run the risk of inaccurately signaling to teammates that you really do prefer that option. This will make the opponent's block appear to your teammates as a serious defeat, which may be demoralising. And changing course frequently may be seen by allies as a sign of confusion and lack of vision, even though it in fact reflects tactical decisions. Such tactics may, in fact, be the only way of achieving any of your goals, if you are faced with an opponent who has the power to block any of your moves, and whose attitude is so relentlessly oppositional that they instinctively block any initiative they think you are really committed to.

These are just a couple of things I've been thinking about today. I'm not saying these thoughts explain anything about how powerful people in such situations actually are behaving. But I think the dynamic exists.