

# DIPLOMACY DIGEST

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With this issue, we trod into the squishy terrain. There are some awfully peculiar topics discussed. Herein you will read, for example, some of the most scurvy methods imaginable for winning a dippy game. Some of these are not going to be your cup of tea --- but then again, we must be on our guard, eh?

The last time I did a theme issue on Ethics was almost 5 years ago, in #38. That issue fetched so much interesting response that I was able to fill another issue, using some additional reprinted material to round out the issue. I would VERY much like to do that again. Do you have some comments to make? Perhaps some views on whether some of these procedures are ethical or not? Have you had experience using some of them? How did it turn out? Are there some variations on these that you know of ---- that you'd be willing to share, of course? I would very much prefer, but do not require, that it be camera ready. That means typed single space on white paper, using a decent ribbon, with lines no longer than 7½ inches. For this issue only, I'll add an issue to the sub of anyone whose camera ready letter I use. The one thing that I ask, tho, is that you don't wait too long. Around about July 12 I'm going to have to decide on the topic for the next issue. If there isn't enuf material for a reprise issue on this topic, I'll start on something else....For those further interested in the topic, you might want to buy back issues #38 (Ethics) and #39 (Ethics again), 35¢ each.

## THE ZINE COLUMN # 84

The Zine Register #4 has arrived at last. This contains listings of about 100 North American zines, including some I had never heard of (Down the Tubes and Gonfalonier just to name two). Dozens of subzines and European zines are listed as well. The basic facts (price, size, age, games available, etc) are given, but the most interesting part is where the pubber takes a few lines to tell you what the zine is all about or why he does it. The issue is about a year late. Several publishers, in fact, remarked to their readers about how this had not appeared (nor had Envoy, Roy's zine). I'm going to be curious to see if they will bring their readers up to date by telling them that both have come out, or whether, by their silence, they will leave the impression that it has not (Roy Henricks 128 Deerfield Dr. Pittsburg, PA 15235. \$2 for the ZR, 43 pages)

Doug Beyerlein has folded his EFGIART and left the hobby. Doug was one of the true Jack-of-all-Trades people in the hobby. He was one of the top postal players, with many wins under his belt. In the one game I played with him (76IF), he took over a 4-center Italy with few prospects and ended up with a 17-17 draw. He was a highly regarded GM, doing well in many polls, and is one of only two, I believe, postal GMs to decide to run a PBE game. Doug made major contributions to hobby ratings, and was one of

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((One of the complaints I've had about Konrad Saumeister is that he didn't more frequently write essays like the following, which appeared in Eggnog #43/44 March 1980))

## THE FORGED LETTER

As has been discussed ad infinitum in several Diplomacy zines for decades, the question of ethics plays a major role in the game and in the style of the players. Opinions, and standards range from the George Washington ("I cannot tell a lie") approach to the Machiavellian (i.e. do anything if it means a profit later on; the end justifies the means) approach, while most players hover somewhere in between. (I prefer the Machiavellian myself, but that's another article.) Those players on the George Washington end of the spectrum have absolutely no methods of deception open to them for use in the game, and this is, of course, a direct result of their refusal to lie in a game specifically designed for lying. On the other hand, players that do fib a bit when the situation favors said untruth have an almost infinite number of devices open to them for use towards their assumed and natural goal -- winning the game. One of these little tricks is the forged letter.

At this point any players that find that this practice is anathema can overlook this article ... On the other hand, those that want to win the game and are not afraid to use another angle can go on. Good. Glad to have you with me, mom.

First of all, I should say that many players view a forged letter as underhanded play --- even some that view a stab as perfectly acceptable. Actually, these things have to be handled with the utmost care and discretion. I know of a player whose reputation has been completely ruined because of his indiscreet handling of the decision to forge a letter....((Who? Who?? Who??))

Second, one shouldn't go around faking letters every season or two. Forging a letter is a pretty serious and drastic move, and should only be done once in a game (if its needed at all), and then only if the situation is such that no other method of repairing the problem will do. (Now, that's my opinion ---- others say every season or two is OK!)

Third, consider the other players reactions to finding out what a conniving guy you really are. Altho usually these things can be kept secret, occasionally, the word leaks out, and you may wind up having egg on your face, with a lot of explaining to do. The chances are, in any case, fairly large that your country will need some help after enraging much of the board (should you get found out, your dirty forger!)

Fourth, luck plays a part: some people's letters are easy to fake, and some aren't. Typing the letter normally works as long as the typewriters match... Also, people that print are setting themselves up, since its easy to copy print; on the other hand, someone with handwriting such as mine are relatively safe. All these things should be taken into account before making such a weighty and important decision. ((You should also consider how much you have to gain by such a forgery. Even a small risk of getting caught may not be worth taking if the expected gain is small. On the other hand, the forgery that could net you a game-winning puppet (rather than a draw or second place finish) may be a good proposition even if the situation is not favorable for a successful forgery. As with any form of deception, you must fix one eye on the gain, another on the risk.))

So, the Whole Story: As we all know, passing letters is a common element of the game. Germany Xeroxes a letter received from Austria suggesting hostile moves against Russia, and Germany sends it on to Russia, hoping to emproil the Balkans in bitter conflict while he moves to control Scandinavia and the North. (Some people even frown on this Ghod, tell me what's wrong with it!) Obviously, the passing of someone else's letter can be greatly beneficial to the passer's cause, and nobody is at a distinct disadvantage since it is fairly safe to say that everybody (except Dave Crockett) that

communicates in the game does so primarily by mail. And so nobody is "safe" from having his communique fall into the wrong hands. (Of course, should this practice get out of hand, one who does this won't be receiving too many letters anyway....)

Sometimes, however, two or three powers are very closely allied, more than likely against you. From your point of view, this isn't always the best way of conquering the board, so you try to get them to separate and fight each other, leaving you with the balance of power. All attempts to convince them fail, and your only available option is to have them get mad at each other, or about possible future plans concerning their ally, and how his centers would look better under their column in the winter.. Alas, as it happens, there are occasions when you can find nothing which even resembles a black mark on their records, as you peruse the past game correspondence. It is now left up to you to put one there.

Assuming that faking the typing or writing is no real problem, you now get to decide exactly what to say. Generally, insulting one or other player outright is much too obvious to be effective. In fact, as an over-the-thumb rule, emotion should be kept to a minimum --- unless, of course, the person you are claiming the letter originated from is deemed by you to be a very emotional person. It would be best to use simple logic; something like, "Ever since Spring 1901 I've wanted to attack Turkey, cuz he's a dirty sonofabitch!" will not do. Rather, something the likes of "If I let Turkey grow too much longer, he may present a great threat to my back door, more so than you do now. If we were to both attack him now, we can eliminate this mutual threat while safely staying out of each other's hair." is more likely to succeed. Try to assume the aura what the person you are trying to imitate usually had in his letters to you. ((And don't get carried away)).

After the letter is written/types, Xerox off a couple of copies, and make sure that you keep a copy of the letter yourself --- you may need it later to refer back to. Send the letter to the person verbally attacked in the fake, and other appropriate persons; never, never, never to the person from whom it was supposed to have come in the first place ((the more copies of the fake you send out, the more chances there are that someone will mention the letter to him anyhow)).

What happens after the letter is out of the house? Sometimes, nothing, sometimes too much, and every so often, you get the desired result. If the countries fighting you fall out amongst themselves, and you can pick up the pieces, great. However, there is a fair(?) chance that the person you send the fake to will eventually send it on to the person that allegedly wrote it in the first place, thus earning you first place on the letters shit list, permanently. The problem is then to try to persuade the target that the letter is "real" while living down your new found reputation and the enraged accusations of the person being framed.

So, while there are several distinct advantages to trying a forged letter in the correct situation, there are also risks .... and these must be taken into account. If the risks run too high against the possible gains, don't do it. On the other hand, if you feel that you can chance it, go ahead and try it sometimes((and don't forget, if your situation is desperate, you have very little to lose)).

Lastly, I'd like to show just one instance where I, humble Konrad, forged a letter in an unnamed game, and it backfired. Names were omitted to protect me --- there were no innocents. Countries are the same. (On the other hand, let's change the countries too. Who knows who'll read this article, anyway? So here goes.) I was Germany in a game, and I was being attacked by Russia, England, and France, and even Austria was looking for a new victim to follow Turkey. (Don't laugh, I'm serious!) Anyway, I believed that the situation was pretty critical. Russia was the only country of those named that showed any sign of wavering, and that was because he was justifiably worried by Austria's quick growth. I figured that Russia was thus weaker than the others, and he would be the first to receive the fake letter. I would try **to** persuade Russia to move against England with me, and take some of the pressure off my rear. So, what did I do?

I took out all of the letters England had written me and looked for as many words in them as I needed to use in my fake letter. In other places, I used individual letters (He printed, the fool). Then I traced them, and then copied that onto a piece of regular typing paper, the kind he used all the time. Then I Xeroxed that and sent it off to Russia. In my cover letter I told Russia that I hadn't gotten back the letters from England which I had sent him previously, and in the meanwhile, here was England's latest letter. Now, in reality, I had never sent Russia any of England's letters, and he wrote back saying, they must have gotten lost in the mails; but this way, I tried to give the impression that I had sent actual letters, and this would lessen the suspicion of the Xerox. (Sometimes, the poor performance of the USP"S" really does have a silver lining). Frankly, I don't know if Russia bought the story, but for a while, he did help me against England. As it turned out, Russia was allied with France all along, and attacking England was the perfect plan for him, and I later fell prey to much stronger French and Russian players than I wanted to. Late in the game, Russia mentioned the letter to an already eliminated English player, who went thru the roof. And now the Englander insists on telling everyone in the game we're currently in about this dirty trick. While I deserve it and don't really care now that I'm not playing as much, it didn't make me a new friend in that case. Beware.....

# 6 MORE FAKES

by Mark L Perch

The previous article dealt with what might be called the straightforward fake. There, you are simply writing a letter under someone else's name, and presenting it as the real thing. In this essay, I'd like to look at several other types of fakes.

The Proto-Fake. Here, you are acting as if you don't realize that the letter you are referring to is a fake. This is a fairly low-key tactic, and you may not even have to produce the letter. This is the only one of the tactics in this essay that I've ever actually done. After Lee Kendter, Sr stabbed me in 80AY, he did not write me. I wrote him "back", making a brief and somewhat vague reference to a letter I had gotten from him. It was something along the line of that-was-a-pretty-strange-letter-but-if-that's-how-you-feel-about-it..... My purpose was to have him think "I wonder which one of my allies has written Perch a fake...." Sow a little suspicion in the new alliance formed against me. Lee is a "printer", so I felt that if need be, I could produce such a letter. But Lee just wrote me back, saying that he was confused and had no recollection of writing such a letter. I don't think it affected the game at all. This tactic lies on the borderline between a fake and a simple lie (the lie that you've gotten a letter when you haven't). It doesn't entail any risk unless you have to produce the forgery.

The Excuse Fake. In this one, you present as your excuse for your moves the fact that you were fooled by a letter which only now you realize is a fake. For example, "I got this letter from you saying that you had changed your mind and wanted standoffs in Rum and Gal, so I moved there. I didn't realize that you hadn't written it." You might even toss in some residual doubts ("Are you sure you didn't write this?") to show how strongly you were convinced originally, altho this risks insulting the guy. This is less risky than it seems. You are already in plenty of hot water because of your moves, so you have very little to lose at this point. You'll have to

produce the forgery for this one, but if it works, you can accomplish a great deal. Even if he's not persuaded, he still might be unsure, so it may accomplish something (similar to the deliberately miswritten order, in that some doubt will probably remain). In a sense this is an extension in time of the proto-fake, in that in both cases, you act as if you once believed that this was a legit letter. This is a rather versatile ploy, since there are many types of situations in which to use this. In a scaled down version, you can claim that you got a pair of letters from your ally but didn't know which one was real and which one was the fake, so you decided to ignore them both, especially since you were afraid they might both be fakes.

The Rationale Forgery. Here you take the stance that you are very much offended by fakes. You unexpectedly attack your ally, and then claim that you got a letter in the mail which was clearly a fake, and which you "knew" he had done. You were so mad at him for doing such a dreadful thing, and so insulted that he thought you could be fooled, that you decided to retaliate. You'll need to show some ingenuity in how you came to decide that it was he who did the fake. You want the evidence to be strong enough that your conclusion is plausible. But you don't want it to be too strong, in most cases, because you want your ally to be able to talk you out of it, to persuade you, afterwards, that it really was a fake. If you allow him to do this, all is forgiven, and you can stab him a second time the following

season. If you can't pull that off, just accept the fact that you're now in a permanent war. This kind of fake, and the next one, can be combined with a regular fake for a particularly devilish combination. Say you are Germany, and you've just attacked France. Your rationale is that you got a letter purporting to be from Russia, but you knew it was actually from France, the dirty forger. And how did you know? You then produce a forged Italy to Germany letter, which says, "France has just told me that he forged a Russian letter to you...." If this works, not only have you explained your sudden attack on France, but you may have poisoned the French-Italian relationship as well. If Italy's vociferous denials tend to be believed by France, you can back up, and treat Italy's letter as an excuse fake! Thus, you'd be saying, "I'm sorry I attacked you, France, but I really did believe Italy's letter saying that you were forging a Russian letter." And if France's reaction is to accept that you really were fooled, you should be able to stab him again.

The Frame Fake. This is a variation on the earlier one, but here, the person who is to be offended is not yourself, but someone else. Thus, as Germany, you forge an England to Germany letter, mail it off to England, and say you got it in the mail, and are sure that Russia is the rat who prepared this obvious forgery. This is done to poison FR relations. The contents might be irrelevant; you just want to paint Russia as a forger per se. Or you may want to present Russia as having tried to put certain words into England's mouth.

The Non-Forgery Fake. This very simple procedure has you treating a legitimate letter as a fake. The letter will have to be atypically structured in some way. Perhaps it is handwritten, whereas the player usually types. Perhaps it is long when the player is usually short, emotional instead of calm, hurried instead of careful, a wrong postmark, or whatever. If you can establish a plausible case for treating the letter as a fake, then you are free to ignore the letter (and its requests).

Alternatively, you could treat it as a rationale fake or even a frame fake....there are many choices. If you need some help in discrediting the real letter, you might want to, you guessed it, fake your own much more authentic looking letter, and say that they came around the same time. If your fake looks much more authentic than the real letter, you should be able to claim that it never even occurred to you that you had gotten the actual situation backwards. This allows you to not only ignore the real letter (or whatever you plan to do with it), but also strengthens your ability to rely on your fake letter, which you're probably going to use as an excuse fake. In short, this non-forgery fake can be used not so much for itself, but as an adjunct to an excuse fake.

**Third Party Fakes** In the above discussion, I've assumed that the fake letter you've produced has been one from another player. But that's not the only way to go. The most obvious choice is the GM. Here, however, you want to be very careful, and in most cases, you should discuss this with the GM. Some don't care what you say to other players, period. But others will not accept the idea of your putting out a phoney readjudication, for example, because they feel it interferes with their ability to run the game without undue confusion. Even such a GM, might accept a phoney readjudication when done in the form of, for example, an excuse fake. For example, you forge the following: "Dear Players. 000ps, that Russian build should have been F StP(nc), not F StP(sc). Sorry, the GM" You pretend that you were fooled by this (hence your moves) but now

you realize that it was all a fake. The GM might well not object to this, since at no time have you actually tried to present the GM as having put out this readjudication. If you are going to use this as a frame fake (e.g. accuse the Russian player of putting out the phoney readjudication), you must be careful and tell the GM that this is all a ruse. Otherwise, he may view your lodging a false charge of forgery against Russia as deception of the GM. It is essential that you do this if you decide to go so far as to ask the GM to throw the Russian player out for doing such a forgery. Another area is the forging of a non-adjudicatory communication from the GM. This is the sort of thing that Shep Rose likes to dabble in. This can most easily be done as a straight fake. Perhaps you were supposed to change your orders, but you didn't. You forge a personal letter from the GM, which casually mentions, "Too bad, your change of orders arrived a day late." A greyer area is that of procedural announcements, such as communications from the GM announcing a change in address or deadline, or that seasons will be separated, or a change in House Rules. Use your imagination. A second choice would be a standby player. Ideally, your ally has just NMRed, and a standby player has been tapped. You would, to some degree, be entitled to rely on what he said. In general, this type of fake should be easier to pull off. Since his handwriting, writing style, etc, will usually be unknown to most or all of the other players, the excuse fake should be a lot easier to do. A straight fake will be harder, unless you happen to have some other letters from him to guide you. Moreover, if he doesn't get into the game, he's in no position to retaliate directly against you for forging his signature, etc. In fact, until he's actually in the game, he may not even care what you do. Since standbys are much less likely to write than real players, there's less of a chance that your fake letter will conflict with a real one. The third choice would be someone who is out of the game entirely, either a former player, or someone with no connection at all. The easiest way to do this is the Excuse fake, with the letter providing you with some "information" which you rely on: "Sam told me once that he considers anything larger than a three-way draw to be

a complete waste of time." "Roger has pretty much lost his interest in postal diplomacy, and I expect him to drop all of his games shortly." You may have some trouble explaining why you relied on such a letter, so try to make it as plausible as possible. A few other points: 1) The third party does not have to be a real person. It's a bit of a semantic question as to whether a forged letter from a non-existent person is really a fake. 2) You may find it necessary to forge two such letters. For example, the first one from the GM announces that the Russian player has resigned, and has been replaced with So-and-So, and the second one is from So-and-So. In that situation, each letter tends to reinforce the credibility of the other. 3) Don't overlook the Non-Forgery Fake of a GM's correction. Some GMs, particularly those who rarely have to put out corrections, use a completely different format for corrections --- they may just jot it on a postcard, rather than printing something up. That gives you good grounds to discredit it.

Well, I've gone on at some length. Many of these ideas require rather specialized circumstances in which to work. But if the idea is at least in the back of your mind, when the circumstance arises, you'll be able to recognize it and act accordingly. Second, even if you never try these, you'll be alert to the possibility that it's being tried on you! And finally, at least for some of you, these should raise interesting ethical questions per se. Unlike the straight fake, these do not involve trying to present a forged letter from another player as a real one. Does that matter?



((The really outrageous stunts tend to be done more in England than here. This is the account of the "FOE21 Blank Sheet Coup". Our tale begins with Richard Hucknall, the GM, writing in his Fall of Eagles #43, March '80)

The FOE21 coup and associated dirty deeds shock horror scandal As many of you are unaware of the dirty dealings in this game, I think now is the time to explain just what has been happening. No point in any further secrecy (not that there has been much anyway) as John Lee blew the lid off the affair by printing a whole page on the subject in Voice 9.

First of all the facts. Bruce Foster (Austria) and Sam Moore (Turkey) are personal friends. Bruce contrived to obtain Sam's signature at the bottom of a blank sheet of paper. Sam thought he was signing a birthday card (with his full name !!!) but this was a cleverly planned coup on Bruce's part. However, Bruce was not prepared merely to post the sheet (which now of course had Turkish orders added by Bruce) in case Sam sent a later set of orders or even 'phoned me on deadline evening with orders. So, to be absolutely sure he decided to drive up to Nottingham from South Wales on the day of the deadline and give me the orders at the last possible moment. After an eventful journey which included him in an accident in Birmingham where his car was written-off, not to mention a visit to hospital; he arrived at Chateau 124 accompanied by a friend who had been press-ganged into driving him from Birmingham to Nottingham, minutes before the deadline clutching what I considered to be a valid set of Turkish orders bearing Sam Moore's genuine signature. Although I knew all that had happened as Bruce kept me informed of every development, I could see no reason why the orders should not be allowed. That was the reason for the startling decline in Turkish fortunes in A1904.

Naturally Sam 'phoned to find out what the hell was going on. After discussing it at length he grudgingly accepted my ruling that the orders were legal and is no doubt plotting methods of entombing Bruce within the cave complex that they frequently explore! Then John Lee (France in the same game) found out what had happened and thought he would get in on the act with another dirty deed. So the following season I received from him a set of orders for the Italian units signed by Richard Marsh (Italy). However, the signature was at the top of the orders and appeared to have been torn from the bottom of a letter - the few inches beneath the signature consisting of blank paper. I challenged John and he admitted this was what he had done. I have no doubt that these 'Italian orders' were illegal and so I disallowed them. To have accepted them would have set such a precedence that the postal game would be unplayable. Would you dare write to another player knowing that he could remove your signature and use it to submit orders on your behalf?

The nub of the problem is, can player A send a blank sheet of paper to player B in order that B can order A's units? And if so should the GM be informed? The second question is rather silly as if the GM has to be informed then why can't player A simply say to the GM "I authorise player B to order my units" and then no signed sheet of paper is necessary. If the practise is to be made illegal then I don't see how it can be enforced. If it is considered legal then I admit that it does give rise to some 'grey' areas of dubious methods of obtaining signatures. The dividing line between legal/illegal orders is very narrow and each case would have to be considered on its own merits. I consider Bruce's coup to be legal but

John's to be illegal, although I suspect that opinion on this will be sharply divided. Will you please let me know what you think?

- 1) Would you say that the Turkish orders in this case are legal or illegal?
- 2) Would you say that the Italian orders are legal or illegal?
- 3) Should the practise of passing a signed, but otherwise blank, sheet of paper to another player be made illegal?
- 4) Should the GM be informed if this (ie. 3) is happening?

I won't be readjudicating either of the last two seasons in FOE21 - GM's decision is final and all that - but I'm very interested to hear what FOE readers (and other GM's in particular) have to say on the subject.

((FOE #44 then brought:))

#### YOUR VIEWS ON THE FOE 21 AFFAIR

These have been coming in steadily since last issue and no doubt there will be a big rush over the next few days as orders for games are received. I have the choice of producing a well thought-out and presented summary when all games have been adjudicated but I don't think I'll have the time. The alternative is to hold it over to next issue but I don't really want to delay it that long. So what I'll do is print the comments I have and add others as they come in, with a summary at the end.

The first comment to be received was from John Lee who produced the bitter view "The way the question was presented it is perfectly obvious what answer you want. I'm sure you'll get it." Well I thought I presented the problem accurately and although I made it clear what I thought of the coup, I certainly didn't expect everyone to agree with me even if John Lee did. The response so far shows that people are fully capable of making up their own minds.

Phil Bass, who produces the mini-zine Knife & Fork gave the problem a  $\frac{3}{4}$  page spread and ended up by saying "I'm sure Richard was correct both in allowing the Turkish orders and in disallowing the Italian ones" and later "How can we distinguish between the trickery Bruce Foster used and a genuine desire on Sam's part to endorse Bruce's orders? Dunno' Cuv. Any ideas readers?"

John Marks also agreed that the Turkish orders were OK and that the Italian ones were not. He also raised the possibility of players being assigned passwords with



which they could identify themselves in letters and telephone calls. I'd already considered this and although it would be a certain way of preventing future coups of this kind, I can foresee that lazyness on the part of many players would mean they would receive NMR's through not quoting their passwords. I feel this would cause much hard feeling if enforced.

Telephone calls on the problem produced Ian Pringle strongly against whilst James O'Fee and Neil McDonald could see nothing wrong in the way I handled the affair.

Stuart Dagger ( a player I hold in high esteem ) commented that John Lee's orders "had to be illegal. But having decided that, it seems that the only difference between these orders and Bruce's is that the latter was clever and the former crude. Sam was the victim of a bad, if understandable, decision." Stuart goes on to ask if John Lee's attempt had come first would I have accepted Bruce's? The answer here is simple. I would still have adjudicated in the same way. Though none of you know it at the moment, there was a similar attempt in FOE 17 to pull a similar trick to John's but I ruled it illegal. Full details on that one will be published when FOE 17 ends.

John Norris talked himself logically through the problem arriving at the decision that I was correct in what I did but commenting that players are quite free to take reasonably simple precautions (along the lines of those suggested by John Marks - but voluntary rather than GM imposed) and indeed several players have already done so.

Rob Chapman (of Putty Riffe ), in a lengthy letter says "I think you were wrong to accept Bruce Foster's Turkish orders. You were well aware of what was going on and knew the orders delivered to you were not Sam Moore's intended orders for Turkey." and later :- "Sam Moore had not given authorisation for Bruce Foster to order his units; a signature is not authorisation. A player should not be able to order another player's units without proper authorisation." My answer to that is if a signature is not authorisation then what is? What if Bruce didn't tell me of his plans and simply posted the orders? Surely I would have had to accept them!

Andrew Bridgford and Paul Vane also say I should not have accepted the 'Turkish' orders. Paul goes further and writes "Letting one country write another's orders, whether with their permission or without it is not at all desirable and should be cut out by the GM." I just can't agree and I don't think that there are many GM's who would not allow player A to order player B's units with the permission of player B.

John Dodds (new guest GM for Megalomania) and Mike Hunt also disagree with my ruling. Both maintain that such a ploy threatens the whole fabric of the postal game, but both fail to outline any way in which it could be prevented. Mike goes on to say "that if Calhmer intended the game to be played in this way he would have called it sabotage instead." My reply to that is Calhmer never envisaged the postal game anyway, and even if he did then how could he produce written rules to cover such eventualities as this!

Verbal discussions of the problem show Clive Boctw (Chimaera) and Don Brown (Tantalus, RIP.) both against my decision. Clive's opinion I value - Don's I don't. Dave Perkins also disagrees with me, and I confess I listen to Dave a lot as he is always 100% in his opinions.

Three late replies received, all back me up. Mike Whelan draws the real-life analogy of the Turkish General in the field being presented with orders bearing a genuine signature of his C-in-C. I don't like comparing the game to 'real life' but Mike has a good point. Nigel Quinn also weighs in in my favour, as does Mike Close. Mike makes the interesting point "Sam Moore made two mistakes - the obvious one was to sign a blank page whilst a fellow Diplomacy player was holding it." (In fairness to Sam, he didn't know that was what he was in fact signing.) "Bruce Foster could have written himself a bankers order - they don't have to come on cheques!" "The other mistake was to get involved in a game with a close friend." Hmmm... in the case of a banker's order, I feel Sam would have a case in a court of law with the 'obtaining a pecuniary advantage' or some such similar phraseology.

So where does that leave us? A quick count of heads shows John Lee as misguided as ever. Eight saying I was right, eleven saying I was wrong. Everyone agreed that the Italian orders were illegal.

I still stand by my decision and would do the same again. However the occurrence does highlight the shortcomings of postal rules for Diplomacy, not that I think there is anything that can be done to rectify it. When GM's can't agree over Spring 1901 NMR's, unordered disbandments, draw proposals, standbys or anarchy etc etc; what chance have we of producing basic standard houserules? There will always be disputes over adjudications from time to time and there is no way that house rules can cater for every eventuality. My advice is, always contact the GM if you're not sure how a certain situation will be adjudicated - whether in FOE or any other zine.

My sincere thanks to those of you interested enough to reply and my apologies for severely editing your comments. I could have filled about a dozen sides if I printed your letters in full.

((#46 then wrapped up the discussion of the topic))

#### Echoes of FOE 21

Some final comments on this episode have been received and deserve airing. Rob Chapman criticised me in Putty Riff for not publishing all of his long and 'well argued' letter on the affair. I thought I had made it plain that the response was so great that it was just not possible to publish all letters in their entirety but Rob considers otherwise.

John Sandell and Keith Shapley both agree with me and Pete Birks commented "you were correct to act as you did, I think, in that player A deceived player B into signing something he did not think he was signing."...."Did Sam Moore actually sign the orders, or were they filled in after? It doesn't really matter because I think in this case he should have been a bit more careful." Pete then appears to contradict himself in his new amended Greatest Hits houserules. Para 28 reads "A signature at the bottom of a set of orders is only valid if the player has signed a set of orders, not a blank sheet of paper." Although Pete goes on to explain this is to prevent a player sending other players reams of signatures on blank sheets of paper, he adds it should also prevent a few other hassles. FOE 21 type hassles ??

Assuming Pete does agree with me, the count is now 11 agreeing and 11 disagreeing

((I read about this some months afterwards, but decided to write Richard anyhow, to express my views on this topic:))

I realize that the discussion of the FOE21 coup is long since over. However, I feel so strongly that you erred in accepting Foster's orders for Turkey that I am writing you in the hopes that you'll reconsider in the future.

Orders are the tangible expression of what a player <sup>says</sup> he wants done with his pieces in that game. The signature says, in effect, "This is mine" (as opposed to someone else's). If the paper is blank, then the "this" is "Nothing" because that is what is on the sheet - Nothing. Such a signed sheet has no meaning (except to an autograph collector or a graphologist) because it does not constitute his submission of orders. The fact that someone else added something to the sheet does not change that fact. He signed a blank sheet, he did not submit orders.

I see no difference between the Italian Orders business and here. One signature was at the top and one was at the bottom of the page but so what? In neither case was the signature intended as a tangible expression of how he wanted his pieces used in that game. In one case the person signs a birthday communication and in the other case the person signs a diplomatic communication -- but in neither case was there an intent to submit orders. The actions of another do not change the fact that there was no intent to submit orders when the signature was made. You ruled against the Italian

saying that if not, "Who would dare write to another player..." Well, the way you ruled, who would dare send a birthday card, knowing that Hucknall will allow someone to use the paper on which the signature is contained as a substrate for writing orders. Where will you draw the line?

Let me give you some specifics. Suppose a player submits a blank sheet to you with just his signature ~~xx~~ or it. Of course he'll be treated as all units hold, but will he be NMRed? My guess is that you will NMR him, as submission of a blank sheet does not constitute submission of orders. If so how could someone else change that status --- only he (or someone he has delegated that right to) can change that status. (What, you think that someone else could convert his non-orders to orders? Well, suppose he submitted orders and someone came to your house and erased them, leaving only his signature. Of course you wouldn't NMR him. And don't argue that orders can't be changed once they are in your hands, since he himself could come to your house and add orders to his blank sheet. He can alter the status of the sheet, someone else can't. This is true both before and after they are sent to you). If you treat it as submission of orders (i.e. not NMR) then suppose that he had previously submitted orders. Would this blank sheet wipe out those orders and give him all units hold? I hope not, but if so, and he were in several games, would it wipe them all out?

Suppose Moore had written Foster a cheque. Would you let Foster add orders to that? How do you decide that a birthday-card-intended signature can be converted into orders but a cheque-intended-signature can't be? What a morass you are getting yourself into?

Suppose that Austria visits Turkey and, to simplify matters, it is still WOO. Turkey naturally keeps his games records & correspondence hidden. However, Mr Austria discovers that Turkey is playing Turkey in another game. And Mr Turkey keeps copies of all his orders. Digging to the bottom he finds the SOE orders of F Ank-Bla, A Smy-Arm, A Con-Bul. "Say, I could use these" he sez, sending them off to the GM of the new game. Here, Mr

Austria is in a much better position than was Foster, because Mr. Turkey wrote the orders and signed the orders. But they weren't for that game. Would you really accept them? If so, how can people play face-to-face knowing that someone might fish their orders out of a trashcan and use them later. Think of all the orders that you have as a GM which can be used in this way. Remember, gmaedesignations and dates can usually be trimmed off. And Mr Austria's orders here are much more authentic than Fosters

I could give other shenanigans but I hope I've made my point. You say that "The deviding line between legal/illegal orders is very narrow" It need not be. Just ask: "Is this sheet of paper an expression of what the player says he wants done with his pieces." When the signature is part of a cheque, personal letter, or birthday card, the answer is obviously no. (Er, make that "...his peices in this game")

The next question is whether a player should be permitted to order his units via another player -- i.e. give a proxy. In my opinion, how a player orders his peices is no business of the GM, so long as the orders get in on time. I have been known to "encourage" a true puppet to simply sign and mail in orders that I had typed out (to avoid his using the cops-I-miswrote-theOrder-routine). And if the player wants to reverse the procedure (i.e. sign first on a blank sheet, orders come later) that's OK too.

He could simply tell the GM what was going on, or he could add after/with his signature "This signature attests to the above orders" In this way the player signals that he understands that he is signing orders, and not a birthday card. The specific details can go in the HRs if you want.

In this regard, you ask Rob Chapman, "... if a signature is not authorization, then what is?" Come, come, a signature alone is not enough; otherwise you would have accepted the the Italian orders. Similarly, you say, "What if Bruce didn't tell me of his plans and simply posted the orders? Surely I would have had to accept them?" The same thing applies to forgeries. At some point you just have to rely on the players' willingness to avoid deception of the GM, and willingness to keep

you informed of their schemes. Procedures such as placing a gun to the head of a player and forcing him to make a last minute fone call to the GM, breaking into the GMs home while he is at work to read/alter orders, setting up a dummy mailbox to trick either the player sending in his orders or the GM mailing the zine and other tricks fall into the same category. You have the right to ban certain procedures even if you cannot 100% enforce the ban.

In short, a signature which is not intended as part of a set of orders (but rather was intended for a birthday card, a cheque, or personal letter) cannot validate orders written by another. I hope that you will reconsider your policy in this matter.

((The exchange then ended with the following letter from Richard:))

Will the spectre of FOE 21 never leave me!! I don't really want to go into the whole affair again but I know that I would adjudicate in exactly the same way in future if I had to. There are a few points however that I would like to clear up. Your argument is based on the presumption that a signature which was not intended to be part of orders submitted can validate orders prepared by another player. We clearly disagree as you say it is wrong and I say it is a legal ploy. There was no cutting up of sheets of paper, or removal of signatures from the bottom of cards. The whole coup was based upon a carefully folded sheet of paper within a homemade card which Sam Moore signed. Whether this sheet contained orders at the time it was signed ~~was~~ does not matter. I know now that it didn't but it could have. What if Bruce had persuaded a drunken Sam to sign orders when he didn't know what he was doing? Would not they be acceptable or does a GM have to be convinced that a player is in a sane and sober frame of mind when he writes his orders?

May I put a hypothetical question to you? I am playing England and it is the start of the game. France assures me that he will not go to ENC but I don't trust him. However I don't want to go there myself unless it is absolutely necessary to stand him out. So, I prepared two sets of orders, one with F(Lon)-ENC & one with F(Lon)-NTH. Both sets are typed on different typers that I have access to and I sign both and send them to you as GM. What are you going to rule? Whichever way you jump according to your own argument that a signature does not validate orders I can kick up a stink. I can claim that the 'ideal' (or best for me in view of the French orders) set was the one I sent, and that someone must have somehow obtained my signature on a sheet of paper for the other set. If you claim I'm double ordered, or hold the game over, then again I can play up. In fact I believe that the GM faced with such a situation should take those orders received latest - even if it only related to which envelope was last to be opened.

((England is double ordered. A signature never intended to be part of a set of orders cannot be used for that purpose, but before its invalidated, there has to be some evidence that this was actually the case --- England's mere say-so is not enuf. In the actual coup, if all Richard had to go on was Sam's protest, that would not be enuf. The GM would have to ask the other players, and then rely on their unwillingness to deceive him in evaluating the answers. Anyhow, this has gone on quite long, but I wanted to be able to give a full range of views here. For those who are still interested, a similar coup was attempted in Voice of Doom, and was written up in #99 as the "Rigel Affair" Some interesting discussion on the topic appeared in #100))

## TALLMAN REPLIES

((In DD #87-88, I had some comments about Tallman and copyright law. What follows is Tallman's reply --- the right to which Terry does not always give to those criticized in his zine. The letter is unedited except to remove a sentence he asked me not to print. Rather than break it up for responses, I am inserting numbers in double parens, keyed to my comments below))

You missed it - I did in fact go to a lawyer.

By the way - this letter specifically forbids you to reprint from "NORTH SEALTH, WEST GEORGE" except as properly allowed under copyright law.((1))

You state you deal with "the law of intellectual property every day." What precisely are your qualifications to discuss communications law or the provisions of the F.C.C. code? What specific training or course work? What experts consulted? What texts consulted? ((2))

I asked these (below) questions of a lawyer specializing in copyright after explaining the general amateur nature of the dip publishing hobby.

What rights does one amateur pubber have to publish an uncopyrighted article?

None. The author may deny permission at any time but cannot seek financial redress unless the article was copyright prior to its unauthorized publication.((3))

Does it matter that there is no financial loss to the original author?

No. With the exception of quotes for the purpose of reviews or educational purposes (my purpose in quoting from the law text) reprinting an article violates copyright. ((4))

As you will recall, the original issue arose over press written for a game in "Erehwon." ((5)) It's always been obvious you (Mark) are not concerned with copyright, so I asked Rod walker if he would respect my right to copyright items written for Erehwon to be used in Diplomacy Digest (or elsewhere). ((6))

Rod stated that you (Mark) had an "absolute" right. My research indicates otherwise.((7))

My objection to being reprinted in Diplomacy Digest (not that you would necessarily do so) is based on the editorial slant of of the szine. If it was only reprints I would probably have no objection((8))

But I would hate to be reprinted in an issue on which the editorial content was something I opposed((9)).

Every author ever printed in Diplomacy Digest still holds copyright to their articles unless specifically waived or transferred.((10))

If any author you've reprinted writes to you and says he denies you permission to distribute his article you may not do so.((11))

Assuming one reprint per issue of DD (I understand that's not actually the case) if one author, or one article, per back issue wrote denying you permission to reprint, you could not legally give out any more back issues of DD. ((12))

If they all had copyrighted their articles they could sue for monetary damages -- despite the fact that you show no profit. ((13))

If they file for copyright after you reprint, they can have you enjoined from distributing any more copies or thrown in the slammer if you do so.((14))

The bottom line is that I have no fear of you republishing me, but for philosophical reasons I would not want you to.((15)). Rod hit a nerve whe he said "absolte" right. My degree is in journalism, I sat through too many hours of journalism law to buy that.((16))

I have a dinner bet on your response to this.

((1)) You're a real fun guy. See also my response to ((9)).  
((2)) This is a free country, and I will "discuss" exactly what I please, regardless of whether I have what you deem to be the "qualifications" involved. I am not a lawyer, and neither are you. I have enuf legal backround to be able to understand a standard copyright text such as Nimmer.

I have had no courses in copyright law, but have probably read upwards of 200 copyright cases in the last 14 years, since they appear in my USPOs. I have consulted no experts, nor do I see the need to. The law of copyright for ordinary printed matter is one of the least arcane and most accesable areas of law. As for the "provisions of the F.C.C. Code," please recheck your class notes, and you will see that what I do at DD does not come under the jurisdiction of the F.C.C.

((3)) To the contrary, I am entirely within my rights to reprint material without a copyright notice on it (which is the only type of reprinting that I do). The denial of permission by itself is of ZERO legal consequence. None. Indeed, even putting a copyright notice on it, as you have done in some of your publications, is not enough. I cannot be sued for infringement unless the copyright has been registered. Have you registered any of yours? See also my point ((14))

((4)) To begin with, the doctrine of fair use is broader than just reviews or educational purposes. It also covers comment, criticism, refutation of unfair criticism, news reporting, and possibly some parody uses. But beyond that, your flat, "reprinting an article violates copyright" is just plain wrong --- see point((14)).

((5)) From my point of view, this started when you said in your NSWG: "both Berch and Linsey could be stopped from publishing another word if the parties involved were willing to spend a few bucks on lawyers." That gibberish made it clear how shallow your understanding of the law is. Or take this gem, from the letter to Rod printed in Frehwon #123: "On a serious note, I consider my press to be personal property, i.e. copyrighted, and given to you with first publication rights implied." This quote makes it crystal clear that you don't understand what copyright is. Considering it to be personal property, a mental act, does not make it copywrited.

((6)) You have incredible nerve saying that I'm the one not concerned with copyright. You are the one, not me, who has copied material (artwork) covered by a registered copyright in his zine, not me, and thus you are the one vulnerable to statutory damages, not me. And you are the one so unconcerned you haven't bothered to find out what it is and how it operates.

((7)) Your research is wrong. He should have hedged his statement slightly to say that I've an absolute right to do the sort of reprinting that I do do, rather than an absolute right, period, but I think his readers would have understood what he meant (a copy of Rod's response, F #123, page 18 is available from me on request if you want to check it out).

((8)) If it were only reprints, it would a lot less interesting. Part of the reason I reprint is to give me the opportunity to write commentary, and to give my readers the opportunity to respond. Making it reprints-only would prevent both.

((9)) Why? The impression that I get is that you just don't, on occasion, want what you wrote opposed. All of this stuff about copyrighting your press, wanting to control where your writings can be opposed and the like gives me the strong impression that you just don't understand what amateur publishing is all about. We believe here in a free flow of ideas. Talking of bringing lawyers into the hobby to shut zines down, routine copyrighting of zines, objecting to people commenting on what they reprint, its all very unfannish. Most of us write so others can read what we have to say --- not to play legal games about who can do what to whom in court.

((10)) False. Take for example your above letter. Legally, I could copyright this entire issue, after disclaiming the material already in the public domain (i.e.g. Konrad's piece) That would include your letter! And this is true even tho you never "specifically waived or transferred" anything. The only way you could block that (challenge it) would be to claim that

what you wrote was not a bona-fide letter-to-the-editor, and off-hand, I don't see how you could make such a claim

((11)) False, at least in a legal sense. Ethically, in most cases, you'd be right. But the vast majority of material that I've reprinted is already in the public domain. The only exception is material originally published after May, 1980, and there's very little of that here. See ((14))

((12)) False. Again, see ((14)) And of course, I would always have the option of sending out the back issue minus the copyrighted essay.

((13)) I cannot be sued for damages unless the copyright were registered in the proper time period. Yes, the fact that I'm non-profit is irrelevant

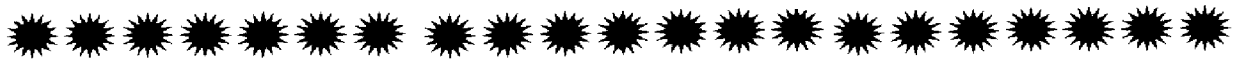
((14)) Your entire discussion of this topic shows that you have only the most confused notion of how copyrights work. That you would put such misinformation in your zine shows your utter disrespect for your readers. And you must take me for a complete fool if you thought I'd not challenge your nonsense. If you really did consult with an expert; you either did not understand what he said, or you chose to distort it. So set aside your worthless "research", and I will explain to you how it works. Remember, the topic here is my reprinting of material which has already appeared in a dipzine. Its falls into 2 catagories: 1) Material published before Jan 1, 1978. This material fell irrevocably into the public domain the day

the writer had it published without a copyright notice. This pre-1978, no-notice material in fact represents the great majority of what I've reprinted. I realize that you've said that all the writers still hold their copyright, but you are just plain wrong: The law, from 1909 till 1978 was very strict: No notice, No copyright. Their rights are gone. 2) Material published after Jan 1, 1978. Here, if the material has been published without a proper copyright notice, you can still recover most or all of your rights with a curative registration. To do this, you must register your copyright within 5 years, and you must make a reasonable effort to add the copyright notice to copies distributed to the public in the US, once the omission was discovered (there are rare exceptions which don't apply here). Thus, material from Jan 1, 1978 till May 1980 has already fallen into the public domain unless the registration has taken place. The importance of this registration cannot be overemphasized. You cannot sue an infringer without registering the copyright first, and you cannot register your copyright once it has fallen into the public domain. Even if you do this curative registration, you may still not be able to bar the reprinting; you may have to settle for the payment of a liscence fee. The copyright process starts once the essay is in fixed and tangible form, but once it is published without notice (again, with rare exceptions), your rights are suspended, and unless you take certain remedial step(s), you will lose them for good. All of this talk about "permission" operates on an ethical level --- I will normally respect such requests, but legally, what matters are things like copyright notice and registration. If you or anyone else want to challenge any specific items here, let me know which items, and I will send the appropriate Xeroxs.

((15)) What philosophy do you refer to? Most people in the hobby operate on the philosophy that they write to be read, so that if it reaches an additional audience via reprinting, so much the better. You apparently have a different one --- what is it?

((16)) Your letter evidences almost no knowledge of "journalism law" whatsoever. And your zine is a travesty of even the most minimum standards of journalism. Here I refer not to your practice of proclaiming copyright law without even bothering to find out how it works, not to your practice of printing small fragments of stories rather than the whole thing not to your practice of presenting unsupported speculation as if it were

reasoned analysis, nor the fact that you sometimes do not permit those mentioned in your zine to respond. I refer to the fact that when it comes to Bruce and me, you make things up. You concoct incidents which never existed, and then tell your readers that this is what happened. 1) You printed that, in contrast to his public denial, Bruce had "admitted" to me in a "fone conversation" that he actually had filed a certain formal report. Bruce in fact did not say or imply to me anything of the sort, not on the fone or in any other form of communication. This is simply something that you made up. 2) Altho Bruce said that his now famous stopped-payment check was made out to Bill, you said it was made out to "Bill's dad's store", and even suggested that this was done for the purpose of "jeopardizing their credit". You even had the colossal gall to offer a copy of this check. This was a willful deception, since you knew you had no such check to make available --- because there was none. I don't know how he got it, but NEA #32/33 printed a copy of the check, clearly made out to Bill, not to a store. Unless you can claim there were two such checks, you offered a copy you knew you could not produce. 3) You wrote, "Berch in his best Berchian logic says I cannot refer to this letter without printing it." This is complete fabrication on your part. I have never said anything of the sort. Indeed, I have on occasion referred to letters without printing them. 4) You once wondered in your zine if I would "live up to the old Berch/Old Hobby Fart mystique of claiming you're right until you're proven conclusively wrong, and then shifting your remarks to claim that you were quoted out of context." But I've never done such a thing, and when I challenged you to produce an example, you were unable to, nor did you retract it. Again, this is something you just plain made up. 5) As part of your smear against the 1984 Don Miller Memorial Award, you said, "...these awards are controlled by a handful of hobby members so that they can form a big circle and take turns." What you didn't tell was the truth --- that none of those nominated were on the nominating committee. This notion of forming a circle and taking turns is simply something that you made up, since none of those on the ballot were on the committee. There are a number of other incidents (some of them set forth in NEA #32/33), but I'm not going to belabor the point further. This goes beyond the shoddiness of your copyright "research", beyond your practice of making unsubstantiated accusations (e.g. against Gary Coughlan), beyond your constant reference to letters which, somehow, you cannot produce, beyond the sleaziness of your sometimes not allowing people (me, for instance) to respond. This is unethical because it is outright deception. There is a word that I rarely use, inside or outside the hobby, but in your case, there is no better word: Sir, you are a liar.



LAST CALL FOR DECEIVERS: TURNING IN THE ORDERS  
by Mark L. Berch

WARNING: This essay describes tactics that some of you will consider unsporting, unduly dishonest, or downright cheating. To be honest, I've got doubts about some of these myself. However, it has long been true that standards for what is acceptable in Face to Face play vary (from game to game) far more than standards for postal play. A good example is the "Flying Dutchman", where a player deliberately has more units than he's entitled to. When Rod Walker included this in his "Gamer's Guide to Diplomacy" as a perfectly acceptable tactic, there was some grumbling



by those who felt that this is not a proper tactic. Another example is "move stealing". I personally don't like it because it produces too chaotic or physical a game, and so I banned it at DipCon 1982. I got two remarks on that ban, which as in the HRS. One was from some guy who asked what that was --- surely I didn't mean actually stealing someone else's orders, did I? He was amazed that anyone would tolerate such behavior. The other reproached me somewhat for "taking away some of the fun of the game" (that's an approximate quote). The way his ~~six~~ pals played the game, you were responsible not only for getting your orders in, but keeping them in. They had, however, an interesting hedge. If you were caught stealing orders, your own orders were then nullified. But I digress.

The methods of this essay can be divided into two categories: Those which deceive just one player, and those which deceive most or all of the other players. Alternatively, they may be viewed as deceptions which occur just before the deadline, and which occur after the deadline.

The pre-deadline deceptions normally arise in the situation where you are showing your orders to your suspicious ally. This will usually be at his request, but could even be at yours. "What you see is what you get" doesn't apply in this case, tho. The easiest approach is to attempt to palm off an alternative set of orders. These are usually in the sheet below the one he sees. Alternatively, your real orders might have already been turned in. What he sees are the ~~fake~~ orders. Your will have to put a "discrediting message" (DM) on this sheet, such as "these are not the legitimate orders; they are on another sheet" (or, "on the reverse"). This will have to be covered up, preferably by having the top of the page folded over the DM. The other strategies you might employ arise when there is just a single order that you do not want to do. You want to misorder the piece, but how can you get away with this if your ally is going to re-check what you've written? One approach is to double order the piece. Here you will need a lot of units, to be stretched out with a lot of crossed out material. Buried within the part of the page where he's unlikely to look will be the second order for the piece. A second approach will work only if you have a clipboard. Take the top sheet and slide it over to the left, about  $\frac{1}{4}$ " or  $\frac{1}{2}$ ". Put your orders near the right hand edge. The order that you want to nullify will cross over the edge, so that the last part of it actually appears on the lower sheet. The order will thus be incomplete, since the lower sheet stays behind. Another approach is to read your orders aloud to your ally, reading what you were supposed to write, not what you actually did write. People have a tendency to perceive what they want to perceive, so what may register on his brain is what you say, not what he sees (FTF dippy is, after all, a sound oriented game). And finally, if you get caught at a miswritten order, consider replacing it with another one! Your ally points out that what should have been F Nth-Hol was written F Nth-Hel. "Oh, I make that mistake all the time", you say, focusing attention on that part of the order as you rewrite it as F Nwy-Hol. There's a good chance he won't even check what you wrote. Misorders of any type are more difficult to pull off if your ally is watching. But if you succeed, your ally is really in no position to reproach you, since he didn't notice it either.

Now, we move into the really sleazy territory, deceptions after the deadline. In this situation, you submit two sets of orders. You try to get some information as to which set you ought to have used.

And then you try to have the better choice of orders accepted and read. There are several questions you'll have to deal with all at once:

1. Should the orders go on the same sheet of paper, or separate sheets?
2. Should a DM be placed on the orders?
3. How do you get the crucial piece of information?
4. Should you be reading the orders, or should someone else?
5. Should you do this alone or with a confederate?
6. How can you get the correct orders to be read and accepted?

There are few if any hard and fast rules for these questions. In most cases, the answer to one will affect the choices for the others. Much depends on the particular style of this game.

Unless the game is fairly young, it will probably be easier to put each set of order on a different side of the same sheet of paper, especially if you are not going to be doing the reading. Try to pick logical locations. The one set of SFO4 orders could appear after the WO3 builds, the other set after the FO3 orders. If you happen to have put your WO3 builds right after the FO3 orders, no problem, just cross them off, and recopy them onto the other side. On a sheet crowded with orders, this shouldn't be a problem to pull off. Using a separate sheet is bound to raise suspicions right away. If you are not reading the orders, you'll probably have to hide the extra set. Otherwise, it will be noticed that there are too many sets of orders. But the other players may not accept orders which are suddenly conjured up from the popcorn bowl. You can fold one set of orders inside the other, which will at least delay the discovery of the fact that you've submitted two.

The use of the DM is another complicated factor. If you are doing it on one sheet, and you can't control which side will be looked at first, a Discrediting Message will be essential. But this must be done with great care: "The spring 1904 orders on this side are not legit; use the one on the back" You must include the season, lest someone say its not clear what season you refer to. The problem is how conspicuous to make it. Remember, if its too big, it may be spotted when you want it to be ignored. If you make it too small, people will correctly suspect that you intended for it to be overlooked, and to be revealed only if you wanted to point to it. The best approach may be to make it fairly small, but to make your orders even smaller. If people complain that the message was too small, just point out that, by the standards of your handwriting, it was actually on the large side. If you are confident of which side will be initially viewed, then you need put the DM only on that side. But if you are wrong in this, and the first side looked at doesn't have the orders you want, then you will be helpless without the DM. If you are afraid of that, put the DM on both sides. Of course, once people are told of it on the first side, they may well look for it on the second side, and if that one is found, you'll be NMRed.

Alternatively, go without a DM. Here, you rely on your orders being a real rats nest. The reader is baffled. You quickly, and ever so helpfully point to where on the sheet your orders are. Timing is important here, since if he looks for long enuf, he'll read the first set of orders he finds. But if you leap forward to help too soon, you will arouse suspicions.

In order to make this work, you will need some knowledge of what another player has done --- so you'll know which set to use of your own. Getting it is not so easy. You may be able to get the player to actually tell you --- arguing that your orders are already in. This is

especially true if some attention has already been focused on the situation. Otherwise, you are going to need to have his orders read first. If the game usually has a fixed order in which the reading takes place, then you'll know in advance. Otherwise, if you want better than a 50-50 chance, you'll have to try to influence which order the reading takes place. This may be easier to do than you think: "C'mon, read the Italian orders next. I'm dying to know what he guessed." Or maybe, "Do the German orders next, so we can figure out the Boh situation." Or you can shuffle the orders yourself (on the pretense that you are looking for your own) so that the important one is on top. Since the sequence in which orders are read is usually quite unimportant, your attempts to alter it will probably go unnoticed.

Should you read the orders yourself? You may not have the chance, since games sometimes have a rigid formula. But if you can, you'll be in a very powerful position, especially if you know this in advance. A DM will not be needed. You'll know exactly which side of the sheet to read from. The problem is, games often have an informal rule that requires the reader to begin with his own orders. If there is no such rule, there's no drawback at all in being in this position. Otherwise, you'll have to get around it in some way. The simplest is just to ignore the rule, and start right off with the sensitive orders. If this produces a squawk, well, the deed is already done. To allay suspicion, you could go immediately to yours next, and hand them to someone else --- being careful to present him the right set of course --- so he can read them. Explain that you were just dying to know what Italy was going to do, etc. Alternatively, you can just peek. You may be able to get away with this, since it's acceptable that these orders be in your hands. If you are caught, just say your orders are frozen, etc. Of course, this isn't necessarily going to work. The player whose orders were peeked at may claim that you were checking his orders to see if yours ought to be changed, and that you had decided they needn't be. You'll naturally deny that, and he may say, "OK, then I want the chance to change my orders." You can counter this, of course, by just switching which orders to read. If the player has figured out what you're doing, however, he'll only pretend to change his orders, and you will be shafted.

The alternative to this is to use a confederate. In my view, this is the most slimy tactic in this whole issue for winning a dip game. This carries all the advantages of your being the order-reader, but without the drawback that your orders go first. Your confederate just reads his orders first, then the swing orders, and then yours. The main risk here is that the confederate will double cross you, so make sure he's got something to gain by your succeeding.

The more conniving among you will probably notice that these schemes, once put into effect, don't have to be carried through. Here are some examples:

1. If another player is unwilling to stab his ally because there is too much of a guess involved, suggest one of these double order routines to him. Then, to foil his plans, blow the whistle on him. If you take the role of the confederate, and he's used either zero or two DMs, you will be able to derail it just by deliberately reading the wrong orders. You and he will be the only ones who know what happened.

2. Both categories of scams can be done at once. If another player is reluctant to ally because he doesn't want to be depen-

dent on your guessing correctly, or if you're in a situation where his plan requires the enemy to do A, and your plan requires the enemy to do B (and you can't agree which to try), write out both sets of orders.

Explain to him the scam, and if he's still dubious, make him the confederate. Then, surreptitiously cross out one of your sets of orders --- the set for the enemy doing A. Again, what he sees is not what he gets.

3. In one type of situation, you can even pull the plug on yourself. Weaker powers sometimes have to guess whether they should A) Stand pat, thus guarding their SCs against an unsupported attack, or B) move off them, risking loss but gaining the possibility of growth. Write up both orders. If the orders for B) are read, but you needed those for A), denounce yourself as having been double ordered! As such, you are going to be NMRed --- which is the functional equivalent of A! I have no idea whether this rather transparent ploy will work; it may be best to have an accomplice "discover" that you've double ordered your pieces. If not, look very puzzled, say, "I didn't write those" or "Those were crossed out, weren't they?" Use your imagination.

There is one final ploy, which doesn't fit into either of the above categories, and may be viewed as a deception exactly at the point of the deadline: The Fake NMR. This is a variation on the hidden order trick in which your only orders are hidden. It's the only hidden order trick I've ever tried. It was at DipCon 1983. A spring move had just been done, and I was in very bad shape. I was down to two or three units, and desperately needed a build. There was an open center for me to snatch, but it was guardable. At this point, we broke for lunch, and I made sure we set a firm restart time. After the players left, I found the GM. I gave him my orders. I told him I was faking an NMR, hoping that an open SC would not be guarded. I wanted him to know that I would be there (lurking outside), so that he would not even think of delaying the game on my behalf. Just when order-reading began, I'd appear and retrieve my orders from him. He wasn't to volunteer that he had orders from me, and I was hoping that no one would ask him. To my surprise, the GM (John Caruso) agreed. This could also be done without a GM by burying your orders deeply under the board.

P.S. It didn't work. The guy covered the center anyhow. I still think it was a clever plan

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#### CONFLICTING STANDARDS OF ETHICS FOR PUBLISHERS: A CASE STUDY Mark L Berch

There is a tremendous variety of people who publish in this hobby, and so it's not surprising that there is a diversity of standards as to what is or is not proper. I've recently been involved in a situation concerning me which brought this home quite forcefully.

Our tale begins last November, when one Melinda Holley put out a mass mailing, which contained the following:  
"Bruce Linsey mentions that Mark Berch was ignored when he (Berch) requested proof of the Francine letter. What Bruce (again) either ignores or forgets to mention is that Mark Berch was not ignored. I believe that the proper definition of the word 'ignore' is that you get no response at all. In fact, John Caruso advised Mark Berch as to why he (Berch) didn't get the information requested. Did this get mentioned in VOD? It surely didn't get mentioned in Bruce Linsey's so-called 'response letter!'"  
A short time later, Melinda's material was reprinted by Terry Tallman.

At that time, neither of them sent me a courtesy copy.

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At first glance, Bruce looks bad for omitting a crucial fact, and of course I look bad for never having corrected him in public. But as is so often the case with Bruce and myself, the accusation is quite unconnected to the actual facts:

A. Melinda's entire accusation is grounded on the false assumption that I told Bruce about the Caruso Letter ("CL") in the first place. I told no one (I was not at liberty to do so). Thus, Bruce is taken to task for not mentioning something he didn't even know existed.

B. In contrast to what Melinda said, Bruce didn't say I was ignored in general, or ignored by Caruso. He said that I was ignored by Kathy.

C. Even if I had showed the letter to Bruce, it wouldn't have made a particle of difference. The CL did not contain the proof I had asked for, or anything purporting to be proof. In fact, it contained no information about the Francine letter itself at all!

Now, some of you are squirming in your seats, wondering why publishers cannot resolve these matters privately. Believe me, it wasn't for lack of trying. Melinda and I exchanged at least eleven letters on this topic, but to my great astonishment, I got absolutely nowhere:

A. Melinda continues to insist that I did in fact tell Bruce, even though there is no evidence that I did, and no one even told Melinda this. Her assumption was "based on the logical certainty that" I "would pass along information from Flushing about the Francine letter to Bruce." Mind you, at that time, Melinda had never met me, never spoken to me, and we had never corresponded --- yet Melinda was logically certain as to how I'd handle the CL. I believe it was wrong for Melinda to print this without even checking with me first, which would have been about 5 minutes effort on her part.

B. Melinda refuses to accept this distinction between Kathy and John, referring instead to e.g. "John/Kathy", a real griffin, a term I didn't use.

C. As best I can tell, this fact is completely irrelevant to her.

So there it stands. Melinda will print no retraction. What is really galling to me, and what I think is completely unethical, is that Melinda has not (so far as I know) even printed my denial (nor has Terry). I think Melinda knows that her entire point would disintegrate if her readers heard the other side, but with Melinda's ethics, that won't be permitted to happen. To me, that is wrong.

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(from Page 1)

the pivotal BNCs --- it was he who introduced, and got the hobby to accept, the notion of asking GMS to contribute \$1 for each BN. He was an accomplished writer, and one of the most fairminded people ever to be in the hobby. And perhaps most of all, he was an interesting person to spend time with (An interview with him appears in DD #49, 354). A few sentences from his last issue, #186, are worth reprinting: "However, the events of the past six months have killed my enthusiasm for participating in the hobby. I have seen a wave of hatred sweep through this hobby and turn friend against friend. This is not what I joined this hobby for. In this atmosphere, I can't have fun and feel good about the hobby. I made a plea to the hobby to end this hatred, and offered my services to mediate the focal point of the hobby bitterness: the Linsey-Byrne Feud. But my plea went unheard and my services were refused ((by Kathy. Linsey accepted his offer to mediate)). The poison continues to spread...." And so it goes. John Caruso has made some remarks about Doug in a couple of zines recently, which he's probably come to regret now.

On the other hand, it's a real pleasure to be able to enthusiastically plug It's A Trap! from Steve Knight. Issue #1 has exactly what it ought to have: A leisurely essay about himself (so we know who we'll be dealing with), another one on what plans he has for the zine. This gives us a sense of the general direction, altho I've seen enuf of such essays to know that there are usually some turns in the first year or two. And there are the HRs, which gives us a sense of his GMing approach. As anyone who has read his writings knows, Steve is a very entertaining writer, with a lighthearted touch,

and he wrote "Press Wars", which for me was the best press release I ever saw (Steve Knight, 11905 Winterthur Ln #103 Reston VA 22091)

No Fixed Address #32/33 is an astonishing issue. Its the largest Canadian zine ever published (124 pages), and this is the first time anyone has put out two 100+ issues in the period of a few months. It also has the largest letter column, at 96 pages. Topic A therein is of course Bruce Linsey, tho many other topics are discussed too. Over the past 6 or 8 months, tho, an interesting pattern has developed. First, there in the accusation of some vile deed that Bruce is alleged to have done. For some publishers, that is as far as they intend to let the process go. Here, however, Bruce is permitted to make his denial (or in a few cases, explanation), and then Steve asks if we could see the, uh, proof. Please. Sometimes he'll throw in the offer of a thundering denunciation of Bruce if this proof will be presented. And thats where things start to get interesting! Bob Olsen, for example, quotes verbatim from a letter he says Bruce wrote. Bruce denies, Steve asks for a copy of the letter, and suddenly we get silence from Olsen. Or take Langley. First, he says that "there is sufficient documentation to support the 'love triangle scenario' ". Then, when he was unable to produce it, this "documentation" magically transformed itself into the most undocumentary thing imaginable --- a fone call: "I have no knowledge about his love life other than what he imparted to me..." in a fone call. In fact, fone calls are becoming all the latest rage in attacking Bruce --- you'd almost have to beleive that Bruce spends half his time making self-incriminating fone calls to people who don't like him. Its gotten to the point where people are talking about fone calls they weren't even a party to. One publisher who ought to know better hammers Bruce for a certain fone call to Bill Quinn, but Steve then reports, "neither Bruce nor Bill recalls any such phone call". Tallman, Holley, Caruso and others all talk, very unconvincingly, about fone calls Bruce made to people other than themselves. The letters really fare no better. Bruce lists 6 letters he has denied. By an amazing coincidence, no one has been able to produce any of them. Not one. These say a lot more about the people making the accusation than about Bruce.

The most famous of these is the Francine Letter. I discussed this in detail several issues ago, and so I feel some obligation to bring you some updates, tho frankly I'm getting sick of the topic. Tho some of Kathy's supporters continue to beat the drum, there is still no one saying, "Yes, I saw a sick letter, and here's what it said:" In fact, Dick Martin, appears to have inadvertently torpedoed the charge by saying, "The Francine letter in isolation is fairly innocuous, in context, it isn't." That of course is in flat contradiction to Bob Olsen's description as a "smutty hate letter", and Tom Hurst's "vulgar obscene filth". And note that Mark Larzelere has said similarly, "Hurst's and Olsen's statements show that they never saw the letter." Its increasingly clear that Kathy made up different versions for different people. And beyond that, its difficult to imagine what sort of context would cause the letter to lose its innocuous-ness, and Dick gives us nary a clue.

Finally, at long last, Caruso has admitted that altho proof of the letter had been promised, it wasn't going to be delivered. The reasons he gives are a superb epithat for this whole affair: "What will it accomplish? It'll allow people to have their own opinions on my family's private business." "Private business" he says. Kathy launches a wispering campaign, and then hundreds of her "The Ethical Bruce Linsey" flyers are distributed thruout the hobby, and then when the promised proof is asked for, John Sullivan calls it "private business." "It'll allow people to have their own opinions" he says in horror ---- we are supposed to simply take Kathy's word for it. Its amazing to me that John does not understand that the hobby doesn't work that way. Ironically enough, Caruso says in the same letter: "The person who levels the charge is responsible to prove it, or retract it." But John has done neither. And Bruce has been accused of writing those 6 letters, of using various "fronts", charging calls to Kathy's employer, of lying to cover up a crime, of invalidating the 1984 Miller Award, of accusing Kathy of taking bribes, of filing a formal report with the FBI, of harrassment of Bill Quinn, of being motivated by a "love triangle" and on and on and on. Bruce is not perfect and he'd done some fairly stupid things, which he's generally admitted. But this vast litany of charges, by Byrne, Olsen, Hurst, Tallman, Langley and a few others is another matter. Charge after charge, which ought to be provable, is not, and far from being withdrawn, its repeated. It is becoming more and more clear that this whole affair is, in fact, the biggest smear campaign the hobby has ever seen.

Everything #64 is now out with a new publisher, Dave Kleinman. The issue has some clarification from the BNC on what constitutes a "local game". There are also 2 new features. The first is the formation of a "Universal Standby List", to be used by the Orphan Service and for pubbers who are out of standbys. The second is a column called "Litigation", which "will be to notify the hobby public of policy regarding the thinking and processes used when evaluating complaints and charges of irregularity." This will be handy for GMs, so they'll know what to avoid, and for ratingmasters, so they can make their own decisions as to whether or not to rate a game, and it also provides some interesting reading for the zine.

## Convention of Demented MARYCONS

It is such a pleasure to be able to go to a Con with every reasonable assurance that you'll have a fabulous time. So it has been with the three MaryCons. No snafus, no goofs. Just a lot of careful, and successful planning to have a good time.

This one began with VarMaryCon on Friday, which I couldn't attend. They played East Indies III (Davis), won by Jim Yerkey, and World Dip V (Stegeman), drawn by Doug Byrnes, Ken Peel, and Ed Wrobel. On Saturday and Sunday were the two rounds of the main Tournament. Saturday evening was a gunboat game (no diplomacy). I hadn't planned to play --- after all, I won the Gunboat Tournament at Origins '83, so what other glories could there be? But Dick Warner had a clever idea. A huge map was set up vertically, with the players at individual tables around it. We were told only our own country assignment, and players were not terribly successful at guessing who played what. Thus, there was very little if any player-player communication, and it turned out to be a quite interesting game to boot. This took two GMs --- Warner and Mainardi. It was a typical Warner production --- a lot of effort and care, and a fun result.

Contrary to what you might have expected, there was very little talk of "hobby feuding." The only exception I'm aware of was Ed Wrobel's odd, and, in my personal opinion, completely inappropriate speech at the awards ceremony. Ed made reference to "the Dark Side of the Hobby", his code word which he uses in Feudesse to refer to Bruce and myself. A con like this provides lots of opportunity for socializing, tho less for me this year because the Gunboat game ate up nearly all of Saturday evening. I particularly enjoyed talking to Malc Smith, who is over here from Belgium.

My own tournament performance has been gradually improving over the years, ever since I got some advice at the end of DipCon 1981 which turned out to be very pertinent. This year I was in two draws, got a best country (F --- with only 3 centers!!!), and reached 13 SCs ---- none of which I've ever done in a tournament before. Strangely enuf, in the last three tournaments, I've gotten England three times, and in all three, I had to face an early and ferocious Russian assault.

Bill Thompson won the tournament, as he did in 1983. He had the only outright win, thereby taking best Russia. In second, this year and last, was Don Scheifler, who also had best G. Matt Kelly was third. Best Austria was Tom Mainardi, and again, it was a real pleasure to play on Tom's oversized board. Greg Byrd, who ran the ~~var-~~ var- ~~iant~~ iant tourney, was best E, and Doug Byrnes took best T. Mark Freuh was best Italy, and it was a real pleasure to watch him in the second round as he deftly gained control in the southeast, and then timed his assault on France well.

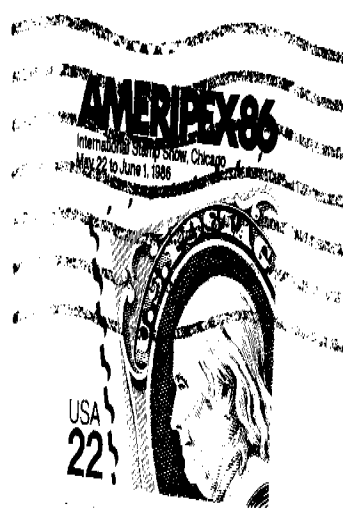
Dick and Julie Martin were the official GMs, and received a "Legion of Honor" award for their GMing over the past three years. Matt Kelly, however, seemed to be much more in evidence in terms of running the show. Ken Peel was given the "Great Fuchsia Forager of the Forest Award" for, I assume, his publicity work, and Malc Smith got an award for having come the longest distance.

But most of all, the success of the three MaryCons derives from the commitment, energy, enthusiasm, and resourcefulness of Dick Warner. Dick understands that to make something like this work, you have to look after both the large and the small things. Dick has been able to set just the right tone, and well as get everything to run smoothly. MaryCon will be putting in a bid for the 1986 DipCon. As someone who has attended 6 DipCons, including pretty much running one of them, and all three MaryCons, I can say without hesitation that MaryCon would be a superb choice.

The informal game-of-the-weekend, which last year was Trivial Pursuit, was this year Clayorama. We are definitely going downhill!


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A 90 or 91 by your name  
means that its time to  
renew!



LARRY -  
Surely my own love  
FTF cover you've seen  
some pretty sissy  
starts...

Mark

Larry Peery   
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