
FUTURE OF FREEDOM

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*The first and last thing required of genius is the
love of truth.*

— Johann Wolfgang von Goethe

FUTURE OF FREEDOM

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Understanding the JFK Assassination, Part 8

by *Jacob G. Hornberger*



Just before taking office, President Kennedy might have been taken aback by the warning that outgoing President Dwight Eisenhower issued to the American people in his Farewell Address. He said that while he believed that the military-industrial complex had become a necessary part of America's governmental structure, it also, he said, posed a grave threat to the freedom and democratic processes of the American people.

In issuing his warning, Eisenhower was repeating the reason that America's Founding Fathers were fiercely opposed to "standing armies," the term used at that time to refer to large, permanent military establishments. Standing armies, they believed, constituted the great

est threat to the freedom and well-being of a citizenry. That was why the United States, unlike most countries throughout history, was founded as a limited-government republic. The last thing the Framers wanted to bring into existence was a government with general, omnipotent powers enforced by a powerful military establishment.

In fact, if the American people had been told after the Constitutional Convention that the Constitution was bringing into existence a military-industrial complex or, in modern-day terms, a "national-security state," there is no doubt that they never would have approved the deal, in which case the country would have continued operating under the Articles of Confederation, a type of political system in which the federal government didn't even have the power to tax. The last thing our American ancestors wanted was a government whose officials wielded such totalitarian-like powers as assassination, indefinite detention, secret surveillance, torture, coups, invasions, and regime-change operations.

The big change came at the end of World War II, when the U.S. government was converted from a limited-government republic to a national-security state, a type of

governmental structure that is inherent to totalitarian states. Consisting of the Pentagon, a vast permanent empire of domestic and foreign military bases, the CIA, and the NSA, the national-security establishment came to wield and exercise vast powers over the citizenry, none of which would ever have been approved by our American ancestors.

Americans were told that the reason for this revolutionary conversion, which was accomplished without even the semblance of a constitutional amendment, was that America was now facing a foe more dangerous than its World War II enemy, Nazi Germany. The new postwar foe was the Soviet Union, which, ironically, had been Hitler's enemy and America's partner and ally during the war.

U.S. officials steadfastly maintained that there was a worldwide communist conspiracy to take over the United States and the rest of the world, a conspiracy that was based in Moscow, Russia. The only way to defeat this conspiracy, U.S. officials believed, was to adopt the same national-security state governmental structure and dark-side policies that the Soviet Union and other communist regimes wielded and exercised. As soon as the Soviet

Union and the worldwide communist conspiracy were put down in the Cold War and various hot wars, the thinking went, the American people could have their limited-government republic back, but not before then.

U.S. officials maintained that there was a worldwide communist conspiracy to take over the United States.

That was why the U.S. government intervened in Korea and, later, in Vietnam. The Pentagon, the CIA, and the NSA never considered the conflicts in those two countries to be simply civil wars. Instead, in the minds of the national-security establishment, North Korea and North Vietnam were committing overt acts to advance the worldwide communist conspiracy.

That was how America ended up with the fierce anti-communist crusade that was waged domestically during the Cold War, when the Pentagon, the CIA, and the FBI were doing everything they could to ferret out, infiltrate, destroy, or smear any person or any organization that had had any connection to communism (except Lee Harvey Oswald, who, as previously noted, became a Cold War miracle story

because no one laid a finger on him, despite his open supposed devotion to communism and the Soviet Union).

Kennedy's anti-communist mindset made him at least a bit suspect in the eyes of the national-security establishment.

That's why they ousted the democratically elected leaders of Iran and Guatemala, Mohammad Mosaddegh and Jacobo Arbenz, in coups. It's also why they conspired to assassinate the Congo's leader Patrice Lumumba. All three were considered potential or real communists and, therefore, were believed to pose a grave threat to U.S. "national security," which ultimately became the most important term in the American political lexicon.

It was against this backdrop that John F. Kennedy became president.

Like nearly everyone else in the United States, Kennedy came into office with pretty much a standard Cold War mindset: that the communists were coming to get us as part of the worldwide communist conspiracy and that it was up to the national-security establishment to prevent that from happening.

There was one major difference in Kennedy's anti-communist mind-

set, however, that made him at least a bit suspect in the eyes of the national-security establishment. The Pentagon and the CIA were convinced that Third World independence movements were part of the worldwide communist conspiracy. That's why the CIA conspired to kill Lumumba, a leader in the fight for Congolese independence. Kennedy rejected that notion, believing that Third World movements were simply nationalist movements that reflected the desire of people to throw off the shackles of imperialist rule.

Cuba

Soon after taking office, Kennedy had his first run-in with the U.S. national-security establishment. The CIA presented Kennedy with a plan for a regime-change operation against Cuba, the island nation 90 miles from American shores that had been under U.S. control since the Spanish-American War in 1898. In 1959, Cuban revolutionaries led by Fidel Castro ousted the brutal and corrupt dictatorship that U.S. officials had been supporting and partnering with.

Castro soon established a communist regime and reached out to the Soviet Union. It goes without saying that the Pentagon and the CIA immediately labeled commu-

nist Cuba a grave threat to U.S. national security, much more so than Iran, Guatemala, or the Congo. Cuba was targeted with a regime-change operation, notwithstanding the fact that it had never attacked the United States or even threatened to do so.

The CIA's regime-change plan consisted of a paramilitary invasion by CIA-trained Cuban exiles. Although Eisenhower had approved the plan, the CIA had not had time to carry it out before he left office. Thus, the CIA presented Kennedy with its plan soon after he took office. The U.S. role in the operation was to be kept secret. The president's role was to lie to the American people and the world about U.S. participation in the operation.

Given the fact that Kennedy was pretty much a standard Cold Warrior, he approved the operation, albeit with one caveat: there would be no overt U.S. participation in the actual invasion, including U.S. air support. In fact, Kennedy expressly asked the CIA whether it felt that air support would be needed. The CIA said no.

There was one big problem, however: the CIA was lying. In fact, it knew that the operation could not succeed without air support. The CIA was setting up Kennedy. It fig-

ured that once the operation was in danger of failing, Kennedy would have no effective choice but to send U.S. forces to the rescue. The alternative of letting Cuba patriots go down to defeat at the hands of the communists would simply be unpalatable.

When the fateful day came and the Cuban exiles were getting shot up or captured at the Bay of Pigs, the CIA approached Kennedy and requested the air support, which it was convinced would be forthcoming. But Kennedy said no, reminding the CIA that he had told them in advance that there would be no air support.

Kennedy said no, reminding the CIA that he had told them in advance that there would be no air support.

The CIA's forces went down to defeat at the hands of a communist regime 90 miles away that supposedly posed a grave threat to U.S. national security. When given the opportunity to come to the rescue and achieve regime change, in the eyes of the national-security establishment Kennedy had hesitated and faltered. He had shown weakness, even cowardice, in the face of the communist enemy.

For his part, Kennedy was just as livid. He realized that the CIA had set him up and put him in the position of either breaking his vow of no air support or appearing weak in the face of the communist regime in Cuba. He fired the much-revered CIA director, Allen Dulles, along with his chief deputy. He put his brother Bobby in charge of supervising the CIA, which was anathema to an agency that had pretty much had free rein during the waning years of the Eisenhower administration. The president is reputed to have vowed to tear the CIA into a thousand pieces.

Under the plan, the attacks and hijackings were to be carried out by CIA agents posing as Cuban communists.

As Kennedy's term continued, his relations with the Pentagon went in the same direction as those with the CIA. For example, the Pentagon, which was just as certain as the CIA about the threat to national security posed by communist Cuba, presented Kennedy with a top-secret plan called Operation Northwoods. It called for terrorist attacks on American soil and hijackings of American planes. Under the plan, the attacks and hijackings were to

be carried out by CIA agents posing as Cuban communists. The president would then use the attacks and hijackings as a pretext for a full-scale U.S. military invasion of Cuba, ousting the communist regime and installing another pro-U.S. dictatorship.

To the anger and chagrin of the Pentagon, Kennedy rejected Operation Northwoods.

The Pentagon also presented Kennedy with a plan to initiate a full-scale surprise nuclear attack on the Soviet Union, much like the surprise attack that Japan had carried out against the United States at Pearl Harbor. Kennedy asked the Joint Chiefs of Staff what casualties the United States could be expected to suffer, even with a surprise attack against the Soviet Union. The Joint Chiefs estimated around 40 million American deaths, which they considered would be a victory, given that the death toll in the Soviet Union would be around 100 percent. When Kennedy departed from that meeting, he indignantly remarked to an aide, "And we call ourselves the human race."

In October 1962, the CIA discovered the Soviet Union was installing nuclear weapons in Cuba. The Pentagon and the CIA were furious. As far as they were con-

cerned, if Kennedy had provided the needed air support at the Bay of Pigs or had approved Operation Northwoods, this problem wouldn't exist because the island would now be run by a pro-U.S. dictatorship. With the installation of the Soviet Union's nuclear missiles, the Pentagon and the CIA insisted that Kennedy now had what was needed — a reason for bombing and invading Cuba.

Kennedy realized that the Cold War threatened the existence and well-being of the United States and the rest of the world.

What the CIA didn't know, however, was that the nuclear weapons were fully armed and ready to be fired and, more ominously, Soviet commanders on the ground had been given battlefield authority to fire their nuclear missiles in the event of an attack. It is a virtual certainty that had Kennedy complied with the dictates of the Pentagon and the CIA, the outcome would have been all-out nuclear war between the United States and the Soviet Union.

Kennedy instead worked out a deal with Soviet Premier Nikita Khrushchev to resolve the crisis. Mainstream historians and commentators have always said that

Khrushchev “blinked.” Actually though, it was Kennedy who “blinked,” and it was a good thing he did. The deal called for the withdrawal of Soviet missiles from Cuba in return for a vow that the U.S. government would not invade or attack Cuba again. Kennedy also secretly promised to remove U.S. nuclear missiles in Turkey that were pointed at the Soviet Union.

The Joint Chiefs of Staff were furious. Gen. Curtis LeMay called it the worst defeat in U.S. history. Kennedy was considered a weakling, a coward, an appeaser, a president who had left a communist dagger 90 miles away from American shores permanently pointed at America's neck. In one fell swoop, Kennedy had agreed to the permanence of the communist regime in Cuba, a permanent threat to U.S. national security.

With the resolution of the Cuban Missile Crisis, Kennedy achieved one of the most remarkable personal breakthroughs in history. Having come to the very precipice of all-out nuclear war, he concluded that the entire Cold War was nothing more than a racket, one that threatened the existence and well-being of the United States and the rest of the world. He decided that he was going to bring it to an end and work

to establish normal relations between the United States and the communist world.

On June 3, 1963, Kennedy threw down the gauntlet in what has gone down in history as his “Peace Speech.” Delivered at American University, Kennedy declared, in effect, that the Cold War was now over. From that day forward, the United States would attempt to establish friendly relations with the Soviet Union and the communist world, the exact type of policy that had gotten Mosadegh and Arbenz removed from power and Lumumba executed.

Kennedy told close associates that as soon as he won the 1964 presidential election he would complete the pullout.

At the same time, Khrushchev may have experienced the same breakthrough. He broadcast Kennedy’s Peace Speech all across the Soviet Union, the first time that had ever been done.

Ending the Cold War

Kennedy then entered into a treaty with the Soviet Union that called for an end to above-ground nuclear testing by both nations. Over the fierce objections of the na-

tional-security establishment, Kennedy was able to garner public opinion in favor of the treaty. The Senate ratified his nuclear-test ban treaty.

While Kennedy told television networks in September 1963 that he opposed a U.S. withdrawal from Vietnam, it is a virtual certainty that he was playing politics because in the fall of 1963 he ordered a withdrawal of 1,000 troops from Vietnam and told close associates that as soon as he won the 1964 presidential election he would complete the pullout. That was anathema to the U.S. national-security establishment, which was convinced that the pullout would mean a communist takeover of Vietnam and the start of a long string of other nations’ falling to the communist conspiracy.

Most important, Kennedy and Khrushchev began a secret series of direct very personal and intimate negotiations in which they circumvented their respective national-security establishments. In fact, at the very time he was assassinated, a personal unofficial emissary of Kennedy was meeting with Fidel Castro with the aim of normalizing relations between the United States and Cuba.

Kennedy was not a naive man. He knew the danger that he faced in

his conflict with the national-security establishment. By ending the Cold War and reaching out to the Soviets and the Cubans, Kennedy understood that not only was he threatening the anti-communist paradigm of the Pentagon, the CIA, and the NSA, he was also implicitly threatening their existence. After all, the conversion of the federal government from a limited-government republic to a national-security state had been justified by the supposed need to oppose the Soviet Union and the supposed worldwide communist conspiracy based in Moscow. No more Cold War would have meant no more need for a national-security state. Americans might demand the restoration of their republic.

During the Cuban Missile Crisis, Bobby Kennedy told a Soviet official that his brother was under severe pressure by the military to initiate a strike against Cuba and that a military coup was not out of the question.

It was not the only time that Kennedy had expressed concern about a domestic regime-change operation at the hands of the U.S. national-security establishment. A friend once asked Kennedy whether he felt a coup was possible. Kennedy responded that the military

would permit a young president who was considered inexperienced to make one, maybe two, major mistakes but that after that a coup to protect “national security” was entirely possible.

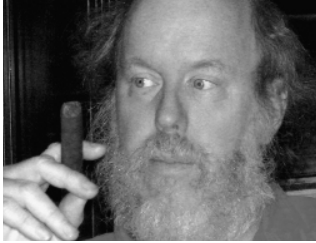
Also, Kennedy had read the novel *Seven Days in May*, which posited a domestic military coup. He persuaded friends in Hollywood to turn it into a movie, one that ultimately starred Burt Lancaster, Kirk Douglas, and Ava Gardner. Kennedy wanted the movie to serve as a warning to the American people of the grave danger that the national-security establishment or military-industrial complex posed to the freedoms and democratic processes of the American people. It was essentially the same warning that President Eisenhower had issued in his Farewell Address just before he left.

Jacob Hornberger is founder and president of The Future of Freedom Foundation.

NEXT MONTH:
**“Understanding the JFK
Assassination, Part 9”**
by Jacob G. Hornberger

Trump's "No Coercion" Sham

by James Bovard



In his State of the Union address on February 5, Donald Trump received rapturous applause from Republicans for his declaration, "America was founded on liberty and independence — not government coercion, domination, and control. We are born free, and we will stay free." But this uplifting sentiment cannot survive even a brief glance at the federal statute book or the heavy-handed enforcement tactics by federal, state, and local bureaucracies across the nation.

In reality, the threat of government punishment permeates Americans' daily lives more than ever before:

- The number of federal crimes has increased from 3 in 1789 to more than 4,000 today. According to the *Buffalo Criminal Law Re-*

view, Congress has criminalized "transporting alligator grass across a state line; unauthorized use of the slogan 'Give a hoot! Don't pollute'; and pretending to be a 4-H club member with intent to defraud," among a vast array of other niggling nonsense.

- Law-enforcement agencies arrested more than ten million people in 2017 — roughly 3 percent of the population. Trump momentarily noticed the existence of government coercion in January when he complained that the FBI had used "29 people" and "armored vehicles" for the arrest of Roger Stone. But SWAT teams conduct nearly 80,000 raids a year, according to the ACLU, mostly for drug arrests or to carry out search warrants. Many innocent people have been killed in such raids. Courts have rubber-stamped no-knock raids to the point where some locales send in SWAT teams to conduct routine searches. This has worked out well for carpenters and badly for the Constitution.

- Trump in his speech nicely highlighted the case of Alice Johnson, unjustly sentenced to life in prison for a nonviolent drug offense. Trump's commutation of her sentence is no consolation to the targets of 1.6 million drug arrests in 2017 — and it is not like those per-

sons showed up voluntarily at police stations asking to be “cuffed-and-stuffed.” More people are arrested for marijuana offenses each year than for all violent crimes combined, according to FBI statistics. Drug laws spur violence that has turned many inner cities into hell-holes and permitted government agents to stop and search people’s pockets on any pretext.

- No coercion? Tell that to the scores of thousands of victims of asset-forfeiture laws, which entitle law enforcement to confiscate people’s cash, cars, and other property. Hearsay evidence is all that is required: A mere rumor or scrap of gossip can justify government seizure of a person’s most valuable belongings. Federal law-enforcement agencies seized more property under asset-forfeiture provisions in 2014 year than all the burglars stole from homeowners and businesses nationwide. Indiana’s Solicitor General told the Supreme Court in November 2018 that police should be able to confiscate any vehicle exceeding the speed limit by more than 5 miles per hour — even though federal surveys have found that most cars exceed posted speed limits. Trump and his first attorney general, Jeff Sessions, strove to make asset forfeiture even more op-

pressive. Happily, a few weeks after Trump’s speech, the Supreme Court issued a unanimous ruling that may curb robbery with a badge.

More people are arrested for marijuana offenses each year than for all violent crimes combined.

What term would Trump prefer to use in lieu of “coercion” for innocent people’s being shot or beaten by law-enforcement agents at every level of government? Police kill more than a thousand Americans per year, and many of the shootings are unjustifiable by any reasonable standard. Does Trump consider people wrongfully killed by government agents to be nonentities? What about the persons who are framed by police who plant drugs or guns on them to ruin their lives, as happened in Baltimore and elsewhere in recent years? Are they “no coercion asterisks”?

If there is no coercion, then why has the number of people confined in American prisons increased by more than 500 percent since 1970? Almost 10 percent of all American males will end up in prison at some point in their lives, according to a 1997 Justice Department report. More than 10 percent of black men

age 20 to 34 were behind bars as of 2006, according to the *Journal of American History*. Does Trump assume that people simply choose to stop by and spend some time behind bars, sort of like catching up with an old friend? Being a prison guard was one of the fastest growing occupations in the 1990s — not a good sign for anyone who favors human dignity or decency.

The number of different penalties the IRS imposes on taxpayers has increased more than tenfold since 1954.

- Citizens and businesses pay more than \$3 trillion in federal taxes each year, thanks largely to the array of threats and penalties for noncompliance. Each week, the IRS attacks scores of thousands of Americans: it seizes their bank accounts, puts liens on their homes or land, subjects them to a tax audit, or sends them notice of penalties and demands for additional payment of taxes. The number of different penalties the IRS imposes on taxpayers has increased more than tenfold since 1954. Congress has neglected either making the tax code comprehensible or reining in abusive tax-collection schemes. The IRS relies on fear to ensure compliance. As

former IRS Commissioner Sheldon Cohen observed, “Power is not having to exercise power.”

- No one has a good estimate of the number of Americans who fall victim to arbitrary and capricious regulations by federal agencies. When the Supreme Court heard the case of the Agriculture Department’s dictates prohibiting raisin farmers from selling much of their harvest in 2014, Justice Elena Kagan suggested that the regime was “the world’s most outdated law.” But there are many other senseless provisions that the media and the courts simply ignore.

Paying and obeying

Trump perpetuates one of Washington’s fondest myths — that the federal government is not coercive unless the president or some agency boss formally announces plans to brutally punish some group without cause. That notion is avidly supported and propagated by many of the nation’s pundits and political scientists as a way to keep people paying and obeying.

But force is the essence of government power, the lever that politicians use to compel submission to their demands. The Supreme Court observed in a 1909 decision, “Law” is a statement of circumstances in

which public force will be brought to bear on men through the courts.” A 1996 Justice Department report observed, “The feature distinguishing police from all other groups in society is their authority to apply coercive force.”

The greatest irony in Washington is that the people who distrust Trump the most are seeking to vastly increase government power.

Trump followed his “no coercion here” assertion with the following line: “Tonight, we renew our resolve that America will never be a socialist country.” Democrats responded with a stony if not irritable silence. Perhaps the greatest irony in Washington is that the people who distrust Trump the most are seeking to vastly increase government power.

Democratic socialists have offered no evidence that new federal takeovers of the economy would not produce the same disasters that followed federal domineering of agriculture or the mortgage industry. The poster boy for American socialism — with its itch for hyper-regulation and economic intervention everywhere — should be Eric Garner, who was strangled in 2014 by a New York City policeman after

being apprehended selling individual cigarettes without a license. But such abuses have not deterred the latest crop of socialists from calling for trillions of dollars of new federal spending and a vast increase in political dominance over Americans’ daily lives.

Trump also declared in his State of the Union address, “An economic miracle is taking place in the United States, and the only thing that can stop it are foolish wars, politics, or ridiculous, partisan investigations.” Yet, in the same speech, Trump boasted that the United States had just “officially recognized the legitimate government of Venezuela, and its new interim president, Juan Guaidó. We stand with the Venezuelan people in their noble quest for freedom.” Trump omitted citing the provision in the Venezuelan constitution that permits Washington to select that nation’s president. In the weeks after Trump’s speech, the U.S. government ramped up the pressure on the Maduro regime, boosting the danger of dragging this nation into an open and pointless conflict in South America. Trump also boasted, “My administration has acted decisively to confront the world’s leading state sponsor of terror — the radical regime in Iran.” But the Iranians are pikers on the

terrorist front compared with Trump's bosom buddies in Saudi Arabia. If Trump blunders into a Middle East war, then the Washington swamp will have perhaps its greatest victory over him.

**Andrew Johnson observed
"that the greatest wrongs
inflicted upon a people are
caused by unjust and arbitrary
legislation."**

Trump's insinuation that the U.S. government is noncoercive was almost plausible compared with his assertion that the U.S. Capitol is "the home of American freedom." If that is the case, then it is no wonder that so many Americans feel like constitutional refugees in their own nation. At least Trump didn't try to exonerate the Fugitive Slave Act of 1850.

"Good for one night"

Trump's "home of freedom" line was the type of palaver that permeates such televised spiels but that does not make it any less ludicrous. State of the Union speeches have been façades for decades.

In his 1996 State of the Union address, Bill Clinton announced, "The era of Big Government is over." This hokum may have helped his re-

election campaign but as soon as he renewed his tenancy at 1600 Pennsylvania Avenue, he opened the statist floodgates. In his 1997 State of the Union address, he called for a "national crusade for education standards" and federal standards and national credentials for all new teachers; announced plans "to build a citizen army of one million volunteer tutors to make sure every child can read independently by the end of the third grade"; called for \$5 billion in federal aid to build and repair local school houses, a new scholarship program to subsidize anyone going to college, a \$10,000 tax deduction for all tuition payments after high school, and federal subsidies for private health insurance; advocated a constitutional amendment for "victims' rights"; urged Congress to enact a law criminalizing any parent who crossed a state line to avoid paying child support; and proposed enacting juvenile crime legislation that "declares war on gangs," hiring new prosecutors, and increasing federal spending on the war on drugs. Clinton also announced plans to expand NATO, just in case the United States would ever run short of pretexts for entering foreign conflicts.

The media ignored Clinton's de facto mockery of his 1996 State of

the Union address in his 1997 address, but that was par for the Beltway's 24-hour statute of limitations for holding presidents liable for their hokum. But "sounds good for one night" is a paltry standard for governing a republic.

President Andrew Johnson rightly observed in an 1868 message to Congress, "It may be safely assumed as an axiom ... that the greatest wrongs inflicted upon a people are caused by unjust and arbitrary legislation." But the federal statute book and Code of Federal Regulations are stacks of paper that contain vast numbers of punitive provisions that unjustly ruin or blight citizens' existence. Trust the Washington establishment to continue pretending

that "there is nothing to see here" in the continuing federal ravaging of Americans' lives.

James Bovard is a policy advisor to The Future of Freedom Foundation and is the author of a new ebook, Freedom Frauds: Hard Lessons in American Liberty, published by FFF, Public Policy Hooligan, Attention Deficit Democracy, and eight other books.

NEXT MONTH:
**"Attorney General Barr:
Defender of FBI Snipers"**
by James Bovard

The most formidable weapon against errors of every kind is reason. I have never used any other, and I trust I never shall.

— *Thomas Paine*

Asking the Wrong Questions

by *Laurence M. Vance*



In the 1968 presidential election that pitted Democrat Hubert H. Humphrey against Republican Richard M. Nixon, American Independent Party candidate George C. Wallace famously quipped that there was not a dime's worth of difference between the two major political parties. Since Wallace made that observation, we have had every conceivable combination of Democrats and Republicans in the White House, the Senate, and the House.

We have seen Democrats control both Houses of Congress and the presidency, Republicans control both Houses of Congress and the presidency, a Democrat in the White House while Republicans controlled both Houses of Congress, a Republican in the White House while Democrats controlled both Houses of Congress, a Democrat in

the White House while Democrats and Republicans each controlled one House of Congress, and a Republican in the White House while Republicans and Democrats each controlled one House of Congress.

But no matter what the political party combination has been, the results are the same: the federal budget increases every year, congressional spending increases every year, the national debt increases every year; civil liberties and property rights are continually trampled on, the federal government becomes more intrusive every year; U.S. foreign policy is still reckless, belligerent, and meddling, the U.S. empire with its hundreds of bases and thousands of troops spreads its tentacles over more parts of the globe; the welfare state continues to redistribute wealth; tens of thousands of Americans are still incarcerated for nonviolent crimes; and government at all levels continues to regulate almost every area of commerce and life.

That doesn't mean that Democrats and Republicans don't claim to be different, even polar opposites.

The socialist and statist policies of the Democratic Party are well known. It is the party of liberalism, socialism, progressivism, paternal-

ism, collectivism, social justice, economic egalitarianism, organized labor, government regulation, public education, government-mandated employee benefits, environmentalism, an ever-increasing minimum wage, anti-discrimination laws, affirmative action, welfare, higher taxes on “the rich,” income-transfer programs, and wealth-redistribution schemes. The Democratic solution to every problem, injustice, or crisis is invariably more government, more government intervention, or more government money. But at least Democrats are sometimes honest about being desirous of a more intrusive and more interventionist government instead of masquerading as advocates of the opposite, as the hypocritical Republicans do.

Democrats and Republicans believe that government has a claim to a certain percentage of every American's income.

Most Republicans maintain how conservative they are, and especially at election time. They claim to be the party of the Constitution that stands for limited government, federalism, individual freedom, private property, traditional values, capitalism, free enterprise, free

trade, and a strong national defense. The truth, of course, is that Republicans only selectively believe in those things, as they also believe in massive government intervention at home and abroad, the prohibition of moral harm, federal supremacy, and the welfare/warfare/surveillance state. The only limited government Republicans desire is a government limited to control by Republicans.

A case in point

The similarity of not just the two major political parties, but their underlying ideologies of liberalism and conservatism, is no more evident than when it comes to the subject of taxation. Both groups have no philosophical objection to taxation. Both groups believe in making “the rich” pay their “fair share.” Both groups believe in using the tax code for social-engineering purposes and income-redistribution schemes. Both groups believe in revenue-neutral tax reform, but not reduction or tax elimination. They may argue about tax types, forms, rates, brackets, exemptions, deductions, credits, phase-outs, and bases, but, in the end, both groups believe that government has a claim to a certain percentage of every American's income. What

that percentage is, what it should be applied to, and how it should be collected is something that liberals and conservatives disagree on between each other and among themselves.

Is not a hike in the gas tax a regressive tax increase that will hurt the poorest of families?

It is not just the income tax that should come to mind when the subject of taxation is broached. There are a myriad of other taxes that Americans are saddled with and countless more that politicians would like to impose. And it is not just liberals who sanction them. While recently on the website of the American Enterprise Institute (AEI) — a conservative think tank “committed to making the intellectual, moral, and practical case for expanding freedom, increasing individual opportunity, and strengthening the free enterprise system in America and around the world” — I was shocked to read articles calling for an increase in the existing federal gas tax and the imposition of a new carbon tax.

The current federal excise tax on gasoline is 18.4 cents per gallon. State gas taxes on top of this range from a low of 14.7 cents per gallon

in Alaska to a high of 58.7 cents per gallon in Pennsylvania. And then there are local taxes and “other” taxes placed on gasoline. But the federal tax is not high enough, says an AEI “resident scholar”:

Although a gas tax set too high would be inefficient, a 25-cent increase in the federal gasoline tax would remain safely below the optimal tax rate for the United States and far below typical gas tax rates in other countries in the Organization for Economic Cooperation and Development.

After all, “even when the secondary effect of higher prices for other goods is included, the burden of the gas tax relative to income is small or negligible.” But is not a hike in the gas tax a regressive tax increase that will hurt the poorest of families? Yes it is, but “a simple compensation scheme targeting the poorest households could feasibly protect them from the hardship of a gas tax while still increasing net revenue and providing efficiency benefits.” Using “only a small fraction of revenues to offset the burden” on the poorest households “would reduce or eliminate the regressivity of a carbon tax while

leaving enough revenue to meet other needs.” Our AEI resident scholar concludes,

In general, a gas tax hike is worth considering. It would help us meet environmental goals and reduce traffic congestion, and the revenue could be used to fund infrastructure spending. To address concerns about politicians misusing the funds, revenues from a gas tax could be earmarked for specific projects and types of expenditures to ensure that they are not diverted to other, less efficient uses.

And it’s not just the AEI. A few years ago, a popular conservative writer in the right-wing *National Review* proclaimed that “there may be circumstances under which a gas-tax hike would be a good idea.”

As if a defense of an increase in the federal gas tax on a right-of-center website weren’t bad enough, the same AEI resident scholar then proposes a new carbon tax. Such a tax “is appealing because it serves the dual purpose of benefiting the environment and generating significant revenue to use to achieve other goals.” Although, like a gas tax, a carbon tax is regressive, “good

policy design can offset this regressivity” by channeling part of the “revenues from a carbon tax” to “fund an expansion of the EITC, thus using a regressive tax to fund a progressive benefit.”

In contrast to the statism and authoritarianism of both liberalism and conservatism is libertarianism.

Higher taxes, new taxes, more government subsidies, expansion of welfare, using the tax code for social engineering — with conservatives like that, who needs liberals?

Libertarianism

In contrast to the statism and authoritarianism of both liberalism and conservatism is libertarianism. This is simply the philosophy which says that people should have the freedom to live their lives any way they choose, do with their property as they will, participate in any economic activity for their profit, engage in commerce with anyone who is willing to reciprocate, accumulate as much wealth as they desire, and spend the fruits of their labor as they see fit — all without license, permission, regulation, or interference from the government — as long as their actions are peaceful,

their associations are voluntary, their interactions are consensual, and they don't violate the personal or property rights of others.

Libertarianism respects freedom of conscience, personal freedom, individual liberty, personal and financial privacy, free assembly, free association, free speech, and free expression — as long as they are not used to violate the personal or property rights of others. Libertarianism champions free enterprise, free exchange, free trade, free markets, laissez faire, and private property — as long as they are not used to violate the personal or property rights of others.

Libertarianism strictly and consistently applies the nonaggression principle to actions of government.

The essence of libertarianism is its nonaggression principle. Aggression is theft, fraud, the initiation of nonconsensual violence, or the threat of nonconsensual violence. Libertarians believe that everyone should be free from aggression against his person or property as long as he respects the person and property of others. Aggression against the person or property of others is always wrong. Aggression

is justified only in defense of person or property or retaliation against the same, but is not required.

But unlike liberalism and conservatism, libertarianism strictly and consistently applies the nonaggression principle to actions of government. After all, as all of history shows, governments are the greatest violators of liberty, property, and the nonaggression principle. The nonconsensual initiation of aggression against the person or property of others is always wrong — even when done by government. Libertarians maintain that as long as people don't infringe the liberty of others by committing, or threatening to commit, acts of fraud, theft, aggression, or violence against their person or property, the government should just leave them alone and not interfere with their pursuit of happiness, commerce, personal decisions, economic enterprises, or what they do on or with their own property. Libertarians hold that in a free society, the functions of government — in whatever form it exists — should be limited to defense against, prosecution of, and exacting restitution from those who initiate violence against, commit fraud against, or otherwise violate the personal or property rights of others. All government actions beyond

reasonable defense, judicial, and policing functions are illegitimate.

Taxation

So then, what is the libertarian position on taxation? The conclusion is inescapable: taxation is government theft. It doesn't matter whether the government calls it an excise tax, a carbon tax, or an income tax. It all amounts to a seizure of one's wealth by the government no matter what "noble" purpose the government says it "needs" the money for. Libertarians reason that acquiring someone's property by force is wrong, whether done by individuals or governments. And if it be argued that people the world over voluntarily pay their taxes, the answer is that they certainly do. They voluntarily pay their taxes just as they voluntarily hand over their purses or wallets to an armed robber who points a gun in their face and says, "Give me your money or else." It is no wonder that a report published in December of 2018 by the Government Accountability Office (GAO) revealed that at the end of 2017, the Internal Revenue Service (IRS) had "4,487 guns and 5,062,006 rounds of ammunition in its weapons inventory."

When it comes to the subject of taxation, liberals and conservatives

waste their time asking the wrong questions:

- What is the optimal tax rate?
- How much additional revenue will a tax increase bring in?
- Should tax reform be revenue-neutral?
- How can we expand the tax base?
- How much does a tax deduction or credit cost the government?
- How progressive should the tax code be?
- Should the income tax be replaced with a consumption tax?
- How can we simplify the tax code while still collecting the same amount in tax revenue?
- What does the Laffer Curve show about tax-rate increases?
- What portion of a tax credit should be refundable?
- Should we change to a flat tax?
- What should the top marginal tax rate be?
- At what income level should tax deductions and credits be phased out?
- Are the rich paying their fair share of taxes?
- How can we offset the regressivity of a tax?
- How many tax brackets

should there be?

- What should the tax brackets be?
- How can we close tax loopholes?

All of these questions are irrelevant, says the libertarian. The government is not entitled to a portion of any American's income. All Americans — including “the rich” — should be free to keep the fruits of their labor and spend their money as they see fit.

Other issues

It is not just on the subject of taxation that liberals and conservatives — and Democrats and Republicans, progressives and populists, and moderates and centrists — ask the wrong questions. Consider the following issues and the typical questions that liberals and conservatives ask about them.

Marijuana legalization. Is marijuana a gateway drug? Should marijuana be legal for medical purposes? Should marijuana be legalized and taxed and regulated like tobacco? All of those questions are irrelevant, says the libertarian. The war on drugs is a war on freedom. The government has no business being concerned about the commercial, medical, or recreational use of mar-

ijuana or any other drug. It should never expend resources to arrest, fine, or imprison people for growing, manufacturing, buying, selling, using, or possessing any drug.

All Americans should
be free to keep the fruits of
their labor and spend their
money as they see fit.

Education. Should the government provide educational vouchers so low-income children can escape failing public schools and attend “the school of their choice”? Should prayer and Bible reading be restored to public schools? Should there be more technology in the classroom? All of those questions are irrelevant, says the libertarian. No American should be forced to pay for the education of any other American. And it is an illegitimate purpose of government to have anything to do with education.

Minimum wage. How often should the minimum wage be raised? Is it possible for anyone to actually live on the minimum wage? Should the minimum wage be increased to \$15 an hour? All of those questions are irrelevant, says the libertarian. Wages should be negotiated between employers and employees on an individual or group

basis without any government involvement whatsoever.

Medicaid. Should all of the states expand their Medicaid programs? Should Medicaid recipients be required to work a certain number of hours per week? Should the federal government provide more money to the states for Medicaid? All of those questions are irrelevant, says the libertarian. No American should be forced to pay for the health care of any other American. And it is an illegitimate purpose of government to subsidize or have anything to do with health care or health insurance.

Social Security. How much of a COLA should Social Security recipients receive next year? How quickly should the Social Security retirement age be raised? Should Social Security be “saved” for future generations. All of those questions are irrelevant, says the libertarian. The government should never take money from those who work and transfer it to those who don’t. And it is an illegitimate purpose of government to have a retirement program, an investment program, a disability program, or a safety net.

Gun-control laws. How long should the waiting period be before one can legally purchase a gun? Should the gun-show “loophole” be

closed? Should “assault rifles” be banned? All of those questions are irrelevant, says the libertarian. The federal government has no authority whatsoever to pass any laws that relate in any way to weapons, ammunition, waiting periods, or background checks.

No American should be forced to pay for the health care of any other American.

Foreign aid. Should a country’s foreign aid be tied to its human-rights record? Should the United States give more foreign aid to Israel because it is our ally in the Middle East? Should countries receiving U.S. foreign aid be expected to vote with the United States at the United Nations? All of those questions are irrelevant, says the libertarian. The government should never take money out of the pockets of Americans and put it in the hands of foreigners or their governments. All foreign aid should be private and voluntary.

Universal basic income. Would a universal basic income (or a guaranteed minimum income) be more efficient than the government’s current welfare programs? Should some people receive a higher income than others? How should a

universal basic income be funded? All of those questions are irrelevant, says the libertarian. The government should never take money from some Americans and redistribute it to other Americans.

Food stamps. How many hours a week should food stamp recipients be required to work? Should food stamp benefits be adjusted every year for inflation? What foods and beverages should not be eligible for purchase with food stamps? All of those questions are irrelevant, says the libertarian. The government should not take money from some Americans and use it to feed other Americans. All food aid should be private and voluntary.

All food aid should be private and voluntary.

Art subsidies. What should the budget of the National Endowment for the Arts (NEA) be? Should the NEA be allowed to fund pornographic art? Should the NEA be allowed to fund blasphemous art? All of those questions are irrelevant, says the libertarian. It is always immoral for the government to take resources from some Americans and redistribute them to organizations, even nonprofits, that they might subsidize certain people and

events — no matter how good or noble the cause. Once the premise is accepted that the government should subsidize the arts, no reasonable argument can be made against the government's subsidizing any activity.

Family leave. Should family leave be paid or unpaid? Should part-time workers be eligible for family leave? How many weeks off should family-leave programs provide? All of those questions are irrelevant, says the libertarian. The government has no right to dictate the type and nature of fringe benefits that employers provide their employees. Whether an employer offers family leave, whether it is paid or unpaid, and what the length of it is, is a matter to be settled by agreement between the employer and employee.

Anti-discrimination laws. Should sexual orientation and gender identity be added to anti-discrimination laws? Should employers be required to provide religious accommodations? Is there a right to service? All of these questions are irrelevant, says the libertarian. There should be no anti-discrimination laws in the first place. Anti-discrimination laws are an attack on freedom of association, property rights, freedom of contract, and freedom of thought.

Since discrimination — against anyone, on any basis, and for any reason — is not aggression, force, or violence, the government should never prohibit it, seek to prevent it, or punish anyone for doing it.

Democrats and Republicans, liberals and conservatives, progressives and populists, moderates and centrists, and even most of those who call themselves constitutionalists — they never have the right answers because they never ask the right questions.

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NEXT MONTH:

**“What Would a Free Society
Actually Look Like?”
by Laurence M. Vance**

But what is needed for a satisfactory solution of the burning problem of international relations is neither a new office with more committees, secretaries, commissioners, reports, and regulations, nor a new body of armed executioners, but the radical overthrow of mentalities and domestic policies which must result in conflict.

— *Ludwig von Mises*

F.A. Hayek on Individual Liberty

by Richard M. Ebeling



The rebirth of a belief in and an enthusiasm for socialism and government planning among a noticeable number of academics, intellectuals, young people, and elected officials raises many of the fundamental issues surrounding freedom and command, market competition and political control.

Once more, a call is heard for doing away with free enterprise, this time in the name of a Green New Deal. The case is being made, again, that humankind must take the future of society into their own hands and remake it into forms and directions that are more rational and just than what results when “capitalism” runs unrestrained over the societal terrain in the pursuit of personal profit rather than goals advancing the common good and the general welfare.

Social justice, it is said, requires doing away with the income inequalities that emerge from the free play of supply and demand, because free-market-based results are all meant to distribute the most wealth into the hands of a few at the expense of the many. The “purpose” of the capitalist system is to exploit workers, minorities, and other victimized groups so the rich can be, well, rich.

Changing rationales for government planning

The most frustrating elements in all this for the friend of freedom is how much of it has all been heard before, over and over again, during the last two hundred years. There is little in the latest versions of these statements that was not said in the nineteenth and twentieth centuries.

The only new aspect is the attempt to couch demands on government control in an hysteria that insists that not implementing them means the end of life on Earth as we know it, because of human-caused pollution in the atmosphere. In the past, Marxists would declare that the workers of the world should unite because they had nothing to lose but their chains. Now the cry is for humanity to unite behind central planning because we face the danger of global warming.

There are a variety of fundamental assumptions in this new case for socialist planning, similar to those older appeals for government control. Among them is the notion that society can be designed or remade in any shape desired, and with an outcome better than anything resulting from leaving the social system on its own. Another assumption is that the distribution of income under a competitive market economy is inherently unjust and unjustifiable, and that income and wealth may be redistributed in a manner demonstrably shown to be ethically superior to that generated by the market itself. And one other assumption is that the best government is one that is generally unrestrained by constitutional limits that would otherwise hinder those in power from fully expressing and implementing the will of the majority.

Hayek became one of the leading critics to the emerging Keynesian Revolution in the 1930s and 1940s.

While progressives and the Green New Deal planners perhaps can be considered those most implicitly consistent in holding such views in 21st-century America, most political movements and par-

ties in the United States, and indeed around the world, believe in variations on all three assumptions. The interventionist-welfare state, after all, is merely a halfway house on the way to a more thoroughly collectivist and planned society. And there are, alas, few who question or challenge all three assumptions in any country in the world.

Hayek on the dangers from planning

But there have been voices that spoke out against that set of ideas, and did so in reasonable and insightful ways. One of the most important was that of the Austrian economist and Nobel Laureate Friedrich A. Hayek (1899–1992). Hayek had early on made his international reputation as a leading monetary theorist who developed the Austrian theory of money and the business cycle, which had been first formulated by Ludwig von Mises. In that role, Hayek became one of the leading critics of the emerging Keynesian Revolution in the 1930s and 1940s.

During the war years, Hayek's interests increasingly turned to answering the question, why was it that collectivism and totalitarianism had been intellectually and politically so successful in the first half of the 20th century, given the earlier

successes of free-market liberalism in the 19th century in ending monarchical tyranny and fostering widening and rising material betterment for growing numbers of people in Western societies?

The Road to Serfdom won Hayek popular recognition.

Hayek's explanation was offered in *The Road to Serfdom* (1944), a work that soon won him popular recognition and notoriety in the wider community of public opinion in both Europe and the United States. He offered an interpretation of how and why a civilized and advanced nation such as Germany could succumb to the demagoguery of Adolf Hitler and his National Socialist (Nazi) movement. Hayek's warning was that there was nothing culturally or politically unique in the German people that made them susceptible to it.

It was the attraction to the same collectivist and socialist ideas that were also increasingly common in countries such as Great Britain and the United States. The appeal and hold of those ideas on the German people were just a few decades ahead of their impact in other countries. And if any people did not wake up to their danger, economic

control in a society can easily lead to political command over all aspects of life.

Liberty and its institutions

In the 1950s, Hayek's interest centered on the political and social ideas and ideals upon which a free society is based, and without which such a free society is not easily maintained in the long run. That interest culminated in his grand 1960 book, *The Constitution of Liberty*. Here Hayek inquired into the nature and aspects of individual freedom, the meaning of the rule of law and the role of constitutions, and the rationales and limits to the welfare state in a free society.

Soon his mind turned to a new project that built on the arguments in *The Constitution of Liberty* but which, he believed, deepened and extended them in ways that recently published work had not. After working on the new book through the 1960s, he began to publish it in the 1970s in three separate volumes.

Under the general title, *Law, Legislation, and Liberty: A Restatement of the Liberal Principles of Justice and Political Economy*, they were: Volume 1: "Rules and Order" (1973); Volume 2: "The Mirage of Social Justice" (1976); and, Volume 3: "The Political Order of a Free

People” (1979). This year, therefore, marks the 40th anniversary of the completion of Hayek’s last major contribution to the social, economic, and political philosophy of the free society.

Given the recent revival of the socialist idea, it seems appropriate to turn our attention to these volumes to better understand the presumptions and pretenses in the latest call for a return to government planning of human society.

Not the result of human design

Central to much of Hayek’s thinking beginning in the 1930s — and especially “Rules and Order” — is his emphasis that many if not most of the social institutions that serve human purposes and improvement are not the creation of human intention and design. A little reflection on the nature of language, custom, tradition, rules of everyday ethics, etiquette, manners and mores, and the related rules of human interaction in various social settings, including those of commerce and enterprise, as well as aspects of the common law, all show that they are for the most part what the 18th-century Scottish philosopher Adam Ferguson referred to as “the results of human action, but not of human design.” Almost all of

them are the products of social evolution through the interactions of multitudes of people over many generations as they have grappled with and stumbled upon ways of effectively and successfully associating with each other for mutual gain.

Most social institutions are not the creation of human intention.

Most of us can recall being assigned to read some play by William Shakespeare when in high school or college and often found it difficult to follow the use of words and the turns of phrases the Bard used. Yet, only 400 years separate us from Shakespeare’s death in 1616. His use of the English language differs from ours and has changed in many ways, but none of it was planned, designed, or commanded by government edict or decree. Every day in many little ways, all the users of English over those four centuries spoke words, wrote sentences, modified some spellings, forgot or added some punctuation, or imbued phrases with different meanings that have cumulatively changed how the language is spoken and how ideas are conveyed through it.

Nor could anyone in 1616, or 1716, or 1816, or 1916 have been

able to know or anticipate the changes in English that have resulted in the language we speak and take for granted today. And none of us can have any real inkling of what changes await the English language in, say, the 100 years to come.

No one can doubt that whether it is the language we speak or the customs and traditions we follow, or the manners, etiquette, or everyday ethics we practice in our dealings with others, they all form parts of the essential societal glue without which complex and continuous human association would be nearly impossible. If their structures and changes in them had been dependent on a handful of minds that were guiding legislatures and bureaucracies on how and for what purposes they were used, society would be poorer in every imaginable way.

Choice and the free society

Central to Hayek's argument on social institutions and their evolution is that only freedom allows all the minds of all the people in the world to participate in interactions from which each of us gains from what all the others can contribute to the global community of humankind, and within which each attempts to better fulfill his own personal ends and purposes.

Another element in the nature and structure of many social institutions is that they have evolved as procedural rules in the context of which each of us can go about his own ends, while respecting the courses of action chosen by others. An example of such procedural rules is the rules of the road. They specify at what speed a car may be driven, that drivers must stop for red lights at intersections, and that drivers must pull over when an emergency or police car is racing by with lights on and sirens blasting. But as long as the procedural rules of the road are followed, everyone is free to go where he wants, when he wants, for any purpose of his own choosing when behind the wheel of his automobile.

None of us can have any real inkling of what changes await.

This contrasts, Hayek points out, with government regulations, controls, commands, and prohibitions that dictate when people may act or interact, with whom, for what purposes, and under what terms and conditions. When that is done, not only are people limited in their liberty to what government tells them, their opportunities are also limited to what the planners and regulators can know or imagine as

possible and desirable. The actions of all of us are confined within what the limited minds of the planners and regulators can conceive. Human progress, as well as everyone's liberty, is straitjacketed to the decisions and knowledge of the few in political authority and power.

The mirage of social justice

Socialists and interventionists frequently insist that among their ultimate goals in redesigning society and its institutions is to establish "social justice." This is said to be different from older or more traditional notions of justice, in the sense of respecting another's life, liberty, and private property, or abiding by and fulfilling contracts and agreements into which a person has voluntarily and freely entered.

Social justice, its proponents argue, calls for everyone's receiving what he "justly" deserves or to which he has a distributive "right" or entitlement. But what are each person's just desserts in society, other than what he may have earned in the free exchanges of an open and competitive market?

In volume 2 of *Law, Legislation, and Liberty*, Hayek's theme is the demonstration that social justice is a "mirage," that is, something that when thought about from "afar"

seems definite and clear but when looked at up close loses all reality and objective meaning. What is a "fair wage," or a "reasonable" standard of living, or a "just reward" for services rendered, or the redistribution due to each for an equitable society?

Progress is straitjacketed to the decisions of the few.

Hayek argues that there is no meaning to "social justice," in the sense that society has been unfair, because society does not act and benefit or harm anyone. Society is merely the covering term for all the individual actions, interactions, and associative trades and exchanges in the marketplace made by and between individuals. Each earns income from services rendered to others according to his chosen role and participation in the social system of division of labor.

When I do my shopping in the supermarket and take a box of breakfast cereal off one of the shelves and put it in my shopping cart, I do not ask who has participated in the processes of production of that box. Nor have I asked what each of those participants "really" deserves or what his personal merit and circumstances warrant in deciding what price to pay for the product.

In fact, it is impossible for any of us to do so.

Markets or politics?

If government were to take on the role of ladler of deservedness and merit to each member of the society, we would have to presume that the people in government know enough about each and every one of us in society to objectively and correctly distribute to each what he justly should have, no more and no less. Not only would it require a god-like knowledge of all of humanity, it would also involve such a degree of totalitarian control and determination of every human being's material and social fate that few of us would want to live under it, if we but reflected a moment on what its consistent application would entail.

In the free marketplace, I need neither the approval nor agreement of all my fellow human beings or the government about what I “really” deserve or should have. My life is my own, lived by me, as I consider best, guided by the values and purposes I decide will give happiness and meaning to my existence.

Yes, how much I may earn, and therefore the standard and quality of my life, are dependent on what others consider the worth of what I can do for them in the marketplace

in the pursuit of their own purposes. But in that marketplace there are actual and potential opportunities for me to improve my talents, abilities, and skills in ways that may enhance my value in the eyes of those others.

In the marketplace there are actual and potential opportunities.

But once my “just rewards” are to be determined by those in political power, it is far more outside of and beyond my control or influence. In the free marketplace, I am free to try to find avenues on my own through which I can improve my income-earning abilities. But once rewards are politicized under a regime of redistributive “social justice,” it is out of my hands, with my only avenue being participation in political pressure groups attempting to get government to give more to the social group to which I have been assigned on the basis of class, race, gender, or sexual orientation. My individual fate is tied to that of a collective, my membership in which will most likely have been imposed on me by others, whether I've wanted it or not.

For that reason, Hayek says at one point,

The near-universal acceptance of a belief does not prove that it is valid or even meaningful any more than the general belief in witches or ghosts proved the validity of these concepts.... I believe that social justice will ultimately be recognized as a will-o'-the-wisp which has lured men to abandon many of the values which in the past have inspired the development of civilization....

Like most attempts to pursue an unattainable goal, the striving for it [social justice] will also produce highly undesirable consequences, and in particular lead to the destruction of the indispensable environment in which the traditional values alone can flourish, namely personal freedom.

Liberty requires limited government

In “The Political Order of a Free Society,” Hayek warns that a free society is also endangered by the attempt to have a purer and more unrestrained system of political democracy. Democracy is an enemy of liberty when it is not appreciated that many of the historical freedoms that emerged along with the democratic ideal — freedom of speech and the press, freedom of association, free-

dom of religion, wide ranges of personal freedom of choice — can be secured only when majorities are limited in what they decide. That includes their economic liberty.

Majorities can be as intolerant and tyrannical as the worst absolute monarchs of the past, if not even more so. What has failed, in Hayek’s view, has not been the idea of democracy as such, but the particular form of democracy that developed over the last 200 years, under which fewer and fewer corners of individual life are safe from what coalitions of special-interest groups can impose on the rest of society.

Majorities can be as intolerant and tyrannical as the worst absolute monarchs of the past.

Hayek hoped that there could be found forms of “free government,” under which those who are ruled may “democratically” select those holding political office, but which at the same time leaves the individual citizen free in most matters to live his own life as he sees best in free association with others.

A thoroughgoing classical liberal or libertarian, will, no doubt, find a noticeable number of inconsistencies and even contradictions in Hayek’s arguments concerning the

role and limits of government in society. But that in no way detracts, in my view, from the underlying and essential insights that Hayek developed on the importance of freedom and the nature of a free society.

The spirit of all that Hayek argues in *Law, Legislation, and Liberty* is captured in the following passage in volume 1 devoted to a discussion of principles and expediency:

A successful defense of freedom must therefore be dogmatic and make no concessions to expediency, even where it is not possible to show that, besides the known beneficial effects, some particular harmful result would also follow from its infringement.

Freedom will prevail only if it is accepted as a general principle whose application to particular instances requires no justification. It is thus a misunderstanding to blame classical liberalism for having been too doctrinaire. Its defect was not that it adhered too stubbornly to principles, but rather that it lacked principles sufficiently definite to provide clear guidance....

People will not refrain from those restrictions on individual liberty that appear to them the simplest and most direct remedy of a recognized evil, if there does not prevail a strong belief in definite principles.

At a time when freedom is once more directly under attack by those who wish to return to the failed system of government centralized planning, renewing our understanding of and appreciation for Friedrich A. Hayek's contributions can only strengthen our arguments for a society of liberty.

Richard M. Ebeling is the BB&T Distinguished Professor of Ethics and Free Enterprise Leadership at The Citadel. He was professor of Economics at Northwood University and at Hillsdale College and president of The Foundation for Economic Education, and served as vice president of academic affairs for FFF.

NEXT MONTH:
**“Adam Gurowski:
Polish Champion of
American Liberty”**
by Richard M. Ebeling

Afghanistan Exit: Swift, Responsible Disengagement, Part 2

by Daniel A. Sjrursen



Since the supposed end of the American combat mission in Afghanistan in 2014, the primary mission of U.S. military forces has been to train, support, and bolster the ANDSF (Afghan National Defense and Security Forces) in order to ensure their long-term success and ability to secure the country. This effort is at least sixteen years old, but the outcomes have been disappointing. The negative metrics are simply overwhelming. At present, the following conditions prevail in the ANDSF:

- There are high rates of absenteeism and 35 percent of the force is not reenlisting each year.

- Widespread illiteracy remains rampant.

- Inconsistent leadership pervades and so does a “deficit of logistical capabilities.”

- Senior U.S. commanders have admitted that casualty rates within the ANDSF are “unsustainable” — numbering 5,500 fatalities in 2015, 6,700 in 2016, and estimates (the number is newly classified) of “about 10,000” in 2017. The 2018 estimates run even higher.

- Between casualties and desertions, the Special Inspector General for Afghanistan Reconstruction (SIGAR) estimated an overall 10 percent attrition rate for the ANDSF in 2017.

- The U.S. Congress has appropriated about \$72.8 billion to this failing force since 2002, with 75 percent of the estimated annual ANDSF budget of \$5 billion coming from the United States (the rest provided by America’s international allies, mostly NATO).

- Credible allegations of child sexual abuse and other human rights abuses perpetrated by ANDSF personnel continue to be reported.

- The Afghan National Army (ANA) component of the ANDSF is more than 30,000 troops under its authorized size and actually down 8,000 personnel since May 2017.

- The Afghan Air Force (AAF) component of the ANDSF faces “equipment, maintenance, and logistical difficulties,” and has only 104 total rotary and fixed-wing aircraft — a completely insufficient number to provide tactical air support nationwide — and comparable to just the number of rotary aircraft in a single U.S. Army Aviation Brigade.

NATO provides limited support to the U.S. mission but the American military still contributes the vast majority of troops.

- The Afghan National Police (ANP) component of the ANDSF (not strictly police in the American sense of the word, but rather a well-armed paramilitary army) has even higher attrition and desertion rates. Two percent of policemen desert each month and overall attrition stands at about 25 percent annually.

The candid assessments of several U.S. military commanders and advisors are correct — none of the above metrics is sustainable. In spite of optimistic and sanitized assertions from top policymakers, the ANDSF appears on the verge of a veritable breaking point. Seventeen years of American military train-

ing, support, and mentoring have, ultimately, been unable to avoid this outcome.

U.S. and NATO troops levels and missions

U.S. troop levels in Afghanistan have fluctuated for nearly two decades, reaching a high of 100,000 in 2011 — when the author served in Kandahar Province — and standing today at about 14,500. Nevertheless, this sustained commitment and sacrifice (to the tune of 2,419 dead as of mid January 2019) has not meaningfully staunched the tide of Taliban gains. The question at hand is this: what can about 15,000 U.S. troops accomplish in 2019 that 100,000 could not achieve in 2010-11?

NATO provides limited support to the U.S. mission but the American military still contributes the vast majority of troops. While NATO leaders have publicly committed to support the mission through 2020, it is unclear what will occur if or when NATO countries lose interest or patience with the two-decade war. Furthermore, it is clear that the ANDSF is still highly reliant on the logistical support, air cover, and special-forces raids of U.S. and NATO troops. That, too, is unsustainable.

Much of the current U.S. mission — in addition to training and

advising the ANDSF — is dedicated to combatting the relatively new Islamic State affiliate in Afghanistan — the Islamic State Khorasan Province (ISKP). That said, ISKP is mostly limited to a few districts in the country’s east and has, according to U.S. military estimates, been attrited from 1,300 fighters in September 2016, to 700 in April 2017, with the pressure only increasing. Furthermore, ISKP is as much a branding slogan as a genuine ISIS identity and, at times, ISKP and the Taliban have clashed over territorial or political control. That presents an opportunity to divide the two groups with little effort or commitment and demonstrates the eminently containable nature of the Afghan ISKP threat.

President Trump’s instincts to withdraw from the country are commendable and he ought to follow them. His “new” compromise strategy, which defined his first two years in office, on the other hand, represented little more than a paltry synthesis of old Obama- and Bush-era thinking on the intractable problem set in Afghanistan.

Unsustainable: Economics and corruption in Afghanistan

Decades of brutal warfare have “stunted the development of do-

mestic industries,” including the vital mining sector. Afghanistan’s GDP (according to 2015 estimates) tops out at only \$62.62 billion. Foreign aid accounts for more than 95 percent of the national GDP. Furthermore, annual Afghan government revenues amount to only \$2 billion, despite the country’s having a \$7.3 billion annual budget (the remainder is picked up primarily by the U.S. taxpayers and other foreign partners). Afghan revenue mostly comes from taxation, but that is also tied to the security crisis, as enemy-held districts are difficult to effectively tax, even with the new computerized system. Afghanistan’s government is also stagnant. Despite initial annual GDP gains of about 7 percent per year from 2003 to 2013, growth has dropped to about 1 and 2 percent from 2014 to 2017.

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The costs to the United States to maintain this unsustainable economic status quo have been immense. Congress has appropriated more than \$126 billion in aid to Afghanistan’s government (62 percent

for security, 38 percent for development) since 2001 — and that doesn't count U.S. military operational expenses, which run to at least \$752 billion over the last seventeen years. Furthermore, despite recent improvements, corruption runs rampant in Afghan government industries. Owing to concerns about fraud, waste, and abuse (including losing billions), the FY2008 defense authorization bill mandated the establishment of a Special Inspector General for Afghanistan Reconstruction (SIGAR), which has churned out one pessimistic report after another ever since.

Afghanistan was broken when the United States arrived; it will, undoubtedly, remain at war when America departs.

The economic bottom line is as simple as it is stark: The Afghan GDP is largely based on foreign aid; and domestic revenue is insufficient even to fund the security sector (which runs at \$5 billion annually against \$2 billion of domestic revenue). That is an unsustainable formula for perpetual U.S. involvement in the conflict. Afghanistan's government (and economic sector) has an incentive to maintain the status quo in order to ensure con-

tinued U.S. funding and thereby propping up the economy; that also fuels and feeds ongoing problems with corruption.

Come home

The prudent course for the United States is to swiftly and totally disentangle from the Afghan maelstrom and immediately bring all U.S. troops home. Afghanistan has been at war, persistently, for 39 years. In 2001, the United States entered a nation already long at war and the U.S. portion of the mission has covered only 17 of those 39 years of Afghan conflict. Afghanistan was broken when the United States arrived; it will, undoubtedly, remain at war when America departs — whether that is now or in a generation.

The United States, which has already spent nearly a trillion dollars and 2,500 lives in this land-locked backwater, should pivot instead to homeland defense from any actual existential threats to American security. Here it is vital to remember that contemporary transnational terror does not require the safe haven of the ungoverned caves and valleys of Afghanistan — even 9/11 was largely planned from Germany and within the United States itself. Finally, the opportunity costs and

tradeoffs inherent in the expenditure of \$1 trillion in a losing and futile war must be understood. Resources are limited.

Countering critiques

Undoubtedly, some readers will counter with certain common, if worn out, counterarguments. Each is rather easily refuted:

- If the United States leaves, the Taliban, al-Qaeda, and the Islamic State will enjoy a “safe haven” from which to plan the “next” 9/11-style attack on the United States. At this point, the safe-haven myth belies reality. Transnational terror groups populate portions of countries from Niger to Pakistan, yet the United States has neither the capacity nor intent to indefinitely occupy them all with military forces. Indeed, Afghanistan has fewer al-Qaeda and ISIS fighters than several other countries in the Greater Middle East.

- If the withdrawal of American troops hasn’t brought stability, perhaps a greater infusion of troops and counterinsurgency saturation will bring victory. Beyond the questionable definition of what exactly would constitute victory, the United States possesses neither the resources nor the national will to

militarily pacify Afghanistan. How many troops would it take? That is a difficult question, but it’s possible to estimate. In 2003, Army Chief of Staff General Eric Shinseki estimated — correctly — that it would take “several hundred thousand troops” to occupy and stabilize Iraq — far more than the Bush administration (incorrectly, as became obvious) argued were necessary. If one defines “several hundred thousand” as 500,000 troops, takes into account that Iraq is about two-thirds the size of Afghanistan, and that the Afghan terrain is far more mountainous and imposing, an estimate of 750,000 troops on the ground is not inconceivable. Considering that the entire U.S. Army numbers fewer than 500,000 soldiers, it becomes obvious that the United States lacks the necessary resources to achieve “victory.”

The chaos and insecurity are already worsening even with U.S. troops still on the ground.

- Still, won’t there be chaos in the wake of American withdrawal? Yes! There will, but that is inevitable no matter when the U.S. military departs. First off, the chaos and insecurity are already worsening even with U.S. troops still on the ground.

Indeed, the outcome in Afghanistan will very likely be ugly, but matters in this troubled country have long been ugly. The likely reality is that an Afghan equilibrium will eventually be reached. That may mean a new national partition along ethnic and geographic lines, with a Taliban-influenced south and a Northern Alliance-like federal government in Kabul and in the country's north. The question is what, exactly, the U.S. military can do — short of perpetual occupation — to reverse that likely outcome?

Disentangle from Afghanistan

There is no military solution to the Afghan War. An Afghan settlement to the ongoing Afghan conflict will be ugly, but that is an inevitable, irreversible reality the United States must accept and immediately end its costly and futile, indefinite intervention.

The “melancholy fact,” according to long-time regional specialist Ahmed Rashid, “is that the Ameri-

can public is not much engaged with what happens in Afghanistan, either way.” That, in itself, is a persuasive argument for military disengagement. The American people may, in fact, be way ahead of Washington policymakers in realizing the futility of continued U.S. engagement. When announcing his “new” strategy in August 2017, Trump candidly admitted that his “original instinct” was to pull out of Afghanistan. He, and the American people, were correct — and he should follow those sound instincts.

Danny Sjursen is a retired U.S. Army officer and a contributor to the Future of Freedom Foundation. He served combat tours in Iraq and Afghanistan and later taught at West Point. He is the author of Iraq War, Ghostriders of Baghdad: Soldiers, Civilians, and the Myth of the Surge. Follow him on Twitter at @SkepticalVet.

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