
FUTURE OF FREEDOM

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Distrust all in whom the impulse to punish is powerful.

— Friedrich Wilhelm Nietzsche

FUTURE OF FREEDOM

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Pinochet's Chicago Boys versus Freedom

by Jacob G. Hornberger



Ever since the U.S.-supported military coup in Chile that brought Gen. Augusto Pinochet to power in 1973, American and Chilean conservatives have extolled the economic policies that the Pinochet regime brought to Chile. The policies, which conservatives have long described as “free-market,” originated within a group of Chilean economists known as the Chicago Boys, who accepted governmental positions in the Pinochet regime. The economic policies introduced by the Chicago Boys helped revitalize the Chilean economy, which has long been a source of pride for the conservative movement in general and the Chicago Boys in particular.

However, there are problematic aspects of what the Chicago Boys

did, not only with respect to their service to one of the most brutal dictatorships in history but also with respect to what they describe as the free-market policies that the Pinochet dictatorship introduced into Chile.

Pinochet was not a benevolent dictator. Immediately after assuming power, his national-security state forces began rounding up people and herding them into military dungeons, concentration camps, and the national stadium. Some 60,000 people were taken into custody. Most of them were brutally tortured, raped, or sexually abused in the most horrific and unimaginable ways. Some 3,000 of those 60,000 were executed or disappeared.

No judicially issued arrest warrants or indictments. No jury trials. No due process of law. Just the raw power of the dictator and the military-intelligence forces that loyally carried out his orders and fulfilled his desires.

That's the regime that the Chicago Boys enthusiastically went to work for. That's the regime that they helped shore up with their economic policies. For when the Chicago Boys proudly extol what they did for the Chilean economy with their “free-market” policies, they conve-

niently omit that their policies were, at the same time, shoring up the tax revenues of the regime they were working for, revenues that were going to pay the expenses of the dungeons and concentration camps and salaries of the rapists, abusers, and murderers.

As an aside, think about how conservatives have long supported the U.S. economic embargo against the government and people of Cuba. One of the principal arguments that conservatives have made in support of the embargo is that if Americans were free to travel to Cuba and spend money there, that would increase tax revenues and, consequently, serve to shore up Cuba's communist regime.

Yet conservatives and the Chicago Boys obviously tossed that argument out the window when it came to serving the Pinochet dictatorship. Shoring up the tax revenues of that tyrannical dictatorship with "free-market" economic policies obviously came with few or no moral reservations.

After all, the Chicago Boys did not have to go to work for the Pinochet regime. They certainly weren't conscripted. They went to work for Pinochet voluntarily, willingly, and enthusiastically. And later many of them expressed pride for what they

accomplished, even if periodically lamenting the "human-rights abuses" of the regime they served.

The Chicago Boys had received their economic education at the University of Chicago under free-market economist Milton Friedman and others. That's how they got their name — the "Chicago Boys."

When Pinochet expressed interest in the economic ideas that the Chicago Boys were expounding, they were ecstatic.

When Pinochet assumed power and expressed interest in the economic ideas that the Chicago Boys were expounding, they were ecstatic. The Pinochet dictatorship offered them the opportunity to put their ideas into action. They knew that the Pinochet coup was a fait accompli and that Pinochet's dictatorship was the new order of things in Chile. Nearly everyone assumed that the dictatorship would last a very long time and, in fact, it did last a long time — about 17 years. The Chicago Boys wanted to be part of that new order of things.

Not so, however, with their mentor, Milton Friedman. After being severely criticized in the international arena for supposedly advising Pinochet, Friedman did everything

he could to distance himself from the dictator, even while his Chicago Boys were going to work for him. What the Chicago Boys apparently failed to realize was that Friedman's position was an implicit condemnation of what they were doing.

Ousting Allende

In 2005 a movie titled *Downfall* was released. It was about the final days of the Hitler regime. The movie focused on a young woman named Traudl Junge, who went to work for Hitler as his secretary in 1942. At the end of the movie, the real-life Traudl Junge (i.e., not the actress who played her in the movie) appeared onscreen. She explained that when she went to work for Hitler, she perceived it as a great opportunity — the chance to serve the country and work for the chancellor. She said that after the war ended, however, when she learned about Sophie Scholl and the White Rose, she realized that she should have seen things differently.

What she was referring to was a group of German college students, including a brother and sister named Hans and Sophie Scholl, who formed a secret organization that they called the White Rose to oppose the Hitler regime. Secretly publishing and distributing White

Rose pamphlets in the midst of World War II that called for Germans to oppose the Hitler regime, the students knew that they were risking their lives. And in fact, they were caught, quickly put on trial, and executed. (An excellent film about the White Rose is *Sophie Scholl: The Final Days*. Also, see my essay “The White Rose: A Lesson in Dissent,” which was later reprinted in a book on the Holocaust for high-school students.)

The Chicago Boys could have declined to go to work for one of the world's most brutal and tyrannical dictatorships.

The Scholl siblings, of course, could have taken the same route as Traudl Junge and many other ordinary German citizens who enthusiastically went to work for the Hitler regime. Instead, they chose not only avoid such service, they even went a dangerous step further by actively opposing it.

That is what the Chicago Boys could have done. They could have declined to go to work for one of the world's most brutal and tyrannical dictatorships. They could have continued expounding their economic philosophy and ideas by remaining in the private sector. Indeed, rather

than enthusiastically accept positions within the Pinochet regime, they could have done what the Scholl siblings had done — actively exhort Chileans to oppose the Pinochet dictatorship.

Why didn't they do that? Because like many other Chilean conservatives and, for that matter, American conservatives, they were ecstatic that Pinochet had violently ousted the country's democratically elected president, Salvador Allende, from office in a military coup that was initiated by the U.S. government.

Allende was a self-described socialist and communist. A physician by trade, he had long been involved in Chilean politics before being elected in 1970. In the 1970 presidential election, he received a plurality of the votes but not the majority that was required to be automatically made president. Under the Chilean constitution, that threw the election into the hands of the Chilean congress.

U.S. officials went ballistic over the prospect of Allende's becoming president of Chile. They considered his election to be a grave threat to national security. How so? In 1970 the Cold War and the fierce anti-communist crusade was still being waged by the entire U.S. government, especially the national-security

establishment, i.e., the military, the CIA, and the NSA. The U.S. government had been convinced since 1959 that communist Cuba posed a grave threat to U.S. national security. A communist Chile terrified them into believing that the Red menace was slowly but surely making its way to the United States.

Richard Nixon and his national-security team set forces into motion to prevent Allende from taking power, including bribery attempts on Chilean congressmen and a CIA kidnapping-assassination plot that left the commanding general of the Chilean armed forces, Gen. Rene Schneider, shot dead on the streets of Santiago.

U.S. officials went ballistic over the prospect of Allende's becoming president of Chile.

What was Allende doing to engender U.S. concern as well as the concern of Chilean conservatives? He was implementing socialist policies, such as nationalizing businesses that would then be run by the Chilean government. He was using tax revenues to fund socialist retirement, education, housing, and health-care programs. He was also using regulations to raise the nation's minimum wage.

It was no surprise when Allende's socialist economic policies plunged the country into economic chaos and crisis, which U.S. officials were citing as the reason that a coup was necessary to save the country. Even worse from their standpoint, Allende was reaching out to Russia and Cuba, two other nations with communist regimes, in a spirit of peace and friendship.

Tolerating tyranny

To help prepare the Chilean people for a coup, Richard Nixon ordered the CIA to make the Chilean economy "scream." He told them to do everything they could to maximize the economic suffering of the Chilean people, on top of the suffering that was being caused by Allende's socialist policies. For example, the CIA secretly paid truckers to go on a nationwide strike, with the aim of causing people across the country to starve, which then, presumably, would make them more amenable to the impending coup that was about to destroy their democratic socialist system.

U.S. interventionism in Chile from 1970 to 1973 came to light during congressional hearings in the mid 1970s. One of the fascinating aspects of the coup aftermath is

that since those revelations came to light, some of the people who have criticized Allende for his socialist economic policies have seemingly displayed less eagerness to criticize the CIA for intentionally contributing to the economic suffering of the Chilean people as part of its efforts to make the Chilean economy "scream."

Richard Nixon ordered the CIA to make the Chilean economy "scream."

In fact, rarely do Latin American and U.S. supporters of Pinochet criticize U.S. interventionism in Latin America in general. For example, there are numerous people in Venezuela and the United States who condemn the socialist regime in that country, headed by Nicolas Maduro and, before him, Hugo Chavez. At the same time, however, they rarely, if ever, demand that the U.S. government butt out of Venezuelan affairs.

Did the Chicago Boys know about the Pinochet regime's roundups, disappearances, rapes, abuse, torture, and murders? There is no evidence that they did. But the Chicago Boys were not dumb people. On the contrary, they were extremely smart and well educated. As such,

they had to know that military dictatorships historically engage in tyrannical actions. At a minimum, they would have known that the military had taken power in a violent, unconstitutional coup that resulted in the deaths of at least some people, including the democratically elected president of the country.

The Chicago Boys could have chosen to do what Friedman did.

Is it possible that the Chicago Boys concluded that the end — i.e., saving Chile from communism and socialism — justified the means — i.e., a deadly and destructive unconstitutional military coup that nullified the outcome of the democratic vote in the 1970 presidential election? But even if that is what they concluded, that still doesn't explain their decision to go to work for the Pinochet regime. At some point, they knew that their mentor, Milton Friedman, was doing his best to distance himself from Pinochet's military dictatorship. The Chicago Boys could have chosen to do what Friedman did. They could have remained in the private sector fighting to restore democracy and freedom to Chile. They didn't. They chose instead to go to work for an unelected military dictator who had taken

power in an illegal coup. Why did they do that? Did saving or improving Chile with "free-market" economic policies morally justify that decision?

Finally, despite all the hoopla about the Chicago Boys' so-called free-market economic policies, there was really nothing free-market about them, at least not in the libertarian sense of the term. Despite all the accolades for the Chicago Boys from American conservatives, the fact is that the Chicago Boys were nothing but central planners — conservative central planners. They may have done a better job than Allende's socialist central planners but they were central planners nonetheless.

"Free-market" collaboration

The problem is that the conservative movement has long convinced itself and others, especially young people, that a free-market economic system is one in which government is reducing economic regulations, interventions, controls, and central planning.

But that's not what a genuine free-market economic system is. Instead, a free-market system is one in which economic activity is free from governmental intervention, regulation, control, management, and

planning. What makes it a truly revolutionary system is that throughout history, governments have intervened, either to a greater or lesser degree, into economic affairs.

The Chicago Boys were nothing but central planners — conservative central planners.

What the Chicago Boys did was simply replace their socialist counterparts in the governmental bureaucracies that controlled, regulated, and planned economic activity in Chile. They didn't abolish anything, not even the minimum wage. What they did was use their bureaucratic power as central planners to reduce the number of regulations and controls that the socialists had imposed on economic activity and to privatize some state-owned businesses, much as British conservative leader Margaret Thatcher did.

Of course, from the standpoint of economic prosperity, that was good and positive. Less regulation and control and fewer state-owned enterprises are better than more regulation and control and more state-owned enterprises. But make no mistake about it: It's not freedom and it's not the free market. Instead, it was classic central planning, con-

servative style.

Indeed, consider the following agencies that the Chicago Boys were managing, none of which would exist in a society based on genuine free-market policies: Ministry of Economy, Promotion, and Reconstruction; Ministry of Public Education; Ministry of Labor and Social Forecast; Ministry of Public Works; Ministry of Public Health; Ministry of Housing and Urban Planning; Ministry of Agriculture; Ministry of Transport and Communications; and Ministry of National Assets.

The Chicago Boys also kept Chile's central bank in place. Moreover, if they ever publicly objected to the millions of dollars in U.S. taxpayer-funded foreign aid that were flooding into Chile, I have never come across it.

One of the most amusing aspects of the "free-market" policies that the Chicago Boys brought to Chile relates to social security. Under Allende, Chile had the standard socialist retirement program that the United States has — one in which the government taxes the young and productive and gives the money to seniors.

Under the Chicago Boys, Chile's retirement system was changed to one where people were permitted to choose another type of government

retirement program, one in which a portion of their savings would be forcibly taken from them and invested in government-approved investment accounts.

Why is that amusing? Because the American conservatives have long praised the Pinochet plan as another “free-market” program that the Chicago Boys brought to Chile when, in fact, it was nothing more than economic fascism, a type of economic system in which government controls what people do with their money through orders and edicts. Pinochet’s social security plan would have been well-received by Italy’s Mussolini, one of the leading economic fascists in the world.

Is economic fascism better than socialism? The proponents of Pinochet’s social security program certainly think so. But one thing is certain: fascism is as far away from

freedom and free markets as socialism is. The only system consistent with freedom is one where people are free to keep their own money and decide for themselves what to do with it.

For people who are interested in learning the genuine principles of freedom and the free market, the place to go is to American libertarians, not to Augusto Pinochet’s Chicago Boys.

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

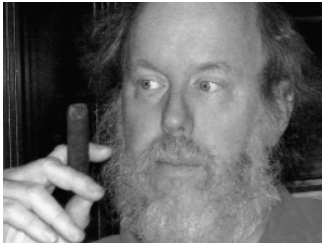
NEXT MONTH:
**“Dismantle Roosevelt’s
New Deal”**
by Jacob G. Hornberger

War breeds atrocities. From the earliest conflicts of recorded history to the global struggles of modern times inhumanities, lust, and pillage have been the inevitable by-products of man's resort to force and arms. Unfortunately, such despicable acts have a dangerous tendency to call forth primitive impulses of vengeance and retaliation among the victimized peoples. The satisfaction of such impulses in turn breeds resentment and fresh tension. Thus does the spiral of cruelty and hatred grow.

— Frank Murphy
U.S. Supreme Court Justice

Donald Trump's Authoritarian Opponents

by James Bovard



President Trump has said and done many things to appall the friends of freedom. From Trump's pro-torture comments to his praise of police brutality to his cruise-missile barrage against Syria to his threat to annihilate North Korea, there are ample signs that he scorns a freedom-and-peace posture.

Unfortunately, many of Trump's opponents are even more statist than the president. Marking the anniversary of Donald Trump's election, the *Washington Post Magazine* presented "38 ideas for repairing our badly broken civic life." *Post Magazine* editor Richard Just explained that "all of us ... should be able to agree that some future-pondering about the state of our democracy is in order." Many — if not

most — of the *Post's* recommendations from experts, artists, and writers were insipid or authoritarian. Some of the proposals provided chilling examples of liberal/leftist power-lust in the Trump era.

- Author Kristin Henderson proposed conscripting all young people for three years in military or government civilian work, such as AmeriCorps, the legendary make-work boondoggle begotten by the Clinton administration. Forcing adults to "spend time in compulsory service to our country" would be the same as going back to "kindergarten and relearn how to cooperate and share our toys." But the Founding Fathers never intended to treat personal freedom as a political toy. Henderson asserted, "A democracy requires we the people to work together to solve our problems.... As our democratic skills improve, we can thank ourselves for our service." If it is compulsory, it is servitude, not service. The most important lesson young people would learn is that politicians have the right to capriciously destroy their freedom and waste a swath of their lives in which they could have developed their minds and talents to make themselves self-sufficient citizens.

- The best fix for American democracy is to "outlaw private ed-

ucation” to banish inequity, according to novelist Ann Patchett. In the name of equality, parents must be prohibited any choice or effective role in their children’s schooling. Patchett also rhapsodized about confiscating Ivy League endowments to redistribute to state schools. Her scheme would result in “the best teachers and administrators available to raise the standards in classrooms.” Presumably teachers would lose their freedom (as parents and children did) as benevolent administrators dictated who would be sent to unsafe schools. Patchett, who has no children, gushed, “My dream for this country is opportunity and equality.” Texans in 1836 were inspired by the motto “Remember the Alamo!” Patchett would do well to “Remember Boston!” — a city whose families and schools were ravaged by an iron-fisted busing scheme imposed by a federal judge who, like her, had no skin in the game.

- Domingo Martinez, a Texas novelist, portrays “gun addiction” as a national “demon” and advocates forcing gun owners to buy insurance (presumably at prohibitive rates) to deter firearm ownership. If gun-insurance rates were based on homicide rates (the same way that auto insurance rates are based in

part on local collision data) — residents of East St. Louis, Illinois, might be charged 70 times higher rates than New Hampshire residents. In Maryland, firearm-insurance rates could be more than five times higher in Baltimore than in Allegheny County in the western part of the state, because of the vast difference in homicide rates. Besides, what right do politicians have to tax gun ownership when the government in so many areas dismally fails to protect private citizens from violent predators?

The best fix for American democracy is to “outlaw private education” to banish inequity, according to Ann Patchett.

- Harvard professor Dani Rodrik proposes to boost democracy by vastly expanding government economic intervention: “Society, through its agent — the government — would end up as co-owner of the new generation of technologies and machines.” However, any D.C.-area resident who regularly uses the Washington subway recognizes government’s ability to blight any technology it touches. The crony-capitalism debacles of recent years (such as the Obama administration’s Solyndra scandal) should

certainly have stifled visionary thinking about the benefits of government-business partnerships. Rodrik, a Turkish economist, fails to offer any protection against the vast increase of political power he proposes.

More government = more wonderfulness

- Similarly, Julius Krein, editor of *American Affairs*, calls for reviving Cold War government-business relations because “the economy was healthier when the national government exercised greater direction over it.” Krein said that “our frayed social fabric is an inevitable consequence” because aspects of American life have been “depoliticized.” He proclaimed, “The state needs to take a larger role in many areas.” But the areas of the economy currently most subjected to federal edicts — such as agriculture — are among the most wasteful or irrational. Americans rejected Hillary Clinton’s calls for more government takeovers in 2016 because federal intervention is widely equated with corruption and folly.

- Carl Gershman, the president-for-life of the federal National Endowment for Democracy, calls for cultivating Americans’ “sense of gratitude” by forging “more links between Americans and people in

other countries who are fighting for the basic freedoms that we enjoy.” So the “links” from deploying American troops in 172 nations are not sufficient? It is considered bad taste in Washington to recognize foreigners’ gratitude when the United States does not meddle in their nations or elections. The National Endowment of Democracy and its political front groups routinely intervene in foreign nations’ political life, regardless of U.S. laws restricting such antics.

Julius Krein: “The economy was healthier when the national government exercised greater direction over it.”

- “Celebrate government” is the solution proffered by University of California law professor Joan Williams. She urged Americans to use the hashtag #GovernmentStillWorksForUs and make videos thanking government for the water from their faucets and the safe milk for their breakfast cereal. Anything government does should be considered manna from heaven, regardless of the \$3 trillion in taxes the feds commandeer from citizens each year. Williams suggests that people “upload a picture or just tweet about how government works

for you.... By celebrating all that it does, you will have taken the first step toward reminding Americans that the government is us.” But this is political infantilism: the notion that “government is us” is a ploy to shift the guilt for every federal crime onto every victim of the government. The “government is us” dogma presumes that the citizen’s unspoken wishes animate each restriction inflicted upon him. However, drivers who exceed speed limits are not “self-ticketed,” and travelers who get accosted by Transportation Security Administration agents at airports are not molesting themselves.

- Lanhee Chen, a Stanford University research fellow, called for establishing a “National Unity Week” — “an opportunity for all Americans — public officials, famous figures and everyday citizens — to come together.” To solidify national unity, Congress should commit “to passing (and the president to signing) at least two pieces of legislation proposed by one of our nation’s many bipartisan boards and commissions.” So when politicians ratify recommendations from political appointees it will magically restore faith in politics? This proposal is indicative of how much of the academic and media establish-

ment still believe that a few tweaks will restore them to their rightful place in the Pantheon.

The notion that “government is us” is a ploy to shift the guilt for every federal crime onto every victim of the government.

- Farah Pandith, a Council of Foreign Relations fellow, proposes a vast public-private partnership for a “National Civic Plan” designed with incentives to deepen honest and open relationships across communities and the nation as a whole.” This plan would include “specially trained local teams” to “produce practical skill development in the areas of listening, empathy and compassion; and promote an ethos of civility and good works.” According to Pandith’s vision, “Engagement with the duties and blessings of citizenship would once again become a tangible part of our everyday lives, as was the case in the days of our Founding Fathers.” This project would benefit almost no one aside from the contractors and sappy editorial writers. It tacitly presumes that contemporary democracy’s problems stem from a lack of citizens’ faith, rather than a profusion of government deceptions and endless wars dishonestly commenced.

Making things worse

Some of these “democracy fixes” would destroy the tattered remnants of federal legitimacy. Sending in federal marshals or the National Guard to shut down private schools would be far more explosive than Eisenhower’s sending in the 101st Airborne to desegregate Central High School in Little Rock, Arkansas. Sending federal agents door to door to seize uninsured firearms would produce endless havoc and bloodshed. Forcing all young people to forfeit several years of their lives to AmeriCorps or the military would spur mass bitterness and pervasive resistance. Giving politicians and bureaucrats new pretexts to confiscate and redistribute paychecks would severely discourage “labor force participation” — i.e., working for a living.

Trump is exposing the sham of a Leviathan Democracy which pretends that presidents will be philosopher kings.

Many Trump opponents are the same type of zealots who, in the late 1700s, proudly labeled themselves “Friends of Government.” In their eyes, Trump’s greatest sin is tarnishing the majesty of the presidency and the federal government. Trump

is exposing the sham of a Leviathan Democracy which pretends that presidents will be philosopher kings — instead of merely talented vote catchers. However, Trump cannot be blamed for destroying Americans’ trust in Washington. That was already achieved by presidents such as George W. Bush and Barack Obama, whom the media — such as the *Washington Post* editorial board — occasionally exalted to the skies.

Unfortunately, many people, happy to believe the worst about Trump, will heave all their skepticism overboard when the next political savior is anointed. Such naivete is being encouraged at the highest levels of Democratic Party. For instance, in her recent book, *What Happened?*, Hillary Clinton claimed that, according to George Orwell’s *Nineteen Eighty-Four*, the goal of abusive regimes “is to make you question logic and reason and to sow mistrust towards exactly the people we need to rely on: our leaders, the press, experts who seek to guide public policy based on evidence, ourselves.” In other words, the most famous anti-totalitarian novel in history supposedly teaches people to defer to their masters. The fact that this bizarre passage was written, edited, proofread, and pub-

lished exemplifies the blind power-lust of Clinton and her advisors.

Trump's critics are correct that the president has too much arbitrary power. As French political philosopher Benjamin Constant wrote in 1815, "It is in fact the degree of force, not its holders, which must be denounced.... There are weights too heavy for the hand of man." The sheer amount of punitive power possessed by the federal government is one of the best gauges of potential tyranny. We should strive to permanently reduce the power of the presidency to destroy liberty regardless of who is tweeting from the Oval Office.

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:
**"Trump and the Right
to #Resist"**
by James Bovard

America, with the same voice which spoke herself into existence as a nation, proclaimed to mankind the inextinguishable rights of human nature, and the only lawful foundations of government.

— John Quincy Adams

How to Make America Great Again

by *Laurence M. Vance*



It has now been a year since Donald J. Trump was sworn in as the forty-fifth president of the United States of America. Among other things, he said in his inauguration speech,

From this day forward, it's going to be only America first, America first.

Every decision on trade, on taxes, on immigration, on foreign affairs will be made to benefit American workers and American families. We must protect our borders from the ravages of other countries making our products, stealing our companies, and destroying our jobs.

We will bring back our jobs. We will bring back our borders. We will bring back our wealth. And we will bring back our dreams.

We will build new roads and highways and bridges and airports and tunnels and railways all across our wonderful nation. We will get our people off of welfare and back to work, rebuilding our country with American hands and American labor.

We will follow two simple rules; buy American and hire American.

And then, at the end of his inauguration speech, Trump famously said, “Together, we will make America strong again. We will make America wealthy again. We will make America proud again. We will make America safe again. And yes, together we will make America great again.”

The question is an appropriate one: Has America been made great again since Trump has been in office? And of course, that also brings up a number of related questions: What has Trump done to make America great again? What has

Trump's party — the Republican Party — done to make America great again? Will Trump's policies make America great again? Was America ever great to begin with? When was America great? What caused America to not be great anymore? What does it mean for America to be great or not great? Can America be made great again? How can America be made great again? It is this last question in particular that I want to focus on.

Trump's America

At donaldjtrump.com we are told,

President Trump is working hard to implement his “America First” platform, continuing his promise to the American people to lower taxes, repeal and replace Obamacare, end stifling regulations, protect our borders, keep jobs in our country, take care of our veterans, strengthen our military and law enforcement, and renegotiate bad trade deals, creating a government of, by and for the people.

He is making America First, again, restoring our nation's faith, ushering in a bright,

new future now and for generations to come.

Working hard or hardly working?

Although Trump promised to “drain the swamp,” many Washington lobbyists say business is better than ever. According to the Center for Responsive Politics, “Spending on lobbying in Washington totaled almost \$1.7 billion in the first half of the year, the highest since 2012.” “I don't think that anything's really changed,” said longtime Republican lobbyist Brian Wild. “If anything, the lobbying business is booming right now.”

Although Trump promised to “drain the swamp,” many Washington lobbyists say business is better than ever.

The national debt has now surpassed \$20 trillion and is fast approaching \$21 trillion. Trump's first budget that he presented to Congress will ensure that the national debt keeps rising. He proposed that the federal government spend the obscene amount of \$4.094 trillion, even though receipts were only projected to be \$3.654 trillion. His budget proposed that the federal government spend more money ev-

ery year for the next ten years than it spent when Barack Obama was in office. The budget “cuts” are not really cuts at all. They are spending increases that are smaller than those called for in the “baseline budget” that has been projected by the Congressional Budget Office since 1974. Trump’s budget keeps intact the welfare state: food stamps, Medicare, SCHIP, Medicaid, Social Security, TANF, EITC, SSI, and every other welfare program are still funded. It also expands the welfare state with a parental-leave program and year-round Pell Grants.

Trump has turned out to be just as much of a militarist and warmonger as his predecessors.

Trump also supports a huge increase in military spending. He has turned out to be just as much of a militarist and warmonger as his predecessors. The United States bombed seven countries last year — Afghanistan, Iraq, Libya, Pakistan, Somalia, Syria, and Yemen — just as it did in Obama’s last year in office. According to *Newsweek*,

For Trump, 2017 has already been an explosive year: The U.S. has said it dropped over 2,400 bombs on Afghanistan,

up from 1,337 last year. In the fight against ISIS in Iraq and Syria, the U.S. has already dropped 32,801 bombs, compared with 30,743 in 2016. And the U.S. has also conducted more than 100 strikes against Al Qaeda in Yemen in 2017, compared with 38 in 2016.

Civilian casualties from America’s war on ISIS have reached an all-time high in Iraq and Syria. The U.S. empire shows no signs of shrinking. In late 2017, the *New York Times* reported that the United States “now has just over 240,000 active-duty and reserve troops in at least 172 countries and territories,” plus an additional 37,813 troops on assignments that have not been made public. “We operate and fight in every corner of the world,” boasted Gen. Raymond Thomas, the chief of U.S. Special Operations Command. The United States still has more than 39,000 troops in Japan and 36,000 in Germany, even though World War II ended in 1945. The U.S. military has thousands of troops stationed in the Middle East, including 6,524 troops in Bahrain and 3,055 in Qatar, where the United States has naval bases. The number of foreign military bases has

been estimated to be more than 1,000. President Trump has not advocated that even one should be shut down. Last year U.S. Special Operations Command reported that U.S. special forces conducted missions in 138 countries — roughly 70 percent of the nations on the planet. And in addition to hot wars, Trump wants to start trade wars. He truly believes that higher tariffs and less trade will make America great again in some way.

It's not going to be some person that makes America great again but instead a philosophy: libertarianism.

On the domestic front, as John Whitehead of the Rutherford Institute has well said about America in the age of Trump, “The American police state is still alive and well and flourishing.” The federal drug war continues unabated. Americans are still subjected to “invasive surveillance, marauding SWAT teams, an overwhelming government arsenal of assault vehicles and firepower, and a barrage of laws that criminalize everything from vegetable gardens to lemonade stands.” The NSA and the FBI still listen to our phone calls and read our email. The government still carries out warrantless

searches of our homes. The TSA still gropes and unnecessarily inconveniences airline travelers. Local police are still militarized. SWAT teams are still deployed in record numbers. The Trump administration has paved the way for increased civil asset forfeiture. Trump has even said that he wants those who burn the American flag to lose their citizenship or spend a year in jail.

Libertarianism

Donald Trump has not made America great again and will not make America great again. He was never going to make America great again (and of course, neither was Hillary Clinton or Bernie Sanders). Indeed, it's not going to be some person that makes America great again but instead a philosophy: libertarianism.

Libertarianism is the philosophy that says that people should be free from individual, societal, or government interference to live their lives any way they desire, pursue their own happiness, accumulate as much wealth as they can, assess their own risks, make their own choices, engage in commerce with anyone who is willing to reciprocate, participate in any economic activity for their profit, and spend

the fruits of their labor as they see fit, 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.

To the libertarian, the only possible legitimate functions of government are defense, and judicial and policing activities.

The creed of libertarianism is nonaggression: freedom from aggression and violence against person and property as long as one respects the person and property of others. The principle undergirding the libertarian philosophy is what is known as the nonaggression principle. Because government is the greatest violator of the nonaggression principle, personal liberty, and property rights, libertarians oppose government intervention, regulation, and control of the economy and society; government regulation of business and commerce; and government restraint of peaceful, private, voluntary, and consensual peaceful activity.

To the libertarian, the only possible legitimate functions of government are defense, and judicial and policing activities. All government actions, at any level of govern-

ment, beyond those functions are illegitimate. As long as people don't infringe upon 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.

It is libertarianism that can make America great again.

Making America great again

It is not higher tariffs, better trade agreements, a lower trade deficit, increased defense spending, more military equipment to cops, a border wall, more immigration restrictions, tighter Cuba restrictions, buy-America campaigns, increased civil asset forfeitures, more countries bombed, more troops sent abroad, increased drone strikes, tougher enforcement of federal marijuana laws, strengthening military and law enforcement, or policing more of the world that will make America great again. Trump's policies will not make America great again.

But libertarianism will. The following are some libertarian ideas to limit the size and scope of government, protect property rights, and increase personal and commercial freedom. It is these ideas that will make America great again.

Repeal all victimless-crime laws.

Every crime should have a tangible and identifiable victim with real harm and measurable damages. Rape, robbery, assault, child abuse, battery, burglary, theft, arson, looting, kidnapping, shoplifting, embezzlement, murder, manslaughter — those are real crimes. Possessing illegal drugs, prostitution, ticket scalping, and illegal gambling are victimless crimes.

Using drugs may be addictive, unhealthy, and immoral, but it is not for the government to decide what risks Americans are allowed to take and what kinds of behaviors they are allowed to engage in. Regarding prostitution, why should a service that is legal to give away be illegal if one charges for it? Regarding ticket scalping, what could possibly be wrong with an exchange of tickets for cash between a willing buyer and a willing seller, as long as their activity does not violate the property rights of the owner of the ground where they make their exchange? Regarding gambling, all Americans should be able to do with their money as they see fit, even if that means wasting it on vices such as gambling.

And regarding victimless crimes in general, why should peaceful, private, voluntary, and

consensual activity be criminalized? The United States leads the world in incarceration rates. Only violent criminals should be incarcerated, and no one should ever be locked up for committing a victimless crime.

Only violent criminals should be incarcerated, and no one should ever be locked up for committing a victimless crime

Repeal all anti-discrimination laws. Discrimination is another crime in search of a victim. Anti-discrimination laws violate private-property rights, freedom of association, freedom of contract, and freedom of thought. Discriminating against someone is not aggressing against him. Discrimination means freedom. A free society must include the freedom to discriminate against any individual or group for any reason and on any basis.

Institute educational freedom. It is not the proper role of government to provide or pay for the education of anyone. Education is, in the case of children, a parental responsibility; in the case of adults, it is an individual responsibility. In either case, it is not the responsibility of government. And of course, on the federal level, the Constitu-

tion nowhere authorizes the federal government to have anything to do with education. No American should be forced to pay for the education of any other American.

Institute medical freedom. It is not the proper role of government to provide or pay for the medical care or insurance of anyone. Medical care is, in the case of children, a parental responsibility; in the case of adults, it is an individual responsibility. In either case, it is not the responsibility of government. And of course, on the federal level, the Constitution nowhere authorizes the federal government to have anything to do with medical care or insurance. No American should be forced to pay for the medical care of any other American.

Trade does not need to be managed by the government with trade agreements.

End occupational licensing. Depending on the state, many occupations — such as barbers, lawyers, accountants, travel agents, locksmiths, auctioneers — require a certificate of permission and approval from a government-sponsored board. But why should anyone have to get permission from the government to open a business, en-

gage in commerce, work in certain occupations, have a particular vocation, or provide a service to willing customers? There is absolutely no reason why all occupations could not be privately certified.

End all government subsidies. It is not the job of the government to subsidize agriculture, housing, scientific or medical research, cultural activities of individuals or organizations, or health insurance. All grants for research or the arts should come from private sources. And agriculture, housing, and health insurance should be treated just like any other sector of the economy.

Institute travel freedom. Any American should have the right to travel to any country by any means for any reason for any period of time and spend any amount of his money while he is there. Any American business should have the liberty to decide which countries it wants or doesn't want to do business in or with.

Institute real free trade. Trade does not result in winners and losers; it is always mutually beneficial or it would not take place. Trade does not need to be managed by the government with trade agreements. The trade deficit is a government accounting fiction. Free trade needs no trade organizations, trade agree-

ments, or trade treaties. Free trade means that trade is conducted without being hindered by tariffs, quotas, barriers, regulations, restrictions, or dumping rules. All forms and levels of protectionism require government central planning. Free trade is fair trade whenever it doesn't involve government subsidies, crony capitalism, or a government import-export bank.

The government has no right to take money from Americans against their will and give it to foreigners.

End the welfare state. The federal government operates about 80 means-tested welfare programs that limit benefits or payments on the basis of the beneficiary's income or assets. The best-known of these programs are Medicaid; the State Children's Health Insurance Program (SCHIP); the Supplemental Nutrition Assistance Program (SNAP [formerly known as food stamps]); Women, Infants, and Children (WIC); Temporary Assistance to Needy Families (TANF); Head Start; Healthy Start; Supplemental Security Income (SSI); school breakfast and lunch programs; and the Low Income Home Energy Assistance Program (LIHEAP). All of these

means-tested programs, as well as the crown jewel of the welfare state — Social Security — have the same three problems: 1. They are not authorized by the Constitution. 2. They are not a legitimate purpose of government. 3. They are wealth-redistribution schemes. All charity should be private and voluntary.

Eliminate refundable tax credits. There is nothing wrong with regular tax credits. They are simply dollar-for-dollar reductions in the amount of income tax owed. Tax credits may reduce the tax owed to zero, but if there is no taxable income to begin with, then no credit can be taken. Tax credits, like their cousins tax deductions, are always good things. But refundable tax credits give the "taxpayer" a refund of money that he never paid in to begin with. The money is simply taken from real taxpayers and transferred to him. Refundable tax credits are the ultimate form of welfare because they are payments made in cash (like TANF or SSI) rather than payments made to a third party, as with Medicaid, or deposited on an Electronic Benefit Card (EBC), as with food stamps.

End all foreign aid. The government has no right to take money from Americans against their will and give it to foreigners, NGOs, or

foreign governments. Any American who wants to help the poor, starving, or underprivileged in any country is welcome to do so on his own or through any number of private organizations as long as he does so with his own money. All foreign aid should be private and voluntary.

Stop fighting foreign wars. Foreign wars are never necessary and always senselessly sacrifice American blood and treasure. They also make Americans less safe because they expand hatred of the United States and create terrorists and insurgents who resent being bombed, invaded, and occupied.

**Foreign wars are never necessary
and always senselessly sacrifice
American blood and treasure.**

Stop policing the world. U.S. foreign policy has departed significantly from the foreign policy of the Founders. It was Thomas Jefferson who described U.S. foreign policy as “Peace, commerce, and honest friendship with all nations — entangling alliances with none.” It was John Quincy Adams who maintained that America “goes not abroad in search of monsters to destroy.” U.S. foreign policy is reckless, belligerent, and meddling.

Both of these former presidents would be aghast at how far U.S. foreign policy has departed from the ideals of neutrality and nonintervention that they championed.

Dismantle the U.S. empire. The United States maintains an expensive and extensive empire of hundreds of thousands of troops and a thousand military installations around the world. Spending on the U.S. military is a huge part of the federal budget. Yet much of it would be totally unnecessary if the U.S. military were reserved strictly for defending America, securing American borders, patrolling American coasts, guarding American shores, and watching over American skies instead of doing those things in other countries. All foreign U.S. bases should be closed and all U.S. troops stationed overseas should be brought home.

Abolish the income tax. The federal government is not entitled to a certain percentage of the income of any individual or business. If Congress strictly limited spending just to what was authorized by the Constitution, the federal government wouldn’t need any portion of Americans’ incomes to fund its military adventures, income-transfer programs, wealth-redistribution schemes, or assorted boondoggles.

These changes would not only make America great again, they would make America better than she ever was.

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NEXT MONTH:
“A Complete and Utter Failure”
by Laurence M. Vance

If you favor federal intervention at home, you’re a “liberal.” If you favor federal intervention abroad, you’re a “conservative.” If you favor both, you’re a “moderate.” If you favor neither, you’re an “extremist.”

— Joseph Sobran

Limited Government and a Free Society, Part 3

by Gregory Bresiger



Franklin D. Roosevelt was up for reelection in 1940. Toward the end of the election campaign, wanting to reassure the considerable isolationist sentiment, he promised not to send U.S. troops to Europe. “I have said this before. But I shall say it again and again and again. Your boys are not going to be sent into any foreign wars.” He was easily re-elected. Yet the United States was soon at war.

That was an echo of another presidential promise 24 years before — when Woodrow Wilson campaigned for reelection on the promise of keeping the country out of World War I while he was negotiating with the British for U.S. entry into the war. Five months after his

election, the United States formally entered World War I.

Lyndon Johnson, campaigning for a new term in 1964, promised not to send more troops to Vietnam. The Pentagon Papers confirm that Johnson said one thing in public and did something very different in private. He ended up sending 500,000 troops to a war against a regime headed by a man who had been friendly toward the United States, Ho Chi Minh.

Ho led a nation that hated the Chinese. His people had been fighting China for thousands of years, as documented in the book *Everything under the Heavens*, by Howard French. The irony of Lyndon Johnson’s presidential war, which finally ended in 1975, was that Ho’s successors started fighting the Chinese again once the Americans were gone. Today, many Vietnamese communists are pro-American because of their hatred and fear of the Chinese empire. Kennedy’s, Johnson’s, and Nixon’s war had never been necessary. Indeed, Ernest Gruening, one of the few senators to vote against the Gulf of Tonkin resolution, speculated that Ho Chi Minh again, as in World War II, could have been a *de facto* American ally.

“A Moscow-trained communist,” Gruening wrote of him in his

memoirs (*Many Battles*), “he [Ho] shared his people’s millennial aversion to the Chinese and would have been a firm bulwark against a Chinese invasion of Southeast Asia. He was, above all, an ardent nationalist and incarnated his people’s desire for independence and opposition to all foreign domination — Chinese, French, Japanese and American.” But Johnson, like his idol Roosevelt 24 years before, was able to short-circuit any debate over war.

It also seems likely that Congress would have prevented Barack Obama’s bombing intervention into the Syrian civil war.

Just before Roosevelt’s reelection, there was a question of sending desperately needed aid to the British in the fall of 1940. Should he give the British some 50 warships they needed early in the war in exchange for bases in the Caribbean? Submission of such a treaty to the U.S. Senate would have resulted in a bitter debate. It is a virtual certainty that Roosevelt’s administration would not have been able to obtain the votes from Congress for a war declaration against Germany or even an agreement to provide warships in exchange for foreign military bases. It also seems likely that

Congress would have prevented Barack Obama’s bombing intervention into the Syrian civil war 75 years later if he had ever submitted the idea to Congress.

What treaty?

Roosevelt said the warships-for-bases deal wasn’t a treaty but rather an executive agreement. But as one senator pointed out, this bypassing of Congress idea was dangerous. “If the Executive can do these things without action by Congress, can he not also declare war without Congress,” objected Sen. Henry Cabot Lodge Jr., to the bases-for-destroyers deal. Lodge added that involvement in war could destroy “everything we prize.” One of those things would be the separation of powers provided by the Constitution.

But Roosevelt, perhaps more politically skilled than Obama and backed by expert legal advice, bypassed Congress, avoiding what would have been a bitter debate. His attorney general, Robert Jackson, affirmed that the president’s powers as commander in chief allowed him to “use all constitutional authority which he may possess to provide adequate bases and stations for the utilization of our naval and air weapons of the United States at their highest efficiency in our defense.”

This presidential power would grow over the next three decades.

An executive agreement is not a treaty. The latter is an agreement with another nation that requires the Senate to “advise and consent.” Roosevelt and his allies said Congress was not needed to review his agreement with Great Britain. The use and abuse of their powers inevitably leads to greater use until presidents start to believe that their expansive executive powers are almost limitless and that congressional war declarations are superfluous. Roosevelt’s action also led to a situation in which every agreement of consequence can be deemed an executive agreement. By contrast, inconsequential agreements became treaties.

Presidents start to believe that their expansive executive powers are almost limitless.

By 1972, Sen. J. William Fulbright was complaining that the executive agreement “had virtually become a sorcerer’s apprentice.” Arthur Schlesinger, in the book *The Imperial Presidency*, was writing at the same time that the Senate “seemed increasingly confined to matters of majestic inconsequence.” Schlesinger was a very good historian and served John Kennedy

when the United States was sending its first combat troops to Vietnam, but he fell into the same partisan trap in his book. His harshest criticism is for a Republican president, Richard Nixon. He is not nearly as critical of Harry Truman, the Democratic president who ordered U.S. troops into war in Korea without the constitutionally required congressional declaration of war, a step criticized by Robert Taft in his book *A Foreign Policy for Americans*.

Taft’s problem — from the viewpoint of a Schlesinger or a Truman — was probably not the substance of his criticism but his perceived partisanship. Taft was a so-called isolationist who voted against NATO in 1949 and, in the last year of his life, helped persuade Dwight Eisenhower not to send U.S. troops to Asia to bail out the French Empire. Ironically, Lyndon Johnson then minority leader in the Senate, agreed with Taft at the time, although as president he would reverse himself.

Here was a standard of an imperial presidency that didn’t need Congress. This standard was directly or indirectly embraced by Roosevelt’s successors, Republican and Democrat. Roosevelt found a way to avoid the messy public debate over a controversial issue — in his

case, whether the United States should enter the war through a back door. A majority of Americans, as measured by public opinion polls, wanted the United States to stay out of World War II, as they had World War I, and as they later would the Vietnam War and a bombing campaign in Syria. One wonders what most Americans think of Donald Trump's threats of nuclear war against North Korea. However, neither they nor Congress seems to have any say in a decision that could launch the world into World War III.

The successors to Roosevelt

Roosevelt's successor, Harry Truman, went beyond him in the assertion of presidential war. A critic of isolationism, Truman believed he never needed Congress's authorization to plunge the nation into war. John Kennedy and Lyndon Johnson followed his lead by never asking Congress for a declaration to wage war in Vietnam. The Bushes and numerous other presidents, now including Trump, similarly just continued business as usual.

Presidents have taken on almost limitless power in foreign policy. How many Americans understand what is happening and the extraordinary powers that presidents have

arrogated to themselves? For example, a controversial National Security Council paper, NSC-68, virtually called for war with the Soviet Union in the late 1940s. Yet it would be decades before the paper was made public.

The defense of the imperial presidency and the use of the weapons of tyranny have crossed partisan lines.

The crucial point is that much of the outrage against Trump's latest abuse of executive powers is misplaced unless the objections are institutional, not partisan. The target shouldn't be a Trump or an Obama or a Johnson or a Nixon per se. It should be this philosophy of presidential tyranny, of rule by one person, an abuse that has not been limited to one party.

No, Donald Trump, bad and bizarre as he is for tens of millions of Americans, is not an aberration as president. It would have been impossible for the United States to become an imperial regime just because of one party or one president. The defense of the imperial presidency and the use of the weapons of tyranny have crossed partisan lines. Democrats and Republicans both admire imperial presidents.

Indeed, George H.W. Bush's defense secretary, Richard Cheney, who later became vice president under George W. Bush, crossed those lines to justify the use of almost unlimited executive power. That inevitably led him to defend Democratic presidents. George Bush, in the Gulf War of 1991, famously said that he was taking the country to war even if the vote went against him in Congress. That was a position supported by Cheney, who would cite precedents going back at least to Roosevelt. "As a legal and constitutional matter, the president had the authority he needed," Cheney wrote in his book *My Time*.

Cheney notes that "if the vote had been negative, George H.W. Bush still would have ordered our troops into battle."

Indeed, Cheney thought that even submitting the issue to Congress was superfluous. "If he sought congressional approval, that would be read by some as a message that he needed a congressional vote," Cheney argued. Nevertheless, he notes that "if the vote had been negative, [Bush] still would have ordered our troops into battle." If that was the case, what was the point of

the Constitution's delegation to Congress of the power to declare war?

The bipartisan imperial state

Indeed, Cheney's defense of the weapons of tyranny didn't stop with the two controversial and disastrous wars against Iraq. In his recent book, right-winger Cheney supported the actions of left-wing Roosevelt in the period of the undeclared war. He criticized the so-called isolationist Republicans — and some Democrats as well as socialists — who warned that allowing a president to maneuver the nation into war without debate in Congress would lead the nation into endless wars or near wars. Some revisionist historians have charged that that has been the tragedy of our history over the past 75 years.

In his other book, *Cheney One on One*, Cheney becomes bipartisan in foreign-policy analysis. He praises Roosevelt's "leadership" against what he calls the "isolationists" of the 1930s and 1940s. He insists that he won't call them "noninterventionists," preferring the term of opprobrium "isolationists." Many of the latter were members of the America First Committee, the group that warned of the dangers that American foreign policy would

become “an endless war for an endless peace.”

In supporting the foreign policies of Roosevelt during the period of the undeclared war, Cheney said he had to “overcome the America Firsters,” who had warned that presidents were abusing their war powers.

Hamilton is a play that eulogizes the man who wanted the United States to build a huge military.

Cheney, for all his criticism of Barack Obama, shared the president’s praise for the play *Hamilton*, the Broadway smash hit that eulogizes a man who had contempt for the common man and wanted the United States to build a huge military so it could function as a world power. Alexander Hamilton, a founding father of the American warfare state, viewed the president as a virtual king, which executive orders and executive agreements often allow the president to be.

Hamilton’s successors have defended executive orders and agreements to change the nature of our country, changing it from a limited government to an empire. They have used them to triumph over a Constitution designed to prevent “great men.” And “great men” in

history, Acton tells us, are often “evil men.”

Remembering Hampden and Pym and the triumphs of liberty

It is time for Congress, even if it is at first just a small group, to confront these “great men.” It must insist that war cannot be legally made by one person who orders young people into battle with no authority other than the prerogative of office. That is a questionable power claimed by every imperious ruler in history. It is one that will continue to be claimed by Trump and almost every successor of his unless Congress can rediscover a heritage of liberty and limited government.

There is a solution and it is found in the history of free institutions. Indeed, it is a weapon that Congress even used to stop the Vietnam War, albeit about 15 years and some 50,000 American and hundreds of thousands of Southeast Asian deaths too late.

Congress, which has at times been complicit in this imperial presidency by going along with “successful” popular wars, has two weapons it needs in trying to stop it: the power of the purse and the power of impeachment.

Congress, the same as the courageous parliamentary leaders

who confronted Charles I and faced longer odds, must refuse to pay for illegal wars or else initiate impeachment proceedings against presidents who illegally wage war. The era of the executive order and agreement, of presidents' taking the country to war on the basis of their own whims and prejudices, must end and limited government be restored. Unless presidential war ends, liberty will end in America.

Gregory Bresiger, an independent business journalist who works for the Sunday New York Post business section and Financial Advisor Magazine, is the author of the book MoneySense, a Libertarian Approach to Money Management.

An honest man can feel no pleasure in the exercise of power over his fellow citizens.... There has never been a moment of my life in which I should have relinquished for it the enjoyments of my family, my farm, my friends and books.

— *Thomas Jefferson*

Trump, Free Speech, and Libertarianism

by *Scott McPherson*



There is a modest amount of crossover between populism and libertarianism — as there is between libertarianism and other political philosophies — but leftists and progressives should hesitate before lumping us into the same category. For the most part populists are just big-government conservatives — which means they have more in common with the political Left than with us freedom-loving libertarians.

It would be difficult to find a better example of this than the president's views on free speech and a free press — and a dangerous new trend that finds leftists ironically embracing censorship in the name of “anti-fascism.” As we will see, neither the president nor the Left really gives a damn about free speech.

During his campaign and in the months following the inauguration Donald Trump has howled endlessly about fake news and the media conspiracy against him. There is no doubt that the media establishment is in a state of collapse and its credibility, long in decline, is now sinking like a rock in water.

CNN in particular flushed what was left of its reputation when debate questions were passed in advance to Democratic candidate Hillary Clinton in 2016. That, and the endless train of Russia-collusion conspiracy theories and other stories of questionable authenticity — always anti-Trump — pouring out of that and other so-called news agencies indicate that the president does have a legitimate gripe. It's how he proposes to deal with the problem that should worry us.

Tweeting early in October, the president took direct aim at the media. After NBC published a negative story about him, Trump attacked the network, saying, “It is frankly disgusting the press is able to write whatever it wants to write. People should look into it.” Leaving no doubt of what he intended by that worrying statement, he added, “Why isn't the Senate Intel Committee looking into the Fake News Networks in our country...?”

That can mean only one thing: The head of the Executive Branch has no understanding of the First Amendment, and wants the power of the federal government put to work punishing people who say things he doesn't like.

Like it or not, the press has an absolute right to “write whatever it wants to write,” and the media in general have an equal right to say and broadcast whatever they believe is “fit to print,” as the *New York Times* claims for its standard (its questionable commitment to that standard notwithstanding). That's precisely why so many Americans in the Founding era wanted a federal amendment to the Constitution — the First Amendment — expressly forbidding Congress to pass a law “abridging the freedom of speech, or of the press.” Barring libel or physical threats, it is the duty of news organizations to publish any and all stories they believe are of interest to readers or viewers. Allegations that known falsehoods have been published is a matter for a civil courtroom, not Congress.

Furthermore, let us remind the president that we still live in a (relatively) free society; if readers or viewers have serious doubts about the integrity of their news providers then they can change the channel,

buy a different paper, or visit another website. It is the job of consumers, not the president, to punish an errant media — by withholding their patronage. It would be hard to find less regulated media than “social media,” yet the president himself admitted their indispensability in a Fox News interview on October 21. “I doubt I would be [president] if it weren't for social media, to be honest with you,” he told Maria Bartiromo. Commenting on his use of Twitter, he added, “When somebody says something about me, I am able to go bing, bing, bing, and I take care of it. [Without it] I would never get the word out.”

Allegations that known falsehoods have been published is a matter for a civil courtroom.

Of course “getting the word out” would be the first thing to go the way of the dodo if news networks lose the freedom to criticize political leaders. Anyone who doubts that social media would be next is exercising a naivete bordering on criminal negligence.

The FCC

Responding to Trump's threat, Michael Copps, a former chairman of the Federal Communications

Commission, downplayed the idea that the president could silence a media giant like NBC. “This mad-cap threat, if pursued, would be [a] blatant and unacceptable intervention in the decisions of [the FCC],” he said. “The law does not countenance such interference [and] I think the American people would strip [Trump] of his clothes on this issue.” Well, maybe not; the *New York Daily News* reported on October 11, “Thousands of television viewers have filed complaints with the FCC this year over news coverage of Trump and *demanding the agency strip stations of their licenses*” [emphasis mine]. If the mob has its way, our free press is as dead as Johannes Gutenberg.

No one has the resources to fight a prolonged legal battle against such a behemoth as the federal government.

Fortunately such an action by the president or Congress probably would fail in court. Yet Copps did acknowledge that smaller local television stations “might lack the resources to fight back” against intensive federal interference. And that’s really the important point to remember: Big or small, no one has the resources to fight a prolonged

legal battle against such a behemoth as the federal government. The mere insinuation alone that the FCC or Congress might be inclined to take some punitive regulatory action would have a chilling effect on free speech.

For radio and television broadcasters, the FCC is God. Created in 1934, it was a logical offspring of the Federal Radio Commission created in 1927, and to this day remains the legal agency controlling broadcast airwaves. In her 1964 essay “The Property Status of Airwaves,” Ayn Rand accurately questioned the underlying motive behind these federal regulatory bodies, writing that their creation

did not confine the government to the role of a traffic policeman of the air who protects the rights of broadcasters from technical interference (which is all that was needed and all that a government should properly do). It established service to the “public interest, convenience, or necessity” as the criterion by which the [regulating body] was to judge applicants for broadcasting licenses and accept or reject them. Since there is no such thing as the

“public interest” (other than the sum of the individual interests of individual citizens), since that collectivist catchphrase has never been and can never be defined, it amounted to a blank check on totalitarian power over the broadcasting industry, granted by whatever bureaucrats happened to be appointed to the Commission.

Before dismissing Rand’s concerns as hyperbole or paranoia, remember that government has exercised control over the press and media in the past when it felt the “public interest, convenience, or necessity” was at issue. Abraham Lincoln jailed newspaper editors who criticized his war on the Confederacy. Woodrow Wilson’s Sedition Act made it a crime to “utter, print, write, or publish any disloyal, profane ... or abusive language” about the U.S. government or its foreign policy. During the FBI’s 1993 Waco standoff, a reporter who criticized the government’s actions found his credentials revoked. Even less well-known is the British Broadcasting Corporation’s acquiescence, at the behest of government officials, in covering up reports of collusion between British

security forces and Loyalist death squads in Northern Ireland. The fact that a broadcaster has a license at all betrays the ability of a central government to revoke that license — and shut down dissent.

Lincoln jailed newspaper editors who criticized his war on the Confederacy.

Early in Trump’s presidency, so-called progressives began sounding an alarm, warning that he intended to wage war on the First Amendment. But their “fire bell in the night” moment of clarity smacks more of political opportunism than of a principled stand.

Terrorism and hate speech

Leftists have a rather questionable pedigree on this issue, especially of late. For years now a progressive group calling itself “antifa” — for anti-fascist — has been fascistically threatening and even physically attacking conservative, populist, and libertarian speakers visiting college campuses, with little or no condemnation from Democrats. At the University of Minnesota-Morris, a college radio program, “College Deplorable,” was threatened with cancellation after a host used the word “tyranny.” The *Daily*

Mail reported on October 30 of “growing ties” between the violent “Resistance” — leftist and progressive agitators — and groups such as al-Qaeda and ISIS, who aren’t exactly known for their tolerance of liberal values. Twitter and Facebook regularly ban nonleftists. (FFF’s Jim Bovard wrote about this in *USA Today* on October 27.) Ann Ravel, a former chairman of the Federal Election Commission — and a Democrat — floated the idea of fining readers who share “fake news” about political candidates, according to a report in the *Washington Examiner* (October 18). An opinion piece on CNN.com in November called for banning the term “fake news” altogether. A YouGov poll in 2015 revealed that 51 percent of Democrats support a ban on “hate speech” — compared with 35 percent of Independents and 37 percent of Republicans.

Only libertarians have solid bona fides on this matter, opposing any restrictions on peaceful speech, regardless of the popularity of the speech in question.

European progressives often act as a bellwether for boneheaded ideas of this sort. For example, in September the European Union

said it would “pass laws allowing the EU to impose punishments on companies” like Facebook, Twitter, Microsoft, and Google that fail to promptly remove “hate speech” identified by users, CNN reported. A similar law was actually passed in Germany and enforcement began on January 1. Despite an alarming spike in violent crime, police in the United Kingdom are instead focusing their resources on those who post online commentary that might “cause annoyance, inconvenience, or needless anxiety to another,” the *Times* reported on October 12. An estimated *nine people per day* are arrested for such offenses, approximately half of which actually lead to a prosecution. The *Evening Standard* reported on December 7 that London police will begin “cracking down on gender-based hate crimes,” including even harmless acts such as “wolf whistling,” and the British government’s Committees of Advertising Practice announced that it will ban ads containing “harmful and outdated” depictions of gender-roles, such as women cleaning, according to a Breitbart News report on December 14.

Only libertarians have solid bona fides on this matter, firmly and consistently calling for the abolition of the FCC and opposing any

restrictions on peaceful speech, regardless of the medium used or the popularity of the speech in question. In the essay referenced above, Rand rightly warned, “When censorship of radio and television becomes fully accepted ... it will not be long before all the other media — books, magazines, newspapers, lectures — follow suit.” Writing in 1973, in *For a New Liberty*, Murray Rothbard called “free expression in broadcasting” a “sham” because

the federal government, as the licensor of the airwaves, asserts the right and the power to regulate the stations minutely and continuously. Thus, over the head of each station is

the club of the threat of non-renewal, or even suspension, of its license. In consequence, the idea of freedom of speech in radio and television is no more than a mockery.

President Trump — and no shortage of his leftist detractors — would happily have it so.

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Governments need armies to protect them from their enslaved and oppressed subjects.

— *Leo Tolstoy*

If the injustice is part of the necessary friction of the machine of government, let it go, let it go: perchance it will wear smooth — certainly the machine will wear out. If the injustice has a spring, or a pulley, or a rope, or a crank, exclusively for itself, then perhaps you may consider whether the remedy will not be worse than the evil; but if it is of such a nature that it requires you to be the agent of injustice to another, then, I say, break the law. Let your life be a counter-friction to stop the machine. What I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn.

— Henry David Thoreau

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