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*Genius, that power which dazzles mortal eyes, is
oft but perseverance in disguise.*

— *John Ruskin*

FUTURE OF FREEDOM

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Understanding the JFK Assassination, Part 7

by Jacob G. Hornberger



Soon after the Warren Commission was established, the commission's chairman, Chief Justice Earl Warren, called a top-secret meeting of the commission. At the meeting, he disclosed that he had received information indicating that Lee Harvey Oswald, the accused assassin of President Kennedy, had been working for U.S. intelligence or as an informant for the FBI, or both.

Obviously, if that information was correct, it would have placed the Warren Commission in a very awkward position. Yes, it would have still been possible that Oswald had assassinated the president but then it would have been necessary to explore why a deep-state operative had decided to murder the

president. That would necessarily have led to an investigation into the operations of U.S. intelligence and the FBI.

To resolve the matter, the heads of the FBI and the CIA were asked whether the information was true. They denied it, and that was the end of the matter. Instructing the court reporter who was transcribing that particular meeting to destroy her transcript, Warren ordered that what was discussed at that meeting be forever kept secret from the American people. The only reason we know about the meeting is that the court reporter failed to destroy her tape recording of the meeting. The tape was discovered many years later.

As the years have passed, the circumstantial evidence overwhelmingly indicates that the information that Warren received was accurate. The evidence shows that contrary to the official story, as set forth by the Warren Report, Oswald wasn't an actual communist at all but rather an intelligence agent who was trained to be a communist infiltrator.

After all, at the time both the CIA and the FBI were infiltrating organizations in the United States that were perceived to be communist, with the aim of destroying them. The Communist Party comes

to mind. So does the Fair Play for Cuba Committee, which was a nationwide organization that included people who were not communists, but which was devoted to lifting the U.S. embargo against Cuba and normalizing relations between the countries, both positions being anathema to the U.S. national-security establishment.

Given the U.S. government's Cold War belief that there was a worldwide communist conspiracy to take over the United States and the rest of the world that was based in Moscow, it would not have been surprising for the CIA to try to infiltrate agents into the Soviet Union, where Oswald supposedly tried to defect after leaving the U.S. Marine Corps.

Marine? Yes, Oswald, the supposed communist, was a U.S. Marine. Keep in mind that he is alleged to have acquired an interest in communism when he was a teenager. Yet the obvious question arises: Why would a genuine communist want to join the Marines? The Marines hated communists. They killed communists.

In fact, just a few years before he joined the Marine Corps, the Marines, along with other U.S. military forces, had killed and injured millions of North Koreans, all of whom

were considered to be communists. That conflict was simply suspended, not ended. It could have started up again at any time. Would a genuine communist really join an organization in which he could suddenly be sent to kill and injure fellow communists?

Would a genuine communist join an organization in which he could suddenly be sent to kill and injure fellow communists?

Indeed, if Oswald was, in fact, a genuine communist, why would the Marine Corps permit him to join? Suppose the head of the Communist Party of the United States had applied to be a Marine? Would they have let him in? Wouldn't the Marines suspect Oswald of being a spy for the worldwide communist conspiracy that was supposedly based in Moscow?

When Oswald was young, his favorite television program was *I Led Three Lives*. It was about an FBI agent who posed as a communist in order to infiltrate communist cells inside the United States. At the end of each episode, the cell would be broken up. One can view episodes of the show on YouTube.

It is a virtual certainty that that became Oswald's dream job. That

would explain his desire to join the Marines, whose motto is “semper fidelis” or “semper fi,” which means “always faithful,” “always loyal.”

During his time in the Marines, Oswald learned to speak fluent Russian. Anyone who has ever studied a foreign language can confirm how difficult it is to do that entirely on one’s own. One usually needs a teacher or tutor, especially someone with whom to practice conversational skills. There is simply no conceivable way that Oswald could have learned Russian on his own, especially given his full-time duties as a Marine. But the military does have language schools, teachers, tutors, and mentors who undoubtedly worked with Oswald in a language-immersion program.

During his time in the Marines, Oswald was openly studying and talking about Marxism, to such an extent that his peers started calling him “Osvaldovitch.” Marine Corps officials did nothing about it. Does that make any sense in the context of the Cold War mindset that communists were everywhere and needed to be ferreted out and destroyed?

The U.S. Navy stationed Oswald at Atsugi Air Base in Japan. That’s where the CIA’s top-secret spy plane, the U-2, was based. What are

the chances that the CIA would permit a self-avowed communist to be near its top-secret spy plane, especially given that the plane was flying surveillance missions over the Soviet Union?

What are the chances that the CIA would permit a self-avowed communist to be near its top-secret spy plane?

When Oswald appeared at the U.S. embassy in Moscow, he loudly proclaimed that he wanted to defect to the Soviet Union and that he planned to give the communists whatever secrets he had acquired as a Marine. The encounter had all the characteristics of being concocted or staged, especially since it was common knowledge that the Soviets were bugging the embassy. The U.S. official advised Oswald to think it over and come back, but Oswald didn’t return. Therefore, his defection never materialized. He retained his U.S. citizenship.

When Oswald decided to return to the United States, one would naturally think that he would suffer some uncomfortable consequences. After all, not only had he ostensibly embarrassed the Marine Corps by appearing to defect to America’s official archenemy, the Soviet Union,

he also had stated that he intended to give the Soviets the secrets he had acquired as a Marine. The fact that Oswald was returning with a Russian wife, one who had an uncle with connections to Soviet intelligence, would naturally have aggravated the situation.

But that's not what happened. Oswald got his passport back and was even provided travel assistance by a U.S. organization called Travelers Aid. After he arrived in the United States, he wasn't arrested, investigated, interrogated, harassed, tortured, or even subpoenaed to testify before a federal grand jury.

Oswald was seen inside a retired FBI agent's office, which was located in the middle of the U.S. intelligence community.

In fact, after he arrived in Dallas, he went to work for a photography company that developed top-secret photographs for the U.S. government. Moreover, one of his friends and mentors became a man named George de Mohrenschildt, a conservative who had U.S. intelligence written all over him.

Oswald in New Orleans

Later, when Oswald moved to New Orleans, he went to work for a

coffee company whose owner was a right-wing anti-communist. Why would such a man want to hire a genuine communist to work in his company?

While in New Orleans, Oswald wrote a letter to the Fair Play for Cuba Committee, expressing his desire to open a chapter in New Orleans. He then contacted the U.S. Communist Party, which would have tended to smear the FPCC, whose objective was to promote, not communism, but rather normalized relations with Cuba. On some of the FPCC brochures that Oswald had printed up, he stamped as the return address the side street entrance to the office of a retired FBI agent named Guy Bannister. At various times, Oswald was seen inside Bannister's office, which was located in the middle of the U.S. intelligence community in New Orleans.

During his time in New Orleans, Oswald had an encounter with an organization called the DRE, the Directorio Revolucionario Estudiantil, which was a fiercely anti-communist, anti-Castro organization composed of Cuban exiles. When Oswald visited the head of the DRE, who was a man named Carlos Bringuier, Oswald offered to help train the DRE's personnel,

even offering to bring his Marine Corps manual with him. Needless to say, that was a strange offer coming from a person who was supposed to be pro-communist and pro-Castro.

Later, while Oswald was passing out his FPCC brochures on the streets of New Orleans, he was confronted by Bringuier for his pro-Cuban activity, which resulted in an altercation between the two men. (In the 1990s, it was discovered that the DRE was being secretly funded and supervised by the CIA.) Oswald was arrested and charged with disorderly conduct. While in jail, he asked to see a certain FBI agent, who actually came to visit him in jail, a rather strange occurrence, unless Oswald was secretly working for U.S. intelligence or the FBI.

While in jail, Oswald asked to see a certain FBI agent, who actually came to visit him in jail.

After Oswald was convicted of disorderly conduct, he was invited to appear on a radio station to debate Bringuier, who disclosed Oswald's communist beliefs and background on the show.

Oswald then traveled to Mexico City, where he created another big stir in the Soviet and Cuban embas-

sies. He was ostensibly requesting a visa to return to the Soviet Union via Cuba. When they turned him down, he was livid and made a big scene.

Throughout all this pro-communist activity, neither the CIA nor the FBI laid a finger on Oswald. How is that possible? Remember: This was the height of the Cold War. The Russians were coming to get us. There was a worldwide communist conspiracy to conquer the United States and the rest of the world that was based in Moscow. Ten years before, congressional hearings had been held in which people were destroyed with one simple question: Are you now or have you ever been a member of the Communist Party? Hollywood writer Dalton Trumbo and others were blacklisted by movie studios and also prosecuted, convicted, and sentenced to jail for criminal contempt for refusing to answer questions posed to them by the House Un-Americans Activities Committee about communist activity in Hollywood. Americans were being exhorted to look for communists everywhere, including the State Department and the Army.

The miracle

Yet, here we have what could easily be called a Cold War miracle story. A supposed American com-

munist, in the midst of the Cold War, when everyone is being exhorted to look for communists, is jumping up and down and essentially screaming, “Look at me! I’m a genuine red-blooded American Red!” And no one lays a hand on him. Imagine a bullfighter waving a great big red flag in front of a bull, and the bull simply ignores him.

Think about how the U.S. government treats people who they have suspected have betrayed America. Think about how they treated John Walker Lindh, Edward Snowden, and Julian Assange. That’s how we would expect them to react. But not even a peep of protest against Lee Harvey Oswald, communist extraordinaire.

In fact, one almost gets the surreal impression that Oswald was operating in a parallel universe. In one universe, the U.S. national-security establishment is engaged in a fierce Cold War against a communist menace that is supposedly coming to get us. In the process of preventing a communist takeover of the United States, a campaign is launched to ferret out and destroy communists operating within American society.

In the other universe, Oswald is operating. Skating across the Cold War stage of history, he openly and publicly advertises his communist bona fides, and no one lays a finger on him. Even better, he joins the Marine Corps and associates with and goes to work with people who have a pro-Cold War mindset. It would be difficult to get more surreal than that.

It would be within the context of that surreal universe that Oswald would come to play a part in the assassination of President John F. Kennedy, not as an assassin, as the official story holds, but as a “patsy,” which is precisely what he claimed to be before he was killed and silenced.

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

NEXT MONTH:
**“Understanding the JFK
Assassination, Part 8”**
by Jacob G. Hornberger

Obama's Forgotten Frauds and Debacles

by James Bovard



Former President Barack Obama is again busy lecturing Americans on politics. His speeches have contained many snappy lines that would deserve attention if they came from an untainted source. But Obama as president was guilty of many of the things against which he now warns his fellow citizens.

Last September, Obama received the Paul H. Douglas Award for Ethics in Government at the University of Illinois in Champagne/Urbana. Obama told students that “the biggest threat to our democracy is cynicism” and called for “a restoration of honesty and decency and lawfulness in our government.”

Obama flailed cynicism as in the glory days of his 2008 presidential campaign. He declared that

“making people cynical about government ... always works better for those who don't believe in the power of collective action.” He also warned that “the more cynical people are about government, the angrier and more dispirited they are about the prospects for change, the more likely the powerful are able to maintain their power.”

But his eight years as president fueled the distrust of Washington that Obama now condemns. How can he blame Americans for being cynical after his dozens of false promises, such as “If you like your doctor, you'll be able to keep your doctor” despite all the mandates in Obamacare? Millions of Americans got shafted by his bait-and-switch. How can he blame Americans for being cynical after his 2016 assertion that “it is easier for a teenager to buy a Glock than get his hands on a computer or even a book”? Amazon Prime does not offer to send AK-47s, unlike copies of *War and Peace* and *Pride and Prejudice*. Or how about in 2015 when he complained about “neighborhoods where it's easier for you to buy a handgun and clips than it is for you to buy a fresh vegetable.” Obama never offered any evidence that carrots are rarer than .38 Specials. How can he castigate cynics after he

campaigned in 2008 on a peace platform and then proceeded to bomb seven nations?

How can Obama castigate cynics after he campaigned on a peace platform and then proceeded to bomb seven nations?

Obama declared in his Illinois speech that Americans are “supposed to stand up to bullies, not follow them.” But Trump won in 2016 in part because many Americans considered the federal government the biggest bully in the land. Obama relied on “bureaucratic bulldozing rather than legislative transparency,” according to the *New York Times*, issuing 50 percent more “major regulations” than the George W. Bush administration. When Congress refused to accede to his demands, he declared that he would use his pen and phone to rule by executive order.

Obama told the student audience, “Most of you don’t remember a time before 9/11, when you didn’t have to take off your shoes at an airport.” Did the students realize that the Transportation Security Administration became far more punitive and intrusive during Obama’s presidency? Obama appointees brought in Whole Body scanners across the

nation and entitled TSA agents to aggressively touch travelers’ genitals and breasts. But despite all that additional power and groping, TSA remained the poster boy for incompetence: TSA checkpoints still failed to detect 95 percent of smuggled guns and bombs. But because Obama never went through a TSA checkpoint as president, the abuses didn’t exist — at least not for him.

Information and the press

Obama also told University of Illinois students that “democracy depends on transparency and accountability” and said, “It shouldn’t be Democratic or Republican to say that we don’t threaten the freedom of the press because they say things or publish stories we don’t like.” But despite boasting of “the most transparent administration ever,” Obama expanded federal secrecy and prosecuted more journalists and whistleblowers than any previous administration. Obama appointees helped turn the Freedom of Information Act (FOIA) into a charade. The Associated Press reported in 2015 that the Obama administration “set a record again for censoring government files or outright denying access to them” under FOIA. The State Department ignored 17 FOIA requests for Secre-

tary of State Hillary Clinton's emails before 2014 and insisted it required 75 years to disclose emails of Clinton's top aides. When Obama took office, the United States had the 20th-most free press in the world, according to the Reporters Without Borders' World Press Freedom Index. By 2016, it had fallen to 41st — worse than South Africa and barely ahead of Botswana. Obama appointees severely undermined the Freedom of Information Act.

Obama repeatedly publicly declared that Hillary Clinton had committed no crime.

As the audience cheered him on, Obama declared, "It should not be a partisan issue to say that we do not pressure the attorney general or the FBI to use the criminal justice system as a cudgel." Trump's declarations about federal prosecutions are appalling. But while the FBI was investigating the legality of Hillary Clinton's private email server, Obama repeatedly publicly declared that she had committed no crime. The Inspector General report released last June revealed that, after a half-hearted probe, the FBI planned to absolve Clinton unless she openly confessed to wrongdoing when FBI agents finally talked

to her. That is not routine FBI procedure though perhaps there is a secret protocol for such cases.

Obama declared in Illinois that "in a government of and by and for the people, there should be no permanent ruling class. There are only citizens, who through their elected and temporary representatives, determine our course and determine our character." The perception that Obama had designated Hillary Clinton as his successor helped undermine potential Democratic Party challengers to her nomination. If Clinton had been elected, then the United States would have had a stretch of 24 out of 32 years in which two politically connected families stocked the White House — too close for comfort to a "permanent ruling class." The façade of an FBI investigation of Clinton's email shenanigans helped ensure for her the Democratic Party presidential nomination and, indirectly, paved the way to a Trump presidency.

Obama lamented, "Cynicism led too many people to turn away from politics and stay home on Election Day." But many Americans boycotted the 2016 election because they believed that the major parties offered them merely a choice of liars and scoundrels. In 2015, Obama offered an easy solution to that

problem in another speech in Illinois: make voting mandatory.

And in his January 10, 2017, farewell address, he gibed those who “blame the leaders we elect without examining our own role in electing them.” But Obama never examined his role in covering up the crimes and other abuses of one of the 2016 candidates. In his Illinois speech, he lamented that the news “makes a lot of people feel like the fix is in and the game is rigged and nobody’s looking out for them.” Legions of Democratic voters felt that way after WikiLeaks exposed the Democratic National Committee’s emails that proved that the 2016 primaries had been rigged in favor of Clinton.

Killing and spying

Obama has gotten an almost free pass from the media on his dubious declarations the past couple years. In that 2017 farewell address, he boasted, “We have taken out tens of thousands of terrorists.” Was he counting the wedding parties blown up by drones on his watch?

Obama administration lawyers asserted a right to kill U.S. citizens whom it labeled terrorist suspects without trial, without notice, and without any chance for the marked men to legally object. At least five

Americans died in Obama-era drone attacks, including a 16-year-old boy. Drone strikes increased tenfold under Obama, helping fuel anti-U.S. backlashes in several nations. Obama personally chose who would be killed at weekly “Terror Tuesday” White House meetings that featured PowerPoint death parades of potential targets. The CIA often did not know whom it was killing but counted all adult males “in a strike zone as combatants ... unless there is explicit intelligence posthumously proving them innocent,” the *New York Times* noted. The *Times* also revealed that U.S. “counterterrorism officials insist ... people in an area of known terrorist activity ... are probably up to no good.” The “probably up to no good” standard absolved almost any drone killing within thousands of square miles in Pakistan, Yemen, and Somalia.

Obama administration lawyers asserted a right to kill U.S. citizens whom it labeled terrorist suspects without trial.

Some Obama defenders may insist that his anti-terrorist policies were necessary to achieve bipartisan political support. But there’s no excuse for his prying into average

Americans' lives. Prior to becoming president, Obama pledged "no more illegal wiretapping of American citizens." But after taking his oath of office, he quickly perpetuated and expanded some of the most sweeping and extreme Bush administration surveillance programs. Obama's Justice Department secretly decreed that all phone records of all Americans were "relevant" to terrorism investigations and thus that the National Security Administration (NSA) could justifiably seize everyone's personal data.

Obama perpetuated and expanded some of the most sweeping and extreme Bush administration surveillance programs.

In 2013, thanks to former NSA analyst Edward Snowden, Americans learned that the NSA can tap almost any cell phone in the world, exploit computer games such as *Angry Birds* to poach personal data, access anyone's email and web-browsing history, and crack the vast majority of computer encryption. Obama went on Jay Leno's *Tonight Show* and ludicrously announced, "There is no spying on Americans," while his appointees insisted that the NSA targeted only persons

linked to terrorism. But the NSA's definition of "terrorist suspect" was ludicrously broad, including "someone searching the web for suspicious stuff"

In his farewell address in January 2017, Obama appealed to "the rule of law that holds leaders accountable." But Obama helped establish an Impunity Democracy in which rulers pay no price for their misdeeds. The Obama "administration fought in court to prevent any ruling that the defunct practices [such as torture and detaining Americans arrested at home as 'enemy combatants'] had been illegal," as Charlie Savage noted in the *New York Times* a week after the 2016 election. ACLU executive director Anthony Romero lamented, "Obama's failure to rein in George Bush's national-security policies hands Donald Trump a fully loaded weapon."

In his speech to the 2016 Democratic National Convention, Obama declared, "We don't look to be ruled." Unfortunately, this lofty sentiment was scorned more than it was heeded during his presidency.

The lies that Obama told while he was president help explain why only 20 percent of Americans trusted the federal government at the end of his presidency. Who cares if an ex-president belatedly cheers for

transparency and accountability? Obama has never admitted that his policies made the federal government more dangerous at home and abroad. Nothing that Donald Trump can do or say should be permitted to expunge Obama's derelictions.

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’s ‘No Coercion’ Sham”
by James Bovard

“Asking the Wrong Questions”
by Laurence Vance

It's time to admit that public education operates like a planned economy, a bureaucratic system in which everybody's role is spelled out in advance and there are few incentives for innovation and productivity. It's no surprise that our school system doesn't improve: It more resembles the communist economy than our own market economy.

— *Albert Shanker*

Time to End the Postal Monopoly

by Laurence M. Vance



After blaming the billions of dollars a year in losses by the United States Post Office (USPS) on its failure to charge Amazon enough to deliver its packages — “making Amazon richer and the Post Office dumber and poorer” — Donald Trump, on April 12, 2018, signed Executive Order 13829, which established the Task Force on the United States Postal System “to evaluate the operations and finances of the United States Postal Service (USPS) and develop recommendations for administrative and legislative reforms for the U.S. postal system.”

The task force’s report, *United States Postal Service: A Sustainable Path Forward* (dated December 4, 2018), recommended that “the USPS and Congress work to over-

haul the USPS’s business model in order to return it to sustainability. Both administrative and legislative actions are needed to ensure that the USPS does not face a liquidity crisis, which could disrupt mail services and require an emergency infusion of taxpayer dollars.”

But the Post Office is already facing a “liquidity crisis.” In fiscal year 2018 (which ended on Sept. 30, 2018), the USPS reported an increase in annual revenue by \$1 billion over the previous year. However, it also spent almost \$4 billion *more* than it took in during the year, resulting in a \$1.2 billion *increase* over the amount of money it *lost* last year. The Postal Service not only loses billions of dollars every year, it has done so for the past decade. As acknowledged by the task force’s report,

The USPS has been losing money for more than a decade and is on an unsustainable financial path. The USPS is forecast to lose tens of billions of dollars over the next decade. Further, as of the end of FY 2018, the USPS balance sheet reflects \$89 billion in liabilities against \$27 billion in assets — a net deficiency of \$62 billion.

According to Postmaster General Megan Brennan, “Existing laws and regulations limit our ability to introduce new products or services, enter new markets, generate new revenue streams, or manage our cost structure.” “We cannot generate revenue or cut enough costs to pay our bills,” she maintains. Without drastic operational changes, the USPS will continue to post losses at “an accelerating rate.”

“We cannot generate revenue or cut enough costs to pay our bills.”

It turns out that commercial package delivery for e-commerce retailers such as Amazon was actually profitable for the USPS. Revenue from delivering packages increased in 2018. The problem is that revenue from first-class mail, which is still the biggest source of the USPS’s revenue, continues to decline even as labor costs continue to increase. In 2018, labor costs accounted for 76 percent of overall operating costs, and especially the pension and health benefits provided to each of the USPS’s retired government employees.

Lost in all of this is the real problem with the Post Office, specifically the postal monopoly and, to a larger extent, the fact that the

federal government is involved in the postal business.

The Post Office

According to the aforementioned report of the Task Force on the United States Postal System, “The USPS is a \$7 billion enterprise that collects, processes, transports, and delivers 46 billion pieces of mail and packages to nearly 159 million households and businesses annually.” According to the USPS, it carries 47 percent of the world’s mail volume, travels 1.5 billion miles a year to deliver the mail, has more than 30,000 “Postal Service-managed retail post offices in the United States,” employs more than half a million career employees, and operates the largest civilian vehicle fleet in the world.

The USPS is actually older than both the Constitution and the Declaration of Independence. The Continental Congress appointed Benjamin Franklin the first postmaster general in 1775. After adoption of the Constitution in 1789, the federal government established three departments: State, Treasury, and War. They were joined by the Post Office Department in 1792. Unlike the departments of Labor, Education, Health and Human Services, and Housing and Urban Develop-

ment, the Post Office is one of the federal government's few departments that is clearly authorized by the Constitution. In Article I, Section 8, Paragraph 7, Congress is given the power "to establish Post Offices and post Roads." According to U.S. Code, Title 39, Part V, Chapter 50, §5003, the following are considered post roads:

- (1) the waters of the United States, during the time the mail is carried thereon;
- (2) railroads or parts of railroads and air routes in operation;
- (3) canals, during the time the mail is carried thereon;
- (4) public roads, highways, and toll roads during the time the mail is carried thereon; and
- (5) letter-carrier routes established for the collection and delivery of mail.

The Postal Reorganization Act of 1970 reconstituted the Post Office Department as the United States Postal Service. The USPS is now a government corporation like the Corporation for Public Broadcasting, the Federal Home Loan Mortgage Corporation (Freddie Mac), the Federal National Mortgage Association (Fannie Mae), the

National Railroad Passenger Corporation (Amtrak), and the Tennessee Valley Authority (TVA). The new USPS officially began operations on July 1, 1971.

The USPS is now a government corporation.

The head of the Post Office is the postmaster general. Until 1971, he was appointed by the president (subject to Senate confirmation), and was a member of the president's cabinet. Now, the postmaster general is appointed by a board of governors, who are appointed by the president (subject to Senate confirmation). Postage rates are set by the Postal Regulatory Commission, formerly called the Postal Rate Commission, the members of which are appointed by the president (subject to Senate confirmation).

The Post Office operates under a Universal Service Obligation (USO). According to U.S. Code, Title 39, Part I, Chapter 1, Section 101,

- (a) The United States Postal Service shall be operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the Constitution, created by Act of

Congress, and supported by the people. The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities. The costs of establishing and maintaining the Postal Service shall not be apportioned to impair the overall value of such service to the people.

(b) The Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining. No small post office shall be closed solely for operating at a deficit, it being the specific intent of the Congress that effective postal services be insured to residents of both urban and rural communities.

The unofficial motto of the Post Office, which is engraved on the outside of the James A. Farley Post Office building in New York City is,

“Neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds.”

The postal problem

The Federal Trade Commission (FTC), established in 1914, is a federal agency “with a unique dual mission to protect consumers and promote competition.” According to the FTC,

Free and open markets are the foundation of a vibrant economy. Aggressive competition among sellers in an open marketplace gives consumers — both individuals and businesses — the benefits of lower prices, higher quality products and services, more choices, and greater innovation. The FTC’s competition mission is to enforce the rules of the competitive marketplace — the antitrust laws. These laws promote vigorous competition and protect consumers from anticompetitive mergers and business practices.

But when it comes to the postal monopoly, the FTC is silent.

According to the official USPS publication, *Report on Universal*

Postal Service and the Postal Monopoly, “To ensure funding of the USO, Congress and the President established the Private Express Statutes (PES) and the mailbox access rule, which together comprise the postal monopoly.” By law, only the Post Office is allowed to deliver regular mail, and mailboxes can be used only for the deposit of outgoing mail to the Post Office or incoming mail from the Post Office.

By law, only the Post Office is allowed to deliver regular mail.

According to U.S. Code, Title 39, Chapter I, Subchapter E, Part 310, Section 310.2, “Unlawful carriage of letters,”

(a) It is generally unlawful under the Private Express Statutes for any person other than the Postal Service in any manner to send or carry a letter on a post route or in any manner to cause or assist such activity. Violation may result in injunction, fine or imprisonment or both and payment of postage lost as a result of the illegal activity.

A letter is defined, in Section 310.1, “Definitions,” as “a message

directed to a specific person or address and recorded in or on a tangible object.” According to Section 310.3, “Exceptions,”

- The sending or carrying of letters is permissible if they accompany and relate in all substantial respects to some part of the cargo or to the ordering, shipping or delivering of the cargo.
- The sending or carrying of letters is permissible if they are sent by or addressed to the person carrying them.
- The sending or carrying of letters without compensation is permitted.

The use of a “special messenger” to deliver a letter is permitted under certain circumstances:

- (1) The use of a special messenger employed for the particular occasion only is permissible to transmit letters if not more than twenty-five letters are involved. The permission granted under this exception is restricted to use of messenger service on an infrequent, irregular basis by the sender or addressee of the message.

(2) A special messenger is a person who, at the request of either the sender or the addressee, picks up a letter from the sender's home or place of business and carries it to the addressee's home or place of business, but a messenger or carrier operating regularly between fixed points is not a special messenger.

The PRS statutes are suspended, according to Section 320, for "extremely urgent letters." However, there are several caveats:

For letters dispatched within 50 miles of the intended destination, delivery of those dispatched by noon must be completed within 6 hours or by the close of the addressee's normal business hours that day, whichever is later, and delivery of those dispatched after noon and before midnight must be completed by 10 A.M. of the addressee's next business day. For other letters, delivery must be completed within 12 hours or by noon of the addressee's next business day. The suspension is available only if the value or usefulness of the letter would be lost

or greatly diminished if it is not delivered within these time limits.

That is why UPS and FedEx are able to legally deliver overnight letters. Packages were never subject to the delivery monopoly. That is why Americans can lawfully ship packages of any number, size, weight, or content to any address by UPS or FedEx instead of the Post Office.

The Post Office has its own law-enforcement agency.

The Post Office has its own law-enforcement agency, the United States Postal Inspection Service (USPIS). In addition to enforcing some 200 federal laws relating to "crimes that adversely affect or entail fraudulent use of the U.S. Mail, the postal system, postal employees, and customers," the USPIS enforces the postal monopoly, and can carry out searches and seizures if it suspects that the postal monopoly is being contravened. The aforementioned *Report on Universal Postal Service and the Postal Monopoly* concluded, "Reducing or eliminating the Private Express Statutes (PES) and mailbox rule will harm the Postal Service's ability to provide universal service at afford-

able prices, and it is the American public who will suffer.”

The simple solution

The simple solution to the postal problem is not to reform, make more efficient, modernize, or privatize the Post Office, although all of those things would be an improvement. It is certainly true that delivering the mail is an illegitimate function of government. To the libertarian, the only possible legitimate functions of government are defense, judicial, and policing activities. All government actions, at any level of government, beyond the reasonable exercise of those functions are illegitimate — and that includes the Post Office. Government should never punish individuals or businesses for engaging in entirely peaceful, voluntary, and consensual personal or commercial activities that do not aggress against the person or property of others. As long as people don't infringe on 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 and their businesses alone — and that includes the Post Office. The simple solution is to just end the postal monopoly.

Violating the postal monopoly is the ultimate victimless crime. Libertarians frequently point out the absurdity of laws that seek to prevent and punish the commission of victimless crimes — such as selling drugs, using drugs, exchanging money for sex, engaging in illegal gambling, charging usurious interest rates, discriminating in employment or housing, or raising prices after a natural disaster. Many Americans consider those actions to be immoral. And so do many libertarians — they just don't believe it is the business of government to legislate morality or punish activity that doesn't aggress against the person or property of others. But what could possibly be immoral or wrong with an entity's delivering a letter for some other entity to a third entity — as long as all parties were in agreement with the activity? Where is the crime? Where is the victim? Where is the harm? Could anything possibly be more innocuous?

Violating the postal monopoly is the ultimate victimless crime.

The postal monopoly is worse than occupational licensing. An occupational license is a certificate of permission and approval from a

government-sponsored board that a job-seeker is required to obtain before he can begin working in a certain occupation. It is government permission to work. It is government approval for two parties to freely contract or engage in commerce. But at least with occupational licensing, the government barriers to entry can be overcome by paying a fee, taking a course, receiving training, or passing a test. Not so with overcoming the postal monopoly. It matters not how efficiently, inexpensively, or safely one can deliver the mail. There is absolutely nothing that can be done to defeat the postal monopoly.

The postal monopoly is not mandated by the Constitution.

The postal monopoly is the most egregious form of government interference in the market. Governments in many states prohibit certain business from opening on Sundays, staying open past a certain time at night, or selling alcohol before a certain time on Sunday (or not at all). But the postal monopoly is a nationwide, 24/7, 365-day, perpetual, permanent ban on engaging in a certain kind of commerce.

The postal monopoly is not mandated by the Constitution.

Frustrated with high postage rates, Lysander Spooner, back in 1844, challenged the postal monopoly when he began the American Letter Mail Company. Article I, Section 8, Paragraph 7 of the Constitution — where Congress is given the power “to establish Post Offices and post Roads” — has never been amended. Therefore, Spooner’s arguments against the postal monopoly are just as relevant now as they were then.

In his 1844 essay “The Unconstitutionality of the Laws of Congress, Prohibiting Private Mails,” Spooner uses the Constitution against the postal monopoly:

The power of Congress, then, is simply “to establish post-offices and post roads,” of their own — not to interfere with those established by others.

The constitution expresses, neither in terms, nor by necessary implication, any prohibition upon the establishment of mails, post-offices and post roads, by the states or individuals.

The constitution expresses, neither in terms, nor by necessary implication, any surrender, on the part of the people, of their own natural rights to establish mails, post offices, or post-roads, at pleasure.

The simple grant of an authority, whether to an individual or a government, to do a particular act, gives the grantee no authority to forbid others to do acts of the same kind.

This doctrine also fully admits the absolute authority of Congress over whatever mails they do establish. It admits their right to forbid any resistance being offered to their progress, and to prohibit and punish depredations upon them. But it, at the same time, asserts that the power of Congress is confined exclusively to the establishment, management, transportation and protection of their own mails.

The power “to establish post-offices and post roads” of their own, and the power to forbid competition, are, in their nature, distinct powers — the former not at all implying the latter.

Spooner and other private-mail entrepreneurs during the 1840s were all eventually shut down by the government. They not only proved that private mail delivery was possible, but also forced the Post Office to reduce its prices.

It goes without saying that pursuant to the Constitution, there might still be a government Post Office, but there would certainly be no postal monopoly. Private businesses would have the opportunity to compete with the Post Office, as well as with each other, for customers. They might even put the Post Office out of business, which would be ideal, since delivering the mail is an illegitimate function of government. Because the Post Office is constitutional, the chances of ending government mail delivery are slim. But it is time to end the postal monopoly. Although the Constitution does authorize the establishment of post offices, it nowhere establishes a postal monopoly. There is no reason that private industry cannot deliver packages and letters just like the Post Office.

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The America That Was — The Good and the Bad

by *Richard M. Ebeling*



We live in a time when an understanding and an appreciation of what a free society can or should be like is being slowly lost. Or so it seems, often, to a friend of human liberty. Political interventionism and a revived interest in “democratic socialism” dominate public discourse in almost every corner of life.

Calls are constantly being made for government to do more. Remaining areas of personal life are to be invaded by increased government regulation, redistribution, control, command, and constraint. The idea of the independent and self-responsible individual diminishes in the number of its supporters, or so it appears, with every passing day.

Public-policy debates concern not whether something should be overseen and managed by government, but merely how far the interventionist welfare state should go, and who is going to pay for it.

Lost memory of freedom past

The idea that there was a time in American history when many more matters of daily life were considered the domain of personal decision-making and voluntary collaborative community effort has mostly been erased from people’s memory. To a great extent that is because it is rarely if ever taught anymore, other than in the most negative of images.

Few people know or take an interest in that history of a freer America and the lives of those who lived during that earlier time. That makes it worthwhile, however briefly, to take a glimpse at that American past. To have a small flavor of it, sometimes the most interesting accounts are by Europeans who came to visit America in the early and middle decades of the nineteenth century, and who wrote books about their impressions of this great experiment in a free society on the American side of the Atlantic Ocean.

One of them was by a noted French economist and classical liberal, Michel Chevalier (1806–1879),

who traveled around the United States in the mid 1830s, and on returning home wrote *Society, Manners and Politics in the United States* (1839). He described a land of energetic, free men and women who enthusiastically took their lives and destinies into their own hands, fearlessly facing the uncertainties to make their way and their fortunes on what seemed to be a boundless continent of opportunity.

They were not afraid of change or adapting to the personal and financial ups and downs of life. Indeed, they often viewed them as challenges to be grasped and turned to their advantage, rather than run away from them and then beg for government handouts and social safety nets. Everyday market competition was the lifeblood of success and a natural part of processes of human improvement.

The character and quality of earlier Americans

Perhaps it's best to allow Michel Chevalier to explain a little bit of his impressions of the Americans of that time:

The American is a model of industry.... The manners and customs are altogether those of a working, busy society. At

the age of fifteen years, a man is engaged in business; at twenty-one he is established, he has his farm, his workshop, his counting-room, or his office, in a word his employment, whatever it may be.

Americans were not afraid of change or adapting to the personal and financial ups and downs of life.

He now also takes a wife, and at twenty-two is the father of a family, and consequently has a powerful stimulus to excite him to industry. A man who has no profession, and, which is the same thing, who is not married, enjoys little consideration; he, who is an active and useful member of society, who contributes his share to augment the national wealth and increase the numbers of the population, he only is looked upon with respect and favor.

The American is educated with the idea that he will have some particular occupation, that he is to be a farmer, artisan, manufacturer, merchant, speculator, lawyer, physician, or minister, perhaps all in suc-

cession, and that, if he is active and intelligent, he will make his fortune.

He has no conception of living without a profession, even when his family is rich, for he sees nobody about him, not engaged in business. The man of leisure is a variety of the human species, of which the Yankee does not suspect the existence, and he knows that if rich today, his father may be ruined tomorrow. Besides, the father himself is engaged in business, according to custom, and does not think of dispossessing himself of his fortune; if the son wishes to have one at present, let him make it himself!

The word “individualism” was used to convey an essential quality in the American character.

... An American is always on the lookout lest any of his neighbours should get the start of him. If one hundred Americans were going to be shot, they would contend for the priority, so strong is their habit of competition.

American individualism seen as essential to liberty

Americans were, indeed, rugged individualists. In fact, the word “individualism” was used to convey an essential quality in the American character by that other famous Frenchman who traveled to the United States in the mid 1830s, Alexis de Tocqueville (1805–1859), and who wrote of his journeys in his classic two-volume political study of a free society, *Democracy in America* (1835; 1840).

Tocqueville was not an uncritical devotee of American individualism, but he believed that its healthy aspects allowed the individual to see himself as a distinct person separate from the mass of humanity. The individual person was able to form his own freely chosen circle of partners and associations through family, friends, and commercial enterprise. Individualism was a bulwark against one of the most serious dangers in free societies with democratically elected governments: the tyranny of majorities, both politically and culturally.

Tocqueville expressed concerns that the American individualism that he observed could make the individual less conscious and attentive to the general society in which he lived. At the same time, he saw

that the answer to the various social problems requiring the efforts and energies of combinations of people outside of family and business had been found among the Americans through the voluntary associations of civil society.

The American spirit of voluntary association

In fact, Tocqueville considered that to be one of the most impressive aspects of American community life, to which he felt Europeans should be most attentive as an alternative to the presumption in the “old world” that all such “welfare” matters needed to be left to the State. In Tocqueville’s own words,

The political associations which exist in the United States are only a single feature in the midst of the immense assemblage of associations in that country. Americans of all ages, all conditions, and all dispositions, constantly form associations. They have not only commercial and manufacturing companies, in which all take part, but associations of a thousand other kinds, — religious, moral, serious, futile, extensive, or restricted, enormous or diminutive. The

Americans make associations to give entertainments, to found establishments for education, to build inns, to construct churches, to diffuse books, to send missionaries to the antipodes; and in this manner they found hospitals, prisons, and schools....

... I have often admired the extreme skill with which the inhabitants of the United States succeed in proposing a common object to the exertions of a great many men, and in getting them voluntarily to pursue it.

Tocqueville saw that the answer to various social problems had been found among the Americans through the voluntary associations of civil society.

As soon as several of the inhabitants of the United States have taken up an opinion or a feeling which they wish to promote in the world, they look out for mutual assistance; and as soon as they have found each other out, they combine. From that moment they are no longer isolated men, but a power seen from afar, whose actions serve

for an example, and whose language is listened to....

Nothing, in my opinion, is more deserving of our attention than the intellectual and moral associations of America....

The spirit of individualism, Tocqueville explained, was to shoulder those responsibilities yourself as a free human being.

From local fire departments, to friendly societies for mutual assurance, to charitable organizations to assist those in a community who had fallen on hard and difficult times, as well as many other purposes, the spirit of individualism, Tocqueville explained, was to shoulder those responsibilities yourself as a free and responsible person in voluntary collaboration with your fellows in society.

Political plunder in earlier America

The idea of turning to government for such activities was clearly anathema to much that was in the American character. Yet government did exist in this earlier America, and it did more than merely secure people's lives, liberty, and honestly acquired property. State and local governments subsidized privately built canals and ferries,

gave protection to state-level banks that mismanaged their depositors' funds, and gave out government contracts to special interests close to those in the legislatures.

The British traveler Charles MacKay (1814–1889) is perhaps best known for his 1841 volume, *Extraordinary Popular Delusions and the Madness of Crowds*, but he journeyed around the United States in the second half of the 1850s, and then published *Life and Liberty in America: Sketches of a Tour* (1859). He spent time in Washington, D.C., and was invited to the White House to meet President James Buchanan.

The place was crawling with those wanting special favors, government jobs, federal contracts, and trade protections from foreign competitors. Others were just busybodies and gossips wanting to shake the president's hand and tell him what the government should do according to their pet projects for making America great; some just wanted to poke around the White House to see how the president lived.

Glad-handing for power and patronage

Charles Mackay shared his observations and impressions of his visit to the White House:

The White House ... is a plain but elegant building, befitting the unpretending dignity of the popular magistrate of a country where government is minimized, and where the trappings and paraphernalia of state and office are unknown or uncongenial.

Here, the President — a man who possesses, during his term of office, a far greater amount of power and patronage than the sovereign of any state in Europe, except the Emperors of France, Russia, and Austria — transacts, without any unnecessary forms, and with no formality or ceremony at all, the business of his great and growing dominion.

Here he receives, at stated days and periods, ladies or gentlemen who choose to call upon him, either for business or pleasure, or from mere curiosity.... There is no man in the United States who has such a quantity of hand-shaking to get through as the President.

... Never was there a place in which office-hunters and place-seekers more assiduously congregate. The ante-chambers of the President are daily thronged with solicitants

— with men who think they helped to make the President, and who are constantly of the opinion that the President should help to make them.

I thought, when presented to Mr. Buchanan, that he seemed relieved to find that I was an Englishman, and had nothing to ask him for — no little place for self, no cousin, or friend, or son for which to beg his all-powerful patronage.

There was another plague across the land that eventually grew into the full-blown interventionist-welfare state.

Of course, when Chevalier, MacKay, and Tocqueville, traveled around the United States, there was another plague across the land besides the growing special interest plunder, privilege, and favoritism that eventually grew into the twentieth century's full-blown interventionist-welfare state.

The perversity of American slavery

That was slavery, and the national conflict and controversy already everywhere as to its legitimacy and the designs by Southerners to extend their “peculiar institu-

tion” into the Western territories and states. That, too, virtually every foreign visitor to America saw and commented upon.

Charles Mackay visited one of the auction sites in New Orleans, and was shocked when on orders of an auctioneer, female black slaves came up asking him to buy them. “I felt a sensation something similar to that of the first qualm of sea-sickness to be so addressed by my fellow creatures — a feeling of nausea, as if I were about to be ill. I entertained at that moment such a hatred of slavery that, had it been in my power to abolish it in one instant off the face of the earth by the mere expression of my will, slavery at that instant would have ceased to exist.”

A Russian visitor to America in 1857, Aleksandr Borisovich Lakier (1825–1870), also saw slavery in action in New Orleans. He went to the levee to watch the unloading of the ships that had come down the Mississippi River or up from the Gulf of Mexico. “Most of the work is done by Negroes, who, under the watchful eye of the white overseer, carry bales of cotton and barrels of flour, sugar, and molasses from the steamboats to the shore,” Lakier explained. “The overseer, whip in hand, keeps account of the goods

brought ashore and zealously drives the slaves to keep working without resting. If they tarry or daydream, the whip is always ready.”

**This blight on the politics,
economics, culture, and soul
of the American people was
finally ended.**

Lakier, too, visited one of the slave auction sites in New Orleans. Thinking that Lakier was a potential buyer, the auctioneer took him around the premises. “If we stopped in front of a Negress, he turned her around, displayed her charms and spoke in my ear about her various recommendations. The poor woman, forgetting her natural shame, smiled and asked that I buy her.”

The only thing that matched “the feeling of revulsion one brings to a place where Negroes are sold” Lakier said, was to read the advertisement flyers offering rewards for the capture and return of runaway slaves. There was included a description of the physical characteristics of the human being to be hunted down that was “precisely how we in our country [Russia] describe distinctive marks when we advertise for a missing dog.”

This blight on the politics, economics, culture, and soul of the

American people was finally ended a few years after Mackay and Lakier witnessed this shame and insult to the universal principles of individual liberty on which the country was declared to be founded. Unfortunately, it came about only through a destructive and devastating civil war, the full effects from which the United States has still not completely recovered.

The American ideal of freedom continued to shine.

But out of the shadow of this terrible crime against humanity and morality, America still continued as a hope and a reality of the possibility and potential for liberty and prosperity for tens of millions who came to the United States from many other parts of the world. Here people did not have bow low to those who claimed to be their aristocratic betters owing to military conquests from long ago. Here your past and its mistakes mattered much less than what you could demonstrate as your abilities to freely offer others what they may want in voluntary trade and exchange as the peaceful and productive means to your own betterment.

Here you could say what you wanted, write what you wanted, go where you wanted, work at what you

wanted, associate freely with others as you wanted, without permission or approval of kings, princes, or their government ministers. Also, here in America to be wealthy was neither a sin nor something to be embarrassed by or to feel guilty about.

The glory of America: freedom of industry and enterprise

Walter Raleigh Houghton (1845–1929) was a professor of political science at Indiana University in the late nineteenth century. In 1886, he authored *Kings of Fortune, or the Triumphs and Achievements of Noble, Self-Made Men*, a series of biographies of people from many walks of life — scientists, inventors, philanthropists, lawyers, artists and actors, and merchants and businessmen — who demonstrated excellence and enterprise in achieving recognition and stature in American society.

In America to be wealthy was
neither a sin nor something
to be embarrassed by or to feel
guilty about

But what is noteworthy is that Houghton especially emphasized the significance and mark left by private enterprisers on American society. Their successes were indic-

ative of what the country was all about. He said,

The chief glory of America is, that it is the country in which genius and industry find their speediest and surest reward. Fame and fortune are here open to all who are willing to work for them. Neither class distinctions nor social prejudices, neither differences of birth, religion, nor ideas, can prevent the man of true merit from winning the just reward of his labors in this favored land. We are emphatically a nation of self-made men, and it is to the labors of this worthy class that our marvelous national prosperity is due....

To an American, business is the quintessence of energy, the well-spring of ambition, and the highway to wealth, honor and fame. On it are based the push and the drive which are daily adding millions to the treasures of this nation, as well as giving us reputation and integrity among the peoples of the world.

What was wanted in any American for there to be a prosperous and ethical country were the qualities of

honesty, integrity, industry, politeness, and courtesy. In another of his books, *American Etiquette and Rules of Politeness* (1883), Houghton tutored the young would-be businessmen on the personal qualities to cultivate in his interactions with others:

Form good habits and be polite to all; for politeness is the key to success. Be cheerful and avoid breaking an engagement. If you have to fail in carrying out an engagement you should make the fact known, stating your reasons. Do not deceive a customer. It will ruin your business. "Honesty is the best policy."

Houghton especially emphasized the significance and mark left by private enterprisers on American society.

Never loose your temper in discussing business matters. Meet notes and drafts promptly. To neglect this is to ruin your reputation. If you cannot pay, write at once to your creditor, stating plainly the reason why you cannot pay him, and say when you will be able. Pay bills when

presented. Never allow a creditor to call a second time to collect a bill. Your credit will be injured if you do. When you collect a bill of a man, thank him.

Political destruction of private virtue

The private sector in America still retains many of these characteristics in daily life. To a great extent that is because the market has not been totally destroyed; voluntary association in this arena means that it still pays to act and see the personal benefit from so acting in a setting in which you can lose business that could have been yours if you do not behave in the way Houghton described.

What honesty, truthfulness, politeness, or sincerity exists today in American politics? Such qualities were, no doubt, wanting in the politics of that earlier time, in the nineteenth century about which foreign visitors wrote. But today the political arena in America really is nothing but a cesspool of connivance and corruption.

An understanding and appreciation of the underlying principles of

a free society upon which the United States was originally established must be regained. Because even with its many contradictions, inconsistencies, and sometimes cruelties in its past, and into the present, the idea and ideal upon which it was founded, that principle of individual freedom was — and still is — the only enduring hope for mankind.

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NEXT MONTH:
“F.A. Hayek on
Individual Liberty”
by Richard M. Ebeling

Afghanistan Exit: Swift, Responsible Disengagement, Part 1

by *Daniel A. Sjursen*



The United States has been at war in Afghanistan for more than seventeen years. Despite many years of effort and billions spent, the U.S. military is still suffering casualties in that remote land. In 2017, fourteen American soldiers died in Afghanistan — some, in fact, shot from behind by their supposed local allies. Already, through January 2019, two more American troopers have been killed. They were the 2,418th and 2,419th U.S. military deaths in the war since 2001.

None of this sacrifice has defeated the Taliban or staved off enemy military advances throughout the country over the last several years. In fact, there have been a number of

spectacular Taliban successes and attacks of late. On August 21, 2018, Afghan President Ashraf Ghani's speech in the heavily fortified capital city of Kabul was interrupted by dozens of mortar rounds fired by the Taliban. It was no mere anecdotal anomaly.

In fact, August 2018 was the bloodiest August in terms of Afghan security-force casualties in any of the past 39 years of persistent war. In one district, 100 Afghan commandoes — the pride of the U.S. advisory effort — were slaughtered. In a five-day battle for the city of Ghazni, 100 more soldiers and police were killed, along with 150 civilians, when the Taliban massed 1,000 fighters to rush and briefly seize the city. At least 350 other Afghan National Defense and Security Forces (ANDSF) members were killed this past August. Massive high-casualty Taliban attacks proliferated throughout 2018, and have continued in the new year, with more than 100 Afghan troops killed in a single attack on January 22, 2019. Such casualty levels are, frankly, unsustainable.

To say the least, the war is not going well. That became inevitable the moment the United States initiated its “nation-building” strategy in 2002, and has remained the case

irrespective of the levels of U.S. military and financial investment through the intervening seventeen years. America's longest war has decidedly not achieved the supposed goal of establishing a liberal democracy in Afghanistan.

Now is the key opportunity to end this aimless, costly war.

Luckily, in December 2018, Donald Trump announced his tentative decision to begin a U.S. troop withdrawal from Afghanistan and gradually de-escalate this unwinnable war. It remains to be seen, however, whether he will be dissuaded from doing so by a bipartisan, interventionist clique of the media and his own advisors.

Now is the key opportunity to end this aimless, costly war. As such, two realities should inform U.S. policy in this troubled country.

First, the seventeen-year active U.S. role in Afghanistan is only part of an intractable, ongoing 39-year war that the U.S. government and military cannot and will not “fix.”

Second, there is no military solution to the conflict in Afghanistan and it is long past prudent to disengage and bring all U.S. troops home, and simply accept the potential ugliness of Afghanistan — and the

world — as it is, rather than how interventionists want things to be.

The bottom line

1. The ongoing campaign in Afghanistan is America's longest war, yet it has been largely unsuccessful and inconclusive. That is due to a key reality — the U.S. armed forces have gone to prop up the Afghan government, and there is no external military solution to Afghanistan's ongoing 39-year conflict.

2. Consistent and even amplified U.S. government spending has not produced, and is not producing, successful outcomes. Current political, economic, and security indicators are trending downward throughout Afghanistan.

3. Risks to the United States in the way of casualties and monetary costs outweigh any potential benefits. Though casualty levels have decreased consistently with reductions in troop levels, American servicemen and women continue to die in this indecisive war.

4. Two decades of futile efforts across the Greater Middle East show that armed nation-building does not work. The emergence of a stable, liberal democracy in Afghanistan, while theoretically desirable, is not a legitimate role for the U.S. government and vital national

interest, and isn't an achievable outcome in any event.

5. The Taliban and homegrown, Afghan Islamist insurgent and terror groups do not present an existential threat to the United States.

A brief history of a four-decade war

Historically, Afghanistan has been a decentralized region resistant to foreign invasions or occupations. The modern borders, and concept, of Afghanistan coalesced only with the 1747 foundation of the Durrani Empire. During the 19th century, Afghanistan was a tool and buffer in the "Great Game" between the British and Russian empires in Central Asia. Misplaced British fears of Russia's southward expansion led to three disastrous Anglo-Afghan Wars between 1842 and 1919. Afghanistan was a moderately stable monarchy in the first three-quarters of the 20th century. During the early Cold War, its government successfully played the United States and its global rival the Soviet Union against one another and received development aid from both.

However, the 1970s ushered in a persistent slide toward instability. The opposing Communist and Islamist movements each grew in strength and battled for control.

The Soviet Union intervened in 1979 to prop up the nascent Communist government and waged a 10-year counterinsurgency against various Islamist mujahideen fighters opposed to the secular and socialist reforms of the new government. Despite committing some 120,000 modern troops and suffering tens of thousands of casualties, the Soviets ultimately failed in the face of Islamist-nationalist resistance and U.S military aid provided to the mujahideen through the auspices of the CIA.

The Soviet Union intervened in 1979 to prop up the nascent Communist government.

The Soviets withdrew in 1989 and by 1991 both the U.S and Russian governments cut off military aid to the Afghan combatants. Brutal years of civil war followed. The Soviet puppet, Najibullah, held out for three years but fell to a mujahideen coalition in 1992. Afterwards the mujahideen factions fractured and divided the country among venal warlords. In response, in 1993-94, conservative, rural, and frustrated Pashtun clerics and students formed the hyper-Islamist Taliban movement and fought the warlords with increased success, eventually

seizing Kabul in 1996. From 1996 to 2001, the Taliban imposed a brutal, archaic, and intolerant regime across most of Afghanistan. Nevertheless, a “Northern Alliance” of mostly minority groups (Tajiks, Uzbeks, and Hazara) continued to resist in the far northern quarter of Afghanistan. During that period, the Saudi international terrorist Osama bin Laden sought and received safe haven from the Taliban regime.

The Afghan central government in Kabul is largely unpopular and considered by many to be illegitimate.

After the bin Laden-perpetrated 9/11 attacks on New York and Washington, the U.S. military invaded Afghanistan and toppled the Taliban regime, largely destroying or dispersing the al-Qaeda presence in the country. After deposing the Taliban, the United States and NATO made the fateful, and ultimately horrific, decision to shift the mission to nation-building. The continued foreign occupation of the country eventually buttressed the power and influence of the nearly shattered Taliban movement, which now gained strength and began contesting large sections

of Afghanistan’s south and east by 2006. Increased violence and instability led to the announcement of a military “surge” by Barack Obama in 2009. By 2011, nearly 100,000 U.S. service members patrolled Afghanistan, though the Taliban was never decisively defeated. By 2014, the United States transitioned to an advisory mission of training the ANDSF and combatting transnational terror threats. Taliban influence only grew, and by 2018 the enemy contested or controlled a higher percentage of Afghan districts than at any previous time since the 2001 invasion.

A question of legitimacy

The Afghan central government in Kabul is largely unpopular and considered by many to be illegitimate. It faces regular criticism from the population and international community for its corruption, division, and inability to guarantee security. As a recent U.S. congressional report concluded, “Afghanistan’s ... political outlook remains uncertain, if not negative, in light of ongoing hostilities.” Recent trends indicate that the U.S.-backed federal government is fragmenting along ethnic and ideological lines. That should come as little surprise. The last two presidential elections — in

2009 and 2014 — have been wracked by allegations of fraud, and the Parliamentary elections (scheduled for October 2016) were delayed almost indefinitely. Security is the main issue. Some 1,000 of 7,400 existing polling stations are now located in areas outside the government’s control. In the last presidential election, the United States had to broker a compromise arrangement between the two leading candidates in order to break the deadlock.

In recent years, the Uzbek Vice President (and notorious warlord) Abdul Rashid Dostum has criticized President Ghani’s government for favoring Pashtuns at the expense of minority groups. Dostum even fled the country in May 2017, in the wake of accusations of his perpetuation of political violence. That same month, representatives of several ethnic minority parties formed the Coalition for the Salvation of Afghanistan in opposition to the existing federal government. It is unclear whether the center can hold.

Meanwhile, peace and reconciliation efforts with the Taliban insurgents are ongoing, especially as increased violence has aided the growth of a nationwide peace movement. President Ghani has fi-

nally agreed to direct talks with the Taliban “without preconditions,” though the Taliban has largely rejected such initial efforts. In a sign of hope, however, the Taliban did agree to a three-day ceasefire in June 2018. The grassroots peace movement conducted a series of nationwide marches in favor of the cessation of hostilities. After 39 years of perpetual war, it appears that national public momentum increasingly favors an Afghan-brokered peace.

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Moreover, in spite of U.S. boasts regarding the humanitarian advances of post-Taliban Afghanistan, human rights remain a significant issue. Simply put, Afghanistan’s conservative religious and political traditions are persistent and perpetuate the denial of educational and employment opportunities to women and girls. Furthermore, 70 percent of Afghan marriages are still forced; the practice of *baad* — giving away women in marriage to settle tribal disputes — remains prevalent; there is no national law against sexual harassment and women are still routinely jailed for

adultery; men convicted of “honor killings” against adulterous wives, meanwhile, serve only a maximum of two years in prison; and, on several occasions, women’s rights activists have been assassinated. In fact, the number of women jailed for so-called moral crimes has increased by 50 percent since 2011.

Religious freedom is also severely restricted by the supposedly modern Afghan government.

Religious freedom is also severely restricted by the supposedly modern Afghan government. Members of small religious minority groups — such as Christians, Sikhs, Hindus, and Bahá’ís — face regular discrimination. Specifically, the Afghan Supreme Court declared the Bahá’í faith to be a form of blasphemy — punishable by death under Afghan law. It is highly questionable whether such an unstable and, ultimately, intolerant government is worthy of U.S. investment and sacrifice.

Eventually, the Afghan political and military crisis will reach an end state, one that might well end in a negotiated agreement. The Taliban movement is popular in large swaths of eastern and southern Af-

ghanistan — it always has been — and is not going anywhere. It will be a part of Afghanistan’s political and security future. Such a messy arrangement is essentially a fait accompli, regardless of the levels of U.S. efforts, deaths, or other sacrifices. In the end, this is an Afghan, not an American, problem and it must ultimately be solved by Afghan methods and compromises.

Weakness and stasis: a deteriorating security situation

For nearly two decades, one U.S. commanding general after another has assured the American public that — with just a few extra troops and a little more time — he could achieve victory in Afghanistan. That is particularly disturbing considering the attention and resources dedicated to the war in Afghanistan, especially over the last ten years. After all, early in 2018, a Pentagon spokesman stated that “Afghanistan has become CENTCOM’s main effort.” Still, despite Chairman of the Joint Chiefs of Staff Gen. Joseph Dunford’s testimony to Congress that the battlefield situation represented “roughly a stalemate,” he and other senior generals have been far more optimistic at times — promising success if only they received more

troops, more money, more ... everything. In February 2017, the overall commander (the sixth of seven since 2009), Gen. John Nicholson, stated that the United States had a “shortfall of a few thousand” troops, which, if provided, would help “break the stalemate.” One year later, after getting a few thousand troops and a new strategy from Donald Trump, Nicholson stated that “we’ve set all the conditions to win.”

The Taliban has made gains all around the country in recent years.

But results have not matched such optimistic predictions. In February 2018, former Secretary of Defense Chuck Hagel called the situation in Afghanistan “worse than it’s ever been,” and predicted that “the American military can’t fix the problems.” More disturbing, and instructive, are the recent words of a true insider with new, creeping doubts about progress in Afghanistan — a most recent commander of the war. Speaking “from the heart” in a September 2018 farewell address in the ceremony marking his transition out of command, General Nicholson admitted that “it is time for this war in Afghanistan to end.”

Reality and ground-level metrics have confirmed Nicholson’s suspicions. The Taliban has made gains all around the country in recent years, even showing strength outside their traditional areas of support. They’ve even conducted mass operations briefly seizing major cities such as Kunduz (September 2015), Farah (May 2018), and Ghazni (August 2018). Nationwide, according to the July 2018 Special Inspector General for Afghan Reconstruction (SIGAR) report, 44 percent of Afghan districts are either contested or controlled by the Taliban — the highest rate since 2001. What’s more, just before the Obama surge (often seen as the high tide of Taliban success) that number stood at only 30 percent of Afghan districts. When Obama initially agreed to a surge of nearly 100,000 U.S. troops on the ground, he claimed they were being sent to “reverse the Taliban’s momentum.” Clearly, in the long run that has proved unsuccessful.

Insurgent successes are largely funded by illicit narcotics, which have long filled the Taliban’s coffers. And, despite on-and-off efforts at drug (specifically opium) eradication, the metrics here are also disturbing. In November 2017, the United Nations reported that the

total area used for poppy cultivation had broken a national record and was up 46 percent from 2016. Furthermore, opium production itself had increased by 87 percent. Overall, the trend of Afghan security has been downward — this, in spite of nearly seventeen years of varying levels of U.S. military commitment and sacrifice.

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Reform is a good replete with paradox; it is a cathartic which our political quacks recommend to others, but will not take themselves; it is admired by all who cannot effect it, and abused by all who can.

— C.C. Colton

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