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# FUTURE OF FREEDOM

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*God himself will not save men against their wills.*

— *John Locke*

# FUTURE OF FREEDOM

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# The Destruction of American Liberty

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by *Jacob G. Hornberger*



**T**he terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001, were a watershed event for the United States, not only because of the large death toll and property destruction but, more important, because they spelled the death knell for American liberty.

Americans had already lost a large portion of their freedom when the federal government was converted into what is called a “welfare state,” a governmental system that is based on the concept of mandatory charity. Examples of mandatory-charity programs include Social Security, Medicare, Medicaid, farm subsidies, education grants, corporate bailouts, foreign aid, and every other program by which the government takes money from people

to whom it belongs and gives it to people to whom it does not belong.

There is no way to reconcile a system of mandatory charity with the principles of a free society. A genuinely free society is one in which people are free to keep everything they earn and decide for themselves what to do with their own money. An unfree society is one in which the government mandates that people be good and caring to others.

In 1913, Americans brought into existence the progressive income tax, which became the primary engine for funding America’s welfare state. To enforce the collection of the tax, Americans called into existence the IRS, which became one of the most tyrannical agencies in U.S. history. In the same year, the Federal Reserve was established, a central bank that would ultimately debase and destroy the gold-coin monetary system that the Constitution established and that had been America’s monetary system for well over a century.

Prior to the 9/11 attacks, Americans had lost another large portion of their freedom with the war on drugs, a governmental program that jails or fines people for possessing or distributing substances that the government doesn’t approve of. As the

drug war failed to achieve its goal of a drug-free society, the government initiated an ever-increasing array of harsh enforcement measures that have further contributed to the destruction of freedom, including mandatory minimum sentences, asset-forfeiture laws, no-knock raids, and warrantless searches and seizures.

There is no way one can reconcile drug laws with the principles of a free society. In a genuinely free society, people have the right to ingest whatever they want, no matter how harmful, dangerous, or destructive a substance might be.

Americans have also lost a large portion of their freedom through government central planning and regulation of economic activity. Examples include trade and immigration controls, the Federal Reserve, and public schooling. There is no way one can reconcile socialist central planning and economic regulation with freedom. In a genuinely free society, people plan their own lives and coordinate their activities with others in a free-market environment.

It is not a coincidence that for the first 125 years of American life, there was no income tax, IRS, Social Security, Medicare, Medicaid, farm subsidies, education grants,

drug laws, central planning, economic regulation, public schooling, Federal Reserve, or other parts of what can also be labeled the “paternalistic state.” Our American ancestors understood that those things violate the principles of liberty.

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**There is no way one can  
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The federal government’s response to the 9/11 attacks completed the destruction of American liberty. Seizing on the attacks as an opportunity to expand power at the expense of freedom, U.S. officials, especially those in the national-security branch of the government, ended up with omnipotent power over the American people. When a regime wields omnipotent power, there is no way that people in that society can legitimately be considered free.

### **Irreconcilables**

Owing to the 9/11 attacks, we now live in a society in which a vast, permanent, and ever-growing military establishment wields the power to take Americans into custody and incarcerate them in military dungeons or detention centers for as long as the military desires. All that

military officials have to do is label the American detainee a “terrorist” or a “threat to national security.” Once that designation is made, there is nothing the person can do about it. He will find no relief in the federal courts because the courts have made it clear that they are not about to interfere with military operations, especially during time of war, including the ongoing, never-ending, post-9/11 “war on terrorism.”

That is what the José Padilla case was all about. That case established the power of the military to take Americans into custody and keep them incarcerated as part of the federal government’s “war on terrorism.” Since the war on terrorism is going to last for decades, perhaps forever, the military detention of American citizens as terrorists or as threats to national security will also last for decades or forever.

It is true that the military is not currently exercising its power by incarcerating Americans in military dungeons or detention centers. But whether a tyrannical power is being exercised is not the test of a free society. The test is whether the government wields omnipotent powers, ones that can be exercised later on during an “emergency” or “crisis.” If the government wields omnipotent powers, even if it isn’t ex-

ercising them, there is no way that people in such a society can legitimately be considered free.

For example, the Fifth Amendment to the U.S. Constitution expressly prohibits the federal government from depriving a person of liberty without due process of law. “Due process” is a phrase that stretches back to Magna Carta in 1215, when the barons of England forced their king to acknowledge that his powers over the English people were limited. Due process entails notice and trial. Thus, the Fifth Amendment prohibits the federal government from depriving people, including Americans, of liberty without notice and trial.

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**The military now has the power to take Americans into custody and jail them forever without notice or trial.**

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But as a consequence of the 9/11 attacks, that is precisely what the Pentagon now wields the power to do as part of its ongoing, never-ending war on terrorism. Despite the Fifth Amendment, the military now has the power to take Americans into custody and jail them forever without notice or trial, simply by labeling them “terrorists” or “threats to national security.”

As a consequence of the 9/11 attacks, the American people also now live under a government that wields the power to assassinate them, again without notice or trial. It is virtually impossible to find a more tyrannical power than the power to kill people, including a government's own citizenry. That's what the post-9/11 case of Anwar al-Awlaki was about — the power of the federal government to kill American citizens who are labeled “terrorists” or “threats to national security.” The federal judiciary has made it clear that as long as the government is waging its ongoing, never-ending, post-9/11 war on terrorism, the federal courts will not interfere with this extraordinary power.

Once again, the fact that U.S. officials are currently exercising this power primarily against foreigners does not affect the destruction of freedom here at home. A free society is measured not by whether a certain power is being exercised but rather by whether the government even possesses that power. That's why the Fifth Amendment expressly prohibits the federal government from killing anyone without due process of law, which, again, means notice and trial. The idea behind that provision was that freedom

necessarily entails a government that does not possess the power to assassinate people.

The aftermath of the 9/11 attacks also eviscerated the Fourth Amendment to the Constitution. Even before the attacks, the federal government had made inroads on the search-and-seizure provision of that Amendment by lowering the probable-cause requirement for searches entailing the gathering of foreign intelligence. That's what the super-secret FISA court was all about. Meeting in secret and scared to death to second-guess any warrant request entailing national security, the FISA judges effectively became rubber-stamps for the national-security establishment. But at least there was a thin barrier between domestic criminal investigations and foreign-intelligence investigations.

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**The 9/11 attacks led to expanded mass-surveillance powers for the NSA.**

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That barrier came crashing down in the aftermath of the 9/11 attacks. That's what the USA PATRIOT Act accomplished. It enabled U.S. officials to secure search warrants at a reduced standard for both intelligence investigations and

criminal investigations and to do it before a super-secret court whose decisions could not, as a practical matter, be challenged by those who were being targeted for secret surveillance.

The 9/11 attacks led to expanded mass-surveillance powers for the NSA, enabling this secretive agency to conduct warrantless surveillance on the American people. Operating under a misguided concept of patriotism involving unswerving allegiance to the government, some of America's telecommunications companies were induced to illegally betray their clients by illegally providing their personal data to federal officials.

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**Torture, although conducted by the military, is actually the specialty of the Central Intelligence Agency.**

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It is still impossible for Americans to know precisely what the NSA is doing to spy on them, given the highly secretive nature of the agency and the refusal of the federal courts to permit any piercing of its operations, especially since NSA officials know that nothing bad will happen to them if they are later caught violating the law or lying about it to prevent disclosure. That's

what the James Clapper episode was all about. When that director of National Intelligence was caught lying to Congress about illegal surveillance of the American people, neither Congress nor the Justice Department dared to seek a criminal indictment against him.

There is no way to reconcile a society in which a regime wields the omnipotent power to conduct secret surveillance on the citizenry with a genuinely free society. Freedom necessarily entails an absolute protection of privacy.

And then there is torture, which, although conducted by the military, is actually the specialty of the Central Intelligence Agency, which is the third component of the national security establishment (the other two being the military and the NSA). While the CIA had engaged in torture before the 9/11 attacks, it was always done secretly and with the understanding that the torture was illegal. With the 9/11 attacks, the CIA and the Pentagon were effectively given a license to torture people, including Americans, with impunity.

Both Pentagon and CIA officials know that they can torture anyone they want with impunity. As long as the person being tortured is labeled a "terrorist" or a "threat to national

security,” military officials and CIA officials know that no one is going to be prosecuted for torture. Indeed, when the CIA knowingly, intentionally, and deliberately destroyed its videotapes depicting its torture of people, it did so with full certainty that no one would be prosecuted for destroying evidence of criminal misconduct. The CIA is simply too powerful for that.

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**Freedom necessarily entails a system in which the government lacks even the power to torture.**

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It is worth noting that the post-9/11 power to torture people extends to American citizens. That principle was established in the José Padilla case, where the military knowingly, intentionally, and deliberately — and with impunity — subjected Padilla to psychological torture with the aim of causing him permanent mental damage.

It is impossible to reconcile a system in which the government wields the omnipotent power to torture people with the principles of a free society. Freedom necessarily entails a system in which the government lacks even the power to torture. That is why the Eighth Amendment expressly prohibits the federal government from inflicting

“cruel and unusual punishments” on people.

### The way we were

It wasn't always this way in America. For more than 150 years, the American people lived under a governmental system in which federal officials lacked the power to deprive them of life, liberty, or property without due process of law and the power to torture them. While federal officials would, from time to time, violate the express restrictions on power enumerated in the Constitution and the Bill of Rights, everyone understood that such violations constituted breaches of the law rather than an established legal structure within the law.

In fact, if the proponents of the Constitution had told the American people after the Constitutional Convention that the Constitution was bringing into existence a national-security state in which federal officials would wield the power to assassinate, indefinitely detain, spy on, and torture them, as well as a welfare state that would mandate charity, to put them into jail for drug possession, and to centrally control and manage their economic activity, they would have summarily rejected the deal and continued operating under the Articles of

Confederation, the governmental system under which they had been operating and one in which the powers of the federal government were so weak that it didn't even have the power to tax.

That's how our American ancestors who established this country wanted it. They understood that the greatest threat to the freedom and well-being of the citizenry lies with their own government. The reason they accepted the Constitution is that they were assured that it would bring into existence a government of few and limited powers — that is, only those that were enumerated within the document itself. To make certain that federal officials got the point, the American people demanded that the Constitution immediately be amended to expressly prohibit federal officials from destroying their rights and liberties.

For more than 100 years, there was no mandatory charity, including Social Security, Medicare, Medicaid, farm subsidies, education grants, and foreign aid, income taxation, IRS, economic regulations, minimum-wage laws, price controls, central management of economic activity, immigration controls, Federal Reserve, fiat (i.e., paper) money, public (i.e., govern-

ment) schooling, drug laws, gun control, and most of the federal departments, agencies, and programs under which Americans today live.

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**Americans had chosen  
a type of governmental system  
known as a limited-government  
republic.**

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More important, there was no Pentagon, vast military establishment, foreign military bases, CIA, NSA, or FBI. Therefore, there were no endless undeclared wars, torture, indefinite detention, spying on the citizenry, foreign military bases, coups, conscription, draft registration, alliances with foreign dictatorships, foreign aid, or assassination programs.

Americans had chosen a type of governmental system known as a limited-government republic, which is the opposite of a welfare state and a national-security state. Americans kept everything they earned and decided for themselves what to do with it. They weren't subject to indefinite detention, torture, conscription, regulations, drug laws, secret surveillance, or endless undeclared wars. The citizens, not the federal government, were sovereign.

## Losing liberty

That all came to an end, first with the adoption of the progressive income tax and the Federal Reserve, followed by the conversion of the federal government to a welfare state and, later, the conversion to a national-security state. Those two conversions began the road toward the destruction of American liberty, a destruction that was completed after the 9/11 attacks.

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**None of the pre-9/11 warnings and attacks induced U.S. officials to cease and desist their interventionist policies.**

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The justification that Americans were given for the conversion of the federal government from a limited-government republic to a national-security state was that the federal government needed to wage a Cold War against America's World War II partner, the Soviet Union. Once the Cold War was over, however, the Pentagon, CIA, and NSA opposed the reconversion of the federal government to a limited-government republic.

Instead, after the Cold War suddenly and unexpectedly ended, the Pentagon and the CIA went into the Middle East and began wreaking death and destruction in that part

of the world, knowing full well that such actions were likely to produce massive anger and rage that could manifest itself in terrorist counter-strikes. They waged the Persian Gulf War, killing countless thousands of Iraqis. They intentionally bombed the water- and sewage-treatment plants in Iraq, with the aim of spreading infectious illness among the populace. They imposed and enforced one of the most brutal sanctions regimes in history, one that killed hundreds of thousands of Iraqi children. They openly declared that the deaths of half a million Iraqi children were "worth it." They maintained "no-fly zones" over Iraq, which they used to kill more Iraqis. They stationed U.S. troops near Muslim holy lands. They unconditionally supported the Israeli government.

They knew exactly what they were doing. In his pre-911 book *Blowback: The Costs and Consequences of American Empire*, the noted scholar Chalmers Johnson, warned that if they continued with their interventionist policies in the Middle East, the result would be a major terrorist attack on American soil. Here at FFF, we were publishing op-eds prior to the 9/11 attacks saying the same thing. Others were issuing the same warning.

Moreover, U.S. officials were warned by actual events. There were the pre-9/11 terrorist attacks on the World Trade Center, the USS *Cole*, and the U.S. embassies in Kenya and Tanzania, all of which, the terrorists had openly declared, were motivated by the death and destruction that U.S. officials were wreaking in their post-Cold War interventions in the Middle East.

Yet none of those pre-9/11 warnings and attacks induced U.S. officials to cease and desist their interventionist policies. When the 9/11 attacks came, U.S. officials were being clearly disingenuous when they declared that the terrorists had been motivated by hatred for America's freedom and values.

It was no surprise when U.S. officials seized upon the 9/11 attacks as an opportunity to complete the destruction of American liberty. Of course, that's how people throughout history have lost their liberty at the hands of their own governments — during crises and emergencies, when fearful people are eager and willing to trade their liberty for “security” and government officials are eager and willing to oblige them.

What must be done to regain our liberty? The first step is for Americans to come to the realization that they are no longer a free people. The second step is for a sufficient number of Americans to fervently desire to regain their freedom. The third step is the repeal, abolition, and end of all mandatory-charity programs, central planning of economic activity, economic regulations, drug laws, and trade and immigration controls. The third step is the dismantling of the national-security state — i.e., the Pentagon, military-industrial complex, the CIA, and the NSA — and the restoration of a limited-government republic to our land. The final step is the repeal of the taxes that fund America's welfare-warfare state.

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

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**NEXT MONTH:**  
**“A Limited Government  
Republic versus a National-  
Security State”**  
*by Jacob G. Hornberger*

## The “Officer Friendly” Police Fantasy

by James Bovard



Police in Tempe, Arizona, announced plans in July for a “positive ticketing” campaign to pull over drivers who had violated no traffic laws. A Phoenix TV station reported that the police would give the people they targeted free soft-drink coupons for Circle K as a reward for their “good driving behavior.” Police in other areas have run similar programs in recent years but the TV news report on Tempe’s plan spurred a torrent of testy Tweets:

“Keep your hands on the wheel and don’t make any sudden moves while you are being rewarded, it could cost you your life.”

“We gunned him down... well, he refused to stop for his

coupon. Self defense. Case dismissed.”

“Um, WHAT!?!? They better not stop me for driving legally cause that’s illegal! #harassment”

“What if you don’t stop?”

“Cops to profile for illegal immigrants under the guise of campaign to promote good driving.”

“There goes probable cause right out the window. Police state 101.”

“I would get a panic attack. My reward for driving well is not dying. That’s all I want.”

“Unless it’s a ruse to illegally search your vehicles. And if they notice anything out of line during the mock pullover you’ll be arrested.”

“What’s next? Are they going to start walking into people’s houses to congratulate them for not breaking the law?”

One commenter suggested he could be fined for “resisting a coupon” for free drinks.

A few months before its “positive ticketing campaign” announcement, Tempe police were harshly criticized after one of their officers shot a 14-year-old boy in the back,

killing him as he was running away while holding a replica airsoft pistol. An Arizona ACLU employee summarized the situation on Twitter:

“Tempe cops: the community doesn’t trust us after we shot and killed an unarmed teen (sic) what do we do

Community: stop killing us  
Tempe cops: FREE THIRSTBUSTERS AND UNREASONABLE STOPS”

The Tempe Police Department responded to the uproar by issuing a statement stating that they never intended to pull over motorists without good cause. Instead, the free-coupon program would be targeted to pedestrians, bicyclists, and skateboarders. But the furious reaction of people across the nation signaled the profound distrust of police.

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**The furious reaction of people across the nation signaled the profound distrust of police.**

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This is presidential campaign season, and Democratic presidential candidate Pete Buttigieg claims that he will be able to end the pervasive distrust of the police. In one of the first candidate debates, he said he is “determined to bring

about a day when” any driver, white or black, has “a feeling not of fear but of safety” when he sees a police officer approaching.

And how would Buttigieg, the mayor of South Bend, Indiana, achieve this profound change? He has not yet detailed his panacea. Perhaps he believes that sensitivity training or racial consciousness-raising classes could do the trick. But Buttigieg has ignored the real source of the problem: politicians have given police so much power that citizens naturally fear them.

### Arresting anyone

In 2001, the Supreme Court ruled that police can justifiably arrest anyone believed to have “committed even a very minor criminal offense.” That case involved Gail Atwater, a Texas mother who was driving slowly near her home but, because her children were not wearing seatbelts, she was taken away by an abusive cop whose shouting left her children “terrified and hysterical.” A majority of Supreme Court justices recognized that “Atwater’s claim to live free of pointless indignity and confinement clearly outweighs anything the City can raise against it specific to her case” — but upheld the arrest anyhow.

Justice Sandra Day O'Connor warned that "such unbounded discretion carries with it grave potential for abuse." Unfortunately, there are endless pretexts for people to be arrested nowadays because federal, state, and local politicians and officials have criminalized daily life with hundreds of thousands of edicts. Capt. Steve Powell of the Colorado State Patrol commented, "Ninety percent of the cars out there are doing something that you can pull them over for. There are a jillion reasons people can be stopped — taillights, windshields cracked, any number of things." Gerard Arenberg, executive director of the National Association of Chiefs of Police, told me in the 1990s, "We have so damn many laws, you can't drive the streets without breaking the law. I could write you a hundred tickets depending on what you said to me when I stopped you."

Justice O'Connor noted in her dissent that the Fourth Amendment "guarantees the right to be free from 'unreasonable searches and seizures.'" But when politicians have enacted endless laws that make almost everyone a criminal, then the Fourth Amendment is practically null and void.

Asset-forfeiture laws give police sweeping arbitrary power over

Americans' wallets, cars, and homes. Indiana Solicitor General Thomas Fisher told the Supreme Court in 2018 that the government is entitled to confiscate cars that exceed speed limits by 5 miles per hour — a standard that would justify seizing most vehicles. Between 2001 and 2014, lawmen seized more than \$2.5 billion in cash from 60,000 travelers on the nation's highways — with no criminal charges in the vast majority of cases, the *Washington Post* reported.

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**"We have so damn many laws, you can't drive the streets without breaking the law."**

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Police have been trained to confiscate private property of drivers by absurdly claiming that "trash on the floor of a vehicle, abundant energy drinks, or air fresheners hanging from rearview mirrors" are signs of criminal activity. Blacks and Hispanics have been victimized far more often by such laws. Tenaha, Texas, police ran an operation that stopped and plundered almost anyone passing through their East Texas locale. The names of the court filings capture Tenaha's voraciousness, such as *State of Texas v. One Gold Crucifix*. "The police had confiscated a simple gold cross that a

woman wore around her neck after pulling her over for a minor traffic violation. No contraband was reported, no criminal charges were filed, and no traffic ticket was issued,” the *New Yorker* noted. If drivers “refused to part with their money, officers threatened to arrest them on false money laundering charges and other serious felonies,” an ACLU lawsuit charged. Tenaha police stopped a 27-year-old black man who worked as a chicken slicer in a Tysons plant in Arkansas and fleeced him of \$3,900 after detecting him “driving too close to the white line.”

### Subverting the Fourth Amendment

Police have gutted the Fourth Amendment with dogs that will give them a positive alert almost any time they seek a pretext to forcibly search someone’s vehicle. The fact that canines are sometimes trained to give false alerts is irrelevant as long as the government always wins. Canine alerts to currency are routinely used to justify seizures even though most U.S. currency has trace amounts of drug contamination. For 30 years, the courts have condemned the abuses based on currency seizures due to dog alerts. But the official robberies continue.

There is a long history of federal, state, and local officials partnering to fabricate pretexts to stop drivers. From 1992 through 2013, the Drug Enforcement Administration illegally commandeered the phone records of all Americans who called most of the foreign nations in the world, as *USA Today* revealed in 2015. To keep its phone-record seizures secret, the DEA partnered with local police to concoct phony reasons for traffic stops that sometimes included staging fake auto accidents and even car thefts. Why should citizens trust law-enforcement agencies that engaged in decades of systemic fraud? If bureaucrats and cops gave themselves an unlimited right to lie regarding the source of their evidence, what other lies have they permitted themselves in the war against any American who possesses substances of which politicians disapprove?

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**The DEA partnered with local police to concoct phony reasons for traffic stops.**

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Uncle Sam has brought the surveillance state to the nearest police car dashboard. Federal grants have enabled many states and localities to equip police cars with license-plate scanners that provide plenty

of bogus pretexts to harass hapless drivers.

License-plate readers often misread plates. Brian Hofer was pulled off Interstate 80 in California and handcuffed and held at gunpoint after his rental vehicle was misreported as stolen. Hofer commented in 2019, “I’m sitting ice-cold and saying nothing because I do not want any itchy trigger fingers.” With an error rate approaching 10 percent, license-plate readers effectively generate potentially thousands of false accusations each day.

### Subverting the Second Amendment

Local officials exploit surveillance data to subvert the Second Amendment. John Filippidis was driving with his family through Maryland when he was pulled over by a Maryland transportation policeman outside a Baltimore tunnel. The policeman ordered Filippidis out of his car and angrily demanded to know where his gun was. Filippidis has a Right to Carry (RTC) permit from Florida — where he had left his firearm. Police spent hours questioning him and searching his minivan before permitting him to move on, leaving his wife and daughters utterly distraught. Maryland police have targeted and rigorously searched other

out-of-state drivers with RTC permits (which Maryland does not recognize). Federal grants enabled Maryland to equip hundreds of police cars with license-plate scanners that create almost 100 million records per year detailing exactly where and when each vehicle travels.

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**Criminalizing private vices is the surest way to make law enforcement a public menace.**

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The war on drugs and its endless crackdowns and intrusions spurred far more distrust of police but politicians learned nothing from its debacles. Sixteen states have raised the smoking age to 21, and there is a push (supported by Sen. Majority Leader Mitch McConnell) to dictate a federal smoking age of 21. Why not simply issue a federal mandate for an annual additional 10 million unnecessary confrontations between police and youth? Criminalizing private vices is the surest way to make law enforcement a public menace.

Citizens are wary of police cars in their rear-view mirrors because politicians and judges made average Americans legally inferior to anyone with a badge and a gun. Police almost always receive legal immunity when they unjustifiably

shoot people — it is practically a perk of their job. The existence of video footage from dashboard cams and police cameras is helping to ravage the final remnants of police credibility in many areas. The pervasive cover-ups and lies that follow dubious killings by police do more to spur wariness than a million “Officer Friendly” public-service announcements can counteract.

The best way to encourage citizens to have “a feeling not of fear but of safety” when they see a cop is to repeal legions of laws empowering police to unjustifiably accost and wrongfully subjugate peaceful citizens. But that is unlikely to happen as long as most politicians are

more interested in power than in domestic tranquility.

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**NEXT MONTH:**  
**“Banning Guns Will Not  
Make Schools Safe”**  
*by James Bovard*

*Ignorance is of a peculiar nature; once dispelled, it is impossible to re-establish it. It is not originally a thing of itself, but is only the absence of knowledge; and though man may be kept ignorant, he cannot be made ignorant.... It has never yet been discovered how to make a man unknow his knowledge.*

— Thomas Paine

# Monsters and U.S. Foreign Policy

by *Laurence M. Vance*



**I**t looks like the Ron Paul Institute for Peace and Prosperity will be having some competition.

The formation of the Quincy Institute for Responsible Statecraft was recently announced. The think tank gets its name from John Quincy Adams. According to the organization's website,

The Quincy Institute promotes ideas that move U.S. foreign policy away from endless war and toward vigorous diplomacy in the pursuit of international peace.

The foreign policy of the United States has become detached from any defensible conception of U.S. interests and from a decent respect for

the rights and dignity of humankind. Political leaders have increasingly deployed the military in a costly, counterproductive, and indiscriminate manner, normalizing war and treating armed dominance as an end in itself.

Moreover, much of the foreign policy community in Washington has succumbed to intellectual lethargy and dysfunction. It suppresses or avoids serious debate and fails to hold policymakers and commentators accountable for disastrous policies. It has forfeited the confidence of the American public. The result is a foreign policy that undermines American interests and tramples on American values while sacrificing the stores of influence that the United States had earned.

The Quincy Institute is an action-oriented think tank that will lay the foundation for a new foreign policy centered on diplomatic engagement and military restraint.

The primary funders of this new anti-interventionist foreign-policy think tank are billionaires George Soros and Charles Koch. Soros's

Open Society Foundation and Koch's Charles Koch Foundation each donated a half a million dollars to the Quincy Institute. Other individual donors added another \$800,000 in funding. The think tank hopes by next year to have a \$3.5 million budget and a staff of policy experts.

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**Kinzer termed the Soros-Koch union "one of the most remarkable partnerships in modern American political history."**

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Writing in the *Boston Globe*, author Stephen Kinzer termed the Soros-Koch union "one of the most remarkable partnerships in modern American political history." Soros has said, "An endless war waged against an unseen enemy is doing great damage to our power and prestige abroad and to our open society at home. It has led to a dangerous extension of executive powers; it has tarnished our adherence to universal human rights; it has inhibited the critical process that is at the heart of an open society; and it has cost a lot of money." And likewise Koch: "We keep kicking out dictators and then we don't get anything better, and we mess up a lot of people's lives in the process — spend fortunes and have Ameri-

cans killed and maimed. What do we have to show for it?"

But progressives and conservatives alike are questioning how two seemingly diametrically opposed parties can work together, especially since the leftist Soros is hated by conservatives and the right-wing Koch is despised by progressives. Others have pointed out that both Soros and Koch aren't exactly anti-interventionist libertarians when it comes to U.S. foreign policy. Soros's foundation is a big donor to the Atlantic Council — as are some U.S. defense contractors. And Koch's foundation supports the American Enterprise Institute — the opposite of an anti-interventionist think tank. But since the leaders of the Quincy Institute are broadly anti-interventionist, and because there are apparently no policy conditions set by the donors, this new left-right consensus is a welcome alternative to liberal "humanitarian" and neo-conservative interventionists.

It's not just the Quincy Institute that has appropriated the name of John Quincy Adams. The John Quincy Adams Society has been around a few years. It differs from the Quincy Institute in that it is a student organization. According to the organization's website,

The John Quincy Adams Society (JQA) is a national network of student groups focused on U.S. foreign policy, with a centering vision of restraint. Our chapters aim to help college students advance, both intellectually and professionally, while promoting a broader and more strategic conversation about America's approach to international affairs. We're nonpartisan and nonpolitical: we work in the world of ideas, not on activism or elections, and we seek to work with every corner of the political spectrum.

The United States is far bigger and far stronger now than it was in Adams's day, and that means it is in better position than ever to serve as an exemplar of liberty, justice, and peace to the world. While remaining an exemplar of a prosperous, open society at home, America's relations with foreign nations should be characterized by commerce and cultural exchange rather than entangling military and political ties. These beliefs were, for much of America's history, one of the main currents in its foreign-policy debate. Yet now,

they are underrepresented in academia, in the policy process, and in the press. The result has been a string of unsuccessful, expensive, destabilizing interventions, and, more subtly, a decline in the ability of that foreign-policy debate to distinguish between truly vital interests and those that are secondary. A less rigorous, lower-quality debate hinders all viewpoints. JQA aims to revive that conversation.

Why the appropriation of the name of John Quincy Adams? Why the association of him with a non-interventionist U.S. foreign policy?

### John Quincy Adams

John Quincy Adams (1767–1848) had an unusual and privileged life, but one that was marked by tragedy. He was born in Massachusetts, educated by private tutors, graduated from Harvard College, acquired several languages, lived in Europe for several years, practiced law, served in the Massachusetts State Senate, kept a diary for most of his life, outlived three of his four children — and became the sixth president of the United States.

He was one of the most unusual of all the American presidents. He

was the son of the nation's second president, John Adams. He was appointed to fill a vacancy in the U.S. Senate before he became the president and was elected to nine consecutive terms as a representative to the U.S. House from Massachusetts after he had served as the president. He was a diplomat under three presidents before serving as secretary of State to James Monroe during both of his terms in office.

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**Adams was an opponent of slavery and its expansion, and opposed the annexation of Texas and the Mexican War.**

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Adams also has the distinction of being the only U.S. president chosen to that office by the House of Representatives. In the election of 1824, Secretary of State Adams was in a four-way race with Sen. (and former general) Andrew Jackson, Secretary of the Treasury William H. Crawford, and Speaker of the House Henry Clay. Jackson received the most electoral votes (99 of 261), and had a plurality of the popular vote (41.36 percent) as well. But (for the first and only time in history), because no candidate received a majority of the electoral votes, the Twelfth Amendment to the Constitution directed that the

election be decided in the House of Representatives, with voting by state for one of the top three candidates by electoral vote. Adams won on the first ballot.

In the election of 1828, Adams lost his bid for reelection to Andrew Jackson. Adams was an opponent of slavery and its expansion, and opposed the annexation of Texas and the Mexican War, although he supported the westward expansion of the United States. While secretary of State, Adams negotiated with Spain what came to be called the Adams-Onís Treaty of 1819, wherein the United States acquired Florida and the western and southern borders of the United States were set. Adams took a broad view of the Constitution's General Welfare clause and supported federal funding of internal improvements, such as roads and canals. But aside from all of that, there is mainly one thing that John Quincy Adams is known for.

### Adams's Fourth of July address

On the Fourth of July in 1821, in Washington, D.C., Adams was invited to deliver an address "at the request of the committee of arrangements for celebrating the anniversary of independence." His 34-page learned address, which is full of classical and biblical allusions, was

afterward published by the Harvard University Press. Adams begins with a brief survey of the British nation, “a nation, renowned in arts and arms, who, from a small Island in the Atlantic ocean, had extended their dominion over considerable parts of every quarter of the globe.” Though “through long ages of civil war the people of Britain had extorted from their tyrants, not acknowledgments, but grants of right,” yet the people “looked back only to conquest as the origin of their liberties, and claimed their rights but as donations from their kings.” Adams then recounted the founding of the American colonies and how they declared their independence because of how they were harshly and unjustly treated by the British parent state. In the middle of his address, Adams read the entire Declaration of Independence. The Declaration “demolished at a stroke the lawfulness of all governments founded upon conquest” and “announced in practical form to the world the transcendent truth of the unalienable sovereignty of the people.” It holds out “to the sovereign and to the subject the extent and the boundaries of their respective rights and duties.” After briefly mentioning the formation of the state governments, the Articles of Confeder-

ation, and the Constitution, Adams brought his address to a conclusion by asking and answering the question, “What has America done for the benefit of mankind?”

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. America, in the assembly of nations, since her admission among them, has invariably, though often fruitlessly, held forth to them the hand of honest friendship, of equal freedom, of generous reciprocity.

She has uniformly spoken among them, though often to heedless and often to disdainful ears, the language of equal liberty, of equal justice, and of equal rights.

She has, in the lapse of nearly half a century, without a single exception, respected the independence of other nations, while asserting and maintaining her own.

She has abstained from interference in the concerns of others, even when the conflict has been for principles to

which she clings, as to the last vital drop that visits the heart.

She has seen that probably for centuries to come, all the contests of that Aceldama the European world, will be contests of inveterate power, and emerging right.

Wherever the standard of freedom and Independence has been or shall be unfurled, there will her heart, her benedictions and her prayers be.

But she goes not abroad, in search of monsters to destroy.

She is the well-wisher to the freedom and independence of all.

She is the champion and vindicator only of her own.

She will commend the general cause, by the countenance of her voice, and the benignant sympathy of her example.

She well knows that by once enlisting under other banners than her own, were they even the banners of foreign independence, she would involve herself beyond the power of extrication, in all the wars of interest and intrigue, of individual avarice, envy, and ambition, which assume the colors and usurp the standard of freedom.

The fundamental maxims of her policy would insensibly change from liberty to force. The frontlet upon her brows would no longer beam with the ineffable splendor of freedom and independence; but in its stead would soon be substituted an imperial diadem, flashing in false and tarnished lustre the murky radiance of dominion and power.

She might become the dictatress of the world: she would be no longer the ruler of her own spirit....

Adams's statement that America "goes not abroad in search of monsters to destroy" is a phrase short on words but long on significance. It is one of the most profound things ever said about the foreign policy of the United States by one of its early presidents. It is rivaled only by a statement made by Thomas Jefferson in his first inaugural address, delivered on March 4, 1801: "Peace, commerce, and honest friendship with all nations — entangling alliances with none."

Contrast Adams's Fourth of July address with what the Fourth of July has become since 9/11: a day to celebrate American military might, a day to reverence veterans and cur-

rent members of the U.S. military, a day to celebrate a reckless, belligerent, and meddling U.S. foreign policy, a day to celebrate America's vanquishing of monsters.

## Monsters

The world has always been full of monsters. Hollywood may have its make-believe monsters, but history has its real monsters who are responsible for the starvation, torture, maiming, and killing of millions of people: Adolf Hitler, Mao Zedong, Vladimir Lenin, Idi Amin, Pol Pot, Benito Mussolini, Kim Il-sung, Kim Jong-il, Kim Jong-un, Fidel Castro, Robert Mugabe, Saddam Hussein, Joseph Stalin, Leopold II, Ivan the Terrible, Napoleon Bonaparte, Maximilien Robespierre, Mengistu Haile Mariam, Hugo Chávez, Josip "Tito" Broz, Manuel Noriega, Nicolae Ceaușescu, Augusto Pinochet, François Duvalier, and Nikita Khrushchev. There are, of course, many other lesser-known monsters and their henchmen who have caused untold suffering across the globe down through history. And it's not just individuals; it is also ideologies: fascism, Nazism, communism, socialism, Marxism, Leninism, Bolshevism, totalitarianism, authoritarianism, collectivism, despotism, absolutism, colonialism, im-

perialism, nationalism, progressivism, militarism.

The question is not how bad, how destructive, or how evil these foreign monsters are. The question is what the U.S. government should do about them. We are not talking about actual, unprovoked, and verified attacks on U.S. territory by the armies, navies, and air forces of these monsters. We are talking about what they and their militaries, secret police, intelligence agents, and security forces do to their own people and to each other.

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**Adams's statement that America "goes not abroad in search of monsters to destroy" is long on significance.**

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Should America intervene in civil wars? Should America change regimes? Should America bomb other countries? Should America take sides in territorial disputes? Should America invade other countries? Should America occupy other countries? Should America conduct drone strikes in other countries? Should America make the world safe for democracy? Should America be the world's policeman? Should America garrison the planet with hundreds of bases and thousands of troops? Should America

care which flag is hoisted on a small piece of land thousands of miles away? Should America engage in nation building? Should America enforce UN resolutions? Should America maintain no-fly zones in other countries? Should America try to change a country's form of government? Should America monitor elections in other countries? Should America send military advisors to other countries? Should America engage in covert actions in other countries? Should America forcibly open markets in other countries? Should America contribute peacekeeping forces to trouble spots around the globe? Should America conduct assassinations in other countries? Should America guarantee the security of other countries? Should America conduct extraordinary renditions? Should America support revolutions and coups? Should America contain Communism? Should America go abroad seeking monsters to destroy?

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**Nothing in the Constitution authorizes the U.S. government to intervene in the affairs of another country.**

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One's view of the nature and purpose of the U.S. government will determine the answers to those

questions. For that we must turn, not to the Declaration of Independence, but to the Constitution.

The seven articles and twenty-seven amendments of the Constitution concern the government of the United States and its relationship to its states. Nothing in the Constitution authorizes the U.S. government to intervene in the affairs of another country, police the world, or go abroad seeking monsters to destroy. Absolutely nothing. The purpose of government is supposed to be to protect the lives, liberties, and properties of the people who form it — not to protect the lives, liberties, and properties of people thousands of miles away.

### Other monsters

There are other monsters that America should not be going abroad seeking to destroy. Like the monstrous tyrants, governments, and ideologies that have plagued the world, these monsters are also bad. They hurt people, mentally and physically. Sometimes they kill people. I am referring to things such as poverty, homelessness, hunger, starvation, disease, and national disasters. But also to things such as religious persecution, injustice, sex trafficking, slavery, forced labor, political oppression, violence against

women, exploitation of children, suppression of free speech, human-rights abuses, and violations of property rights.

Again, the question is not how bad, how widespread, or how fixable these monsters are. The question is what the U.S. government should do about them. Again, the answer is absolutely nothing. The United States cannot right every wrong, correct every injustice, stop all oppression, feed all the hungry, fix every problem, and relieve all the suffering in the world — nor should it. That means that the U.S. government has no right to take money from Americans against their will and give it to foreigners or their governments — regardless of the need, crisis, or circumstances.

All foreign aid and disaster relief should be individual, private, and voluntary. If individuals (or groups of individuals or organizations) in America see a problem or an injustice or a monster somewhere in the world, they are welcome to try to do something about it on their own or through any number of private organizations —

as long as they use their own money. But it is not the job of the U.S. government to go abroad seeking monsters to destroy.

It is not enough to appropriate the name of John Quincy Adams. It is his principles of U.S. foreign policy that must be adopted and strictly adhered to, no matter what is going on in the world: neutrality, nonintervention, friendship, independence, noninterference, and peace.

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### **NEXT MONTH:**

**“Why I Am So Passionate about Ending the Drug War”**  
*by Laurence M. Vance*

# Habits of the Heart and Character of Mind

by Richard M. Ebeling



In American election cycles all of the possible candidates for government office of both major political parties assure those who may vote for them in primaries and the general election that they are voices for the real or true “American values.” Voting for them is voting for what America has been, is, or should be all about. But what are “American values”?

After the famous Frenchman Alexis de Tocqueville (1805–1859) visited the young United States in the 1830s, he wrote what is still considered one of the great classics of political philosophy, *Democracy in America* (1836; 1840). He said that what stood out most about the Americans was their “habits of the heart” and their “character of mind.”

The quality of the people amazed him, with their belief in personal freedom, self-responsibility, a strong spirit of enterprise, and an attitude that social problems were not the concern of government, but could and should be effectively handled through voluntary association and local community effort.

Here were a people — blended together from many different lands — who refused to bow before kings, who believed in their capacity to be self-governing individuals over their own lives, and who considered the role of government to be a protector of their liberty, not the controller of their destinies.

## The long history of ruler and ruled

That was unique, Tocqueville understood, because throughout history in almost all places around the globe, it had not been the case. Men bowed low before their political rulers, accepting, or at least acquiescing in, submission and obedience under the threat and reality of physical punishment. The general presumption was that people were naturally unruly, with their individual and collective actions being inconsistent with an asserted higher common good, as declared and reflected in the purposes and policies of those in governmental

authority, most often in the form of a “divinely” appointed monarch.

Humanity has always been involved in production and various forms of trade. After all, how else can people live? No matter how modestly, to consume, people must first produce. But, again, through most of history, society was divided into two general groups: those who did the actual producing and others who extracted a portion of what they produced through political plunder, whether it was called tribute, tithe, or tax. This was a fundamental difference between the rulers and the ruled.

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**Humanity has always been involved in production and various forms of trade.**

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By the 1600s and the 1700s, many kings in Europe had consolidated their power over the landed aristocracy — the lords of the manor — and centralized control over all that went on in their domains. The monarch was the owner and planner of all in the confines of his realm: the land, livestock, and the people. This economic system of governmental planning was known as mercantilism. The ministers and agents of the king commanded and controlled domestic and foreign

trade, set the prices and wages at which goods might be sold and workers hired; and dictated the patterns of investment and production as presumed “affairs of state.”

### Emergence of the philosophy of freedom

There slowly emerged a change in attitudes, ideas, and allegiances. That shift in society is symbolized by the arguments in John Locke’s *Two Treatises on Government* (1689). In the first treatise, Locke challenged the prevailing presumptions concerning the notion of a divine right of kings. In the second treatise, he presented his positive case for the natural rights of every individual; each person’s right to his life, liberty, and honestly acquired property.

Government was instituted among men to secure and protect those individual rights from the predation of their fellow humans. But governments needed to be constrained in their powers precisely to prevent the protector of liberty from becoming its violator. Hence, the idea was that the fundamental purpose of constitutions is to enumerate the designated functions of government to limit its ability to encroach on people’s liberty.

Ideas do not change over night, or usually in one generation. Ideas

and the institutions in which they are socially embedded have an inertia reflecting the influence of the persisting old conceptions and the fact that the prevailing institutional order creates interests in their continuance. Hence, in the same social space arise conflicting notions about man, society, and the place of government in human affairs.

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**“People ... declared the human right and ability to govern themselves.”**

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It was not until the second half of the eighteenth century that the intellectual currents ran sufficiently in the direction of individual liberty and limited government that a revolution occurred in the British colonies on the eastern seaboard of North America.

### **Fredrika Bremer finds the spirit of freedom in America**

It is always easy and open to the most misplaced exaggeration to make sweeping statements of an era or a people, who at the end of the day are as diverse as the number of individuals who constitute that group of humans. But there is a meaning and a sense to the “spirit of the times,” and the type of attitudes, beliefs, and activities many of the people at

the particular time think and act within. Fredrika Bremer (1801–1865) was a Swedish author, feminist, and classical liberal reformer who spent two years traveling around a good part of the United States from 1849 to 1851. Upon returning home she wrote *The Homes of the New World: Impressions of America* (1853). In one of her “letters” to a friend back home, she says in the book,

You know that I did not come to America to seek for a new object, but to establish a new hope. While one portion of the people of Europe, after a struggle for light and freedom [the revolutions of 1848] ... seemed (perhaps merely seemed) to sink back again under a despotism ... in that gloomy season my soul raised itself in deep faith and love toward that distant land, where people erected the banner of human freedom, declared the human right and ability to govern themselves, and on this right founded a monarchy of states — the commencement of the world’s greatest governmental culture.

That which I sought for there was the new human being and his world; the new hu-

manity and the sight of the future on the soil of the New World....

Fredrika Bremer, like Alexis de Tocqueville before her, was much taken by the spirit of freedom of association, through which in voluntary collaboration with others of similar interest and concern, people of diverse backgrounds found each other out and formed organizations and groups to solve problems of common concern. Said Bremer,

Whenever any subject or question of interest arises in society which demands public sympathy or co-operation, a "convention" is immediately called to take it into consideration, and immediately, from all ends of the city or the State, or from every State in the Union, all who feel an interest in the subject or question fly upon the wings of steam to the appointed place of meeting and the appointed hour.... It is always admirable with what readiness, with what *savoir faire*, this people advances onward in self-government, and how determinedly and rapidly it proceeds from "proposed" to "resolved."

Of course, she also pointed out the cruel mistreatment of the Indians by the European settlers and immigrants. And expressed her deep moral disapproval with the persistence of slavery in the midst of a country claiming to be based on liberty. She found the Americans of the time frustrated and divided as to what to do with the South's "peculiar institution." After all, at the time of her visit, Southern secession and the Civil war were still a decade away.

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**Fredrika Bremer was much taken by the spirit of freedom of association.**

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She greatly admired Oberlin College in Ohio, which she visited during her travels in America, "where the youth of colored as well as white people, both boys and girls, study and take degrees in all those branches of knowledge which are taught in the American academies. Among these I place the works and opinions of many distinguished men, who are occupied in organizing a more complete and comprehensive scheme of education for women as well as men." Here in the practices of free people in the voluntary institutions of the United States did she see the hope and like-

likelihood of a fuller and more consistent practice and reality of the American ideal of individual liberty and equality before the law for all.

### Albert Jay Nock on the progress toward collectivism

Are these still the “habits of the heart” and “character of mind” in the American people today? In some it certainly remains so. But for too many of our fellow Americans, their minds cannot conceive of a world without government paternalism “caring” and “providing” for them in one form or another. And their hearts are fearful of a life of self-responsibility in which the government does not guarantee them a job, provide for their old age, give them an education, supply their health care, or protect them from their own bad choices.

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**Too many of our fellow Americans cannot conceive of a world without government paternalism.**

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This is a trend, unfortunately, that has been going on for a long time. During the New Deal years of the 1930s, libertarian essayist and author, Albert Jay Nock (1870–1945), reflected on it in an essay, “Progress toward Collectivism” (*The American Mercury*, February

1936). He said that in conversation a friend had suggested that many people, including many in the business community, would be delighted if all the government interventions would simply go away. Nock strongly disagreed:

I did not agree. My belief was, and is, that the business world would have acted like a herd of drug-addicts whose rations had been suddenly cut off.... [Too many in the business community have] always believed that the one government function which dwarfs all others to insignificance is to “help business.” Let any kind of industry get itself into any kind of clutter, and it is the government’s duty to intervene and straighten out the mess....

... All a government can properly and safely do to help business is what the Declaration [of Independence] says it is supposed to do — maintain individual rights, punish any trespass on those rights, and otherwise let the individual alone....

An acquaintance said to me the other day that he did not believe the country could

stand another four years under Mr. Roosevelt. I said I had no opinion about that; what I was sure of was that no country could stand indefinitely being ruled by the spirit and character of a people who would tolerate Mr. Roosevelt for fifteen minutes, let alone four years. I was of course speaking of the generic Roosevelt....

What really counts is the spirit and character of a people willing under any circumstances whatever to accept the genus, whether the individual specimen who offers himself be named Roosevelt, Horthy, Hitler, [or] Mussolini....

### Loss of hearts and minds for liberty

It is now not just business that expects the helping hand from the government, but virtually every sector of American society. The entire debate on the political future of America in this upcoming presidential election year is concerned not with whether government should “do something” in some corner of society, but by how much and for whom. Loss of freedom, narrowing of personal choice, and the tax and debt burdens never even come up in the discussions and debate.

Nor does anybody seem to want to raise the question of the size and scope of government in the arena of political discourse. So what is in dispute? Are you for the current intrusions of the interventionist-welfare state (now labeled “Neo-Liberalism” by its critics on the Left), or shall the country go farther down the collectivist road to a fuller and more direct “democratic socialism”?

Too many Americans seem to have lost those “habits of the heart” and “character of mind” that represent a spirit of a devotion to freedom and free enterprise. It is not that most of our fellow Americans consider themselves enemies of freedom. Their view on the role of government is one that just takes for granted the collectivist way things are, because they cannot imagine a way of living other than the one right now.

### Market-earned money and political plunder

Let me give an example. A good number of years ago, I was invited to deliver a series of keynote addresses at several annual conventions at a number of state Farm Bureau Associations around the country. I discovered two categories of people among the farmers with whom I spoke. The first group con-

sisted of those older than, say, 60. When I asked any of them whether they considered the government farm-subsidy programs to be desirable for the country as a whole, almost all of them said they would be happy to see them gone, as long as they were abolished for everyone in the farming community, so that none had a government-sponsored advantage over the rest. Government, many of them said, should not be in the farm business.

However, when I asked the same question of those in the farming community who were, let us say, less than 40 or 50 years old, many of them did not seem to understand my question. Their words or their facial expressions conveyed the counter-question, What's wrong with government-subsidy and price-support programs? In their minds, business revenues earned from selling their agriculture products to consumers on the market were no different from revenues received from government transfers paid by taxpayers.

The younger group of farmers could not distinguish between the proceeds from voluntary exchange and those from coerced redistributions. That mindset and attitude, I would suggest, permeates the vast majority in American society today.

What's wrong with others' being taxed to pay for my Social Security check each month? I paid my "fair share" all during my working years.

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**Their view on the role of government is one that just takes for granted the collectivist way things are.**

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I need health insurance and medical treatment. So why shouldn't government pay for it in one form or another. Isn't medical care a "right"? Don't we all owe it to each other? Isn't that fair? It's expensive to go to college, and I'll be burdened with decades of debt to pay it back. Why shouldn't existing college debt be forgiven and all higher education from now on be free? Don't we all benefit from a better-educated society?

**Returning to first principles about freedom**

The list could go on and on. So what is to be done? We must return to first principles, and take every opportunity that we can when it is found appropriate in conversations with our fellow citizens to politely, peacefully, and respectfully challenge the premises and presumptions in those views about the role and purpose of government.

In one sense, we need to help our fellow Americans understand the ethics and the economics in Frédéric Bastiat's (1801–1850) famous works, *The Law* and “What Is Seen and What Is Not Seen.” Do you consider it right and reasonable that people, including yourself, should be free from the reality or the threat of murder, theft, or fraud? Should not the purpose of a government, if it exists, be to recognize, secure, and protect you and everyone else from such violent intrusions into your life and theirs?

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**Is not legalized plunder as undesirable and indefensible as illegal plunder by neighborhood hoodlums?**

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If you agree that every person should have his life, liberty, and honestly acquired property respected and protected from any who might try to plunder it, does it matter whether such an attack is made by one person, or two people, or twenty? Surely the number of people in a predatory gang does not change the immorality and the undesirability of an unwanted invasion of your person and property.

If that is agreed to, does it matter whether such a group of people calls itself the downtown plunder

gang or the electoral majority who vote for those whom we call politicians to do the same type of taking under the name of taxes through the agency of government? Is not legalized plunder as undesirable and indefensible as illegal plunder by neighborhood hoodlums?

Admittedly, at this point the conversation begins to get tricky. But wait! Did we not all participate as citizens in choosing among the candidates running for public office? Isn't that what democracy is all about? That requires that we go back, again, and ask whether the number of people agreeing to do something makes it right. What might be the things that we all can generally agree on as not right for private plunderers or political paternalists to do, no matter how many may make up a majority of voters in a society?

And as part of this same discussion with our fellow citizens there will need to be an explanation of how much of what government does through its interventions and redistributive policies not only fails to do what has been promised, but often makes things worse, even for many of the people the intervention or redistribution was intended to make better off.

### A hundred-year change in American attitudes

A hundred years ago, there were already advocates and agitators for political paternalism and collectivism under a variety of names. But at that time many, if not most, Americans would not have considered such government intrusions and controls into people's lives to be right or necessary, even if most of those ordinary people could not effectively articulate why.

The spirit of the times, and Tocqueville's habits of the heart and character of mind, were still basically grounded in the idea and everyday sense of personal freedom, economic liberty, and limited government. We are not in that situation today.

Instead, we must reawaken the meaning, understanding, and value of liberty once again, here in America, where so many European visitors to the United States in the nineteenth century, such as Fredrika Bremer, found and were amazed by the culture of freedom in the attitudes and actions of the vast major-

ity of the American people with whom they interacted.

They considered the America they saw and experienced to be the great hope, model, and guide for the rest of the world. As friends of freedom, we must do all we can to help restore that spirit of liberty, as a hope for ourselves, for the rest of humanity, and for our own children and grandchildren, so they too will have the chance to live a real life of liberty.

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**NEXT MONTH:**  
**"Examples of  
Dedication to Freedom"**  
*by Richard M. Ebeling*

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# Discrimination and Liberty

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*by Christine Smith*



**W**ise individuals discriminate all the time. Think about it.

In today's society, "discrimination" has become a trigger word used to vilify anyone who chooses not to associate with another because of a difference he rejects. As such, liberty is being trampled as freedom of speech, association, and even thought become prohibited.

But "discrimination" is not a bad word. It is a good word. It is the right of every individual.

An intelligent, thoughtful individual discriminates in many life choices, be it in health decisions, foods he eats, what he purchases, places he goes, activities in which he participates, the music and art he appreciates, or with whom he associates. Our values, culture, religious

beliefs, and many other factors shape what we appreciate.

If you didn't discriminate, all manner of people (and some you may find very disagreeable) would be in your life. But you, and you alone, choose with whom you associate on the basis of your likes and dislikes. You choose your friends, just as you choose what family members are allowed closeness in your life. You choose with whom to get a cup of coffee, with whom to see a film, or with whom to go skiing. You choose whom you pick up the phone and call. You choose the people with whom you associate and those you purge from your life or at least minimize communication with. You choose whom you socialize with. In other words, you discriminate.

You discriminate on the basis of all kinds of things: people's personalities, interests, values, and morals, and behaviors that stem from those things. You decide whom you'd like to get to know better, and whom you'd rather not. And while there are those who discriminate on the basis of characteristics you or I wouldn't regard as important, it is their right to do so, or at least it should be.

Personal discrimination for any reason should be protected and honored in a free society.

Yet that isn't the case today. On the contrary, the individual's right to choose — be it during hiring, renting, selling of a service, or other examples — have been sorely infringed. Forced integration pervades society. In a free country, we shouldn't have to associate with anyone we'd rather not. No federal government program/regulation/law should grant special rights, protections, or other advantages to any group of people; not for ethnicity, sex, age, religion, national origin, economic class, sexual orientation/gender identity, disability, or any other class distinction. People should be free from any such considerations in all transactions. Likewise, there should be no laws making some crimes worse than others on the basis of assumed or actual motives, biased or not; a crime should be adjudicated on the transgression itself, not on who committed the crime, who the victim was, or why. There are no special circumstances when it comes to violence; existing laws only need to be enforced. And there's certainly no Constitutional validity whatsoever to the concept of "hate speech," despite laws made referencing it.

Discrimination is not necessarily in itself unjust or wrong. In fact, it can be very good. But anti-discrimi-

nation laws discriminate unjustly and are wrong. Americans should be treated equally under the law.

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**Individuals and private organizations should have the liberty to discriminate.**

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It matters not the basis of said discrimination, be it on a factor someone chose or was born with, since everyone should have the ability to associate or not associate with any other. Let's say a store decided it did not want to serve blonde green-eyed women. It should be their prerogative to do so. I, being in the disfavored group, would shop elsewhere. Perhaps as word spread, my friends, family, associates, and civic connections might choose to not shop there in protest. Perhaps not. Either way, both the store and individual shoppers could use their free will to do as they choose, and the free marketplace would take its course. Individuals and private organizations should have the liberty to discriminate in all their personal and business matters.

Our country has suffered because of the socially ingrained idea that to discriminate is wrong and must not be tolerated. Nothing is more intolerant than taking away this fundamental right from the in-

dividual and his enterprises, be they business, educational, or social.

The only place for mandated nondiscriminatory practices is within the government, since it is predicated on the taxation (legalized theft) it extorts from all people. As for all other discrimination, even if the majority find its form repugnant, the market should be allowed to reign. Because the government is deeply involved in and subsidizes areas in which it doesn't belong, society now must debate — politically and legally — issues such as gender-identity controversies ranging from restroom- and locker-room use to athletic competition (in public schools or federally subsidized universities). Whereas a small limited government would simply let (what should be) completely private entities decide for themselves.

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**Anti-discrimination laws are indicative of a dangerous shift from liberty to tyranny.**

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As society has moved away from respect for the individual, it has embraced putting groups, especially those who have suffered wrongdoing in the past, on a victim pedestal. Such groups of the once-oppressed wallow in victimhood

status, while using the force of government to now truly unjustly discriminate against people not in their protected group.

Equality is not what this leftist agenda espouses; rather it focuses on and elevates differences as being more important than the individual, and thus more important than freedom. All manner of silencing and distorted interpretation of others' speech occurs once the radical liberal victimhood mentality takes hold. Reality is forsaken as everything and everyone not in the favored group is perceived in the worst way.

Anti-discrimination laws are indicative of a dangerous shift from liberty to tyranny occurring at all levels of social interaction. The suppression of discrimination is not just limited to race, as it once was. It now extends to include, for example, liberal ideas, none of which can be forthrightly criticized any longer; with the irony of those proclaiming coexistence being the very perpetrators of rabid intolerance.

From college campuses to the public at large, those with ideological, political, and traditional religious ideas are now commonly persecuted through threats and acts of violence, with tacit approval given by society at large, media, and even

governmental figures by their non-action or non-condemnation when the discrimination is directed toward those with views they reject. Free speech is replaced by the mandated use of politically correct pronouns; free thought is replaced by the assigning of unworthy motives to those wishing to preserve historical statues; and Judeo-Christianity is censored while all other belief systems cannot be critiqued at all.

### **Anti-discrimination laws are discriminatory.**

Hailed as a mark of progress, the Civil Rights Act of 1964 (CRA) was anything but. In a government attempt to end an evil, a greater evil manifested: forced association in the private sector.

Had the CRA simply addressed remedy of governmental discrimination, it would have been morally just. It went much further and is responsible for taking away the right we once had to choose whom we hired, fired, rented to, or in any other way associated with, within our personal and professional lives. Its alleged good and morally sound intention, like so many others, was perverted once the government perpetrated it. As the years pass, its premise is being built upon, adding more classes of people who are giv-

en arbitrary special rights by the government to be used against those who would rather not accommodate them.

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### **In a government attempt to end an evil, a greater evil manifested: forced association in the private sector.**

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Governmental interference in the private sector has since taken many forms through intrusive programs, from the Equal Employment Opportunity Commission (formed in 1965), to the Department of Labor's affirmative action, to the 1968 Fair Housing Act, to the Americans with Disabilities Act of 1990, and others.

On March 13, 2019, Speaker of the House Nancy Pelosi (D-Cal.) introduced another, even more sweeping, liberty-killing federal proposal, referred to as "The Equality Bill," which would extend the Civil Rights Act mandates to include "sex discrimination," with prohibition of discrimination on the basis "of the sex, sexual orientation, gender identity, or pregnancy, childbirth, or a related medical condition of an individual, as well as because of sex-based stereotypes." Again, to ban personal and private-enterprise discrimination against

those groups, this faction of Democrats seeks to increase governmental discrimination against people who have differing views on biological sex and marriage. It would seriously attack the rights of employers, workers, charities, and others. Expanding current federal civil-rights law to include LGBT people in such a broad way will result in more social and legal conflict, as it effectively prohibits religious freedom to discriminate.

A centrally planned society is a tyranny, because the government controls the economy or social and business interactions. The forcing of people to associate, to pretend that only politically correct ideologies are worthy and acceptable, and to tolerate the destruction of historical monuments and markers under the guise of eradicating discrimination cause more tension, anger, and often violence. Forced respect in speech and association is not only unnatural, it is a totalitarian, destructive, governmental attack on the inalienable rights of the individual. All anti-discrimination laws forcing private individuals and businesses to conform to any societal or cultural demand are wrong.

Racism, radical liberals' most widely used accusation of discrimination, is still a reliable standby to

thoughtlessly attack persons with whom they disagree. Voluntary social segregation is harming none; governmental discrimination is the only area where harm is perpetrated. Now, many loudly claiming racism are often only reacting to objective rejection or identification of liberal ideas. It may have nothing at all to do with race, though the race card is used.

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**The government encourages legislatively letting some groups designate themselves as permanent victims.**

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The government likes to focus on differences and encourages legislatively letting some groups designate themselves as permanent victims. It's a way the government gains more power. Sad to say, many who consider themselves unfairly treated socially, see nothing unjust in asking the government to step in to make things right for them. They are unable to distinguish between the right every individual has of personal discrimination and unjust legal discrimination. Ironically, they often seek and agree with the imposition of discriminatory practices upon others just to vindicate the persecution they've suffered. But two wrongs do not make a right.

### The intrinsic liberty of the individual

The Bill of Rights was expressly created to prevent the government from interfering in how we live our lives: our religion, speech, right to assemble, bearing of arms, and privacy are all cited as protected, regardless of whether they fit within popular opinion or not. Yet today our government intrudes into these areas and unjustly discriminates in them simply to gain political support.

While the radical Left tramples freedoms to protect their feelings, those who value liberty must steadfastly protect each and every right to save what remains of this nation's proclamation of freedom, and treasure, value, and uphold it. We should be allowed to be free from government interference and provided full government protection under the law to express and evince any belief that is physically noninjurious and nonthreatening, no matter how politically incorrect. Unless you actually trespass on the fundamental rights an individual has to his person or property, your right to discriminate in thought, speech, and action should not be infringed. This is and should be maintained (restored) as your right in a liberty-loving nation.

Socially rejected or not, political and religious beliefs, as well as any bias and subsequent speech and deeds not using or threatening force, must not be infringed. To use the state, the law, to "equalize" in an effort to stop discrimination is a clear violation of the liberty of every person. It makes such activists the most unjust discriminatory group of all, as they attempt to use the law to enforce their rejection of the U.S. Constitution's respect for individual liberty. The individual's right to discriminate is a right the majority should never have been allowed to take away. The private sector should have been kept free from all anti-discrimination laws.

Those who love freedom should demand that government stay out of every area of our lives that we have not constitutionally authorized it to be involved in (which is very little). Leave all the rest to the people to do as they will on the basis of their spiritual consciousness. Some will choose love, others will choose hate. Only this approach respects the intrinsic liberty of the individual.

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*Christine Smith is a writer from Colorado. Visit her website, [www.ChristineSmith.us](http://www.ChristineSmith.us).*

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