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That government which governs least, governs best.

— *Thomas Jefferson*

FUTURE OF FREEDOM

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The Future of Freedom Foundation

11350 Random Hills Road

Suite 800

Fairfax, VA 22030

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www.fff.org · fff@fff.org

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703-934-6101

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Socialism, American Style, Part 5

by *Jacob G. Hornberger*



The Federal Reserve System is another prime example of American socialism, because it is based on central planning, a core element of socialism. Government officials plan, in a top-down, command-and-control manner the monetary affairs of hundreds of millions of people. It is impossible to overstate the disastrous consequences of this system of monetary central planning, not only in terms of monetary debasement but also in terms of the economic booms and busts that this system has produced since its founding in 1913.

The United States once had the finest monetary system in history, one that was brought into existence by the Constitution, the document that called the federal government into existence. Its system was based

on making gold coins and silver coins the official money — or “legal tender” — of the United States.

The Constitution did not call into existence a government of general powers. Instead, the document made it clear that the government would be one of limited, enumerated powers. If a power wasn’t enumerated, then the federal government was prohibited from exercising it.

The Constitution delegated the power to “coin” money to the federal government. At the risk of belaboring the obvious, “coinage” means coins, not currency represented by paper. If the Framers had wanted to delegate the power to print currency to the federal government, they would have delegated the power to “print” money, not “coin” money, to the federal government.

Making the Framers’ intent even clearer was the restriction the Constitution placed on the states. The states were expressly prohibited from making anything but gold and silver coins legal tender.

Thus, from the very beginning everyone understood that America’s monetary system was a gold-coin, silver-coin standard. Soon after the federal government was called into existence, the federal

government began minting both gold coins and silver coins, which continued to be the official money of the United States for more than 125 years.

Today, many college economics professors and mainstream journalists like to say that America's founding monetary system was one in which paper money was "backed by gold." Nothing could be further from the truth. There was never any paper-money system. America's monetary system was always one in which gold coins and silver coins were the official money of the United States.

Debauching the money

The Constitution also delegated to the federal government the power to borrow money. Such debts would ordinarily be reflected by paper instruments, such as bills, notes, and bonds, which were payable in gold coins or silver coins. Sometimes people would use the paper instruments in trade. But everyone understood that they were all promises to pay money, not money themselves. The money they promised to pay was the official money of the United States — gold coins and silver coins.

The reason the Framers brought into existence a gold-coin, silver-

coin standard was a simple one: they wanted America to have a sound monetary system, one in which government officials would be precluded from plundering and looting people through the monetary debasement that inevitably comes with paper currency.

Throughout history, excessive government spending has been a monumental problem for political regimes. To get the money to spend, governments tax people. The greater the spending, the higher the taxes.

Throughout history, excessive government spending has been a monumental problem.

The problem that political regimes have always faced, however, is resistance among the citizenry to the payment of taxes, especially excessive taxes to finance profligate spending by their political regimes. People like to keep most, if not all, of their money. They are the ones producing their wealth through hard work, ingenuity, or maybe just sheer luck. Their wealth provides them with more ways to pursue happiness. Thus, the more the government takes from them, the worse off they are.

Political leaders, therefore, realize that if they are taxing people ex-

cessively, people will resist and, in worst-case scenarios, will revolt. Revolutions are violent and sometimes successful, in which case government leaders are often left dead at the end of the process. Thus, early on political leaders figured out a way to tax people indirectly in a secret, surreptitious manner. That indirect manner of taxation is known as inflation.

Today, many college economics professors and mainstream journalists think that the term “inflation” means rising prices. Thus, when the prices of nearly everything start to rise, they will say that inflation is occurring.

Inflation occurs when the government is expanding or “inflating” the supply of money.

In actuality, inflation occurs when the government is expanding or “inflating” the supply of money. What happens when the supply of something increases? Its value goes down. That’s what happens with money, and the reduced value is reflected by the rise in prices of the things that money buys. If a gallon of milk costs \$5 today and \$10 tomorrow, the inflation of the money supply has caused the value of people’s money to be reduced by 50

percent. That 50 percent reduction in spending power is a tax — a secret, surreptitious tax, but a tax nonetheless.

The benefit of inflation, from the standpoint of government officials, is that most people don’t realize that it’s the government that has caused the value of their money to drop. They see most goods rising in price and blame the milk producer, the automobile seller, the oil companies, the bankers, and everyone but the government. Political leaders feed into that mindset by suggesting that inflation is some sort of outside force, like the flu, that they are committed to eradicating. They’ll initiate campaigns such as Whip Inflation Now (WIN), castigate and condemn private sellers for being “profiteers” and “price gougers,” and sometimes even impose price controls on sellers of goods and services.

The Framers were well aware of this sordid monetary debauchery throughout history. In fact, they had just recently experienced their own inflation during the Revolutionary War. The Continental Congress had printed up so much paper currency that when people wanted to express that something was worthless, they would say that it wasn’t “worth a Continental,” which

had been the official paper currency of the United States.

Before the printing press was invented, political leaders had nonetheless developed a way to tax people through inflation. People would pay their taxes with coins that had been issued by the king. Let's say, for example, that the king had issued coins represented to contain one ounce of gold. When the one-ounce gold coin entered the realm as tax revenue, the king would have his minions shave off the edges of the coins. They would then melt down the shavings and produce more one-ounce gold coins, which the king would then use to buy things. The problem, of course, is that when he would spend the shaved coins, they would contain less than one ounce of gold. That would naturally cause those coins to trade at a discount compared to coins that actually did contain one ounce. When that happened, the king would go into a rage, given that people were challenging his integrity and authority. That's when he would enact what are called "legal tender laws," which require people to accept the debased coins at face value.

Thus, when the Framers establish America's gold-coin, silver-coin standard, that sort of monetary debasement was certainly possible,

given that the federal government was responsible for coining the official money of the country. But that's not what happened. Instead, for more than a century, the federal government's coins were of the utmost quality and integrity.

The king would enact what are called "legal tender laws," which require people to accept the debased coins.

America's gold-coin, silver-coin standard was a major contributing factor to the enormous growth in economic prosperity during the 19th century. People knew that they could save large portions of their income with the knowledge that the value of their savings would not be wiped out through inflation. People often put their savings into 100-year corporate bonds, which were payable in gold coins, knowing that their bonds would retain their value.

Things began to change in the late 1800s, when the Progressive movement began agitating for the adoption of welfare-state programs and warfare-state programs, which inevitably meant increases in federal spending. In 1913, the Progressives were successful in achieving two measures that revolutionized American life: the adoption of a fed-

eral income tax and the establishment of the Federal Reserve System, which enabled the federal government to centrally plan the monetary affairs of the country through expansion and contraction of federal debt instruments.

The Great Depression was a direct consequence of the Federal Reserve System's policies.

In the “Roaring 20s,” the Fed expanded, over-expanded, and then over-contracted the supply of debt instruments, which led directly to the stock market crash in 1929, which in turn ushered in the Great Depression. To this day, many college professors and mainstream journalists are convinced that the Great Depression demonstrated the failure of America’s “free enterprise” or “capitalist” system. As libertarian Nobel Prize-winning economist Milton Friedman and the Austrian economists have documented so well, the Great Depression was a direct consequence of the Federal Reserve System’s policies.

Floodgates

The Great Depression provided Franklin Roosevelt with the opportunity to terminate America’s gold-coin, silver-coin system. Of course,

the only legal way to have done that was through a constitutional amendment, given that it was the Constitution, not the president or Congress, that established America’s gold-coin, silver-coin standard. But emergencies and crises have always been the occasions for politicians to exercise dictatorial powers and destroy liberty.

Roosevelt was no exception. He issued a decree, later supported by Congress, commanding every American to deliver his gold coins to the federal government, in exchange for federal debt instruments that would be irredeemable. That is, the debt instruments promised to pay nothing. Any American caught owning gold coins was threatened with a felony prosecution for owning what had been the official money of the United States for more than 100 years.

Roosevelt’s nationalization of gold constitutes one of the most morally repugnant acts in the history of the United States. It was no different from the nationalizations of private property that were being committed by the communist regime in the Soviet Union. Demonstrating how the courts in every land go silent during times of crisis, the U.S. Supreme Court upheld Roosevelt’s action.

The floodgates were now open for U.S. officials' out-of-control federal spending, with respect to both welfare and warfare throughout the 1930s, 1940s, and every decade since then. The result has been decades of massive income taxation and monetary debauchery through inflation of the money supply, along with an endless series of financial booms and busts.

For some reason, Roosevelt chose not to make silver coins illegal to own, and for a time, they continued to circulate. After 1964, however, the supply of new, cheap, alloyed coins became so large that it didn't behoove people to use silver coins for purchases when they could get what they wanted with the cheapened, debased coins instead. Who wants to purchase a \$1 soft drink with a silver dollar when he can get it for four cupro-nickel quarters? The disappearance of silver coins from the American economy was a real-life demonstration of Gresham's Law in economics: bad money drives good money out of circulation.

Today, the federal government is spending money like it was going out of style. People are already taxed to the hilt. The federal government's debt now exceeds \$26 trillion. The Federal Reserve is massively ex-

panding the money supply. This cannot end well.

What is the solution to all this economic mayhem?

One necessary prerequisite is the abolition of the Federal Reserve, America's socialist monetary institution that has caused so much damage and destruction to the economic well-being of the American people.

Today, the federal government is spending money like it was going out of style.

While a return to the constitutional gold-coin, silver-coin standard would be a significant improvement, that would still not be the ideal monetary system. The ideal would be a totally free-market monetary system, one based on the separation of money and state, one in which the government plays no role at all. This was the type of system proposed by another Nobel Prize-winning economist, the Austrian economist Friedrich Hayek, in his book *The Denationalization of Money*.

The free market produces the best of everything. It is also our heritage as Americans. A free-market money system would be a major factor in the restoration of prosperity and liberty to our land.

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

NEXT MONTH:
“Socialism, American
Style, Part 6”
by *Jacob G. Hornberger*

Supporters of numerical policies have the powerful drive of self-interest as well as self-righteousness. Bureaucratic empires have grown up to administer these programs.... The rulers and agents of this empire can order employers around, make college presidents bow and scrape, assign schoolteachers by race, or otherwise gain power, publicity, and career advancement — regardless of whether minorities are benefited or not.

— *Thomas Sowell*

The Korean War's Forgotten Lessons on the Evil of Intervention

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by James Bovard



This year is the 70th anniversary of the start of the Korean War, a conflict from which Washington policymakers learned nothing. Almost 40,000 American soldiers died in that conflict that should have permanently vaccinated the nation against the folly and evil of foreign intervention. Instead, the war was retroactively redefined. As Barack Obama declared in 2013, “That war was no tie. Korea was a victory.”

The war began with what Harry Truman claimed was a surprise invasion on June 25, 1950, by the North Korean army across the dividing line with South Korea that was devised after World War Two.

But the U.S. government had ample warnings of the pending invasion. According to the late Justin Raimondo, founder of antiwar.com, the conflict actually started with a series of attacks by South Korean forces, aided by the U.S. military: “From 1945-1948, American forces aided [South Korean President Syngman] Rhee in a killing spree that claimed tens of thousands of victims: the counterinsurgency campaign took a high toll in Kwangju, and on the island of Cheju-do — where as many as 60,000 people were murdered by Rhee’s US-backed forces.”

The North Korean army quickly routed both South Korean and U.S. forces. A complete debacle was averted after Gen. Douglas MacArthur masterminded a landing of U.S. troops at Inchon. After he routed the North Korean forces, MacArthur was determined to continue pushing northward regardless of the danger of provoking a much broader war.

By the time the U.S. forces drove the North Korean army back across the border between the two Koreas, roughly 5,000 American troops had been killed. The Pentagon had plenty of warning that the Chinese would intervene if the U.S. Army pushed too close to the Chinese

border. But the euphoria that erupted after Inchon blew away all common sense and drowned out the military voices who warned of a catastrophe. One U.S. Army colonel responded to a briefing on the Korea situation in Tokyo in 1950 by storming out and declaring, “They’re living in a goddamn dream land.”

The Chinese military attack resulted in the longest retreat in the history of America’s armed forces — a debacle that was valorized by allusion in the 1986 Clint Eastwood movie, *Heartbreak Ridge*. By 1951, the Korean War had become intensely unpopular in the United States — more unpopular than the Vietnam War ever was. At least the war, which Truman insisted on mislabeling as a “police action,” destroyed the presidency of the man who launched it. By the time a ceasefire was signed in mid 1953, almost 40,000 Americans had been killed in a conflict that ended with borders similar to those at the start of the war.

Disasters

Perhaps the biggest disaster of the Korean war was that intellectuals and foreign-policy experts succeeded in redefining the Korean conflict as an American victory. As

Georgetown University professor Derek Leebaert noted in his book *Magic and Mayhem*, “What had been regarded as a bloody stalemate transformed itself in Washington’s eyes; ten years later it had become an example of a successful limited war. Already by the mid-1950s, elite opinion began to surmise that it had been a victory.” Leebaert explained, “Images of victory in Korea shaped the decision to escalate in 1964-65 helping to explain why America pursued a war of attrition.” Even worse, the notion that “America has never lost a war” remained part of the national myth, and the notion of having ‘prevailed’ in Korea became a justification for going big in Vietnam.” But as Leebaert noted, “in Vietnam, [the U.S. Army] had forgotten everything it had learned about counterinsurgency in Korea as well.”

**“America has never lost a war”
remained part
of the national myth.”**

When the American media noted the 70th anniversary of the start of the war this past June, they paid little or no attention to the war’s dark side. The media ignored perhaps the war’s most important lesson: the U.S. government has al-

most unlimited sway to hide its own war crimes.

During the Korean War, Americans were deluged with official pronouncements that the U.S. military was taking all possible steps to protect innocent civilians. Because the evils of communism were self-evident, few questions arose about how the United States was thwarting Red aggression. When a U.S. Senate subcommittee appointed in 1953 by Sen. Joseph McCarthy investigated Korean War atrocities, the committee explicitly declared that “war crimes were defined as those acts committed by enemy nations.”

In 1999, forty-six years after the cease fire in Korea, the Associated Press exposed a 1950 massacre of Korean refugees at No Gun Ri. U.S. troops drove Koreans out of their village and forced them to remain on a railroad embankment. Beginning on July 25, 1950, the refugees were strafed by U.S. planes and machine guns over the following three days. Hundreds of people, mostly women and children, were killed. The 1999 AP story was widely denounced by American politicians and some media outlets as a slander on American troops.

The Pentagon promised an exhaustive investigation. In January

2001, the Pentagon released a 300-page report purporting to prove that the No Gun Ri killings were merely “an unfortunate tragedy” caused by trigger-happy soldiers frightened by approaching refugees.

Beginning on July 25, 1950, the refugees were strafed by U.S. planes and machine guns.

Bill Clinton announced his “regret that Korean civilians lost their lives at No Gun Ri.” In an interview, he was asked why he used “regret” instead of “apology.” He declared, “I believe that the people who looked into it could not conclude that there was a deliberate act, decided at a high-enough level in the military hierarchy, to acknowledge that, in effect, the Government had participated in something that was terrible.” Clinton specified that there was no evidence of “wrongdoing high-enough in the chain of command in the Army to say that, in effect, the Government was responsible.”

But the atrocities against civilians had been common knowledge among U.S. troops 50 years earlier. As Charles Hanley, Sang-Hun Choe, and Martha Mendoza noted in their 2001 book, *The Bridge at*

No Gun Ri, the Pentagon in 1952 “withdrew official endorsement from RKO’s *One Minute to Zero*, a Korean War movie in which an Army colonel played by actor Robert Mitchum orders artillery fire on a column of refugees.” The Pentagon fretted that “this sequence could be utilized for anti-American propaganda” and banned the film from being shown on U.S. military bases.

An official Army history noted, “Eventually, it was decided to shoot anyone who moved at night.”

In 2005, Sahr Conway-Lanz, a Harvard University doctoral student, discovered a letter in the National Archives from the U.S. ambassador to Korea, John Muccio, sent to Assistant Secretary of State Dean Rusk on the day the No Gun Ri massacre commenced. Muccio summarized a new policy from a meeting between U.S. military and South Korean officials: “If refugees do appear from north of U.S. lines they will receive warning shots, and if they then persist in advancing they will be shot.” The new policy was radioed to Army units around Korea on the morning the No Gun Ri massacre began. The U.S. military feared that North Korean troops

might be hiding amidst the refugees. The Pentagon initially claimed that its investigators never saw Muccio’s letter but it was in the specific research file used for its report.

Slaughtering civilians

Conway-Lanz’s 2006 book *Collateral Damage: Americans, Non-combatant Immunity, and Atrocity after World War II* quoted an official U.S. Navy history of the first six months of the Korean War stating that the policy of strafing civilians was “wholly defensible.” An official Army history noted, “Eventually, it was decided to shoot anyone who moved at night.” A report for the aircraft carrier USS *Valley Forge* justified attacking civilians because the Army insisted that “groups of more than eight to ten people were to be considered troops, and were to be attacked.”

In 2007, the Army recited its original denial: “No policy purporting to authorize soldiers to shoot refugees was ever promulgated to soldiers in the field.” But the Associated Press exposed more dirt from the U.S. archives: “More than a dozen documents — in which high-ranking U.S. officers tell troops that refugees are ‘fair game,’ for example, and order them to ‘shoot all refugees coming across river’ — were

found by the AP in the investigators' own archived files after the 2001 inquiry. None of those documents was disclosed in the Army's 300-page public report." A former Air Force pilot told investigators that his plane and three others strafed refugees at the same time of the No Gun Ri massacre; the official report claimed that "all pilots interviewed ... knew nothing about such orders." Evidence also surfaced of massacres like No Gun Ri. On September 1, 1950, the destroyer USS *DeHaven*, at the Army's insistence, "fired on a seaside refugee encampment at Pohang, South Korea. Survivors say 100 to 200 people were killed."

Slaughtering civilians en masse became routine procedure after the Chinese army intervened in the Korean war in late 1950. MacArthur spoke of turning North Korean-held territory into a "desert." The U.S. military eventually "expanded its definition of a military target to any structure that could shelter enemy troops or supplies." Gen. Curtis LeMay summarized the achievements: "We burned down every town in North Korea ... and some in South Korea, too." A million civilians may have been killed during the war. A South Korean government Truth and Reconciliation

Commission uncovered many previously unreported atrocities and concluded that "American troops killed groups of South Korean civilians on 138 separate occasions during the Korean War," the *New York Times* reported.

Truth delayed is truth defused. The Pentagon strategy on Korean War atrocities succeeded because it left facts to the historians, not the policymakers. The truth about No Gun Ri finally slipped out — ten presidencies later. Even more damaging, the Rules of Engagement for killing Korean civilians were covered up for four more U.S. wars. If U.S. policy for slaying Korean refugees had been exposed during that war, it might have curtailed similar killings in Vietnam (many of which were not revealed until decades after the war).

The Rules of Engagement for killing Korean civilians were covered up for four more U.S. wars.

Former congressman and decorated Korean War veteran Pete McCloskey (R-Calif.) warned, "The government will always lie about embarrassing matters." The same shenanigans permeate other U.S. wars. The secrecy and deceit sur-

rounding U.S. warring has had catastrophic consequences in this century. The Bush administration exploited the 9/11 attacks to justify attacking Iraq in 2003, and it was not until 2016 that the U.S. government revealed documents exposing the Saudi government's role in financing the 9/11 hijackers (15 of 19 whom were Saudi citizens). The Pentagon covered up the vast majority of U.S. killings of Iraqi civilians until Bradley Manning and WikiLeaks exposed them in 2010. There are very likely reams of evidence of duplicity and intentional slaughter of civilians in U.S. government files on its endlessly confused and contradictory Syrian intervention.

When politicians or generals appear itching to pull the United States into another foreign war, remember that truth is routinely the

first casualty. It is naive to expect a government that recklessly slays masses of civilians to honestly investigate itself and announce its guilt to the world. Self-government is a mirage if Americans do not receive enough information to judge killings committed in their name.

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

NEXT MONTH:

“Extremism’ Is a Ticket to Tyrannize”
by James Bovard

A great deal of intelligence can be invested in ignorance when the need for illusion is deep.

— Saul Bellow

A Four-Point Plan for Government

by *Laurence M. Vance*



In July 2010, the Department of Homeland Security (DHS), in conjunction with the U.S. Department of Justice’s Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI), launched the “If You See Something, Say Something” national campaign to raise “public awareness of the indicators of terrorism and terrorism-related crime, as well as the importance of reporting suspicious activity to state and local law enforcement.”

The national campaign was originally “implemented and trademarked” by the New York Metropolitan Transportation Authority (MTA) and is licensed to the DHS “for the purpose of creating a nationwide campaign.” The DHS campaign is limited, and therefore “cannot be used for any purposes

besides those related to terrorism and indicators/behaviors that may be reasonably indicative of terrorism-related crime.” It cannot even “be used by schools for anti-bullying purposes and communities cannot use it to combat an increase in local drug use.”

The Transportation Security Administration (TSA) is the division of the DHS that conducts the security theater at airports across the country. The TSA idea of “suspicious activity,” as pointed out by investigative journalist James Bovard, is based on a secret list of “behavioral indicators” that include exaggerated yawning, excessive complaining, gazing down, rubbing one’s hands, wearing improper attire, and whistling as one approaches the screening process. But the DHS is careful to remind us that the “If You See Something, Say Something” campaign “respects citizens’ privacy, civil rights, and civil liberties.”

For many months now, we have been inundated by the news media, government officials, and health organizations with other slogans that are not licensed from an organization or limited in their application: “stay at home,” “unnecessary businesses,” “flatten the curve,” and “maintain social distancing.”

During the early part of the COVID-19 government-instituted panic, state governors all across the country, of both political parties, and with few exceptions, ordered the residents of their states to stay at home or shelter in place. In my state of Florida, Gov. Ron DeSantis, a Republican, first issued an executive order (20-83) urging the elderly and those with serious underlying medical conditions to stay at home. Included also was “a public health advisory against all social or recreational gatherings of 10 or more people.” It was followed by another (20-91) directing “all persons in Florida” to “limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities.” In New York City, Mayor Bill de Blasio, a Democrat, declared, “We’re not allowing any kind of gathering, period. I don’t care if it’s 20 people or a hundred people or a thousand people, it’s not going to be allowed. So the point is, if you gather, NYPD is coming there to give you a summons and if you resist, to arrest you, period, across all communities.”

One reason that it was possible for state governors to get their residents to comply with their stay-at-

home orders is that they also ordered all “unessential” businesses in their states to close. Which businesses were deemed essential or nonessential varied from state to state. In Florida, the governor, by executive order (20-68), first restricted the operation of bars and restaurants and limited access to the beaches. Then he issued another order (20-71) shutting down bars, restaurants, and gyms, followed by another (20-72) banning all “medically unnecessary, non-urgent or non-emergency procedure or surgery” and directing all dentists to cease performing “elective services,” followed by another (20-87) suspending all “vacation rental operations.” In most states, most churches were closed while liquor stores were generally open. In all states (except Massachusetts) where recreational marijuana was legal, marijuana merchants were declared to be an essential business.

The purpose for the state governors’ stay-at-home or shelter-in-place orders was supposed to be to flatten the curve of coronavirus cases; that is, to slow the spread of the epidemic so that the peak number of people requiring hospital care at any one time was reduced so as not to overwhelm the health-care system. For many months now,

Americans have been bombarded with instructions from the government to wash their hands regularly; to use hand sanitizer; to wear a face mask; to avoid shaking hands; to not hug anyone; to avoid touching their mouth, nose, and eyes; and to stay away from other people when they are sick. Celebrities and sports figures have even been enlisted or encouraged to make posts on social media extolling the virtues of staying at home and listening to the health experts.

Why is the federal government silent in the face of the tyranny of state governments?

Another way that the government tried to flatten the curve of coronavirus cases was to tell everyone to maintain social distancing, although the term was apparently first used in a Centers for Disease Control and Prevention (CDC) advisory memorandum in 2007:

Social distancing refers to methods for reducing frequency and closeness of contact between people in order to decrease the risk of transmission of disease. Examples of social distancing include cancellation of public events

such as concerts, sports events, or movies, closure of office buildings, schools, and other public places, and restriction of access to public places such as shopping malls or other places where people gather.

Most people, however, had never heard the phrase until governments popularized it during the early stages of the coronavirus insanity. Now the CDC describes social distancing as “remaining out of congregate settings, avoiding mass gatherings, and maintaining distance (approximately six feet or two meters) from others when possible.”

It is time that the government got a taste of its own medicine, and especially the federal government, since it is not following its own Constitution. The Fourteenth Amendment says that “no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” Why is the federal government silent in the face of the tyranny of state governments? What

follows is a four-point plan for government based on its own slogans: “stay at home,” “unessential businesses,” “flatten the curve,” and “maintain social distancing.”

Stay at home

The government’s telling people to stay in their homes or shelter in place is the hallmark of a totalitarian state, not a free society. Those terms were sometimes referred to as lockdown orders. Those are terms usually found in the context of locking down prisons when there is a disturbance of some kind. But I guess it is appropriate, since Americans were basically put under house arrest. What else can you call it when healthy people are quarantined? The term “shelter in place” actually originated in U.S. Civil Defense regulations in the context of a possible nuclear attack. It never had anything to do with infectious diseases. Things should be the other way around. When it comes to the subject of U.S. foreign policy, Americans should be telling the U.S. government to stay at home. It is the U.S. military that should be locked down and quarantined.

U.S. foreign policy is reckless, belligerent, and meddling. The history of U.S. foreign policy is the history of hegemony, nation building,

regime change, and jingoism. In a word, it is a history of interventionism. The U.S. military is a global force for evil. Rather than defend the country, the military engages in offense in other countries. The heritage of the military is one of invasion, destabilization, occupation, subjugation, oppression, death, and destruction. Instead of the U.S. military’s defending our freedoms, it has been at once the world’s policeman, fireman, bully, social worker, and busybody. Instead of existing to defend the country, U.S. troops exist to serve as the president’s personal attack force, ready to obey his latest command to deploy to any country for any reason.

It is the U.S. military that should be locked down and quarantined.

According to the latest edition of the Department of Defense’s (DOD) Base Structure Report, “The DoD manages a worldwide real property portfolio that spans all 50 states, 8 U.S. territories with outlying areas, and 45 foreign countries. The majority of the foreign sites are located in Germany (194 sites), Japan (121 sites), and South Korea (83 sites).” The DOD owns, leases, or controls 47,288 buildings occupying 481,651 acres on foreign soil.

Thanks to the work of Nick Turse and the late Chalmers Johnson, we know that the number of official U.S. military bases on foreign soil is close to 1,000. According to David Vine, author of *Base Nation: How U.S. Military Bases Overseas Harm America and the World* (2015), only eleven other countries have bases in foreign countries, and most of those are Russian bases in former Soviet Republics.

U.S. troops stationed in foreign countries are not defending the country.

According to the official DOD document “Number of Military and DoD Appropriated Fund (APF) Civilian Personnel Permanently Assigned by Duty Location and Service/Component,” there are 34,674 U.S. military personnel in Germany, 55,165 U.S. personnel in Japan, and 26,184 U.S. military personnel in South Korea stationed on those foreign sites. There are a total of 174,956 active duty U.S. troops overseas and 20,791 guard and reserve troops “permanently assigned for duty” in more than 170 countries. And that doesn’t even include “personnel on temporary duty, or deployed in support of contingency operations” (foreign wars).

Nothing in the Constitution authorizes the U.S. government to engage in foreign wars, maintain an empire of troops and bases across the globe, intervene in the affairs of other countries, police the world, or go abroad seeking monsters to destroy. U.S. troops stationed in foreign countries are not defending the country, fighting for our freedoms, keeping Americans safe from terrorists, supporting and defending the Constitution, protecting Americans from credible threats, serving the country, or fighting “over there” so we don’t have to fight “over here.”

Part of the U.S. military presence overseas is “necessary” because the United States has committed itself to defending scores of countries. Those commitments are the epitome of the entangling alliances the Founding Fathers warned against making. Each country should provide for its own defense. All foreign bases should be closed and all U.S. troops should come home and stay home. U.S. foreign policy should be a foreign policy of neutrality and nonintervention. As our third president, Thomas Jefferson, famously said, “Peace, commerce, and honest friendship with all nations — entangling alliances with none.” The military should be

strictly limited to the actual defense of the United States. The vast oceans that act as a buffer between the United States and most of the rest of the world actually make that quite simple.

Eliminate unessential programs

In a market economy, every business is essential. Every type of industry relies on, stimulates, and necessitates other industries. And of course, every business is essential to the owner of the business, the family of the owner, the employees who work at the business, and the customers who patronize the business. And as Ron Paul has well said, “Governments have no right or authority to tell us what business or other activity is ‘essential.’ Only in totalitarian states does the government claim this authority.” Instead of the government’s telling businesses to close because they are unessential, it is the government that should be eliminating its unessential programs and agencies.

The United States was set up as a federal system of government where the states, through the Constitution, granted a limited number of powers to the national government. As future president James Madison explained in Federalist No. 45, “The powers delegated by

the proposed Constitution to the Federal Government, are few and defined. Those which are to remain in the State Governments are numerous and indefinite.” There are about thirty powers given to Congress throughout the Constitution. None of them has anything to do with education, drugs, alcohol, tobacco, charity, safety nets, retirement, health care, business operations, discrimination, housing, welfare, agriculture, security, employment, gun control, licensing, food, insurance, nutrition, disabilities, research, exploration, labor relations, poverty, disease, communications, or job training.

It is the government that should be eliminating its unessential programs and agencies.

That means that all or the great majority of what the federal government’s programs, departments, agencies, corporations, boards, programs, administrations, foundations, bureaus, authorities, and commissions do is unconstitutional. And if they are unconstitutional, then they should be eliminated for being unessential. No subsidies, grants, loans, handouts, or federal flood insurance. No TANF, WIC, LIHEAP, CHIP, AFDC, SNAP,

NSLP, or SSI. No departments of Energy, Education, Health and Human Services, Labor, Housing and Urban Development, Homeland Security, or Agriculture. No USAID, EEOC, ATF, DEA, FCC, NEA, CPB, NEH, FHA, FTC, FEMA, or TSA. No Social Security, Medicaid, Medicare, Head Start, unemployment benefits, or housing vouchers. No minimum-wage laws, no war on drugs, no occupational licensing, no anti-discrimination laws, and no federal background checks for gun purchases.

Flatten the growth curve

A greater threat to the health, safety, and welfare of the American people than the spread of any disease is the growth of the federal government. Instead of the government's telling Americans what to do in order to flatten the curve and slow the spread of COVID-19, Americans ought to be seeking not to receive government handouts, bailouts, stimulus plans, and subsidies, but to flatten the curve and slow the spread of government. They should be trying to shrink the federal government's "carbon footprint."

In the budget he submitted to Congress for fiscal year 2021 (Oct. 1, 2020–Sept. 30, 2021), Donald

Trump proposed that the federal government spend \$4.829 trillion. The federal budget didn't reach \$4 trillion until 2017, was "only" \$2 trillion in 2002, and didn't reach the trillion dollar mark until 1987. The budget deficits for fiscal years 2019, 2020, and 2021 were each around \$1 trillion. For fiscal year 2021, Trump's proposed budget has a deficit of almost a trillion dollars. The national debt increased by almost \$4 trillion during Trump's first three years as president. But what is sure to make all of those numbers much worse is that they were all compiled before the coronavirus pandemic. We know that before the fiscal year's end the federal government will certainly spend much more, have a much higher budget deficit, and boost the national debt even higher.

Only one-fourth of the federal budget is for so-called discretionary spending for domestic and military programs. About three-fourths is for what is termed mandatory spending: Social Security, Medicare, Medicaid, and other entitlement programs; that is, the welfare state.

Keep your distance

Americans live in a nanny state. The government is involved in every facet of their lives and business-

es. On the federal level, as explained in a book by attorney Harvey Silvergate, some Americans have the potential to commit three felonies a day without even realizing it, thanks to overbroad and vague federal criminal laws. The federal government reads our emails, listens to our phone calls, records our transactions, and tracks our movements. Instead of the federal government's telling Americans to practice social distancing, it is Americans who need to tell the federal government to keep its distance.

Americans don't need the government to keep them safe and healthy.

Americans don't need the government to keep them safe and healthy. They don't need the government to make sure they act moral and virtuous. In a free society, Americans would go about their business without government licenses, regulations, restrictions, standards, intervention, oversight, surveillance, or interference. As long as people's actions are peaceful, their associations are voluntary, their interactions are consensual, and they don't violate the personal or property rights of others, the government should keep its dis-

tance and just leave them alone. As H.L. Mencken put it, "Let people do whatever they please, so long as they do not invade the right and freedom of other persons to do the same."

Before around 1900, our ancestors were free to keep the fruits of their labor because there was no income tax or payroll taxes. Their wealth was not redistributed because all charity was private. They were free to engage in occupations and professions without government license, certification, or permit. There was no EPA, OSHA, or EEOC to harass businesses and subject them to stifling regulations. There were no minimum-wage or price-gouging laws. The federal government had nothing to do with public education, because education was a private or state matter. Likewise, the federal government had nothing to do with health care or insurance. The free market was truly free. There was no war on drugs. The first federal economic regulatory agency, the Interstate Commerce Commission (ICC), was not established until 1887. The only federal departments in existence were State, Treasury, War, Justice, Interior, Agriculture, and the Post Office. Indeed, unless they were in the military, the only con-

tact most Americans had with the federal government was with the post office.

Conclusion

For years now, and especially since 9/11, the federal government has been able to get away with doing anything in the name of national security. For years now, and especially since the advent of the coronavirus insanity, government at all levels has been able to get away with doing anything in the name of public health. We are living through the greatest power grab by government at all levels (federal, state, county, city) in all of American history. By decree alone, governments have criminalized heretofore legal activities, violated civil liberties worse than in wartime, and destroyed private property rights.

The only possible legitimate functions of government are defense, judicial, and policing activities. There is no justification for any government action beyond keeping the peace; prosecuting, punishing, and exacting restitution from those who initiate violence against the person or property of others; and constraining those who would at-

tempt to interfere with the peaceful actions of others.

As early nineteenth-century Jeffersonian William Leggett put it, “All governments are instituted for the protection of person and property; and the people only delegate to their rulers such powers as are indispensable to these objects. The people want no government to regulate their private concerns, or to prescribe the course and mete out the profits of their industry. Protect their persons and property, and all the rest they can do for themselves.”

Laurence M. Vance is a columnist and policy advisor for The Future of Freedom Foundation, an associated scholar of the Ludwig von Mises Institute, and a columnist, blogger, and book reviewer at LewRockwell.com. Send him email: lmvance@laurencemvance.com. Visit his website at: www.vancepublications.com.

NEXT MONTH:

“Donald Trump, Flag Burning,
and the First Amendment”

by Laurence M. Vance

Free Trade, Liberalism, and Peace

by *Richard M. Ebeling*



The classical liberals of the nineteenth century were certain that the end of the older mercantilist system — with its government control of trade and commerce, its bounties (subsidies) and prohibitions on exports and imports — would open wide vistas for improving the material conditions of man through the internationalization of the system of division of labor. They also believed that the elimination of barriers to trade and the free intercourse among men would help to significantly reduce if not end the causes of war among nations.

The economists of that earlier era had demonstrated the mutual gains from trade that would develop and be reinforced from special-

ization in productive activities among the people of the world. No longer would the material improvements of one nation be viewed as the inevitable cause of the poverty and economic hardships of other countries.

Mutual benefit based on comparative advantage

With the addition of the theory of comparative advantage, these economists were able to show that even the “weak” and less productive in the world community could find a niche for their material betterment in the network of trade among nations. At the same time, the “strong” and more productive in that same community of nations would improve their circumstances by purchasing goods from the less productive so they could be freed to specialize in those lines of production in which they enjoyed a relative superiority.

Suppose that in the country of Superioristan, one yard of cloth can be produced in four hours and one bushel of potatoes can be harvested in one hour. In the neighboring nation of Inferioristan, producing a yard of cloth takes twelve hours and harvesting a bushel of potatoes takes two hours. Clearly, Superioristan is a lower-cost producer of

both products in comparison to Inferioristan. Superioristan is three times more productive at cloth manufacturing and twice as productive in potato harvesting.

But equally clear is the fact that Superioristan is comparatively more cost-efficient in cloth manufacturing. That is, when Superioristan forgoes the manufacture of a yard of cloth, it can harvest four bushels of potatoes. But when Inferioristan foregoes the manufacture of a yard of cloth, it can harvest six bushels of potatoes.

Classical liberals were confident that with freedom of trade would come a world of peace.

If Superioristan and Inferioristan were to exchange cloth for potatoes at the price ratio of, say, one yard of cloth for five bushels of potatoes, both nations could be made better off, with Superioristan specializing in cloth manufacturing and Inferioristan in potato harvesting. Superioristan would receive five bushels of potatoes from producing and selling a yard of its cloth, rather than the four bushels it would cost if it harvested at home all the potatoes it consumed by forgoing the production of a yard of cloth. Inferioristan would receive a

yard of cloth for giving up only five bushels of potatoes, rather than the six bushels if it manufactured at home all of the cloth it used.

Already in the middle of the eighteenth century, Scottish philosopher David Hume could declare in his famous essay *Of the Jealousy of Trade*, “I shall therefore venture to acknowledge that, not only as a man, but as a British subject, I pray for the flourishing commerce of Germany, Spain, Italy, and even France itself.” The wealthier and more productive a nation’s potential trading partners, the greater the number and the less expensive the array of goods that it may be able to obtain through exchange in comparison to being solely dependent for its material well-being upon its own domestic productive capabilities.

Freedom of trade also could foster peace among nations.

The classical liberals also believed that free trade meant more than just a more plentiful supply of goods and services. They also were confident that with freedom of trade would come a world of peace and international tranquility. As the French economist Frédéric Passy expressed it in the 1840s,

Someday all barriers will fall; someday mankind, constantly united by continuous transactions, will form just one workshop, one market, and one family.... And this is ... the grandeur, the truth, the nobility, I might almost say the holiness of the free-trade doctrine; by the prosaic but effective pressure of [material] interest it tends to make justice and harmony prevail in the world.

“War,” Passy declared, “is no longer merely a crime; it is an absurdity.”

War, in the eyes of those nineteenth-century economists and classical liberals, is not only destructive but also contrary to the long-run economic well-being of all possible belligerents because it disrupts the existing or potential bonds of the division of labor from which the prosperity can come to replace the poverty and conflicts of mankind. “War,” Passy declared, “is no longer merely a crime; it is an absurdity. It is no longer merely immoral and cruel; it is stupid. It is no longer merely murder on a large scale; it is suicide and voluntary ruin.”

Trying to prevent but failing to stop war

The nineteenth century was not without war and international conflict. But in comparison with earlier centuries, and certainly in comparison with the twentieth century, the hundred years between the defeat of Napoleon in 1815 and the opening shots of the First World War in 1914 were a period of relative peace as well as international attempts to devise rules of warfare.

If a war were to still break out, then it should be controlled and limited in its destructive effect on life and property, especially that of innocent noncombatants of the belligerent countries and the citizens of neutral nations. There were a wide variety of international conferences and treaties in the nineteenth century and first decade of the twentieth that specified what should be the rules of war on land and sea and in the air.

All of the treaties and agreements and all of the hopes that international trade would establish a web of mutual interdependency in the areas of commerce, culture, and communication, which would make war impossible or at least more “civilized,” died on the battlefields of Europe in 1914. Economic nationalism then joined political col-

lectivism in the two decades between the two World Wars. And the Second World War threw to the winds all restraints on the conduct of nations, as unrestricted methods of warfare were joined by mass murder and the barbaric brutalizing of tens of millions of innocent and unarmed men, women, and children.

Foreign policy and domestic policy are closely linked.

The half century following World War II witnessed wars, civil wars, and massacres of millions, once again, in Asia and Africa with the end of European colonialism on those continents. And for that entire period, the world was split in two by the ideological and military rivalry of the United States and the Soviet Union. As a result, the United States fought two major wars, in Korea and Vietnam. The Soviets violently repressed opposition and revolts in East Germany, Hungary, and Czechoslovakia, and fought a ten-year war in Afghanistan.

In the post-Soviet era, and in spite of the end of the Cold War, wars have continued around the world, including the Persian Gulf War in 1991 and the disintegration of Yugoslavia and foreign interven-

tion in Bosnia and Kosovo. Following the terrorist attacks in New York and Washington, D.C., in September 2001, the United States entered its longest and still continuing war in Afghanistan, followed by its invasion and occupation of Iraq in 2003. Both America and Russia have put their hands in the long-running civil war in Syria, making it even more deadly and destructive.

Free trade is not responsible for wars.

None of the wars, conflicts, and mass murders of the twentieth century can be blamed on free trade or explained in terms of free trade. The entire last 100 years and more were a revolt against the ideas and ideals of the classical liberals of the nineteenth century. When the United States and Great Britain at the end of the Second World War stated their intention of establishing a new economic order for the world, their goal and the goal of institutions arising from their intention was for a new internationally managed trade, not real global free trade. During the Second World War, Austrian economist, Ludwig von Mises observed,

A nation's policy forms an integral whole. Foreign policy

and domestic policy are closely linked together, they condition each other. Economic nationalism is the corollary of the present-day domestic policies of government interference with business and of national planning as free trade was the complement of domestic economic freedom.

The spirit of economic freedom reached its zenith in the 1860s and 1870s.

The interventionist and planning ideas during the last 100 years meant that trade among nations could not be left outside government oversight and control, lest its directions and patterns undermine and frustrate the goals and purposes of national governments in their domestic affairs.

Free trade was unable to prevent war in the twentieth century, because by 1914 very few people believed any longer in the idea of liberty. The spirit of economic freedom reached its zenith in the 1860s and 1870s. From then on, a counter-revolution began against freedom. Germany was a major catalyst for the change in ideological and policy directions with its return to protectionism and the implementation of

many programs of the modern welfare state.

But France also started to move in that direction with regulations and pressures that gave the government increasing influence and, in fact, control over the patterns of French foreign investment in other countries to reinforce its political foreign-policy objectives, as well as with restrictions on foreign investments made inside France.

Even in Great Britain, which retained the closest approximation to free-trade principles for the longest time — until the opening shots of the First World War — the London investment houses would informally make sure that their foreign loans and investments did not conflict with the wider policy goals of the British government. The First World War was the culmination of that process, with nation and state completely becoming one, as belligerent powers made all aspects of social and economic life subservient to the ends of war.

Only the liberal mentality can prevent war.

In the aftermath of the First World War, Ludwig von Mises explained in 1924 that no institution for peaceful cooperation is secure if the ideological currents shift and

public policy becomes dominated by the spirit of interventionism and war:

Only one thing can conquer war — the liberal attitude of mind which can see nothing in war but destruction and annihilation, and which can never wish to bring about a war, because it regards war as injurious even to the victors. Where Liberalism prevails, there will never be war. But where there are other opinions concerning the profitability and injuriousness of war, no rules or regulations, however cunningly devised, can make war impossible.

The context in which Mises made his remark was whether or not a full, 100 percent gold-coin monetary system would have been able to withstand the trend toward war, if government needed control of the monetary system to fund its war expenditures.

If war is regarded as advantageous, then laws regulating the monetary systems will not be allowed to stand in the way of going to war. On the first day of any war, all the laws oppos-

ing obstacles to it will be swept away, just as in 1914 the monetary legislation of all the belligerent States was turned upside down without one word of protest being ventured.

Nor would a completely free banking system, totally outside the control of the government, have fared any better in 1914. Mises believed, “The answer to this question seems to be that it would not have done so. The governments of the belligerent — and neutral — States overthrew the whole system of bank legislation with a stroke of a pen, and they could have done so just the same if the banks had been uncontrolled.”

Institutions help, but ultimately it is ideas that matter.

Great Britain, in spite of the growing protectionism and interventionism in other European countries in the years leading up to 1914, had followed an open, free-trade policy throughout its Empire. There had been free movement of goods and free movement of men, the latter without either passports or visas. And capital moved without restriction both into and out of Great Britain itself and throughout the far reaches of the Empire.

Yet overnight, barriers and restrictions went up all across the European continent, Britain included, once war was declared and the opening volleys were fired in the summer of 1914. Almost seventy years of British free trade, with all of its benefits, were brought to an end with a few strokes of the pen of war-emergency acts.

Mises did not discount the significance of institutional barriers to arbitrary government actions. He pointed out that, indeed, if the countries of Europe in 1914 had still had gold standards fully based on gold coins in circulation, to which the people were accustomed and which in their minds symbolized the security and soundness of the monetary system, governments may very well have had a harder time justifying the abolition of the monetary order and the resort to inflation to finance their war expenditures. “It will not be so easy for governments to disavow the reactions of war on the monetary system; they will be obliged to justify their policy.”

But neither the gold standard as practiced in 1914 nor international freedom of trade as existing in 1914 could withstand the winds of war. The “spirit of the times” had long before changed from being a belief

in individual freedom, limited government, and free markets with the accompanying depoliticizing of interpersonal relationships, including relationships in international commerce and investment, into a reborn desire for protectionism, nationalism, planning, and imperialism.

**Free trade cannot prevent war
when men no longer believe in
peace.**

Free trade cannot prevent war when men no longer believe in peace. Free trade is premised on the idea that human relationships should be voluntary and based on mutual consent. It is grounded on the understanding that the material, cultural, and spiritual improvements in the circumstances and conditions of man are best served when the members of the global community of mankind specialize their activities in a world-encompassing social system of division of labor.

It requires the conviction that the moral condition of individual men and mankind as a whole is fostered the most when people acquire the things of the world that they desire by peaceful exchange rather than by theft and plunder; and

when men attempt to change the way their fellow human beings think and live and act by using the methods of reason, persuasion, and example instead of using of compulsion, power, terror, and death.

That is why wars still plague us. Too many men still don't believe in peace, because they don't believe in the prerequisites for peace and the freedom of trade that accompanies their implementation. The task we face today is the same as when Ludwig von Mises wrote in 1924. We must continue to argue for and hopefully prevail through reason and argument against what Adam Smith referred to in 1776 as the "prejudices of the public" (the economic ignorance of our fellow men) and the opposition of the "private interests" (those who wish

to use the power of the state to plunder others in society). Until we do, free trade will neither replace nor fully prevent future wars.

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

NEXT MONTH:
**"The Socialist Elixir Is a
Deadly Cyanide"**
by Richard M. Ebeling

Our new Constitution is now established, and has an appearance that promises permanency; but in this world nothing can be said to be certain except death and taxes.

— Benjamin Franklin

The Tortured Legacy of the Mexican- American War, Part 6

by Danny Sjursen



*But she [America] goes not abroad,
in search of monsters to destroy...
[Were she to do so] the fundamental
maxims of her policy would insensi-
bly change from liberty to force....
She might become the dictatress of
the world.*

— Secretary of State,
John Quincy Adams (1821)

It was an odd peace, negotiated by a once-trusted, Democratic Party loyalist who, though appointed by Polk himself, soon turned against the war, defied his president, and — with the support of equally exasperated American generals — unilaterally negotiated an essential peace, despite knowing that doing so would destroy his own career. Few today have heard

of Nicholas Trist — which was precisely James Polk's intent. Nevertheless, the man — a bona fide American hero and man of impeccable integrity — should be celebrated, even now, in schools across the nation. Trist had an interesting background. He had married Thomas Jefferson's granddaughter, lived for many years with the ex-president, and became his personal secretary, dear confidant, and — similar to Polk with Jackson — his protégé of sorts. The Jefferson connection undoubtedly influenced Trist's professional life, most especially his troubled, courageous, mission to Mexico.

When Trist arrived on his secret peace mission in Mexico, General Scott was suspicious from the get-go. Long convinced that Polk planned to replace him with a Democratic Party loyalist-general, Scott saw Trist as a threat and rival. So contentious were their earliest interactions that Scott initially threatened to resign if Trist wasn't recalled. Over time, however, Scott — increasingly desperate for a peace settlement — came to realize that Trist was his best hope. The two became friendly confidants, both eager for peace at almost any cost, and even sought to undermine the president's increasingly ambi-

tious, expansionist sentiments. Scott and Trist both recognized the precariousness of the American military situation, wherein a relatively small U.S. Army — deployed deep in the Mexican interior and harassed by guerrillas — was trapped in occupation duty with no end in sight.

Scott and Trist had come to agree on the futility of a lengthy military occupation.

Polk, too, trod on delicate ground. His Democratic loyalists had begun to call for the annexation of all of Mexico. Sam Houston, the former president of the Republic of Texas, had just proclaimed the entirety of the vanquished nation as the “birth-right” of the United States. “Assuredly as tomorrow’s sun will rise ... so certain it appears to my mind,” he asserted, “must the Anglo-Saxon race pervade ... throughout the whole rich empire of this great hemisphere.” Polk hoped for a quick peace that would gain the United States as much of Mexico as possible in order to placate the “All-Mexico movement” in his own party.

Thus, when Trist demonstrated his willingness to negotiate a somewhat more lenient, “just” peace

with the provisional Mexican government, Polk decided to fire him. If Trist remained in place, Polk concluded at a hasty cabinet meeting held in his private bedroom, it might convince the Mexicans that “the U.S. were so anxious for peace that they would ultimately conclude one upon the Mexican terms.” Secretary Buchanan, who had once argued against any annexation of Mexican territory, now — with presidential ambitions of his own — declared the full annexation of Mexico was “that destiny which Providence may have in store for both countries.”

Meanwhile, down in Mexico itself, Scott and Trist had come to agree on the futility of a lengthy military occupation. Scott’s racial biases were on full display in his opposition to total annexation. “There are not more than one million,” out of eight million Mexicans, “who are of pure European blood. The Indians and the mixed races constitute about seven millions. They are exceedingly inferior to our own. As a love of my country, I was opposed to mixing up that race with our own.”

The longer he spent on the ground in Mexico, Trist’s view of the untenable American military situation, and the (aggressive) na-

ture of the entire U.S. military invasion, changed. His country's conquest of Mexico and occupation of its capital, he soon wrote, was a "thing for every right-minded American to be ashamed of." Scott agreed, as much on tactical as moral grounds, and the two men collaborated to defy Polk's recall of Trist, and — exploiting the slow nature of communications with Washington — as the special envoy decided, to make peace with "as little exacting as possible from Mexico." When the military dictator, Santa Anna, fell from power and was replaced by an originally anti-war moderate, Manuel de la Peña, Trist saw an opportunity to negotiate a peace before Peña fell in an (expected) coup.

Thus, when Trist finally received his recall orders, he made a profound, even unheard of, decision: he refused to accept his firing or return home as ordered. In that, Trist had Scott's support. The general, also defying a president for whom he had no love, encouraged Trist to "finish the good work he had begun." So it was that Trist composed and sent Polk a 645-page letter explaining just why he refused to be relieved of duty. A prolonged U.S. military occupation, he wrote, constituted an "incalculable danger to

every good principle, moral as well as political, which is cherished among us."

When Trist finally received his recall orders, he refused to accept his firing or return home.

Back in D.C., Polk, influenced by the all-Mexico expansionists within his party, was horrified by Trist's intransigence. "There is," between Scott and Trist, "a conspiracy to put the government at defiance and make a treaty of some sort." Down in Mexico, both the general and the diplomat realized that time was short. Any day a new general might arrive with orders to relieve Scott and physically remove Trist from army headquarters. So in a last desperate gambit, Scott threatened provisional President Peña. If a peace agreement was not soon signed, the U.S. Army would march out into the countryside and resume hostilities upon the Mexican people. And so it was, on February 2, 1848, that a fired diplomat and an insubordinate general signed the Treaty of Guadalupe Hidalgo. Mexico ceded the northern third of its territory — everything that Polk had desired in his initial guidance to Trist (with the exception of Baja California). The United States

promised — but ultimately failed to fulfill — recognition of Mexican property rights in the annexed territory, to provide residents therein a path to U.S. citizenship, and to protect them from Indian raids along the new border.

Trist took scant comfort in the eventual settlement. As he admitted to his family, “Could those Mexicans [at the peace table] have seen into my heart at that moment, they would have known that my feeling of shame as an American was far stronger than theirs could be as Mexicans.” Though he knew, as a result of his actions, that his political career was over, Trist felt he had done as right as possible by both his own country and vanquished Mexico — his “conscience as a man,” was clear. Polk was furious, and still pressured by expansionists in his own party, but, after lengthy cabinet discussions and personal reflection — and undoubtedly cowed by the growing national anti-war movement — decided he had no choice but to accept the peace treaty that he had.

Trist returned as a pariah. He lived out much of the rest of his life in nearly abject poverty, a man without a party, or a benefactor, but at peace with himself. He had done the right thing; had saved lives on

both sides; and had chosen integrity over advancement. His punishment was penury. Still, while Trist had done all he felt he could for the Mexicans, the U.S. government, would ultimately abrogate key provisions of the treaty with Mexico — just as it would time and again with Indian tribes within its own borders. The real losers of the war turned out to be newly Hispanic-Americans and Indians within the annexed territory. Under the conditions of the Mexican Constitution of 1824, to which — by the treaty — the United States was statutorily obligated to adhere, all Mexicans, including Indians, were considered citizens. Still, for generations, Mexican-Americans and, especially Indians, were treated as second-class citizens or foreigners within the borders of the United States.

Trist felt he had done as right as possible by both his own country and vanquished Mexico.

The new state of California didn't recognize Mexican-Americans as citizens until 1870; New Mexico refused until 1912. For decades, Texas restricted the right to land ownership to whites. As for the Indians, most of whom lived in California, matters were far worse.

Within a single decade, 1845–55, after California’s American governor, Peter Burnett, predicted a “war of extermination” would rage until “the Indian race becomes extinct,” the native population fell from 150,000 to 50,000. The former slave and abolitionist Frederick Douglass probably best expressed the nature of the eventual settlement: “They [the peacemakers] have succeeded in robbing Mexico of her territory, and are rejoicing for their success under the hypocritical pretense of a regard for peace.” And so they had.

The end of American “innocence” and the seeds of Civil War

The United States will conquer Mexico, but it will be as a man who swallowed the arsenic which brings him down in turn. Mexico will poison us.

— Ralph Waldo Emerson (1846)

James K. Polk’s worst nightmare came true in the election of 1848. To his credit, and almost singularly among American executives, Polk did indeed eschew a reelection campaign. Still, he was a sincere Democratic loyalist and had long feared that a Whig — particularly a popular Whig general — would succeed him. And that is precisely what happened. One of the two celebrity theater commanders of the

war, Gen. Zachary Taylor, assumed office in early 1849. That the Whigs — a party literally formed and held together by sheer loathing of Andrew Jackson — turned to another general (from a war they opposed) in a bid to take back the White House, demonstrated both their political opportunism and the pervading star power of military commanders throughout U.S. history.

Polk had, for better or worse, fulfilled nearly every one of his campaign promises.

Polk left Washington after Taylor’s inauguration and trekked back to Tennessee. By then a broken man, Polk may not have led his armies from the front in Mexico, but the war can be said to have killed him anyway. A workaholic with few worldly vices — not even rest — Polk was dead just three months later. Nonetheless, while Polk is unlikely to top many historians’ lists of “great” presidents, he was undoubtedly one of the most successful. He had, for better or worse, fulfilled nearly every one of his campaign promises. He had helped annex Texas; negotiated most of the Oregon Territory away from the British; provoked and sold a war that made the Manifest Des-

tiny dream of an America that spanned “from sea to shining sea” a reality; and he even stepped down after a single presidential term, as he had pledged. Few occupants of the White House, before or since, can claim as much.

Nevertheless, Polk’s wartime leadership set a number of rather dark precedents for the young nation — questionably constitutional criteria that far too many of his successors would follow, and follow still. His was the first American war waged against another republic — once thought an impossibility by the Founding Fathers and their contemporary Enlightenment thinkers — the first based upon an unassailable lie, and the first that a significant portion of the populace opposed. That pattern has continued. So has Polk’s expansion of executive power in foreign affairs. As the first to truly identify, believe in, and execute the fiction that the Article II commander-in-chief clause of the Constitution grants near unlimited powers to the president, Polk undoubtedly did much to irreversibly enlarge the dominion of the presidency. Without Polk’s early precedent-setting and what logically followed, it is difficult to imagine the contemporary and seamless conduct of unsanctioned “terror wars”

by the three consecutive administrations of George W. Bush, Barack Obama, and Donald Trump.

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The sheer scope and horror of the Mexican-American War was also something new for the young American Republic. Though the Revolution counted a greater number of battle deaths, more U.S. soldiers had died in Mexico, and far more than in the War of 1812, or even in all the Indian wars (1817–1890) combined. In fact, per capita, the Mexican-American War was the deadliest for U.S. soldiers in the nation’s history. One in ten of the Americans who went to Mexico died there — the vast majority from illness and disease. More than 12,500 American servicemen and at least 25,000 Mexicans (soldiers and civilians) died in the conflict. And it is telling that the Mexican-American War is one of the few major conflicts not commemorated in Washington D.C. Though the war cost the U.S. government nearly \$100 million (some \$3 billion in today’s dollars), most historians agree that the massive economic and social disruption of the war signifi-

cantly set back and stunted the progress and growth of Mexico.

That the United States had aggressively dismantled its neighboring republic raised, and raises, a number of uncomfortable questions. Could the United States still claim national altruism and define itself positively compared with the British, and other monarchies and empires? Of course it couldn't. Would American expansion stop at the Pacific? It would not. More urgently, would slavery expand into the annexed territories, and if it did, would that placate Southerners? The answers: some of it, and, absolutely not.

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The question of slavery in the Mexican cession — and later legislation permitting the peculiar institution throughout the far West — would, within just thirteen years, tear the United States asunder. It did so, in part, owing to the sectional breakdown of the “second” party system in American history. There had, before the war, been northern and southern factions of both Whigs and Democrats. Afterwards,

the parties quickly became almost completely regional: Northern for the former, Southern in the case of the latter.

The indefatigable lion of the Senate, Henry Clay tried to halt this sectional fragmentation. In an attempt to recreate his 1824 “Missouri Compromise,” he again worked out a tenuous deal between pro- and anti-slavery states in 1850. In hindsight, his fatally precarious “Compromise of 1850” never stood a chance. His first grand bargain had held firmly for 24 years; his encore, barely ten.

Abraham Lincoln wasn't even around to observe his old idol attempt this last trick. His anti-war position almost certainly cost him his coveted congressional seat. Meanwhile, Henry Clay, perhaps the most famous American politician never to serve as president, died within two years, and was thus spared the pain of watching his final deal collapse. Nevertheless, by the 1856 presidential election, the Whig Party essentially ceased to exist — replaced by the far more overtly anti-slavery Republicans. Just four years later, against all odds, Lincoln would ascend to the White House at the head of that new party.

The undeniable nature of historical contingency aside, one must

reflect in wonder at some of the implications inherent in an accurate accounting of the Mexican-American War. If Emerson was right — and it seems he was — that the conquest of Northern Mexico poisoned American politics, upset the delicate slave-state versus free-state balance, and eventually tore the union apart, consider the ramifications. It could be said that 180 pro-slavery, illegal immigrant rebels holed up in an old Spanish mission named the Alamo sacrificed themselves for what they'd claimed was “freedom,” but inadvertently caused an American Civil War. What's more, that much bloodier war would paradoxically be commanded — on both sides — by generals who were veterans of the Mexico invasion, many of whom had doubts, if not down-right regrets, about the war of their youth.

“The opinion has gone forth that no politician dares to be the advocate of peace when the question of war is mooted.”

Wilder still, the careers of the presidents on both sides of the monumental civil conflict to come were veritably built by the earlier conflict. On the Confederate side, Jefferson Davis — a West Point

graduate — had served as a colonel of the Mississippi Volunteers under the command of his former father-in-law (his first wife had died), Zachary Taylor. Before he had resigned from Congress to lead the regiment, however, he had opposed a hasty invasion, and lamented on the House floor, “Unfortunately, the opinion has gone forth that no politician dares to be the advocate of peace when the question of war is mooted. That will be an evil hour — the sand of our republic will be nearly run — when it shall be in the power of any demagogue, or fanatic, to raise a war-clamor, and control the legislation of the country.” He fought well in all the major battles in Northern Mexico and was shot through the foot. Six years after the conflict's end, while serving as secretary of war under President Franklin Pierce — who had himself served as a volunteer brigadier general under Gen. Winfield Scott — Davis successfully pushed for a revision of the original treaty that further benefitted the U.S. invaders. In the Gadsden Purchase, Washington acquired some 30,000 square miles of present-day southern Arizona and New Mexico — including the city of Tucson — to facilitate a southern branch of the transcontinental railroad.

Conversely, the Civil War–era president of the United States, Abraham Lincoln, had made his name — and risked his career — with his virulent, principled anti-war stance in Congress. So it was that both sides of the Civil War would be led by generals who had doubted the morality and efficacy of the Mexican-American War as young officers, and by presidents who'd once outright opposed it.

How immensely all this alters the standard patriotic narrative! Think of the significance: an aggressive U.S. regime-change war of conquest in 1846 boomeranged east a little more than ten years later and resulted in the deaths of more than 500,000 Americans — more, perhaps, than all the nation's other wars combined. The implications for America's imperial present are astonishing.

Bibliographical note: This piece draws extensively on Amy S. Greenberg's book, *A Wicked War: Polk,*

Clay, Lincoln, and the 1846 U.S. Invasion of Mexico (2012); on sections of Daniel Walker Howe's volume in the Oxford History of the United States, *What Hath God Wrought: The Transformation of America, 1846–1848*; my chapter on the Mexican-American War from the “American History for Truthdiggers” series; and my teaching notes and lectures from West Point. Interested readers should read Greenberg's work in full for a broader and more in-depth treatment of this massively complex subject.

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

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