
FUTURE OF FREEDOM

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*Government, in its final analysis, is organized
force.*

— Woodrow Wilson

FUTURE OF FREEDOM

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JFK: A Fraudulent Autopsy and a Fraudulent Film

by *Jacob G. Hornberger*



The following is a nonverbatim transcript of a talk I gave at the annual PorcFest festival in Lancaster, New Hampshire, in June 2024.

In the 1990s, the Assassination Records Review Board discovered the existence of a woman named Sandra Spencer, who told a remarkable story to the ARRB. On the weekend of the assassination of President Kennedy, Spencer was a chief petty officer with the U.S. Navy stationed in the Navy's photographic lab in Washington, D.C., where her primary duty entailed developing social photographs of the president and his family. The general counsel for the ARRB, Jeremy Gunn, later stated that of all the witnesses to appear before the

ARRB, Sandra Spencer was the most credible.

Spencer told the ARRB that on the weekend of the assassination, she had been asked, on a top-secret, classified basis, to develop autopsy photographs of the president's body. Gunn showed her the autopsy photographs in the official record that showed the back of President Kennedy's head to be intact. He asked her if these were the photographs she developed that weekend. She carefully examined the photographs and said, no, that the autopsy photographs that she developed showed a big hole in the back of President Kennedy's head. If Spencer's testimony was true and accurate, that could mean only one thing: The government's autopsy photographs showing the back of JFK's head to be intact were fraudulent.

Spencer was not alone

What is significant is that Spencer's testimony matched what the doctors who had treated Kennedy at Parkland Hospital in Dallas had stated immediately after the assassination. For example, consider the statements of Dr. Robert McClelland, one of JFK's treating physicians. For the rest of his life, McClelland steadfastly maintained

that Kennedy had a hole in the back of his head that was approximately 5 inches in diameter. McClelland went on to become a renowned surgeon at Southwestern Medical Center in Dallas, one of the best hospitals in the country. He served as a professor at Southwestern and ultimately retired as a professor emeritus. He created and was the first editor of *Selected Readings in General Surgery*, which is published by the American College of Surgeons.

McClelland wasn't the only witness to the massive exit wound in the back of JFK's head. There was also Dr. James Carrico, Dr. Charles Crenshaw, nurses Audrey Bell and Diana Bowron, newsman Roy Stamps, Secret Service agent Clint Hill, and many others. In fact, when Jeremy Gunn showed the official-back-of-the-head photographs to two FBI agents who were present at the president's military autopsy at Bethesda National Medical Center, both of them stated that the photos incorrectly depicted the back of JFK's head to be intact. One of them even stated that the official photographs appeared to be "doctored."

There is a new documentary entitled *JFK: The Dallas Doctors Speak*, which I highly recommend watching. It features some of the Dallas doctors in Trauma Room One stat-

ing that JFK had a massive hole in the back of his head.

That massive hole in the back of Kennedy's head was significant for two reasons. First, it meant that Kennedy had been shot in the head by a gunshot that came from his front. That was problematic for the official version of the assassination, which held that all shots had come from the president's rear.

McClelland wasn't the only witness to the massive exit wound in the back of JFK's head.

Second, it meant that the official autopsy photographs were fraudulent. Why is that important? Because there is no innocent explanation for a fraudulent autopsy. Once it is established that the military establishment, which conducted the autopsy on President Kennedy's body, engaged in autopsy fraud, it is "case closed" on who orchestrated the assassination.

Why the military conspiracy?

A question naturally arises: Why was the U.S. military conducting the autopsy on the president's body? After all, this is not a military nation, or at least it's not supposed to be. Moreover, assassinating a U.S. president was not a federal crime at

that time. Therefore, no part of the federal government had jurisdiction over the crime.

Immediately after President Kennedy was declared dead, the Dallas County Medical Examiner, Dr. Earl Rose, announced that he was going to conduct an autopsy on the president's body, as required by state law. Immediately, a team of Secret Service agents, led by an agent named Roy Kellerman, who was sporting a Thompson submachine gun, went into action, declaring that they would not permit Rose to conduct the autopsy. Rose stood his ground. The other Secret Service agents pulled back their coats and brandished their guns. One of them picked up Rose, carted him to a nearby wall, and wagged his finger in his face.

The other Secret Service agents pulled back their coats and brandished their guns.

Screaming, yelling, and issuing a stream of profanities, Kellerman's team forced their way out of Parkland with the president's body, which had been put into a heavy ornate casket and then into the back of a funeral-home vehicle, and transported it to Dallas Love Field, where the new president, Lyndon

Johnson, was waiting for it. The casket was loaded onto Air Force One and flown to Andrews Air Force Base in Maryland, where it was delivered into the hands of the military. It's worth noting that there were lots of competent civilian forensics pathologists and facilities in the Washington, D.C., area who could have performed the autopsy.

The ARRB also discovered the existence of a man named Roger Boyajian, who told the ARRB a remarkable story. He said that on the evening of the assassination, he had been placed in charge of a security detail at the Bethesda morgue. He stated that a lightweight shipping casket had been brought into the morgue at 6:35 p.m. He had kept a copy of his After Action Report that confirmed what he later told the ARRB. A team of Navy soldiers stated that after they carried the shipping casket into the morgue, President Kennedy's body was taken out of it and encased in a rubberized body bag.

Those statements presented problems for the U.S. military. That's because the president's body had been wrapped in sheets at Parkland, not encased in a body bag. Moreover, at Dallas, the president's body had been placed in a heavy, ornate, bronze funeral-type

casket, not a lightweight shipping casket. Finally, the official entry time of the Dallas casket with the president's body inside was 8 p.m., not 6:35 p.m., when a team of soldiers named the Joint Service Casket Team carried it into the morgue.

Why two caskets?

The ARRB also discovered the existence of a memorandum from Gawler's Funeral Home that had been created soon after the assassination. It confirmed that the president's body had been brought into the morgue in a shipping casket.

Humes told Finck that they already had x-rays of the president's head.

One of the x-ray technicians saw Mrs. Kennedy and Robert F. Kennedy entering the front of the facility immediately after arriving from Andrews Air Force Base. The technician knew that the heavy, ornate casket that was in the Navy vehicle that was still out front of the facility had to be empty because x-rays were already being performed on Kennedy's head in the morgue.

In a criminal trial in New Orleans in the late 1960s, Dr. Pierre Finck testified that he received a telephone call at precisely 8 p.m.

from Dr. James Humes, one of the three pathologists who conducted the autopsy. During that conversation, Humes told Finck that they already had x-rays of the president's head. Since the official entry time into the morgue was 8 p.m., the only way they could have already had x-rays of the president's head is if it had been brought into the morgue at an earlier time — that is, 6:35 p.m.

At the risk of belaboring the obvious, when military personnel are sneaking a president's body into a morgue almost an hour-and-a-half before the official entry time, it can be safely assumed that they are up to no good.

There was one big problem, however, with the notion that the back-of-the-head photographs of the military were fraudulent. That problem was Dallas businessman Abraham Zapruder's film of the assassination, which he had taken while standing on a pedestal in Dealey Plaza, where the assassination occurred.

Zapruder's film showed Kennedy's head to be intact after he received the fatal gunshot to the head, which matched the military's back-of-the-head autopsy photographs. Assassination researchers who believed that all those witnesses who

established that there was a massive hole in the back of JFK's head were convinced, therefore, that the Zapruder film had to have been altered to hide the massive hole in the back of JFK's head.

However, the only ones who could have done that were people in Hollywood, but there was never any evidence that surfaced indicating that the film had been shipped to Hollywood. Instead, the evidence was that the film had been shipped to Chicago to a publishing plant of *LIFE* magazine, which had purchased the film from Zapruder on Saturday afternoon, the day after the assassination.

Who altered the Zapruder film?

In the late 2000s, the world's most renowned photography analyst, a former CIA official named Dino Brugioni, disclosed that the Zapruder film had been brought by two Secret Service agents on Saturday night to the National Photographic Interpretation Center (NPIC) in Washington, D.C., where Brugioni and his team carefully examined it several times and made blow-ups of selected frames and posted them on briefing boards.

The film was then taken to a top-secret CIA film facility that was located in Kodak's headquarters in

Rochester, New York, where they could do anything with film that Hollywood could do. While there is no evidence that Kodak participated in the operation, the CIA film experts, using a state-of-the-art copier known as an aerial optical printer, made a 16mm-wide altered copy of the 8mm Zapruder film and then brought it back to NPIC on Sunday night, where, unbeknownst to Brugioni, an entirely different CIA team made blow-ups of selected frames and posted them on briefing boards. It is that altered copy that became the new original Zapruder film. It is worth mentioning that an 8mm-wide film cannot be converted into a 16mm-wide film except by making a copy of it.

It is that altered copy that became the new original Zapruder film.

Brugioni was later shown a copy of the extant Zapruder film. In a video interview that can be seen online, he stated unequivocally that the extant film was not the film he saw on the Saturday night after the assassination. He said that the most striking part of the film, which he and his team watched several times, was the brain and blood tissue that shot straight up in the air and that

covered several frames of film. The extant film shows only one frame for the gunshot to the head and shows no brain and blood tissue shooting up into the air.

In my book *An Encounter with Evil: The Abraham Zapruder Story*, I present statements by experienced Hollywood film experts establishing that the extant Zapruder film is an altered copy, which includes the “black patch” that the CIA film experts in Rochester painted onto the back of JFK’s head to hide the massive exit-sized hole in the back of the president’s head. I also recommend my book *The Kennedy Autopsy*, which is a synopsis of what I consider to be the very best book on the Kennedy assassination, *In-*

side the Assassination Records Review Board by Douglas Horne. For the best introduction to the Kennedy assassination, I recommend the excellent book *JFK and the Unspeakable: Why He Died and Why It Matters* by James W. Douglass.

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

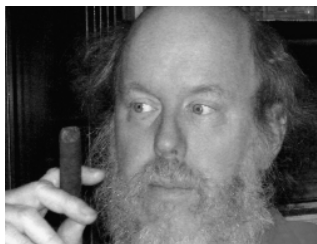
NEXT MONTH:
“The Biggest Mistake
America Has Ever Made”
by Jacob G. Hornberger

*Treat people as if they were what they ought to be,
and you help them to become what they are capa-
ble of being.*

— *Johann Wolfgang Von Goethe*

Supreme Court Unleashes Censors and Betrays Democracy

.....
by James Bovard



On the eve of the first presidential candidate debate, the Supreme Court gave a huge boost to Joe Biden to help him “fix” the 2024 election with maybe its worst decision of the year. It remains to be seen whether the court’s refusal to stop federal censorship will be a wooden stake in the credibility of American democracy.

The court ruled in the case of *Murthy v. Missouri*, a lawsuit brought by individuals censored on social media thanks to federal threats and machinations. Court decisions last year vividly chronicled a byzantine litany of anti-free speech interventions by multiple federal agencies and the White

House. On July 4, 2023, federal judge Terry Doughty condemned the Biden administration for potentially “the most massive attack against free speech in United States history.” A federal appeals court imposed injunctions on federal officials to prohibit them from acting “to coerce or significantly encourage social-media companies to remove, delete, suppress, or reduce ... posted social-media content containing protected free speech.”

State censorship

The decisions documented how the FBI, Biden White House, U.S. Surgeon General, and other federal agencies have sabotaged Americans’ freedom of speech. If you tried to complain about COVID lockdowns, or school shutdowns, or even about whether mail-in ballots caused fraud — your online comments could have been suppressed thanks to threats and string-pulling by the feds or by federal contractors. Conservatives were far more likely to be censored than liberals and leftists.

But the Supreme Court in late June decided to overlook all those abuses. There will be no injunction to stop the White House or federal agencies or federal contractors from suppressing criticism of Biden

or his policies before the 2024 election. In a 6–3 decision, the Supreme Court gave the benefit of the doubt to federal browbeating, arm-twisting, and jawboning, regardless of how many Americans are wrongfully muzzled.

The Biden censorship industrial complex triumphed because most Supreme Court justices could not be bothered to honestly examine the massive evidence of its abuses. The majority opinion, written by Justice Amy Coney Barrett, whined that “the record spans over 26,000 pages” and, quoting an earlier court decision, scoffed that “judges are not like pigs, hunting for truffles buried in the record.”

Will that line catch on with school kids? When asked whether they did their homework, they can quote Justice Barrett and tell their teachers that they are “not like pigs hunting for truffles buried in the record” of all their class assignments.

“Lack of standing” a total cop-out

Rather than swine groveling in the muck, the Supreme Court instead disposed of this landmark case on a quibble, putting their legal pinkies up in the air like a white-wine drinker at a cocktail reception. The court ruled that the plaintiffs — including two state governments

and eminent scientists banned from social media — did not have “standing” because they had not proven to negligent justices (how many pages in the files did they actually read?) that federal intervention and string-pulling injured them.

Bizarrely, the court denied standing even after conceding that it “may be true” that social-media platforms “continue to suppress [plaintiffs] speech according to policies initially adopted under Government pressure.”

Justice Amy Coney Barrett
scoffed that “judges are not like
pigs, hunting for truffles buried
in the record.”

But so why is this not a problem? Did the court decide to hold the government innocent unless there were signed confessions from White House and FBI officials, or what?

Lack of standing was the same legal ploy the Supreme Court used in early 2013 to tacitly absolve the National Security Agency’s vast illegal surveillance regime. After the Supreme Court accepted a case on warrantless wiretaps in 2012, the Obama administration urged the Justices to dismiss the case, claiming it dealt with “state secrets.” A

New York Times editorial labeled the administration's position "a cynical Catch 22: Because the wiretaps are secret and no one can say for certain that their calls have been or will be monitored, no one has standing to bring suit over the surveillance."

Cynical arguments sufficed for five of the justices. Justice Samuel Alito, writing for the majority, declared that the Court was averse to granting standing to challenge the government based on "theories that require guesswork" and "no specific facts" and fears of "hypothetical future harm." The Supreme Court insisted that the government already offered plenty of safeguards — such as the FISA Court — to protect Americans' rights. "Lack of standing" didn't prevent former NSA employee Edward Snowden from blowing the roof off the NSA.

When the court heard oral arguments in this case in March, most of the justices seemed clueless about the sordid record of government abuses. Maybe the outcome was a foregone conclusion when Justice Ketanji Brown Jackson blathered that "my biggest concern" is "the First Amendment hamstringing the government in significant ways in the most important time periods." To sanctify censorship, Jackson re-

peatedly invoked the specter of legions of American teenagers jumping out of windows thanks to a social-media "challenge."

So to save the children, Jackson tossed the First Amendment out the window instead. Unfortunately, five other justices joined the defenestration. Washingtonians presume the First Amendment is archaic because Americans have become village idiots who must be constantly rescued by federal officials.

But the whole point of the Bill of Rights is to hamstring would-be federal tyrants.

Most of the justices seemed clueless about the sordid record of government abuses.

When a federal appeals court heard arguments on the case, Judge Don Willett said he had no problem with federal agencies publicly criticizing what they judged to be false or dangerous ideas. But that wasn't how Team Biden compelled submission: "Here you have government in secret, in private, out of the public eye, relying on ... subtle strong-arming and veiled or not-so-veiled threats." Willett vivified how the feds played the game: "That's a really nice social media

platform you've got there; it would be a shame if something happened to it."

This case was framed by Team Biden as whether the government would have the freedom to intervene against misinformation. Much of the press presumes that federal agencies are an infallible Oracle of Delphi.

Censorship and disinformation: two peas in a pod

But the issue was censorship, not the latest self-serving definitions of "misinformation" to emerge from inside the Washington, D.C., beltway. Portraying the issue as one of fighting misinformation preemptively grants a halo to federal censors. Too often, misinformation is simply anything that makes people mistrust the government.

Portraying the issue as one of fighting misinformation preemptively grants a halo to federal censors.

The biggest "misinformation" of the COVID pandemic was Biden's promise during a CNN town hall in July 2021: "You're not going to get COVID if you have these vaccinations." Subsequent waves of Delta, Omicron, and other COVID vari-

ants ravaged the credibility of Biden and federal COVID policymakers. The *Washington Post* castigated the CDC for withholding COVID information, noting that its "overly rosy assessments of the vaccines' effectiveness against delta may have lulled Americans into a false sense of security." But Biden continued to sound clueless on the issue. Five months after the CDC conceded the failure of the vaccines to prevent transmission, Biden announced in December 2021: "This is a pandemic of the unvaccinated. That's the problem. Everybody talks about freedom ... not to have a shot or have a test. Well, guess what? How about patriotism?"

After it became undeniable that the vaccines failed to prevent transmission and infection, the Biden administration trumpeted the notion that the vaccines prevented severe illness that would lead to hospitalization or death. That was the fallback justification for Biden's dictate in September 2021 that 100 million adults must be injected with COVID vaccines. In a CNN town hall the following month, Biden derided vaccine skeptics as murderers who only wanted "the freedom to kill you" with COVID.

Shortly before Christmas 2021, Biden decreed: "We are looking at a

winter of severe illness and death for the unvaccinated.” A few days later, he declared that “almost everyone who has died from COVID-19 in the past many months has been unvaccinated.” But Team Biden was again pummeling Americans with misinformation.

Federal policymakers knew that the vaccines were massively failing to prevent fatalities but covered it up. In October 2021, the CDC had ceased publishing data showing soaring deaths among the fully vaxxed because the data “might be misinterpreted as the vaccines being ineffective,” the *New York Times* later revealed. Some state governments continued to publish COVID death data despite the CDC data lockdown. Oregon officially classified roughly a quarter of its COVID fatalities between August and December as “vaccine breakthrough deaths.” According to the Vermont Department of Health, “Half of the [COVID] deaths in August were breakthrough cases. Almost three-quarters of them in September were.” The CDC later admitted that, by early 2022, most COVID fatalities were fully vaxxed.

Team Biden’s censorship went far beyond pressuring social-media companies “to censor misinformation regarding climate change, gen-

der discussions, abortion, and economic policy,” as Judge Doughty noted last year. A confidential 2022 DHS document detailed pending crackdowns on “inaccurate” information on “racial justice, U.S. withdrawal from Afghanistan, and the nature of U.S. support to Ukraine.”

Because much of the censorship in recent years was inflicted by federal contractors, the Supreme Court held that Uncle Sam is effectively blameless. But as Justice Samuel Alito dissented, “Government officials may not coerce private entities to suppress speech.” Alito lamented that the court signals that “if a coercive campaign is carried out with enough sophistication,” it could “stand as an attractive model for future officials who want to control what the people say, hear, and think.”

The Supreme Court effectively dropped an Iron Curtain to shroud federal censorship like it previously did for torture atrocities.

The Supreme Court effectively dropped an Iron Curtain to shroud federal censorship like it previously did for torture atrocities. Two years ago, the court entitled the CIA to continue to deny its outrages despite worldwide exposes of its

crimes. The Supreme Court ludicrously declared that “sometimes information that has entered the public domain may nonetheless fall within the scope of the state secrets privilege.” Associate Justice Neil Gorsuch dissented, warning that “utmost deference” to the CIA would “invite more claims of secrecy in more doubtful circumstances — and facilitate the loss of liberty and due process history shows very often follows.” Gorsuch noted that the Supreme Court was granting the same type of “crown prerogatives” to federal agencies that the Declaration of Independence describes as evil.

The federal district and federal appeals court recognized that federal censorship is a clear and present danger to American democracy. What if the FBI browbeats social-media companies into suppressing new revelations of kickbacks Biden received the same way the FBI helped suppress the 2020 New York Post story of Hunter Biden’s laptop?

What if White House aides verbally bludgeon outlets to silence any comments on Biden’s shuffling gait and cluelessness, like they suppressed jokes about COVID policy in 2021?

What if federal agencies again launch a concerted campaign to si-

lence any criticisms on mail-in ballots spurring deluges of fraud, as happened before the 2020 election?

It is a sad day when Supreme Court justices behave like shiftless members of Congress who vote for a thousand-page bill that they never bothered to read. In lieu of constitutional rights and “government under the law,” the Supreme Court tells Americans they only deserve “plausible deniability” for government crimes. If we later learn that federal censorship changed the outcome of the 2024 election, will the Supreme Court shrug and simply tell citizens to recite “Never mind” twenty times? Unfortunately, there is no such thing as retroactive self-government.

James Bovard is a policy advisor to The Future of Freedom Foundation and the author of the ebook Freedom Frauds: Hard Lessons in American Liberty, published by FFF, his new book, Last Rights: The Death of American Liberty, and nine other books.

NEXT MONTH:
**“The Most Dangerous
Democratic Delusion”**
by James Bovard

Can Huey Long Save America?

by *Laurence M. Vance*



I occasionally read a writer and podcaster known as a conspiracy researcher who writes on a variety of subjects. Donald Jeffries is all over the map politically (reformer, idealist, libertarian, classical liberal, populist, and cultural conservative), has published several books, and has written a Substack column since 2021. His name is not important because it is his ideas, which are shared by a growing number of people, that I want to address.

Entitlements

I think the first thing I read of his that put him on my radar was his defense of Social Security:

Social Security had many problems from the very be-

ginning. The idea of such a social safety net is attractive to many people, including me. No one wants the elderly literally left out in the cold after they can no longer work. That feeling is naturally stronger in me now, since I have reached the stage where I am considered elderly.

As usual, the conservative view here is no rational alternative. In fact, for the elderly, it would be a disaster. Since the Ayn Rand-inspired Right still worships the rigged and corrupt marketplace, they act as if there is a private option for the vast majority of old people. Pensions for blue-collar employees and the working poor have gone the way of eight track tapes and thin Victoria Secret models. How does the Right expect most retired people to exist, without Social Security? Unless they're retired government workers, they aren't likely to have any pension at all.

Social Security certainly isn't perfect. But it's entrenched within our society now. You can't engineer the elimination of private pensions, which is what gradually

happened here over the past forty years or so, and then stop giving back retired citizens the money they paid into Social Security over the course of a lifetime. What are the elderly supposed to live on? Sure, those in the top twenty percent — who managed this collapsing mess with high paying jobs — will possess backup resources. And they are likely to have one of the dwindling number of private pensions left. Those pensions are not going to retirees who toiled at menial labor for fifty years. In other words, to those who would need it most.

Yet, Jeffries says of Medicare: “The other part of our wondrous economic safety net for the elderly is Medicare. I think I’m the only one outside of the Ayn Rand disciples who want to eliminate it altogether, who has pointed out just what a bad deal Medicare is.” But it turns out that he opposes Medicare because it is not socialistic enough:

The Ayn Rand Right, of course, doesn’t want Medicare at all. Which I guess would be a good thing, if you replaced it with something that actually

covered the costs of the aging demographic that needs healthcare services the most. But they don’t want anything to replace it. They conceive of healthcare as a “privilege,” not a right. And again, they trust the criminal marketplace, which in this case has spawned a medical-industrial complex that is publicly acknowledged as the *third* leading cause of death itself.

Jeffries believes, like so many other Americans, that people are entitled to Social Security and Medicare because they have paid into the system their whole working lives:

The conservative Ayn Rand worshipers, the Paul Ryan brigade, are chomping at the bit to end Social Security and Medicare. They consistently refer to them as “entitlements,” which they decidedly are not. Every worker pays into this system for their entire working life.

The mantra became we have to “do something” about “entitlements.” This means, of course, eliminating Social Security and Medicare. Which are not “entitlements” in the

sense the Rand cult means. But we are all certainly entitled to these benefits.

Every employee pays into the Social Security and Medicare funds through FICA payroll taxes. When you collect Social Security and Medicare, it's your money being paid back to you, very gradually. It's not a "welfare" style perk that lazy oldsters are unfairly receiving. But to the RINO-led Republicans, Social Security and Medicare — which is simply the incremental payback of forcefully withheld income — are the first priorities for spending cuts.

He believes in the social safety net because "there are many millions of Americans who are incapable of earning income." A "strictly libertarian approach is not practical, and certainly not moral."

Social Security and Medicare

Social Security is funded by a 12.4 percent tax (split equally between employer and employee) on the first \$168,600 of wages. Medicare is funded by a 2.9 percent tax (split equally between employer and employee) on every dollar earned. There is also an additional

0.9 percent Medicare tax that just employees pay on earnings over \$200,000 (\$250,000 for married couples filing jointly). Self-employed individuals pay the full 12.4 and 2.9 percent, but they receive both a reduction in their net earnings from self-employment and a tax deduction equal to 50 percent of the amount of the Social Security and Medicare taxes they paid. One must pay Social Security and Medicare taxes for a minimum of 40 quarters, or 10 years, to be eligible for benefits, which are then determined on the basis of one's Primary Insurance Amount (PIA) — the average of a worker's 35 highest years of earnings (up to a particular year's wage base), adjusted for inflation.

It is a misconception that people are entitled to Social Security and Medicare because they have paid into the system.

It is a misconception that people are entitled to Social Security and Medicare because they have paid into the system their whole working lives. Social Security and Medicare benefits don't correspond to Social Security and Medicare taxes paid. Social Security benefit amounts are arbitrarily set by Congress according to an arcane for-

mula, loosely based on one's earnings, not Social Security taxes paid. Medicare Part A (hospital coverage) is the only part of Medicare that is "free." Part B (medical coverage) has a monthly premium that is deducted from Social Security benefits. Part D (prescription drug coverage) is also extra. Congress can raise the retirement age to receive Social Security and the eligibility age to receive Medicare so that a person might die before he is able to collect benefits from either program. Current retirees receive Social Security and Medicare benefits via taxes collected from current workers, not from funds saved out of the payroll taxes retirees paid when they were in the workforce.

Current retirees receive Social Security and Medicare benefits via taxes collected from current workers.

Jeffries is also very concerned about "income inequality," and believes that "American industry has been gutted, with wages and benefits stagnant or reduced, thanks to disastrous trade deals, outsourcing, and the crippling of unions." He believes that "the best legislation of the twentieth century" and "the last good law" was the Fair Labor Stan-

dards Act (FLSA) of 1938 "that created the forty hour work week, overtime, sick and vacation pay." Jeffries is a little careless with his facts. Actually, the FLSA instituted a forty-four-hour work week (lowered to 40 hours in 1940), mandated time and a half for overtime in certain jobs, prohibited most child labor, and established a minimum wage of 25 cents an hour (now \$7.25 an hour). The FLSA had nothing to do with vacation pay, and even now, no company has to provide paid vacations, although I don't know of any that don't.

Huey Long

What intrigued me the most about Jeffries was his many references to the charismatic and controversial Louisiana politician Huey Long (1893–1935):

Huey also advocated a thirty hour work week, and a mandated one month annual vacation for all workers. And his "Share Our Wealth" plan would have exempted the first million of income from any taxation whatsoever. Now that was populist.

Remember, my hero Huey Long was smeared as a "socialist" and even a "commu-

nist.” His Share our Wealth program would have exempted the first million dollars of income from any taxation whatsoever. That would be equivalent to about twelve million today. His plan would have targeted the absolute top level of the One Percent, and benefited the poor.

Huey Long’s theme song was “Every Man a King.” It was a catchy song, with inspirational lyrics Huey himself wrote. Again, not proposing it, but if we did divide the wealth up equally, those Brookings’ statistics reveal that every man, woman and child could indeed live like a king. Would that be such a bad thing? We’d have to redefine what it meant to be a king, of course. But as Huey said, “none would wear a crown.”

The great Huey Long wanted to share the wealth. That was his campaign slogan. His proposal would have exempted the first million dollars of income from any taxation. That would be comparable to about \$12 million today. Exactly who would oppose such a proposal? Other than those who make more

than \$12 million, I mean. Huey was not targeting the middle class, as today’s social justice warriors do. He was going after the absolute top level of the One Percent. That’s why they killed him.

Here’s Huey’s great “barbecue” speech from 1935, in which he excoriated the Rockefellers and their ilk with wit and insight. His speeches still resonate today, and the numbers he mentioned have only grown more unequal since then. None of our shamefully bad present leaders could compete with Huey Long.

The whole capital vs. labor battle was born because those who employ others will naturally want to pay them as little as possible. I’m certainly no fan of Karl Marx, but his basic premise was correct; most workers are being exploited. Huey Long won my undying admiration because he understood this crucial point.

Long, a Democratic populist, was the governor of Louisiana from 1928 to 1932 and a U.S. senator from Louisiana from 1932 until he was assassinated in the Louisiana State Capitol.

Long opposed FDR's New Deal because it was not redistributionist enough. Jeffries maintains that FDR's decision to create Social Security was "in response to the better thought out and more radical proposals of Huey Long and Dr. Francis Townsend." He also credits the passage of the FLSA to "the pressure Huey Long put on the Left, to pass a thirty hour work week, with a month's paid vacation for all workers." The FLSA "was a watered down version of his ideas, a compromise that was still far better than what workers had before that. Which was basically nothing."

**Long opposed FDR's New Deal
because it was not
redistributionist enough.**

Long proposed massive and radical wealth limitation and wealth redistribution schemes. He wanted to use the tax code to cap personal fortunes, limit annual incomes, and limit inheritances. No income tax would be imposed on incomes below \$1 million. Long wanted the federal government to provide Americans with free college education, free vocational training, a guaranteed annual income, old-age pensions, a debt moratorium, and free medical care. He also wanted

the government to force businesses to have a 30-hour workweek and give employees four weeks of vacation every year. Veterans and farmers would be given special assistance. Long also favored increased government regulation of markets and production and more public works projects.

Can the ideas of Huey Long save America? There is no question that many Americans are on the brink of financial insolvency. Price inflation, especially when it comes to housing, child care, groceries, and health care, is destroying not only Americans' purchasing power but the American Dream itself. Half of all Americans are carrying credit card balances from month to month. Credit card delinquencies have now surpassed prepandemic levels for the first time. According to real estate data provider ATTOM, "Researchers examined the median home prices last year for roughly 575 U.S. counties and found that home prices in 99% of those areas are beyond the reach of the average income earner, who makes \$71,214 a year."

Long was wrong

Huey Long was Bernie Sanders on steroids and was to the left of even Joe Biden and Barack Obama.

There are three main reasons why Long's policies are wrongheaded.

First of all, where would the federal government get the money to provide all of these payments and free things? Uncle Sam is broke. The federal budget is nearing the \$7 trillion mark. The fiscal year 2023 budget deficit was \$1.7 trillion. Federal debt (the total of outstanding government borrowing since 1835 — the last year the federal government was not in debt) is almost \$35 trillion. Federal interest payments on the debt are approaching \$700 billion a year. The Social Security and Medicare trust funds are projected to be exhausted within 15 years. But why, it is argued, can't we just get the "rich" to pay for these things?

The current incarnation of the tax code has seven tax brackets. Five of them are over 20 percent, with the highest rate being 37 percent. This is on top of the 12.4 percent (split equally between employer and employee) Social Security tax that Americans pay on the first \$168,600 of their income and the 2.9 percent (split equally between employer and employee) Medicare tax that Americans pay on every dollar of their income. The rich in the United States are certainly paying their "fair share" — and then some.

According to the latest figures released by the Internal Revenue Service (IRS), as reported by the Tax Foundation:

- The top 50 percent of all taxpayers paid 97.7 percent of all federal individual income taxes, while the bottom 50 percent paid the remaining 2.3 percent.
- The top 1 percent of taxpayers (AGI of \$682,577 and above) paid the highest average income tax rate of 25.93 percent — nearly eight times the rate faced by the bottom half of taxpayers.
- In 2021, the bottom half of taxpayers earned 10.4 percent of total AGI and paid 2.3 percent of all federal individual income taxes. The top 1 percent earned 26.3 percent of total AGI and paid 45.8 percent of all federal income taxes.
- In all, the top 1 percent of taxpayers accounted for more income taxes paid than the bottom 90 percent combined. The top 1 percent of taxpayers paid more than \$1 trillion in income taxes while the bottom 90 percent paid \$531 billion.

- The share of income taxes paid by the top 1 percent increased from 33.2 percent in 2001 to 45.8 percent in 2021. Over the same period, the share paid by the bottom 50 percent of taxpayers fell from 4.9 percent to just over 2.3 percent in 2021.

These figures are even more lopsided than they look:

Income tax after credits (the measure of “income taxes paid” above) does not account for the refundable portion of tax credits such as the EITC. If the refundable portion were included, the tax share of the top income groups would be higher and the average tax rate of bottom income groups would be lower. The refundable portion is classified as a spending program by the Office of Management and Budget (OMB) and therefore is not included by the IRS in these figures.

Under the heavily progressive U.S. tax code, the rich are punished by higher rates and the phase-out of tax exemptions, deductions, and credits as their income rises, while

the poor pay little or no income taxes and receive tax refunds of money never withheld from their paychecks in the form of refundable tax credits.

If the federal government confiscated all of the earnings of every American with an adjusted gross income of over \$1 million a year, the amount confiscated would run the federal government for less than six months.

Second, Americans already have a plethora of welfare programs. In addition to refundable tax credits like the Earned Income Tax Credit (EITC), the Child Tax Credit (CTC), and the American Opportunity Tax Credit (AOTC), there are in the United States about 80 means-tested welfare programs that determine benefits or payments on the basis of the beneficiary’s income or assets. This includes well-known programs like Temporary Assistance to Needy Families (TANF); Pell Grants; Supplemental Security Income (SSI); the Children’s Health Insurance Program (CHIP); Women, Infants, and Children (WIC); Section 8 housing vouchers; the Supplemental Nutrition Assistance Program (SNAP [formerly known as food stamps]); school breakfast and lunch programs; and the Low Income Home

Energy Assistance Program (LI-HEAP); and lesser-known programs like the Special Milk Program (SMP), the Elderly Nutrition Program, and the Commodity Supplemental Food Program (CSFP).

And third, it is neither constitutional nor a legitimate purpose of the U.S. federal government to have or fund a safety net, a retirement program, a job training program, an education program, a disability program, a food program, a health program, an antipoverty program, or a welfare program. It is neither constitutional nor a legitimate purpose of government for the U.S. federal government to take money from some Americans and give it to other Americans. Charity should always be private and voluntary.

No one even slightly to the right of Bernie Sanders, Joe Biden, and

Barack Obama should ever consider any proposal of Huey Long to be good for America.

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 at: lmvance@laurencemvance.com. Visit his website at: www.vancepublications.com.

NEXT MONTH:
**“Questions That Only
Libertarians Are Asking”**
by Laurence M. Vance

Ludwig von Mises on *Human Action* and the Free Society

by Richard M. Ebeling



Seventy-five years ago, on September 14, 1949, Yale University Press published Ludwig von Mises's *Human Action: A Treatise on Economics*. Almost 900 pages in length, it soon became recognized as one of the major works in economics in the twentieth century.

Not that this recognition was felt in the economics profession of the time. Few reviews appeared in the professional economics journals, and the ones that did were far from complimentary. This was not surprising given the dominance of Keynesian and socialist ideas in the years following the Second World War. Few were the voices in the economics profession who were consistent advocates of a liberal, free-market perspective or had the courage

to challenge the theoretical and economic policy orthodoxy of that time.

It was presumed that the Great Depression had “proven” the failure of unbridled capitalism and that every society needed a transformation into either some form of government centralized planning or at least strong fiscal and monetary intervention by the federal government to ensure economy-wide stability and full employment. At the same time, any “reformed” capitalist system needed government regulatory restrictions on market competition to prevent monopoly and unfair business practices, along with a larger and larger redistributive welfare state.

But then in 1949 there appeared this major work that not only offered a systematic and detailed analysis of the logic and workings of the free market and its dynamic competitive process but also defended its philosophical foundations, its historical importance, and its institutional prerequisites if there was to be a free and prosperous society.

Shortly after the German-language predecessor of *Human Action* had been published in Switzerland in 1940 under the title *Nationalökonomie*, Mises's friend and colleague Friedrich A. Hayek wrote in a review:

There appears to be a width of view and an intellectual spaciousness about the whole book that are much more like that of an eighteenth-century philosopher than that of a modern specialist. And yet, and perhaps because of this, one feels throughout much nearer reality, and is constantly recalled from the discussion of the technicalities to the consideration of the great problems of our time.... It ranges from the most general philosophical problems raised by all scientific study of human action to the major problems of economic policy of our time.... The result is a really imposing unified system of a liberal social philosophy. It is here also, more than elsewhere, that the author's astonishing knowledge of history as well as the contemporary world helps most to illustrate his argument.

Similarly, when *Human Action* appeared in 1949, the free-market journalist and *Newsweek* columnist Henry Hazlitt wrote in his weekly article:

[The] book is destined to become a landmark in the prog-

ress of economics.... *Human Action* is, in short, the most uncompromising and the most rigorously reasoned statement of the case for capitalism that has yet appeared.... It should become the leading text of everyone who believes in freedom, in individualism, and the ability of a free-market economy not only to outdistance any government-planned system in the production of goods and services for the masses, but to promote and safeguard, as no collectivist tyranny can ever do, those intellectual, cultural, and moral values upon which all civilization ultimately rests.

The foundations of the study of human action

The very structure of Mises's book made it seem alien to the mainstream of the economics profession when it appeared. Economics was increasingly becoming a narrowly technical and highly mathematical discipline, with a growing use of and dependency on aggregate statistical data in designing theories and "models" of the economy.

Instead, the first 200 pages of *Human Action* were devoted to the

philosophical and epistemological problems of the human sciences, especially economics and history. Most economists had come to believe that if economics was to be a “real” science, it needed to ape the methods and techniques of the natural sciences. This was the reason behind the presumption that all economic theorizing required the reduction of human activity and interactions to mathematical functions and simultaneous equations to achieve states of economic equilibrium. Statistical data was assumed to capture and incorporate the objectively measurable aspects of human conduct that would ensure economics becoming an “empirical” science for hypothesis testing and predictions of future economic trends.

Mises challenged this entire direction of the economics profession.

Mises challenged this entire direction of the economics profession. He argued that there was a distinctly unique quality and characteristic to the study of human beings. Unlike the inanimate objects of the world that fields like physics or chemistry primarily studied, man acts. That is, human beings

have consciousness. They think and reason. They reflect on their past and imagine their future. They conceive of desired ends to pursue and imagine means and methods to try to successfully realize those ends.

The study of economics, Mises said, began with reflections on the logical workings of man’s own mind because all human action is nothing more than human reason applied to the pursuit of human purposes. Economics, therefore, begins not with observations of the external manifestations of the outcomes of human action but with an introspective reflection on the logical structure of human reasoning.

What, then, does it mean to “act” and to be able to act? Mises stated that there were three prerequisites in the context of which human beings undertook purposeful action: First, *causality*. The individual must believe that there are discoverable causal relationships the use of which could enable a desired end to be achievable. Second, *uncertainty*. The actor must believe that his actions can influence the course of events in such a way that future circumstances may be made different than they would have been if not for his active intervention. Third, *temporality*. Causality implies the existence of time, since any

action undertaken implies a before, a during, and an after. Therefore, all human action occurs in and through time and is something about which man is not indifferent.

Every such trade-off likewise implies something given up in exchange for something gained.

While these three elements — causality, uncertainty, and time — are inseparable from the very notion of the “doing” of an action, there remain three other conditions that must be present: First, *a feeling of uneasiness*. The actor must be dissatisfied in some way with his present or expected circumstances. Second, *an imagined and preferred state of affairs*. The actor is able to imagine and project into the future a situation or circumstance he would prefer to the one that is likely to prevail if he does not act. Third, *a belief or expectations about the availability of useable and useful means* to bring his preferred state of affairs into existence at a point in the future.

From these fundamental concepts, Mises argued, all the core principles and relationships of economics were derivable. The reality of the world shows man that many of the available and useful means

are insufficient to simultaneously pursue all his desired ends. This implies that the human actor must rank his desired ends in some order of relative importance and apply the means for pursuing these ends in a descending order reflecting the subjective (personal) valuation of these ends. While some choices are categorical (either/or), most choices, due to the discreteness of both the ends and the means, are incremental (“marginal”) in nature. This imposes upon man the necessity of trade-offs, that is, a little bit more of this versus a little bit less of that. Hence, scarcity of means for the attainment of ends imposes upon man the necessity of *choice*.

Every such trade-off likewise implies something given up in exchange for something gained. That which is potentially gained from a trade-off is the *benefit* of a choice, while that which is given up or forgone is the *cost* of any choice. The *profit* from such trade-offs is the subjective sense of a net improvement in personal wellbeing from having or achieving the “A” over the “B” that is given up. However, since all actions and choices undertaken are done so under degrees of uncertainty, it is always possible that after an action and trade, the actor will find that the outcome was less than

he expected and hoped for. He may regret the choice made and consider himself worse rather than better off; that is, he has suffered a *loss*.

None of this has anything to do with mathematical functions or data collection and statistical correlation. They precede any attempt to represent human decision-making in mathematical functional form, because it would not be known how to formulate the nature and shape of the functions without this prior introspective knowledge of how human beings think, reason, and act. And it is the choices first made in the minds of interacting human beings about valuations of both ends and means before any external manifestation of it occurs in the forms of production and consumption, buying and selling, prices offered, and bids made and agreed upon in the marketplace that the data collector and statistician attempt to arrange and correlate.

This led Mises to conclude:

Economics is not about things and tangible material objects; it is about men, their meanings and actions. Goods, commodities, and wealth and all the other notions of conduct are not elements of nature; they are elements of human

meaning and conduct. He who wants to deal with them must not look at the external world; he must search for them in the meaning of acting men.

This is why for Mises social and market interactions not only begin with individuals — after all, only individuals think, reason, and act — but that human actions arise from people's subjective interpretations of the world. What are desirable ends and useful means, what are the methods by which means may be applied to achieve ends, what is valued more and what less, which trade-offs would make the actor better off or worse off, and what outcomes would be considered a net gain rather than a loss? None of this is independent and separable from the subjective (personal) interpretations and judgements of the individual human actors.

Equally, all human interactions arise from and depend upon how the actors view the intentions and actions of others. Someone is running toward you waving his arms late at night in a dark alley. Is he a threatening attacker or a long lost relative rapidly approaching to embrace you? The man standing over you has a pointed, sharp instru-

ment in his hand. Is he planning to use this knife to kill you, or is he a surgeon about to make an incision with a scalpel to save your life? Are a group of people jumping up and down in a circle performing a war dance or celebrating at a wedding? The meanings seen in one's own actions and that of others defines and determines the type of social and economic interactions they are and which influence the respective actions each individual plans and undertakes.

It was Mises's emphasis on methodological individualism and subjectivism that made Hayek observe in *The Counter-Revolution of Science* (1952):

It is probably no exaggeration to say that every important advance in economic theory during the last one hundred years was a further step in the consistent application of subjectivism.... This is a development which has probably been carried out most consistently by Ludwig von Mises, and I believe that most peculiarities of his views which at first strike many readers as strange and unacceptable trace to the fact that in the consistent development of the

subjectivist approach, he has for a long time moved ahead of his contemporaries."

Division of labor as the bond of human association

Society emerged out of a long evolutionary process of various forms of human association based on intersubjective beliefs and rules of interaction. The fundamental basis of human beings continuously living together, Mises argued, was the tacit discovery of the benefits from division of labor, that specialization of activities and tasks are far superior to attempts at self-sufficient methods of production to satisfy people's wants.

From the most ancient of primitive, tribal times, some men were found to be better at fishing or tool making, while others had advantages at hunting or as warriors to protect the tribe from the threats of rival human groups. "The division of labor is what first makes social ties," Mises explained, "it is the social element pure and simple." Throughout history, there have been two general forms of human association under division of labor: *hegemonic* and *contractual*. Hegemonic relationships are based on command and subjugation, with one or a small group of men ruling

over and controlling and directing the actions of others under the threat or use of force. Contractual relationships are based on voluntary agreement and mutual consent of the participants in the association.

**Contractual relationships
are based on voluntary agreement
and mutual consent.**

The history of human civilization has been a slow replacement of the hegemonic relationship with the society of contract. Individual freedom, voluntary association, and market-based cooperation have served as the basis for the material and cultural advancement of mankind. But the improvements in the human condition have required the emergence and maintenance of certain crucial institutions. Mises explained them:

First, *private property*, that is, the private ownership of the means of production. Individuals have the right of possession and use of not only goods ready for consumption but the factors of production out of which final goods and services can be manufactured and used.

Second, *freedom*, that is, the individual liberty to be guided by one's own purposes and plans, on the basis of which people voluntari-

ly integrate themselves into the social system of division of labor through contract and mutual agreement concerning the terms of association and trade.

Third, *peace*, that is, the removal and abolition of violence from human relationships, because only in a climate of tranquil association can each individual feel secure to apply his mind, talents, and efforts for creative improvements to the human condition.

Fourth, *equality*, that is, equal personal and political freedom before the law so each individual may have the liberty to participate in the system of division of labor as he thinks most profitable without legal barriers or restrictions.

Fifth, *inequality of wealth and income*, that is, each individual's material position in society depends on his success in serving others in the system of division of labor; the relative income and wealth positions of each individual reflects his inevitable unequal accomplishments in satisfying the wants and desires of others as demonstrated in the profits, wages, interest, or rent each earns for services rendered to their fellow man.

Sixth, *limited government*, that is, the political authority is restricted in its powers and responsibilities to

those tasks required for the securing of the peace under which each individual's freedom and honestly acquired property is protected from violence, fraud, and aggression.

Market, prices, and economic calculation versus socialist planning

In a system of division of labor, the privately owned means of production are set to work to produce products and provide services desired by others as the means by which each owner — including the owners of their own labor — may successfully earn the financial means to obtain, in turn, the goods and services they want that are being offered by others in their respective roles as producers.

But given the complex network of specialization, and the fact that the participants are separated from each other by both space and time, how can each person successfully communicate to all the others what they desire and are willing to pay as a consumer and what might they be able to do, and at what cost, in their role as a producer?

The answer to this became part of Ludwig von Mises's most important and recognized contribution to economics. In the years immediately following the First World War, especially in revolutionary Russia,

postwar Germany, and in some other European countries, the case was made that the time had come to do away with the capitalist system and replace it with socialist central planning. Mises responded to this with an article on “Economic Calculation in the Socialist Commonwealth” (1920), which he soon expanded into a full treatise in 1922 on the dangers and unworkability of a socialist economic order, which was later published in English as *Socialism: An Economic and Sociological Analysis* (1936). In the face of criticism and often vicious attacks, Mises restated and refined his argument against central planning in the pages of *Human Action*.

Mises refined his argument against central planning in the pages of *Human Action*.

A functioning and complex market system of division of labor is made possible by the existence of a competitively generated price system on the basis of which both consumer goods and the physical means of production (land, labor, and capital) are expressed in commensurable value through a medium of exchange — money. A market-based monetary price system enables a process of economic cal-

culuation through which it is possible to compare and determine the value of outputs relative to the value of inputs in terms of sums of money.

Hence, those guiding and directing production in the market economy — the enterprising entrepreneurs — are able to estimate whether particular productive activities would be profit-making or loss-suffering and, among the alternative ways of combining the factors of production to manufacture desired products, which ones would enable the least-costly methods of bringing desired goods to market. For this reason, Mises highlighted that

Monetary calculation is the guiding star of action under the social system of division of labor. It is the compass of the man embarking upon production.... Monetary calculation is the main vehicle of planning and acting in the social setting of a society of free enterprise directed and controlled by the market and its prices.... Our civilization is inseparably linked with our methods of economic calculation. It would perish if we were to abandon this most precious intellectual tools of acting.

The socialist system of centralized government planning did away with private ownership and control of the means of production; market transactions were eliminated in determining what and how things would be produced, with no market-generated money prices informing what consumer goods or factors of production would be worth for different purposes and in different uses.

The gist of Mises argument against socialist planning can be expressed in the following way: With no private property in the means of production, there is nothing (legally) to buy and sell. With no buying and selling of the factors of production, there are no incentives for people to make bids or offers. With no bids and offers, there can be no agreed-upon terms of trade. With no agreed-upon terms of trade, there would be no real prices telling factor owners what their services and resources may be worth in alternative employments, and no way for the central planners to know what lines of production might be profit-making versus loss-creating, or which combinations of the means of production would enable the least-costly ways of producing what consumers actually want. Thus, rather than a material horn-of-plen-

ty exceeding anything ever experienced under capitalism, socialism in practice would result in what Mises once entitled a short work of his, *Planned Chaos* (1947). (See my article, “The Centenary of Ludwig von Mises’s Critique of Socialism,” *Future of Freedom*, June 2022.)

Sovereignty of the consumers and the entrepreneur

In the free, open, and competitive market economy, the ultimate decision-makers are the consumers, who are “sovereign” in deciding what they want to buy and the prices they are willing to pay. They are the determiners of how the scarce means of production are allocated and used in producing and supplying which goods and services. But standing as the market intermediary between the consumers of the society and the factors of production employed to make what those consumers want are the *entrepreneurs*. Their role in the social system of division of labor is to be the undertakers of private enterprises, the decision-makers as to what to produce, where and how to produce what consumers want, and with what combinations of the factors of production.

The entrepreneur’s reward for successfully doing so are profits

earned and the additional revenues for expanding his operations. Losses are the punishment for failure in mistaking what consumers desire and the prices they are willing to pay, or in doing so less effectively and less efficiently than his supply-side market rivals; unless he mends his decision-making ways, the loss-making enterpriser eventually goes out of business and control of the means of production at his disposal passes into potentially more competent entrepreneurial hands.

In the free, open, and competitive market economy, the ultimate decision-makers are the consumers.

This dynamic and never-ending competitive market process, Mises stated, brings about the cooperative coordination of the actions of everyone in the society by determining each person’s most efficient and productive place in the division of labor. It is the process that brings about a matching of supplies with demands and creates the incentives and opportunities for entrepreneurs and others in trying their hands at producing more, better, different, and less costly goods and services in the quest for profits and avoidance of losses. The outcome

has been the ever-improving standard of living that free market capitalism has brought to millions and now billions of people.

Government interventions and monetary distortions

Hampering the ability of free markets to do so to the greatest extent, Mises lamented, has been the interventionist welfare state. Government price and production regulations do not abolish the market economy, but these government interventions play the role of sand in the machine, preventing the price system from successfully coordinating all the supplies and demands in the market and hindering entrepreneurs from use their personal (subjective) knowledge, judgment, and “reading” of consumer demand to bring to market what buyers want and in the forms and types they desire. Carried far enough, government controls on prices and production cumulatively can end up imposing a form of planned economy in its place by suffocating the market with controls and regulations.

Mises’s other major contribution to economics during his lifetime was his “Austrian” theory of money and the business cycle. First presented in *The Theory of Money and Credit* (1912, 2nd ed., 1924)

and *Monetary Stabilization and Cyclical Policy* (1928), he used the publication of *Human Action* as the opportunity to restate and refine his theory of the origin of money and of how changes in the money supply impact prices, wages, production, and resource uses in “non-neutral” distorting ways.

Mises’s other major contribution to economics was his “Austrian” theory of money and the business cycle.

One form of this monetary-induced distortion of market relationships came through central bank manipulation of money and interest rates that brought about the booms and busts of the business cycle. The only real protection from this happening over and over again, Mises insisted, was the separation of money from the state through private, competitive free banking. (See my three-part series, “Ludwig von Mises and the Austrian Theory of Money, Banking and the Business Cycle,” *Future of Freedom*, March, April, and May 2024.)

Free markets bring freedom and prosperity

The conclusions that Mises reached based on his analysis of the

market economy versus socialism versus the interventionist state was that there was no viable alternative to an open, competitive capitalist system. This was the case not only in terms of which economic system has the potential to most effectively “deliver the goods” that people want and at the least cost but also in the sense of providing the individual with the greatest degree of personal freedom consistent with a peaceful living with others in society.

Private property provides the individual an autonomous sphere in which to live independently of the control and command of government through his own actions and interactions with other private individuals by the voluntary associations of the marketplace. Such freedom is threatened and does not exist in any political arrangement in which government has a commanding control of production and employment. Especially under socialism, there are no employment opportunities, no accesses to the necessities or amenities of life, or availability to independent sources of knowledge and information outside of the State. As Mises pointed out:

The concepts of freedom and bondage make sense only

when referring to the way in which government operates.... As far as the government — the social apparatus of compulsion and oppression — confines the exercise of its violence and the threat of such violence to the suppression and prevention of antisocial action, there prevails what reasonably and meaningfully can be called liberty....

Liberty and freedom are the conditions of man within a contractual society. Social cooperation under a system of private ownership of the factors of production means that within the range of the market the individual is not bound to obey and to serve an overlord. As far as he gives and serves other people, he does so of his own accord in order to be rewarded and served by the receivers. He exchanges goods and services; he does not do compulsory labor and does not pay tribute. He is certainly not independent. He depends on the other members of society. But this dependence is mutual. The buyer depends on the seller and the seller on the buyer.... There is no kind of freedom and liberty other

than the kind which the market economy brings about....

Government is in the last resort the employment of armed men, of policemen, gendarmes, soldiers, prison guards, and hangmen. The essential feature of government is the enforcement of its decrees by beating, killing, and imprisoning. Those who are asking for more government interference are asking ultimately for more compulsion and less freedom.

Seventy-five years may have passed since Ludwig von Mises's *Human Action* was published. Yet, the logic of human action and the workings of the market economy are no different now than when Mises enunciated them in his treatise. Nor are the impossibilities and dangers from various forms of government planning and intervention any different today than in 1949.

Indeed, in the midst of the current collectivist counterrevolution against freedom in all its facets — political, cultural and social, as well as economic — the lessons to be learned from within the pages of *Human Action* have never been more important. It remains one of the timeliest classics of the last 100 years.

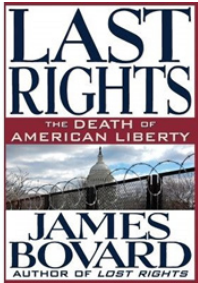
Richard M. Ebeling is the BB&T Distinguished Professor of Ethics and Free Enterprise Leadership at The Citadel. He was professor of economics at Northwood University and Hillsdale College, president of the Foundation for Economic Education, and served as vice president of academic affairs for FFF.

NEXT MONTH:
**“Classical Liberalism
versus Modern Unlimited
Democracy”**
by Richard M. Ebeling

Last Rights

by George C. Leef

Last Rights: The Death of American Liberty by James Bovard (Libertarian Institute, 2023)



There are quite a few writers who are dedicated to exposing the harm that our leviathan state is doing to the American people, but no one outshines James Bovard. For decades, he has been indefatigable in his work to blow the whistle on the waste, folly, illegality, and sheer villainy of politicians, bureaucrats, and other government minions. Even regular readers of *Future of Freedom* may underestimate the frightening degree to which our liberty has been curtailed by government at all levels because so much of it happens in secret. The statistis want to keep people in the dark as to their nefarious and unconstitutional actions.

They want us to believe that we are still free, even though our freedom is constantly shrinking.

James Bovard is their implacable foe. In his latest book, *Last Rights: The Death of American Liberty*, he surveys the American landscape, reporting on many, many attacks on our rights. He keeps track of the laws, regulations, and official misconduct that are turning us from free people into serfs of the government. The book is packed with facts that should have your blood boiling. In this review, I can only give you a sampling.

The leviathan state

Let's start with the abominable practice of civil-asset forfeiture. Under civil-asset forfeiture, Americans can have their property taken by "law-enforcement" officials simply because someone in authority claims that the property might have been involved in illegality and is therefore "guilty." After the seizure — of cash, a car, even a house — the owner has to go to court if he wants the property returned, with the burden of proving his innocence. That costs time and money that many people just don't have.

How bad is this? Bovard tells us that between 2001 and 2014, more than \$2.5 billion in cash was seized

by law enforcement via civil-asset forfeiture. Often, this is done by pulling motorists over, finding some pretext for a search, and then confiscating cash that might be found. No matter if the money was to be used for some perfectly honest use and had been legitimately earned. The police will get to keep the money unless the individual manages to prevail in court. What's worse, he may even have to pay a fee to be allowed to contest the seizure. It's an appalling violation of the principles of due process of law.

The government would like to keep people in the dark about this, of course. Bovard writes, "The feds have gone to bizarre lengths to assure that forfeiture remains inscrutable. In 2004, the Justice Department ordered hundreds of federal depository libraries to remove and destroy its publication entitled 'Civil and Criminal Forfeiture Procedures' because it might help victims to fight back." Fortunately, librarians refused to go along with that directive.

Bovard also trains his sights on gun control, identifying many of the dishonest schemes politicians have used in recent years to take guns away from Americans in the belief that regular people cannot be trusted with them. Consider the

uproar over "assault weapons," a meaningless term invented simply to frighten clueless voters and get them to think that the politicians were intent on protecting them. Bovard quotes the late Charles Krauthammer, who observed "The only justification is not to reduce crime, but to desensitize the public to the regulation of weapons in preparation for their ultimate confiscation." Exactly — the goal of our statist overlords is a disarmed, obedient populace that will not and cannot challenge their control.

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While the politicians do all they can to keep firearms out of the hands of the public, they have allowed and even encouraged appalling lawlessness by the police and other gun-toting government agencies. The last few decades have seen a frightening increase in violent raids by them. For no reason, our "law-enforcement" officials resort more and more to no-knock raids by SWAT teams who barge in throwing flash-bang grenades. Such raids, sometimes at wrong addresses, are usually authorized by sympathetic judges because the cops have said that firearms might be

present. People and pets are often injured or killed. In one particularly horrible case, a Navy veteran and his wife were gunned down in a drug raid based on a lie by the officer who procured the warrant.

To make things worse, the trigger-happy officials are almost never held to account for their conduct due to the absurd doctrine of “qualified immunity,” a court-created rule that allows our “public servants” to escape liability for their wrongful conduct. Finally, Bovard shows how government officials conspire to keep records of police violence out of the public eye.

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How about our public-education system? Bovard makes it clear that it’s deplorable, run by purported experts who push silly fads and think that “equity” requires equally poor educational outcomes for all racial groups. Public schools are run by and for the benefit of the administrators and teachers, not the students. During the COVID mania, teachers unions demanded and got school lockdowns for “safety” despite the fact that children were at

very low risk of contracting the disease. Thus, taxpayers had to pay for extended vacations for teachers who went through the motions of holding classes online. Students learned even less than usual, but at least the teachers were protected.

But maybe we shouldn’t be too upset over the closing of public schools, since much of what the students are taught is “progressive” propaganda. The schools have fallen completely under the control of aggressive leftist zealots who use them to shape how people will think. Bovard quotes from a paper by the National Council of Teachers of English that declares, “students should learn to identify and disrupt the inequalities of contemporary life, including structural racism, sexism, consumerism, and economic injustice.” Due to their “training” in politicized education school programs, most teachers are far better prepared to indoctrinate children with leftist beliefs than to teach them the skills they need. To the statist, ideological programming is far more important than teaching educational basics.

Oh — and these so-called educators do all they can to keep students from escaping from their clutches. Home schooling especially horrifies them. They denounce it

as “dangerous” because parents might fail to imbue their children with the right “public values,” which of course means that the kids won’t be learning the collectivist clichés so beloved of our rulers. They want them to be, Bovard writes, “pliable for propaganda.”

Another big set of topics for Bovard’s sharp pen is the assortment of governmental programs that are supposed to keep us safe. There is the Transportation Security Administration, a multibillion dollar boondoggle providing cushy jobs for hordes of people who hassle and delay travelers in our airports. TSA abuses are legion but almost never called to account because the courts have taken the approach that “it’s not an assault when federal agents do it.” A few individuals have tried to blow the whistle, but they’ve been silenced or ignored.

We also have government snooping thanks to the Patriot Act, which “treats every citizen like a suspected terrorist and every federal agent like a proven angel.” Never mind that in 1978 Congress passed a law meant to keep the feds from spying on American citizens, the Foreign Intelligence Surveillance Act. It set up a secret court, the FISA court, to oversee federal

surveillance and say “no” when it was unwarranted. But it has turned out to be nothing but a useless formality, allowing government snooping in virtually all instances. And still, President George W. Bush’s attorney general stated that the president has “inherent authority” to authorize electronic surveillance without any judicial approval at all. That sums up the trend in America toward omnipotent government.

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The government’s response to COVID was a relentless assault on the liberties of the people. There was no law allowing officials to take the actions they did, such as requiring that “nonessential” businesses close and that people must take the “vaccine” jabs or lose their jobs. Nor was there any science behind the decrees, although that was the pretext. The orders were given because that’s what authoritarians like to do — give orders. And to shore up support for their actions, the politicians conspired with tech companies to suppress dissent by people who doubted that the government was acting in the public

interest but instead trying to justify its array of mandates and prohibitions. Keeping the people ignorant and compliant was crucial, and it spawned what Bovard calls “one of the most brazen coverups in U.S. history” — namely, the government’s role in creating the virus in the first place.

Bovard also exposes the utter corruption of the Federal Bureau of Investigation, Internal Revenue Service, Centers for Disease Control, and other arms of the state that now work not for the public but for the power-mad coalition that wants an ever-growing federal leviathan.

Never trust the state

These days, we hear almost incessantly that “our democracy” is in danger, when the fact of the matter is that democracy has been crumbling for decades, as politicians, bureaucrats, and judges trample all over our rights. In his concluding chapter, Bovard seeks to awaken us to the looming disaster. He writes, “Americans must never forget that

the most dangerous inequality is that between the rulers and the ruled. No private citizen has a prerogative to forcibly accost, wrongly shoot, and wantonly plunder their neighbors. Laws against torturing pets are better enforced than laws prohibiting government agents from tormenting private citizens. Once government is irrevocably presumed benevolent, curbing politicians’ power is almost impossible. The endless appeals to government as a ‘force for good’ camouflage the evils that politicians regularly commit.” That is exactly what *Last Rights* seeks to counter — the idea that we should trust government to do good things with power. Read it and you will grasp the truth: government has far too much power and uses it for many despicable things.

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