
The Voluntaryist

Whole Number 71

"If one takes care of the means, the end will take care of itself."

December 1994

Highway Tax vs. Poll Tax: Some Thoreau Tax Trivia

By Carl Watner

In the August 1994 issue of THE VOLUNTARYIST, I wrote about Charles Lane, a friend and confidant of Henry David Thoreau. After reviewing my files about Lane and Thoreau, which have accumulated over the years, I found some new material which I thought would be interesting to the readers of this newsletter.

The story of Thoreau's night in jail is told in his essay "On the Duty of Civil Disobedience." This well-known event took place on the evening of July 23 or 24th, 1846 at Concord, Massachusetts. Few people realize that Thoreau's arrest and imprisonment were unnecessary and illegal. Walter Harding was the first that I know of to point this out in his article "Thoreau In Jail," appearing in the August 1975 issue of AMERICAN HERITAGE.

"The poll, or capitation, tax was a standard source of revenue in colonial times," and even Thoreau's "self-sufficiency" at Walden Pond would not allow him to escape the tax. The poll tax was a tax on one's person, and could only be avoided by living beyond the pale of "civilized" government. John C. Broderick described its legal basis in his article on "Thoreau, Alcott, And The Poll Tax" [53 STUDIES IN PHILOLOGY (1956), pp. 612-626]. The Massachusetts Constitution of 1780 re-affirmed the constitutionality of such a tax and "provided that 'the public charges of government' should be assessed" on each male citizen sixteen years or older (except those "who by reason of age, infirmity, and poverty, may in the judgment of the assessors be unable to contribute toward the public charges.") [Mass. Constitution, chap. I, sec. I, art. IV]. The poll tax was to be assessed upon "each taxable person in the town, where he shall be an inhabitant on the first day of May in each year." Minors' poll taxes were to be assessed upon parents or guardians. During the mid-1840s, the maximum amount of any such tax was \$1.50.

The Massachusetts Revised Statutes of 1836 (Title III, chap. 7, secs. 1, 5, 6, 17, 27, 29; chap. 8 sec. 11) provided the authority by which the town of Concord assessed and collected the poll tax. Town assessors imposed the tax, which was then recorded in an annual manuscript account book. The town government itself did not directly collect the tax. Tax collections for Concord were put out on bid. "For 1841 Orin Wilson had been appointed tax-collector on the

basis of his bid of one cent on the dollar. However, Wilson declined to serve, and James P. Brown, the collector of the preceding year, was appointed in his place at the higher rate of one and three-fourths cents on the dollar. In 1842 Samuel Staples was appointed collector at the rate of one cent. Staples served for four years, charging more each year, until 1845, when he received one and one-half cents. For 1846 Addison G. Fay was appointed at one and one-fourth cent." When Staples retired in early 1846, the last year of taxes that he would have been responsible for was 1845. Since "the tax collector was responsible to the town for the amount authorized by the assessors," it was natural that Staples would have made every effort to collect all taxes due him. He had to pay the town its taxes, whether he collected them or not. Thus his efforts to complete his tax-collections led to Thoreau's imprisonment.

Thoreau's first legal encounter with the political authorities in Massachusetts took place in 1838, when he turned twenty-one. The State demanded that he pay the one dollar ministerial tax, in support of a clergyman "whose preaching my father attended but never I myself." The tax was paid by another (much as his contested poll tax was paid), probably by one of his aunts. In order to avoid the ministerial tax in the future, Thoreau had to execute what was known as a "certificate bow," an affidavit attesting that he was not a member of the church. It is interesting to note that Thoreau had to assert his non-membership, rather than the church having to prove his membership in the congregation.

Although it is presumed that Thoreau's poll taxes as a minor were paid by his father, his name next occurs "in the Concord tax books in 1839 when he is charged one dollar and fifty cents for the town and county poll tax. He is charged the same amount throughout the 1840s except for 1843 when his name fails to appear because of his seven-month residence in New York." John C. Broderick presents evidence that Thoreau paid his poll tax for 1839, 1840, and 1841, and began resisting the poll tax after it was assessed for the year 1842. His friend, Bronson Alcott, was arrested on January 17, 1843 for non-payment of his own 1842 poll tax. The tax was paid by Samuel Hoar, Concord's "leading citizen, who thought Alcott's protest a blot on the town's" reputation. Slightly less than a year later, in mid-December 1843, Charles Lane was similarly detained and arrested until someone paid his 1842 poll tax.

The historical evidence suggests that non-pay-

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Potpourri from the Editor's Desk

1. "So You Say, 'What Can I Do?'"

"The real answer is to fight for the things you care about. For most Americans, life isn't executive orders, congressional legislation, agency regulations, or judicial decrees. It's a helping hand and good neighbors. It's bedtime prayers and lovingly packed lunch boxes. It's hard work and a little something put away for the future."

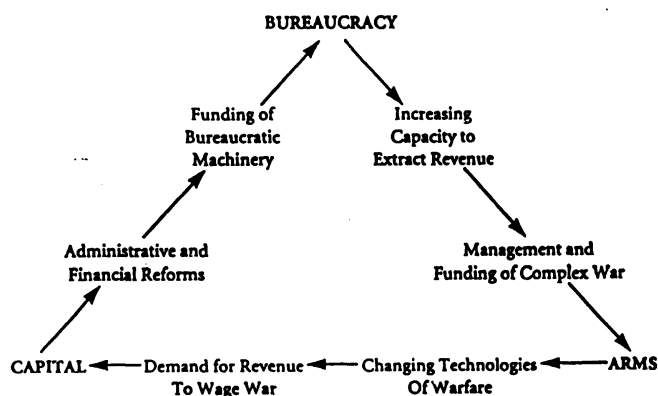
—Gary Bauer, IMPRIMIS, July 1994.

2. "Government Corruption"

"Corruption spreads in direct proportion to the growth in government's capacity to bestow favors. As governments hand out more subsidies and administer more and more regulations that can break a business two things happen: the givers and receivers of public money come to regard it as their own and come to believe that fudging doesn't constitute stealing; some of those who bestow and some who seek vital permissions mutually agree on a cash value, or, more bluntly, the size of a bribe. The more favors and permissions lawmakers create, the more corruption. Political machines are built this way.

—George Melloan, "Global View,"
THE WALL STREET JOURNAL,
August 15, 1994, p. A 11.

3. "The Cycle of War and State Formation"



"The internal equilibrium of the [state] rest[s]"

upon the familiar triad of army, taxes, and bureaucracy. Central power ... [upholds] military force, which was organized and funded by bureaucracies, which collected taxes that funded both the bureaucracy and the military, both of which in turn enforced tax collection."

—Bruce D. Porter,

WAR AND THE RISE OF THE STATE,
New York: The Free Press, 1994,
pp. 58 and 114.

4. "Public Goods vs. Public Choice"

"Thus private law, whether strictly voluntary or also coercive, has proven itself historically as an effective provider of social order. But the anarchist's point is not simply that monocentric law is not *necessary* in order to maintain social order, but more fundamentally that introducing monocentrism into the picture actually *decreases* social order.

"Advocates of government assume that non-governmental mechanisms for achieving order will be ineffective because of *public goods* problems—specifically, the problem that unless people *are forced* to cooperate, each person will have an incentive to free-ride on the cooperation of others without cooperating himself. This argument is often taken to show the necessity of government.

"But if market solutions are beset by perverse incentives caused by public goods problems, governmental solutions are likewise beset by perverse incentives used by *public choice* problems: monopolies that collect revenues by force are not accountable to their clients, and state officials need not bear the financial cost of their decisions; inefficiency is the inevitable result. Since *both* systems involve perverse incentives, the important question is: which system is better at *overcoming* such incentives?

"And here the answer is clear. Under a market system, entrepreneurs stand to reap financial rewards by figuring out ways to supply 'public' goods while excluding free riders. Thus the system that creates the perverse incentives also creates the very incentives to overcome them. That's why every so-called 'public' good has been supplied privately at one time or another in history. Governments, by contrast, must *by definition* forbid competition. Thus governments, unlike markets, have no way of solving their incentive problems. We would be well-advised, then, to buy our law on the market rather than from the state."

—Roderick T. Long

"The Nature of Law, Part I:
Law and Order Without Government,"
FORMULATIONS, Spring 1994, pp. 10-11.
Published by The Free Nation Foundation,
111 West Corbin Street,
Hillsborough, NC 27278.

5. "A Taxing Thought: Where Has All The Freedom Gone?"

"When we purchase any product we pay numerous DISGUISED taxes. For example, when we buy an automobile, the company that builds the vehicle passes all of its costs onto us, the buyer of the car, to include all taxes paid by the company. This includes social security taxes, workers compensation tax, state unemployment tax, federal unemployment tax, franchise taxes, corporate income taxes, property taxes, etc. The company is responsible for these taxes but we pick up the tab the day we purchase the product. In addition, we pay a sales tax on the entire price of the car, therefore, paying taxes on the tax with money that has already been taxed before we got our paychecks."

—Robert D. Newcomer, Wooster, OH.,
"Fourth of July 1994."

6. "When the State Disappeared, Society Continued"

"In the West, the Roman Empire (which continued in the East as the Byzantine Empire) disappeared in 476; and, although many efforts were made to revive it, there was clearly a period, about 900 when there was no empire, no state, and no public authority in the West. The state disappeared, yet society continued. So also, religious and economic life continued. This clearly showed that the state and society were not the same thing, that society was the basic entity, and that the state was a crowning, but not essential, cap to the social structure. This experience had revolutionary effects. It was discovered that man can live without a state; this became the basis of Western liberalism. It was discovered that the state, if it exists, must serve men and that it is incorrect to believe that the purpose of men is to serve the state. It was discovered that economic life, religious life, law, and private property can all exist and function effectively without a state. From this emerged laissez-faire, separation of Church and State, rule of law, and the sanctity of private property. In Rome, in Byzantium, and in Russia, law was regarded as an enactment of a supreme power. In the West, when no supreme power existed, it was discovered that law still existed as the body of rules which govern social life. Thus law was found by observation in the West, not enacted by autocracy as in the East. This meant that authority was established by law and under the law in the West, while authority was established by power and above the law in the East. The West felt that the rules of economic life were found and not enacted; that individuals had rights independent of, and even opposed to, public authority; that groups could exist, as the Church existed, by right and not by privilege, and without the need to have any charter of incorporation entitling them to exist as a group or act as a group; that groups or individuals could own property as a right

and not as a privilege and that such property could not be taken by force, but must be taken by established process of law. It was emphasized in the West that the way a thing was done was more important than what was done, while in the East what was done was far more significant than the way in which it was done."

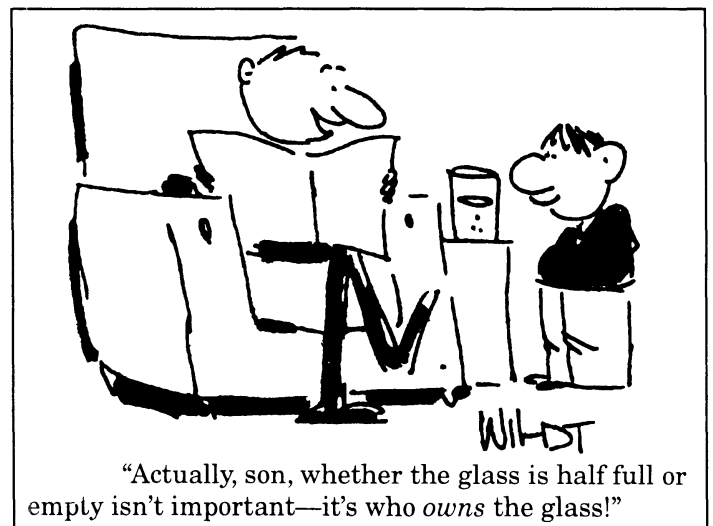
—Carroll Quigley, TRAGEDY AND HOPE,
New York, The Macmillan Co., 1966, p. 83.

7. "Power and Deviance in Western Europe, 950-1250"

"When rulers begin to assert themselves, and to create a recognizable apparatus of state, the earliest developments always include the appearance of a hierarchy of specialized agencies for the enforcement of order - judges, police forces, and so on - and law itself becomes coercive, imposing from above a pattern of guilt or innocence in accordance with codes promulgated by the central authority, rather than mediatory, seeking agreement or compromise. Hence the state can be seen ... as a monopoly of legitimate violence. The new system of authority will seek to define and assert itself by attacking the old, that is, the family or clan which formerly exercised the power that the state now seeks, and notably by suppressing the systems of feud or vendetta which, in one form or another, generally provided the sanctions on which kin-based systems of order depend. As Lucy Mair put it, writing of Africa, 'feuding is one of the first activities which colonial governments make it their business to suppress.' We need no reminder that the same was true of their European forerunners in the high middle ages.

"One aspect of this transition from segmentary society to state is particularly pertinent to our concern. In the ordinary way face-to face communities recognize and regard as criminal only specific injuries to specific individuals or groups. A wrong is identified and dealt with when and if the person who has been injured or his representative chooses to take

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"Again and again in history, we can trace the workings of the law that one who has appealed to force must use force to the bitter end, and one who has established a reign of terror must intensify terror to frightfulness."

- Stefan Zweig,

THE RIGHT TO HERESY, 1951, p. 340.

Highway Tax vs. Poll Tax

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ment of poll taxes was fairly common in Massachusetts, especially during the decade of the 1830s. According to the manuscript accounts in the Concord Free Public Library some "seventy-three persons failed to pay their taxes for 1834-1835, of whom forty-six were liable only for the poll tax." Instructions found in these tax books authorized the tax-collector to "distrain the good or chattels" of any person who "shall refuse or neglect to pay the sum he is assessed." And "for the want of goods and chattels whereon to make distress" the collector is instructed to "take the body of such so refusing and neglecting and him to commit unto the common goal [sic] of the Country [sic], there to remain until he pay the same, or such part thereof as shall not be abated by the assessors." Similar guidelines were provided in state legislation in Chapter 8 of the Revised Statutes of 1836:

Sect. 7. If any person shall refuse or neglect to pay his [poll] tax, the collector shall levy the same by distress and sale of his goods,

Sect. 8. The collector shall keep the goods distrained, at the expense of the owner, for the space of four days, at the least, and shall, within seven days after the seizure, sell the same by public auction,

Sec. 11. If the collector cannot find sufficient goods, upon which it may be levied, he may take the body of such person and commit him to prison, there to remain, until he shall pay the tax and charges of commitment and imprisonment or shall be discharged by order of law.

Walter Harding suggests that both Staples, the tax-collector, and Thoreau were probably unaware of the provisions of the statute, because Thoreau owned a collection of books, numbering more than a hundred and forty volumes. Thoreau's library could have been distrained and auctioned for more than the amount of poll tax he owed. Although Thoreau could have avoided arrest by telling Staples to seize his books, it may have been easier for Staples to imprison Thoreau than to go through the distraint and auction procedures. In any case, Thoreau was prob-

ably not interested in avoiding arrest because the whole idea of his act of civil disobedience was "to protest by not paying his tax, rather than to pay the tax" even "under protest."

Thoreau makes one interesting comment about taxes in his essay on civil disobedience. He wrote that he wished to never "rely on the protection of the State," and refused to tend it his allegiance. Despite this, he "never declined paying the highway tax, because I am as desirous of being a good neighbor as I am of being a bad subject;" While he wins points for wanting to be a good neighbor, as voluntaryists we need to call the consistency of his reasoning in to question. A tax is a tax, regardless of why it is levied or how it is spent. Good neighbors need to point out the dangers of setting precedents: if the state can collect a highway tax it can institute a poll tax, an income tax, a sales tax, an excess profits tax, a value-added tax. A hundred and fifty years after Thoreau's confrontation with the state gives us adequate proof of the importance of taking a consistent and principled stand: ALL taxes are theft. Even Charles Lane had noted in his letters on "A Voluntary Political Government" (March 27, 1843) that there was no requirement for highway taxes: "the common road, like the railroad, [might] be made into a shop keeping business, and paid for by every one who used it."

Thoreau was not a complete voluntaryist. In his essay "On the Duty of Civil Disobedience, he distinguished himself from "those who call[ed] themselves no-government men": "I ask for, not at once no government, but at once a better government," conveniently overlooking the fact that improving an institution does not change its essential (in this case, coercive) nature. Despite this fact Thoreau opened his essay by stating his belief that "That government is best which governs not at all." Voluntaryists can surely agree with him on that. ▣

An Anti-Electorate Manifesto

We, the Anti-Electorate, do not believe there is a need for "strong leadership" in government.

We are not drawn to 'intellectual' authorities and political 'heroes.'

We are not impressed with titles, ranks, and pecking orders—politicians, celebrities, and gurus.

We do not struggle for control of organizations, social circles, and government.

We do not lobby the State for favors or permission to control those with whom we disagree.

Rather, we advocate freedom.

By its very nature, the State does not.

Exercise your right to say 'No' to the warfare-welfare system.

Refuse to vote. Then tell your friends.

—Wally Conger, OUT OF STEP, June 1994.

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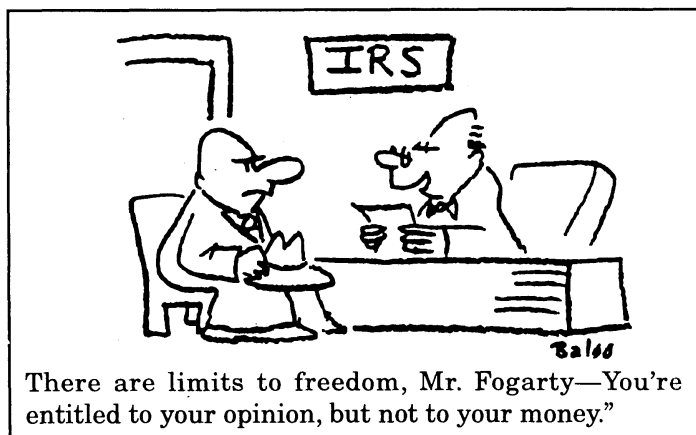
Early Government Legislation in the United States: The Constitution, Direct Taxation, and Seamen

[Editor's Note: The following excerpts are taken from pages 232-234 of Chapter XVIII, "The Insurance of Seamen Against Illness," appearing in Henry W. Farnam, CHAPTERS IN THE HISTORY OF SOCIAL LEGISLATION IN THE UNITED STATES TO 1860 (Washington: Carnegie Institution of Washington, 1939). The Constitution of 1789 authorized no federal power over labor conditions, and prohibited direct taxation of the new nation's citizens. In 1798, Congress passed, and President John Adams signed, legislation (United States STATUTES AT LARGE, I, 605-606, Chapter lxxvii) that exceeded these constitutional boundaries. Although the Whiskey Rebellion had occurred four years earlier, this action undoubtedly has to stand as one of the earliest examples of government usurpation. Innocuous as this action might appear, it clearly demonstrates the impossibility of maintaining "limited" government for even a short time.]

There is not a word in the Constitution regarding either workmen's insurance or hospitals or the care of sailors. Nevertheless, in the very first Congress, which met March 4, 1789 it was ordered, under resolution of July 20, "That a committee be appointed to bring in a bill or bills, providing for the establishment of hospitals for sick and disabled seamen...." This did not at once result in any law creating the service, but at least five different bills were brought up from time to time, and a law was finally passed, July 16, 1798. This law was in line with the English and Virginian precedents. It provided for the temporary maintenance of sick or disabled seamen in hospitals or other institutions established in the ports of the United States, and arranged for the levying of a tax of 20 cents a month for this purpose, to be deducted from the wages of each seaman and applied to his support when sick. It involved two distinct activities on the part of the Government, the collection

of a direct tax, and the establishment of hospitals or other agencies for the care of sick seamen. The constitutionality of this measure does not seem to have been seriously questioned at the time of its adoption. The ANNALS OF CONGRESS contain no account of any debate on the subject in the Senate and only a few pages are devoted to the debate in the House. A number of persons took part in this debate, among them Mr. Sewall of Massachusetts, Mr. Pinckney of South Carolina, Mr. Livingston of New York. Most of the discussion seems to have turned upon the question of fairness to the seamen in obliging them to pay for care which would ordinarily be considered a charge upon public charity. Somewhat oddly, the chief opponent of the measure seems to have been Mr. Sewall of Massachusetts, although, as the bulk of the seamen were from New England, it was thought that they would profit most from a general tax which would care for them, if they fell ill in the South, while the people of the Northeast would be relieved of certain demands upon their charity. The constitutionality of the measure seems to have been questioned only by Mr. Varnum, who said, regarding the measure, that he did not know how he would reconcile it with that clause of the Constitution which says "that no capitation or other direct tax, shall be laid, unless in proportion to the census or enumeration directed to be taken." This objection, however, did not seem to make much impression, nor did it prevent the bill from being passed. In 1849, more than 50 years after the first act, the justification of the act was thus stated in a report of a Congressional commission: "This is almost the only direct tax laid by government. The power to lay it has always been granted on account of the highly charitable object had in view. From the income of a proverbially improvident class in the community a specific deduction has been made—and government becomes self-constituted guardian and trustee. ... As the questionable legality of the taxation is laid aside by common consent, it is only asked that, while it is continued, it may be rendered distinct in all its operations."

Its practical justification, apart from the question of its constitutionality, lay, as stated above, in the fact that sailors are improvident and irresponsible and that their vocation is peculiarly dangerous. It takes them away from home, few of them have families who can care for them in illness, and even if they have, they are liable to be sick at a distance from their regular homes. The fact that their work is performed without access to the ordinary diversions of the landsman makes them especially lavish in paying for amusement when they have a few days on shore, so that they seldom save money, and if they are desirous of saving, they have no safe place in which to deposit their funds. Hence they are liable to become the prey of swindlers and robbers. They have not even a pauper settlement, if taken sick away



from home, and as a rule pay no direct State taxes. The consequence is that the Government has not only made this provision for those that are sick, but has also enacted elaborate laws to protect them against imposition and abuses.

There was another reason for the interest of the Government in sailors. It seemed very important to build up a strong merchant marine in order to provide a supply of seamen for the men-of-war in case of hostilities with other nations. The law was, therefore, not simply a piece of social politics, but also of naval politics, a combination of humanity and national defense which is by no means unusual in the history of labor legislation. The first child labor law of Prussia was inspired by the observation that the recruits for the army in the textile districts were deteriorating in size and strength, and similar considerations have been used in England as an argument for improved labor laws. ▣

Potpourri from the Editor's Desk

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the matter up by way of the socially approved means of redress. By contrast, as the state begins to emerge its rulers seek to assert and extend their authority by creating what are in effect victimless crimes, offenses against abstractions such as 'the ruler', 'the state', 'society' or 'morality'."

—R. I. Moore,

THE FORMATION OF
A PERSECUTING SOCIETY,
Oxford: Basil Blackwell, 1987, pp. 109-110.

8. "Police Blotter - The Power of the Press"

On April 19, 1994 THE WALL STREET JOURNAL published an article about an alleged embezzling bookkeeper who, using numerous aliases, had stolen as much as \$2.5 million during the last two decades from numerous small businesses in northern and southern California. Three days later, the paper reported that the owner of a small business in Huntington Beach had read the article and recognized the suspect, who had been working for him as a bookkeeper since February. He contacted his local police and the suspect was arrested.

There is a message for us here. The tax-funded police have been looking for this man for over a decade, and probably would not have found him except for the publicity generated by THE WALL STREET JOURNAL. In the absence of our statist police forces "Wanted Notices" and reports of criminal activity affecting businesses would be given much more attention by mercantile newspapers. There probably would arise newspapers, both local and national, that specialized in searching for alleged crime suspects, and publicizing the rewards associated with their apprehension.

9. "Government Spending and the Virtues of the Market"

"It is an extraordinary tribute to the virtues of the free market that, with less than 50 percent of the country's total resources, the private sector can produce a level of living that is the envy of most of the world." The foregoing statement is made by Milton Friedman in his monograph, "Why Government Is The Problem" (Stanford University: Hoover Institution on War, Revolution and Peace, 1993, p. 12). Friedman supports his statistical claim in a subsequent footnote: "Government spending at all levels, federal, state, and local, in 1992 was about 43 percent of national income. In addition, mandated expenditures plus costs imposed by regulations, tariffs, quotas, and so on in effect commandeer a healthy slice of the 57 percent nominally spent by the private sector. I conclude that the private sector controls less than 50 percent of the country's total resources."

10. "Gun Control and Property Rights"

In all the recent barrage of words about gun control, there are two things that never seem to be mentioned. The first is that guns are property, just like all of the rest of one's personal belongings. As Bob LeFevre used to say, "Property is a total concept." Gun control is a form of property control, i.e., a violation of one's property rights. Politics and constitutions do not uphold property rights, they only destroy them. When will people learn that their right to their money and their guns rests on the same principle, and that both are threatened by the existence of the State?

The second thing is that all governments need to claim and to exercise a monopoly on the instruments of coercion in society. The most recent agitation for the ban on assault-style weapons is merely a manifestation of this. A recent WALL STREET JOURNAL cartoon (August 23, 1994, p. A13) portrayed two Congressional leaders talking to one another: "Of course I favor a national antigun law. Who wants armed taxpayers?"

11. "'Thanks A Million' - An Example of Private Philanthropy"

"Minneapolis millionaire Percy Ross is internationally known for his philanthropic works and likes to encourage others to help solve problems for those in need. He has earned a fortune and a wealth of knowledge during his lifetime and wants to share both before his death. His motto is: 'He who gives while he lives knows where it goes'."

The above paragraph was the introduction to Mr. Ross' column in the SPARTANBURG [SC] HERALD-JOURNAL, August 22, 1994 (C2). Three letters of request for money were printed; Mr. Ross refused one, and granted two. Mr. Ross may be contacted at Box 39000, Minneapolis, MN 55439. ▣

On States of Mind

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cused task of trying to run the family farm.

I was in graduate school at the University of Colorado when I first heard of the ongoing tragedy of Big Mountain. I was deeply touched, for I had been the sixth generation on a farm located between the Tennessee and Cumberland Rivers in western Kentucky. My family settled there in the 1780s. The federal government ran us off our land in the 1960s when Kentucky and Barkeley Dams were built so that "Land Between the Lakes" recreation area could be formed. Many tried to resist with lawyers and sometimes more desperate means.

The image of an old, one-legged woman holding off the government men with a double-barreled shotgun is permanently etched into my mind. Those who tried to hold out, including the old woman, had their houses bulldozed and burned with all their belongings still inside.

I had always tried to tell myself that this sort of thing could not happen anymore, but here were Indians trying to hold off the same treatment from the same government. I joined a group working on this issue and spent time at Big Mountain talking with these people. It was during this time that things started to click. They had been on their land a long time. The Hopi have been farming on the same ground for 10 to 15 thousand years. Many of them had never bothered to learn English. All they knew was their way. And it was enough. They knew that their lives were a direct expression of that piece of land. And they understood that their farming practices and religious attitude (the two are not separate) tied them to their land through each complex interaction. Too many people think being moved to "better" real estate would be a great deal. But this is because they are native to no place. Home is a place to commute from.

A Hopi Elder told me that the bulldozers and federal marshals supporting Peabody Coal were not the enemy. The enemy, he said, is a state of mind. It's a state of mind that has been carrying out a conquest of this continent ever since it hit the East Coast. The conquest was not about guns vs. arrows. That was a symptom of the disease. The disease was a clash between states of mind. If you fight a state of mind with confrontation, he told me, you strengthen that state of mind. (Resist not evil.) Our enemy, he said, is on a different plane from the bulldozers. He thought strong and deliberate persistence in one's own way and prayer were the best weapons.

I understand the predicament these people are in. I had been there as a kid. Then an interesting sequence of events occurred. I found myself in a university working with lawyers and professional activists. I was trying to help the "native" cause from the position of a conquistador. I felt like the people

Wendell Berry speaks of who oppose power plants from their air-conditioned homes. Then I got word that an offer had been made on my maternal grandparents' farm. This hundred-acre farm, about twenty miles from the paternal family farm now covered with Winnebagoes, was going to be subdivided unless somebody in the family wanted it. And no one else did.

Something snapped. Had we not been native to these farms? Was not the subdividing of that farm more of the conquest I was wanting to help stop? That state of mind which holds no place in reverence, which turns husbandry into agribusiness, and would willingly strip-mine farm for money, was about to consume my family farm for the second time. The notion of "home" in its full sense became very real.

Now my only connection with a university is when I get a soil test. I mend fences my grandfather built. I cut hay he sowed in fields he cleared. I water my horses in creeks I played in as a child. I have repaired the barn my father and both grandfathers built together. And I build fences and outbuildings my kids may someday repair. But perhaps most of all, I cultivate an intimate knowledge, love, and reverence for this place in all its intricate complexity. Does this help the Hopi and Navajo who are at this moment trying to patiently outlast Peabody Coal and the federal bureaucracy? Not on the plane where bulldozers exist.

But the conquest is very quietly going on all around us. Speaking out, passing petitions, etc., all need to be done. But I believe the strongest blow I can make against that state of mind -the one trying to gobble up the last remnants of traditional Indians as well as the last remnants of the family farms - is to be truly at home in my place. To raise a family here and pray the kids will understand. To nurture a native, respectful state of mind.

Perhaps the strongest, most direct weapon we have is to make our farms work, practically, gracefully and with dignity. And do it out front and in the open for everyone to see. ▣

"The longer I live, the more I realize the impact of attitude on life. Attitude ... is more important than the past, than education, than money, than circumstances, than failures, than successes, than what other people think or say or do. It is more important than appearance, giftedness or skill. It will make or break a company...a church...a home. The remarkable thing is we have a choice every day regarding the attitude we will embrace... The only thing we can do is play on the one string we have, and that is our attitude. I am convinced that life is 10% what happens to me and 90% how I react to it. And so it is with you;...we are in charge of our Attitudes."

—Charles Swindoll

On States of Mind

by David McKells

[Editor's Note: The following article first appeared in the Spring 1991 issue of SMALL FARMER'S JOURNAL (Box 1627, Sisters, OR 97759), a publication which advocates horse-powered, family farming. Although the topics of voluntarism and the survival of small farming may seem miles apart, in fact, there is a close parallel which is brought out in this article. Freedom can only grow and thrive if we practice it ourselves and pass its spirit along to our children and close friends, just as small farming can survive only, as the author of this piece concludes, if they "work, practically, gracefully, and with dignity."

His most important point, however, is that the Hopi Indians understood that the enemy "is a state of mind." Stockpiling guns to defend ourselves against the State or trying to get elected to some office may seem like powerful strategies, but, in fact, they are not. Both mimic the enemy, by attempting to fight the State on its own ground. Such strategies are a failure, from the voluntarist point of view, because they only reinforce the attitudes that make it possible for the State to exist in the first place. If we want to deal voluntarily with other people, and have them deal with us likewise, then we need to practice freedom and liberty in our own lives. It may seem difficult to "resist not evil," but there are powerful reasons, both moral and utilitarian, for heed-

ing that advice. "Those who fight evil necessarily take on the characteristics of the enemy and become evil themselves."

Bob LeFevre used to draw a large "T" chart on the blackboard. One side he would describe as the State and City Hall. The other side of the "T" he would label "Freedom and Liberty." To which side of the "T" do you want to devote your life's energies - fighting City Hall or becoming a better person, raising a family and operating a profitable, honest business? Portrayed graphically in this manner, the question leaves little room for hesitation. The voluntarist will never hesitate to opt for "Freedom and Liberty," knowing that "if you take care of the means, the end will take care of itself." Or as the Hopi elder put it, "strong and deliberate persistence in one's own way and prayer (are always) the best weapons."]

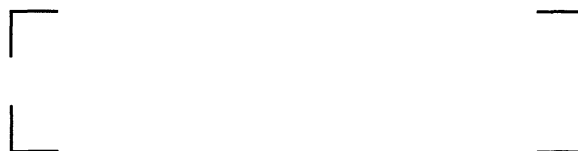
I read the 'editorial debate' in the Winter '91 issue with great interest. It was especially meaningful to me that Arthur and Zelka should cite the federal government's attempt to relocate the Navajo and Hopi from Big Mountain, Arizona, so that Peabody Coal can strip-mine coal to ship to Japan. They cite this issue as compelling them to turn their interest towards activism.

It was exactly this issue that compelled me to move from activism (no matter how good that "steadfast self-martyring gaze" felt) to the much more fo-

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