
The Voluntaryist

Whole Number 176 "If one takes care of the means, the end will take care of itself." 1st Quarter 2018

Why I Oppose Government Enumeration

By Carl Watner

[Editor's Note: This essay originally appeared as Chapter 17 in NATIONAL IDENTIFICATION SYSTEMS, an anthology edited by Carl Watner with Wendy McElroy, published in 2004 by McFarland & Company, Jefferson, NC. ISBN 0-7864-1595-9.]

... as I was cold and wet I sat down at a good fire in the bar room to dry my great coat and saddlebags. ... There presently came in, one after another, half a dozen ... substantial yeomen of the neighborhood, who sitting down to the fire after lighting their pipes, began a lively conversation upon politics [circa 1773]. As I believed I was unknown to all of them, I sat in total silence to hear them. One said, "The people of Boston are distracted." Another answered, "No wonder the people of Boston are distracted; oppression will make wise men mad." A third said, "What would you say if a fellow should come to your house and tell you he was come to take a list of your cattle that Parliament might tax them for you for so much a head? And how should you feel if he should go out and break open your barn, to take down your oxen, cows, horses, and sheep?" "What should I say," replied the first, "I would knock him in the head." "Well," said a fourth, "if Parliament can take away Mr. Hancock's wharf and Mr. Row's wharf, they can take away your barn and my house." After much more reasoning in this style, a fifth who had as yet been silent, broke out, "Well it is high time for us to rebel. We must rebel some time or other: and We had better rebel now than at any time to come: if we put it off for ten or twenty years, and let them go on as they have begun, they will get a strong party among us, and plague us a great deal more than they can now. As yet they have but a small party on their side."

- John Adams, "Old Family Letters," p. 140 cited in David McCullough, JOHN ADAMS (New York: Simon & Schuster), 2001, pp. 74-75.

The purpose of this essay is to question the assumption that we need a government program that produces national ID (and by implication observe that resistance should be based on principle not pragmatism). From the Bible story of King David (who caused a

plague by counting his people), to the Roman censurs who counted Joseph, Mary and Jesus in Bethlehem, to Parliament's attempt to list colonial cattle, to today's call for national identification cards the essential purpose behind government data gathering has always been the same: to enhance government's control over its subject population. The only difference between "breaking down barn doors" to count your animals, or forcibly implanting their offspring or our newborn children with a subdermal micro-chip is the advance of technology. Government identification programs, whether they are based upon a birth certificate, a wallet card (like the Social Security card), a smart card (with a programmable microchip), an implanted micro-chip, or some other form of biometric recognition are all based upon the same principle: that the government has the right and necessity to track, monitor, and control the people and property within its geographic boundaries.(1) As one commentator has pointed out, "there is no difference in principle between being forced to carry a microchip in a plastic card in your wallet or in a little pellet in your arm."(2) The question is not whether one technology is better or worse than another; the question is whether we endorse the argument that some sort of government enumeration is necessary.

Whether what we call "national ID" would be administered at the state or federal level, each and every person in the United States would be issued a government identification, and would be required to use it in order to participate in numerous activities. A true national identification card would necessarily be universal (if not issued to every newborn it would be issued to children upon reaching a certain age) and compulsory (it would become a crime, punishable by fine or imprisonment, to refuse to accept or use such a document). It would also be a violation of the law to have more than one card, to use the card of another person, or to hold a card in the name of an alias. In short, a national ID would act as a domestic passport. In many countries around the world, where such cards actually exist, they are needed to rent an apartment, to buy a house, apply for a job, pay one's utility and telephone bills, withdraw books from the library, or to access health care services. They could act as a surrogate drivers license, passport, voter registration card, and hunting/fishing license.(3) With micro-chip technology, such a card would act as a complete medical, financial, tax, and travel dossier, documenting where you have been, how you got there, and how you paid for the services you purchased. In conjunction with other income data reported to the

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Potpourri from the Editor's Desk

No. 1 "Did John Locke Literally Mean 'No Taxation' without Individual Consent?"

The supreme power cannot take from any man any part of his property without his own consent: for the preservation of property being the end of government, and that for which men enter into society, it necessarily supposes and requires, that the people should have property, without which they must be supposed to lose that, by entering into society, which was the end for which they entered into it; too gross an absurdity for any man to own. Men therefore in society having property, they have such a right to the goods, which by the law of the community are their's, that no body hath a right to take their substance or any part of it from them, without their own consent: without this they have no property at all; for I have truly no property in that, which another can by right take from me, when he pleases, against my consent. Hence it is a mistake to think, that the supreme or legislative power of any commonwealth, can do what it will, and dispose of the estates of the subject arbitrarily, or take any part of them at pleasure. ... For a man's property is not at all secure, tho' there be good and equitable laws to set the bounds of it between him and his fellow subjects, if he who commands those subjects have power to take from any private man, what part he pleases of his property, and use and dispose of it as he thinks good.

- SECOND TREATISE OF GOVERNMENT (1698), Chap XI, "Of the Extent of Legislative Power," Sec. 138.

No. 2 "What has Government Given to Aviation?"

Before you answer that question, reflect a moment. Government is a gun. Do guns build airliners? Do guns arrange airline schedules? Do guns operate airports?

Do guns invent, devise, plan and implement? Take the gun away from government and what do you have? You have men.

What is the difference between aviation as a thing in itself and government as a thing in itself? Men make both mechanisms work. The only discernible difference is the gun which characterizes the government and which is always lacking in all enterprise by virtue of the basic nature of enterprise.

Now, what has government given to aviation? It has given nothing. I am sorry, gentlemen. It has given NOT ONE THING. It has taken.

Ah, but I can hear you say: "Government has made aviation more safe."

No, it has not.

That is the illusion carried over from the idea that government sells protection. Did government invent anything? Can a gun contrive? No. Men have made the safety devices. Men have struggled to provide better, faster, cheaper, more reasonably secure flying. And men have financed these things by dint of much labor. They have run risks and they have performed Herculean feats.

"But government has set standards of excellence to which we are compelled to adhere." Did someone say that?

I deny it. The aviation industry provided those standards. True, there are rules which are now ... I use the common term ... ENFORCED. Is it the enforcement which we admire, or the intrinsic merit of the rules which, I repeat, were first made possible by the aviation people themselves? Are the rules obeyed because they are sound rules or are they obeyed because fines, imprisonment and FORCE are invoked?

You answer the question. But here is the real problem, gentlemen. When standards of excellence are ENFORCED there is, almost by common consent, a tendency to slacken in the search for excellence. Government enforced MINIMUM standards have a strange way of becoming arbitrary MAXIMUM standards. And these standards are maintained until some air tragedy tells us that the excellence just wasn't enough. Then we go to work again.

- Robert LeFevre, "Think It Through," (Colorado Springs: Pine Tree Press), Banquet Address before the National Aviation Trades Assoc., Dec. 6, 1962, Las Vegas, NV, pp. 11-12.

No. 3 Book Received

BOUNDARIES OF AUTHORITY explores the claim of modern states to exercise "rights of jurisdiction and control over particular geographical areas and their associated natural resources." The author "explores the possible moral bases for such territorial claims by states, and in the process" argues "that many of these territorial claims ... lack any jurisdiction." A. John Simmons, BOUNDARIES OF AUTHORITY (New York: Oxford University Press, 2016). ISBN 978-0-19-060348-9; www.oup.com. 

Abolitionism: Wendell Phillips on Voting and Political Action

By George H. Smith

The dominant figure in abolitionism was William Lloyd Garrison, editor of *THE LIBERATOR*, which he founded in 1831. Garrison firmly believed that the U.S. Constitution (as originally written) sanctions slavery, even though the words “slave” and “slavery” never appear in that document. Garrison’s position was strengthened in 1840, when James Madison’s record of the Constitutional Convention was published for the first time. Delegates at the Convention had agreed to keep the proceedings secret from the public for fifty years, thereby hoping to escape accountability through death.

Although some fragmentary accounts had been published earlier, Madison’s more complete notes left no doubt about the place of slavery in the Constitution. It was sanctioned and protected as a means to bring the Deep South into the union. This is especially apparent in three clauses: the provision that “all other persons” were to be counted as three-fifths when computing representation in the House of Representatives (Art. 1, sec. 2); the provision that Congress could not outlaw the slave trade until 1808 (Art. 1, sec. 9); and the provision that required states to return runaway slaves to their master (Art. 4, sec. 2).

Garrison’s position was clearly and colorfully stated in 1854, when abolitionists convened in Framingham, Massachusetts to protest the return of a runaway slave, Anthony Burns. During his speech Garrison held up a copy of the Constitution and condemned it as “a covenant with death and an agreement from hell.” Then Garrison burned the Constitution while declaring, “So perish all compromises with tyranny!” Most of the spectators responded with *amens*.

According to Garrison, the Constitution was “the most bloody and heaven-daring arrangement ever made by men for the continuance and protection of a system of the most atrocious villainy ever exhibited on earth.” Many abolitionists disagreed with this position. They did not share Garrison’s condemnation of the Constitution as a pro-slavery document. This controversy split the abolitionist movement into two major factions, and this schism generated additional disagreements, especially over the wisdom of attempting to emancipate slaves by political methods.

Readers should understand how complicated and personal these movement debates could get. For example, William Lloyd Garrison and Wendell Phillips were friends and colleagues who worked together for many years. Although they agreed on almost everything, there was one notable exception: Garrison embraced “nonresistance,” i.e., pacifism that absolutely condemns the use of violence, even in self-defense. And since government operates by violent methods, Garrison defended a position known as “no-governmentalism.” This of course was anarchism under

another name; but, then as now, to call oneself an “anarchist” suggested a person committed to the overthrow of governments through violence - an approach that was alien to what Garrison stood for and which he expressly repudiated.

In contrast to Garrison, Phillips upheld the right to use physical force in self-defense, so he did not share Garrison’s philosophy of nonresistance, nor did Phillips condemn all governments on principle. Although some abolitionists - such as Angelina and Sarah Grimké, and the remarkable Henry C. Wright - sided with Garrison in this controversy, most did not. Some defenders of government complained that the advocates of nonresistance and no-governmentalism would strike Americans as crackpots and thereby cause serious damage to the crusade for emancipation. This in turn led to a serious schism in the abolitionist ranks, as critics of Garrison attempted to exclude his disciples from membership in antislavery organizations. These critics (most notably Lewis Tappan, a New York businessman) disagreed not only with Garrison’s philosophy of nonresistance and no-governmentalism, but also with his belief that abolitionists should not vote or hold any political office. Abolitionists, according to Garrison, should use only “moral suasion” in their fight against slavery. (I shall have more to say about Garrison’s approach in a future essay.)

It is to Garrison’s credit that he was ecumenical in regard to the abolitionist movement and organizations. Although he vehemently attacked many of his critics, he would often print their criticisms unedited in *THE LIBERATOR*, and he opposed excluding heretical abolitionists from antislavery organizations, however much they disagreed with his own views. Once, when asked by a critic if he believed that all abolitionists should embrace nonresistance as a matter of conscience, he replied that nonresistance was the right position for him; other abolitionists would have to make up their own minds. Similar problems arose when Garrison used *THE LIBERATOR* to advance causes other than emancipation, such as equal rights for women. Garrison deeply believed in these causes, but he did not use them as litmus tests to determine who is and is not an authentic abolitionist. He understood that reasonable people, including abolitionists, may disagree on some matters, but this doesn’t necessarily make them enemies.

I previously noted how Garrison and Phillips differed on the issue of no-governmentalism. Both men agreed that the Constitution is a pro-slavery document, so both repudiated political action (for reasons I shall explain later). But Garrison’s anarchism, based on his pacifism, gave him an additional ground for repudiating political action. If governments are inherently evil owing to their use of violence, then no conscientious person should participate in that institution. Other factors came into play here, such as Garrison’s “perfectionism,” but a more complete account must await a future essay.

We now turn to a brilliant defense of the anti-political stance of the Garrisonians - *CAN ABOLITIONISTS VOTE OR TAKE OFFICE UNDER THE UNITED STATES CONSTITUTION?*(1845), by Wendell Phillips. This 38-page booklet holds a special place in my personal intellectual history. I first read it during the late 1970s, and it helped to clarify my objections to voting, the Libertarian Party, and those libertarians who seek political office. More than any other source, the work by Phillips led to my role in founding *The Voluntarist* (with Carl Watner and Wendy McElroy) in 1982. I took the label “Voluntarist” from those nineteenth-century British libertarians who campaigned for the separation of church and state and, later, for the separation of school and state. (It was also picked up subsequently by the libertarian Auberon Herbert.) “Voluntarism” has come to signify the branch of libertarianism that opposes voting and political office-holding, but this was not the position of the British Voluntarists, who were thoroughly political. But the label had fallen into disuse for nearly a century, so I decided to appropriate it, albeit with a different meaning.

Before delving into Phillips’s arguments against voting and other political activities by abolitionists, some background information may help to place his tract in its historical context. We have seen how Garrison, Phillips, and their colleagues maintained that the U.S. Constitution is pro-slavery; this was the foundation of the anti-political arguments put forward by Phillips in *CAN ABOLITIONISTS VOTE OR TAKE OFFICE UNDER THE UNITED STATES CONSTITUTION?* The big gun in rebutting this interpretation was the brilliant libertarian attorney and philosopher Lysander Spooner, a major figure in abolitionism. In 1845, Spooner published *THE UNCONSTITUTIONALITY OF SLAVERY*, which became a foundational text for the pro-political wing of abolitionism. Although other abolitionists, such as Gerrit Smith and William Goodell, wrote tracts defending the same position, they drew heavily from Spooner. Indeed, Gerrit Smith, a wealthy New York philanthropist, provided financial assistance to Spooner so he could write his numerous antislavery tracts. After publishing a tract, Spooner typically sent signed copies to every member of Congress. The postage could add up, so once, when Spooner ran out of money, he wrote to Smith asking if he would send another five dollars. Smith sent the funds but he added a caustic note saying that he was tired of rescuing Spooner from his “pecuniary embarrassments.” Spooner replied that he was equally tired of rescuing Smith from his “intellectual embarrassments.” There was a valid point to this remark. Smith’s own publications had drawn heavily from Spooner’s ideas and writings, sometimes without acknowledgment. Spooner added that he and Smith had an understanding when they dedicated themselves to the abolitionist cause: Smith would

provide the money, and Spooner would provide the ideas. Spooner had kept his part of the bargain, so he resented Smith’s unkind remark about the five dollars.

In *THE UNCONSTITUTIONALITY OF SLAVERY*, Spooner sought to refute the Garrisonian critique of the Constitution and thereby open the door for voting and other political activities by abolitionists. This tract also provided justification for members of the Liberty Party (formed in 1840) in which Gerrit Smith played a major role. That Spooner was greatly admired by political abolitionists is reflected in this resolution passed by the Liberty Party in 1849:

Whereas, Lysander Spooner, of Massachusetts, that man of honest heart and acute and profound intellect, has published a perfectly conclusive legal argument against the constitutionality of slavery;

Resolved, therefore, that we warmly recommend to the friends of freedom, in this and other States, to supply, within the coming six months, each lawyer in their counties with a copy of said argument.

Given Spooner’s arguments that slavery is unconstitutional, we might expect him to have favored political activities by abolitionists. But this was not the case. Ironically, his position was similar to the Garrisonian position. In a letter to his friend George Bradburn, Spooner said that his “theory of voting” did not allow him to support any political party, even one that was antislavery. Bradburn was annoyed. How could it be “that such notions are held by him, who wrote *THE UNCONSTITUTIONALITY OF SLAVERY?*” Spooner replied:

I do not rely upon “political machinery” (although it may or may not, do good, according as its objects are, or are not, legal and constitutional)...because the principle of it is wrong; for it admits ...that under a constitution, the law depends on the will of majorities, for the time being, as indicated by the acts of the legislature.

Spoooner could not sanction the Constitution and the government it established. Although the Constitution is “a thousand times better...than it is generally understood to be,” it is so seriously flawed that “honest men who know its true character” should not sanction it. As Wendell Phillips perceptively observed, “Mr. Spooner’s idea is practical no-governmentalism.”

In my next essay I shall summarize the material in *CAN ABOLITIONISTS VOTE OR TAKE OFFICE UNDER THE UNITED STATES CONSTITUTION?* And in future essays I shall explain some key points in the controversy over the constitutionality of slavery, as well as other controversies that divided the abolitionists.

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H.L. Mencken

By H.L. Mencken

[Editor's Note: This article is excerpted from Volume 117, No. 3048 of THE NATION (Dec. 5, 1923, pp. 647-648). In it, Mencken examines his penchant for liberty and its relationship to his work as a literary critic.]

I often marvel that the gentlemen who concern themselves with my own books, often very indignantly, do not penetrate more competently to my essence. Even for a critic I am excessively garrulous and confidential;

It don't take a very big person to carry a grudge.

nevertheless, it is rare for me to encounter a criticism that hits me where I live and have my being. A great deal of ink is wasted trying to discover and denounce my motive in being a critic at all. I am, by one theory, a German spy told off to flay, terrorize, and stampede the Anglo-Saxon. By another I am a secret radical, while professing to admire Coolidge, Judge Gary, and Genghis Khan. By a third, I am a, fanatical American chauvinist, bent upon defaming and ruining the motherland. All these notions are nonsense; only the first has even the slightest plausibility. The plain truth is - and how could it be plainer? - that I practice criticism for precisely the same reason that every other critic practices it: because I am a vain fellow, and have a great many ideas on all sorts of subjects, and like to put them into words and harass the human race with them. If I could confine this flow of ideas to one subject I'd be a professor and get some respect. If I could reduce it, say, to one idea a year, I'd be a novelist, a dramatist, or a newspaper editorial writer. But being unable to staunch the flux, and having, as I say, a vast and exigent vanity, I am a critic of books, and through books of *Homo Sapiens*, and through *Homo Sapiens* of God.

So much for the motive. What, now, of the substance? What is the fundamental faith beneath all the spurting and coruscating of ideas that I have just mentioned? What do I primarily and immovably believe in, as a Puritan believes in hell? I believe in liberty. And when I say liberty, I mean the thing in its widest imaginable sense - liberty up to the extreme limits of the feasible and tolerable. I am against forbidding anybody to do anything, or say anything, or think anything so long as it is at all possible to imagine a habitable world in which he would be free to do, say, and think it. The burden of proof, as I see it, is always upon the policeman, which is to say, upon the lawmaker, the theologian, the right-thinker. He must prove his case doubly, triply, quadruply, and then he must start all over and prove it again. The eye through which I view him is watery and jaundiced. I do not pretend to be "just" to him - any more than a Christian pretends to be just to the devil. He is the enemy of everything I admire and respect in this world - of everything that makes it various and amusing and charming. He impedes every honest

search for the truth. He stands against every sort of goodwill and common decency. His ideal is that of an animal trainer, an archbishop, a major general in the army. I am against him until the last galoot's ashore.

This simple and childlike faith in the freedom and dignity of man - here, perhaps, stated with undue rhetoric - should be obvious, I should think, to every critic above the mental backwardness of a Federal judge. Nevertheless, very few of them, anatomizing my books, have ever showed any sign of detecting it. But all the same even the dullest of them has, in his fashion, sensed it; it colors unconsciously all the diatribes about myself that I have ever read. It is responsible for the fact that in England and Germany (and, to the extent that I have ever been heard of at all, in France and Italy) I am regarded as a highly typical American - in truth, as almost the archetype of the American. And it is responsible equally for the fact that here at home I am often denounced as the worst American unhung. The paradox is only apparent. The explanation of it lies in this: that to most Europeans the United States is still regarded naively as the land of liberty *par excellence*, whereas to most Americans the thing itself has long ceased to have any significance, and to large numbers of them, indeed, it has of late taken on an extreme obnoxiousness. I know of no civilized country, indeed, in which liberty is less esteemed than it is in the United States today; certainly there is none in which more persistent efforts are made to limit it and put it down. I am thus, to Americans, a bad American, but to Europeans, still unaware of the practical effects of the Wilson idealism and the Roosevelt saloon-bouncer ethic, I seem to be an eloquent spokesman of the true American tradition. It is a joke, but the joke is not on me.

Reform must come from within, not from without. You cannot legislate virtue.
- Attributed to Cardinal Gibbons

Liberty, of course, is not for slaves: I do not advocate inflicting it on men against their conscience. On the contrary, I am strongly in favor of letting them crawl and grovel all they please - before the Supreme Court of the United States, Gompers, J. P. Morgan, Henry Cabot Lodge, the Anti-Saloon League, or whatever other fraud or combination of frauds they choose to venerate. I am thus unable to make the grade as a Liberal, for Liberalism always involves freeing human beings against their will - often, indeed, to their obvious damage, as in the cases of the majority of Negroes and women. But all human beings are not congenital slaves, even in America. Here and there one finds a man or a woman with a great natural passion for liberty - and a hard job getting it. It is, to me at least, a vast pleasure to go to the rescue of such a victim of the herd, to give him some aid and comfort in his struggle against the forces that seek to regiment and throttle him. It is a double

pleasure to succor him when the sort of liberty he strives for is apparently unintelligible and valueless - for example, liberty to address conventions of the I.W.W., to read the books of such bad authors as D. H. Lawrence and Petronius Arbiter, to work twelve hours a day, to rush the can, to carry red flags in parades, to patronize osteopaths and Christian Science healers, to belong to the best clubs. Such nonsensical varieties of liberty are especially sweet to me. I have wrecked my health and dissipated a fortune defending them - never, so far as I know, successfully. Why, then, go on? Ask yourself why a grasshopper goes on jumping.

Use it up - wear it out, make do, or do without!!!
- hardtimes motto from the Great Depression

But what has liberty to do with the art of literary criticism, my principal business in this vale? Nothing - or everything. It seems to me that it is perfectly possible to write profound and valuable literary criticism without entering upon the question of freedom at all, either directly or indirectly. Aesthetic judgments may be isolated from all other kinds of judgments, and yet remain interesting and important. But this isolation must be performed by other hands: to me it is as sheer a psychological impossibility as believing that God condemned forty-two little children to death for poking fun at Elisha's bald head. When I encounter a new idea, whether aesthetic, political, theological, or epistemological, I ask myself, instantly and automatically, what would happen to its proponent if he should state its exact antithesis. If nothing would happen to him, then I am willing and eager to listen to him. But if he would lose anything valuable by a *volte face* - if stating his idea is profitable to him, if the act secures his roof, butters his parsnips, gets him a tip - then I hear him with one ear only. He is not a free man. Ergo, he is not a man. For liberty, when one ascends to the levels where ideas swish by and men pursue Truth to grab her by the tail, is the first thing and the last thing. So long as it prevails the show is thrilling and stupendous; the moment it fails the show is a dull and dirty farce. V

Why I Oppose Government Enumeration

(Continued from page 1)

Internal Revenue Service, it could be used to generate an income tax return for you every year. The chips could be linked "directly to all government agencies so the card could be used to verify that the holder has no delinquencies on taxes or child support," no overdue library books, no parking fines, no bounced checks, and no unpaid traffic violations. They would also "have the capability to be disabled from a central location at the discretion of any government agency, instantly rendering its holder unable to travel or function in society."(4) In short, government identification would be a "license to live," based on the idea that "living is a government privilege, not a right."(5) It would be an attack on every

person's right to exist upon the surface of the earth without being seized by the authorities for violating the laws governing personal identification.

Most readers picking this book up for the first time would want to know if I am opposed to *all* government enumeration. "Don't censuses and other government surveys, etc., serve many useful social purposes? Aren't the various forms of government data gathering simply like other tools and technologies that are capable of doing both good and harm?" the reader might ask. Nonetheless, "Yes," I am really opposed to *all* forms of government enumeration. My objection to government enumeration and data gathering is not to the collection and registration of information *per se*, but rather to the coercive nature of the institution that gathers it. If some private organization chooses to solicit information from me, I may or may not respond. However, I will suffer no criminal penalties if I refuse to cooperate. When the State demands we conform to its identification procedures or collects information about us and our affairs, there are usually fines, penalties, or imprisonment for those who do not cooperate.

There is a definite ethical question involved in justifying government data gathering. Is it morally proper to coerce those who refuse to participate in enumeration programs or provide information demanded by the government? Do the ends justify the means? I don't necessarily object to the ends (such as improved public health or security) but I do object to the means, and question whether improper means can bring about beneficial ends for everybody.(6) In many countries if one steadfastly refuses to cooperate (e.g., in refusing to register the birth of one's children with the government, or in refusing to carry a government ID card), one will be arrested; and if one resists arrest, one will be ultimately dragged off to jail. Or if one acts in self-defense to protect one's self from arrest one will be killed for resisting an officer of the law. By using violence or the threat of violence against the non-cooperator, governments are ultimately violating the moral commandment not to kill or molest peaceful people.

Power not only corrupts, it draws the corrupt.
- "Doug Casey on Phyles," 4/13/2011

Many times throughout history, government collection of seemingly innocent data (such as tribal or ethnic or racial affiliation) has resulted in horrible and deplorable genocide. The uses (and the abuses which are ultimately inherent in government administration) of government information in identifying and locating the civilian victims of the Nazis during World War II, or of the blacks in South Africa, or of the Tutsis in Rwanda, would, by themselves, be reason enough to question and then demand the cessation of government enumeration. The numbering and internment in the United States of over 100,000 American citizens of Japanese descent

during World War II should be sufficient to prove my point. But even if it could be proven that government data collection benefits society in other ways (thus using the ends to justify the means), I would still be opposed because government necessarily has to act coercively in the manner in which it collects such information. I believe this to be wrong from an ethical perspective, and believe it sets the stage for the sorts of human right abuses that we have experienced under every species of government, whether democratic or totalitarian. As Robert Nisbet once noted, "With all respect to differences among types of government, there is not, in strict theory, any difference between the powers available to the democratic and to the totalitarian State."(8)

Coercion is necessary only when one cannot persuade others to act as one thinks they should.
- George Smith, Part 5, "Ayn Rand and Altruism"

The best example of a voluntary ID system that I can offer is that presented by the credit card companies, such as Visa, MasterCard, Discover, and American Express. These companies have managed "to make their cards acceptable in all civilized countries."(9) Although they each might like to attain a coercive monopoly over the credit card market, unlike national governments, none of these organizations has the right to compel people to use their credit cards. Compare credit cards to national identification cards: no one is forced to have a credit card; some people may have more than one credit card from the same company, or even have multiple credit cards from different companies. Most people pay their bills because they want to maintain their credit rating and want to take advantage of the benefits and conveniences derived from using credit cards. But no one is put in jail: neither those who do not use credit cards, nor those merchants who refuse to accept credit cards in their businesses. In short, the absence of coercion and the existence of a "variety of legal choices does not mean chaos." As the ruminations at the end of my essay on the history of the state birth certificate, and the discussion in Sunni Maravillosa's essay, "ID Without Big Brother," both point out, there are many noninvasive methods which might be used to identify people in the absence of a government monopoly.

No one can really know for sure whether the September 11th terrorist attacks would have been prevented by the existence of a national ID card, or if ways could have been found to circumvent the system. Beside the moral question, there are all sorts of pragmatic problems associated with the issuance of a national ID card. Fake identity documents are to be found in every country of the world.(10) If cards were issued to some 280 million Americans in the course of a year, that means that more than a million cards would

have to be issued every work day, or at least 125,000 per hour. And more importantly, what sort of document will a citizen have to show to secure such a card? There is still no fool-proof system in existence in the United States affirming legitimate birth certificates or other proofs of identity. If you question this, then how did some 3000 dead people vote in one Florida county in the 2000 Presidential election, or why do statistics show there are many millions more drivers licenses issued nation-wide than there are adults who drive? The point is there are extreme problems with the integrity of data in existing systems, so how will a new system function effectively?(11) Certainly, national ID programs in such countries as Spain, France, and Italy have not stopped terrorists, and even if it could somehow be proved that a national ID program would have prevented the September 11th hijackings, the point is that national ID is not really an issue about technology or its practical implementation.(12)

The decision whether or not to adopt national I.D. is really a moral and philosophical issue that we have to face: do our rights emanate from the State or do individual rights inhere in the individual? Is everyone "endowed by their Creator with certain inalienable rights," as the Declaration of Independence puts it, or do we need to be registered and identified by government in order to be assured that we receive whatever privileges and benefits it (the government) grants us? While there certainly are dangers living in a free world, the principle behind national ID leads straight to a totalitarian society. With national I.D. there is no logical stopping point short of totalitarian control. Do we want to embrace that prospect? As "Harvey Silverglate, a criminal defense lawyer in Boston who specializes in civil liberties issues," put it

Individuals, groups, gangs - the damage that they have done pales in significance when compared to the damage done by governments out of control. There is no example of a privately caused Holocaust in history.... I would prefer to live in a world where governments are more circumscribed than in a world that gives governments enormous, unlimited powers [such as a national I.D. program] to keep private terrorism circumscribed. I would rather live with a certain amount of private terrorism than with government totalitarianism.(13)

The evidence in this book lends credence to the conclusion that national ID cards are a "trademark of totalitarianism" and that no totalitarian government operates without such a system.(14)

[Footnotes are available at <http://voluntaryist.com/books/nis/why-i-oppose-enumeration.html#EN>] 

Don't judge each day by the harvest you reap,
but by the seeds you plant.
- attributed to Robert Louis Stevenson

Ludwig von Mises' Blindspot

By Carl Watner

In his massive biography *MISES: THE LAST KNIGHT OF LIBERALISM* (2007), Jorg Guido Hulsmann makes frequent reference to Ludwig von Mises' utilitarian defense of capitalism. For example, Hulsmann describes Mises' advocacy of the free market as being based on "suitability analysis." Mises would often ask: Is government intervention capable of achieving the goal sought by its proponents? Mises' answer was a categorical 'No:' "Interventionism does not work." [555] Hulsmann writes that von Mises believed that "Economic analysis shows that all government interventions *are* unsuitable to attain the ends they ... profess[...] to attain" [Footnote 52, 550] But did Mises ever apply suitability analysis to the very concept of government itself? Can government actions provide protection and defense without causing undesirable distortions in the marketplace?

Although Mises denied being an anarchist, his critics complained "that his theory made it seem that virtually all government activities" fail to accomplish their goals. [544] If that was true, then what was the point of having a government? "Replying to this objection, Mises sought to delineate precisely which government actions constituted 'intervention' and which did not." As Hulsmann explains, Mises believed "that government does not 'intervene' if it respects the will of private owners to use their own property as they please. Interventions are only those public actions meant to

determine the use of property in deviation with the will of the owner. 'Intervention is a limited order by ... [the sovereign] authority forcing the owners' of' private property to use their property "in a different way than they otherwise would." [544-545]

Mises admitted that the "characteristic feature of all interventionism is an 'authorized' violation of private property." Furthermore, he said that if these interventions were "committed by anyone other than the 'social authorities' [such] invasions of private property would be considered a crime." [545] However, he refused to apply these strictures to government itself. Tax collection, which entails threat of imprisonment and confiscation of assets, is a violation of private property and a form of government intervention in the economy. Isn't the government forcing owners of private property to use their property in a different way than they would otherwise? If this is true, then how could Mises defend government itself? This is Mises' blindspot.

When Hulsmann implies that Mises believed "all government interventions are unsuitable" to attain their professed ends, he emphasized the word *are*. If von Mises had consistently used suitability analysis he would have recognized that *ALL government intervention fails to achieve it stated goal*. Then he would have realized that there was no justification for government itself.

[Webmaster's addendum: Hulsmann's book can be found at [https://mises.org/library/mises-last-knight-liberalism-0.](https://mises.org/library/mises-last-knight-liberalism-0)]

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