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# The Voluntaryist

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Whole Number 54

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

February 1992

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## Medicine: Deregulated or Dead

By L. Alphonse Crespo, M.D.

### Introduction

The crumbling of the Berlin Wall, and of the planned economies which it surrounded, demonstrates that although politicians have the power to enslave wide populations, they cannot capture market mechanisms and are ultimately defeated by them. Marxist societies of the East will not easily be pulled out of their nightmare. Their plight is nevertheless shaking social democracies out of noxious dreams: political rulers both left and right now acknowledge that only rapid privatization can salvage what is left of planned economies.

There is one sector however, where privatization is taboo. Though politicians seem ready to abandon unmanageable state industries to private entrepreneurs, they are not prepared to let medical services slip from their clutches. Looking at the trend towards massive government regulations of US medicine through Medicare, Medicaid, or the FDA, one can predict that even in the cradle of capitalism, there will be little left of private and independent medical entrepreneurship by the end of the century.

Politicians control medicine in two basic forms. In the *marxist* model, government regulates medical care through public ownership of existing medical facilities. Alternatively in the *social fascist* model the State regulates every aspect of medical practice—without actual ownership of the medical hardware—through licensure of doctors, price control of medical procedures and prior approval of medical products. The marxist model is dominant in eastern Europe, Canada and Scandinavia. The social-fascist model prevails in other western democracies although both types of control can co-exist in any one country.

State intrusion interferes with the practice of medicine in a fundamental way. Medicine is an indissoluble blend of ethics and science. If you withdraw the ethics you have no medicine left. Doctor Schweitzer was an ethical doctor: his medical activity was neither very technical nor probably very efficient. No one can deny however that what he practiced was medicine in its purest and noblest form. The Nazi doctor Mengele was not an ethical doctor—or rather let us say that he followed ethical values dictated by political powers and not those of his profession. His sadistic experiments on the victims of Nazi concentration camps may conceivably have passed at that time and place, as audacious attempts towards scientific progress. They were definitely not medicine.

### The Medical Legacy of Bismark, Hitler and Marx

Whenever politicians and civil servants are entrusted with health care, they inevitably want to mold medicine to the objectives of the State. Bismark constructed the first model social security scheme because he strived for a strong and united Germany capable of efficient production of iron and blood: prime materials of hard political power. The grid he used to organize German civil medicine reflected that of military medicine in the Prussian army. Bismark's project was tailored to repair a nation of soldiers and flexed to refurbish European killing fields with unlimited supplies of German blood.

The Bismarkian social security scheme was the first step towards Nazi medicine and its crimes. Hitler proclaimed in MEIN KAMPF that the State was to use medicine to further its goals. The framework inherited from Bismark endowed him with a well-oiled medical tool, ready for any task. Hitler's medicine would serve the racial priorities of the national socialist state just as Marxist medicine later served the political priorities of other men and power.

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## Of Hippocratic Medicine, Pythagoras, and Voluntaryism

By Carl Watner

Until I read the accompanying article by Alphonse Crespo, I had never realized that the Hippocratic Oath and its history might hold any special significance for voluntaryists. But a careful reading of Ludwig Edelstein's *THE HIPPOCRATIC OATH* (Baltimore: The Johns Hopkins Press, 1943), one of the more detailed and instructive translations and interpretations of the Greek text, clearly demonstrates how certain this is.

Little is known of Hippocrates, other than he was born around 460 B.C., on the island of Cos off the coast of Asia Minor (modern day Greece and Turkey). His character and ability as a physician have led to his veneration among medical men, and his designation as "the father of medicine". The Hippocratic Oath (see accompanying box,) which most likely was not composed by Hippocrates, is part of a group of seventy or more ancient medical texts known as *THE HIPPOCRATIC COLLECTION*. As the *ENCYCLOPEDIA OF THE SOCIAL SCIENCE* puts it, "These texts, which are the earliest complete scientific treatises extant, all exhibit the conviction that order reigns in nature and that the character of that order can be elicited by investigation."

The Hippocratic Oath is universally recognized as the model of medical ethics and etiquette. It was embraced by Jews, Christians, Arabs, medieval doctors, men of the Renaissance, scientists of the Enlightenment, and scholars of the 19th Century, and still remains part of the initiatory medical ceremonies in some modern universities. In its current form it dates from 200-800 A.D., and historians still debate whether it was originally intended as an oath administered in the family guilds of physicians, or as the statute of a society of secret artisans, or as an ideal program of behavior without regard to time or place.

As Henry Sigerist in his book, *ON THE HISTORY OF MEDICINE* (1960), explains, the Hippocratic craftsman was very much a market-oriented individual. "In smaller towns medical service was given exclusively by the wandering physicians. When such a doctor came he knocked at the doors, offering his services like other craftsmen, and where he found sufficient work he rented a shop, and settled down for a while. The physician, as a rule, was unknown to his patients. There was no license guaranteeing a certain amount of knowledge. Everybody could call himself a physician and take care of patients for money." The wandering doctors had a great concern in establishing their reputations and gaining the confidence of the townspeople. They accomplished this by giving correct prognoses, and by honorably and honestly practicing their craft.

The physician's obligations toward the State (if any ever existed) are not mentioned in the Oath. It is clear from the text, and the history of Greek medicine, that no public authority was ever charged with the responsibility of enforcing it. The obligations of the Hippocratic Oath are ones accepted by the physician of his own free will. As Edelstein writes, "It is not a legal engagement; as the wording indicates, it is a solemn promise given and vouchsafed only by the conscience of him who swears." Consequently, if the physician is to successfully attract customers, he must not only be an artful practitioner, but he must also be above reproach in his personal and professional behavior. A sort of Gresham's law always operates in the absence of any licensing system by the civil authorities. When the consumers of any product are in a position to freely select the purveyors of goods and services, they patronize those who

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## Subscription Information

Published bi-monthly by **The Voluntaryists**, P.O. Box 1275, Gramling, SC 29348. Yearly subscriptions (six issues) are \$18 or .050 ounce or 1.5550 grams of fine gold or 5 Gold Standard units. For overseas postage, please add \$5 or 1/3 of the regular subscription price. Please check the number on your mailing label to see when you should renew. *No reminders will be sent!* Single back issues are \$4 each or 1/3 of the regular subscription price.

Reprints of THE VOLUNTARYIST are available on audio cassette for \$4.50 each. Order from: American Eagle Productions, 126 Palligant Avenue, Savannah, Ga. 31410. Checks payable to: Nelson A. Sevier, Jr.

## Potpourri From The Editor's Desk

### 1. "Truth"

"Truth is immortal, despite the defeats that it seems to suffer along the way. Truth has a power that is no respecter of persons, nor of the numbers of persons who may at any time be in darkness about truth. Truth has a power that cannot be touched by physical force. It is impossible to shoot a truth.

"The lover of liberty will find ways to be free."

—F.A. Harper, from the conclusion to

LIBERTY: A PATH TO ITS RECOVERY (1949)

### 2. "Those Who Said 'No!'"

David Kitterman, a 1989-1990 Einstein Institution Fellow has published (NONVIOLENT SANCTIONS, Spring 1991) research which reveals that there are "at least 100 documented cases of German soldiers, policemen, or members of the SS refusing orders to kill Jews, other unarmed civilians, or POWs" during World War II. "No one of these Germans was killed for refusing orders and few suffered serious circumstances." Most used non-violent tactics by simply refusing to carry out their orders. "Others protested to their superiors, which was especially effective when police or army units not under the direct control of the SS were asked to assist. A few cited damage to their emotional, psychological, or physical health. Others refused on grounds of conscience, religion, or moral scruples. Still others asked for transfer or feigned madness."

What consequences did the resisters suffer? Most expected to be shot or at least imprisoned for refusing to obey orders. In about one-third of the cases the resisters received verbal or written reprimands, were transferred to a combat unit, or demoted in rank. In only eight percent of the cases were there serious consequences, such as a court martial. The rest of the resisters "suffered no negative consequences."

The stories of these heroes who said "No!" reaffirm that even under the most trying and dangerous circumstances individuals can overcome their fear, indoctrination, and peer pressure and maintain their own integrity. And often the cost is far less than compromising and violating their own moral principles. As this research shows, it was possible to stand up to the Nazi military machine; it was possible to say "No." Our own actions and energies are inner directed. No one can make us do anything against our will, even if they threaten or coerce us. This is one of the reasons for the success of nonviolent resistance, and why we should never give up hope, even in the face of overwhelming odds. "One man plus the truth is an army."

### 3. "BACKWOODS HOME MAGAZINE"

"... For people who value their independence!" That is how publisher/editor Dave Duffy describes his magazine. It is written "for people who value personal independence, self-sufficiency, and the planet on which they live. It offers 'how-to' articles on owner-built housing, alternative energy, gardening, health, self-

employment, country living, and other topics related to a self-reliant lifestyle." Yearly subscription of six issues is \$17.95; a single issue costs \$3.50. Write Box 3620, Ventura CA 93002.

The September/October 1991 issue carried a review of THE VOLUNTARYIST, and the following doggerel:

This is the grave of Mike O'Day  
Who died maintaining his right of way.  
His right was clear, his will was strong.  
But he's just as dead as if he'd been wrong.

—Anonymous Rhyme (20th Century)

A highly recommended publication for those of you who live beyond the city streets and sidewalks.

### 4. "The Anumeralist"

"The Anumeralist" is a new publication that is available from Box 2084, Norristown, Pa. 19404. It is a spokesman for "those who believe it is wrong to call ourselves—to be compelled to call ourselves—by a serial number." It opposes the use of Social Security or Taxpayer identification number, which has become a compulsory requirement of the 20th Century American State. The IRS requires that every employee have such a government identification number. Even the Amish, who are exempt on religious grounds from paying Social Security tax are required to have a number. Send \$1.00 for a sample copy.

### 5.. "The Power of One"

Fred Holden, author of TOTAL POWER OF ONE IN AMERICA (Phoenix Enterprises, Box 1900, Arvada, Co. 80001), recognizes that "freedom is self-control." Once you have self-discipline, he argues, "you are in control. You are free because you have achieved freedom with responsibility." (p. 110) He says we must "do right voluntarily", not because the law tells us to do so, but because it's right. "You can tell it's the right thing because it often seems inconvenient, time-consuming, and a sacrifice of time and energy. You can tell after you've exercised discipline, because you feel good and you've grown by doing what you did and how well you did it."

Although he argues the need for electoral politics and limited government, he has written a wide-ranging book about how to build a better you, from understanding economics, increasing personal production and savings, to aerobic exercising and eating a more healthy diet. Back of it all is his Power of One Oath: "I am one. I am only one. But I will do, what one can do." He quotes Dorothy James to the same effect.

"Your task—

To build a better world," said God.

I answered, 'How?

The world is such a large, vast place,  
So complicated now.

And I so small and useless am.

There's nothing I can do.'

But God

In his great wisdom said,

'Just build a better you.'

In examining tax rates, both on business and individuals, Holden unwittingly illustrates the totalitarian nature of our "democratic" society. In 1986, over 103 million federal tax returns (mostly joint returns) were filed. This represented about 80% of the population. But the federal portion of our taxes is only about 25% of our total tax burden. There are state, local, and innumerable indirect taxes that overburden us. "This analysis shows taxes took 59.5% from the average American family, well over half its earnings!" This is an astounding figure, to say the least.

By way of conclusion, consider the implications of the following quote, found in Holden's book. (It also helps explain why the total burden of taxation is so high.) It was reprinted from Theodore Lowi's book, INCOMPLETE CONQUEST: GOVERNING AMERICA. "The essential purpose of government is to maintain conquest. Conquest never ends; it only changes form." And one of the forms it has certainly taken in the United States is nearly complete subjugation of the individual to the taxing power of the State. ☐

# Of Hippocratic Medicine

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provide the best possible service at the least possible price. Where a licensing system exists, the provider of goods and services must necessarily be more concerned with the legalities of obtaining or retaining his license, rather than in serving the customer (because without the license he cannot even officially do so.) In a free environment, the businessmen's first priority must necessarily be maintaining his own reputation and pleasing the customer, because without customers he cannot remain in business. Since the Hippocratic Oath is absolutely free of any traces of public (or private) coercion it serves as a model of voluntarism.

The text of the Oath may be divided into two sections: the first concerns "the duties of the pupil toward his teacher, his teacher's family, and the pupil's obligations in transmitting medical knowledge. The second gives a number of rules to be observed in the treatment of diseases, a short summary of medical ethics as it were." Edelstein maintains that the medical and ethical teachings of the Oath can be best understood as "adaptations of the Pythagorean teaching to the specific task of the physician." Whatever its origin, the Hippocratic Oath demanded a code of professional conduct which far exceeded the standard and customary ethics of the doctor of ancient times.

Pythagoras, who is said to have travelled widely in search of wisdom, settled (circa 530 B.C.) in a Greek colony in southern Italy. "Around him, inspired by his teaching, developed an association devoted to reformation of political, moral, and social life." The Pythagoreans believed that "right living is brought about not only through positive actions, but rather through avoidance of those steps that are dangerous, through the repression of insatiable desires which if left to themselves would cause damage." Most disease, they said, was the outcome of unreasonable living habits, particularly in the realm of diet. They also held that the role of the physician was not limited to examining the bodily or physical constitution of his patient, but he must also be a physician of the soul. Right living without the proper moral guidelines was just as dangerous to man's survival as good intentions without use of moral means. That is why the Pythagoreans placed their emphasis on "purity and holiness."

In many ways, the Pythagoreans held to an ethical standard that was unique among the ancients. Among all the Greek schools of thought, they alone rejected suicide and euthanasia, without qualification. They also unconditionally refused to endorse abortion—out of their respect for all life. Pythagoras and his followers were some of the world's earliest ethical vegetarians, which grew out of their "belief in the blood brotherhood of man and beast." Their views on sexual matters and matrimony far exceeded the requirements of any political code. They banned all extramarital relations because they saw "sexual relations in terms of justice, meaning thereby not that which is forbidden or allowed by the law: for the husband to be unfaithful to his wife was considered to be unjust toward her. The Pythagoreans upheld the equality of men and women. They alone condemned sodomy. In the performance of moral duties, they did not discriminate between social ranks." The free-born and slave were on an equal footing in the eyes of the gods.

From the knowledge of the Pythagorean way of life, Edelstein concludes that all the demands of the Hippocratic Oath are explained by their views or customs, or are at least compatible with them. Hence "it seems permissible to claim that the Oath is inspired by Pythagorean doctrine" throughout. Not only is the ethical and moral content of the text Pythagorean: the covenant created a special bond between student and teacher, which was "mirrored in the customs of the Pythagoreans of the 4th Century B.C. who honored those by whom they had been instructed as

their fathers by adoption." According to Edelstein, the Pythagoreans were taught to honor their parents above all others, and the Pythagorean pupil was supposed to share his life with his teacher, as the son does with his father.

In fact the Pythagoreans, like the latter-day Stoics, lived in conformity with the moral commandment which bade all men "live honestly, hurt no one, and give to everyone his due." Their conception of justice went far beyond the demands of State-imposed citizenship. "They believed it was more important to be honest and just in dealing with one's fellow man than to be law-abiding." Justice for them meant full reciprocity: do unto others as you would have them do unto you. "The Pythagoreans abhorred violence," and they "abstained from all intentional injustice and mischief. In this recoiling from aggression the asceticism of Pythagorean ethics culminated." The true Pythagorean would never punish anybody in anger. Their renunciation of violence was the natural outcome of their concept of purity and holiness.

Although contested by some historians, from all appearances and deduction the Hippocratic Oath was either a Pythagorean document or composed by someone who was greatly influenced by the Pythagoreans. From its contractual agreement between pupil and teacher, to its respect for life, to its lofty conception of morality and justice, it is steeped in the idea that relations among people should be peaceful, reasonable, and voluntary. This again was in keeping with Pythagorean ethics. The school insisted on the existence of a voluntary relationship between the medical apprentice and master, "and was not the whole reform which Pythagoras instituted a reform of the life of the individual, an appeal to man, not as a citizen, but as a private person, to lead a better, a purer, a holier existence? As Plato saw it, the Pythagorean 'way of life' meant not a political or group movement; Pythagoras wanted to stir up the conscience of the individual." If this is not voluntarism, what is? ▣

## The Hippocratic Oath

I swear by Apollo Physician and Asclepius and Hygieia and Panacea and all the gods and goddesses, making them my witnesses, that I will fulfil according to my ability and judgment this oath and this covenant:

To hold him who has taught me this art as equal to my parents and to live my life in partnership with him, and if he is in need of money to give him a share of mine, and to regard his offspring as equal to my brothers in male lineage and to and to teach them this art—if they desire to learn it—without fee and covenant; to give a share of precepts and oral instruction and all the other learning to my sons and to the sons of him who has instructed me and to pupils who have signed the covenant and have taken an oath according to the medical law, but to no one else.

I will apply dietetic measures for the benefit of the sick according to my ability and judgment; I will keep them from harm and injustice.

I will neither give a deadly drug to anybody if asked for it, nor will I make a suggestion to this effect. Similarly I will not give to a woman an abortive remedy. In purity and holiness I will guard my life and my art.

I will not use the knife, even on sufferers from stone, but will withdraw in favor of such men as are engaged in this work.

Whatever houses I may visit, I will come for the benefit of the sick, remaining free of all intentional injustice, of all mischief and in particular of sexual relations with both female and male persons, be they free or slaves.

What I may see or hear in the course of the treatment or even outside of the treatment in regard to the life of men, which on no account one must spread abroad, I will keep to myself holding such things shameful to be spoken about.

If I fulfil this oath and do not violate it, may it be granted to me to enjoy life and art, being honored with fame among all men for all time to come; if I transgress it and swear falsely, may the opposite of all this be my lot.

*"Learn from the mistakes of others.  
You won't live long enough to make  
them all yourself."*

# Medicine: Deregulated or Dead

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Ceausescu needs more slaves? Rumanian medicine obliges by police control of menstrual cycles and pregnancies. Brezhnev wants to strengthen his party's grip on Russian minds? Russian psychiatry is conveniently at hand to confine opponents in insane asylums. Deng TsiaoPing has too many slaves to feed: medical cures are instantly available and forced upon gravid uteri without prior consent. Western socio-fascist medicine hardly fares better: women suspected of having undergone abortion in Holland have recently been forced by West German customs officers to submit to gynecological examinations, while in the US, surgeons' knives have been used by court orders to force cesarian births upon unwilling mothers. US doctors are following political orders to implant birth control capsules in the bodies of women convicted of drug crimes in order to control their reproductive functions.

Doctors can be made to bow to tyrants in army uniforms and in judges' garbs but also to the tyranny of democratic majorities. Healthy voters are not ready to see their tax money dumped into the seemingly bottomless pit of health costs. Rationed medicine steps in. Costs do not go down: rationing cannot do without costly control systems. Medicine, however, stops serving the interests of the sick individual and surreptitiously starts serving those of the healthy taxpayer. The original mission of the doctor is again perverted.

## The Hippocratic Legacy

Now what is the fundamental mission of the doctor? The ethical purpose of medicine was first defined by the Greek Hippocrates more than two thousand years ago. Hippocrates was no doubt the first true medical doctor in the history of mankind. Hippocratic medicine is based on helping, relieving, and if possible, healing the lame, the sick, or the wounded individual. It is by definition an exclusively personal and private service. No doctor can cure an army or improve the health of a nation. Doctors can only deal with the pains and sufferings of individual human beings.

The Hippocratic oath is basically a moral contract between the graduating physician and his teachers, binding him to every one of his future patients. It is specific to medical practice and rests on two basic precepts: The first is *"to treat patients to the best of one's ability and judgement and above all not to harm them or do them wrong."* The second stresses the confidential nature of the contract between patient and physician: *"I will keep silence on whatever I see or hear concerning the life of men in my attendance of the sick."* Medical confidentiality is meant to protect the patient. It reflects the instinctive urge of living beings to try and hide their wounds and ailments. A lame animal is an easy prey. By "keeping silence on what he hears", the Hippocratic medical doctor contributes to the safety of the vulnerable patient who seeks his help.

The Hippocratic covenant holds ground only if there is a direct contractual relationship between patient and doctor. Third parties can split the doctor's obligations and shift their loyalties. Business rules command that contracts must be honored. Doctors paid by third parties have an obligation to accept the conditions set by their employers. They must be prepared to abandon Hippocratic medicine, if their employers so request. The services they provide are no longer patient-oriented. Patients who accept to have their medical care be paid for by the taxpayer or by their employer, must acknowledge the fact that this can result in the waiving of their doctor's ethical and professional obligations towards them.

Most graduating doctors no longer pronounce the Hippocratic oath. They are now bound by State requirements which condition their licensure, or by administrative decisions on which products they will be allowed to use and on which technical facilities will be made available to them. Doctors can no longer treat patients *to the best of their ability and judgement*: they must take into account the restrictions imposed upon them by their new paymasters. Cost controls also lead to diagnostic controls by lay bureaucracies and to an irretrievable loss of medical confidentiality.

The switch from private medicine to public medicine has given way to a veterinary type ethic. The civil-servant doctor is no

longer exclusively committed to treat the patient according to his specific needs but must take into account the needs and commands of his control agent. This is the same way as the veterinarian treats the sick animal according to the interests of the beast's owner—who may at any point decide to stop treatment of a sick dog or do away with an non-productive cow. Indeed, rationing of health care by government often has same final effects on sick individuals as an overdose of pentothal on a wounded pet. A young patient recently made news by dying after Oregon state health authorities officially refused a life-saving marrow transplant on the grounds of its cost. This is not new to doctors. The rationing of medicine has been taking its toll of lives for more than a decade. It is finally coming out of the closet.

Veterinary medicine applied to human beings is not simply an expedient measure aimed at easing government's chronic cash problems. It is the expression of a latent ideological force present throughout human history. Plato was probably the first to acknowledge that medicine could be used by the State in a veterinarian way. In his REPUBLIC, every citizen serves the State. Those who through age or illness were no longer fit to serve would be done away with by medical doctors obeying the orders of their superiors.

Modern welfare is nothing but a sophisticated hoax which sooner or later throws ailing citizens into the claws of the Platonic State—giving new life to the lawless jungle where only the fittest survive and where medicine is just another weapon in the hands of the stronger members of the herd. The Hippocratic code, on the other hand, is an expression of natural law. It sets the moral guidelines by which the ailing, wounded and weakened members of a thinking species must be looked after and cared for. It is market oriented insofar as Hippocratic medicine can only wholly fulfill its ethical goals if the doctor's actions result from a direct and voluntary contract with his patient. The Hippocratic covenant takes the ordinary market interchange an ethical step further: it enhances the fundamental interests of the weaker of two contracting parties thus ensuring a balanced contract.

## The Morality of Intervention

Government intervention in health matters is not only a costly affair in terms of tax dollars: it destroys our Hippocratic legacy. Such destruction can only be accepted if State intervention stems from an ethical postulate superior to Hippocratic values. The moral code of a complex institution such as government is not as easily pinpointed as that of a profession such as medicine. Medical actions ground their legitimacy on a voluntary contract and on a specific ethical covenant. The common denominator of all legitimate medical actions is that they attempt to improve a sick or wounded man's health. We must now take a close look at the State's actions and find a hallmark which is as specific to its agents as the *primum nihil nocere* is to the medical profession.

We are all familiar with the forms taken by State action in everyday life. The day we are born, our names are captured by State files. Had our parents failed to register our birth they would have been penalized or considered insane. We may even have been taken away from their care for this. Compulsory education comes next, on the commendable goal to eradicate illiteracy. Literate Mormon fathers are known to have been shot to death by semi-illiterate State agents for attempting to school their offspring outside official institutions. How about military service? Seldom voluntary. And taxes?

What distinguishes State intervention in our lives from that of other equally benevolent institutions such as Churches, the Salvation Army or our favorite aunt, comes in one word: coercion. We cannot refuse taxes or military service without dire consequences. Our property will be forcefully seized by the tax-man or we may be jailed. Refusal to cooperate with governments during their killing rampages (wars) can cost us dearly. In either of the above situations the property rights we have over our own bodies and over the products of our work are violated.

Wicked as the State may be when it tramples the rights of young men who refuse to be trained as cannon fodder, or when it compels working citizens to feed and fatten its bureaucracy with part of the product of their toils, let us assume it may be redeemingly moral when it comes to its interventions in medical matters. The State could presumably be the best agent for the realization of a common goal of our species, which wants all who

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are in direct need to be taken care of. Starting from Bismark's power games to Marx's blueprint for slavery, the history of State intervention in health matters tends to show that State control of medicine has at best an ambiguous relationship with ethics and a tenuous relationship with "care." Who ever has had the opportunity to visit State hospitals in Eastern Europe will know what I am talking about.

In all fairness it is not possible to pass a moral judgement on State intervention in medical matters without studying the decision-making process which commands such action. Decision makers must be identified. Politicians and civil servants generally answer that ultimate decisions are taken by "the people." Even in model modern democracies, however, one can quote innumerable instances where the holders of political power manipulate and interpret democratic decisions to suit their own ideological or political pursuits. In the rare instances when politicians actually implement the decisions taken by a majority of citizens, they cannot avoid forsaking the wishes of defeated minorities. As long as decisions are not taken unanimously by all concerned, the democratic process is immoral.

Patients and doctors constitute a minority group. If they allow government to fund healthy systems, their fate will be settled by a process which escapes their direct control. Government actions everywhere are dictated by political considerations, and are not immune to the pressures of conflicting lobbies. Doctor's unions are readily overpowered by those of other interest groups. The sick, the lame, and the wounded have other battles to fight than those of the political arena. Beyond the rhetoric of welfare

one can see that practically everywhere today, public health policies come to reflect the interests of the stronger members of society. If one puts the Hippocratic ethic on one side and the ethics of government intervention on the other, the moral balance unquestionably tilts in favor of the medical ethic. There is no moral justification for State control of medicine.

## Underground Ethics

State control puts medical ethics in jeopardy. Can Hippocratic principles survive underground? Does the black market respect the "self-ownership" axiom? Is the *primum nihil nocere* principle safe in the "informal sector"? Can the confidentiality of the medical contract be safeguarded outside the law?

The last point is the easiest to demonstrate. An unlawful activity generally needs secrecy to survive. Patients' medical stories are safer in the black market than they would be even in an open market free from State intrusion.

The *primum nihil nocere* principle is at no higher risk in the black market than in an open market. The patient who resorts to black market medicine makes a voluntary choice and has assessed the quality of treatment he will be receiving. Practitioners competing in the black market have a potent incentive to deliver the best possible treatment: a dissatisfied customer can land them in jail. Doctors in the black market cannot dilute personal responsibility as is often the case in State institutions. It is in fact easier for a physician to treat his patient to the best of his ability and judgement in the black market than in a State-controlled system which pressures him to ration his time and care.

Self-ownership also fares better in the black market. In State-funded health care, planners sooner or later act as the owners of both doctors and patients. In the black market the patient pays directly for his medical care. His contract with the physician subordinates him to no-one. He remains the owner of himself.

The controversial issue of brokerage and sale of organ transplants best highlights the relationship between "self-ownership" and market. The shortage of donors has led to an active parallel market of kidney transplants in countries where organ sales are banned. Doctors have suffered legal and professional sanctions for partaking in illegal organ transplants. Lawmakers who condone the rationing of medical care are in no moral position to condemn kidney brokers whose transactions result in the saving of human lives. As long as the organ transfer is done fairly with a consenting and fully-informed donor, the fact that an individual should part with one of his organs for altruistic reasons or for money is nobody's business but his own. In giving or selling an organ for transplantation he is exercising the ownership rights he has over his own body. The main villain in commercial bio-transactions is the welfare planner whose tampering with market forces breed such dire situations that the destitute find it more expedient to sell their organs in black markets than to sell ordinary goods in ordinary markets. The other villains are to be found in parliaments, guilty of enacting laws which restrict the rights individuals have over their own organs. By such legislative action, politicians and civil servants become the new "de facto" owners of these organs. Bio-slavery is at hand. The political slavemasters are eager and the medical tools are ready.

## Conclusion

A complex collective institution whose entire action ultimately rests on coercion cannot be expected to follow a consistent moral code. When such an institution is empowered with monopolistic control of health care, the medical ethic and medicine itself are gradually destroyed. In such a situation, only a deregulated environment can offer ethical medicine a chance of survival. The importance of deregulating medicine is not yet understood by either doctors or patients at large. The financial collapse of State-funded health systems is indeed at hand. Political planners, however, will not readily loosen their grip on their medical tools of power. Until such a time comes, doctors aware of the violence underlying planned, slave-oriented welfare societies, must be prepared to ignore laws—contrary to their ethical principles. Patients who value being medically treated as individuals and not as parts of a State-owned herd may also have to learn to contract with their doctors outside the law. The survival of medicine could be at that price. ▮



## Persuasion versus Force

*continued from page 8*

the students who want to learn. The lawmakers forget one thing—schooling is not the same thing as education.

Many high-minded citizens don't like to see racial, religious or sexual discrimination in employment, housing, department stores and restaurants. Instead of persuading people in the schools, the churches and the media that discrimination is unchristian and morally repugnant, lawmakers simply pass civil rights legislation outlawing discrimination.

Well, so much for that problem! Does anybody wonder why discrimination is still a serious social disease in our society?

Is competition from the Japanese, the Germans and the Brazilians too stiff for American industry? We can solve that right away, says Congress. No use trying to convince industry to invest in more productive technology, or trying to reduce the tax burden on business. No, we'll just impose import quotas or heavy duties on foreign products. Surely that will make us competitive.

### Drugs and Abortion

Is drug abuse a problem in America? Then pass legislation prohibiting the use of certain high-powered drugs. Surely that will solve the drug-abuse problem. Yet it never addresses the real problem, which is why people misuse drugs in the first place, and how can these needs be satisfied in nondestructive ways? By outlawing drugs, we fail to consider the beneficial uses of these drugs in medicine and we fail to consider the underlying cause of increased drug or alcohol misuse among teenagers and adults.

Abortion is a troublesome issue, we all agree on that. Whose rights take precedence, the baby's or the mother's? Apparently millions of pregnant women prefer abortion because it's a quick little clean operation that can eliminate in a day all the outward signs of sexual irresponsibility. Did you let your sexual desires get carried away? Forget to use a birth control device? No problem—you can get a abortion down at the local clinic. You know, right next to the drugstore, where you forgot to buy the condoms.

Political conservatives are shocked and embarrassed by millions of legal fetal killings that take place every year in America and around the world. How can we sing "God Bless America" with this eyesore plaguing our nation? So, for many conservatives the answer is simple: Ban abortion! That will solve the problem. This quick fix will undoubtedly give the appearance that we have instantly solved our national penchant for genocide.

Yet wouldn't it be better if we tried to answer the all-important question, "Why is abortion so prevalent today, and what can we do to prevent the need for abortions? How can we persuade teenagers, for example, that sexual irresponsibility only creates more problems than the temporary pleasure it gives?"

There are those in society who want to ban handguns, rifles and other firearms, or at least have them tightly controlled and registered. Is there a crime problem? Don't worry. We can solve the murder and crime problem in this country, simply by passing a law taking away the weapons of murder. No guns, no killings. Simple. Thus, they look to change outward appearances, but they show little interest in finding ways to discourage a person becoming criminal or violent in the first place.

I am convinced that the libertarian movement will remain a fringe movement so long as libertarians think only in terms of freedom and not in terms of responsibility for their free actions. Too many libertarians equate liberty with libertine behavior. That the freedom to have an abortion means that they should have an abortion. That the freedom to take drugs means that they should take drugs. That the freedom to use handguns means they can use them irresponsibly.

### More than Just Freedom

It is significant that Professor Whitehead chose the word "persuasion," not simply "freedom," as the ideal characteristic of the civilized world. The word "persuasion" embodies both freedom of choice and responsibility for choice. In order to persuade, you must have a moral philosophy, a system of right and wrong that governs you. You want to persuade people to do the right thing, not because they have to, but because they want

"Freedom is not the last word. Freedom is only part of the story and half of the truth. Freedom is but the negative aspect of the whole phenomenon whose positive aspect is responsibility. In fact, freedom is in danger of degenerating into mere arbitrariness unless it is lived in terms of responsibility. *That is why I recommend that the Statue of Liberty on the East Coast be supplemented by a Statue of Responsibility on the West Coast.*"

—Victor E. Frankl,

MAN'S SEARCH FOR MEANING

(Boston: Beacon Press, 1962, p. 111)

to.

In this context, let us answer the all-important question, "Liberty and Morality: Can We Have Both?" The answer is, absolutely, we must have both—or eventually we will have neither. As Sir James Russell Lowell said, "The ultimate result of protecting fools from their folly is to fill the planet full of fools."

Our motto should be, "We teach them correct principles, and they govern themselves."

Freedom without responsibility only leads to the destruction of civilization, as evidenced by Rome and other great civilizations of the past. As Alexis de Tocqueville said, "Despotism may govern without faith, but liberty cannot." In a similar vein, Henry Ward Beecher added, "There is no liberty to men who know not how to govern themselves." And Edmund Burke wrote, "What is liberty without wisdom and without virtue?"

My challenge to all libertarians today is to take the moral high ground. Neither the Republicans nor the Democrats think any more in terms of persuading people; they feel the need to force their nostrums down our throats at the point of a bayonet and the barrel of a gun, in the name of the IRS, the SEC, the FDA, the DEA, or a multitude of other ABCs of government authority.

Our case is much more compelling when we can say that we support drug legalization, but do not use drugs. That we tolerate legal abortions, but choose not to abort our own future generations. That we support the right to bear arms, but do not misuse handguns. That we favor the right of individuals to meet privately as they please, but do not ourselves discriminate.

In the true spirit of libertarianism, Voltaire once said, "I disapprove of what you say, but I will defend to the death your right to say it!" If we are to be effective in convincing others of a libertarian world, we must take the moral high ground by saying, "We may disapprove of what you do, but we will defend to the death your right to do it."

In short, my vision of a libertarian society is one in which we discourage evil, but do not prohibit it. We teach our children and our students not to abuse drugs, but after all our persuading, if they still want to use harmful drugs, that is their right—so long as they do not infringe on the rights of others. We may discourage prostitution and pornography by insisting that it be restricted to certain areas and to certain ages, but if people really want it, no one is going to be jailed or fined. If an adult bookstore opens in your neighborhood, we don't run to the law and pass an ordinance, we picket the store and discourage customers. If we don't like violence and sex on TV, we don't write the Federal Communications Commission, we join boycotts of the advertiser's products. Several years ago the owners of Seven-Eleven stores removed PLAYBOY and PENTHOUSE from their stores, not because the law required it, but because a group of concerned citizens persuaded them. Truly, these actions reflect the spirit of libertarianism.

It is the duty of every advocate of human liberty to convince the world that we must solve our problems through persuasion and not force. Whether the issue is domestic policy or foreign policy, we must recognize that passing another law or going to war is not necessarily the answer to our problems. Simply to pass laws prohibiting the outward appearance of problems is to sweep them under the rug. It may hide the dirt, but it doesn't dispose of the dirt properly or permanently.

Convincing the public of our message, "that persuasion instead

*"As Willis W. Harman, president of the Institute for Noetic Sciences and a respected authority on social change, has noted, 'Fundamental change in society has always come from vast numbers of people changing their minds just a little.' By changing the minds of a few people with whom we have contact, we can create a ripple effect of change that will grow into a tidal wave. We can quite literally change the world."*

—Howard S. Brembeck,

THE CIVILIZED DEFENSE PLAN (1989, p. 130)

of force is the sign of a civilized nation," will be a lot of hard work, but it can be rewarding. The key is to make a convincing case for freedom, to present the facts to the public so that they can see the logic of our arguments, and to develop a dialogue with those who may be opposed to our position. Our emphasis must be on educating the public. For we shall never change our political leaders until we change the people who elect them.

#### **A Vision of a Libertarian Society**

Martin Luther King Jr. gave a famous sermon at the Lincoln Memorial in the mid-1960s. He said he had a dream about the promised land. Well, I too have a vision of an ideal society.

I have a vision of world peace, not because the military or the police have been called in to maintain order, but because we have peace from within and friendship with every nation.

I have a vision of universal prosperity and an end to poverty, not because of foreign aid or government-subsidized welfare, but because each of us have productive, useful employment where every trade is honest and beneficial to both buyer and seller, and where we eagerly help the less fortunate of our own free will.

I have a vision of an inflation-free society, not because of wage and price controls, but because our nation has an honest money system.

I have a vision of a drug-free America, not because drugs are illegal, but because we desire to live long, healthy, self-sustaining lives.

I have a vision of an abortion-free society, not because abortion is illegal, but because we firmly believe in the sanctity of life, sexual responsibility, and family values.

I have a vision of a free society, not because a benevolent dictator commands it, but because we love freedom and the responsibility that goes with it.

I end my remarks with these words taken from a Protestant hymn. The author is anonymous, which I think is appropriate, for it expresses the aspiration of every man and every woman in free society.

Know this, that every soul is free  
To choose his life and what he'll be;  
For this eternal truth is given  
That God will force no man to heaven.  
He'll call, persuade, direct aright,  
And bless with wisdom, love and light  
In nameless ways be good and kind,  
But never force the human mind.

Editor's Note: This article was reprinted from the September 1991, LIBERTY (Box 1167, Pt. Townsend, WA 98368, 6 issues—\$19.50, single issue—\$4.00). Generally, it advocates the same kind of fundamental change that THE VOLUNTARYIST seeks. Even though Dr. Skousen's emphasis is on "educating the public," I suspect that he still supports electoral politics. Otherwise, there would be no reason for him to write (immediately after the words just quoted): "For we shall never change [the attitudes and goals of] our political leaders until we change the [the attitudes and desires of] the people who elect them." My immediate response is that we don't want "political" leaders. The point of the "one man at a time revolution" is to make each person a self-governor so that political leaders are not only not necessary, but viewed as the criminal usurpers they really are.

As I wrote in my article, "Cultivate Your Own Garden," in Whole No. 40:

Informed common sense says that "political gains without philosophical understanding are potentially short-lived." ... (T)here is no reason to capture the seats of political power in order to disband the State. Just as voluntarism occurs naturally if no one does anything to stop it, so will the State

gradually disappear when those who oppose it stop supporting it. ...

The only thing that the individual can do "is to present society with 'one improved unit.'" As Albert Jay Nock put it, "[A]ges of experience testify that the only way society can be improved is by the individualist method...; that is, the method of each 'one' doing his very best to improve 'one.'" This is the "quiet" or "patient" way of changing society because it concentrates upon bettering the character of men and women as individuals. As the individual units change, the improvement of society will take care of itself. In other words, "If one takes care of the means, the end will take care of itself."

In concluding, I would like to commend Dr. Skousen for taking "the high moral ground," as he puts it. He understands, as so few of our critics do, that just because we advocate allowing an activity (e.g., unrestricted drug usage), does not necessarily mean that we personally advocate participation in it. Of course, the other side of the coin, which our critics often miss, too, is that "just because we don't support State-involvement in an activity (public schooling, for example), doesn't mean that we don't necessarily support that activity itself." ▣

## **The Power of the Individual**

By Doris Lessing

It is particularly hard for young people, faced with what seem like impervious walls of obstacles, to have belief in their ability to change things, to keep their personal and individual viewpoints intact. I remember very clearly how it seemed to me in my late teens and early 20s, seeing only what seemed to be impregnable systems of thought, of belief—governments that seemed unshakable. But what has happened to those governments—like the white government in Southern Rhodesia, for instance? To those powerful systems of faith like Nazism, Italian Fascism and Stalinism? To the British Empire—to all the European empires, in fact, so recently powerful? They have all gone, and in such a short time.

Looking back, I no longer see enormous blocs, nations, movements, systems, faiths, religions—only individuals, people who when I was young I might have valued, but not with much belief in the possibility of their changing anything. Looking back, I see what a great influence an individual may have, even an apparently obscure person, living a small, quiet life. It is individuals who change societies, give birth to ideas; who, standing out against tides of opinion, change them. This is as true in open societies as it is in oppressive societies, but of course the casualty rate in the closed societies is higher. Everything that has ever happened to me has taught me to value the individual, the person who cultivates and preserves her or his own ways of thinking, who stands out against group thinking, group pressures or who, conforming no more than is necessary to group pressures, quietly preserves individual thinking and development.

I am not at all talking about eccentrics, about whom such a fuss is made in Britain. Only a very rigid and conforming society could have produced the idea of an eccentric in the first place. Eccentrics tend to be in love with the image of eccentricity and, once embarked on this path, become more and more picturesque, developing eccentricity for its own sake. No, I am talking about people who think about what is going on in the world, who try to assimilate information about our history, about how we behave and function—people who advance humanity as a whole.

It is my belief that an intelligent and forward-looking society would do everything possible to produce such individuals instead of, as happens very often, suppressing them. But if governments, if cultures, don't encourage their production, then individuals and groups can and should.

Such people, such individuals, will be a most productive yeast and ferment, and lucky the society who has plenty of them.

(Excerpted with permission from PRISONS WE CHOOSE TO LIVE INSIDE, a book based on lectures by Doris Lessing originally broadcast by the Canadian Broadcasting Corporation. The book is available for \$6.95 plus postage and handling from CBC Enterprises, Box 4039, Station A, Toronto, Ontario, Canada, M5W 2P6.) ▣

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## Persuasion versus Force

By Mark Skousen

Sometimes a single book or even a short cogent essay changes an individual's entire outlook on life. For Christians, it is the NEW TESTAMENT. For radical socialists, it may be Karl Marx and Friedrich Engels' THE COMMUNIST MANIFESTO. For libertarians, it may be Ayn Rand's ATLAS SHRUGGED. For Austrian economists, it may be Ludwig von Mises' HUMAN ACTION.

Recently I came across a little essay in a book by Alfred North Whitehead, the British philosopher and Harvard professor, that captured my interest. The book is ADVENTURES OF IDEAS and the essay is "From Force to Persuasion." Actually, what caught my attention was a passage on page 83, only one page in the entire 300 page book:

The creation of the world—said Plato—is the victory of persuasion over force. Civilization is the maintenance of social order, by its own inherent persuasiveness as embodying the nobler alternative. The recourse to force, however unavoidable, is a disclosure of the failure of civilization, either in general society or in a remnant of individuals...

Now the intercourse between individuals and between social groups takes one of these two forms: force or persuasion. Commerce is the great example of intercourse by way of persuasion. War, slavery, and governmental compulsion exemplify the reign of force.

Professor Whitehead's vision of civilized society as the triumph of persuasion over force should always be paramount in the mind of all politically active citizens and government leaders. It should serve as the guideline for the libertarian ideal.

Let me suggest, therefore, a new libertarian creed:

"The triumph of persuasion over force is the sign of a civilized society."

Surely this is a libertarian creed that most citizens, no matter where they fit on the political spectrum, can agree on.

### Too Many Laws

Too often lawmakers resort to the force of law rather than the power of persuasion to solve a problem in society. They are too quick to pass another law in an effort to suppress the effects of a deep-rooted problem in American society rather than seeking to recognize and deal with the real cause of the problem, which may require parents, teachers, pastors, and community leaders to persuade people to change their ways.

Too often politicians think that new programs and new taxes are the only way to pay for citizens' retirement, health care, education or other social needs. "People just aren't willing to pay for these services themselves," they say.

Oliver Wendell Holmes once said, "Taxation is the price we pay for civilization." But isn't the opposite really the case? Taxation is the price we pay for failing to build a civilized society. The higher the tax level, the greater the failure. A centrally planned and totalitarian state represents a complete defeat for the civilized world, while a totally voluntary society represent its ultimate success.

Thus, legislators—ostensibly concerned about poverty and low wages—pass a minimum wage law and establish a welfare state as their way to abolish poverty. Yet poverty persists, not for want of money, but for want of skills, capital, education, and the desire to succeed.

The community demands a complete education for all children, so local leaders mandate that all children attend school for at least 10 years. Winter Park High School, which two of my children attend, is completely fenced in. Students need a written excuse to leave school grounds and a written excuse for absences. All the gates except one are closed during school hours, and there is a guard at the only open gate at all times to monitor students coming and going. Florida just passed a law that takes away the driver's license of any student who drops out of high school. Surely that will solve the problem!

Now students who don't want to be in school are disrupting  
*continued on page 6*

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