

Why Not Slavery?

by Bertel M. Sparks

Upon first impression, it might appear a bit ridiculous even to ask the question, Why not slavery? At least if anyone anywhere in the Western world should seriously suggest the legalization of slavery, it is doubtful if he would get much of a hearing. Rather than creating any kind of stir, he would probably succeed in nothing more than making himself look like some sort of nut. I assure you that I have no intention of offering any such suggestion.

At the same time, I do propose to talk about slavery. In doing so I hope to talk about slavery in its ordinary and usual sense without attempting to give the term any indirect, obtuse, or unique meaning. And as I understand the term, it means a system or institution that permits some person or persons to hold some other person or persons in bondage to such an extent that the work and labor of the person being held is subject to the control of the person doing the holding. Under that system the person being held has no right to abandon the master or to reject the work or labor that is being demanded of him.

Slavery then is a political and economic system that permits one human being to own another human being in the literal and absolute sense. The slave is the property of the master. Slavery was abolished a long time ago, at least in the Western world. And in this age

that seems to be blessed (or cursed) with more conflicting ideologies than people, and when almost any doctrine or teaching can be heard from some housetop somewhere, no one can be found who is openly proclaiming slavery as a desirable way of life. And I assure you that I have no intention of suggesting any movement in that direction.

In that case, why should we spend our time discussing an issue upon which there seems to be such unanimous agreement? My reason is simply this: When everyone is agreed that a thing is wrong, there is a tendency to forget why it is wrong. And when the reason for a wrong is forgotten, there arises the danger that the wrong itself might reappear and receive a warm reception from the very people who are most convinced that they have long since rejected it. Wrongs that are understood are rarely, if ever, accepted by human beings. But when the wrong is wrapped in a sufficiently attractive package, attention tends to drift toward the beauty and glamor of the package, the understanding falters, and the wrong itself is unwittingly accepted as a model of righteousness. Maybe we all agree that slavery is wrong, but how many of us can articulate a good reason why it is wrong? Why shouldn't people be permitted to own people? Why should there be a law against it?

Slavery is such an ancient practice that the exact circumstances, time, or place of its beginnings cannot be determined with complete certainty. But all indications are that it began as a humanitarian measure. There was a time in the ancient world when the customary way for ending wars was to slay your

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enemies. That meant the slaughter of whole tribes, cities, or nations. Eventually primitive man conceived the idea that it would be more humane, as well as more profitable, to capture the enemy and make him a slave rather than kill him. In that era when it was a choice between becoming a slave or having your head prematurely removed (and possibly boiled for dinner), slavery did have its attractions and even some humanitarian aspects. But it is doubtful if any degree of humanitarianism or the lack thereof will ever be sufficient to either justify or condemn slavery. Something more fundamental is needed to provide a satisfactory answer to the question, Why not slavery?

That "something more" is well expressed in John Locke's declaration of the fundamental rights to life, liberty, and property; or as Thomas Jefferson put it in the Declaration of Independence, the right to life, liberty, and the pursuit of happiness. That simple, three-point statement is probably the most concise and yet the most complete statement of the fundamental human rights ever written. Although it has not been often used in connection with the slavery argument, its application is sufficient to make slavery impossible. And whether you prefer Locke's or Jefferson's version makes no difference. I hope to illustrate that point in just a moment.

The Right to One's Own Person

The right to life means the right to one's own person. It is a right not to have one's own body interfered with. And if everyone has a right to his or her own person, then no one can have a right to control, own, or interfere with the life, the existence, or the personality of any other person.

The right to life includes the liberty to use that life in the manner most pleasing to the individual concerned. And if everyone is free to use his life as he sees fit, he is free to pursue whatever calling or employment he chooses, and to advance as far in that calling or employment as his abilities and inclinations permit. He may use his life foolishly or wisely; but since it is his life, the choice is his. That is but another way of saying that no one has a

right to dictate or control the manner in which any other person uses or neglects to use his own life. This is the meaning of the word liberty as used in the Locke-Jefferson trilogy. It is also a demonstration of how the right to liberty is an inevitable consequence of the right to life. If one has a right to life, he must have a right to use that life as he sees fit. He has a right to liberty.

And if each individual has a right to choose how he will use his life, it would seem to follow that he also has a right to the fruit of that choice. The fruit of that choice means the product of one's own work and labor. It is what Locke described by the word property and what Jefferson identified as the pursuit of happiness. Different individuals make different choices. They also have differing abilities. Although using different words, both Locke and Jefferson declared that every individual is entitled to the fruit of his own choices. And if each one has a right to the product of his own life as that life is lived in accordance with the choices which he alone is entitled to make, it necessarily follows that no one has any right to the product of someone else's efforts.

Thus it is that if every individual is possessed of an unalienable right to life, liberty, and property (or life, liberty, and the pursuit of happiness if you prefer) slavery cannot exist. Its existence is impossible because where everyone has a right to run his own life, no one can be left free to run the life of another.

The abolitionists tended to center their attention upon the cruelty toward or the living conditions of the slaves. Much was heard of the cruelty illustrated by *Uncle Tom's Cabin* and the inhumanity involved in the frequent division of families in the slave markets and the substandard living conditions of the slaves. The defenders of slavery usually answered these arguments with claims that personal cruelty toward an individual slave was a rare thing and that the forced division of families was almost unheard of. They also alleged that the living conditions of the slaves on the plantations were superior to the living conditions of the free workers in the industrial centers of the growing nation.

No doubt there was at least some measure of truth on each side of the debate. But what of it? Suppose it could have been shown as a demonstrable fact that slaves were actually well treated and that their living standards were superior to those of a majority of the free workers employed in the factories of the country. Would that fact, if it had been a fact, have justified slavery? I would say not.

The Privilege to Walk Away

The real evil of slavery is that it places the slave's productive capacity as well as the expression of his desires in the hands of someone other than himself. It deprives him of any choice as to what work he shall do or what disposition shall be made of the fruit of his work after he has done it. The extent of his misery might be open to question at any particular time or place. But the thing that makes him a slave and the thing that makes his status wrong is that he is bound to a situation where he is legally bound to stay. He cannot voluntarily walk away and take his chances as to whether the thing he walks away to is better or worse than the thing he is leaving.

It is that privilege to walk away, the privilege of making one's own choices, that makes a person free. The thing that makes slavery wrong is that it deprives the slave of the privilege of deciding for himself what it is that will make him happy. His decisions are made by someone else. And whether that someone else is a private master whose authority is approved and enforced by law or a government bureaucrat who is acting as an arm of the law makes little difference. No one is free unless he is free to make his own choices as to what pleases him.

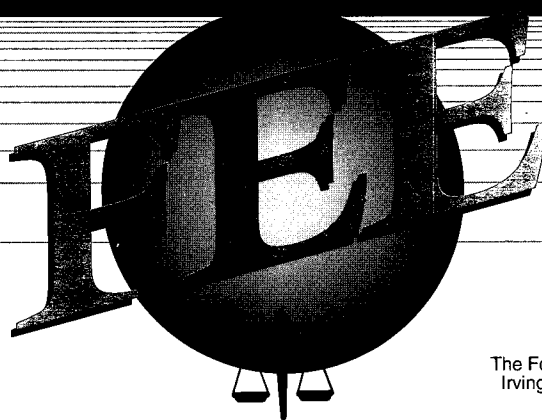
Even if the slave is provided all the material well-being he can use, he is less than a whole person if his work and labor are being coerced into channels that are not of his own choosing. The Locke-Jefferson doctrine would declare that each individual has an inherent right to make his own choices, not because any government or any earthly power gave him that right, but because he is a human being. And according to Jefferson, that right is an unalienable right. It cannot be taken from him

nor can he divest himself of it even by his own voluntary act. When slavery is understood as a deprivation of the right to the productive capacity of one's own body, its appearances in its various disguised forms become harder to conceal.

The building of the ancient pyramids of Egypt was one of the major engineering and technological feats of the ancient world. Although the magnitude of the task was sufficient to impose almost impossible demands even upon modern-day machinery and engineering methods, it was accomplished without any tools except those of a most primitive sort and without any power except human power. The entire work was performed by human labor. The largest of the pyramids is the one known to us as the Great Pyramid. It is estimated that the building of that one alone consumed the labor of 100,000 workers for 20 years. And it appears that most, if not all, of these workers were slaves.

The cinematic productions of Cecil B. De Mille have made most of us intensely aware of the cruelty of Egyptian slavery. Some of us still shrink back in horror as we remember what we saw on the screen years ago. But suppose the Egyptian pharaohs had not used slave labor. Suppose the workers had been left free to seek their own employment and to follow whatever work, trade, or craft they chose. If the pharaohs had then seized the workers' wages through taxation and used that revenue to hire other workers to build the pyramids, would the people whose incomes were being seized be in any better position than they were as slaves? If our attention is centered upon the inhumanity of the lashings that were applied to slaves when they failed to meet their production quotas, we might tend to believe the "free" workers whose substance was being taken were in the more favored position. But if our attention is centered upon the failure of the worker to have any choice as to how the product of his labor is to be used, we will see little difference between the two situations. In either event the worker is being deprived of any choice as to how his productive capacity will be used.

Suppose the tax rate had been fixed at 100 percent and extended to include the incomes



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Sweatshops for the New World Order

Poverty is an anomaly to many Americans. When they encounter it in foreign countries they view it as an aberration of human relations: the rich are exploiting the poor who are forced to work for "slave labor." In contemporary terminology, "profit-seeking multinational corporations are operating monstrous sweatshops for the New World Order."

What these Americans call "sweatshops," the workers in those workplaces may actually hail as "opportunity shops"; and what Americans call "slave wages," foreign workers may welcome as "living wages." The descriptions seem to vary according to the height from which the earnings are viewed. Americans whose wage rates and standards of living are among the highest in the world always look down on the lower earnings of other nationals. Their lofty perspective invites hasty and disparaging explanations. Looking down on poor and primitive workshops they see "sweatshops" paying "slave wages."

A little historical knowledge would help these critics to come down from their lofty perches. During the last century and earlier our forefathers labored long hours in shabby factories and dangerous mines with primitive tools and equipment, earning wages even lower than those paid in poor countries today. It took many decades of economic development to arrive at current levels of productivity and income. It took several generations of

Americans to save and accumulate the productive capital that built our modern apparatus of production. **The savings of the people and the business profits that were reinvested by capitalists together with the technological improvements by inventors built the economy as we know it today.**

Politicians who always labor for the next election are quick to take credit for the improvements. The phenomenal rise in American wage rates and working conditions, they declaim, was the sweet fruit of their own efforts, their labor legislation and regulation. Wise and courageous politicians, they want us to believe, fought valiantly for higher wages and better working conditions. The chorus of these politicians is often sounded out by the agents of labor unions who are singing the praises of their efforts in the form of collective bargaining, violent strikes, and costly boycotts. Both groups often cooperate and give credit to each other for pointing the way and forcing greedy employers to pay American wage rates.

The main activity of politicians and labor leaders is criticizing their opponents. If they actually could improve the working conditions of all workers, they could eradicate the hunger and want of this world, purge all poverty, and bring prosperity to everyone. American legislators and union organizers could bring American working conditions to every corner of the world, from Burundi to Bangladesh.

In reality, working conditions and wage rates depend on labor productivity, which is a direct function of the stock of capital invested per worker. Unless they themselves made investments in their equipment, American workers made no contribution whatsoever to their high standards of living. Wherever they opposed the introduction of modern equipment, or their union agents and political representatives fought or taxed it, they actually resisted the rise in productivity and improvements in their own working conditions.

It was rising labor productivity and increasing levels of living that liberated women and children from the early sweatshops. In the industrial countries, labor legislation merely sanctioned the improvements brought about by capital investments. Naturally, legislators, regulators, and union officials claimed credit for the changes.

Their loud denunciation of child labor in poor countries usually produces unintended consequences. It may actually hurt the very people it is intended to help. The children who are dismissed or never hired usually do not return to school. On the contrary, they are likely to seek new employment in the underground economy that pays lower wages and makes more physical demands than the "sweatshops." Many children manage to return to the shops by buying fake documents that make them older than they actually are.

Few American critics of "monstrous sweatshops" are motivated by their concern for foreign children. They rarely offer to house, clothe, and educate the children after they have been driven out, or merely inquire into the fate of those who have been given the gate. This glaring lack of concern clearly indicates that **many critics of foreign child labor are more interested in protecting jobs in the United States than in improving the lot of foreign children.** They are old-fashioned protectionists who seek to disguise their odious intentions in the sweet talk of great love for children.

Their protectionist agenda also is visible in their open hostility toward "the new

world order." No matter what we may think of the new order, it is preferable by far to the old order of war or preparation for war. The cataclysmic polarization between the democratic and dictatorial worlds, which generated two world wars and numerous lesser wars, has given way to the worldwide dominion of democracy under the leadership of one world power, the United States. The new order created a world of unprecedented interconnection and economic interaction. National trade barriers have come down significantly, which has led to a great extension of international cooperation and division of labor. The new information technology has brought the light of individual enterprise and the market order to all countries, and a new transportation technology has drawn them closer together than ever before.

Many millions of people in the developing countries now are laboring diligently and joyfully for Americans. Foreign and American capitalists have built thousands of assembly plants giving employment to people who heretofore had depended on charity or had toiled for mere survival. In exchange for their efforts, several million American workers have found employment in efficient American export industries. Both parties to the exchange, Americans as well as foreigners, benefit visibly from the trade. In fact, the new world order with its great improvements in the international division of labor has helped to offset the horrendous burdens placed on the American economy by the New Deal, Fair Deal, New Republicanism, New Frontier, and all other new political calamities. If it had not been for the phenomenal expansion of world trade with its new "sweatshops," many of us would be unemployed and all of us immeasurably poorer.



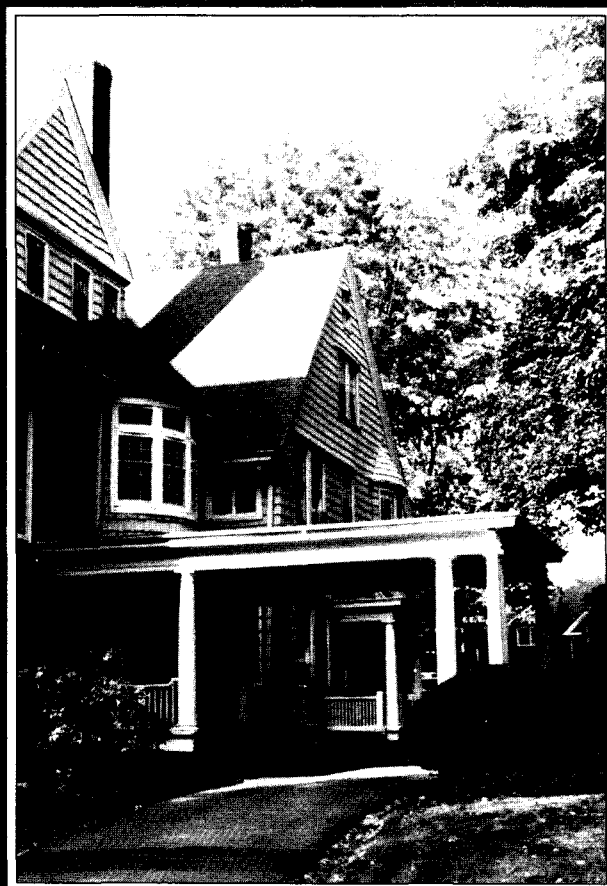
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Index

- Accent on the Right*, 19
 Acton, H. B., 3
 Acton, Lord John E.E.D., 3
Adam Smith: The Man and His Works, 25
 Adams, Charles, 3
Admiral's Log, The, 14
Age of Inflation, 22
America by the Throat: The Stranglehold of Federal Bureaucracy, 20
American Ethnic Groups, 24
American Federalism, 20
American Political Tradition, The, 20
American Political Writing During the Founding Era 1760–1805, 11
American Revolution Resurgent, The, 12
American Tradition, The, 5
American Unionism: Fallacies and Follies, 8
America's British Culture, 12
America's March Toward Communism, 11
 Ames, Fisher, 3
Anarchy, State, and Utopia, 18
 Anderson, Benjamin M., 3
 Anderson, Terry, 3
Anthem, 18
Anti-Capitalistic Mentality, The, 14
Antitrust and Monopoly, 3
Anything That's Peaceful, 19
Are There Too Many Lawyers? And Other Vexatious Questions, 9
 Arendt, Hannah, 3
 Armentano, D.T., 3
 Armington, Raymond Q., 3
Arms, Politics, and the Economy: Historical and Contemporary Perspectives, 11
Atlas Shrugged, 18
Austrian Economics: An Anthology, 9
Autobiography and Other Writings, 7
 Ayau, Manuel, 17
 Baader, Roland, 3
 Ballvé, Faustino, 3
 Bandow, Doug, 3
Bankers and Regulators, 8
Bargaining with the State, 7
Basic American Government, 5
Basic Communism, 5
Basic Economics, 5
Basic History of the United States, A, 5
 Bast, Joseph L., 3
 Bastiat, Frederic, 4
 Beisner, E. Calvin, 4
 Belloc, Hilaire, 4
 Bennett, James T., (co-author; See DiLorenzo)
 Benson, Ezra Taft, 4
Bewildered Society, The, 20
Beyond Liberation Theology, 15
Beyond Politics: Markets, Welfare, and the Failure of Bureaucracy, 14
 Bidinotto, Robert James, 4
 Birdzell, L.E., 4
Blessing of Liberty, The, 10
 Block, Walter, 4
 Böhm-Bawerk, Eugen von, 4
 Boettke, Peter, 4
 Boomerang, 3
 Bovard, James, 5
 Boxx, William T., 5
 Brandenburg, Howard, 5
 Brooks, David, 5
 Buchanan, James M., 5
 Burckhardt, Jacob, 5
Bureaucracy, 14
 Burke, Edmund, 5
 Burleigh, Anne Husted, 5
 Burnham, James, 5
 Business as a Calling, 18
 Butler, Eamonn, 5
 Caldwell, Taylor, 5
Can Capitalism Survive?, 21
Capital and Interest, 4
Capitalism: A Treatise on Economics, 20
Capitalism and Freedom, 8
Capitalism and the Historians, 10
Capitalism, Socialism, and Democracy, 22
Capitalism: The Cure for Racism, 20
Capitalism: The Unknown Ideal, 19
Captains and the Kings, 5
 Carson, Clarence B., 5–6
Case Against the Fed, The, 21
Case for a 100% Gold Dollar, 21
Castles in the Air, 19
 Chamberlain, John, 6
Children Trap, The, 25
 Chodorov, Frank, 6
Christian Faith and Historical Understanding, 15
Christianity and the State, 21
Civil Rights: Rhetoric or Reality?, 23
Civil Wrongs, 25
 Clark, Gordon H., 6
Classical Economics vs. The Exploitation Theory, 20
Clichés of Politics, 24
Closing of the American Heart, 15
Coase Theorem, The, 15
Cogitations, 15
Collapse of Development Planning, 4
Collected Works of F.A. Hayek, 10
Coming Aristocracy, 19
Communist Manifesto, The, 13
Competition and Currency: Essays on Free Banking and Money, 25
Conflict of Visions, A, 23
Conquest of Poverty, The, 10
Conservative Mind: From Burke to Eliot, The, 12
Constitution of Liberty, The, 10
 Cornuelle, Richard C., 6
Counter-Revolution of Science, The, 10
Criminal Justice? The Legal System vs. Individual Responsibility, 4
Crisis and Leviathan, 11
Critics of Keynesian Economics, The, 10
Critique of Interventionism, 14
 Crowd, The, 13
Cultural Context of Economics and Politics, The, 5
 Curtis, Carl T., 6
 Curtiss, W. M., 6
 de Soto, Hernando, 23
Death and Life of Great American Cities, The, 11
Death and Taxes, 22
Death by Government, 21
Debts and Deficits, 22
Deeper Than You Think, 19
Democracy in America, 25
Democratick Editorials: Essays in Jacksonian Political Economy, 13
Destroying Democracy, 6
 Dicey, A. V., 6
 DiLorenzo, Thomas J., 6
Disaster in Red: The Failure and Collapse of Socialism, 7
Discourses Concerning Government, 23
Discovery of Freedom: Man's Struggle Against Authority, The, 13
Dissent on Keynes, 23
Dividing the Wealth, 12
 Dodsworth, Barbara, 6
Do the Right Thing, 24
Dollar Signs of the Times, 24
 D'Souza, Dinesh, 7
 E Pluribus Unum, 13
 Ebeling, Richard M., 7
Economic Calculation in the Socialist Society, 11
Economic Commandments, 22
Economic Freedom and Interventionism, 14
Economic Growth and Stability, 9
Economic Harmonies, 4
Economic Point of View, The, 12
Economic Policy: Thoughts for Today and Tomorrow, 14
Economic Sophisms, 4
Economic Terms and Concepts, 9
Economics and the Environment, 4
Economics and Marx: The Fraudulent Antagonists, 5
Economics and Politics of Race: An International Perspective, 23
Economics and the Public Welfare, 3
Economics in One Lesson, 10
Economics of Liberty, 21
Economics of a Pure Gold Standard, 23
Economics on Trial: Lies, Myths, and Realities, 23
Eco-Sanity: A Common-Sense Guide to Environmentalism, 3
Education and the Racist Road to Barbarism, 20
Education and the State, 25
Education in America, 20
Education in a Free Society, 5
 Ellis, Abraham, 7
 Ellis, William D. (co-author; See Armington)
El Proceso Económico, 17
Emancipating Slaves, Enslaving Free Men, 11
Endless Series of Hobgoblins, An, 9
Enterprising Americans, The, 6
Environmental Overkill, 19
Envy: A Theory of Social Behavior, 22
 Epstein, Richard A., 7
Essays in Honor of Hans F. Sennholz, 22
Essays, Moral, Political, and Literary, 11
Essays on Liberty, 8
Essentials of Economics, 3
Essential von Mises, The, 21
Ethics of Redistribution, The, 12
 Evans, M. Stanton, 7
Exploitation Theory, The, 4
Failure of the "New Economics," The, 10
Faith and Freedom: A Biographical Sketch of J. Howard Pew, 22
Fall of the Ivory Tower, 20
Familiar Exposition of the Constitution of the United States, A, 24
Farm Problem, The, 8
Fatal Conceit, The, 10
Federalist Papers, The, 7
Feminism and Freedom, 13
Fiat Money Inflation in France, 25
Flight from Reality, The, 6
 Flynn, John T., 7
 Folsom, Burton W., Jr., 7
 Foner, Philip S., 7
For a New Liberty, 21
For Good and Evil, 3
Forgotten Lessons: Selected Essays of John T. Flynn, 7
Forty Years Against the Tide, 6
Foundations of American Constitutional Government, 8
Foundation of Historic Irvington, The, 6
Foundations of Morality, The, 10

- Franklin, Benjamin, 7
Free Market Economics, 9
Free Market Environmentalism, 3
Free Market Reader, The, 21
Free Markets, Free Men, 20
Free to Choose, 9
Free to Try, 8
Free Trade: The Necessary Foundation for World Peace, 8
Freedom, 20
Freedom and Federalism, 15
Freedom and Reform, 12
Freedom and the Law, 13
Freedom Freeway, The, 19
Freedom, Inequality, Primitivism, and the Division of Labor, 21
Freedom, Justice, and the State, 15
Freedom of Opportunity, Not Equality of Opportunity, 20
Freedom Philosophy, The, 8
Freeman Bound Volumes, 8
Friedman, Milton, 8–9
Friedman, Rose (co-author; *See* Friedman, Milton)
From Bretton Woods to World Inflation, 10
From Magna Carta to the Constitution, 5
From Socialism to Welfarism, 3
Fugitive Essays, 6
Fulda, Joseph S., 9
- Garrett, Gare, 9
Gasman, Lawrence, 9
George Washington: A Collection, 25
Ghost in the Little House: A Life of Rose Wilder Lane, The, 11
Gilder, George, 9
Global Free Trade: Rhetoric or Reality?, 7
Gnuechtel, Hermann, 9
God of the Machine, The, 18
Gold, Greenbacks, and the Constitution, 25
Gold Standard, The, 21
Government Against the Economy, The, 20
Government and Legal Plunder, 22
Gray, John, 9
Great Depression: Will We Repeat It?, The, 22
Great Society, The, 25
Greaves, Bettina Bien, 9
Greaves, Percy L., Jr., 9
Gresham, Perry E., 9
- Haberler, Gottfried, 9
Hagen, Eric W., 9
Hancock, Graham, 9
Harper, F. A., 10
Having My Way, 19
Hayek, Friedrich A., 10
Hayek, 5
Hazlitt, Henry, 10
Heath, Charles C., 10
Hendrickson, Mark W., 11
Higgs, Robert, 11
Hill, Peter J. (co-author; *See* Bast)
Himmelfarb, Gertrude, 11
History of England, 11
History of Freedom, 3
Hoff, Trygve J. B., 11
Hogue, Arthur R., 11
Holden, Fred, 11
Holtz, William, 11
How Do We Know?, 19
How the West Grew Rich: The Economic Transformation of the Western World, 4
How to Start Your Own School, 13
Human Action, 14
Humane Economy: The Social Framework of the Free Economy, A, 21
Humboldt, Wilhelm von, 11
- Hume, David, 11
Hummel, Jeffrey Rogers, 11
Hutt, W. H., 11
Hyneman, Charles S., 11–12
- Ideas Have Consequences*, 25
Ideas on Liberty, 18
Iliad, The, 25
Illiberal Education, 7
Individualism and Economic Order, 10
Industrial Revolution and Free Trade, The, 7
Inflation Crisis and How to Resolve It, The, 10
Inflation is Theft, 8
Inside American Education: The Decline, The Deception, The Dogmas, 23
Institutes of Biblical Law, The, 21
Introduction to the Study of the Law of the Constitution, 6
Investigations into the Methods of the Social Sciences, 13
Is The World Running Down?, 15
- Jacobs, Jane, 12
Jaspers, Karl, 12
Jefferson, Thomas, 12
Jefferson's Bible, 12
Johnson, Paul, 12
Johnston, Joseph E., Jr., 12
Jouvenel, Bertrand de, 12
- Kazmann, Raphael G., 12
Kershner, Howard E., 12
Keynesian Episode: A Reassessment, The, 11
Kirk, Russell, 12
Kirzner, Israel M., 12
Knight, Frank H., 12
Knowledge and Decisions, 24
Kuehnelt-Leddihn, Erik von, 12
- Labor Legislation from an Economic Point of View*, 25
Lane, Rose Wilder, 13
Law, The, 4
Law and Liberty, 21
Law, Legislation, and Liberty, 10
Le Bon, Gustave, 13
Leal, Donald (co-editor; *See* Anderson, Terry)
Leather Jacket, The, 24
Leftism Revisited, 12
Legacy of Freedom, A, 20
Leggett, William, 13
Lence, Ross, 13
Leonard Read, *Philosopher of Freedom*, 22
Leoni, Bruno, 13
Lesson From the Past: The Silver Panic of 1893, A, 20
Let Freedom Reign, 19
Leviathan at War, 18
Levin, Michael, 13
Liberalism, 14
Liberalisms, 9
Liberty Against Power, 24
Liberty Crisis, The, 23
Liberty: A Path to its Recovery, 10
Liberty, Equality, Fraternity, 24
Life and Major Writings of Thomas Paine, The, 7
Life with the Printed Word, A, 6
Limits of Government, The, 12
Limits of State Action, The, 11
Locke, John, 13
Logic, 6
Lord Acton: A Study in Conscience and Politics, 11
Lords of Poverty, 9
Lost Rights: The Destruction of American Liberty, 5
- Love of Liberty, The*, 19
Love, Robert, 13
Ludwig von Mises: Scholar, Creator, Hero, 21
Lustre of Gold, The, 8
Lutz, Donald S. (co-author; *See* Hyneman)
- Machan, Tibor, 13
Mackay, Thomas, 13
Machiavellians: Defenders of Freedom, The, 5
Mainspring of Human Progress, The, 25
Maine, Sir Henry Sumner, 13
Man and Nature, 8
Man, Economy, and State, 21
Man vs. The State, The, 24
Marx, Karl, 13
Marx's Religion of Revolution, 15
McDonald, Forrest, 13
Meaning of Market Process, The, 12
Menger, Carl, 13
Mill, John Stuart, 13–14
Mises: An Annotated Bibliography (2 vols.), 9
Mises, Ludwig von, 14
Mises, Margit von, 14
Mises Made Easier, 9
Mitchell, William C., 14
Mixon, J. Wilson, 14
Modern Times: From The 20s to the 90s, 12
Monetary Policy in the United States, 25
Money and Freedom, 22
Morality of Capitalism, The, 7
Morals of Markets and Related Essays, 3
More—The Rediscovery of American Common Sense, 3
Moreell, Admiral Ben, 14
Morley, Felix, 15
Moses and Pharaoh: Dominion Religion vs. Power Religion, 15
Mr. Jefferson, 15
My Years with Ludwig von Mises, 14
Myth of the Robber Barons, 7
- Nash, Ronald, 15
Nation of Victims, A, 24
Nature of the American System, The, 22
New Directions in Austrian Economics, 24
New Jacobinism, The, 22
Nock, Albert Jay, 15
North, Gary, 15
Notes and Recollections, 14
Notes from FEE, 22
Novak, Michael, 18
Novus Ordo Seclorum: The Intellectual Origins of the Constitution, 13
Nozick, Robert, 18
- Oakeshott, Michael, 18
Official Lies, 6
Olasky, Marvin, 18
Omnipotent Government: The Rise of the Total State and Total War, 14
On Freedom and Free Enterprise: Essays in Honor of Ludwig von Mises, 22
On Liberty, 14
On Liberty and Utilitarianism, 14
On Liberty, Society, and Politics, 24
On Looking into the Abyss, 11
On Power, 12
On the Manipulation of Money and Credit, 14
One by One: Preserving Values and Freedom in Heartland America, 21
Opitz, Edmund A., 18
Oppression and Liberty, 25
Orient, Jane, 18
Origins of the Common Law, 11
Origins of Totalitarianism, 3
Ortega y Gasset, José, 18

- Other Path, The, 23
Our Enemy, The State, 15
- Paterson, Isabel B., 18
Pattern for Revolt, 19
Patterns of Corporate Philanthropy: The Suicidal Impulse, 6
Paved with Good Intentions: The Failure of Race Relations in Modern America, 24
Payne, James, 18
People's Pottage, The, 9
Perpetuating Poverty, 3
Planned Chaos, 14
Planning for Freedom, 14
Plato, 18
Platonic Competition, 20
Plea for Liberty, A, 13
Poirot, Paul L., 18
Political Polytheism: The Myth of Pluralism, 15
Political Sermons of the Founding Era: 1730–1805, 22
Politicization of Society, The, 25
Politicized Medicine, 8
Politics of Envy, 3
Politics of Plunder, 3
Politics of Prudence, 12
Politics of Unemployment, The, 22
Poor and the Weak, The, 8
Popular Government, 13
Poverty and Compassion: The Moral Imagination of the Late Victorians, 11
Poverty and Wealth: Why Socialism Doesn't Work, 15
Prairieville Storekeeper, 24
Prices and Price Controls, 7
Princess Navina Visits Malvolia, 18
Princess Navina Visits Mandaat, 18
Principles of Economics, 13
Principles of Ethics, The, 24
Principles of Political Economy, 14
Private Cures for Public Ills, 20
Private Means, Public Ends, 14
Private Property and Political Control, 7
Private Rights, Public Illusions, 13
Production vs. Consumption, 20
Profscam, 24
Proper Role of Government, 4
Prosperity and Poverty, 4
Protecting the Environment, 3
Providence and Liberty, 4
Prudence, 24
Public Education and Indoctrination, 8
Puritan Economic Experiments, 15
- Quinlivan, Gary M., 5
- Race and Culture, 23
Rand, Ayn, 18–19
Rationale of Central Banking and the Free Banking Alternative, The, 23
Rationalism in Politics and Other Essays, 18
Ray, Dixy Lee, 19
Read, Leonard E., 19
Real Right to Medical Care Vs. Socialized Medicine, The, 20
Rebirth of Liberty, The, 6
Recapturing the Spirit of Enterprise, 9
Reclaiming the American Dream, 6
Reclaiming the Mainstream: Individualist Feminism Rediscovered, 24
Reed, Lawrence W., 20
Reflections on History, 5
Reflections on the Revolution in France, 5
Reisman, George, 20
Religion and Capitalism: Allies, Not Enemies, 18
Religion: Foundation of the Free Society, 18
- Republic, The, 18
Revolt of the Masses, The, 18
Richman, Sheldon, 20
Riddle, Wesley Allen, 20
Road to Serfdom, The, 10
Roche, George C., III, 21
Rockwell, Llewellyn H., Jr., 21
Rogge, Benjamin A., 21
Roots of American Order, The, 12
Roots of Inflation, The, 22
Roots of Capitalism, The, 6
Röpke, Wilhelm, 21
Rosenberg, Nathan (co-author; See Birdzell)
Rothbard, Murray N., 21
Rummel, R. J., 21
Rushdoony, Rousas J., 21–22
Russell, Dean, 22
Ryn, Claes, 22
- Sabrin, Murray, 22
Sandoz, Ellis, 22
Savings and Loan Bailout, 22
Schoeck, Helmut, 22
Schumpeter, Joseph A., 22
Seeds of Progress, 19
Selected Essays on Political Economy, 4
Selected Writings of Lord Acton, 3
Sennholz, Hans F., 22
Sennholz, Mary, 22–23
Separating School and State, 20
Servile State, The, 4
Shorter Classics, 4
Sidney, Algernon, 23
Sign of the Golden Grasshopper, The, 9
Siminoff, Bruce, 23
Simmons, Randy T. (co-author; See Mitchell)
Sinai Strategy, The, 15
Sirico, Robert, 17
Skousen, Mark, 23
Smith, Adam, 23
Smith, Vera, 23
Social Crisis of Our Time, The, 21
Social Security Fraud, The, 7
Socialism, 14
Sowell, Thomas, 23–24
Spadaro, Louis, 24
Spangler, Mark, 24
Spencer, Herbert, 24
Spirit of Freedom: Essays in American History, 7
Sproul, R.C., Jr., 24
State of the Union, The, 15
Stephen, James Fitzjames, 24
Story, Joseph, 24
Structure of Production, The, 23
Suicide of the West: An Essay on the Meaning and Destiny of Liberalism, 5
Sumner, William Graham, 24
Sykes, Charles J., 24
Systems of Survival, 12
- Takings, 7
Talking to Myself, 19
Tariff Idea, The, 6
Tax Free 2000, 22
Taxation and Confiscation, 8
Taylor, Don L., 24
Taylor, Jared, 24
Taylor, Joan Kennedy, 24
Taylor, John, 24
Telecompetition, 9
Templeton, Kenneth S., 25
Ten Commandments: An Engineering Evaluation, The, 12
Testimony of Two Men, 5
Theme is Freedom, The, 7
Then Truth Will Out, 19
- Theory and History, 14
Theory of Economic Development, 22
Theory of Money and Credit, The, 14
Theory of Moral Sentiments, The, 23
Theory of Public Choice, The, 5
This Hemisphere of Liberty: A Philosophy of the Americas, 18
Thoburn, Robert L., 25
Throttling the Railroads, 6
Timberlake, Richard, 25
To Free or Freeze, 19
Tocqueville, Alexis de, 25
Total Power of One in America, 11
Toxicity of Environmentalism, The, 20
Tragedy of American Compassion, The, 18
Turnabout Years, The, 6
Two Treatises on Government, 13
Tyranny Unmasked, 24
- Underground Government, 6
Understanding the Dollar Crisis, 9
Union and Liberty: The Political Philosophy of John C. Calhoun, 13
Upton, Miller, 25
- Value and Price, 4
Vasquez, Ian (co-author; See Bandow)
Velasco, Gustavo R., 25
Virtue of Liberty, The, 13
Vision, 19
Vision of the Anointed, The, 24
- War on the Poor, The, 6
Washington, George, 25
Wasley, Terree P., 25
Way to Wisdom: An Introduction to Philosophy, 12
We the Living, 18
We the People, 13
Wealth and Poverty, 9
Wealth of Nations, The, 23
Weaver, Henry Grady, 25
Weaver, Richard, 25
Weil, Simone, 25
West, E. G., 25
What Every Investor Should Know About Austrian Economics and the Hard Money Movement, 23
What Has Government Done to Our Healthcare?, 25
What Has Government Done to Our Money?, 21
What Social Classes Owe to Each Other, 24
What's Past is Prologue, 19
White, Andrew Dickson, 25
White, Lawrence H., 25
Who's Listening?, 19
Why Wages Rise, 10
Will it Liberate?, 18
Williams, Walter, 25
Wisdom of Adam Smith, The, 23
Wisdom of Henry Hazlitt, The, 10
With Wings as Eagles, 9
Word of God and the Mind of Man, The, 15
Works of Fisher Ames, 3
World Without Heroes: The Modern Tragedy, A, 21
Worldviews in Conflict, 15
Worman, James J. (co-author; See Hagen)
- Yates, Steven, 25
Your Doctor Is Not In, 18

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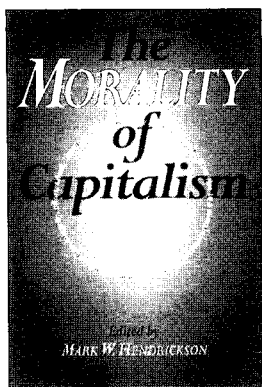
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THE MORALITY OF CAPITALISM

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Introduction by Hans F. Sennholz

"Ethical considerations give essential justification to private property in the means of production, to market competition, and the profit system. They grant the capitalistic economic order an important place within a moral order, a place with one system of ethics for rulers and subjects alike—to be honest and peaceful, refraining from any action that would do harm to a fellow man. In fact, the capitalistic order gives rise to a moral system of rewards and punishment based on integrity, effort, talent, learning, and thrift. By lending protection to economic freedom it also becomes the ultimate guarantor of the noneconomic elements of freedom such as the freedom of speech, of religion, the press, and personal behavior."

—HANS F. SENNHOLZ (from the Introduction)

Despite Communism's recent setbacks, the moral arguments of Marxist thought—the reality of class struggle and the need for collective government action due to capitalism's exploitation of the masses—still persist in the Western mind. This collection of essays by powerful writers attacks that "moral" foundation of Marxism. Capitalism, with its emphasis on personal responsibility, respect for an individual's rights, and protection of the fruits of one's labors, makes moral as well as economic sense.

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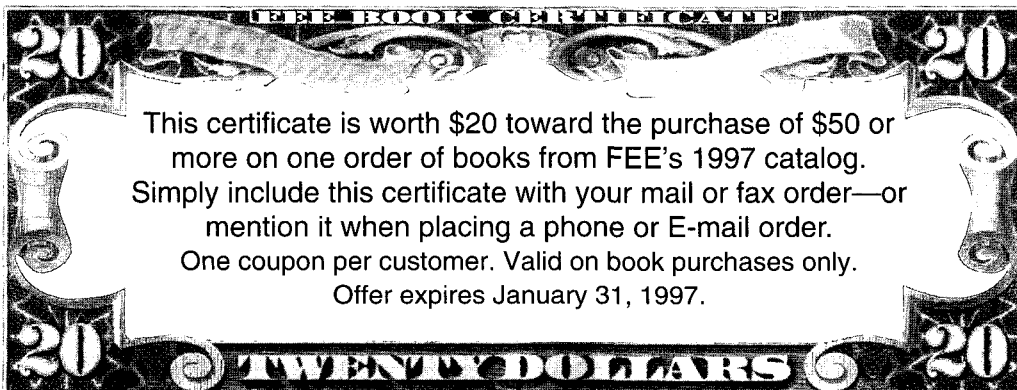


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of workers being employed to build the pyramids as well as others. Under that arrangement the pharaoh could have returned to each worker what the pharaoh determined was sufficient for minimum food, clothing, and housing needs, and retained any excess over that amount to buy materials for the pyramids and to otherwise enhance the royal treasury. By bringing everyone into the system, it could have been used to administer equality of treatment, a doctrine that usually meets with popular approval. But a freedom to work at an occupation of one's own choosing is an empty freedom if the worker loses control of the product of his work. Another difficulty in such a system is that if the fruits of one's work are not his, it is unlikely that there will be much work performed. The usual motive for working is to improve one's own well-being. And the worker might lose interest in the proceedings if it is predetermined that his well-being must consist of his delight in having a beautiful tomb for his ruling monarch.

If all this sounds too artificial or unreal, it might be helpful to look at another country. Let it be an enlightened country where the rulers, whether hereditary monarchs or popularly elected legislators and executives, have lost interest in building impressive tombs for themselves or their families. They prefer to make experimental ventures into outer space. Maybe they want to send a manned spacecraft to the moon or to some distant planet. It might be desirable for some of these fellows to go to the moon. The problem is one of finance. Who is going to pay for the trip? The fellows wanting to sponsor the trip do not have sufficient funds for the job. They do have the power to compel the workers of the country to contribute to the project whether the workers want it or not. The exercise of that power bears remarkable similarity to the using of forced labor to build a pyramid. In both cases the work and labor of the inhabitants of the country are being seized against their wills.

Some may like to distinguish the two cases by insisting that in the space project each worker approved of the expenditure by supporting the government that sponsored it. But it is also quite likely that the Egyptian was

giving loyal support to his government even though he was not voting in popular elections. If that is the case, some better basis for distinction will have to be found unless the two projects are to be considered on the same basis.

Unalienable Rights

It would be dangerous to distinguish the two cases on the basis of the different types of government involved anyway. If the popular election theory is used, it would mean that any sort of tyranny against a minority is all right if it is approved by the majority. The application of that theory would amount to a restoration of the same principle that was involved in the divine-right-of-kings doctrine in its most absolute and authoritarian form. The only difference would be that the ruling authority would be the majority of the citizens rather than a hereditary monarch. But both the Declaration of Independence and the Constitution of the United States take the position that there can be no such absolute authority in a free society regardless of who is chosen to exercise that authority. The Declaration of Independence declares that the right to life, liberty, and the pursuit of happiness are unalienable. The private citizen cannot divest himself of these rights even if he tries to do so. And if the right to life includes the right to one's own body, it necessarily includes a right to the product that is produced by that body. It includes the time and the work of that body.

Although the rights to life, liberty, and the pursuit of happiness cannot be given by any government, the experience of our imperfect humanity has taught us that governments are needed to protect those rights. Since the rights themselves are inherent parts of the human creation, each human being is endowed with a natural right to defend himself. But if each individual must provide his own self-defense, he will have little time for anything else. Government then becomes a kind of organized self-defense. As soon as a government assumes the role of providing that organized self-defense, it begins to collect taxes to support itself. To that extent, the government is using force to take a part of the

substance created by the work and labor of the individual taxpayers. To that extent, the individuals are becoming slaves. Therein lies the reason why no people can remain free unless their government remains a limited government. And unless those limits are wisely defined and clearly understood, the government is in a position to use its taxing power to establish total slavery.

Dominion

The question is one of determining who is entitled to dominion over the things being produced on the earth. And unless that dominion is left in the hands of the producer, the one who provided the time, the investment, and the other factors that went into the product, the producer is being denied the right to his own body, his own life. In essence, he becomes a slave. And whether the product seized is used to build a pyramid, finance a trip to the moon, or build a monument to a deceased head of state makes no difference.

Unless partial slavery in the form of heavy taxation is understood as partial slavery, there is always a danger of its growing into total slavery.

Current estimates show that at least one-third of the wealth being produced in the United States each year is going to the tax collector. The trend is up, not down.

Does the remedy lie in setting a limit on the purposes for which taxes can be used? The answer lies in the function of government itself. If, as we have seen, government is a kind of organized self-defense, made necessary because of our imperfect humanity's attempts to rob each other of our inherent right to life, liberty, and our own property, is any action on the part of government beyond self-defense justified?

How much farther can we go into commonly accepted areas of state activity before leaving self-defense? Is the education of either children or adults a part of this collective protection? Is it a legitimate purpose of government to gather taxes to provide medical services for all citizens, no matter how

desirable that medical care might be? What about feeding and clothing less productive citizens at the expense of the more productive members of the society? Is the forced funding of a national retirement system, euphemistically called social security, necessary to insure domestic tranquility? Can any of these be defended as authentic activities of government?

If the function of government is to feed, clothe, house, and educate all citizens, and to pay for all of it by a redistribution of income in the form of taxation levied on the more productive persons, then we can discuss how this should be done. We can argue endlessly in town meetings and in the halls of Congress over trimming costs here and adding services there, cutting this benefit in order to increase some other "entitlement." And we can finally reach some uneasy compromise by which those resourceful members of the society who are forced to pay the taxes—become partially enslaved—will not become completely discouraged and quit producing. The enslavement and anger of producers must be balanced against continuation of services to other members of the society who might become outraged if services were curtailed. An angry, divided society is the inevitable outcome. We see it developing all around us.

If, however, the only function of government is to maintain an orderly society where citizens can go about activities of their choice unmolested, the considerations that appear so urgent under an income-redistribution system become moot. Businessmen and women can direct resources toward improving their businesses, incidentally creating more jobs, rather than diverting resources to activities aimed at fending off a government bent on enslaving them. The legendary generosity and compassion of Americans toward the fellow down on his luck would re-emerge when private charities no longer had to compete with forced bureaucratic largess.

Why not slavery? The most reliable method for keeping ourselves out of slavery is to demand a government that protects us from each other and from foreign enemies. And that is all. □

Ending Tax Socialism

by James A. Dorn

In 1848 Marx and Engels proposed that progressive taxation be used “to wrest, by degrees, all capital from the bourgeois, to centralize all instruments of production in the hands of the state.” Although communism has failed, the idea of progressive taxation as a means of achieving “social justice” endures.

A progressive income tax violates the very heart and soul of the Constitution. Our constitutional government rests on the principles that individuals are equal under the law, that consent is the basis of just laws, and that the powers of the federal government are strictly limited. None of those principles are consistent with taxing incomes at progressively higher rates. It’s time to expose the pretense of morality that is inherent in progressive taxation and to end the system of tax socialism that has eroded economic and personal liberties in the United States.

A “Calamitous Monstrosity”

Prior to the passage of the Sixteenth Amendment in 1913, the Supreme Court consistently struck down attempts to legislate a federal income tax. There was little public support for such a tax. Indeed, when the first income tax was passed by Congress in 1894, the *New York Times* called the legislation “a vicious, inequitable, unpopular, impolitic, and socialistic act,” and the *Washington Post* added, “It is an abhorrent and calamitous monstrosity.”

Constitutional principle and justice require

Mr. Dorn is vice-president for academic affairs at the Cato Institute.

that individuals be treated equally under the law and that the law itself be just. A progressive income tax, which discriminates against individuals simply because they have higher incomes, is based on an arbitrary precept that would never gain universal consent. The minority would never consent to be enslaved by the majority.

Because there is no objective way to measure social justice, there is no end to the redistribution that can occur under a progressive tax system. Under such a system, neither persons nor property are safe from the hand of the state.

In his *Constitution of Liberty*, the late Nobel laureate economist F. A. Hayek wrote, “Progression provides no criterion whatever of what is and what is not to be regarded as just. It indicates no halting point for its application, and the ‘good judgment’ of the people on which its defenders are usually driven to rely as the only safeguard is nothing more than the current state of opinion shaped by past policy.”

Hayek was right and Marx and Engels were wrong. Yet conservatives and liberals alike fall into a populist trap by trying to justify progressive income taxation on the basis of majority rule. Elevating democratic values above individual rights to achieve equality of result, however, violates the very rules of just conduct that lie at the heart of a free society.

A flat-rate tax is consistent with the rule of law and with the principle of nondiscrimination. Everyone pays the same tax rate on their taxable income, and income from both labor and capital are treated alike—there is no