

# On Tyranny and Liberty

## Summary

“When the people fear their government, there is tyranny, when the government fears the people, there is liberty.” The essence of this quote by Thomas Jefferson is how the balance of power between the people and their government affects the liberty of a nation. Government is a structure of people, roles, and institutions, that is created by the people to uphold the laws they have collectively agreed on. It derives its legitimization from the consent of the governed, and thus the people must at all times have the power to alter or abolish it. The government however must have substantially more power than single individuals or groups of people, in order to fight crime and to uphold the rule of law. The right to secede is a logical consequence of the consent of the governed. Consequently respected, it would create a free market for governments, which would radically increase the average satisfaction of people with their government. It is also the only sustainable solution for curtailing the size and power of the state. Many personal freedoms, like freedom of speech, the right to own guns, property rights, and the rule of law are highly conducive to the protection of liberty. The more freedom one has, the easier it is to defend liberty. In the end, it is the choices of individuals that determine the course of society. The people will only keep their liberty, if they defend it, and to help defend it is the eternal responsibility of each individual.

## Introduction

Recently, while I was out with some friends, our conversation turned to the topic of tax deduction at source, which might be introduced in Switzerland soon<sup>1</sup>. I was stunned by the fact, that all they argued about was practicality: “Would it not be too much administrative work for small businesses?” – “Hmm, maybe. But I would find it much more convenient.” And so on and so on. Never did the question of principle come up in their mind. When I brought up the thought, that this is actually a reduction in liberty, because it takes a bit of power away from the individual and places it into the hands of the state, and thus it is one small step in the direction of tyranny, my friend at least got the idea. But my friend’s friend mostly just gave me a wide eyed glance, and said somewhat mockingly: “Well, I think if we actually did introduce tax deduction at source here in Switzerland, I’m pretty sure we would not have a tyranny all of a sudden.”

That statement in itself is of course true, but it misses the point entirely. The point is, that tyrannies don’t just pop out of nowhere. Losing one’s liberty is a process, which happens one step at a time. A government can only tyrannize its population if it has the power to do so and if they don’t have the power to resist. If people control their taxes themselves, they can resist a tyrannical government by

refusing to pay their taxes<sup>2</sup>. But if the government collects them directly from their employer, then they no longer have that option. In that case, only companies could refuse to pay taxes. But they are far fewer, and it is much easier for a government to control 1000 businesses rather than 100'000 individuals. Thus such political changes shift the balance of power within society by changing who is in control of what.

The goal of this essay is to explain, how the balance of power in society is inextricably linked with the liberty-tyranny dichotomy, and what implications this has for our lives, our liberty, and our prosperity. I will start with an evolutionary explanation for the notion of equality before the law, and from there work out the consent of the governed as the only valid moral justification of a government. From there I will proceed to define liberty and to distinguish it from individual freedom. I will continue to show, how the consent of the governed implies, that a people are free to set up any government they please, but that not all governments will work equally well. I will expand on the proper balance of power between the government and the people and on where their respective power lies. I will go on to show, that the consent of the governed entails the unquestionable right to secession, and that the existence of this right is the only sustainable solution to curtailing the size and power of the state. I will explain why freer societies generally work better than restrictive ones, and how individual freedom plays a central role in the defense of liberty, as well as in the stability and prosperity of a society. I will conclude on the point, that it is the eternal responsibility of the people to keep the power divided amongst themselves, to overview their government, and to defend their liberty.

## Equality before the Law

Human beings have evolved to live in groups. We do so, because cooperation benefits us tremendously. Through cooperation and the division of labor, we can each lead a much better life than we could, if we all lived by ourselves. But human beings are not like ants or bees, where the whole tribe consists of asexual workers and one fertile queen. The only thing an ant can do to spread its genetic material is to advance the interest of the group<sup>3</sup>. In a sense the whole ant colony is like one biological organism. But humans are individuals that are each capable of reproducing. Thus the best thing a human can do to spread his genetic material, is to have his group flourish and to simultaneously occupy the best position within that group, since this will maximize his access to resources and sexual partners. A society is therefore a group of individuals who live together, who simultaneously cooperate and compete. Over time, this arrangement leads to a stable mode of living together, which benefits most members of society enough, so that they don't leave the group or try to rattle it up. Government, then, is the structure of people, roles, and institutions, that the members of society set up to ensure that everyone adheres to that stable mode of living. A government has to provide a way of updating

the rules of society, it has to impartially judge individual cases according to these rules, and it also has to execute and enforce the rules.

Even though humans all belong to the same species, the notion of the fundamental equality of men is difficult to understand. If one just looks at men, they are clearly not all equally useful, neither are they all equally pleasant to be around. There are strong, smart, industrious, beautiful, funny, honest, generous, and courageous men, and then there are the opposite ones as well. From a purely evolutionary perspective, one could argue, that it might benefit a society to rid itself of its weak and undesired members. One might start by eliminating the disabled and the homeless. But once one starts to go down that road, it is difficult to turn back again. What about the alcoholic farmer, who is much less productive than the reputable farmer next door? And what about the spiteful old guy, who runs a small antiques shop that blocks the construction of a large new housing block? There is always someone who is the least pleasant or useful in a society, and the average could be improved if they were dispensed with. But everybody has a serious flaw somewhere, so no one would be inherently untouchable. The key question would of course be: Who gets to rank order the criteria for dispensing with people? Fights would undoubtedly ensue over this question, and thus such a society would rapidly become very violent. People would start to take precautions to defend themselves, and they would form protective bonds with others, which would lead to a balkanization of society.

In a society that accepts the equality of men before the law however, no man must fear to be arbitrarily singled out and killed. As long as he does not violate any rule against another, then he can rely on the fact that the others will defend him, if someone wants to violate a rule against him. Because many together are much stronger than a single aggressor, there would be a serious disincentive to start a fight. Thus everyone would spend less energy on defensive measures and on fighting, which means that all that energy could be spent on something productive. Fighting is an unproductive use of energy, since it entails two people working with opposing aims, so their work largely cancels out. Equality before the law also enables people to trust others more openly, because if they were to be betrayed, then again society would come to their aid. Trust is an essential precondition for cooperation, and cooperation increases productivity, because when two men work with the same aim, their work adds up. Thus a society that treats all men as equals before the law would see more cooperation, more productive work, and less internal fighting. All three of these factors will increase that societies productive output, which in turn will increase its wealth and power. That is how societies that are based on the fundamental equality of men might have outcompeted and supplanted societies that did not adhere to this notion. And like this, the notion of equality before the law could have evolved over time<sup>4</sup>.

## Consent of the Governed

If one accepts the notion of the fundamental equality of men, then it immediately follows that only the consent of the governed can give a government its moral justification. If all men are fundamentally equal, then no man has the right to unilaterally impose a law onto another, i.e., to rule over him through power. This is akin to the notion of self-ownership, since if no man may rule over another, then each man may only rule over himself. The only laws that could be justified under this premise, are the ones that the people have negotiated collectively and each come to accept voluntarily.

The only way one can really argue against the consent of the governed, is by invoking some fundamental criteria, which separates higher humans from lower humans. One has to argue, that they are, on a very fundamental level, not the same. And thus, like a farmer may control his cows or a shepherd his sheep, so can and should the upper class control the lower class, because it is to the benefit of both of them. Many such arguments have been made throughout human history. The divine right of kings, the blue blood of the aristocracy, the cast system in India, the dictatorship of the proletariat, social darwinism, the inequality of the races, sexism, theocracy, the domination of majority over minority religions, etc.

But all of these theories don't hold up under scrutiny. For example, slavery in the US depended on the notion, that blacks are inferior to whites. But of course there were blacks, who even as slaves managed to become more educated, more productive, nobler, and more courageous than certain whites around them. As one counterexample suffices to disprove a theory, an honest study of the facts should have dispelled the theory of racial superiority rather quickly. One could argue, that blacks on average have a lower IQ<sup>5</sup> than whites, and thus slavery is justified. But that argument is not so simple either. There are many dimensions, along which one would have to compare people, and IQ is just one of them. And who would get to decide how each dimensions should be weighed? Fights would definitively ensue over this question, which brings us right back to the evolutionary argument for equality before the law. So in the end, slavery was just a rule by power, justified by an inconsistent argument. And all the other examples above can be taken apart similarly. In the end there are only two alternatives: a rule by consent, or a rule by power.

The reason we can state, that consent rather than power is the moral source of authority, is the consistency of the justifying argument. People who rule by consent typically argue that consent is the legitimization of their rule, and if one surveys the population, one finds that they largely consent to their government. But people who rule by power almost never openly state that power is the moral justification for their rule. They always hide their rule by power behind some other justification,

especially towards their own population, but as we have just seen in the example of slavery, these justifications do not hold up under scrutiny.

The consent of the governed has four important implications, which we will cover sequentially. (1) The definition of liberty and its distinction from individual freedom. (2) The people can set up any government they want, but not all governments will remain benevolent. (3) To guard the consent of the governed, the people must have more power than the government. (4) The right of an individual to leave a society or of a group to secede cannot be morally curtailed.

## Definition of Liberty

Since it is the consent of the governed that gives a government its legitimacy, liberty is defined as that state of a society, where the people consent to their government. A free society is a society that is free to govern itself according to its liking. In a tyranny, by contrast, the members of the government force their will onto the people, thus a tyranny does not have the consent of the governed. Naturally, no government will ever have 100% or 0% consent. Liberty vs. tyranny is a continuum, not a binary switch. Liberty and tyranny are collective concepts. They describe the state of a society. They thus differ from individual freedom and individual restriction, which describe the state of an individual relative to society. In this article, I will use the terms freedom and restriction only for individuals, and liberty and tyranny only for societies. Freedom thus is the state, in which an individual can do what he wants to, without being forcefully hindered or punished by others. Restriction, of course, is then the opposite state.

A man alone on an island is perfectly free. He can do whatever he wants, since no one interferes with him at all. In a society however, we all affect each other constantly. If I throw a rock at you, then it hurts you. If I listen to music loudly, then you inevitably perceive it as well. If I walk around naked, then you have to see my naked body. Each person has things they desire more than others. As people live together in a society, they negotiate the rank order of these desires. This leads to a system of laws, wherein the desires that people on average value higher are protected by curtailing the desires they on average value lower. For example, most people value not having rocks thrown at them higher than being able to throw rocks at others, thus it is forbidden to throw rocks at people. Most people value the possibility to listen to music, but they also value being able to sleep at night. Thus you are allowed to listen to music on your property, but not so loud that your neighbor cannot sleep at night. Most people also do not wish to see the genitalia of strangers, so they pass a law that one has to wear clothes.

From the preferences of the people the law thus emerges to grant freedoms and place restrictions onto each individual. Freedoms and restrictions are formulated in the form of negative and positive rights<sup>6</sup>. A negative right is defined as someone being free to do or not do something with their body or their property, meaning no one may compel or hinder them. A positive right on the other hand places an obligation onto everyone to act or not to act in a certain way with their body or their property, meaning they will be forced to comply with that obligation or punished if they don't. Freedom of speech, freedom of assembly, freedom of religion, and the right to keep and bear arms are prominent examples of negative rights. The obligation to wear clothes, the ban on polygamy, the right to a defense lawyer, and the ban on the private construction of large bombs or biological weapons, on the other hand, are prominent examples of positive rights.

## We The People...

Because of the aforementioned examples of positive rights, I have to disagree with the definition of tyranny, which is put forward in the announcement of this contest, i.e., a government that uses its power to assure certain forms of behavior. Because the legitimization of a government comes from the consent of the governed, a group of people is free to set up any form of living together that they want. If they all want to live in a kibbutz, where everything belongs to everyone, then they are free to do so. And if they want to set up a benevolent dictatorship, where the monarch just polls the people and then organizes society to maximize their happiness, then they can do so too.

But, just because the people are free to set up their society as they please, does not mean that all governments will work equally well. The key question is of course: How can the people make sure, that their government remains benevolent? What will they do, if it starts to become tyrannical? The more a government becomes tyrannical, the more its members try to force their will onto the people. And in order to do this, they need power. Therefore, the more power a government has, the more it can and most likely will become tyrannical.

Power corrupts, and absolute power corrupts absolutely. That is just how nature functions. All organisms are drilled by evolution to ruthlessly optimize energy expenditure. Anything excess gets digested and metabolized. An astronaut in space will lose all his muscles, because he does not need them in the absence of gravity. And a human will lose his moral restraint in the absence of correcting social forces. That is why people who can't get fired don't work as hard. That is why dependent spouses often get treated worse than confident ones. That is why the anonymity of the crowd often makes people act reprehensibly. And if even the anonymity of the crowd can do that, then just imagine what absolute power will do to an individual. Absolute power removes the correcting social forces, because

one does not need to consider the opinions of those one can control through power. A rapist does not ask the preferences of his victim, and neither does an absolute ruler poll the opinion of his subjects.

## The Balance of Power

As we have just seen, one does not need to consider the opinion of those one can control through power. That is why consent only means something if one could also say no. And one can only truly say no, if one has the power to defend that no. That is why the consent of the governed automatically implies, that the people as a whole must have more power than the government. Because the government can only have the true consent of the people, if the people could alter or abolish it but choose not to, because they like what it is doing.

The government on the other hand must have more power than any individual or group of people, in order to uphold the rule of law and fight crime. This is why the government typically has the highest concentration of physical force in a country. They do this through having superior equipment and training. Special forces of the police and the military are much more experienced and proficient fighters than any private person or group of people can manage to become. And they are of course the ultimate threat, which stands behind the normal police, which is why most people don't resist them either, even if they could.

The main power of a government is thus, that it can win any localized armed conflict because it has the highest concentration of physical force in the country. The main power of the people, on the other hand, is their number. If the entire population resists the government at once, then the government is powerless, since it does not have the resources to be everywhere at once. These two facts define the main strategies for a tyranny as well as for a liberation force. A tyranny will always aim to divide the population into multiple warring subgroups and then try to manage those through threats and through occasionally making an example of someone. Tax deduction at source is a prime example of this strategy. It sets the employers up to watch the employees, while the government then only has to watch the employers.

If the people wish to resist a tyrannical government, then they have to unite and resist indirectly. They cannot beat the government in a direct clash, but they can, through sabotage, guerrilla attacks, and civil disobedience create so much trouble throughout the land, that the government cannot attend to all of it and thus starts to lose control<sup>7</sup>. But such acts of civil uprising involve substantial personal risks for the protesters, and they only work if a large part of the population participates, which is why they often only develop under extreme duress.

The balance of power between the government and the people is a very strong argument for organizing the national defense of a country in the form of a militia and not in the form of a professional army. A militia spreads the power of the military amongst the entire population, thus it is far less likely that the government can deploy a militia against the will of the people. Also a militia consists of soldiers that have a job in the private economy, so they don't have to fear losing their job when they refuse a command that they find unethical.

## Secession

The consent of the governed, by definition, entails the right to leave. We all understand, that in private interactions, consent means that an individual voluntarily agrees to being in an interaction. This of course entails, that if he or she no longer agree, then they can remove themselves from the interaction. Without this possibility the entire notion of consent would be meaningless. This applies to companies, employers, registered associations, business partners, friends, and even family. The same logic, of course, also has to apply to the consent of the governed. If an individual or a group of people no longer want to interact with a certain government, then they must have the option to cease doing so.

Now, if it is just single individuals that want to quit their government, then the only solution is for them to take their property and to leave that governments jurisdiction. This is not entirely fair, but it is the only practicable solution, since it allows for the continued existence of the jurisdiction, which is what all other members of that society wish for. A jurisdiction must retain a compact and coherent territory in order to fulfill its purpose.

If, however, a substantial part of a society no longer agrees with the way they are being governed, then they must have a way to cancel that governments service. They have to be able to split off, with their land, and to proceed to govern themselves or to join another state of their choosing. Since secession entails a good deal of administrative effort, it is not something one should do lightly. The choice to secede should be justified by reasonable and noble motives, as the declaration of independence of the United States<sup>8</sup> exemplifies well. If possible, a secession should follow a mutually agreed upon procedure, which allows everyone to adapt to the new situation. Furthermore, a secession should not threaten any of the surrounding states, else it will likely be fought. But, the peaceful secession of a substantial group of people cannot be morally obstructed.

The right to secede establishes a free market amongst governments. Without that right, the incentive for governments to satisfy their population is dramatically lower. This is especially true in large jurisdictions, like the US, the EU, China, India, or Russia, where there is no competing jurisdiction far and wide. But with the possibility of secession, there would always be competition for any government,

anywhere. And just as the free market improves customer satisfaction through the competition of the vendors, so a free market of governments would increase the satisfaction of the people. Of course the possibility to secede would completely quell the possibility of a tyranny arising, which is why all tyrannies inevitably restrict emigration and secession. It is a hallmark of a tyranny that they won't let individuals leave or people govern themselves.

Now, some will argue, that the right to secede will destroy the order of society, and that you should try to improve the government you live under, instead of just seceding. First, secession will not destroy any functioning societies. If the people are content, then they won't secede. Second, the people may first try to petition their government for a change, and probably they also would, since this entails far less work. They can and they might, but they don't have to. They are not dependent upon the mercy of the government to sanction their petitions. The people are the sovereign, and they can withdraw their consent if they choose to do so. To argue against that is to argue against the consent of the governed.

The right to secede also protects the population against government cartels. If all existing governments collude and increase their power simultaneously, like they currently do with central banks, the fiat money system, and the automatic exchange of tax information<sup>9</sup>, then the only possibility to protect one's liberty is to create a new country with a new government. That is why the right to secede is the only sustainable solution to curtailing the size and power of the state.

The free market for governments will, over time, lead to the best solution for everyone. Different groups of people can try out their own preferred way of organizing society with minimal negative effects onto others, who do not wish to live like that. The effects of different systems of law will be clearly visible to anyone, and naturally, the good approaches will spread and the bad ones will disappear. Over time, every group of people will tend towards the solution that they like best. Different levels of freedom in different areas of life can peacefully coexist next to each other and overlapping. One state, for example, can have a mandatory health care system and another can have a free market, and they can both have freedom of speech.

The added benefit of secession is, that it creates ideologically more homogenous societies. In an ideologically homogenous society, the people agree with the laws to a large degree and thus largely follow them voluntarily. This means that the government does not need to police them as much, and the people will even assist their government by policing each other, since they morally support the laws. In a society that contains very diverse political views however, the laws will be some average of these diverse political views, and thus each person will agree with the law only to a lesser extent. This means that an ideologically less homogenous society will need a more powerful government to compel

the people to adhere to the laws. Thus secession is not only an expression of liberty, but simultaneously also a boost to it.

## Freedom and Liberty

Apart from the right to secede, which sadly is not recognized in most countries today, certain freedoms are very conducive to the preservation and promotion of liberty. This is so, because they allow the people to protest or to organize political resistance legally, which largely eliminates the personal risk involved in those activities. The most important freedoms in this category are freedom of speech, freedom of the press, freedom of assembly, the right to keep and bear arms, and general property rights and rule of law.

The first amendment is first, because freedom of speech is indeed the most important freedom for preserving liberty. In order to unite and to organize change, the people need to know what is going on (free press) and they need to be able to communicate (freedom of speech and assembly). Tyrannies of course know this as well, which is why they always try to crack down on communication and information. The best way to divide people is to set them at odds with each other through spreading false information and through inciting violence through false flag operations. Naturally, today the modern counterparts, i.e., a free internet and the freedom to use electronic means of communication, have to be included under freedom of speech.

Once the people are united, they need the means to resist, which is why the second amendment comes second. But not only weapons are needed in order to resist, but property in general. Property rights typically mean, that a person is free to use, alter, sell, trade, lend, rent out, abandon, destroy, or give away their honestly acquired property, so long as they do not thereby violate another law. The free market directly arises from property rights, because property rights include the freedom to trade. Property rights and the ensuing free market are a necessary precondition for liberty. This is equivalent to saying, that the bulk of resources must be owned / controlled by the people. This makes sense, since control over resources is a direct amplifier of power. If the government controls all the resources, then it simply won't assign any resources to any activity that would undermine its power<sup>10</sup>. You cannot print critical news, if the government owns all the printing presses. You cannot protest against the government if you can't procure your livelihood independent from it. Without control over property, you cannot do anything, meaning you have no power. That is one of the reasons why socialist governments tend to turn into dictatorships. They control all the resources, so they have all the power.

The other freedom, that is essential for a defense of liberty, is best summarized as the rule of law. The rule of law is typically understood to mean, that the government cannot encroach on your body, your

freedom of movement or your property rights, unless they have credible cause to suspect you of a crime. Also, you have a right to know what you are being charged with, and you have a right to defend yourself in a fair, speedy, and public trial, and your punishment may not be disproportionate to your crime. I would add to this, that the law has to be logically consistent, understandable and manageable to a lay person. Because if a lay person cannot understand the law, then they cannot assess if it is being applied fairly. This means they cannot object to unfair treatment, and thus arbitrariness rules. The rule of law is important for the protection of liberty, because it means you can actually rely on your rights. In the Soviet Union, the people theoretically also had the right to free speech<sup>11</sup>, but anybody who so much as frowned at a portrait of Stalin immediately disappeared forever.

Thus we see, that certain freedoms facilitate the defense of liberty. Other freedoms, like freedom of religion, freedom of association, or freedom of food and clothing style, which we could summarize under the term lifestyle choices, are not directly relevant to the protection of liberty. They are however extremely relevant for a person's life satisfaction and are often causes of intense political strife, war, migration, or secession. A society that allows for more freedom in lifestyle choices can grow larger than a very restrictive one, since more diverse people can accept to live under the umbrella of its laws. Thus such a society will have less internal fights over policy, less migration, and less secession, and will thus be more stable, efficient, and prosperous.

## Liberty and Responsibility

A society is a group of individuals who live together, who simultaneously cooperate and compete. And while they do so, they must make sure, that they do not compromise their ability to keep doing so in the future. They must somehow manage to maintain the societal structure they inhabit, while they inhabit it, and ideally even improve it over time. If they manage to do that, then they and their descendants will have a better life in the future. But if they don't, then their lives will get worse. It is their responsibility to do this, since there is no one who will do it for them. That is what it means to be an adult: You have to take care of things yourself. You have to take care of your own livelihood, you have to take care of your health, of your security, of your family, and also of your liberty! Liberty in fact is a precondition for all of these things, because if you don't have liberty, then you live in a tyranny, and there, life will only be good for the tyrant.

The only way to safeguard one's liberty is, if the people have more power than the government. It is thus the eternal responsibility of each individual to hold a part of that power that has to be distributed amongst the population and to use it to keep the government in check. One can choose to ignore this responsibility, and give up one's power voluntarily, but if enough people do that, then one or one's descendants will surely pay the price for it. That is why the quote by Thomas Jefferson is so timelessly

relevant. The state of a society is determined by the moral choices of each individual. And the only way a people can have liberty is if they choose to defend it themselves.

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- Secession: The Reasonable Option Everyone Resists | Tom Woods: <https://youtu.be/IXOEdvfMeIY>  
Secession and Liberty | Ron Paul: <https://youtu.be/g36Ef5Fvkok>  
US Constitution & Amendments: <https://www.usconstitution.net/const.pdf>  
<https://treaties.un.org/doc/source/docs/charter-all-lang.pdf>  
<sup>1</sup> <https://www.20min.ch/schweiz/bern/story/Steuerabzug-20220729>  
<sup>2</sup> [https://en.wikipedia.org/wiki/List\\_of\\_historical\\_acts\\_of\\_tax\\_resistance](https://en.wikipedia.org/wiki/List_of_historical_acts_of_tax_resistance)  
<sup>3</sup> Influenced by Richard Dawkins, The selfish Gene, 40th anniversary edition  
<sup>4</sup> This argument is influenced by Dr. Jordan Petersons many talks on YouTube.  
<sup>5</sup> The Bell Curve: IQ, Race and Gender | Charles Murray and Stefan Molyneux: [https://youtu.be/6lsa\\_97Kllc](https://youtu.be/6lsa_97Kllc)  
<sup>6</sup> [https://en.wikipedia.org/wiki/Negative\\_and\\_positive\\_rights](https://en.wikipedia.org/wiki/Negative_and_positive_rights)  
<sup>7</sup> Secession, Defense & a Free Society – Dr. Hoppe: <https://youtu.be/4L2iEpfP6Zw>  
<sup>8</sup> US Declaration of Independence: [https://www.constitution.org/us\\_doi.pdf](https://www.constitution.org/us_doi.pdf)  
<sup>9</sup> <https://www.oecd.org/tax/transparency/AEOI-commitments.pdf>  
<sup>10</sup> Milton Friedman, Capitalism and Freedom, fourth anniversary edition, chapter 1  
<sup>11</sup> <http://www.departments.bucknell.edu/russian/const/36cons04.html#chap10> Article 125