## You Don't Like It? Leave! The Telling Sophistry of Tax Apologists

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by <u>Jason Montgomery</u>, <u>Mises Institute</u> May 4, 2023

What better way to "celebrate" tax season than to talk taxes? Stop me if you've heard this one: <u>Taxation is not theft</u>. It's just the law of the land. You want to live in this country, you pay the long-established, constitutional, customary tax. If you're not okay with that, there are plenty of other countries to choose from whose customs and edicts you may find more agreeable. Just go live there, and best of luck to you! So as long as you have that right of exit, the taxes confiscated from your income do not represent any initiation of force, coercion, or violation whatsoever.

This is a valuable argument, to be sure. Not only is it completely wrong but its underlying premise reveals a certain sensibility that is, at the very least, intriguing. If we peel back the layers of this statement, we can see the speaker's potential to grasp some sort of entry-level morality and maybe even economics, confirming our suspicions that he knows what's right and is purposefully evading it. A hint of insight is on display here, if only unconsciously, that liberty itself depends on private property rights as he's desperately trying to frame this "right of exit" nonsense as a private property argument.

Let's run through a few scenarios here:

- I'm having a costume party. To attend, you must dress up as something. You will not be admitted otherwise. If you refuse, due to some personal objection to donning a costume, then enjoy your night someplace other than my costume party. No harm, no foul.
- I don't allow shoes to be worn in my house. If you wish to visit, bare your feet at the door. If you insist on wearing your shoes, then happy walking, but not into my house. No harm, no foul.

Ready for one that's not so easy to stomach?

• In my restaurant, no one of German descent is allowed to dine. Anyone wishing to eat here must first present genealogical proof of no German ancestry. Any hint of German in your background, or refusal to produce the appropriate documentation, no problem. Just get your corndogs someplace else. No harm, no foul.

So this is what's presented in the taxation argument:

• In this country, we pay our taxes. You don't want to pay up? Leave! And if you don't and you continue to live, work, and trade in this country, you've given your <u>tacit</u> <u>consent</u> to abide by the tax code and render unto Caesar accordingly. To stay put, enjoying all of the fruits of taxation and yet continuing to whine about it and alleging some infringement of your "rights" is just a hypocritical childish plea to have your cake and eat it too.

If this is really what's being put on the table, then let's look at what they're saying.

What do each of the above "policies" have in common? They're enacted by the *rightful property owner*. What makes them such? They obtained the restaurant/house/party headquarters through purchase, trade, inheritance, gift, original appropriation, or some other VOLUNTARY arrangement. Their possession and ownership came about by the only true measure of legitimacy-absence of coercion, force, or fraud. Their power to set the rules for admittance or exclusion comes from that ownership.

So to buy this "right of exit" premise, one would have to accept the notion that the federal government is the rightful owner of the United States, the entire landmass. Likewise, one would somehow have to surmise that, at the same time, there are overlapping property claims held by the state, city, and local governments of the further subdivided parcels. This is no small matter as it means that we the people, in effect, own nothing. Every house, building, lot of land, business, vehicle, animal, vegetable, and mineral within the national borders (and some without) is the government's property, which we're all simply renting from them.

Anything you or I have is at their discretion and whim. They allow us the privilege of possessing these things only as long as they see fit. These are the only terms under which the above reasoning holds. If the government can demand my payment on pain of expulsion from the country, then it all must be theirs.

But what's the original source of any property claim at all? Technically all land title chains originate with the US government. Things admittedly get a little tricky here, though not on the issue at hand. Was the founding of the USA a legitimate acquisition of property in the first place? If so, did that make the federal government the de facto original owner? If so, then they would have no more continued control over it once it's left their hands than the previous owner of your house does over your domestic choices.

If not—and the country was stolen by aggressive conquest, thus never properly claimed by any of our ancestral invaders—well, that's a can of worms beyond this article. But I will ask you this: Would that justify continued payment and deference to the organization that perpetrated the invasion?

One may claim that the government is not acting as a property owner but merely a trading partner. They <u>offer</u> certain benefits and services in this geographical location—namely, the infrastructure that makes the production and earning of your own property possible—so the choice is <u>yours</u>: If you want to take up space here and soak up your share of these benefits, then you have to pony up your fair share. If you don't, then you'd better remove yourself from the service zone, you freeloader!

This is really the same argument from a different angle. Under what auspices do they offer said benefits and services? By a forceful declaration that they are to be the sole and exclusive proprietors within the demarcated region. The consent of you, the residents, their "customers," is irrelevant. If you're caught on their self-proclaimed turf attempting to either provide or receive these services on any other terms, men with guns will come talk to you.

So once again, it's simply a coercive property grab, this time for more commercial purposes and in no sense a bona fide economic transaction. You can call it many things, but you can't call it trade, you can't call it choice, and you can't call it voluntary.

"But this is a democratic system, where the state is only acting as a proxy of the people, so the government isn't asserting universal ownership, but merely *managing* the property of the people at large." This argument is deluded, evasive, and telling. It provides an interesting study in fallacious reasoning and behavioral science and invokes a whole new way to be divested of your property. The government will only seize it by force once your neighbors and countrymen have voted it away from you. Whatever happens is up to the caprices of the 50.1 percent. Imagine the bizarre, macabre dystopia painted here, where no property, no moral ideology, and indeed no rights exist at all. But once again, it is beyond the scope of this article.

And lastly, I would be remiss not to point out that there is no *right* of exit. I hate to tell you, but if you show up at the airport with nothing but your luggage and boarding pass in hand, ready to find out if Ukraine is as nice as people say this time of year, you ain't goin' nowhere! This should truly be all you need to do to "just leave" if there really were a such an option. But, of course, you've got to have that little magic book, the one that's obtained through the prescribed qualification process of, plus payment to, those on high to be granted their *permission* to leave the country.

This is the very definition of *not a right*. Sure, you may say it doesn't matter that you're compelled to ask because they almost always say yes, so it's *practically* a right. What if I show up with a passport that expired last week? I mean, it's *practically* still valid. Amazing how so much semantic leeway is granted to those who allow us none.

So there you have it. If "pay up or get out" is really a legitimate proposition to live under, it must be because nothing is ours. Everything around us, including you and me, belongs to the state. At best we have possession of some of what we earn, produce, or are given, until and unless the supposed rightful owner no longer approves and wishes to reclaim it. So the next time someone poses this slogan to you, be sure to remind them of its full meaning. If they don't want to accept that reality, they can always "just leave."

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