

Unlimited Government

Guest post by Robert LeFevre. Originally published in The Voluntaryist, April 1988.

There are few men in this nation who would favor unlimited government. The mere thought of such a situation fills us all with dread. But scholars who have dealt with the problem of government long enough are beginning to wonder if the term “unlimited government” may not be a redundancy. And, in consequence, they are also wondering if the term “limited government” may not be a contradiction. How do we finally arrive at “good” government?

The Chinese had their theories, and so did the Romans and Greeks. These theories were developed, each in its own way, and today they are poles apart. Yet, both are destructive. The Chinese do not now and never did believe in a system of positive law in the Roman or Greek sense. The Chinese and many of the other oriental people believe that governments would always be governments of men rather than law.

The venerable scholars of ancient China opined this way: If you have a government composed of bad laws and good men, you will have a good government. For good men will not enforce bad laws. On the contrary, if you have a government of good laws and of bad men, you will have a bad government. For bad men will not be bound by good laws. Hence, the oriental mind believed that governments depended not on laws but on men. The problem at once became one of finding “good men” who could not be corrupted by power.

In this search for “good men” or for a system which would provide “good men,” the oriental had no success whatever. In theory, he may have been correct. In practice, he failed. But in the West, we took a contrary view. We distrusted men. We wanted none of the vagaries, the willfulness, whimsy of men in power. We wanted laws to do the governing, with men reduced to as limited a role as possible.

But somehow, we failed to see that men write the laws and that the laws written are never better than the men who write them. Nor does the dignity imposed upon a particular body of law we call a constitution serve the situation much better. Constitutions may be amended, by-passed or re-interpreted. In theory, we also had a point. But in practice, our success was no better than that of the oriental.

We are about to discover, to our dismay, that when we grant to men the power to write the laws, to interpret the laws, to enforce the laws, these men to whom we have granted power are in a position to do as they please with respect to laws. In other words, we are caught on the horns of the same philosophic dilemma which perplexed and then enslaved the orientals. We either grant total power to our politicians, or they obtain it through special pleading, or through deviousness.

And once more we, like our Eastern brethren, are confronted with the same basic problem. How do you grant men power and at the same time preserve their goodness? Or was Lord Acton right when he suggested: "All power tends to corrupt; absolute power corrupts absolutely?"

As the problem is studied, it becomes clear that while privilege is something we don't want, governments, by their nature, are instruments of privilege. When we rely on government, those in government will have a confided power. This is to say that those in government will have power over those others not in government. And this is a position of privilege however it is used or abused. In short, government is ALL-powerful. Those limitations it appears to respect are only those which, at the moment, it wishes to retain.

When the men in office who have power wish to exercise it, they will do so. When they do, "unlimited government" is the reality and the rule. And since such is the direction any government may take at any time, it appears that government is unlimited whenever it wishes to be unlimited.