

Penn Jillette's Poor Understanding of Freedom and Government

James Conrad

August 4, 2016

In February 2016, renowned magician and comedian Penn Jillette gave a talk at the 28th Annual Cato Institute Benefactor Summit, in which he briefly praised Libertarian Presidential candidate Gary Johnson and discussed at length why he became a libertarian, having been given a lesson by Tim Jenison, an inventor who founded the computer graphics company NewTek:

“I was then just your kind of standard liberal there at the end of the '80s, and Tim was libertarian. He was pro-freedom, and Tim was also brilliant, and Tim was also really successful, and Tim was also compassionate, and Tim was also a peacenik. And I started giving all the arguments for why the government had to be more powerful and do all these things, all the arguments that you'd now hear as feeling the Bern.

“And Tim said a really simple sentence to me. He said, ‘Do you think it's O.K. to punish people who have done nothing wrong?’ And I said, ‘No,’ even though I kind of felt somewhere in my heart it was a trick question.

“And then he said, ‘Then why is it O.K. to reward people who have done nothing right?’ And he said ‘Because can't you see that you can't reward without punishing? They are the same thing.’ And that shut me up for a little while.

“And then Tim started saying, ‘You know, you're so against force. You've never hit anybody in your life. You have been beat up. You've been in carnival situations that have gone badly, and people have hit you and you've not hit them back because you didn't think it was life-threatening. You are insanely peacenik in terms of the way you see war, and what the country should do. Why do you think it's so O.K. for the government to use force to get things done that you think are good ideas?’

“And Tim and I were very, very close. And Tim did not try to seduce me, Tim did not try to make the things we disagree on seem like nothing. He said, ‘You're wrong! You're an asshole! Think about this!’

“Turns out to me, that’s the way you argue with me because that’s the way you show respect. You’re saying, “I’m really telling what I really think! I’m not going to try to trick you or try to be nice or suck you in. I’m just telling you what I think.

“And I started thinking that one really good definition of government is government is supposed to have a monopoly on force. They’re the only ones who are allowed to use force legally, and then we are supposed to be the government. And I didn’t come up with any sort of belief in the invisible hand that’ll make us all richer, or there’ll be prosperity. I know people make these arguments, and they’re probably right, but that’s not where any of my love for libertarianism comes. It comes from the simple idea that the government are the guys with the guns and we are the people who tell the government what they can do. So, in my morality, I shouldn’t be able to tell anyone to do something with a gun that I wouldn’t do myself.

“Now I want to add here, that I am incompetent and I am a coward, so this is all theoretical what I am about to say. I wouldn’t actually be able to accomplish this stuff. But if you asked me, ‘If someone is being murdered, would you use a gun to stop that murder?’ Now, that’s saying that I know it’s a real murder going on and I know the person is innocent and all of that’s stuff going on. But this is a good thought experiment. Would I use a gun to stop a murder? Yeah! Would I use a gun to stop a rape? Yeah! Would I use the threat of a gun – A GUN – to stop robbery? Yeah! I think you’ve kind of got to? Would I use a gun to protect our country and our way of life? Yeah? Would I use a gun to build a library? No! Do I think a library’s really important? Wicked important! Really important! I came from a dead factory town in western Massachusetts before the internet, you know? Without the Greenfield Public Library, I wouldn’t have have a chance! I rode my bike there every day! I read everything! When Frank Zappa put on the back of the album Lumpy Gravy, ‘Do not listen to this until you’ve read Kafka’s In The Penal Colony,’ I jumped on my bike and rode to the library and read it and then came back and listened to the record! I follow directions well! So will I give my money to help someone build a library? Yeah! Will I ask other people to give their money to help build a library? Yeah! Will I beg other people to give money to build a library? Yeah! Will I lie to people to get them to give money to build a library? Little bit. Will I use a gun to get someone to build a library? No. And that is, in a nutshell, my entire view of politics – that I have to look over what people want the government to do, and say, ‘If I were given all the power, would I use a gun to accomplish what they want to accomplish?’”

As soon as I heard Penn Jillette mention that he had the feeling he had been asked a trick question, my mind immediately went to Mark Ames brilliant exposé, “Found: Libertarians’ ‘Lying To Liberals’ Guide Book,” in which Ames discusses the glib deceptions libertarians use to recruit members, as seen in Moshe Kroy’s “Marketing Libertarianism,” published in Reason in February 1977, and “How To Get Converts Left & Right: Political Cross-Dressing Is The Answer” by Michael Emerling published in Reason that December. Both articles suggest that the

best way to persuade people to nail their colors to libertarianism's mast is, for all intents and purposes LIE to them.

I do agree with Tim Jenison about how it is wrong to punish people who have done nothing wrong and reward those who have done nothing right. Specifically, it bothers me very much that in the United States, an innocent man like Troy Davis can be wrongly convicted of murder using questionable evidence and subsequently executed, but a CEO of a large corporation who gets fired for being either a cheap crook or an incompetent fuck-up can be given a golden parachute to the tune of tens of millions of dollars.

Jenison is also, in a way, correct in that the difference between a reward and a punishment is relative. For example, for about half a century, many people argue that Jimi Hendrix was the greatest rock guitarist of all time, and I will not disagree. However, it makes just as much sense that Hendrix, for all his sold-out shows and millions of records sold, was expected to live up to the high standard he set to the extent that he came to believe his life and career were being dictated for him, and that was just as much a catalyst in his untimely death just as much as the seconal and wine that caused him to asphyxiate on his own vomit. A better example: capital punishment is not really punishment but release, as suffering ends with death. Thus, it is, in a form, more of a reward. No wonder sadistic serial killers Carl Panzram and Peter Kürten looked forward to being executed.

However, there is a gap in Penn Jillette's narrative. He did not elaborate as to how the government uses force to accomplish the things he believes to be good ideas. Despite that, I will deconstruct a two salient libertarian arguments. First, taxes are not theft, but a risk pool used to cover such costs as benefits for people who have fallen on hard times, roads, schools, parks, firemen, police and emergency medical services. Because many U.S. CEOs have been storing their money in West Indies tax shelters to the tune of \$2.1 trillion altogether, costing the U.S. taxpayers \$90 billion per year to keep it there, many of these facets of the infrastructure end up suffering for being underfunded, which leads to further waste in the form of a city paying more to settle with a driver with a broken axle than to fix the pothole.

Second, finer for expired parking meters are not theft. They are merely a reminder to motorists in crowded, busy cities that parking spaces are at a premium during business hours and traffic needs to remain in motion so that people can conduct their business efficiently, in which the motorist is given the choice between paying a few quarters or fifty bucks. Moreover, I am hard put to remember anybody being killed by law enforcement or by the State or Federal Department of Corrections over an unpaid parking ticket, nor any citizen telling either law enforcement or the State or Federal Department of Corrections to do so.

Moreover, though Penn Jillette seems to favor the idea of "good guys with guns stopping crime," he admits that he is too cowardly and incompetent to join their ranks, but still asserts, "I shouldn't be able to tell anyone to do something with a gun that I wouldn't do myself." But

Penn, what if the people called upon to do things with guns have a specific set of skills required of their job and you don't? Would you rather have such a task trusted to an incompetent coward, or somebody who has undergone hours of specialized training?

If Penn Jillette is so against the government using force, why does he favor Gary Johnson, who, as Governor of New Mexico, privatized prisons, implemented harsh three-strikes sentencing laws, accepted campaign donations from the same private prisons he introduced to New Mexico and in 1999, opposed an independent study of these private prisons, despite the fact that over the course of a year before this, there had been a riot and numerous killings throughout New Mexico's private prison infrastructure?!

Penn Jillette also states that he would use a gun to stop rape, robbery and murder, but would not use a gun to accomplish the construction of a library. Well, let me ask, you, Penn: when the hell was the last time in the United States that somebody had to use a gun to get a library built? Who the hell ever heard of that happening?

And while we are on the subject of the distribution of books, why the hell is Penn Jillette on a stage saying that it's wrong to use a gun to get somebody to build a library at an event hosted by the Cato Institute, a libertarian think tank that along with the Rampart Journal and Reason, published Holocaust denial literature, thereby aggrandizing those book-burning Nazis?

And with that in mind, Penn, though I am a fan of your performances with Teller and was delighted to have seen you and Teller perform at the Shubert Theater in New Haven, Connecticut in 1996, you're wrong! You're an asshole! Think about this!