LIBERTARIANISM

A Treatise on the Modern Natural Law of Individual Rights

N. Stephan Kinsella

Conceived June 1994

Contents

I. Introduction

II. Past Masters

Ideas:

Summary of Contents.
Detailed Table of Contents.
Summary of libertarian positions. Restatements? before each chapter...?
Foundations.
Various terms for libertarianism: Renaissance minimalist; classical liberal; libertarian; anarchist; anarcho-capitalism; night-watchman; minimalist state; etc.
History. Classical liberals. Libertarian Party. Think tanks. Paleoconservativism, Paleolibertarianism. Objectivism, neo-Objectivism.
Famous libertarians and their main theories. Nozick, Rand, etc.
Various libertarian creeds (Galt's credo--I swear by my life and my love of it...), Libertarian party oath; Oath of peace; L. Neil Smith's Covenant of Unanimous Consent.
Libertarian Utopias (Iceland; Ireland; Rand's Atlantis; Schulman; Project Lifeboat; Oceana).
Use Rothbard; Kinsella; Mises; Hayeck; Friedman; Nozick; Narveson; Hospers; Machan; Lomasky; Bergland; Rasmussen & Den Uyl et al. for general organizational ideas & schemes.
Practical applications. Civil law v. Common law. International law. abortion. taxation. police. discrimination. property. contract.
Libertarianism in the real world.
Appendices:
- Master Bibliography. Sub-bibliographies for each chapter or field.
- Recommended books.
- List of libertarian periodicals. Think tanks. Addresses. Thinkers.
- Table of articles/books cited, by author.
- More ambitious:
  - List of articles and brief abstract/summary similar to in Harmon's patents book
  - brief bio/info section on the top 100 thinkers, old & modern: Rand, Nozick, Machan, Peikoff, etc.
  - Glossary...

Detailed index—name and subject.

[14] From: N. Stephan Kinsella at SHSL-PH2 7/19/94 2:37PM (5278 bytes: 82 ln)
To: machatr@mail.auburn.edu at INTERNET
cc: N. Stephan Kinsella
Subject: Libertarianism treatise
---------- Message Contents ----------

Professor Machan,

I had an idea I thought I might bounce off you. I don't know how familiar you are with legal materials, but you must be somewhat familiar with it with all your research. There are hundreds of treatises in the law, written to cover various specialized or general areas. Many of these are updated annually or even quarterly, with "pocket parts"--pulp paper inserts put into the inside back cover that supplement various sections of the main text with more recent cases or laws etc. Some treatises are in "loose leaf" format such that each update merely delivers new pages to be replace outdated ones in the volume.

I've never seen such a nice treatise in any other area, like engineering, philosophy, economics, etc. However, these treatises are very useful research and teaching/learning tools, and I'm beginning to wonder if something like that might be useful for libertarian theory. It could be a treatise simply entitled "Libertariansism," and could be basically a systematic presentation of the main libertarian ideas, with discussion of course of areas of dissent, ambiguity, gray areas, etc. Then if a new article or treatise is published on a given area of libertarian theory (or natural law theory, one could say), in the next supplement to the treatise the more recent writings could be added as references in the footnotes or even incorporated into the discussion in the text. I know there's not really a legislated or customary "libertarian law" out there to codify, but there has developed a fairly consistent body of "natural law" that comprises the body of libertarian theory. There are, for example, treatises (e.g. Ian Brownlie) on International Law, which is sort of in between something abstract like libertarian theory and actual law like contracts or patents.

I've read many "treatises" or mini-treatises on libertarianism, but rarely are they systematic and comprehensive (in the sense that Mises' Human Action is for economics); and usually they are the particular author's unique theory. E.g. your books, Nozick, Lomasky, Rothbard, Rand--each mainly present the author's own theory, although much of the background theory is reviewed as relevant. However, I would think that a systematic restatement/codification/presentation of the current state of libertarianism (sort of like Peikoff's book on Objectivism attempted to systematize and codify objectivism) would be very useful as a basic text or tool of research or learning for writers, thinkers, etc. Sometime down the road, on the order of decades, probably, I might consider looking into this, although very probably I would have to get assistance from several other co-authors. I'll probably never be competent enough or have enough free time to do such a thing on my own

For all I know, something like this exists, although it seems not. I've read your works, Rand, Charles Murray, Locke, Nozick, Lomasky, Narveson, Hoppe, Rothbard, Mises, Friedman, etc., but don't think I've ever come across a systematic presentation of the current body of libertarian theory. "Libertarianism in One Lesson" is similar in scope but too skimpy of course. One I've never seen is Hospers' "Libertarianism"--maybe this is similar to what I'm describing, although maybe without the update feature. Rothbard's claims to be a Libertarian Manifesto, but I find it is his own theories mainly and not comprehensive. I know you've edited some books presenting some of the various strands of libertarian theory, but they are not comprehensive either. I am envisioning perhaps a multi-volume loose-leaf treatise updated at least annually, that could be a standard reference text for anyone writing on libertarian theory--it would have discussions of various thinkers' views on the interesting issues, all grouped in systematic fashion.

If you feel inclined/have time to reply, I wonder if you have any thoughts on this. Specifically, are you aware of any already-published books that basically summarize and present libertarian theory? (That would include Aristotle, Locke, Adam Smith, on up to Nozick, Rothbard, Rand, et al.) Do you think such a project is feasible? Or would it be of use or of interest at all?

[12] From: jnarveso@watarts.UWaterloo.ca (Jan Narveson) at INTERNET 7/20/94 1:43 PM (1534 bytes: 25 ln)
To: N. Stephan Kinsella at SHSL-PH2
Subject: Re: Libertarian Treatise
---------- Message Contents ----------

Text item 1: Text Item

Hi, Steve -

I'm thinking about your interesting suggestion. There should be a modest body of theory that all libertarians would agree about. Where they disagree is on (1) the right account of foundations; that is not specifically a Libertarian project, but rather a general philosophical project. Many libertarians have embraced what they claim to be some version of "natural rights". Others of us don't like such talk, generally, and I have been unique, but perhaps am no longer, in proposing contractarianism as the only respectable foundations for political theory, and in proposing that libertarianism is what issues from those. At any rate, there is disagreement at that level. (2) There is also, entirely unsurprisingly, a good deal of disagreement about specific practical issues. For example, I think libertarians are not at one about abortion. (3) But there should be total agreement on the defining properties of libertarianism as a general outlook: I take it that a libertarian by definition believes that everyone (at least, every adult) has a (negative) right to maximal general liberty, and fundamentally nothing more.

At some point I'd like to work on such a thing. I can't do anything right now, though. Please keep in touch.

Jan Narveson

[11] From: N. Stephan Kinsella at SHSL-PH2 7/20/94 2:23PM (6906 bytes: 112 ln)
To: jnarveso@watarts.UWaterloo.ca at INTERNET
cc: N. Stephan Kinsella
Subject: Re[2]: Libertarian Treatise
---------- Message Contents ----------

Text item 1: Text Item

Jan,

(It's Stephan, pronounced like Stephanie without the -ie, not Steve :))

Typically treatises summarizing varied bodies of law--like the legal encyclopedias Am.Jur.2d (American Jurisprudence, 2d. ed.) and CJS (Corpus Juris Secundum)--often must summarize the law in all 50 U.S. States. What they do is state the majority or predominant position, and sometimes have references or footnotes to minority views. E.g., "Most states, except Louisiana, have an in-place theory of mineral ownership...", etc. (although I made this up and it is not accurate legally speaking). The introduction to the Libertarianism treatise could state that the majority or most-well-accepted view is stated, unless the context indicates otherwise. E.g., instead of saying, "Most libertarians feel that a minimal state is justified, although a minority view anarchy as justified," the treatise could say, "Under libertarian theory, the only function of the government is _____, although some libertarians [footnote to those, or cross-reference to discussion of libertarianism in the text] favor anarchy."

If you ever get a chance to look up one of the Restatements (e.g., Restatement (second) of Contracts, or Restatment (Second) of Torts, etc.; or Am.Jur.2d; or White & Summers, Uniform Commercial Code; or Williams & Meyers, Oil & Gas (summarizing all 50 states' oil & gas law)), you'll get a feel for how these treatises work and how they organize subject matter and treat minority or dissenting views.

I would think the treatise would have a general introduction, explaining modern libertarian thought very briefly;

then a History section, divided into past classical thinkers e.g. Hobbes, Locke, Rousseau, Smith; and a modern thinkers, part, covering maybe from the '30s or so on up to the Lib. party, Ayn Rand, Rothbard, et al;

then maybe a chapter or Part on the systematic nature of libertarian theory and its relation to other fields of philosophy--contrast Rand's view that it is one aspect of philosophy, to others' view that it stands on its own, etc.;

then a discussion of the various views of foundations or justifications of basic rights theory;

how this relates to government;

how various libertarians view theory v. practice (e.g. some view a theory of rights as merely prima facie, but would approve some violations of "rights" to protect others--etc.);

then a detailed view on various aspects of it, with many discussions of separate areas like drug use, taxation, the draft, immigration, abortion, etc.;

a closing section on libertarian views of how to get from here to there vs. what the ideal world looks like, including which libertarian principles are actually applicable in a non-libertarian world, and which ones could improve the current situation even if we stay part-statist, which principles should be implemented only if others are too (e.g., some feel that immigration should be limited given the welfare state's existence; some feel that the receipt of welfare dollars, use of roads, or other seeming forms of theft are permissible when you have no choice or are thrust into a system where you would be at a competitive disadvantage if you stuck by your principles, etc.).

I believe once the treatise was done, it could be gradually revised and improved with supplements, and it would be fairly easy to update it. I know that legal treatises that are popular sell for a lot--say, $100 or $200 for single-volume treatises; and the annual or quarterly supplements (automatically mailed and invoiced to most subscribers/purchasers) cost a lot, like $50 or so each. Of course the legal market can bear it, which may be why legal research tools and materials are so good. I don't know if there would be enough of an economic demand for such a thing for libertarianism. But one good thing would be that (as far as I know) it would be the only non-legal treatise like that, at least the only political one. Although the "established" or respected doctrines like liberalism and conservativism have been around a lot longer, I don't think such a treatise is even conceivable there, partly because of the greater diversity; but partly because their ideas /are/ incoherent, and attempting to systematize them would reveal that they could not be, because they are /not/ well thought out. Socialism or communism might be closed enough to to a treatise one, but no one would want to anymore since it's discredited now. The very existence of a Libertarianism treatise, given the absence (and implied impossibility) of a Socialism treatise, or Liberalism, or Republican treatise, would I think give libertarianism more credibility and make it be taken more seriously academically--especially if such a treatise is produced in a field with a much smaller number of thinkers, relative to conservative or liberal thought.

I will keep in touch re this; as I mentioned, like you, I couldn't even think about getting to this for quite some time, although it may begin percolating in the background, who knows.

Regards,
Stephan Kinsella

Libertarianism:
A Treatise on Individual Rights and Limited Government

Notes:

Book shd. include:

Detailed bibliography, books, and articles/etc.

Focus on modern libertarianism. Origins not as important as current philosophy.

Brief history of libertarianism. Two parts: historical precursors; modern libertarianism (Locke or so till now). Libertarian party. Reason, Liberty, Cato Institute, FEE, Reason foundation, etc. Paleolibertariansim, LvMI, RRR, Chronicles. Current state.

Summary of main thrust of libertarianism. Relation to other aspects of philosophy; place within.

The Libertarian party and movement. Objectivism. IOS, ARI, TIA.

Section with brief summaries of major libertarian thinkers: mainly well-known or influential theorists or popularizers. Have first small section with important pre-modern thinkers whose works are often referred to: Socrates, Plato, Aristotle, Bacon?, Hegel?, Kant, Hobbes, Rousseau, Thoreau?, Bastiat, Hazlitt, Montesquieu, Locke, Madison?, Hamilton?, Jefferson, Paine, Spooner, John Stuart Mill, Nock, Lane, Paterson, Rand, Rothbard, Mises, Hayek, Hoppe, Higgs, Lomasky, Machan, Rockwell, Bruno Leoni, Milton Friedman, David Friedman, Richard Epstein, Skousen?, Harry Browne?, Rasmussen & Den Uyl, Narveson, Seldon?, Block, Childs?, Leanard Read. Modern proliferation: Kelley, Cato Institute (Pilon etc.), G. Reisman, Beckmann; Merquior?; Raimondo?, Gottfried?, Bernard Siegan?, Tannehills, Bruce Benson?, Eric Mack. No doubt I have left many out that should be included, either through my own ignorance, inadvertence, or because of time or space limitations.

Institutes: IOS, FEE, LvMI, Cato, Reason, IHS, ISIL.

Foundational issues. Theory of rights. Types of justifications: natural rights, utilitarian, pragmatic. Role of reason.

Anarchists vs. Minarchists/nightwatchmen.

Practical applications and concrete issues. Blackmail. Intellectual property. Babies/fetus rights. Libel/Slander/reputation. Contract. Environment. Punishment. Pornography. Property Rights. Public goods. Antitrust. Zoning. History (railroads, robber barons, sweatshops). Socialism. Cold War. Nuclear weapons. Nuclear power. Religion & government. Federalism. Abortion. Euthenasia. Suicide. Trials, determining guilt; compulsory jury service. FIJA. Slavery. Right to bear

arms. Right to free speech. Ninth Amendment. Prior restaint. One world government. Gold standard/money supply. Great Depression. Charity/welfare; social security, socialized medicine, Significance of FDR's New Deal & LBJ's Great Society, . Draft. War. World War II. Ratcheting effect. Democracy/Monarchy/mob rule.

America.

Torts: Causation, strict liability. Punishment.

Role of law: legislation vs. common law etc.

International Law.

Hospers, John

LIBERTARIANISM

A Political Philosophy for Tomorrow

JC
585
H78

TEMPLE
UNIV.
LIBRARY
PALEY

Nash Publishing/Los Angeles

374652

Copyright ©1971 by John Hospers

All rights reserved. No part of this book may be reproduced in any form or by any means without permission in writing from the publisher.

Library of Congress Catalog Card Number: 71-127482
Standard Book Number: 8402-1163-5.

Published simultaneously in the United States and Canada by Nash Publishing, 9255 Sunset Boulevard, Los Angeles, California 90069.

Printed in the United States of America.

First printing.

Contents

Introduction *1*
Liberty and Government *9*
Rights and Government *49*
Economic Liberty *95*
Economic Liberty and Government *117*
Profits and Liberty *213*
Socialism and Liberty *245*
Welfare and Government *281*
Taxation and Civilization *321*
Social Functions in a Free Society *347*
Liberty and International Relations *393*
Is Government Necessary? *417*
Notes *465*
Index *479*

Introduction

"It was those early morning hours that we learned to dread." The little Latvian woman trembled and tried to keep back the tears, but she continued to speak with quiet dignity. "That was when the secret police would knock on the door and take people away. Usually we never heard from them again. Sometimes we heard that they had been shot, and sometimes that they were still alive somewhere in Siberia—but we never knew. Whole families would be taken, separated, their houses would be occupied by the Soviet authorities. During the Russian occupation of the Baltic countries, almost half the populations of Latvia, Lithuania, and Estonia were taken away. Sometimes the whole family would be sent to Siberian prison camps—but that was a death sentence too, usually within a year, from cold and starvation and overwork. Others were told to get out of their homes with just the possessions they could carry on their backs—they were told to migrate east, wherever they could find a place—but of course there weren't any places, and they tried to live off the land, but

mostly they just starved along the way, the aged and crippled first. But in the end there was no chance for any of them, and the Russian authorities knew it. I guess they wanted to get rid of all of us Latvians, and they didn't care how."

"What about you?" I asked her.

"I was lucky. When they came to get some members of my family I was hiding in the woods. I saw them put my uncle on a truck—it was already overcrowded, with people from four months old to eighty-four years. The gardener who lived next door was killed. He wasn't rich but he had employed six people, and this according to the Soviets made him an 'exploiter.' My uncle was arrested, and his whole family with him, because he had owned a lake-front cottage. He used to have boats and rent them out to people who wanted to fish. This made him an 'exploiter' too, and he was shot as soon as they captured him. My aunt and uncle owned a flour mill. It was nationalized, of course. But the government let them stay on as workers—in their own mill. In fact they were forced to work there until they had taught the new workers how to operate it. They weren't killed till after they had taught the others."

She paused, trying to keep her composure. "I wasn't on their June 14 [1941] list, but I heard that I was on the next one. But in the meanwhile the Germans came, in the invasion of Russia. Naturally we ran to them as if they were saviors. But they were no better. Still, two from our family managed to get through to the West—my brother and I. As far as we know, all the rest died. We never heard from them again. I don't know how they died—I do know there was a big purge. The best Latvian army officers, including one of my brothers, were ordered by the Russians to some 'field maneuvers'—and then they were all killed by the Russians, with bullets in the back of the head, and dumped into a mass grave."

I thought of the student who had sat in that same chair in my office just a week before and told me that the Soviet way was the wave of the future, and that "the Czechs had it coming." And of the professor who had broadcast a speech that evening saying that "the United States has become so bad that it must now be liberated by Soviet Russia." I wondered how many mass graves for Americans he was planning as the price for American "liberation."

The second scene is perhaps less dramatic. It takes place in Chile, 1970. Salvador Allende has become President of Chile, and many farmers and businessmen who are able simply leave the country, fearing what is about to come. But the government makes no immediate moves and many people choose to stay in the land they have settled. Arthur Lewis, who came to Chile in 1915, was one who elected to remain. He had cleared the land, planted crops, built a large pleasant house. It was not easy to make ends meet, but when he turned a profit he reinvested it all in the land. Then, in December 1970, before dawn, his ten hired workers seized his farm. Some of these workers had been with the family for years; relations between them had always been pleasant, and Lewis' wages were higher than those on most other farms. But one worker, a Communist candidate for alderman, took charge and made sure that his men stuck by their seizure of Lewis' land. When Lewis, already 82 years old, awoke one morning in December 1970, he found his farm occupied and guarded by armed peasants who were strangers to him. He and his family were imprisoned on the farm. When his grandson tried to move some of these strangers away from the family swimming pool, the worker in charge threatened to cripple him for life.

The family plans to emigrate to Australia, if they can find the money. The $100,000 investment in their land, the years of work and effort, are all gone. They will not be reimbursed.

As for the farm itself, the workers have already sold off most of the produce and the poultry. The work on the farm has ground to a halt. When planting time comes, there may be little left to plant. The workers, having stripped the farm of its salable resources, spend their time sleeping beside the swimming pool. (See *Newsweek*, Feb. 1, 1971, p. 40.)

The third example is still less dramatic. It takes place in the United States. The Amish, a peace-loving religious sect residing chiefly on farms in the hill country of Pennsylvania, have for generations lived in peace with their neighbors, taking care of their own, asking nothing from anyone, making their living thriftily and efficiently, though without tractors and other machine tools since the possession of these is against their religious creed. Not wishing to be a part of the federal Social Security program or any similar federal programs, they declined to pay into them—nor, of course, did they wish any benefits from them. They simply wanted to be left alone. Then federal agents swooped down upon the Amish farms, demanding payment. When the farmers again declined, explaining their reasons, the agents took their horses and plows away from them, selling them and confiscating the money in order to pay the alleged debts. In the absence of farm machinery, these horses were the farmers' source of livelihood: without them they could not till the soil. But this of course did not matter to the agents: they simply took them away.

This last story may strike the reader as too low-keyed to be memorable. It never made headlines in the newspapers, nor much of an impression on the public. But all three have something in common: they all have to do with the taking away by force of human life or property, and in each case the act or removal is performed by government. And it is the use of force against individuals, particularly by government, that is considered the ultimate evil by the proponents of the political philosophy which is the subject of this book. This philosophy is called *libertarianism*. As the name implies, it is a philosophy of personal liberty—the liberty of each person to live according to his own choices, provided that he does not attempt to coerce others and thus prevent them from living according to their choices. Libertarians hold this to be an inalienable right of man; thus, libertarianism represents a total commitment to the concept of individual rights.

Individuals often try to use force against others: murderers, rapists, robbers, burglars, and sundry other criminals. So do groups of individuals like the Mafia. But by far the most numerous and most flagrant violations of personal liberty and individual rights are performed by *governments*. Governments in virtually every country of the world plunder the most productive people to support various projects dreamed up by politicians, and to keep those same politicians in power. Governments in most countries initiate aggression against their own people—in some cases forcing people to work at jobs they do not choose, in places to which they do not want to go, coercing them in virtually the whole conduct of their lives, including their amusements—and in extreme cases, forcing them to die in gas chambers and slave labor camps. The major crimes throughout history, the ones executed on the largest scale, have been committed not by individuals or bands of individuals, but by governments, as a deliberate policy of those governments—that is, by the official representatives of governments, acting in their official capacity.

Libertarianism is not yet well known to the general public. In the eyes of the average American citizen, the only choice is between "liberals" ("the left") and "conservatives" ("the right"). The "liberals," when confronted by a social problem, regularly turn toward government for a solution. Whether it is the problem of the cities, the problem of integration, the prob-

lem of poverty, the problem of housing, the problem of underdeveloped nations, and so on ad infinitum, they invoke government for solutions, at the expense of the citizenry. The problems have not been solved, but the cry is for more, more, all from government, that is, the taxpayer. I refer of course to the twentieth-century variety of those who call themselves "liberals"; the doctrine of political liberalism in the nineteenth century came much closer to deserving its name, which is of course derived from the French word *libre*, free. Liberals of our century are adept in advocating grand designs hatched from their brains—that is, the plans are to be thought of by them, and the bill for carrying them out is to be paid by everyone else.

In most respects, the conservatives are much to be preferred. The word "conservative" does not always carry the same meaning, depending on what things at the given time and place its advocates desire to conserve. As a rule they have a much more realistic picture of the economic facts of life than do the liberals, who seem to imagine that endless quantities of money will fall from heaven to fulfill their plans. The conservatives are usually aware that "you can't get something for nothing" and that when people's liberty is tampered with they will not produce as successfully and the standard of living will decline as a result. Yet the conservatives are (typically at least) not averse to using government to force their plans on others; yes, there should be censorship, they say—that is, the moral convictions of one group (the one in political power) should be forced on everyone else; yes, there should be compulsory prayers in public schools; yes, there should be foreign aid to *some* nations, though perhaps not as indiscriminate as the liberals would have. They would still undertake to decide these questions—such as what one shall read—not only for themselves but *for others* via the coercive machinery of the law.

Libertarians oppose both of these alternatives, and for the same reason. Each approves, to varying degrees, the use of force by government to make an individual act contrary to his voluntary choice. Both tend to curb the freedom of an individual to act in accordance with his choices even when it does not interfere with the equal freedom of others to do the same.

What libertarianism is, what it recommends in detail and why, and what would be its consequences if adopted, will be the subject of this book.

Selected Reading Lists

I. Books

Items marked with an asterisk (*) are concerned primarily with economic matters.

*Adam Smith. *The Wealth of Nations.* 1776 (Many editions).

*Frederic Bastiat (1801–1850). *Selected Essays on Political Economy.* Princeton, N.J.: D. Van Nostrand Co., 1964.

*———. *Economic Sophisms* and *Economic Harmonies.* Princeton, N.J.: D. Van Nostrand Co., 1964.

———. *The Law.* 1850. Irvington-on-Hudson, N.Y.: Foundation for Economic Education, 1962 (Paperbound).

Herbert Spencer. *Social Statics.* 1851. New York: Robert Schalkenbach Foundation, 1970.

Herbert Spencer. *The Man versus the State.* 1884. Caldwell, Idaho: Caxton Printers, Ltd., 1940.

*Eugen von Böhm-Bawerk (1851–1914), *Capital and Interest.* 3 volumes. South Holland, Ill.: Libertarian Press, 1959.

*———. *The Exploitation Theory* and *Value and Price.* (Extracts from the three-volume work.) South Holland, Ill.: Libertarian Press, 1960 (Paperbound).

*———. *Shorter Classics of Böhm-Bawerk.* 2 volumes. South Holland, Ill.: Libertarian Press, 1962.

*Ludwig von Mises. *Human Action*. New Haven, Conn.: Yale University Press, 1951. Revised edition, Chicago: Henry Regnery Co., 1963.

*———. *Socialism*., New Haven, Conn.: Yale University Press, 1951.

*———. *Theory of Money and Credit*. 1924. Irvington-on-Hudson, N.Y.: Foundation for Economic Education, 1971.

———. *Omnipotent Government: the Rise of the Total State and Total War*. New Haven, Conn.: Yale University Press, 1944.

———. *Theory and History*. New Haven, Conn.: Yale University Press, 1957. Reprinted, New Rochelle, N.Y.: Arlington House, Inc., 1969.

*———. *Bureaucracy*. New Haven, Conn.: Yale University Press, 1945.

*———. *Planning for Freedom*. South Holland, Ill.: Libertarian Press, 1952 (Paperbound).

*———. *The Anti-Capitalist Mentality*. South Holland, Ill.: Libertarian Press, 1956 (Paperbound).

Isabel Paterson. *The God of the Machine*. New York: G. P. Putnam's Sons, 1943. Reprinted, Caldwell, Idaho: Caxton Printers, Ltd., 1964.

Ayn Rand. *Atlas Shrugged*. New York: Random House, Inc., 1957 (Hardbound and paperbound editions).

*———. *The Virtue of Selfishness*. New York: New American Library, Inc., Signet Books, 1964 (Paperbound).

*———. *Capitalism: the Unknown Ideal*. New York: New American Library, Inc., 1967 (Hardbound and paperbound editions).

Friedrich von Hayek. *The Constitution of Liberty*. Chicago: University of Chicago Press, 1962.

*Henry Hazlitt. *Economics in One Lesson*. New York: Harper & Row, Publishers, 1946 (Paperbound edition, Macfadden Books).

*———. *Time Will Run Back* (A Novel). New Rochelle, N.Y.: Arlington House, Inc., 1970. (Originally published as *The Great Idea* by Appleton-Century-Crofts, 1952.)

*———. *Man Versus the Welfare State*. New Rochelle, N.Y.: Arlington House, Inc., 1969.

*———. *The Conquest of Poverty*. New Rochelle, N.Y.: Arlington House, Inc., 1971.

*Murray Rothbard. *Man, Economy, and the State*. 2 volumes. Princeton, N.J.: D. Van Nostrand Co., 1962. New edition by Nash Publishing in press.

*———. *Power and Market*. Menlo Park, Calif.: Institute for Humane Studies, 1970.

Jerome Tuccille. *Radical Libertarianism*. Indianapolis, Ind.: Bobbs-Merrill Co., 1970.

II. Periodicals

The following magazines, though differing from one another widely on particulars, all contain articles on aspects of the libertarian moral and political philosophy, on the economics of liberty, and comments on current national and international issues:

The Freeman. Monthly. Published by the Foundation for Economic Education, Irvington-on-Hudson, N.Y. Primarily on free-enterprise economics.

The Objectivist. Edited by Ayn Rand. Monthly. Published at 201 East 34th St., New York, N.Y. 10016.

Reason. Monthly. Box 6151, Santa Barbara, Calif. 93105.

The Libertarian Forum. Monthly. Box 341, Madison Square Station, New York, N.Y. 10010.

The Individualist. Monthly. 400 Bonifant Road, Silver Spring, Md. 20904.

RAP. Quarterly. Pine Tree Publications, 104 West Fourth St., Santa Ana, Calif. 92701.

Index

African nations, 132–34
Agriculture, 148–49, 157–58, 192, 209–10
Airwaves, rights to, 63–64
Alchian, A., and Allen, Wm., quoted, 169–70
Aluminum Co. of America, 195
Altruism, 114
Amish, 4
Anarchism, 421–60
Anderson, Martin, 473
Anti-trust legislation, 174-75, 193–97
Aquaculture, 370–71
Arbitration agencies, 431–32
Argentina, 213–14
Autocratic government, 40–43
Automation, 124–25, 158–62

Balkan nations, 399–400
Baltic nations, 1–3, 399–400
Bastiat, Frederic, quoted, 118–19, 120–22, 122–23, 123, 124–25, 126, 148–49, 264–65
Bayes, William W., quoted, 80
Bill of Rights, 46–47, 407
Blough, Roger M., 215
Boarman, Patrick, quoted, 176
Branden, Nathaniel, quoted, 62, 420–21
Bryan, William Jennings, 335
Building. See Housing
Burke, Edmund, quoted, 462
Burns, Arthur F., quoted, 215
Business and government, 187–92, 203–206

Caesar and Caesarism, 327–330
Cambodia, 387
Capital accumulation, 100–101, 305–306
Capitalism, 90–92, 104; Chapters 3–9, passim
Capitalism, history of, 236–39

Capitalism and war, 411–15
Carnegie, Andrew, 271
Carson, Clarence B., quoted, 146–47, 157, 158, 176, 177–78, 178, 188–89, 190, 191–92, 292–93, 293–94, 308–9, 310
Censorship, 25–26
Chamberlain, John, quoted, 168, 170
Charity, 228–30, 297, 299–300
Chiang Kai-Shek, 397
Chile, 3–4
China, 93, 397–98, 402, 463
Churchill, Winston, 227–28
Clayton Anti-Trust Act, 174–75
Cleveland, Grover, 335
Coinage, 371–73
Collective ownership, 65
Collectivism, 81–94, 254. See also Socialism
Colonialism, 404–6
Consent, argument from, 422–23
Conservatives, 5–6
Conservation of resources, 367–71
Constitution, 47–48, 420
Copper, 369–70
Copyright, 71–72, 450–51
Cotter, Cornelius P., quoted, 191
Courts, 432–33, 446–51, 19–20, 286
Credit, 148–52
Cripps, Sir Stafford, 226–27
Crocker, George, 397

Dallin, 36; quoted, 394–95
Dams, 349–50
Debt, national, 340–46, 390–91
Defense agencies, 434–37, 440, 448, 449, 453, 457
Democracy, 40–43, 426–29. See also Autocracy, Republic, Totalitarianism
Depression, 333–35; of 1929, 336–42
De Riencourt, Amoury, quoted, 328, 339
De Tocqueville, Alexis, quoted, 325

Education, 311–12, 462–63, 374–85
Educational Testing Service, 382
Electricity, 135
Ellis, Abraham, quoted, 154
Employment, 143–44, and Chapter 7, passim
Exploitation, 232–44

Family relations, 446–47
Fascist, 38–39
Federal Communications Commission, 72
Federal Reserve Bank, 331, 333, 335

Fire departments, 352–54
Flynn, John T., quoted, 343, 343–44
Force, use of, 13–17, 22–23; retaliatory vs. initiatory, 15–17, 425
Ford Motor Co., 167, 270–71
Forests, 368–69
France, 138
French Revolution, 43
Fraud, 23–24
Friedman, Milton, quoted, 110–11, 147–48

Gamarnikov, Michael, 477
General Electric Co., 195–97
General Motors, 167–68, 172, 383–84
Germany, 29, 131, 138, 201
Gold standard, 197–200, 336
Government, types of, 27–47; intervention in the economy, Chapters 3–9; limited government vs. anarchism, 417–60; government aid to foreign nations, 403–4
Grant, Richard, quoted, 332
Great Britain, 159–60, 185, 225–28 and passim
Greaves, Percy, quoted, 234, 235
Greece, 224–25, 403
Greenspan, Alan, quoted, 194

Hand, Learned, quoted, 195
Harm, meaning of, 51–52
Hart, H. L. A., quoted, 51
Hayek, F. von, quoted, 93, 238–39
Hazlitt, Henry, quoted, 18–20, 108–9, 150–51, 179, 250, 256–63, 294
Holland, 295
Hill, James J., 355, 359
Homestead Act, 72
Hoover, Herbert, 336–38, 340
Hopkins, Harry, 396
Housing, 139–42, 307–310, 366–67. See also Urban renewal

India, 131–32
Individualism, 81–94
Inflation, 197–203, 345–46
Inherited wealth, 71

Insurance companies, 435–37, 448. See also Defense agencies

Japan, 131–32
Jefferson, Thomas, 463; quoted, 281
Job Corps, 288–90

Keller, Werner, 397
Kubek, Anthony, 398
Kerensky, Alexander, 29

Labor disputes, 32, 174
Labor unions, 174–80
Laski, Harold, quoted, 248
Latvia, 1–2. See also Baltic nations
Law, rule of, 17–20, 419–21; scope of, 20–27 and passim
Lecky, W. E. H., quoted, 321
Lehr, Stan, 361–62
Lenin, Nikolai, 29, 231–32
Liberal vs. conservative, 5–6, 211
Libertarianism, 4–17 and passim
Liberty, meaning of, 9–14, 249–50; and rights, Chapter 2; and economics, Chapters 3–8; and international relations, Chapter 10
Licensing and inspection, 362–65
Lifeboat fallacy, 222–24

Madison, James, quoted, 472
Mafia, 443
Machines, 124–25. See also Automation
Mao Tse Tung, 397–98
Marx, Karl, 250
Masters, Robert L., quoted, 166–67

McGee, John S., quoted, 169
McKinley, President William, 335
McMichael, Daniel, 409–10
Medicare, 303, 283–85
Medicine and government, 180–87
Migrant workers, 147
Mill, John Stuart, quoted, 20–21, 305
Minimum-wage laws, 144–48
Moley, Raymond, quoted, 328
Money supply. See Coinage, Gold standard
Monopoly, 162–74. See also Anti-trust

Needs, human, 77–78, and passim
Negroes, 43, 85–87, 192. See also Racism
Nock, Albert Jay, 241; quoted, 172–73, 462–63
Nolan, David F., quoted, 381–82, 383–84
Norris-LaGuardia Act, 175

Office of Economic Opportunity, 287–89
Onassis, Aristotle, 224–25
Orwell, George, 269

Paterson, Isabel, quoted, 274–75, 315–18, 329–30
Pacifism, 15–16
Patents, 71–72
Payne, Robert, quoted, 93
Penn Central, 362
Peron, Juan and Evita, 213–15
Planning, economic, 252–65; also Chapters 4–7
Poirot, Paul, quoted, 320
Police, 387–88, 425–26, 430
Pollution, 69–70
Portugal, 37
Pornography, 448–50
Post office, 128–29. See also Public utilities
Poverty, Chapter 7, 354
Power, political vs. economic, 244, 272–73, 276–80
Price-fixing, 141–42
Prisons, 438, 451–53
Production, 96–101, 228–30, and Chapters 3–7 passim
Profits, Chapter 5, and Chapters 3–4 and 6–8, passim
Property rights, 52–54, 61–80, and Chapters 3–9, passim. See also Rights
Public interest, 84
Public ownership, 81–84. See also Collectivism
Public sector vs. private sector, 117–18
Public works, 123
Public utilities, 347–54
Publishing, 255–56

Racism, 85–86
Railroads, 354–56
Rand, Ayn, 418; quoted, 16, 55, 56–57, 76–77, 80, 85, 86, 87, 91, 92, 94, 186–87, 242–44, 299–300, 387, 414
Read, Leonard, quoted, 109–10

Reagan, Ronald, quoted, 286–87, 287
Rent controls, 137–38
Republic, 46–47. See also Democracy
Rights, 49–80, 184, 377–78, 423–29, 445, 446
Roads, 354–62
Rogge, Benjamin, quoted, 251
Roosevelt, Franklin D., 338–44, 381, 396, 397, 400
Rossetti, Louis, Jr., quoted, 361–62
Rothbard, Murray, 476; quoted, 52, 69–70, 239, 240–41, 277, 365–66, 367, 368–69, 369–70, 370–71, 372, 373, 400–1, 428, 430–31
Russell, Bertrand, 380
Russell, Dean, quoted, 221
Russia, 1–3, 93–4, 232, 246, 247, 279, 394–97, 399–402, 410, 413, 463, and passim

Scheibla, Shirley, quoted, 288, 289, 290, 291
Security, 78–79, 301–305, 343, and Chapters 6–8, passim
Seen vs. unseen in economics, 117–28, 303–4, 324
Selective service, 60
Selfishness, 111–14
Sherman Anti-Trust Act, 194
Siberia, See Russia
Slavery, 47, 267–68, 401, 405
Smith, Adam, 160
Snow, C. P., quoted, 278
Snyder, Carl, quoted, 170–71, 235, 271, 305–306
Socialism, Chapter 6
Social security, 152–55
Soviet Union. See Russia
Spain, 37
Sparks, John C., quoted, 130–31
Spencer, Herbert, quoted, 44–45, 45–46, 50, 51, 59, 265, 266–67, 267–79, 311, 312, 313–15, 321–22, 325
Standard Oil Co., 168–70
Statism, 27–37 and passim. See also Fascism, Totalitarianism, Autocracy
Stratification of society, 294–96
Strikes, 32, 174
Student organizations, 279–80, 398
Survival of fittest, 115–16

Tannehill, Morris and Linda, quoted, 431–32, 432, 433, 434, 434–35, 436–37, 437, 455–56, 456–7, 457, 458, 459, 408–9
Tariff, 155–58
Taxation, 122, 207–10, 385–91
Telephone, 350–52, 129–30
Tennessee Valley Authority, 349–50
Tibet, 398
Totalitarianism, 27–37, 413, 461, and Chapters 1 and 10, passim
Trotsky, Leon, quoted, 246

Unions, labor, 174–80
United Nations, 406–10

United States Steel Co., 170–71, 194–95
Urban renewal, 307–309. See also Housing

Vanderbilt, Commodore, 206, 271
Vietnam, 211, 427
Von Hayek, see Hayek
Von Kuehnelt-Leddihn, E., quoted, 405–406
Von Mises, Ludwig, 411; quoted, 105–106, 219, 286–87

Walter, David F., quoted, 388
War, 395–403, 411–15, 454–60, 461
Water supply, 348–49. See also Dams
Weaver, Henry G., quoted, 95–96
Welfare state, Chapter 7
Webb, Sidney and Beatrice, quoted, 248
West, Dick, quoted, 180–82, 185
Wollstein, Jarrett, quoted, 57, 353, 357, 385

10

LIBERTARIANISM: A POLITICAL PHILOSOPHY FOR TOMORROW
by John Hospers

I. INTRODUCTION 1

II. LIBERTY AND GOVERNMENT 9

A. Libertarianism and Law 17

B. Types of Government 27

III. Rights and Government 49

A. The Right to Property 61

B. Individualism versus Collectivism 81

IV. ECONOMIC LIBERTY 95

A. Capitalism and Selfishness 111

B. Capitalism and the Jungle 115

V. ECONOMIC LIBERTY AND GOVERNMENT 117

A. Rent Controls 137

B. Federal Housing Projects 139

C. Price Fixing 141

D. Guaranteed Jobs 143

E. Minimum Wage Laws 144

F. Government Credit 148

G. Social Security 152

H. Tariffs 155

I. Automation 158

J. Monopoly 162

K. Union Activities 174

L. Government in Medicine 180

M. Government Impediments to Business 187

N. Anti-Trust Legislation 193

O. Inflation 197

P. Business Collusion with Government 203

Q. Taxation 207

VI. PROFITS AND LIBERTY 213

A. Government versus Profit-Makers 230

B. "Exploitation" 232

VII. SOCIALISM AND LIBERTY 245

A. Planning 252

B. Equality of Opportunity 269

C. The Springs of Socialism 271

D. Power: Nature versus Man 276

VIII. WELFARE AND THE GOVERNMENT 281

A. Government versus the Poor 306

B. Care of the Needy 313

IX. TAXATION AND CIVILIZATION 321

A. A Historical Parallel: Caesar and Caesarism 327

B. Caesarism in America 331

X. SOCIAL FUNCTIONS IN A FREE SOCIETY 347

A. Public Utilities 347

B. Roads 354
C. Licensing and Inspection 362
D. Consumer Protection 365
E. Conservation of Resources 367
F. Coinage 371
G. Education 374
XI. A TAXLESS SOCIETY 385
XII. LIBERTY AND INTERNATIONAL RELATIONS 393
A. Government-to-Government Aid 403
B. Colonialism 404
C. The United Nations 406
D. War and Economic Liberty 411
XIII. IS GOVERNMENT NECESSARY? 417
A. No-Government Libertarianism 421
1. The Argument from Consent 422
2. The Arguments from Rights 423
B. Evaluation of the No-Hyphen Government View 439
C. No-Hyphen Government Society and War 454
D. From Here to Libertarianism 460