

Libertarianism vs Objectivism; A Response to Peter Schwartz¹

Walter Block
Loyola University New Orleans

For many years, Rand and the Randians would not mention libertarianism in print. To do so would be to give sanction to what they regarded as a mischievous and misbegotten political philosophy. Happily, this profoundly and intellectually source ended with the publication of Schwartz (1986). This was a no holds barred attack on several libertarian thinkers, including myself. It is a pleasure defending the philosophy of libertarianism in the present reply.

Schwartz's article is a vicious attack on libertarianism. When I first read it I cringed, not because of the ideas, which are not really that challenging, but because it is so nasty as to be almost unprecedented in what passes for scholarly writing. Rand (1964, 1967) criticized authors such as David Hume and Immanuel Kant as "whim-worshippers," "muscle-mystics," "Huns," and "Attilas," and Schwartz is an apt student of hers in this regard. Such verbiage is hardly welcome in rational discourse.

According to Schwartz libertarianism amounts to nihilism. The chief nihilist, as it happens, is Block (1991). It is important that there be a systematic to reply to this document². There have been many criticisms of libertarianism over the years, from the left. As a result, advocates of this philosophy are accustomed to dealing with charges that the free enterprise system is heartless and pro poverty. Attacks from the right are a new challenge³. Second, a reply gives us an opportunity to further reflect on the essence of libertarianism. Schwartz attacks libertarianism at its very roots.

1. Too heterogeneous

¹ This article is based on two speeches on this subject made to the Greater Vancouver Libertarian Association, and to the Laissez Faire Books Supper Club in New York City, both in 1986. I thank Paul Geddes of the GVLA, and the Andrea Rich of LF Books for their support.

² For other libertarian replies to Schwartz (1986), see Miller and Evoy (1987), Bergland (1986). All otherwise unidentified quotations are from Schwartz (1986).

³ Libertarianism is considered by many to occupy a position on the political economic spectrum of the extreme right. Thus, there are virtually no critiques of this perspective from anyone who might be placed on the right side of this spectrum. For a possible exception, see Friedman-Block unpublished letters, 1999.

Schwartz's first criticism is that libertarianism is merely a united front, thus is an amalgamation under the same umbrella of people who have very different ideas. His charge is that libertarianism is so weird that it can even embrace Nazism. Schwartz criticizes Murray Rothbard as follows: "If one were to take his fatuous reasoning seriously, one could just as well bring Naziism into libertarianism's united front. After all, the value of a liberated proletariat or of a purified Aryan race cannot really be achieved, the libertarian would argue, except through uncoerced action. Nazis need not repudiate their philosophies, they just have to call for the factory owners to hand over their property to their workers in the case of Marxists, or for the newspapers and book publishers to adhere to the party line, or for the Jews to walk into the gas chambers voluntarily. Only then, when political freedom reigns can the goals of the Hitlers and Stalins be realized. If absolute submission to the state is the virtue they want to implant, they must persuade people to submit voluntarily. So there is nothing necessarily unlibertarian about the basic moral tenets of dictatorship. Only when some tyrant misguidedly believes that these tenets can be implemented by force do libertarians begin to criticize. In other words, the ends of Nazi Germany are consistent with libertarianism. It is just their coercive means that are not."

This reminds me of an interesting story. I once ran into some Neo-Nazis at a libertarian conference. Don't ask, they must have sneaked in under our supposedly united front umbrella. I was in a grandiose mood, thinking that I could convert anyone to libertarianism, and said to them, "Look, we libertarians will give you a better deal than the liberals. We'll let you goose-step. You can exhibit the swastika on your own property. We'll let you march any way you wish on your own property. We'll let you sing Nazi songs. Any Jews that you get on a voluntary basis to go to a concentration camp, fine."

I agree with Schwartz on this. The problem with Nazism is *not* its ends, from the libertarian point of view, rather it is with their means. Namely, they engaged in coercion. But, the ends are as just as any others; namely, they do not involve invasions. If you like saluting and swastikas, and racist theories, that too is part and parcel of liberty. Freedom includes the right to salute the Nazi flag, and to embrace doctrines that are personally obnoxious to me.

Under the libertarian code, you should not be put in jail for doing that no matter how horrendous this may appear to some. I happen to be Jewish, and my grandmother is probably spinning in her grave as I write this because we lost many relatives in the Nazi concentration camps. It's a vicious thing that the Nazis did, but the evil of it consists of the coerciveness. If it had not been for the coercion, Nazism would have been completely defanged, as far as the law ought to be concerned. Libertarians oppose Nazis for their use of coercion, not because of their emblems or their marches or their songs or their views. Libertarianism is a theory concerning the just use of violence. Should people be put in jail because they have views which dismay most of us? Would Schwartz and the objectivists really incarcerate Nazis or Communists

who took no coercive actions whatsoever? If so, then I am over generous to them in maintaining we have no disagreements as far as political economy are concerned.

2. No foundation

Schwartz's next attack on libertarianism is that we start in mid-stream. We have arbitrary assertions. "Since the libertarian rejects all values" (for Schwartz, we reject all values because we don't start with A is A) "he has no coherent position on the question of force. He certainly does not regard it as a violation of individual rights because rights are a moral concept and are therefore alien to libertarianism. Rather he (the libertarian) views this from the perspective of a pure emotionalist and simply asserts that force is the interference with people's wishes and that people's wishes should not be interfered with."

Again, Schwartz: "Libertarianism very studiously avoids taking any position on liberty's intellectual foundation. If people announce that they are for liberty, libertarianism does not care whether they arrived at that conclusion because they believe that man's mind is too flawed to be certain of how to rule autocratically, or because they feel that the imperatives of hedonism demand political freedom, or because they have received a revelation from the spirit of Vishnu or because of no reason whatsoever. All are equally welcome into the libertarian fold." Further, "The philosophical avenues that lead to libertarianism as one *Reason Magazine* columnist put it are varied and many."

I agree, for the most part, with Schwartz's charges, but deny they denigrate the case for libertarianism. We *are* varied and many. We only have one thing in common. The non-aggression and the private property axioms. Here is Schwartz yet again: "Libertarianism comes from nowhere in particular, no philosophical base is necessary -- and leads to nowhere in particular, no values are better or worse than any other. Libertarianism starts with the brute observation that people have desires. Where they come from and whether they are right or wrong, are of no concern. And it offers as the whole of its message, a single emotional ejaculation, to act on these desires without restraint."

This is not entirely accurate. Each libertarian has his own foundation - or none - for private property and non-aggression. What we have in common are just these two axioms. But there is nothing wrong with specialization and the division of labour, even in intellectual pursuits. What compels all philosophies to espouse a complete perspective of life from soup to nuts? Why do we all have to go from A to A, all the way down to Z is Z. Can some of us not specialize in political philosophy? If so, "What is so irrational about that," I would ask; and would answer, "Nothing at all."

3. Lawlessness

Schwartz states, "Libertarians direct their antipathy against any limitations upon human conduct, including those enacted through the legitimate state function of identifying and banning the use of force. Law as such, is an anathema to libertarians who reject all standards of behaviour on

principle. They abhor the law because, it tells them in effect, that they can not do whatever they fell like doing.” But this interprets libertarianism a do-your-own-thing philosophy, including the initiation of force. Here Schwartz misunderstands libertarianism. If it has any one principle, is that no one should initiate force against non-aggressors.

He responds by denying that we can define force: “By dispensing with ethical fundamentals, not only are libertarians unable to justify liberty, they can not even define it. Liberty is the condition of not being subject to the initiation of physical force, but what is force? A punch in the nose may be a clear example, but what about theft which involves no action directly upon any person? Or trespassing which imposes no apparent harm or loss.”

But this ignores the fact that the non-aggression axiom does not exhaust the basic premises of libertarianism. There is also a very clear definition of private property. So, as long as we know what a person’s legitimately owned property is, we can very easily define force, certainly so as to preclude trespass. There are, to be sure, grey areas. Just how far from your nose does my fist have to be, before it can be considered a threat of force? This is a continuum problem, and there are no obvious cut and dried answers to it. If libertarianism cannot set up a non-ambiguous line between force and non force in such contexts, then neither can anyone else, up to and including Objectivists.

4. Parasitism

The next charge is that libertarianism is a parasite on objectivism. According to Schwartz: “Libertarianism’s relationship to objectivism is actually not merely that of antagonist, but that of parasite. For without objectivism, there would ironically be no libertarian movement today.” And again, “Libertarianism wants to use the words of objectivism’s non-initiation of force principle, but not the ideas that give it meaning.” In the view of Rand (1982, p. 15): “There are sundry 'libertarians', who plagiarize the Objectivist theory of politics, while rejecting the metaphysics, epistemology and ethics on which it rests.” Bidinotto (1997) characterized these as “fighting words (which) set the theme for a feud between libertarians and Objectivists that continues to this day.”

Let me make another concession to Schwartz: had it not been for objectivism, rather, had it not been for the writings of Ayn Rand, the libertarian movement would have been much smaller than it is today. We libertarians owe a great debt to Ayn Rand, because many of us came to our present positions through reading her works.

But then, Schwartz talks about objectivism’s non-initiation of force principle as if it started with Ayn Rand. But, anyone who has read any of the following authors knows that it wasn’t original with her, that there is a whole classical liberal tradition which is the predecessor to her own version libertarianism. It includes scholars such as Spencer, Spooner, Tucker, Warren, Locke, Rousseau, Hobbes, Hume, Auberon Herbert, Paine, Cobden and Bright, just to mention a few.

5. Excessive

Our author charges that libertarians are overly tolerant of all sorts of positions, such as those held by: Nazis, feminists, gays, black studies “scholars,” but are extremely fastidious when it comes to Objectivism. Libertarians have indeed been very critical of Randians. Part of this has to do with “product differentiation”. Here there are two close substitutes; the world can barely distinguish between what it sees as the Tweedledee of libertarianism and the Tweedledum of Objectivism. Both favour freedom; both oppose welfare; neither supports socialism; both are against anything but laissez faire capitalism. It is thus more incumbent than otherwise on each group to distinguish itself from the other. Libertarians have been highly critical of objectivists, and, of course, the reverse has been true as well. It works both ways.

However, although libertarians have criticized objectivists they have also gone out of their way to be very, very complementary, and have expressed great admiration for objectivists, which has rarely if ever been reciprocated. For example, in my own book, (Block, 1976), the dedication page reads as follows: “This book is dedicated to those who have taught me political economy, and inspired me with a passion for justice.” Among the seven people mentioned are Ayn Rand and Nathaniel Branden.

Another instance of this is from Branden (1986, ch. 33). She lists numerous scholars who have been very complimentary toward objectivists. The ones I recognize as libertarians include: Anne Wortham; Dick Randolph and Ken Fanning (former libertarian members of the Alaska state legislature); Martin Anderson, David Henderson, Tibor Machan, Jennifer Roback; Tonie Nathan (the first woman to win an Electoral College vote); Murray Rothbard, who is viciously criticized in this book, had this to say: “He is in agreement basically with all of Rand’s philosophy, and that it was she who had convinced him of the theory of natural rights which all his books uphold.” “Without Ayn Rand,” said David Nolan the founder of the Libertarian Party, “the libertarian movement would not exist.” David Walter said, “the Society for Individual Liberty (a libertarian group) is primarily based upon Objectivist principles, and the basic works of Rand continue to be the most powerful influence on our membership.” Other libertarians who have said very nice things about objectivists, according to Barbara Branden include: Ed Clark; Dean Ahmed, Jack High, Eric Mack, Jeffery Paul, John Nelson, Joe Kalt, Fred Miller, Harry Watson, Douglas Rasmussen, Douglas Den Uyl. In the view of Jack High of George Mason University, “Most of the young economists who are Austrians in the tradition of Ludwig von Mises have been influenced by Ayn Rand.” Robert Nozick, (during his libertarian days) said, “I have found her two major novels exciting, powerful illuminating and thought provoking combined with a sense of life that is worthy of man. Miss Rand is an interesting thinker worthy of attention.” But, this by no means exhausts the list. Others include Robert Ringer, Doug Casey, James Blanchard, Daniel Rosenthal, Harry Schultz, John Pugsley, Robert Kephart, Ron Paul, Neil Schulman, Wendy McElroy, George

Smith, Karl Hess, Durk Pearson, Sandy Shaw, and last but not least, myself. We are all libertarians who have said nice things about objectivists.

Certainly the reciprocation has not been there. At least until the split, there were no objectivists who said anything nice about libertarians or libertarianism. Anyone who did so would have been summarily purged. Rand dismissed libertarians as “hippies of the right.”⁴

Actually, the exact opposite of Schwartz’s contention is true. It is objectivists who are extremely fastidious when it comes to libertarians, applying criterion not used for anyone else. For example, when Nixon and Hospers (a friend of hers) were running against each other for President of the U.S., Rand favored Nixon the republican vis a vis Hospers who ran on the Libertarian Party ticket. She has gone so far as to say that she would rather vote for a communist than a libertarian. Not only that, but she has ignored us all her life. She never wrote word one about libertarians, except for that curt dismissal of as “hippies.” How then can we account for this state of affairs? One possibility is that libertarians far outnumber objectivists, much to Rand’s consternation, and that she was only showing her pique at this state of affairs.

In Schwartz (1986), the typical objectivist’s vitriolic tone and the great disdain are very much evident. Out of his entire 80-page booklet, fully twenty-five percent of the material is devoted to attacking me (Block, 1976). I wrote Schwartz a letter asking if he would contemplate publishing a rebuttal? He did not even condescend to directly reply to me. Instead his secretary wrote me a letter saying, “Mr. Schwartz will be publishing a series of paragraphs on this book, and you can write a paragraph.” The disdain is very much alive.

6. Too contentious

The next criticism that Schwartz levels at libertarianism is that we differ among ourselves. “There are so many disagreements on basic questions of liberty within the libertarian movement. That is why libertarianism readily accommodates a conglomeration of mutually incompatible groups.”

In contrast of course, the Randians don’t disagree on anything⁵. The explanation for this state of affairs is that Objectivism is a cult. Branden (1986) denies this, but she defines cults in religious terms, and obviously objectivism cannot be considered a religious cult. All members are very definitely atheists, and outspoken ones at that. But, apart from that one issue, it cannot be denied that they are cultish. There is the godhead or godheadess who holds forth. Anyone who disagrees with her view is purged. There is

⁴ States Bidinotto (1997): “Past Objectivist critiques of libertarianism (including, I regret to say, some of my own) have too often failed to discriminate among various types of libertarians. Ayn Rand dismissed libertarians as ‘anarchists’ and ‘hippies of the Right’—unfairly lumping together serious thinkers with anti-intellectual libertines. Peter Schwartz’s vituperative essay, “Libertarianism: The Perversion of Liberty,” descended from lumping to smearing.

⁵ Again, this applies only to the pre-split days.

intellectual bullying, there is irrationality in the name of rationality. When Branden and Rand split, Rand asked all of her followers to take her side without explaining to them so much as what the issues were. She asked them to take her on faith even though she preaches against anyone taking anything on this basis. This is irrationality in the name of rationality.

This was the Randian cult. On a personal note, when I would ask my Randian acquaintances for their view on an event or issue, they would often not reply. Instead, they would say they had to think about it and would get back to me in a few days. All too often I was told privately, they had to check back with the head office because if they got caught saying something at variance with the cult leader, it was out of the Randian movement for them.

Has this cultism vanished? Not at all within the Piekoff part of the movement. Consider the June 26, 1986 publication of their cult periodical, the so called *Intellectual Activist*: “Robert Hessen (until this issue, a leading Randian) is no long associated with the Intellectual Activist in any manner whatsoever.” Period. That was it. No explanation whatsoever. I telephoned him, and asked, “What happened? Did he think that two plus two was five? Perhaps that A doesn’t equal A or something?” No, he told me, he liked Barbara Branden’s (1986) book.

Here is another statement by Piekoff which appeared in the May 26, 1986 issue of that publication: “The forthcoming biography of Ayn Rand by Barbara Branden was undertaken against Miss Rand’s wishes. Miss Rand severed relationships with Mrs. Branden in 1968 regarding her as immoral and as an enemy of objectivism. Being aware of Mrs. Branden’s long time hostility to Miss Rand, including her public attacks on Miss Rand after her death, attacks interlarded with protestations of adulation, I have refused for years to meet with Mrs. Branden or to cooperate with her on this project. I had no reason to believe that the book would be either a truthful representation of Ayn Rand’s life or an accurate statement of her ideas. Advanced reports from several readers of the book in galley form, have confirmed my expectations. Therefore, I certainly do not recommend this book. As for myself, I have not read it and do not intend to do so.” How is that for thinking for yourself?

Libertarians disagree with each other because we are individuals. We are bright, but imperfect. We think for ourselves and the world is complex. We’re a political movement, not a cult. That’s why we disagree with each other, on occasion. Disagreements, fights, splits, even hatreds, yes. But no one party line. We have a *healthy* diversity.

If there is any person in the libertarian movement who could be considered a candidate for cult leader, it would be Murray Rothbard (“Mr. Libertarian”). He was certainly a leading thinker in the libertarian movement. As a matter of fact, Murray and I were good personal friends; yet I have disagreed with him in private, and in person and in writing and in public on several issues including voluntary slavery, immigration, the flat tax, and star wars (Block, 1968, 1998, 1999A, forthcoming). But, there has never been even any hint of a purge. Were Schwartz to disagree with Rand or Peikoff or any

other top Objectivist disciple on any issue, no matter how picayune, he would be summarily dismissed from the elect.

Libertarianism is a growing vital, viable, intellectual concern and in such contexts people disagree with each other. We argue these things out. It is a market of ideas. There is nothing to be ashamed about in disagreeing with each other; the very contrary is true⁶.

7. Government

Schwartz's first criticism concerns government. He says that libertarians are not pro-liberty but anti-state. This is very strange because the state is intrinsically coercive (Spooner, 1966; Hoppe, 1989, 1993; Rothbard, 1973, 1982). It is necessarily and always in violation of the libertarian axioms. So, if you are not aiming at liberty, but instead at being anti-state, you are going to be pro-liberty anyway. Pro-liberty and anti-state are opposite sides of the same coin.

Why? The state engages in taxation, and these levies by their very nature are coercive. It doesn't matter if government provides services in return for these taxes. Suppose I come at you with a gun, and threaten to shoot you unless you give me half of all your money. You're an argumentative sort, and you say, "But, wait a second, this is a felony! Don't you realize what you're doing? You're committing a crime." My reply, "Oh, sorry, I forgot. I'll tell you what I'll do. I'll give you some services. Here is a paper clip." Big deal. The point is not that the government gives us services. The question is, is it a voluntary trade? It is anything but, as shown by the fact that if you don't pay your taxes, you go to the hoosegow.

To be fair to the objectivists, they do not favour taxes. They are a very strange kind of government advocate because the state and taxes go together like horse and carriage, love and marriage. How can you have a government without coercive taxes, a redundancy? According to Rand, there can be voluntary payments through government lotteries. This must be rejected, because if all a group does is organize lotteries and provide services, why call it a government? It is just a private group that holds lotteries and offers services.

There are two necessary and together sufficient elements in government. One is that it collects taxes, which are coercive by their very nature. Two, the state insists that it and only it has the right to perform the services of government in a given geographical area. Namely it demands a monopoly within a certain territory. But, this too, is coercion. Suppose I am the duly constituted government and Mr. Smith wants to set up another one in competition with mine. He promises not to initiate aggression, only to catch criminals, etc. As a government I put Mr. Smith in jail on account of treason. I am therefore guilty of coercion against an innocent non aggressive Smith, merely for having had the temerity of wanting to compete with me. Even the

⁶ *The Journal of Libertarian Studies*, Vol. 13, No. 2, Summer 1998 contains a debate among libertarians on immigration.

Randian version of government would put Mr. Smith in jail for daring to compete. We can only conclude that government is intrinsically coercive and that the Randians, in criticizing the libertarian view of the state, are acting incompatibly with their own views of private property rights and non-aggression. Supposedly, they agreed with libertarians on these matters, but when push comes to shove, they jettison this common ground in behalf of statism. Whatever became of *laissez faire* capitalism when it applies to competition for providing safety and protection services?

Schwartz replies that private defence agencies constitute back alley operations. With them, there will be no objective law. Decisions will be based on whim. He speaks of: "The subjectivity of anarchism, where one can seek adjudication from any back alley court which dispenses frontier justice and which is unconcerned with such niceties as rules of evidence." Why back alley? The Pinkertons, the Burns Guards, other private guards operate right out in the open. Is the Supreme Court of either Canada or the United States, with which I am most familiar, so concerned with legal niceties? For many years, the U.S. Supreme Court ruled that consensual homosexual behaviour behind closed doors in the privacy of your own house is illegal. Even certain consensual heterosexual acts are or were illegal in various states of the union. Nowadays, they rule that it is a crime to discriminate against gays. This is only the tip of the iceberg. Were I to discuss the deviations from libertarianism law perpetrated by the U.S. Supreme Court, it would take many, many volumes.

Consider the law of the sea merchant which determines salvage law on the oceans; maritime law which arbitrated between entrepreneurs located in different countries. These, too, operated in the open, and in an over board manner. They used objective rules of evidence and procedure and indeed, international but *non*-governmental courts, like The Hague, took over many of these jurisdictions from what were in effect, private competing court agencies (Benson, 1989, 1990). Is the American Arbitrations Association guilty of "whim worship?"⁷

We know from economics that the private market is more efficient than the government. The profit and loss system guarantees that result. If a private businessman doesn't satisfy customers, he goes broke. If a government "entrepreneur" doesn't satisfy customers, wait..., the very concept is ludicrous. There *are* no government entrepreneurs. If there is consumer dissatisfaction, and people don't patronize the Post Office, will it go broke? No, government will just seize more taxes. If there is a rape on the public sidewalk, who in a position of authority, who is able to do something about this, loses money? Nobody. If there is a rape in a department store, that enterprise will be avoided by customers. Who do such enterprises hire to make sure there are no rapes? They hire private police to make sure that

⁷ For the reduced role of states in providing judicial and defense services, see Van Creveld (1999).

doesn't happen. Let there be one rape in Macy's, they are in deep, dark trouble. But should this outrage occur in an area covered by the city police, the mayor isn't going to be worried unduly. His salary isn't dependent on public safety. Yes, he has to face the electorate, eventually, but this might occur in three or four years, and many, many other issues will be on the table at that time. The reaction of the market to failure is swift and deadly; in the public sector, uncertain, weak and postponed.

Schwartz claims that the law courts are too important to be left to private enterprise. Yes, law is the foundation, the society, of the economy, of just about everything. But food, too, is pretty important. If we didn't have this sustenance, we couldn't have private enterprise, or anything else for that matter. Does that mean that the government should take over the production of food or steel or anything else that is important for private enterprise? Hardly. Schwartz's contentions prove nothing.

All nations are presently in a state of anarchy with each other. A consistent non-anarchist would therefore have to advocate world government. Yet, this suggestion is not forthcoming from Schwartz. Indeed, the very opposite is the case. The last thing advocated by the objectivists (or any other rational person) is a take over of the world by the U.N. defence or the provision of justice. The anarchist position of objectivists is thus rationally incoherent.

Let us consider the right of secession. Do people have a right to secede? If we believe in the law of free association, as do libertarians -- you should not be compelled to associate with people you want to avoid-- then this is a basic right (Gordon, 1998, McGee, 1994). If Quebec doesn't want to associate with Canada, they should have the right to secede. If some little town in Quebec wants to secede from Quebec, they should also have that right. If one little city block in that town wants to secede from that town or that province or from Canada, they should have that right, too. But, that is precisely anarchy! That any one person should have the right to associate with whomever he wants, is equivalent to the anarchist position. This is not "subjective" or "whim-worship." Contrary to Schwartz, the law of free association is fully consistent with our basic principles. Ones, presumably, shared by both objectivists and libertarians. In advocating statism, Schwartz exposes himself as rejecting this bed-rock concept.

It is true that libertarianism consists of people who do not subscribe to these views. We are a movement with some heterogeneity of opinion, unlike the objectivists. A minority are anarchists, but most are limited state libertarians or minarchists or classical liberals. In order to be part of one movement, we have arrived, in effect, at a compromise. The anarchists wish to eliminate 100% of the state, and the minarchists wish to reduce it by, say, only 95%. The compromise is, let's get rid of the first 95% of government, and then we'll argue about the rest of it. Given that there is going to be a group, all of whose members do not share identical perspectives on everything, this seems very reasonable, not irrational whim-worship, muscle-mysticism or anything of

that sort, as claimed by Schwartz.

8. International defence

Under this rubric, Schwartz compiles a list of statements by libertarians that are, let me concede, extreme. These are entirely accurate quotes, however:

“The United States is the century’s most war-like imperialist country in the world.”

“The Soviets have the only proper foreign policy.”

“Therefore, the United States should engage in unilateral disarmament down to police levels.”

Various libertarians have said these things at various times. Schwartz wrote in 1986. Thus these libertarian statements were all made before the end of the Cold War and apply to that epoch. However, far from all libertarians have agreed with them. These ideas have lost out in the libertarian market of ideas, but yes, some advocates of this perspective still believe them. If you are going to let people into the tent who agree on a non-aggression axiom and property rights, there will be some that take views that are problematic. I would not say that the Soviets are the best model of foreign policy. I like the Swiss model far better. Better than the Soviet and also better than that of the US. I would see the United States, ideally, as a gigantic Switzerland.

As for the most expansionist, it is not the United States, rather, the Nazis and the Soviets. What of unilateral disarmament? No minarchist would advocate it. The anarchists, of course, advocate unilateral disarmament. But only for governments, not people. And our premise is that people, organized through markets, could better defend themselves than can states, in their behalf.

There was a student protest against Vietnam at Fordham University. Most lefties had signs saying, “U.S. out of Vietnam.” The libertarians countered with “U.S. out of the Bronx.” Yes, anarchists advocate unilateral disarmament on the part of the United States government, but they would also look forward to and welcome competing defence agencies that would protect the U.S. from the Russians or the Martians or whoever is the enemy du jour.

No, the United States government is not completely innocent in foreign policy. It is guilty of supporting both right-wing and left-wing dictatorships. When you are hit by a firing squad, you don’t care, really, which one it is. Examples include the Shah, Somoza, Marcos, Diem. The United States has given foreign aid to support Marxist third world countries. The United States government has established many more foreign military bases than any other country in the world. The Soviets, but not the U.S. have been attacked on their own territory three times in the 20th century. This is not an excuse for the USSR, but we should keep these things in context, to use a word favoured by the Randians.

The best foreign policy is the one advocated by George Washington, in his Farewell Address, in which he warned of “entangling alliances” with Europeans. We should be “isolationist” in terms of soldiers, and

“internationalist” with regard to free trade.

9. Crime

Schwartz next attacks libertarianism on crime policy. Libertarians, but evidently not objectivists, are methodical individualists. This means that reality is interpreted in terms of the individuals because only they have reality, not groups. There is no such thing as a group, apart from the individuals who make it up. There is no group conscience, no group spirit, no group animus. Contrary to the socialists, and, apparently, the objectivists, the group is just a name for a bunch of individuals, and only the latter can be the building block of analysis. Thus no crime can ever be directed at a group apart from the individuals who comprise it.

Libertarians maintain that crime can only be interpreted as being against individuals. In the view of the objectivists, in contrast, crime is an attack on society. States Schwartz “Libertarians refuse to recognize the objective threat crime poses. They are blind to the effect of a criminal act upon all people. Such recognition would require an understanding of the role of thought in shaping action, of the peril to everyone created by the criminal’s unwillingness, as evidenced by his own actions, to acknowledge the existence of rights. It would require a comprehension of the meaning of principles in human life, of the dangers to a free and productive society, created by even a single act of crime. The society transmits the message to all potential criminals, that it will not vigorously prosecute and punish such acts.”

In the libertarian, if not the objectivist view, the pacifist has a right to forgive his aggressor. If I punch a pacifist in the nose, and a policeman sees this and seizes me, the pacifist can demand that I be let go. The pacifist can say, “Block only punched *me* in the nose; it’s MY nose, it’s my private property nose. It is not a social nose. Let my aggressor go.” In the libertarian view, he has the right to forgive me my crime.

In the socialist-objectivist perspective, in sharp contrast, mine was a crime against everyone. My particular victim can’t forgive me because my crime was an attack upon society as a whole, not just on him. But, this is clearly mistaken. Of course, if word got around that a person was a pacifist and keeps forgiving his attackers, his property and life might not be safe. This might impact a little jolt of reality to pacifists who are now protected from the error of their ways by our present socialized objectivist law. But that is a different issue.

Now consider compensation for victims under libertarianism. Is victim compensation the essence of punishment? In the U.S., if you commit a crime, they put you in jail. What does this mean? Three square meals a day, a warm comfy cell, TV, air conditioning. All this comes at taxpayer expense, which means at the victim’s expense. By the way, prisons were not always with us. Before that time, if you got caught stealing or violating person or property rights, you went on a chain gang or a punishment detail, the purpose of which was to create valuable goods and services to compensate your victim. Jails, in contrast, were created in order to enhance the role of the state in

society, and to reform the criminal. That is, to enable him to do penitence for his crime. That is why they place a Bible in every cell. But, this is unjust. First, the criminal violates the victim. Then, when caught, he is placed in jail, again at the victim's expense. This is to add insult to injury.

The model for punishment based on libertarian theory is based on "Two teeth for a tooth." Suppose that B steals \$100 from A. When he is forced to return this money, the first "tooth." The second part of the punishment consists of doing to B what he did to A, namely grabbing \$100 of his; the second tooth⁸.

In addition, the thief must make good for the costs of catching him which might well be far in excess of \$100. Further, when B stole the \$100, say, at the point of a gun, he frightened A. Whereas, when the forces of law and order mete out justice to B, he knows exactly what is going to happen. In order to balance the scales, a "scaring" penalty must be imposed on B. He must be made to play Russian roulette with live ammunition, with the percentage of bullets and chambers to be determined by the severity of the crime. So, it is not just *two teeth* for a tooth. It is this, plus the cost of capture and the scare penalty or the monetary equivalent of that, all at the victim's discretion. In contrast to present practice, this would be a serious impediment to criminality.

Could a rich criminal pay off his victim, instead of serving a sentence in jail at hard labor in order to pay off his debt? Yes, but only at a price acceptable to the victim. The Randians think of this as vicious, depraved and immoral. But, this, amazingly, is a Randian attack against the wealthy. Objectivists are supposed to be in favour of rich people, or at least opposed to singling them out for special obloquy. Why shouldn't millionaires be more able to buy their way out of crimes than the poor? If being rich does not enable a person to purchase more things of value, apart from being blatantly unjust, this removes an incentive for productivity and consumer satisfaction. Again, the Randians side with the socialists and egalitarians.

Of course this policy has to be carefully tailored for murder and rape. Broomsticks, however, go a long way toward a punishment solution for rapists. As for murder, how can retaliation be justly attained? If there were a machine that could transfer the life out of a live murderer and into his dead victim, using it would constitute quintessential justice. After all, the murderer stole a life from the man he killed, and, according to libertarian theory, he must be made to give it back. If men were like cats and had nine lives, the murderer would owe two of them, based on two teeth for a tooth theory, plus costs of capture, etc. In the present real world we do not have any such

⁸ According to the Talmudic Mishpatim "Exodus" (paragraph 22, line 3): "(A thief) must make full restitution. If he does not have the means, he must be sold (as a slave to make restitution) for his theft. If the stolen article is found in his possession, ... he must make double restitution."

machine. But this example shows that the murderer's life is forfeit. It should be given to the heirs of the victim, to dispose of as they wish; e.g., enslavement, public execution with sale of seats to onlookers, etc.

Suppose the victim is threatened by friends of the perpetrator if he insists upon meting out justice in this manner. This objection can be addressed through restrictive covenants. Namely, the victim can make a prior deal with the local private police force to deal with the criminal in his behalf, so that punishment would no longer be up to him. Thus, he could not be threatened. It would have to be an institutional threat -- as at present.

Schwartz favours preventive detention for criminals. But this means, for people *likely* to engage in crime. For they had already engaged, say, in a robbery, and were apprehended, it would not be *preventative* detention, but rather plain old punishment. In the libertarian view, in contrast, a person is innocent until proven guilty⁹. Schwartz's view would support locking up all black male teenagers, the innocent along with the guilty, since this age, sex, race cohort is responsible for a disproportionate number of crimes.

10. State criminality?

Libertarians posit that if you initiate coercion against a non-aggressor, you are a criminal and you should be made to pay a penalty. Suppose a government court sentences an innocent man for a crime. This court is then guilty of initiating force against a non-aggressor. QED. The judge himself is a criminal. If we are going to be consistent with our principles, not wishy washy whim worshipping objectivists, we have to consider that court in violation of the law.

This very idea drives Schwartz apoplectic: "If an arresting officer realizes that he is going to charged with kidnapping if the suspect is eventually freed, one can be sure that few arrests will ever be made." Yes, such a policy will indeed make the police think twice before arresting people. Or, fire bombing their residences, as at Waco. They are first going to try to find out if they are truly dealing with criminals. None of this shooting first and asking questions thereafter. This policy follows from the non-aggression premises, and we libertarians are nothing if not logically consistent with our principles.

The burden of Schwartz's argument is that if we punish mistaken cops and judges, we will promote criminality. But, in the libertarian society, we will have far less crime in the first place than at present. First of all, everything would be privatized, there will be no public property¹⁰. There will be no public police, who I regard as a danger to all citizens because they have

⁹ For more on the libertarian theory of crime and punishment, see Kinsella (1996, 1997), Rothbard (1982)

¹⁰ This is true for the libertarian anarchist position. In the case of limited state libertarianism, the only public property would be that devoted to armies (to keep foreign bad guys off our backs), police (to do the same for local hoodlums) and courts (to determine who is who).

no economic incentive to stop crime. It would only be private police who can be fired if they err. In other words, the police will be as efficient as groceries and restaurants and hotels, where we now take this for granted. Not in the public streets and parks, where we have to worry about our safety.

Secondly, there will be no drug laws, nor any against pornography, prostitution, and other victimless “crimes.” There will be no welfare, which leads to family breakdown, which in turn, exacerbates crime. As a result, there will be a lot less crime and thus a lot less for police to do, except stop real criminals.

Thirdly, private cops will be more efficient than public ones, even though they would have to be more careful about apprehending innocent people. This is a *good* thing. They will try harder to arrest only the guilty. They will know if they engage in wrongful arrests, courts and juries (this applies to incarcerating the innocent) will have to take responsibility. If someone is found guilty who is later proven to be innocent, then all those involved are implicated in this crime of incarcerating an innocent person, e.g., kidnapping.

Why shouldn't *all* initiators of force, including cops and jurists and judges who punish innocents, be treated as criminals? The views of objectivists such as Schwartz on this matter are incompatible with their own supposed principles. They, too, presumably agree with the non-aggression axiom. But what is the incarceration of an innocent man but an invasive act? Further, the cops will pay a penalty for false arrest or break-ins or unjust incarcerations, but the crooks will not go free as at present. Just because a policeman obtains evidence illegitimately, doesn't mean that this illicit evidence can't be used against the robber. Both are punished. The crook, for his crime and the cop (far less, presumably) for his illegitimate behaviour.

11. Class Analysis

Most people who are familiar with class analysis know only of the Marxist variety. In Marx's class analysis, it is the employer who is the ruler and the employee the ruled. This of course makes no sense economically or in any other way. However, what is wrong with Marxist class analysis is not the class analysis, but rather the Marxism.

Who comprises the ruling class and who the victims for libertarians? This is a crucial question. Because when and if the libertarians take over and justice is done, someone is going to go to jail for law violations. Consider the Nuremberg trials, only now applied to Cuba. On the one hand, the entire population cannot be considered guilty of the crime of imposing communism. All inhabitants are not guilty of criminal behavior. There are at least quite a few who are unwilling victims. On the other hand, it is not true that no one should be punished. We must have a theory to separate the guilty from the innocent.

In past centuries, sometimes when an enemy vessel was captured, the officers were either shot or incarcerated or exchanged and the enlisted men were incorporated (e.g. drafted) into the victorious navy. This was done in part

on the grounds that the enlisted men were innocent victims and the officers were, in effect, the ruling class. It is that kind of a distinction we are seeking. These are just rough and ready categories to apply to the civilian world, but there has to be a similar distinction made if we're going to have neither zero nor all Cubans go to jail to be punished for their crimes. The idea is that it is the leaders not the followers who are guilty, it is the head bureaucrat, not the clerk. In the typical communist country, everyone works for the state, so this could hardly be the criterion for guilt. Everyone uses the public roads even in relatively free countries, so this cannot be our litmus test either. Not all recipients of welfare are guilty of being in the ruling class; indeed, it would be the rare one who is. Not all borrowers of books from the public library, not all students at public schools, not all users of the mail system are guilty in this regard. Rather, most such people are the under class. They are getting their own money back in many cases, or, in the case of some libertarians (e.g., Ragnar Danneskjold in *Atlas Shrugged*) are actively engaged in relieving a thief of his ill gotten gains. But, businesses that push for subsidies, top bureaucrats who promote statism, leading politicians, those in charge of the command posts of society, the highest ranking media people who offer apologetics for governmental excesses, the universities, statist intellectuals, these are the kinds of people that will have to be looked upon very thoroughly to see if they were in the ruling class or not.

In Rand's view, in contrast, business is America's "most persecuted minority." This is indeed true in some cases. But in other cases, they are, in the words of that great Canadian libertarian Tommy Douglas, "corporate welfare bums".

12. Land Reform

How does the libertarian deal with stolen property? Obviously, it must be returned. It is that simple. But, suppose the theft took place a long time ago. Suppose that your great grandfather took a ring from my great-grandfather. Through the succession of inheritance, you got the ring. You are, of course, not guilty of a crime. You didn't steal anything. But, you are still the holder of stolen property. Justice surely consists of making you disgorge the ring and give it back to me, since I would have inherited it. Is there a statute of limitations? No. There is no statute of limitations on justice. Justice is the highest goal in the legal realm. When a law, such as a statute of limitations conflicts with one of our basic axioms, it must be jettisoned. So, if the theft took place three hundred years ago, and I can prove that you have my ring, it should be handed over from you to me.

This has very important implications not so much for rings, but for Japanese-Canadians, aboriginals, the children of the black slaves, Mexican-Americans, people in Central America, Africa, and Israel. In some of these cases, there has been land stolen many, many years ago, which is now in the hands of the children of the thieves. While this aspect of libertarian theory sounds very radical, in practice it is less so. This is because the claimant always needs proof. Possession is nine tenths of the law, and to overcome the

presumption that property is now in the hands of its rightful owners requires that an evidentiary burden be overcome. The further back in history was the initial act of aggression (not only because written evidence is less likely to be available), the less likely it is that there can be proof of it. So, certain thefts will have to escape the libertarian passion for justice, because time places a veil over these past events. But, the ideal is clear: If there is stolen property and it can be proved that it was stolen, it should be returned.

Schwartz, along with most conservatives and many others as well, is very contemptuous of this idea. He calls land reform a variety of socialism. It cannot be denied that there is indeed a socialist version of land reform. Here, the authorities transfer land from the rich to the poor for that reason and that reason alone. Obviously, that has nothing to do with libertarianism. It is just moral drivel. But, taking from the thieves, or the children of the thieves, and giving to the children of the victims, that is not socialistic pap; that is consonant with libertarianism. Consider the latifundia in Central America, in South America, in Asia and Africa. The conquistadores came in and stole the land hundreds of years ago, and the peasants are now trying to get it back. The socialists support them on the grounds that the latifundistas are rich and the peasants are poor. Conservatives oppose this because they claim this is a violation of private property rights. However, on this basis one could actually support slavery, based on the existence of a bill of sale. The native peoples see the socialists as (paradoxically) upholding justice in property titles (for improper egalitarian reasons), while the supposed capitalists (conservatives such as Schwartz) are against them. As a result, they become socialists. I would become a socialist too if socialism protected private property rights, while capitalism did not¹¹.

13. Student rebels

In her “Cashing In: the Student Rebellion”, Ayn Rand opposed the student takeover of universities at Berkeley, Columbia, Kent State, and elsewhere. The rebels were mainly Marxists. There marched under the flags of Marx, Che Guevara, etc. Rand (and many other conservatives) was vitriolic in her hatred for this movement. For her, this was an attack on all that is good and proper. She wrote exactly as if this was private property these students were taking over. But it wasn’t private property. Many were state universities. Others, such as Columbia and Harvard were supposedly private, but a significant part of their budgets were met, not by private individuals, but by the state. Thus, this was not an attack on private property, rather on *state* property. If they were attacking private property, then everything that Ayn Rand said would be compatible with libertarianism. But they were not. Even though they were Marxists, they were still attacking *public* property.

What does Schwartz have to say about this? “Government property is always and everywhere fair game for the libertarians. For the libertarian must

¹¹ For more on libertarian land reform, see Block and Yeatts (1999-2000), Block (1999b), D. Friedman, et. al. (1985, pp. 495-510), Rothbard (1982, pp. 51-68)

rejoice every time any piece of governmental and therefore stolen property is returned by any means necessary to the private sector.” But, what is wrong with that? Don’t objectivists, too, favour the return of stolen property? Schwartz then attempts a reductio: anyone who receives a government check or travels on a government road or uses a government library is now fair game for libertarian goon squads. No, not everybody. Only ruling class members who do that. And not because they use government roads but because they are in the ruling class. Does Schwartz believe that *no one* is guilty of what the U. S. government is now doing? That a libertarian Nuremberg trial in the U. S. would find not a single guilty person? This, evidently, is his position. It is an untenable one.

Ragnar Danneskjold in *Atlas Shrugged* (Rand, 1957) attacked government relief ships that were stealing the property of people like Hank Reardon, and giving it to socialists in Europe, South America, etc.; e.g., this was a welfare system, international style. Ragnar was attacking government property and was properly considered a hero. This shows that Rand was not logically consistent. In *Atlas Shrugged*, she was a libertarian and advocated returning stolen property. But in “Cashing in the Student Rebellion,” she forgot to check her premises.

Further, Schwartz is particularly vitriolic about libertarians blowing up things. I know of no libertarians who have ever done that or anything like it, but what about Howard Roark of the *Fountainhead*? He blew up a building! Rand’s novels are very libertarian, but her non-fiction is not. Schwartz, unfortunately, follows the latter. Both of them have difficulty distinguishing between public and private property; surely one of the bedrock principles of libertarianism.

14. Kid Lib

Do libertarians improperly support the North American Man Boy Love Association (NAMBLA)? Let us consider the libertarian theory of children and children’s rights¹². There are two issues which must be addressed: what is the dividing line between children and adults, and what legal requirements may legitimately be imposed on parents in their dealings with their children as regards NAMBLA.

Libertarianism could well be defined based on the motto, “anything goes as long as there is no coercion”, or “anything between consenting adults.” Legitimate are any acts between consenting adults, emphasis both on the “consenting,” and on “adults”.

But what is an adult? In most countries, there is a legislated age of consent which ranges anywhere from twenty-one down to eighteen to sixteen, even to fourteen. That is quite a range. The problem with legislated age of

¹² Rothbard (1972, pp. 8-10; 1982, chapter 14, “Children and Rights,” pp. 97-112); Evers (1978a, 1978b); Block (1991, “The Employer of Child Labor,” pp. 247-256, 1999A); Kauffman (1992), Whitehead and Block (2001, forthcoming);

consent law is that it is irrational and collectivist. It assumes for example that all sixteen year olds are alike. But, the maturity range of sixteen year olds varies widely. Some are silly children while others are very intelligent adults. (The same could be said for people of age forty-five.) It is a collectivist law because it treats all people the same regardless of their individual qualities. It just looks at their calendar age, which is really not the essence of adulthood.

In contrast, libertarians have a theory of adulthood. It harkens back to homesteading, not to the land, but to the person himself. You are an adult when you homestead yourself. How can you homestead yourself when you are a kid? You leave home, and become self-supporting. For children below the age of consent, however, this would of course have to be done under court supervision; undoubtedly, any private court worth its salt would impose a cooling off or waiting period. You establish yourself as an adult. You seize control over your own body by setting up shop for yourself. You have the right to do just that. The implication is that PINS (Persons in Need of Supervision) laws are illegitimate. We should not put in jail young people who have established their adulthood for crimes that if an adult did them, he would remain free. For example, running away from home or contracting with an adoption agency, or being truant from school. It should be a kid's right to get away from abusive parents. When you homestead yourself, when you run away, when you contract with another adult to take care of you, then you are on your own. This is in effect secession from one's parents.

But this would occur in only the most exceptional of cases. In more ordinary circumstances, libertarians join the view of the populace at large that statutory age limits are reasonable aspects of the law. Yes, they are arbitrary; yes, they will mis-categorize some children as well as adults.

Consider a boy aged seventeen or over, where this is the statutory cut off point between adults and children. The very idea of him joining the North American Man Boy Love Association, and engaging in sex acts with adult men, is personally repulsive to me. But as a libertarian, I have to realize that only coercive acts against such a youngster should be punishable. Not non-coercive ones. If a seventeen year old is an adult, and voluntarily wants to have sex with an adult homosexual man, I may not like it. I may be revolted by it. But, gays, too, have rights. They should not be put in jail for consensual behaviour with adults of a young age¹³.

What of the rare and exceptional under aged child who wins adult status through a court? Before such a person could engage in legal sexual relations with an adult (whether homo or heterosexual) he must be considered an adult in order to do so, he must be mature enough to set up a home for himself, and this must be approved of by a judge. But, once all of this is attained, then an adult of any age (e.g. an exceptional child of any age) may

¹³ The exact same situation should obtain for heterosexuals. That is, it should be legal for a 17 year old girl to engage in sexual relations with a male of any age, given this cut off point.

engage in sexual relations with anyone he wishes.

Suppose, now, with an age of consent law of seventeen years old, which we for argument's sake stipulate as legitimate, a NAMBLA member accosts a four year old boy. As far as I am concerned, this should be considered illegal. Any parent who allows this to happen should be found guilty of child abuse, which implies not only losing charge of his son, but also a jail sentence. However, there is one exception to this rule. This, presumably, will drive Schwartz to apoplexy, but I persevere nonetheless.

Suppose that there is a starvation situation, and the parent of the four year old child (who is not an adult) does not have enough money to keep him alive. A wealthy NAMBLA man offers this parent enough money to keep him and his family alive – if he will consent to his having sex with the child. We assume, further, that this is the *only* way to preserve the life of this four year old boy. Would it be criminal child abuse for the parent to accept this offer?

Not on libertarian grounds. For surely it is better for the child to be a live victim of sexual abuse rather than unsullied and dead. Rather, it is the parent who consents to the death of his child, when he could have kept him alive by such extreme measures, who is the real abuser¹⁴.

15. Defending the Undefendable

Schwartz is not a big fan of my own book, *Defending the Undefendable*. He states: “Who qualifies for Block’s accolades? Only the dregs of society. They are applauded not in spite of their worthlessness, but because of it. It is because they are regarded as scum that Block wants to elevate them to respectability in order to debase the very idea of respectability. All of these people, the pornos and the pimps and the prostitutes. All of them are paragons of virtue to Block. Why? Because they have all rejected standards of behaviour, not in favour of different better standards, but in the name of the annihilation of standards. All of these reprobates choose to climb down into the slime. They do not uphold some new ethical criteria by which they claim that their lives are noble. They simply announce that they relish slime. An affinity for filth, Block maintains is ennobling.”

In the last paragraph of my introduction to Block (1991) I say, “The defence of such as the prostitute, the pornographer, etc., is thus a very limited one. It consists solely of the claim that they do not initiate physical violence against non-aggressors. Hence, according to libertarian principles, none should be visited upon them. This means only that these activities should not be punished by jail sentences or other forms of violence. It decidedly does not mean that these activities are moral, proper or good.”

It is thus a very limited defence of these people that I am offering. I am not saying they are great. I am certainly not attacking standards. People can repudiate pimps, prostitutes, etc, all they want. Just keep your (physically invasive) mitts off of them because they are not guilty of any initiation of force. This attack of Schwartz’s is particularly puzzling in view of this

¹⁴ For the distinction between libertarians and libertines, see Block (1994).

statement of his, “The ideology of capitalism unquestionably opposes all acts of even uncoercive irrationality such as racism or heroin pushing even as it recognizes the political right to engage in them.” So, really, Schwartz agrees with me. Yet, he bitterly attacks me. Perhaps, he did not read the introduction to this book.

16. Collectivism

Rand’s (1957) fictional hero John Galt states: “I swear by my life and by my love of it, that I will never live for the sake of another man nor ask another man to live for the sake of mine.” How does this fit in with libertarianism? It is not aggressive. It is not a threat. Thus, according to libertarianism, Galt should not be put in jail for any action of this sort.

Contrast this with a famous saying of Karl Marx. “From each according to his ability, to each according to his need.” As long as this is done on a voluntary basis, it too, is acceptable under proper law (remember, if we can have voluntary Naziism, we can certainly have voluntary collectivism). If we implement this rule, “from each according to his ability, to each according to his need” on a voluntary basis, this too is legitimate in the libertarian view. There is nothing wrong with voluntary socialism. There is nothing intrinsically wrong with a commune, a nunnery, a collective, a kibbutz, a Hutterite community, with even the average American family.

At one time, I had a six year old daughter who ate according to her need, not in accordance with her ability to earn income¹⁵. We had a little socialist commune at home. Is this unlibertarian? No. It is voluntary. But, it is certainly incompatible with Galt’s statement¹⁶. However, they are *both* compatible with libertarianism. Yet, for Schwartz, collectivism is the most heinous of evils. I maintain, in contrast, that there is nothing wrong with collectivism except the coercion that oft-time accompanies it¹⁷. Collectivism in and of itself, is for the libertarian, a neutral term. Some libertarians, perhaps, won’t like it. They won’t engage in family behaviour or communes or collectives or kibbutzim and will not join the Hutterites.

17. Strategy

According to Schwartz, the libertarian strategy consists of mindless force, repudiation of values and whim worship. Objectivists are especially critical of united fronts. They claim that libertarianism constitutes just such an organization. Namely, it is a group of people who agree on but limited goals.

He is correct on this. Libertarians want only one thing: the upholding

¹⁵ She is now 22 years old, and still has no respect.

¹⁶ That is, my wife and I both live for the sake of our kids, in the sense that we would sacrifice all of our possessions to ensure their safety.

¹⁷ For a philosophical error similar to the one made by Schwartz (1986) -- e.g., conflating collectivism with coercion, see Bethell (1998). For a correction to the latter, see Block (1999B).

of property rights (to both persons and physical objects). In contrast, objectivism stands for far more. Schwartz constructs the following analogy: Suppose that there is this group called Health Forces and it consists of herbalists, registered doctors, faith healers, voodooists, and Christian scientists. He charges that this akin to libertarianism because we include in our numbers gays, feminists, atheists, Christians, Jews, anarchists, minarchists, advocates of both the PLO and Israel, those who favor drugs, prostitution, gambling, and pornography, and those who oppose these things. Compared to Randians, who agree with each other on just about everything¹⁸, libertarians are indeed a group of very heterogeneous thinkers.

But, there is a disanalogy between libertarians and “Health Forces.” Members of the former do agree with one other on our two major axioms, namely non-aggression and property rights. We are not in accord with regard to how that premise is to be justified. The starting point is indeed controversial within libertarian circles; but, by definition, we must all support these axioms as they are defining characteristics of our philosophy. The proper analogy with health would not be people who do not even agree with each other on health issues because libertarians are all in accordance on non-aggression. The proper analogy would be with any one medical school of thought. All such doctors agree on what good health is and how to attain it, but they may well not all be of the same opinion as to why health is good or what are the tradeoffs between it and the enjoyment of cigarettes. Thus there is nothing irrational about libertarianism.

Schwartz criticizes united fronts on the ground that: “Libertarianism can not convince anyone of the evil of taxation or censorship.” This is ludicrous. Libertarianism is a vastly expanding movement at least compared to Objectivism, a tiny imploding cult. One of the proofs of this contention is that he is giving us sanction by writing his critique. If we were not seen as a threat, as something bigger than his group, this would not have been written.

In the good old days of Rand’s ascendancy, libertarians were dismissed out of hand. Not any more, it would appear. I therefore thank Schwartz for writing his critique of this philosophy. It certainly did give us an opportunity to examine and explicate libertarianism in a way we might not otherwise have done. Schwartz helps keep us on our toes. His vitriol is unfortunate, but I suppose it goes with the nature of the beast.

References

Benson, Bruce L. 1989. “Enforcement of private property rights in primitive societies: Law without government.” *Journal of Libertarian Studies* 9, no. 1 (Winter): 1–26.

¹⁸ This statement applies to the days before the split into two Randian groups. Even now, there is virtual unanimity of opinion within each of these two groups. The only Randian institution which allows for debate amongst its members is *The Journal of Ayn Rand Studies*, which is affiliated with neither group.

Benson, Bruce L. 1990. *The Enterprise of Law: Justice Without the State*. San Francisco: Pacific Research Institute for Public Policy.

Bergland, David, A Review of Schwartz's "Libertarianism a perversion of liberty", *American Libertarian*, October 1986.

Bethell, Tom, *The Noblest Triumph: Property and Prosperity Through the Ages*, New York: St. Martin's Press, 1998

Bidinotto, Robert, "David and Leviathan," a book review of Boaz (1997), *IOS Journal*, Vol. 7, No. 4, April 1997

Block, Walter, *Defending the Undefendable*, New York: Fox and Wilkes, 1976, 1991

Block Walter, "Voluntary Slavery," *Libertarian Connection*, 1968

Block, Walter, "Libertarianism vs. Libertinism," *The Journal of Libertarian Studies: An Interdisciplinary Review*, Vol. 11, No. 1, 1994, pp. 117-128

Block, Walter, "A Libertarian Theory of Immigration," *Journal of Libertarian Studies: An Interdisciplinary Review*, Vol. 13, No. 2, Summer 1998, pp. 167-186

Block, Walter, "Market Inalienability Once Again: Reply to Radin," *Thomas Jefferson Law Journal*, Vol. 22, No. 1, Fall 1999a, pp. 37-88.

Block, Walter, "Review Essay of Bethell, Tom, *The Noblest Triumph: Property and Prosperity Through the Ages*, New York: St. Martin's Press, 1998," in *The Quarterly Journal of Austrian Economics*, Vol. 2, No. 3, Fall 1999b, pp. 65-84

Block, Walter and Guillermo Yeatts, "The Economics and Ethics of Land Reform: A Critique of the Pontifical Council for Justice and Peace's 'Toward a Better Distribution of Land: The Challenge of Agrarian Reform,'" *Journal of Natural Resources and Environmental Law*, Vol. 15, No. 1, 1999-2000, pp. 37-69

Block, Walter, "Toward a Libertarian Theory of Inalienability: A Critique of Rothbard, Barnett, Gordon, Smith, Kinsella and Epstein," *Journal of Libertarian Studies*, forthcoming

Branden, Barbara, *The Passion of Ayn Rand* (New York: Doubleday, 1986)

Friedman, Milton -- Block, Walter, Letters, unpublished, 1999

Evers, Williamson M., 1978b, "Rawls and children," *The Journal of Libertarian Studies*, Vol. 2, No. 2, Summer, pp. 109-114

Evers, Williamson M., 1978a, "The law of omissions and neglect of children," *The Journal of Libertarian Studies*, Vol. 2, No. 1, Winter, pp. 1-10

Friedman, David, Milton Friedman, Walter Block, Philip Wogaman, Kenneth Boulding, Walter Berns, Edmund Opitz, Paul Heyne and Geoffrey Brennan, Discussion, in *Morality of the Market: Religious and Economic Perspectives*, Walter Block, Geoffrey Brennan & Kenneth Elzinga eds., Fraser Institute: Vancouver, 1985, pp. 495- 510

Gordon, David, ed., *Secession, State and Liberty*, New Brunswick, NJ: Transaction, 1998

Hoppe, Hans-Hermann, *A Theory of Socialism and Capitalism: Economics, Politics and Ethics*, Boston: Kluwer, 1989

Hoppe, Hans-Hermann, *The Economics and Ethics of Private Property: Studies in Political Economy and Philosophy*, Boston: Kluwer, 1993

Kauffman, Bill, 1992, "The Child Labor Amendment Debate of the 1920's; or, Catholics and Mugwumps and Farmers," *The Journal of Libertarian Studies*, Vol. 10, No. 2, Fall, pp. 139-170

Kinsella, Stephan N., "Punishment and Proportionality: The Estoppel Approach," 12:1 *J. Libertarian Studies* 51 (Spring 1996)

Kinsella, Stephan N., "A Libertarian Theory of Punishment and Rights," (volume) 30 *Loy. L.A. L. Rev.* 607-45 (1997)

McGee, Robert W., 1994, "Secession Reconsidered," *The Journal of Libertarian Studies*, Vol. 11, No. 1, Fall, pp. 11-33

Miller, Vincent and Bruce Evoy, "Libertarians and the objectivists; a reply to the intellectual activist attack on libertarianism" (Richmond, VA: Libertarian International, 1987)

Rand, Ayn, *Philosophy: Who Needs It*, Signet, 1982.

Rand, Ayn, *Atlas Shrugged*, Random House, 1957.

Rand, Ayn, *The Virtue of Selfishness*, New American Library, 1964.

Rand, Ayn, ed., *Capitalism: The Unknown Ideal*, Signet, 1967

Rothbard, Murray N., *The Ethics of Liberty*, New York: New York University Press, 1998 (1982).

Rothbard, Murray N., *For a New Liberty*, Macmillan, New York, 1973

Rothbard, Murray N., "Kid Lib." *Outlook*. December 1972, pp. 8-10.

Spooner, Lysander, *No Treason*, Larkspur, Colorado, (1870) 1966.

Schwartz, Peter, "Libertarianism: the Perversion of Liberty," New York: The Intellectual Activist, 1986; a condensed version of this work appeared in Ayn Rand, *The Voice of Reason: Essays in Objectivist Theory*, Leonard Peikoff, ed., N.Y.: New American Library, 1988, pp 311-333.

Whitehead, Roy and Walter Block, "Direct Payment of State Scholarship Funds to Church-Related Colleges Offends the Constitution and Title VI," *Brigham Young University Journal of Public Law*, Vol. 14, No. 2, 2000, pp. 191-207

Whitehead, Roy and Walter Block, "The Boy Scouts, Freedom of Association and the Right to Discriminate: A Legal, Philosophical and Economic Analysis," *Whittier Law Review*, forthcoming.