

## Introduction to the French Edition of *Ethics of Liberty*

by Murray N. Rothbard\*

Perhaps the best way of writing an introduction for this most welcome French translation of *Ethics of Liberty* is to discuss what has happened to libertarianism since the book's original publication in 1982. Any such history can be divided into first, the development of libertarian theory, and second, its spread throughout the opinions and views of men and from there into human institutions.

No such history can ignore the most dazzling and even wondrous event of the twentieth century: the revolutionary collapse and "implosion" of socialism/Communism in the Soviet Union and Eastern Europe. The Revolution of 1989-90 is indeed a "revolutionary moment" in history. Generally, social and political institutions seem to be in stasis, with changes occurring only in gradual, nearly invisible micro-steps. But then, just as any hope (or fear) of revolution comes to seem impossibly romantic and utopian, Bam! the revolution appears. One of the features of such revolutions is that history's timetable suddenly accelerates with blinding speed, so that changes occur which would have seemed an impossible dream only months earlier. The roles of individual historical actors shift rapidly, as in the case of the French Revolution; an advanced revolutionary, by merely standing still, becomes a stubborn reactionary a few months later. Thus in the Revolution of 1989-90 we see Gorbachev, not long ago at the spearhead of revolutionary change, now struggling to keep up with the accelerated flight to privatization and a free-market economy.

The Revolution has spectacularly confirmed the libertarian view I have been expounding for many years: long-run optimism. My position posed

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a stark contrast to that of the conservative movement, which, from 1945 until last year, based its bellicose anti-Communist foreign policy on the crucial and bleak assumption that once a country goes Communist, it disappears, irreversibly, into a black hole of history. But the Revolution of 1989 demonstrates conclusively that Orwell was wrong—that the boot will not be stamping on the human face forever, that the spirit of freedom burns so strongly in the human breast that no brainwashing, however totalitarian, can stamp it out.

The corollary error made by the conservatives was their failure to absorb the great and prophetic lesson first propounded in 1920 by Ludwig von Mises: Socialism, no matter how benign or how knowledgeable the Planning Board may be, cannot calculate—because socialism, by its very nature, is deprived of the means to calculate costs and returns, or profits and losses, by the absence of private property, and hence a genuine market, in the means of production (including the critically important market in titles of ownership of these assets; i.e., a stock market). Mises warned that socialism, in attempting to run anything resembling a modern economy, is literally *impossible*—a word for which he was scorned for decades but that has now proven dramatically to be correct. Significantly, the veteran Marxist economist Robert Heilbroner has recently thrown in the towel: “It turns out, of course, that Mises was right.”<sup>1</sup>

Indeed, one of the most astonishing and heartwarming aspects of the East European Revolution is that the cry of the revolutionaries is not only for free speech and democracy, and not merely for reform; but for a total overthrow of socialism, and for a radical, rapid, “shock treatment” move to private property, stock markets, hard currencies, and freedom of markets and of enterprise. This is true not only in Poland and the Baltic states, but in particular in the Russian Republic, where Boris Yeltsin’s cabinet consists of young, able, and dedicated advocates of the free market and of private property.

A final error of conservatism has also been revealed by these striking events: the bitter hostility to radical change and to revolution per se, fueled by the mixed results of the French Revolution and the disaster of the Communist revolutions of the twentieth century. In any move in the direction of freedom, radical change may indeed be superior to the much-lauded merits of gradualism, “phasing-in”, and all the rest of the apologies for doing little or nothing. Despite the obvious turmoil entailed by radical change,

it is still better to eliminate a chronically ill system of repression, statism, and organized crime earlier rather than later. It is better to *écraser l'infame* than to allow it to linger and cripple freedom and prosperity.

One truly astounding aspect of the 1989 Revolution is that it has been achieved with almost no use of violence against the Communist ruling elite. I myself never believed that non-violence could work as a revolutionary instrument except in cases where the populace was fueled by a common and intense religious drive: Gandhi in India, or the Shiite revolution of 1979 in Iran (which, before it came to power, was almost wholly non-violent). The Marxists have always explained that all revolutions in history are brought about by a loss of the will to power—for one reason or another—by substantial portions of the ruling class. Clearly, the way was paved for 1989 by a truly universal and total loss of faith in the Communist state and in Marxist-Leninist ideology. As the system increasingly failed to work, even on its own terms of constructing and planning a modern socialist commonwealth, belief in the ideology and in the system faded away, until growing economic crisis led everyone—from the ruling elite on down—to scrap the system. It was like pushing on an open door once each person, group, and country suddenly realized that *every other person and group* had also lost faith in the system.

If libertarian ideas, and, we hope, institutions, are suddenly flourishing in the old “socialist bloc,” then what is their status in the West, the “victors” in the Cold War? Here, the situation is not so bright. With the collapse of the socialist bloc, *no one* in the U.S., regardless of where he is on the ideological spectrum, talks of “socialism” or “central planning” anymore, and everyone pays some lip service to the importance of “the market.” But unfortunately, while old-fashioned socialism and central planning are dead, the same cannot be said of statism and interventionism. On the contrary, interventionism is flourishing as never before. The idea now is to preserve the shell of the market, but to cripple it increasingly on behalf of a plethora of interventionist goals.

The new interventionist menace is not so much in the narrowly economic areas, although even here there are increasing calls for “reregulation” of parts of the market economy. The disastrous collapse of the savings and loan industry, which will entail a taxpayer bailout of several hundred billion dollars (the estimates increase virtually every month), is routinely blamed on “deregulation” and the “Reagan climate of greed,” when the

true culprit has been the entire system of government deposit insurance which has served as an indispensable prop to the inherently insolvent system of fractional reserve banking. And the general ignorance of finance has enabled an alliance of statist demagogues and an angry corporate establishment to unite and convict the financier Michael Milken and other traders and bankers of the alleged crime of “insider trading” (that is, benefiting from knowing more than others about the market, which is an attribute of all successful entrepreneurship), and to punish them with enormously heavy fines as well as jail sentences. Their *real* crime was to provide financing of takeover bids by entrepreneurs who offered to rescue corporate stockholders from the actions of inefficient managers who happened to be members of the Old Guard-corporate establishment.

But the true interventionist menace nowadays comes not from directly economic arguments but from “social” leftists who talk “morality” rather than economics, although their measures would generate increasingly dire economic consequences. Unfortunately, though, the free-market economists who have proliferated in the last decade in universities, think tanks, and the federal government, have—in the fashion of almost all economists since Ricardo—used exclusively economic and utilitarian arguments. For many decades, either as utilitarians or as positivists, free-market economists have avoided moral arguments (a) in the mistaken reason that science must be value free, and that therefore they as scientists cannot engage in ethical discourse, and (b) because, believing that moral arguments are “irrational” or non-rational, they maintain that moral arguments cannot convince anyone. And yet, it should be clear to any unbiased observer that moral arguments are employed a great deal, and that they often convince people, utilitarian or positivist arguments notwithstanding. But not only that: Convincing someone on utilitarian grounds is apt to be met with a shrug—OK, you’re right—and then the listener or reader walks away to tend to his own concerns. But let someone be convinced of your cause by a moral argument and he or she will be a militant and dedicated partisan for life.

A large part of *Ethics of Liberty* is devoted to an argument on behalf of a doctrine of liberty grounded in ethics and in property rights. I contend that no advocacy of public policy, however seemingly “scientific,” can be value free; none can escape taking an ethical position. Far better, then, to frame one’s ethics clearly and consciously, instead of smuggling them in, ad hoc and unanalyzed, as implicit assumptions of one’s analysis.

Since free-market advocates have abandoned the arena of ethics, they have disastrously allowed the new breed of leftists and statists to occupy the high moral ground, and to issue moral pronouncements unchecked by libertarian or conservative opposition. To interventionist proposals, however outlandish, conservatives and free-market opponents can only point feebly to the enormous economic cost of the policies. But having abandoned the high moral ground, the opposition can only fight a losing, rear-guard action. Statists get their proposals adopted, compromising in the beginning on cost, and then over the years continually widening and accelerating the programs, driving up costs over a longer period. Similarly, in the late nineteenth century, classical liberals and free-market capitalists conceded to the burgeoning socialists the high moral ground: They acknowledged that socialism was a wonderful moral “theory,” but that it could not really work “in practice.” It was only left to the socialists to say: “Give us a chance—give us a country—and we will see if what you admit is an ideal theory will indeed work in practice.” As late as the 1930s, Soviet Communism was called, by fellow travellers in the West, “the great social experiment.” It took eighty years of catastrophe to bury that “experiment,” to pronounce it a failure, and to try to dig out of the remaining rubble.

To be specific, there are three areas in which Left-statism has, in the U.S. at least, grabbed the high moral ground and is making startling inroads, virtually without opposition from intellectuals or the opinion-molding classes. By successfully stigmatizing any opposition as bigoted, narrow, selfish, “insensitive,” and ignorant, the statists have been able to confine any opposition to marginal pockets of the decidedly non-respectable: to groups often stigmatized in the U.S. as “rednecks.” The three burgeoning areas of statist menace are as follows.

First, there is what might be called “group egalitarianism.” In an ideology of what the writer Joseph Sobran has called “accredited victimology,” certain groups are singled out as Accredited or Official Victims. These groups, ever-expanding in number, are designated as victims of other Victimizer groups. It then becomes the duty of the state to shower wealth, jobs, status, and innumerable privileges upon the Victims at the expense of the alleged Victimizers. This is a grotesque form of compensation or reparations, since (a) the Victimizers have done no individual harm to anyone, while the Victims have not been individually harmed by them.

They receive privileges or burdens merely because similar groups may have been Victims or Victimizers in the past—sometimes a long and distant past. Moreover (b) there is no designated terminal date to these reparations, which apparently are supposed to go on forever without end, or at least until the Victim groups are pronounced to be “equal” in every way to the Victimizers. Since the pronouncing is to be done by the statist “new ruling class” engaged in the system of massive redistribution (with themselves, of course, receiving a healthy cut as a “handling fee”), this announcement of final victory will clearly never take place.

The expanding set of Accredited Victims now includes blacks, Jews, Asians, women, the young, the elderly, the “homeless,” homosexuals, and—the latest category—“the handicapped,” which leaves as the core Victimizers middle-aged white male heterosexual non-handicapped Christians residing in homes.

The second statist threat is, I am sure, all too familiar to my French readers: the bundle that comes under the rubric of “the environment.” When *Ethics of Liberty* was published in 1982, the major concerns were air and water pollution, and myself and other free-market economists have been demonstrating that pollution arises from the long-standing failure of government courts to define and protect property rights, and that the problem could be solved by demarcating strict property rights in air and water.<sup>2</sup> Since then, however, it has become increasingly clear that the environmentalists have no interest in private-property solutions to pollution, to saving various obscure animal species, or to anything else. The environmentalists are driven by a literally anti-human ideology, akin to pagan or pantheist religions, which holds man as the lowest and most despicable entity in nature. All entities in the world—animals, plants, insects, trees, and even beaches and rocks—have “rights” superior to that of mankind. The basic view is that before man, all animals, plants, rocks, etc. were “in ecological balance”; the world proceeded in peaceful, harmonious stasis, in the metaphor of unchanging circles. But then, along came man, the despoiler. Unlike other creatures or entities in nature, man was not limited or determined by his environment. In sinister fashion, man dared to *change* and transform his environment, disturbing the peaceful circles of the ages, and engaging in growth and progress—in the metaphor of a straight line. Thereby the “ecology,” the environment, was tragically, even irreversibly, altered and put out of kilter. The goal of the environmentalists is to set the world aright by reducing it to a pre-man state, or as

close to it as they can get; in short, to cripple and even put an end to production and consumption, let alone growth and development. All environmentalism is grounded in this truly evil and anti-human doctrine, but this view is made explicit in the works of the “deep ecologists,” such as the Norwegian philosopher Arne Naess and the Earth First! organization in the U.S.

All in the succession of pseudo-scientific hysterias that have hit the world in recent years—global warming (successor to the “new ice age”); disappearance of resources; acid rain; the hole in the ozone; the alleged “energy crisis”; the wailing about old forests, the caribou, and the spotted owl; the reliance by the media on a few publicity-hungry leftist scientists while ignoring the great majority of cautious, genuine ones—all of these are simply weapons in the environmentalist war against human production and consumption, and especially against bourgeois comforts that particularly madden the environmentalists, like large, “gas-guzzling” automobiles, fur coats, air conditioning, plastic containers, disposable diapers, and aerosol cans for hair spray and deodorants.

Since any genuine morality must be based on the happiness and flourishing of mankind, it is particularly galling to see the profoundly anti-human environmentalists able to seize the high moral ground uncontested.

The final element of this unholy triad is a burgeoning new brand of Left Puritanism. As in the old-fashioned brand of Puritanism, the new variety tries to stamp out human enjoyment; the difference is that the current variety is far broader than the older concentration on sex. Now any forms of enjoyment that might, to any degree, be risky for one’s health, must go under the interdict. The aim of the New Puritanism seems to be to outlaw all activities that are not certifiably good for you, or which incur any degree of risk whatever. Hence the current hysteria against the smoking of tobacco in the U.S., promoted by leftist busybodies in a broad range of repression, from social obloquy to institutional and legal rules and prohibitions. Laws against smoking in public are now rampant, as well as laws against the advertising of cigarettes on radio or television. Prohibition of liquor is back again, in the form of outlawing the sale of liquor to anyone under the age of twenty-one, or of driving automobiles while under the influence of alcohol. The hysterical criminalization of drugs in the U.S. is well known, and the U.S. has induced or coerced most other nations to go along with this clearly futile and counter-productive crusade.

In the meanwhile, all sorts of food additives are being outlawed because massive doses over many years have induced cancer in a few rats. The large-scale social and governmental propaganda against risk and in favor of "fitness" makes it clear that the current New Puritan ideal is a man or a woman who eats only certifiably healthy (and therefore tasteless) food and spends all of his or her time "working out" on exercise machines (preferably indoors, because anything that man does outdoors is held to be "desecrating the environment"). But this totally fit man would not be able to produce or consume very much, because of the "desecration" inherent in his activities.

Left Puritanism also fits in with Accredited Victimology, since there are increasing social and even legal bans on scientific research, or on any expressions of opinion that may be decreed as hurting the feelings, or displaying "insensitivity," toward the aforesaid Victim groups. This prohibition explicitly includes expressions of wit and humor. As a result of these pressures, speech and press in the U.S. have become noticeably less free and candid and noticeably more earnest, solemn, and boring, as everyone scrambles to stifle expressions of opinion that do not fit in with the new orthodoxy. The only hard-hitting or witty speech or writing now socially permissible in the U.S. is that directed against the white male Christian, the Victimizer. *Then*, such speech is considered a justifiable expression of frustration or centuries-old rage against the Victimizers. But any expression of rage, or indeed, of candor or wit, against Accredited Victims has been read out of the respectable media. Indeed, any such expressions on college campuses are now literally grounds for expulsion—which now, at least at the University of Connecticut, include the crime of "inappropriately directed laughter." If not expelled, these student felons are consigned to "re-education classes," a grisly and perhaps unwitting echo of the old Soviet "rehabilitation centers."

Fortunately, I am confident that France will not fall victim to Left Puritanism; at least I cannot visualize Frenchmen giving up cigarettes and wine in the quest for cardiovascular perfection.

Let us now move from the world of institutions and opinion to that of theory. There has been, since 1982, a gratifying expansion of interest in libertarianism among economists and philosophers. The Austrian school of economics has flourished greatly since 1982, especially with the establishment and increasing success of the Ludwig von Mises Institute, centered



at Auburn University, with its numerous books and conferences and its *Review of Austrian Economics*. In Great Britain, in contrast to the U.S., both Austrian economics and libertarian political theory have achieved respectability in their various disciplines, so that neutral textbooks are starting to treat them objectively and routinely as one of several important schools of thought in the discipline. Unfortunately, neither Austrianism nor libertarianism, though growing, has yet achieved this critical status in the U.S., perhaps because the orthodoxy here is more entrenched, or more vituperative.

Free-market economists, as noted above, have remained mired in the pose of value freedom, but some, like Nobel Laureate James Buchanan, have been moving cautiously into a form of contractarianism, which seemingly allows them to maintain a form of value freedom while simply endorsing the voluntary contracts of others. Unfortunately, in the case of Buchanan and others, the contractarianism has taken the cynical and utilitarian Hobbesian form rather than the property rights-establishing form of John Locke. Otherwise, in Britain, the European continent, and the U.S., social philosophizing among free-market advocates has largely taken the murky path of F.A. Hayek, with consequent vague blather about “evolved rules” and traditions. Hayek is a dramatic example of someone who wants to ground the free market in something beyond mere utilitarianism, yet believes neither in the possibility of a rational ethic nor in divine revelation; hence his decades-long and unsatisfactory quest for a substitute, which in *The Constitution of Liberty* was general and uniform rules for their own sake, regardless of the content of such rules. In later Hayekian thought, this ideal became transmuted into the ratification of any and all evolved rules, amounting to the ultra-traditionalist position that “anything that has lasted a long time is good.” And not only good: Since Hayek believes that human reason is helpless to arrive at ethical or political rules, or, indeed, much of anything else, these evolved rules must be obeyed implicitly and without cavil. That this solution is unsatisfactory as well as anti-libertarian should be evident; for, after all, systematic murder and theft have existed for innumerable centuries; and since they then can be said to have “successfully evolved,” how can anyone say that they should be reduced, much less eliminated?

In the philosophy profession in the U.S., Robert Nozick’s *Anarchy, State and Utopia* of 1974 exerted a liberating effect on the discipline, since its

wide success in academia, greatly bolstered by his status at Harvard University, made the discussion of rights, liberty, and corollary problems intellectually fashionable for the first time in decades. Nozick thus helped make a decisive break with the previous positivist-analytic tradition dominant in the U.S., which had read the very treatment of such topics out of philosophy as “meaningless,” and consigned them contemptuously to the departments of literature or religion. Philosophers could now write term papers, doctoral dissertations, or journal articles on such topics without being laughed out of the profession.

The *content* of Nozick’s book, however, provided no great breakthrough for libertarian theory. In addition to his unsound and self-contradictory justification of the minimal state, Nozick simply assumed “rights” without any grounding, and instead of developing or applying libertarian rights systematically, went off on various tangents, puzzles and asides which reflect the weaknesses as well as the strengths of Nozick’s mind-set: namely, to become fascinated with his own virtuoso displays of technical razzle-dazzle, rather than with a search for coherent and systematic truth.

While Nozick’s style was well-suited to success in the philosophy profession, *Anarchy, State and Utopia*, paradoxically, left no lasting mark in his field. One important reason is that despite the fact that comments on or refutations of Nozick’s work filled the philosophy and political theory journals for several years, he did not deign to reply to any of the critics or commentators. In addition to angering many philosophers, this systematic silence meant that Nozickian theories could not take on any sort of lasting life in the profession; nor, in the absence of such continuing dialogue or argumentation, was Nozick able to develop followers or disciples.

The reason for Nozick’s silence is evident to anyone who has followed his career: After writing a book, Nozick moves on to radically different interests, with little or no continuity between them. In the same way, he each year teaches completely new and different courses, so that it is impossible for him to attract student followers or generate a school of thought.

Finally, in his latest work *The Examined Life*, Nozick explicitly abandons libertarianism in a book filled with vague and hortatory (yet also technical) neo-Buddhist musings about the meaning of life. The book has justifiably drawn widespread ridicule in and out of the philosophy profession. Characteristically, Nozick shifts radically from libertarianism to

advocating a welfare state and coerced morality, without bothering to explain his shift, to justify or expound his new position, or to give a critical refutation of his own previous viewpoint. In view of the content of *Anarchy, State, and Utopia*, however, as well as his record since, I do not consider Nozick's defection from libertarianism a very great loss.

In the meanwhile, though, partly as a result of the door that Nozick originally opened, there has been a proliferation of libertarian philosophers in recent years. David Gauthier, Jan Narveson, Loren Lomasky, Henry Veatch, Eric Mack, Douglas Den Uyl, Douglas Rasmussen, the prolific Tibor Machan, and the prominent jurist Richard Epstein, have written extensively on behalf of a rights-based libertarianism. Unfortunately, Gauthier and Narveson are contractarians; Lomasky is a believer in "welfare rights" and therefore scarcely qualifies as a libertarian; and Veatch is a distinguished advocate of rights but is merely sympathetic to, rather than an adherent of, libertarianism. Epstein, in the end, waffles on rights and plumps for a utilitarian muddle. Mack, Den Uyl, Rasmussen, and Machan are neo-Randians who, like myself, are Aristotelians in basic philosophy and Lockean on rights. Unfortunately, all of them still cleave to the minimal state.

These works and numerous others offer significant contributions to the libertarian literature. My complaint, however, is that all of these writers spend their time trying to establish the groundwork for rights: utilitarian, contractarian, Lockean, or whatever. This is a fascinating and highly important field, but I can't help believing that in the common manner of philosophers, too much time has been spent arguing over the foundations without at all developing the concrete applications: What is, or should be, every person's property right, and what may be considered a tort or crime against such rights? This is precisely the major area of concern of *Ethics of Liberty*. In a libertarian society, who owns what and how is such ownership to be decided? What are the implications of self-ownership, or of the homesteading of property rights from the use of previously unowned natural resources? And what are the implications of these property rights for the scope and even the very existence of the state itself? I am sorry to say that none of the above writers even attempt to pursue or answer such questions. Hence, no one has continued in the path of such political theorists as Locke and Herbert Spencer.

Clearly, despite the burgeoning of libertarian volumes in the past decade, much work remains to be done in developing and applying libertarian theory. And far more needs to be done, of course, in spreading libertarian opinion, and embodying these ideas in institutions throughout the globe.

### Notes

1. Robert Heilbroner, "After Communism," *The New Yorker*, Sept. 10, 1990, p. 92.
2. My article "Law, Property Rights, and Air Pollution," *Cato Journal* 2 (Spring 1982): 55-99, reprinted in Walter Block, ed., *Economics and the Environment* (Vancouver: Fraser Institute, 1990), not only discusses the problem but extends the argument of my book by trying to work out a systematic legal framework for deciding upon and enforcing property rights.