

Economics or Philosophy

Some years ago I discovered that Libertarianism.org had webbed a *video* of a debate I had with George Smith in 1981; I found it interesting enough to be worth including here. What follows is a lightly edited transcript, ending with some questions from the audience and my responses.¹ The topic announced for the debate was “Economics or Philosophy: Which is the Proper Foundation for Libertarianism?” The source of the difference between that and the question I thought we were debating, mentioned below, is explained in the next chapter.

The debate took place in Austin, Texas, at the Politics of Principle conference organized by Michael Grossberg.

My first speech

Let me begin by saying that what this debate was, at least the first time around, I believe, was a debate about what sorts of arguments were most important or most useful in defending libertarianism. There is certainly a sense in which economic arguments without philosophical arguments are logically impossible or useless. You can't talk about what is desirable without talking about what ultimately you want. But if everybody agrees about what they want you would reduce the issue only to questions of how to get it, which would be economic questions.

I should start by briefly defining what I mean by economics and economic arguments vs. philosophy and philosophical arguments, because I got the impression towards the end of the previous run of this debate that a good deal of what I thought was economics George thought was philosophy, which led to a certain amount of confusion. Economics deals with questions such as what will be the consequences of certain laws and certain institutions. Philosophy, or at least the particular part of philosophy that is mostly used by libertarians for making arguments, deals with oughts, with statements such as “it is desirable that people be happy,” or “you ought not to steal someone else's property,” or other questions of that sort.

There is a good deal of overlap in these two. That can be seen by considering one very simple philosophical position, the position called rule utilitarianism, which holds that we ought to act according to that set of rules which maximizes the sum total of human happiness. In one sense you could say that all of what I call economic arguments, that if you have private property people will be happy, for example, are part of a philosophical argument which the rule utilitarian uses to say we ought to act in certain ways. But I would separate out the philosophical part of the argument, which is the part that says, for example, that you ought to make people happy, from the economics, which discusses what the consequences of certain acts will be. When I say that we ought to use primarily, not entirely but primarily, economic arguments, I mean we ought to be arguing with people about what are the consequences of certain acts, what are the consequences of certain institutions, how does socialism work, how does capitalism work, rather than arguing with them primarily about whether taxation is immoral, whether private property is a natural right, and so forth.

My reason is not that I believe that “is” statements without “ought” statements can tell you what you should do — obviously they can't — but that I believe that most of the disagreement in the

¹ I edited my part of the debate. Since George is no longer alive I asked Ross Levatter, whose views are closer to George's views than to mine, to edit George's part. We tried to change nothing substantive, just to convert the spoken text to reasonably clean written text. Curious readers may want to check it against the video.

world, most disagreement on things libertarians are interested in, comes from disagreements about how institutions work, about consequences, and only a relatively small part from disagreement about ends. If I persuaded a socialist that socialism would lead to everybody being poor and miserable and enslaved and capitalism would lead to everybody being happy and wealthy and wise we might have many remaining disagreements about what was desirable and yet he would almost certainly be in favor of capitalism. Even though the statement “it is desirable that people be healthy and wealthy and wise” is a philosophical statement logically necessary for the argument, it would not in practice be necessary because we don’t disagree about it.

George objected last time that I seemed to be including an awful lot in economics. For those of you who are perfectionists, I would say that economics is that approach to understanding what is which starts with the premise that individuals have objectives which they rationally pursue and draws conclusions from that. It would take much more than fifteen minutes to expand on that, so I won’t.

Part of my evidence that political disagreement stems more from disagreement about “is’s” than “oughts” comes from an experience which I have had and I think many of you have had. A Libertarian is arguing with a socialist about some fundamental moral question such as whether a capitalist has the right to the profits he gets from his capital. One discovers after a while that the socialist’s idea of the history of that particular hypothetical capitalist is that he got his capital by stealing it from somebody, by doing things that the libertarian would regard as stealing it from somebody, whereas the libertarian’s idea of the history is that the capitalist hacked a tract of land out of the jungle while the lazy worker sat by and the capitalist now wishes to be paid for the use of his farmland. That suggests to me that both people have similar moral intuitions and that each is trying to twist his vision of reality to make his moral intuitions consistent with the institutions that he is in favor of.

For another example, consider the way in which Marxists use the term “exploitation.” The Marxist argument goes as follows: All things are produced by the workers, either directly by the workers working or indirectly by the workers building machines which then help produce goods. The capitalists consume some of what is produced, therefor the capitalists exploit the workers.

If you think a bit, you will notice that there is a hidden libertarian premise — that things belong to the people who make them. If the socialist really believed that the right premise was “from each according to his ability, to each according to his needs,” it would follow that if the workers were good at working and the capitalists needed Rolls-Royces, that there would be absolutely nothing wrong with the capitalist receiving profits. The reason the socialist is upset about the capitalist receiving profits is that, at base, the socialist’s moral intuition is very much like yours and mine, namely that ownership comes out of producing.

I am not asserting that there are no disagreements at all, of course. Certainly there are a lot of socialists who think that taking from the rich to give to the poor is a good and meritorious activity and very few libertarians who believe that, although I can think of perhaps one example if I work at it, a philosopher I met recently.² The reason, in my view, that we don’t have to argue about the philosophical points is that our economic arguments are sufficiently strong so that we can reach

²I was probably referring to Baruch Brody. See Chapter 57 of *The Machinery of Freedom and Comment on Brody, Social Philosophy & Policy*, Volume 1 (1983). Brody’s argument that I was responding to is “Redistribution Without Egalitarianism” in the same volume. The Bleeding Heart Libertarians, who I discuss in Chapter XXX, would be another example.

our conclusion starting with any of a wide range of views about what is desirable. Since capitalism happens to be the best system for the poor as well as for the rich, since redistribution in practice means taxing the average Californian to support the students attending UCLA, who will on average end up with higher than average incomes, we can, I think should, argue that whether or not you believe that redistribution is theft you should be against it. I am taking redistribution because that's the case where I think the economic argument is weakest.

For many other issues, the policies we are opposing are bad for all concerned. There is, for instance, a rather elegant argument for freedom of contract which shows that, if you make laws making it illegal for landlords to write lease contracts in which the tenant can be thrown out on a week's notice, the consequence is to make both landlords and tenants worse off. This is often, although of course not always, true about interferences in the free market.

So I would argue that we don't have to argue about what we ought to want, first because what people actually do want, although not identical, is fairly similar across people, and second because our economic arguments are strong enough that the same system which maximizes freedom also maximizes happiness or utility or any of quite a number of other things, or at least comes very close to maximizing them. We can therefore argue, essentially, "pick your objective." There are hypothetical objectives that capitalism is not best for, making people poor for example, but for any reasonable objectives, ones that will cover the views of 98% of the population of the world, we can demonstrate that our system is the one to produce those objectives.

It is fortunate that our economic position is so strong because, unfortunately, our philosophic position is much weaker than we wish it were. Imagine that you are arguing with a conservative who says we need a draft. You object that the draft is slavery. He replies that we need it to defend ourselves.

You say, to yourself, and perhaps to him, that the reason he is in favor of a draft and you are not is that he is a wicked man who does not mind slavery. Before you say that you need to ask yourself, if you agreed with him about the positive question, about the economic question, if your only disagreement were moral, would you still be that sure you were against the draft? If you really believed, as you don't, that without a draft the Russians would conquer us and we would all be slaves, you might start trying to figure out some libertarian excuses for a draft.

Let me go back to the case of arguing with a socialist. The socialist believes that capitalism won't work, that it will lead to enormous inequalities, to misery, to Great Depressions, to bread lines, to dictatorship, to all sorts of horrible things,³ and he also believes socialism will work. We say to him "You are an immoral person. As a matter of principle I am against socialism and I would be against it even if you were right." That is usually a lie. Usually, the reason we're willing to say that is that we are sure he's wrong.

If he says to us "Yeah but just suppose for a minute that you believed that capitalism led to these horrible things," I think we would be in a much harder position. I will give you some evidence. There are places where a straightforward application of what we believe to be libertarian principles does lead to horrible conclusions, and the result is that none of us believe them. We think up complicated excuses for not believing.

³ For an example of such a view from a real socialist, although one less optimistic than my imaginary socialist about the socialist alternative, see George Orwell's [review](#) of two books, one by Friedrich Hayek and one by Konni Zilliacus.

I will be talking more about that tomorrow or Sunday, whenever I'm giving a talk,⁴ but here is a simple example. We like to say that you cannot trespass on a person's land without his permission, however small the trespass is, that it should be up to him to decide whether you are injuring him, not up to you. But every time I light a match, photons from that match are trespassing on property for a hundred miles around. Every time I light a match, little bits of soot are trespassing on land for 20 miles around. If we took seriously the sort of simple aprioristic arguments that we sometimes use to prove things we believe are true we would have to conclude you couldn't light a match without permission from every landowner within sight, every landowner who could, with a sufficiently powerful telescope, see your match, demonstrating that your photons are trespassing on his property. We don't believe it. When these simple hard-and-fast arguments lead to conclusions we don't like, somehow we ignore them.

I suggest that that is a good reason why, instead of saying to the socialist “The reason you ought to agree with us is that we are morally right” we ought to say to him “The reason you ought to agree with us is that your system leads to results you wouldn't like, and we can give you quite a lot of evidence for that, both empirical and theoretical, while our system leads to results you would like.”

Having said that, I don't want to argue that there is no place for philosophy. There are two places for philosophy. One of them is for the philosophers to work at doing a better job than I, from my biased position, believe they have so far done, in giving coherent, clear, persuasive explanations of oughts. Maybe then eventually we will all agree on that and maybe that will help a little. Second, the philosophers can and do serve a useful defensive function in trying to make people willing to consider our ideas by making it plausible than what we want is morally attractive as well as functional and that what they thought they wanted is morally unattractive as well as non-functional. That, I think, is a useful and valuable function and I have got 7 seconds left so it's George's turn.

George's First Speech

Being a firm believer in technology, I will use the microphone. The subject we're debating here this evening is which is the proper foundation for libertarianism, economics or ethics. I think the key word here is “foundation.” I would be the last to deny the enormously valuable contributions that economics can make and in fact has made to the libertarian case, but I think when we're talking about the proper foundation of libertarianism we clearly have to decide in favor of ethics being the basis for the libertarian philosophy, and I'll try to explain a few reasons why I think this is so.

First of all, let's consider what's involved in even stating what libertarianism is. Now, I don't mean just applying libertarian principles to a particular problem. I mean if you were to explain to a friend of yours and he said, “Well, tell me what libertarianism is in twenty-five words or less,” what would you say?

I suspect you would say something like “Well, Libertarians believe that no person should initiate force against another person” or “Libertarians believe in the right of self-ownership” or “Libertarians are against any form of aggression.” Regardless of how you state the basic libertarian principle, somewhere in that statement you're going to have an ought statement, a should statement, or a statement pertaining to rights, and of course rights have implicit within them ought statements. In other words you'll have to say something like “People ought not to aggress.” So in the very

⁴ The talk I was referring to is Chapter XXX.

statement of the essence of libertarianism you are already hip-deep in ethics because you are introducing that very important ought, or as philosophers like to call them normative, statements.

Now, I would suggest to you that there is not similarly implicit within the basic statement of the libertarian philosophy necessarily a particular view of economics. Granted, a view of economics develops out of that basic philosophy, but it's not as essential, that is, not as basic to it, as is the ethical aspect. So that is the first point I want to make in an attempt to clarify what I mean when I say that ethics is the foundation of libertarianism.

Now, let me proceed a little bit and try to clarify more in what sense ethics is the foundation. First, we have this notion of rights that practically all libertarians subscribe to in one form or another. You may state it in different ways. You may say that Libertarians believe you have a right to life. Or you may state it as I prefer: that every person has the right of self ownership. But however you state it, you come down as some kind of theory of natural rights. But one could believe in some theory of natural rights and yet not give it top priority in one's philosophy. For example, you might, or some people you know might, if you ask them "Do you think people are self owners?" say "Well of course I do. Yes, of course." But then, when confronted with a particular type of problem, they might decide that there are overriding considerations more important than a person's individual rights. There are many many historical examples of this. Let me give you one, and I think it illustrates very clearly how there can in fact be a conflict between moral arguments and economic arguments.

I should mention here that I happen to believe in most cases there are not conflicts, that the two are very compatible. But there can be conflicts between moral and economic arguments and if those sorts of conflict arise, then I maintain that the moral arguments always take precedence. It should take precedence because it's more fundamental.

Let me give you the example of that I like to use from the 19th century. Libertarians were very involved, as you may know, in the pre-civil war-era with the abolition of slavery. They were at the cutting edge, so to speak, of the Abolitionist Movement. Individuals like William Lloyd Garrison, Lysander Spooner, Wendell Phillips and others. Now, their argument was explicitly libertarian. They explicitly argued on the basis of self ownership. Throughout the Abolitionist literature are constant references to self ownership as the moral objection to slavery. They accuse slave owners of being, as they put it, man-stealers because they deprived the slave of that which was properly his own, namely his body, his freedom.

Now, there developed a very important split in the anti-slavery movement. The abolitionists were in favor of an immediate end to slavery, by which they meant as fast as is humanly possible. They argued that there should be no other considerations which override the slave's right to his own life and freedom. There was another group, which became known as the gradualists, who agreed with the abolitionists, they said, "Well, it is true that slavery is wrong, it's evil, it should be gotten rid of," but they added on "eventually." What they argued was that should slavery cease immediately it would wreak economic havoc on the South in particular but also on the Northern industrial states which relied very heavily on Southern agriculture. So what they did was introduce an argument, an economic argument, trying to show that the immediate abolition of slavery would wreck economic havoc and therefore slavery had to be phased out in increments rather than immediately. This was a very important and bitterly fought contest between the two sides.

Now, it's important to note how the abolitionists responded to this. They did not necessarily try to argue that the immediate abolition of slavery would **not** have these terrible economic

consequences. What they argued was that this economic sort of argument was irrelevant because what had to take precedence was the right of the slave to his own liberty and **this** was the important argument.

Here, it seems to me, is a very, very clear example that can arise, and has arisen in many lesser forms, a very clear example of a conflict between a moral and an economic argument and the abolitionists recognized clearly that the moral argument was the real basis for their philosophy and therefore that had to be the guiding principle, as indeed I think it has to be the guiding principle for Libertarians today.

Now this sort of conflict can arise even today. It's not inconceivable that if you had some old curmudgeon who wanted to hang onto his little plot of land and was refusing to sell it even at highly exorbitant prices, for whatever eccentric reason you might have, this person might be obstructing some sort of super freeway or Supermarket or stores or some kind of high rise development, and it seems to me one could give a fairly convincing economic argument there's some sort of loss of utility by this old curmudgeon refusing to sell his property. In fact, economists argue that way all the time. But of course Libertarians would say the economic consequences of this are irrelevant.

Now, notice the argument here. It's not whether in fact selling is economically beneficial or not. What we would say is it doesn't matter whether this old curmudgeon decides to sell his land. It doesn't matter if the consequences are good or bad economically. The point is he has a right to that land. It is none of your business what he does with it and therefore you can't even bring in the economic consideration in the first place. It is totally irrelevant to this question.

Now, I'm afraid that the big danger of trying to overthrow Ethics in favor of Economics as the foundation of libertarianism is that this very sort of thing will happen. Economics will lose its bearing; it will start to hedge and compromise on many, many issues and it won't have that solid clear-cut well-defined position that it now has.

If I had a lot of time I could go through a lot of historical examples of this kind of thing; let me just mention one. In 19th century classical liberalism, which was at that time one of the foremost I would call quasi-libertarian movements, one had two distinct schools. One had a natural rights school and one had the utilitarian or more or less the economic argument School. In the natural rights school were people like Thomas Hodgkin, Herbert Spencer, Auberon Herbert and others, in the economic utilitarian School Jeremy Bentham, James Neal, John Stuart Mill and others like that. Eventually the utilitarians won out. But what in fact happened as a result of the economic side winning out was it destroyed the classical liberal movement. Period.

In fact Classical liberalism on the utilitarian side paved the way in many respects for the welfare state. This has been verified by many contemporary scholars. Because by using these economic arguments about social utility, social welfare and so forth, what the utilitarians did was set up their opponents. So eventually the Socialist and the welfare state people came along and said "Well look, we think **these** things promote social utility, we think **the state** can actually further social utility," and utilitarians really were bested, whereas the natural rights people simply said "We don't care about your stupid calculations of social utility efficiency. We don't give a damn about those things. People have certain rights and your government or you personally can't do anything about them in terms of violating them. It's none of your business." So the natural rights people didn't even want these sorts of arguments to even enter into the situation.

Now notice what I'm **not** saying. I'm not saying we shouldn't use economic arguments. Obviously, in many cases they're stronger for particular sorts of issues than are ethical arguments. If you're arguing an issue of rent control, I suggest that probably an economic argument might be more convincing. On the other hand, there are some arguments—many arguments, I think—where ethics is far more suited. For example, victimless crime laws. If you argue on economic grounds against restricting heroin because it will drive the price up, the Buckleyite conservatives will say “Great, that's what we want; we want it to be hard to get.” If you say “Well, the cost of enforcing is too expensive,” they'll probably say “It's a blight on society, no cost is too expensive really, and even if we can't control it completely at least we can put a lid on it.” Now of course the moral argument on victimless crime laws is quite clear. It doesn't matter what the economic consequences are, a person has a right to his or her own body and what he or she decides to put in it is none of your business basically. So I think we have to take a long hard look, not only at the issues involved but what the possible consequences are if the natural rights position should be abandoned.

Now let me backtrack a little bit and discuss more about the natural rights position because there doesn't seem to be widespread understanding about it. Basically there's nothing mysterious about ethics or ethical theory. What ethicists try to do, and have been trying to do, I think rather successfully, for centuries, is to look at human beings and ask themselves what are the basic facts of human nature that make social life possible or desirable. In other words, as philosophers like to put it, what are the basic aspects of human nature that would lead one to the good life in a social context. Without going through all the steps of the argument, basically what libertarian philosophers have argued is that freedom to act on the basis of one's own judgment is an indispensable aspect of the good life; that the relationship between your judgment and your happiness and the means you choose to live by are all so closely intertwined that to introduce coercion between your judgment and your act is to deny you the right to act on the basis of your own judgment, and that is to act in a way that is profoundly anti-life. In other words, it is to act in a way that contradicts the very essential aspect of human nature that makes human life possible, happiness possible, or the good life however you want to put it.

Now this sort of argument can get rather technical, but the thing I'm trying to point out here is that there isn't something particularly mysterious about it. I think in some respects without going into complex philosophical argument you can examine it for yourself and you can understand what philosophers mean when they say that if someone interposes coercion between your judgment and your action—that is, if someone forces you in such a way that you cannot act according to your own judgment—that this is something fundamentally bad in terms of your own life. That's a fairly clear sort of thing to grasp and I see nothing hard or difficult about that. Of course it requires elaboration just like any theory does and science or economics or philosophy but that's the basic idea behind it and as I said before, and I think this point cannot be emphasized enough, this really is the bearing of libertarianism and let me just say, and I don't usually like to make predictions but I think this one can be made quite safely, if for any reason natural rights was thrown out, so to speak, as the foundation of libertarian philosophy, I would predict without hesitation that the libertarian movement would be dead as a doornail within 10 years if not sooner, and I mean that quite seriously.

Some people when they heard about this topic is being debated say “What is there to debate? I mean, of course economics and ethics are **both** important.” I agree. But in terms of the **foundation**, as I said before, ethics has to take priority and if it doesn't I think we will see happen with the modern libertarian movement what utilitarians saw happen in the 19th century, what the radical

Libertarians in America in the late 19th century saw when they overthrew natural rights and the movement disintegrated within a few years. They saw it happen, and we're going to see it happen if in fact the moral basis is not there. What we'll see in 10 years probably, if not sooner, as I said, if not an outright disbandment of the libertarian movement, what we would probably see is a bunch of David Stockman's running around praising people like Ronald Reagan because they like their economic points of view. In other words, the radical edge of libertarianism would be destroyed without that moral certainty and moral foundation to it.

And to conclude, and this is more of a pragmatic or a practical point but I'm sure David will forgive me for arguing the practical side: Just as a practical matter, if you're trying to inspire people, if I were to take a poll here today and say how many of you were inspired to libertarianism by some moral ideal, I suspect a good many of you, and perhaps a majority, would answer that you had been inspired in that way. There's something about the ideal of Liberty that's very attractive. I mean, we can think of some American revolutionary, you know, holding a flag battered from battle or whatever, struggling along with a flag that says Liberty or individual rights on it. It's very difficult to imagine that same revolutionary with a tattered flag that says social efficiency, or utility, or Pareto optimality. People are not going to go to the wall and fight for their ideals if those ideals are no higher than what is considered to be efficient in an economic sense.

Let me just conclude with a brief passage which I think captures this fairly well. This is from Alexis de Tocqueville's book *The Old Regime and the French Revolution*, de Tocqueville being a very important 19th century French writer. de Tocqueville wrote "I do not think that a genuine love of freedom is ever quickened by the prospect of material rewards. Indeed that prospect is often dubious anyhow as regards the immediate future. True, in the long run, freedom always brings to those who know how to retain it comfort and well-being and often great prosperity, nevertheless for the moment it sometimes tells against amenities of this nature and there are times indeed when despotism can best insure a brief enjoyment of them. In fact those who prize freedom only for the material benefits it offers have never kept it long. What has made so many men, since untold ages, stake their all on liberty is its intrinsic glamor, a fascination it has in itself, apart from all 'practical considerations.'" The man who asks of freedom, Tocqueville concludes, "The man who asks of freedom anything other than itself, is born to be a slave."

Thank you.

My Rebuttal

I think George has clearly established the principle that philosophy does have an important function in libertarianism. Its function is providing purple prose and whipping up our passions, letting us all feel good about what we're doing and getting us to die on the battlefields under the Black Flag and things of that sort. I think there's some truth to that, incidentally, even if I make fun of it.

I get a little bit of a feeling that George may have bribed whoever wrote the title of this debate. Somehow I remember it being a little different last time around, and I thought this was supposed to be a rerun, but that's all right. I agree with George that if we were trying to sum up libertarianism in one sentence, which is a rather dangerous thing to do, but that if we were going to do that, we would almost certainly have a sentence with "ought" in it. But I would also point out that "ought" means a lot of different things to a lot of different people. The reason we would all agree on that "ought" statement, or at least agree that it was an approximate way of saying what we believed —

the one time I signed such a statement, when I joined the free libertarian party of New York, I footnoted it — the reason we would agree is that we have come to similar conclusions about what was desirable from many different starting points about what “desirable” meant. Some of us would say men ought to own themselves because we believe that only in such a society will people be able to develop their own potentialities and that that's the most important thing. Others would say that only such a society is just. Others would say that only in such a society can I privately expect to be happy and I want to be happy. Others would say many different things. So that, yes...it would indeed be an ought statement, but the agreement would be on the conclusion not on the arguments that got us to there, and not on any particular derivation of natural rights.

With regard to George's brief summary of a natural rights position I am going to do something a little unfair, which is to attack an attempt to give a subtle and complicated philosophical position in thirty seconds, but I would point out that he did refer to liberty as being indispensable. I think he and you would agree that all of us have our rights infringed in various ways at the moment. Most of us also believe that, in spite of that, our life is better than it could be and a good deal better than death.

That suggests that a term like “indispensable” is good oratory but bad thinking, that you really ought, in making the argument, to say “For the following reasons, human freedom is desirable.” If, as seems to be the case, I can have human freedom and many other things as well, that is certainly good. But by saying it is desirable I have not automatically answered the person who tells me “Yes, but by giving up a little bit of freedom you can get a great deal of something else.” Nor have I answered the person who tells me, as many conservatives would, “It would indeed be nice to be entirely free, but that is not one of the options on the menu.” “If,” he will say, “you insist on being free not to have a draft then you will indeed have a draft, but it will be run from Moscow.” You don't answer that kind of argument by saying that human freedom is indispensable. You answer it by showing that you can defend yourself without a draft.

I was a little puzzled by George's statement that there were conflicts between the philosophical and the economic arguments. I thought he understood, he certainly seemed to understand by what he said earlier, that “shoulds” are philosophical. There is no economic argument all by itself which says we should do X. There is an economic argument which says “If you free the slaves certain things will happen.” In those cases, which I think apply to most issues, where the things that would happen if you introduce freedom are things that 98% of the population is in favor of, demonstrating that those things will happen finishes the argument.

It does not mean that there is an economic argument for those things sitting out there in a vacuum. If the economic argument on slavery demonstrates that if slavery is ended the slaveowners will be worse off and the slaves will be better off, as very likely it would have, that is not an economic argument for slavery. That merely means that economics, in that particular case, is not sufficient to tell us whether we should have slavery or not.

I think the correct economic argument in that case would have shown that there would be very large benefits to the slaves and relatively small losses to the slave owners, and I think that the supposed losses to the people in the North who were consuming southern agricultural goods were wholly fictitious, since the slaves would have, and did, become farmers whether or not they were slaves. But I am certainly not saying that it is logically impossible to have a case where you have to settle moral issues in order to decide what you should do. Obviously that can happen. I am saying that most of the real world cases we deal with are not of that sort.

I just don't understand how George can claim that if the economic argument ends up saying it's good for some people and bad for others, that that means it shouldn't happen. That just means that the economic argument hasn't settled the question.

I also think that George is making a mistake in economics, a very common mistake in economics but one that he shouldn't make, because as a philosopher he understands the difference between rule utilitarianism and case utilitarianism. He's making a very serious mistake with his old curmudgeon who owns a piece of land that the throughway is going through. The economic answer to him is that if we have a set of institutions where the way we decide how land is used is that we allow a court or a government to seize land when the court or the government believes that the best value for that land is to have it seized, that set of institutions will vastly diminish economic welfare. First, because for every case of an old curmudgeon who is foolishly unwilling to sell his land, there will be a thousand cases of land that is more useful for the guy who owns it — that was why he wouldn't sell it — but which gets transferred to someone else who can persuade some court or politician that he needs it more. And second, because if you have a system of that sort, large resources will be spent by people trying to persuade courts that they are the ones who have the best use for that land.

George is making the mistake of confusing economic arguments which say “the following institutions should decide who controls” with economic arguments which say “Zap! That piece of land should be given to him,” and the second kind of argument is just bad economics. As Marshall, a very famous economist, put it, the danger with the system of subsidies is that the managers of firms will stop using their time and energy to manage the firms and start using them to manage the people who give out the subsidies. And that is an economic argument.

I am going to do something not quite fair in a rebuttal, since it's a somewhat new argument — but one George has heard before — and that is to offer a simple empirical observation: The economic profession, compared to other academic areas, is heavily biased towards belief in the free market, and the philosophical profession is not. This has been true for 200 years. George Stigler wrote an essay a good many years back entitled “Why Economists are Conservative,” and what he meant by conservative was pro-free market.

You can find innumerable examples, from Adam Smith, who said that the power to allocate capital, to move people hither and yon, would be nowhere in more dangerous hands than in the hands of the man who believed himself fit it to exercise it, to Ricardo who, commenting on the welfare system of England at the beginning of the Nineteenth Century, said “the law of gravity is not more certain than that such a system must turn wealth into poverty and confound everything in universal misery,” through Marshall who I just quoted through modern economists. There was a poll published a few years ago,⁵ a random poll of economists, on questions such as “does rent control cause housing shortages,” “do minimum wage laws cause unemployment among unskilled workers,” and so forth. With the exception of questions on redistribution, you had generally between 90 and 99% support for the right side on those questions in a random sample of economists.

Redistribution is a harder question. There are good economic arguments against it as well, perhaps, as good moral arguments, but the economists have not done a good enough job there yet — some

⁵ Kearl, J. R., Clayne L. Pope, Gordon C. Whiting, and Larry T. Wimmer. "A Confusion of Economists?" *The American Economic Review* 69, no. 2 (1979): 28-37. Accessed November 18, 2020. <http://www.jstor.org/stable/1801612>.

of us are working on it — and therefore there are a lot of good economists who still are in favor of government redistribution. Unfortunately.

I am not sure I have anything else to say except, perhaps, that Adam Smith based his argument against slavery on economic grounds and that Adam Smith's disciples succeeded in abolishing the slave trade peacefully. If instead you insist on being passionate, on saying that it's not a question of whether there is some way of ending slavery that does not hurt anybody too much but only a matter of right and wrong, you might end up killing half a million people. That is what the resolution of the slavery issue in the U.S. did, as well as enslaving most of those people before they were killed. There are tactical as well as fundamental reasons for making economic arguments, since the other kind of argument too often ends up saying it's just a conflict between the good guys or the bad guys. If it's just a conflict between good guys and bad guys, the obvious conclusion is that the good guys ought to kill the bad guys — who unfortunately think they're the good guys. Some of the results of that are not entirely attractive. Thank you.

George's Rebuttal

I suppose if a poll were taken among philosophers (and perhaps there has been one) asking how many of you think that murder is wrong and slavery is wrong you might get 100% agreement that those things are wrong, even outdoing the economists. That doesn't prove anything though.

I want to spend most of my time discussing David's rather, in my mind, bizarre notion that everyone kind of agrees about the kind of society we want. That we just have these kind of technical disagreements about how to get there. Whenever I hear David say this I have this image in my mind, almost like a cartoon, of an immigration officer loading a poor Mexican immigrant back on a bus to ship him back to Mexico, and as he's loading this guy in the bus he says, "You know, as David Friedman tells us, we both want the same kind of society; it's just that I don't want you in it."

Now David, being a good economist and a good empiricist and eschewing any sorts of a priori abstract the-nature-of-man kind of arguments that ethicists like...I'm curious as to how he got this knowledge that everyone wants the same sort of society. He said he talked to a few people, including some socialists. Well...okay. He's very gregarious fellow and I'm sure he talks to a lot of people, but I'm afraid if we're going to base a whole philosophy of libertarianism on this we're going to need more than David's personal conversations with people to have as the foundation. And I'm wondering...is this some kind of poll he's taken? Has he interviewed everyone in the world to find out what kind of society they want? I doubt it rather seriously. I don't know if Gallup has taken that kind of poll. I suspect if that kind of poll were taken people would express profound, at least on the surface profound, disagreements about the kind of society they wanted. Now what would David then do? Would he say, if that were done, would he say "Well, they don't really know what they want" or "They just aren't expressing it right"? In other words, I'm afraid David would come around to just telling these people what they really want in spite of what they say they want. That's why I'm curious as to how he knows this. It's a very simple question and a very important one: Where did he get this information? I don't have that information; I doubt if any of you have it. But David has it and the question is how. If he didn't get it empirically, by a poll, then is what he's doing here some sort of deductive a priori philosophy? Is he by any chance sneaking in some sort of human nature argument that all human beings by their very nature want a certain type of thing? If so, he is welcome to the camp of philosophy and moral theory because that's basically what he's talking about, so we're basically in the same camp if that's the case.

Now, as you can gather, we've been through this a few times before, but I can't seem to convince David that people really want different kinds of societies and it's not just technical differences about how to get to a certain type of society. So **this** time I prepared in advance and I brought along a few quotations. Now, these are not quotations from just your ordinary man in the street. These are quotes from fairly influential philosophers and political figures. Now perhaps David would like to explain how these people really are basically latent Libertarians it's just that they're a little messed up about kind of how to get there.

The first is from Johann Fichte, who was a very important early late 18th Century/early 19th Century German philosopher. Fichte wrote "rational life consists in each person forgetting himself in the species, tying up his own life with the life of a whole, and sacrificing himself for the sake of the whole," and Fichte of course went on to say that the state should force this. Our friend and fellow traveler, latent libertarian Mussolini, put it this way: "Life as conceived by the fascist is a serious, austere, religious in all its manifestations. The fascist disdains an easy life. Fascism denies the materialistic conception of happiness and abandons it to the economists of the mid-eighteenth century. This means that fascism denies the equation well-being equals happiness which sees in men mere animals content when they feed and fatten, thus reducing them to a vegetative existence, pure and simple."

Now was Mussolini lying or do we have here a legitimate example of an honest disagreement about not only what happiness is but about the kind of society to strive for?

Finally, another good libertarian, Adolf Hitler, wrote "The state has to take care that only the healthy beget children, the state has to appear as the guardian of a thousand years future in the face of which the wish and the egoism in the individual appears as nothing and has to submit." He concluded "The right of personal freedom steps back in the face of the duty of the preservation of the race."

The preservation of the race.

Is this just a disagreement about means? This is ridiculous. This is not a disagreement about means, ladies and gentlemen, this is a very important disagreement about ends, about social ends and about moral principles. Now I suppose David, if he were sitting down with old Adolf, might want to argue that the cost of trying to implement this would be too high. Well, I'm afraid there are a lot of people who don't care that much about cost. I don't think cost-benefit analysis works well with a lot of people. If you've ever talked to a person with strong religious convictions, for example, which many conservatives have, and he thinks that God has told him to stamp out sin and therefore lock up all the dope users, he doesn't care about cost-benefit analysis, he would be even willing to suffer some sort of deprivation of his own lifestyle, lowering of his own lifestyle, if he thought he could lock up all the dope addicts. I mean, you know this from your personal experience. I shouldn't have to stand up here and tell it to you, and therefore I'm very puzzled as to why anyone would think that starting from the premise "everyone wants the same kind of society" could in any way form a basis for libertarianism. It can't, because first of all it's a false premise.

Now, there are a number of other issues here. Oh and by the way it's quite true that with regard to some socialists you do get some kind of agreement about general ends. This was pointed out in the 19th century by Gustav di Molinari, who was a very important French libertarian. He argued that with some socialists and more or less said "Look, we both want the same thing; now I can show you a better way to get there." To some extent Ludwig von Mises pointed this out. Murray Rothbard, in a very important essay called "Left and Right Prospects for Liberty," talked about the

development of socialism in the 19th century, and he also pointed out that some socialists did indeed want a kind of society that Libertarians wouldn't find that bad but there was a serious disagreement about means. That works with some socialists.

It doesn't work with fascists. It doesn't work with monarchists. It doesn't work with all kinds of political philosophies, and to single out one particular sort of political philosophy and only a small portion of socialists at that, does not provide a good example, or good enough example, to support David's thesis.

Now let me, since I believe I have used up my time, let me just say maybe in a further rebuttal I can get into this more. The sorts of objections David brings up about the photon trespass case. First of all, David's been bringing this up for a long time and he gets very aggravated that all of us moral philosophers just don't roll over and play dead as a result of this example. I would suggest if David really thinks he has a knockout argument that he should write it up in article form and I can personally guarantee him that any number of moral philosophers would be more than happy, be willing and happy, to discuss at length these sorts of examples. They are not catastrophic examples. There's some problems certainly in dealing with light pollution cases—where the cutoff point is—but they are certainly not catastrophic and David seems unwilling to develop them in any kind of detail. To get up here and pronounce that this destroys libertarian moral theory is absurd because he has not shown in any way why libertarian premises lead to this being a catastrophic consequence. It doesn't lead to that. I don't believe it leads to that. No moral philosopher does. Our premises don't require that we accept that kind of absurd case. Until David provides convincing reasons as to why we should find it troublesome, then all I can say is I await an argument on his side. Thank you very much.

Each of us gets five minutes to cross-question the other

(George's comments are in italics)

DDF: George, do you actually believe, in the case of your hypothetical Mexican, that the immigration officer is correct in believing that he and people like him are better off keeping Mexicans out?

GHS: Yes. And he would say he hates Mexicans, is better off in a society without Mexicans.

Not "say." Do you in fact believe it is true, not can you imagine any way that he might believe it is true. Let's take the average immigration officer. Is he better off, aside from being paid to do the job?

What makes a person happy has a good deal to do with what he believes is good. And if a person such as the immigration officer believes that a good society is one absent Mexicans then he will be happier and that says he will be better off, yes, within a society without Mexicans.

If I understand you correctly you are saying people cannot make mistakes. Is that right? In the sense in which you are using words.

Your happiness depends a good deal on your subjective evaluation. You don't make mistakes as such in your subjective evaluation.

Suppose the man believes that if Mexicans come in the crime rate will go up, his income will go down, and prices will go up, just to take an imaginary case.

You might be able to convince him otherwise.

What I am saying is, suppose he believe that and suppose that in fact he is wrong. Are you saying that by definition he will be unhappy if Mexicans come in because these things would make him unhappy and he subjectively believes they will happen?

*Happiness is a very, very difficult thing to generalize about. You would have to ask the particular individual involved. All I have been saying is racists are generally happy when their beliefs are implemented, just like we're all generally more happy when our beliefs are implemented. Doesn't that make sense? The Klu Klux Klan is more happy if there are **not** blacks in their neighborhood than they are if there **were** blacks in their neighborhood. It's a very simple statement.*

That case may be correct. However a person who believes that doing certain things has certain consequences will not necessarily be more happy when you do those things if he is wrong about the consequences.

Not necessarily. It depends. It's highly contextual. A lot of variation could be involved. There's no law of nature that will determine when a person is and is not going to be happy.

That I agree with.

You keep saying that I claim that people all want the same sort of society. I don't think I have ever said that. Would you disagree with the proposition that people want roughly the same sorts of results and have a large disagreements on the kinds of societies that will produce them? That, for example, very few political candidate promise people that they will be poor if they vote for these candidates.

Well, candidates lie a lot.

That's right. But the way in which they lie suggests an opinion they have about what the voters want to hear. Isn't that correct?

I would be willing to concede to you David that most people would say they'd like to be happy. That is a fairly non controversial statement. As to what they consider essential to happiness, there is enormous and drastic disagreement.

That is certainly true. Let us suppose that a person who supported Hitler actually observed the kind of society that you believe Nazism would produce say in twenty or thirty years — very poor, run by a small clique at the top and so forth. Of the people who supported Hitler, how large a fraction do you think, if they saw what Nazism really meant, would continue to support him.

I don't know. I frankly don't know.

A majority? A large fraction? You have no opinion?

Who knows. Probably quite a few.

Because it seems to me that you are continually confusing disagreement about how a particular society will work, i.e. the Nazi who believes ... take Mussolini, which is a better case, because probably you and I agree with the quote you quoted from Mussolini, that happiness is not merely eating enough and having creature comforts and so forth. If we take the people who supported Mussolini, if they were able to actually observe and live in a well-functioning libertarian society, or alternatively, what Mussolini's fascism would have become after a generation or so, how large a fraction of supporters of Mussolini do you believe would have preferred the actual fascism to the actual capitalism?

David, you're asking questions that no one can possibly answer.

You hold no opinion about them?

If you're saying because of fascism being wiped out by war that fascism leads inevitably to war and therefore you're going to be wiped out if you are fascist then I assume that nobody wants to be wiped out by war.

That would be one case.

There are many other sorts of examples. For example, slavery has existed or did exist as an institution for thousands of years in medieval Europe, in Greece, Rome, and so forth. This institution went on for, as I said, hundreds and thousands of years. For the people who were the slaveowners it seemed a perfectly satisfactory and a good sort of system for them. They seemed quite happy. If you read a lot of the letters and literature of slave owners, for example, in the South, they're quite happy with the way things are; they don't want to change, there's nothing going wrong there. They're well off financially. Why should they be concerned about anything else by your own standards?

I am sorry. Whether or not slavery was in fact in their interest, it's very possible that it was, the fact that they were happy with what was happening is not by itself evidence that an alternative wouldn't have been more attractive. I am trying to distinguish between disagreements about how certain sets of institutions work and disagreements about what people ultimately want. I agree that there is some disagreement of both sorts, but it seems to me that you are continually confusing the two. You are thus saying, what's perfectly true, that a Nazi would think that his dream of how Nazism would work was better than his belief about how capitalism would work, and confusing that with the proposition that a Nazi would prefer how Nazism actually would work to how capitalism actually would work.

Those Nazis who really understood the actual causation involved in implementing fascist philosophy, those Nazis who envision themselves or who are who are likely to be in the ruling position, I'm sure would be quite happy with the situation.

That is possible. How many of them do you think there were?

I don't know.

You note that I have continually said that I think you could get very large-scale agreement. It is undoubtedly true that there are some sets of institution in which there are two percent of the population who were better off, at least for twenty or thirty years, than they would be under laissez-faire.

David, if we had ham we could have ham and eggs if we had some eggs. I mean we can sit here and speculate all night about well if this, if that, and some this, some that. You don't know, I don't know, how many people are going to be happy under fascism. This is a ridiculous line of questioning.

On the contrary. We have observed the workings of many societies. We observe what people ...

Who is we?

You and me. And I presume other people.

I have not.

Then I and other people in this room have observed what a fair variety of societies have turned out to be. We observe that people who wish to get support, who wish to get people to do rebellions for them or vote for them or work for them, make certain sorts of promises, and we have observed that societies that radically deviate from capitalism do not deliver on those promises. That seems to me to provide some evidence that there is a very large scale desire for final states which those societies can't produce.

Do you disagree?

No. [I think that is what he said but it isn't clear]

If not, doesn't that suggest that if we were able to persuade everybody of correct views about positive propositions — this set of social institutions will produce this result—that would result in their rejecting most of the things very different from capitalism.

I have nothing against that kind of argument in some aspects. In other words, the old Mises/Hayek argument of the impossibility of economic calculation under socialism, making a mess of the market order as a result of trying to have central planning. That's a very effective argument and I'm not opposed to that kind of argument. I don't think, and this is the issue under debate here, that it can provide a foundation, that that sort of argument is the foundation for libertarianism or that that sort of argument is more fundamental than ethical arguments. That's the issue. Not whether they are good arguments but whether they are more fundamental.

I do not agree that the question of what is more fundamental in any logical sense is either what we're debating about or something which I even know how to define.

George Cross-questions Me

Now you say that the moral philosophers are not able to answer these trespass cases to your satisfaction. Well, I would charge that the economists are not able to answer much more fundamental sorts of questions like why shouldn't you go out and murder someone assuming you're not going to get caught and do it in complete secrecy and so forth. Let's say you are on a desert island and there are only two of you.

You're correct.

You agree with that?

Yes.

Can you give us some kind of economic ...

No. Certainly not. One of the reasons why I am not a utilitarian is that my views about what one ought to do do not perfectly coincide with my economic interest as narrowly defined.

Now maybe I'm misinterpreting you so you'll have to correct me if I am. You claim that the position you adopt, the economic side of it, cannot explain why murder is wrong and yet it can provide the foundation for libertarian philosophy.

What I claim is that the position I adopt can explain why I should be in favor of laws against murder. That is a very different proposition from explaining why murder is wrong. I claim that

although it cannot answer the question of why I should never kill, it can answer the question of why I should be in favor of living in a society in which people are prevented from killing.

It cannot pronounce murder wrong.

That's absolutely correct. Economics cannot pronounce anything wrong.

Anything wrong.

That's right. Economics can support a proposition of the form "if we have a society where murder is forbidden, I and most other people will be better off" — we have to have a lot of qualifications of what I mean by better off, I don't mean in your moral sense — that we would have more of the things we would like to have than in a society in which murder is permitted. But no, I am not claiming, I have never claimed that economics provides a substitute for moral philosophy. What I claim is that my moral philosophical views are views which I do not believe either you or other libertarian moral philosophers can justify to my satisfaction, because every time I've discussed it with somebody who has tried it seems to me they're wholly ...

What have you read on the subject?

What have I read? I've read Rand's stuff. I've read Nozick's stuff and I've argued with lots of people.

You haven't read Machan or any of the classical works on moral philosophy. Or Aristotle ...

I've argued with Machan.

Or Aquinas.

Aristotle, a very long time ago, and I have forgotten most of it. Some of Aquinas a long time ago.

The point I'm trying to make: If I stood up here and took a lot of pot shots at economics and you said "Well, what have you read?" and I responded "I read one book by Henry Hazlitt," you would probably say "Go read some more, then we'll talk about it." That's what I'm saying to you. "Go read some more and then we'll talk about it."

I might or might not. It would partly depend on whether you had argued with a sufficient number of reasonably bright people and found their ideas unconvincing. And if you did I would probably be willing to argue with you as opposed to simply telling you to go read some books.

You know as well as I do that any fairly complex economic or philosophical position requires a lot of care and systematic presentation. You cannot decide on an important issue simply by having some conversations with people. You have to allow a person a chance to develop a thesis over a long space and try to develop various arguments, meet certain objections and so forth. Now I'm perfectly willing to concede that you may not be personally satisfied by arguments you had first hand with a lot of people. But I would say if you want to get up in public and debate this sort of thing, you at least owe it to yourself to familiarize yourself with the literature and you have not done that. You simply have not done that.

I will be delighted to examine your suggested reading list. But until that time, I repeat that the position I am arguing for is that from economics we can learn enough so that, given the differing views people have about philosophical issues, we can reach widespread although not perfect agreement about desirable institutions. Also that, as far as I can tell, judging by the philosophers and their views as well as by my encounters with them, the philosophers have not presented a body

of arguments with which they can persuade each other in the sense in which, despite the popular image to the contrary, the economists have produced a body of arguments by which they can persuade each other.

Would you accept my offer or challenge depending how you look at it to write up your objections to natural rights philosophy so that people like myself can look at your systematic presentation and have a chance to reply systematically rather than having to try in 30 or 60 seconds explain why shining a flashlight on someone's property doesn't constitute a violation of their property rights? You know as well as I do that that's more of a debater's trick. Because it's easy to posit questions but it's very difficult to answer complex questions.

It's tantamount to me saying I don't see how you can have interpersonal utility comparisons in economics and challenging you in a 2-minute rebuttal to explain how you can.

Let me for a moment suggest one reason why I don't think it's a debaters trick, and that is that, at least when this series of debates started out, we were arguing, I think, about how libertarians ought to persuade people to be libertarians.

But that's not the topic of this debate.

That is true.

And by the way, I had nothing to do with the selection of the topic.

A likely story.⁶

I want to make that clear. I think it's a better way of wording it, frankly, but I had nothing to do ...

However, the debate which I believe I agreed to participate in was a rerun of the last debate.

And the debate you debated was a rerun of the last debate.

Also.

However, I would point out that, with regard to the question I at least was debating about, if this room is filled with people, as I suspect it is, at least as other rooms of similar sorts have been, who believe that they can make straightforward ethical arguments which show it is unethical to do this or that because. And if, to those people, the line of argument they follow about ownership does lead to conclusions which they cannot live with and would prefer not to think about, such as that you can't light a match, that is evidence, not necessarily that you don't have moral philosophical arguments with which you could deal with these problems but that they don't. It follows that their opinion, an opinion that I have encountered unfortunately over and over again, that it is perfectly clear that the Socialists are wicked or the Socialist position is wicked and immoral and that ours is not, is an indefensible position, that is to say, one that they cannot defend. And that therefore they ought to argue it on the grounds of consequences rather than on the grounds of principle.

Further, I also think that if, as I have observed, the places where you feel the straightforward arguments don't lead to the conclusions that I raised — and incidentally you're unhappy with the term “catastrophic.” I introduced that term to these discussions to refer to the consequences of the doctrine that you cannot breathe without permission from everybody on the planet; I suspect you

⁶ I was teasing. As became clear in Jeff Hummel's introduction to my other talk at the event, he was actually the one responsible for the change in the topic.

would agree that the consequences of that doctrine are catastrophic. I was not asserting then nor am I asserting now that these arguments imply that there cannot be a philosophy of natural rights. They do imply that the standard understanding of it as it exists in the libertarian community at large is not adequate and that it should not be used as a basis for saying that socialism, even if it worked, would be wrong.

I want to know—to ask you directly—where you got this information about everyone wanting, however you want to put it, the same general kind of society or whatever.

I didn't say the same kind of society.

You say it like you want it, like I stated it before, then you explain to me where you got the information.

I believe that people's objectives are sufficiently similar that something fairly close to the society that I want is optimal in terms of those differing objectives.

Why do you believe that?

There are two propositions in there. One of them is an economic statement, namely that capitalism will maximize the following list of things. The other is an observation about people, namely people want some part of that list of things maximized. It is the second one you want me to answer?

Right.

I have gotten that partly by talking with lots of people. I have gotten it partly by observing, as I was saying before, what the promises are that people make when they are trying to gain power, when they are trying to sell a philosophical position. I observe that the people who argued for fascism did not say fascism will result in you being pushed around a whole lot and being dirt poor and fighting lots of wars. They said quite a number of other things. What I claim to observe is not that people's objectives are identical, certainly not that their views of the ideal society are identical, but only that, given how much better something reasonably close to laissez-faire capitalism is than something reasonably distant from it, that looking at how people act, looking at what people who want power promise, I conclude that, over a range covering the enormous majority of the human race, laissez-faire capitalism will be very close to the best thing that they can have.

George's Second Rebuttal

Well I just wanted to recapitulate a few points here and try to emphasize what I think are the most important aspects of the ethical case and again I hope it's as clear by now I really have, believe me, nothing against the economic arguments. I use them a lot myself when they're appropriate. But as I said at the beginning, I think the issue here is how do we represent libertarianism as a general philosophy or attitude towards social relationships and as I said in the beginning I think that we have really no choice but to present it as basically a moral philosophy. In other words what we are trying to say to people, what our gut sort of message so to speak to people when we communicate libertarianism is and should be there is a right way to deal with people there is a wrong way to deal with people. Killing somebody is a wrong way. Enslaving somebody is a wrong way. Stealing somebody's money is a wrong way. Dealing with them voluntarily is a right way. That seems to me to be the basis of what we're trying to communicate.

Now of course there is the further question: "Can we justify that?" I happen to think that we can and that we have largely justified those sorts of statements. But if we cannot justify it, in fact

this is some kind of illusion, if we're just kidding ourselves and the natural rights philosophy is, after all, what Jeremy Bentham called it, nonsense upon stilts, then I would say we have no case for libertarianism. In other words, I don't see that there's an option here. Suppose the natural rights case is not strong. Then what would I say, that we should adopt economics as the foundation? No, what I would say is libertarianism is thereby destroyed, there is no case for it. If you cannot have some type of statement with an ought or a should in it, as David freely admits economics cannot do this, then you have no basis for what in any recognizable sense we call the libertarian movement.

Now, David may be talking about a movement he would like to see, but with regard to the present movement there is no question but that its roots and its present manifestations are largely based on ethical and moral arguments. That is simply an empirical fact. Read the literature, talk to the people who come to these conventions, read the history of libertarianism. It has always been and it still is primarily a moral movement. Now as I said if we drop that moral aspect, libertarianism as we know it will disintegrate. We may have something instead that David might be perfectly happy with, but I would suggest that if we lose that moral force, to repeat a point I made earlier, we will be arguing primarily economic efficiency points and the very important radical social causes such as victimless crime laws, those sorts of things, will go by the wayside because there are not good economic arguments against those sorts of things. Our stand on foreign policy will go by the wayside because those are largely moral arguments having to do with interventionism and so forth, our position on nuclear warfare, all of these things which are very very essential to the libertarian movement today will simply drop out for the most part.

Now, maybe David thinks he can come up with some kind of elaborate economic argument as to why there should not be laws, say, against prostitution or why there should not be compulsory schooling laws but I would suggest to you that first of all you're not going to build a movement along those arguments even if they're valid, and, secondly I would suggest that there's a very questionable sense in which those arguments can even be said to be valid, because people's desires, their wishes, their subjective valuations are so radically different that there's no way you're going to get the sort of unanimity that David seems to think is necessary and in fact seems to think is actually the case now. So, as I said, this is a very crucial issue. I hope that libertarians are not going to start going away from natural rights arguments. I will grant that there are some problems in the natural rights philosophy but there are some problems with physics, chemistry, there are unexplained problems that even the hard sciences can't solve, and when you confront those problems you don't overthrow the whole science and say "let's get something else." What you do is work within that science and you improve on it, you apply it to problems that have not previously been solved, so you have an ongoing process of intellectual improvement, intellectual progress. That's what in fact has been happening for many years now in the area of libertarian moral philosophy. There have been some enormously important contributions that have been made and are continuing to be made. So let's not just drag out a few problems and say "Well, obviously there's something wrong with libertarian moral philosophy." There's something wrong in the sense that there's some unanswered questions that confront any theoretical system, economics, physics, ethics, you name it, it's got problems. Thank you very much.

My Second Rebuttal

I think there may be a fundamental difference between the way George looks at the universe and how people understand the world and the way I do. I am perhaps attributing to him, from things

he said, too much of the view that I perceive in people like Ayn Rand, to take one very prominent example.

One way of looking at the world is as a theorem. There are a few axioms and you build up from them, hopefully with certainty or near certainty, and everything rests on a nice firm foundation, to use a word that I am less happy with than George is. The other is to say that the world is more complicated than that, that some things you aren't at all sure of, some things we agree it's either this or this or this but we are not sure which, other things we understand pretty well, that we're looking at a very complicated picture and we make sense out of this part of it and this part of it and not that part of it. That I think is the way, unfortunately, the world at the moment is.

So that there is one sense in which I agree with George that the foundation of libertarianism is moral philosophy, only I would say would be moral philosophy if it was there. That is to say, as a matter of simple logic, if you are going to prove that a free society is good you would have to show what good is. My claim, and it's a claim which you can try to satisfy by working through arguments for yourselves, thinking about things in your own head, is that we do not know enough about what good is to follow that very attractive course or procedure. What we have are a lot of differing views about goodness, views which are not wholly different — there are very few people who believe that torturing babies to death is good — but which are not perfectly identical. If we are lucky enough to be able to show that, as the world is constructed, certain sorts of social arrangements will be good in terms of many of these differing views of goodness, that is a sensible basis to use to make our argument.

I want to go on to talk very briefly about George's comment that stealing someone's money is bad. Because, of course, if you put it that way everybody agrees, but in the words he has used he has assumed away a whole host of what I think he would agree are difficult, and I would suspect are unsolved, problems. When you said it was his money you already assumed you knew how he acquired it. The production of that particular money was done by the U.S. government with a printing press. He got it by exchanging goods for it. In producing those goods he used the cooperation of many other people. Some of that co-operation was gotten voluntarily, some of it involuntarily — he used roads built with tax money, for example. He used land which he believes is his land although he certainly didn't create it. He was involved in a very complicated interaction with other people and we sum it up by saying it is his money and you shouldn't steal it. That means that we assume away the whole set of questions determining what is his. I believe that one could, without a great deal of effort, construct a lot of different moral philosophical arguments for differing opinions about what is his.

I want to go back to the question of agreement in economics versus agreement in philosophy which George sluffed off with what I think I can call, in his words, a debater's trick. It is indeed true that most philosophers agree that murder is bad. It is also true that everybody else agrees that murder is bad, or very nearly everybody. Therefore their agreement is no evidence at all of the power of philosophy to compel agreement on things libertarians believe in. On the other hand, most people do not believe that minimum wage laws cause unemployment. Most people do not believe that rent controls cause housing shortages. Most people do not believe that tariffs on Japanese goods make Americans worse off. And an overwhelming majority of economists do believe these things.

So that the real question is, if it's true, as George seems to think, that philosophy is a science, a word he is fond of using, or that moral philosophy is, if it's true that if only people like me knew enough, if we had only read the right books, it would be clear that there were straightforward

arguments to libertarian conclusions, I'm a little bit curious why all the professional philosophers haven't read the books.

I would be disturbed if I found that a large majority of professional economists disagreed with most of the core body of economic analysis, which I believe to be a science. I am not disturbed that they disagree with lots of conclusions, but that's because I believe the world is a very complicated place as I said before, and that the correct economic arguments don't tell you absolutely 100% for certain that anarcho-capitalism is the way to go. They only give you some fairly strong reasons for suspecting that it might be the way to go. Now if, as George seems to think, the right arguments are all down in the right books, it seems to me odd that the only libertarian propositions that the libertarian philosophers have persuaded the rest of the philosophers about are those libertarian propositions that they believed to begin with.

[Q & A]

(Questioner)

I must say, I have pretty much enjoyed the debate, but I came here for the purpose of trying to decide which way to approach Libertarianism. I came to the Libertarian party from the economic side.

My question is this. It seems like the philosophical approach leads to a dead end. Take the example of the slaves. Could you not also argue, well these slaveowners that it's immoral for them to own slaves, but once we emancipate the slaves, wasn't their other capital stock created by the work of the slaves? Shouldn't we also steal that? Yeah, we should. That's correct. So we are left with a philosophical problem, where do we draw the line? Where does it become right to let someone maintain their capital?

After all, from the beginning, it was the guy with the big stick who collected the capital. So from a philosophical point of view it's morally right for us to redistribute the capital stock any time we see fit.

(George)

The issue you raise actually was discussed quite widely among abolitionists. Now I'm not denying that there are complex issues arising out of this kind of problem, but let me just point out that at least the moral approach solves the question of whether there should be slavery. It does solve that much, which economics doesn't even do. But now on to the issue about should the slaves be compensated, what about the capital that was created, and so on and so forth. The line given by Lysander Spooner, which I think was the correct line on that, was that in effect the land the slaves worked should be turned over to them in the form of restitution. In other words the plantation and the resources of the plantation should at that point belong to the slaves. In regard to goods actually produced by slave labor, you have a similar problem today if you want to talk about a moral problem of say goods produced by slave labor in the Soviet Union, for example. Unless there is a way whereby the actual producer of that good can reclaim it and be compensated then in effect that good becomes unowned property. In other words, the labor of the slave, once it got mixed in with a lot of produce and products and so forth, went out into the market and one was no longer able to distinguish this slave made that and this is what belongs to this slave. Then in effect the homesteader of that good, whoever claimed it, in other words the legitimate buyer of it, would be the owner unless there's some way of tracing that particular piece of property back to a particular

slave. Now this is an immensely complex problem but the point I'm raising is I think that there are general guidelines that can be followed to solve those sorts of problems.

Let me point out also, and I think this is a problem with David's view of ethics, and by the way the reason I mentioned this point about "Have you read ethics?" was not because I think all the answers are there and all you have to do is read the literature. It's because I don't think David has much of a feel for what moral philosophers try to do and how they operate. I'm afraid David has kind of what I call a Moses view of ethics. He wants it written out like the Ten Commandments; he wants a natural law where it says "You can't do this, you can't do this, you should do this." Well, in a similar way the sort of question you raise I would point out that when you apply general principles of ownership and so forth to highly complex varied concrete situations, the particular solutions are often times quite difficult to arrive at.

(Questioner)

Are we not denying the libertarian principle of ownership? For example, the textile industry that's located in the southern parts of this state. It exists primarily because of the textile restrictions. Without those laws that industry would have exited this country long ago. So okay, Libertarians come to power. They say "well, let's throw out all these these tariff restrictions, now what shall we do with those plants. They don't belong to the current owners, not by any philosophical justification."

(George)

Why would they not belong to the owners? Is it because competition was excluded?

Well, because it's ill gotten gains. They didn't create that capital stock. it was created by an unfair law. Just as the gains of the slave owner is ill gotten. You've already stated that you're willing to turn over the plantation to the slaves. Well, let's turn those Mills over to someone and then where do we stop?

Okay, the point is past wrongs are always difficult to rectify whether you use moral standards to do it or whether you use economic standards. The same problem can be raised with an economist how do you decide who gets what you know how do you divide up the pie so to speak on economic grounds? The point is a difficult problem for anyone to answer. My point is that at least ethics can solve very clearly and satisfactorily present moral dilemmas and I am perfectly willing to concede that rectifying past injustices can be a complex issue. In some cases it's straightforward and some cases it's not. If it's a matter of your land having been stolen 10 years ago and you want to get it back in that case it's pretty clear. If it was a matter of you having been forced to help build something and you can't find the person who forced you to do it, you want to recover the property that's a much more difficult kind of question.

(Questioner: Tom Glass according to a commenter)

I'm kind of confused about what the debate is about and I am hoping that I can kind of state two things that I think are happening and then ask two questions, one directed to each individual. It seems to me that David Friedman is arguing that the best way to sell libertarian philosophy is to argue on economic grounds, accept the person's moral philosophy and then argue from their moral philosophy that the libertarian economic system will reach their moral ideals. It seems to me that George Smith is arguing that the fundamental or the basis, the root of libertarianism, is moral philosophy and that without that moral philosophy, libertarianism would not be a potent force. I think that both statements are true but I don't understand why we're arguing with each other. A

question I'd like to ask is one, to David Friedman, is do you believe that libertarianism would be a force without a moral statement behind it? The question I would like to ask George Smith is, if you are arguing with somebody that had maybe not a natural rights conception but that believed generally that murder is bad and stealing is wrong, would you try to argue natural rights or would you make a, for instance, a minimum wage law or something like that, or would you use economic arguments to convince them that libertarianism is right.

(David)

I think a moral conclusion is an essential part of libertarianism but I do not believe that a particular moral argument by which that conclusion is reached is. You spoke a moment ago about a root. It would seem a little odd to say that a tree had three roots and yet, if I look around myself at libertarians, I observe that there are people who would reach that same conclusion from very diverse starting points. And that therefore while the moral conclusion is a part of the essence of what we call libertarianism, I don't think that moral philosophy, some particular theory of where terms like right and wrong come from, of why stealing is wrong and so forth, is at the root of libertarianism. If it is, then quite a large fraction of libertarians must be rootless, because there is no single such theory, I believe, which any large majority of libertarians subscribe to, just a conclusion they subscribe to.

(George)

Yes, I agree to some extent we debated at cross-purposes. Now I took the title of the debate literally. The last time we debated the topic was somewhat different and some of the arguments were somewhat different. "Which is the proper foundation" for libertarianism not "Which is the most efficient argument." Now, as I mentioned briefly in my original statement, I think in many cases economic arguments are better, depending on the person you're talking to, your own particular skills. An economist might be much more comfortable with the economic arguments, a moralist might be more comfortable with moral arguments. And to give you an example, from my very early college days I used an argument like you ask a person "would you think it would be wrong for you to go up and knock me over the head and take my money" and they say "of course." Then you say "well would it be wrong for you to hire someone to do it" and then they say "of course." And then you go on and show how in effect they're doing that same thing through the government. Now there you have kind of, if you pardon the expression, a Friedmansque kind of argument. You're saying we basically we agree on moral grounds and what I'm showing you is merely the consistency involved. It's a little different than David's argument but it's the same kind of thing. That's perfectly fine, whatever argument is best suited to the particular person and problem you're confronting. Use a moral argument, use an economic argument, use a religious argument. I really don't care how the person gets there. That's basically it, but I still think ethics is the philosophical foundation rather than economics.

(Questioner: Russell Turpin)

I have not so much a question as a critique of George Smith. I think you have misled people as to the current state of natural rights theory. I think most people who have read the books that you mention, including most professional philosophers, will tell you that natural rights theory cannot be based solely on the canons of logic, basic facts about human nature, and other empirical evidence. They will tell you that there must be a moral premise which is to some extent arbitrary, which seems to me not to lay a very good foundation for anything.

Now remember, when I talk about philosophers, there's a lot in natural rights theory and in natural law theory other than the usual cadre of libertarian philosophers, Machan, Mack, these people. There are the Thomists like Henry Veach, Mortimer Adler, the whole Aristotelian tradition. You can even go back and read Thomas Aquinas. There's a lot of good ethics in his Summa Theologica. There's a whole tradition of natural law philosophy. So I'm not confining it just to that. I'll grant you that that sort of thing is out of fashion today. It happens to be coming back into fashion, judging by the number of books that have recently come out on the subject, but it is out of fashion. But I think philosophy simply took a wrong turn and it's regrettable.

(Questioner: Russell Turpin)

But the modern philosophers who are doing natural rights philosophy, like Nozick and Rawls, do accept some sort of premise that really is more or less arbitrary. The one philosopher I can think of who tried to argue solely from logic and basic empirical facts is Allen Gewirth, and he simply makes a logical mistake.

Yeah, this involves a technical argument about can you get a normative proposition from the descriptive proposition, can you get an ought from an is. It's a classic statement in philosophy: you cannot derive an ought from an is. Apparently what philosophers are saying is you can't do this. That is a fact. Therefore you ought not to argue that way. So they're getting an ought from an is. In other words I would point out that I think that there's just some logical ... we have a lot of oughts that we get from is's all the time. And when you point those sorts of oughts out to philosophers and they say okay well that's not a moral ought. You can't get moral oughts from is's. And they define the whole problem in a way it is impossible to solve. But short of giving you a long exposition as to why I think you can get an ought from an is, I just have to rest content with that.

(Questioner)

I would like to sort of drop the context for a minute. You both seem to be arguing fundamentally what is the best way to advocate libertarianism and one of you says it isn't necessary to do morality and one of you says if you don't do morality in the long run you're hurting yourself and so on and there's other things but I'd like to talk about something else.

I think both of you would agree there are some people who have a fundamental moral or whatever view that is totally antithetical to libertarianism. That there are some socialists or whatever who don't have the same goals, they really do want to be poor. They have a moral view that everybody ought to be poor and things like that.

There are very few people like that, I don't think I have met more than one, but there are some. Now if you meet somebody like that, what I want to ask both of you is what can you do. Because you can't take David's view and say "look you know you accept the same premises so here's the best way to do it and you are going about it in the wrong way" and you can't take your view and go to the philosophy thing because — let's assume this is an intelligent person who has thought about it and he knows all your views on philosophy and he just disagrees with them. What, in that case, with these 1 out of 4 billion people or whatever it is, the very few perhaps that there are, what do you do in that case, with a person like that, to try and convince him of the error of their ways? Either one first.

(David)

To try to convince the person of the error of his ways, I suppose I would try to find out whether these things he wanted were really means to more fundamental things such as happiness or wisdom or whatever. You might be able to untangle the structure of arguments in such a way that you could show that he was wrong about the connections.

But ultimately I have to say that if you meet somebody who fundamentally wants things that are incompatible with capitalism, that you then persuade everybody else not to follow that person, because those people don't want those things. If that person tries to use force to prevent capitalism you shoot him. Ultimately, fundamental disagreements lead to conflicts of force. One of the reasons that I want to try to keep as far as possible away from winning the argument in that form is because I don't like to be shooting at people and have people shooting at me.

You know in the early medieval period, you had kind of an ascetic ideal, of people who would go up and sit on poles thirty feet high and let the ants eat their flesh and the kind of think you are talking about, there have been that sort of phenomena throughout history. I think the most you could probably argue, depends on whether you want to argue personal ethics or social ethics, in other words whether you want to argue that this is not good for him on a personal level or whether you want to argue a kind of a Libertarian case. Now if he just wants to live a life of poverty you could point out to him that a free society would leave him open that option and he could exercise his moral ideals to the full extent under that kind of society. The question arises what if he wants to implement his particular moral ideal and force it on everyone else. Well, ultimately you have to use any kind of argument you can. I think what this amounts to is a moral disagreement. Now I think you can make the claim that he's morally incorrect, which is a philosophical claim, if he wants to force everyone to live his particular lifestyle. There is the practical problem of can you persuade him personally. Now that I don't know. You have to sit down to him, you have to find out why he believes what he believes, what the premises are of it, if there's any sort of moral belief he has that you can get a hook into and try to show that the natural rights philosophy is better, would implement that moral premise. There might be any number of ways. It's very difficult to answer independent of knowing the particular person you're talking about

(David)

I want to say one more thing in answer to that. Suppose you meet somebody who says you are a little green man from Alpha Centauri and you are here trying to blow up the world and therefore I'm going to try to kill you because of that. I presume you deal with him by using force against him. How do you describe a person like that?

(Questioner)

Well, being a firm believer in Szasz's theories I wouldn't try to describe him how I think you want me to try and describe him.

(David)

I would say he was crazy.

(Questioner)

I thought that was what you wanted.

(David)

One of the things that very much influenced my philosophical views was, about 16 years ago, losing an argument to Isaiah Berlin.⁷ Isaiah Berlin was arguing that there were some moral views for which you should also describe somebody as crazy, on very similar grounds to those on which you would describe people with some positive views as crazy. Since then my own view of moral philosophy, which I am less uncomfortable with than all the other ones I've seen, although I'm not all that comfortable with it, is that judgments on oughts ultimately have the same sort of basis as judgments on is's, that the disagreement you observe is of the same sort in the two cases, and therefore in that sense I guess I believe both in natural rights and in some sense in absolutism,⁸ ethically speaking, that is that there are true and false ethical statements.

(Questioner) Well let me follow up with George there. Would you go along with what David said? When you do come to this brick wall and they do try to implement it rather than just believing everybody ought to be poor, when it gets down to it do you use force on them?

If they use force on you. Yes. I use force on them.

(Questioner: Jeff Hummel)

My question is addressed to David. If I can sort of restate your position, it sounds to me like you're arguing that coercion is not a very efficient producers good, that most ends that people aim at can be achieved more effectively by using other means rather than coercion. It is true that a lot of people who use coercion do so because of the ends that they're aiming at, like the thief who is stealing money just to live off, but there are people who treat coercion as a consumption good. There are people who lust after power.

I would argue, or I would at least entertain the proposition, that most murderers, or a lot of murderers, don't do it because they're aiming at other ends, but because they enjoy the actual act. And so what I would like to ask you is, first of all, do you believe that there are a significant number of people who think of coercion as a consumption good ...

(David)

Yes

(Jeff Hummel)

and the second question is, how effective do you think the economic arguments would be against them?

(David)

In many cases, very effective. My guess would be that if you somehow knew all the people who were going to commit murder in the next two years and polled them now on whether murder should be illegal, that a great majority of them would say that it should be. Saying something is a consumption good does not mean you value it about everything else in the world. I would guess that for most of the people who value coercion as a consumption good, the cost to them of any plausible way of having a society in which they could commit coercion would be very much greater than the value to them of the good.

⁷ Described in Chapter 61 of the third edition of *The Machinery of Freedom*. A late draft is webbed at: http://www.davidfriedman.com/Machinery_3d_Edition/An%20Argument%20I%20Lost.htm

⁸ I should have described my position as moral realism rather than absolutism.

Of course, from the standpoint of an individual murderer, a society in which he could commit murder and nobody else could might be ideal, but if he is a reasonable man he will realize that it is very unlikely that he can sell that particular set of Institutions to anybody else. That that is not one of the options. So the argument I think you could use for most of these people would be that the cost of a set of institutions in which you can coerce is, first, that you can also be coerced, and second that the society as a whole would be very much poorer, therefore there would be lots less of the things you want other than coercion.

Now there might well be a few people who would say “Well, that may be true, but it is so important to me to be able to coerce that I am willing to take one chance in a million of being the dictator even though if I lose someone else will dictate to me. Those people, again, you could only fight. But I think that would be a rather rare case, that the normal case is the murderer who is in favor of laws against murder and even the thief who is in favor of laws against theft.

After all, he wants to have some security in his ill gotten property.

(Questioner: Jeff Hummel)

Okay. Let me try and make the problem just a little bit harder. I think that murder and theft may be too easy cases. I would argue, for instance, that most conservatives, when you get them down to their underlying fundamental beliefs, believe in coercion as a consumption good. Those people who really are disturbed by other people engaging in drug use or sexual practices that they disapprove of fall into that category.

But let's take the case that George brought up. There are people who are racist, okay. There are people who want to live in — and I've met them, you know — and it's very important to them to be able to live in a society where they can exclude people that they disapprove of. Okay. How would you argue with them?

(David)

I suspect that for most of those people it is very important to be able to exclude people they disapprove of from their neighborhood, mildly nice to be able to exclude them from their city, and not very important to be able to exclude them from their universe. My answer to them would be that, in a Libertarian Society, restrictive covenants will be enforced by the courts. If there are any substantial number of people like you there will be lily-white districts in which the developer has made it illegal to sell to any black because ...

(Questioner: Jeff Hummel)

Your answer, if I can paraphrase it, is that the market would be the most efficient institution at providing racism ...

(David)

Providing racism is a funny way of putting it. I think it is a dangerous mistake to think that people who hold these views are mostly holding them for altruistic reasons.

What I mean is the following. You would say a conservative is against people doing certain things. But when you start listening to the arguments they use, about 5% of it is being worried about the soul of the person who's doing those things and about 95% is worrying about the effect on my kids, or someone mugging me, or raping my daughter after being excited by all this pornography, and so forth. I would guess, though I may be wrong, that you would find that the value to them of

simply keeping people from reading pornography somewhere where they can't see it in a society where you have laws well enforced so that no rapists get away with committing rape, would not be very high.

I think that, in the case of drug addiction, all you would have to do is to persuade the conservative of what is almost certainly true, that the crime rate from drug addiction would disappear if you legalized heroin, and he would then say "All right, let those wicked drug addicts destroy themselves with the drugs as long as they leave me alone." I think that would be the typical, although not universal, reaction.

There is a sense in which I am willing, institutionally, to put this to the test. As those if you who have read my book *The Machinery of Freedom* know, I argue there that, in an anarcho-capitalist society, the laws would end up reflecting the tastes and desires of the population for market reasons, just as automobiles reflect tastes in our society. It follows that an anarcho-capitalist society would not be libertarian by definition, since it could end up enforcing laws against drug use. But I predict that it would be libertarian in practice, because I believe that there are very few cases where the amount that the bigot is willing to spend in order to take your freedom away is a sizable fraction of the amount you would be willing to pay in order to defend it.

(Questioner: Wendy McElroy)

At the original debate that went on in San Diego, I asked you a question that I am going to follow up on. In the course of dealing with a lot of feminists, and feminism is not a libertarian stronghold, I come across people whose goals are very well spelled out by the equally nebulous term, happiness is very nebulous, but equally ambiguous term, Justice. I told you that justice as defined by them was egalitarianism, egalitarianism in reference not to everyone being rich but everyone being equal, irrespective of whether it was poorer or richer. And you asked me "Well, in fact, have they considered the economic arguments." In dealing with people subsequently and asking them that question, they have said that even if people were poorer that in fact they want justice which is egalitarianism. Do you figure that there's any way at all to economically approach these people who say, and it's a large group ... I find it very predominant in a very large movement ... that in fact egalitarianism, even if it is poor, is their goal, which is justice.

(David)

The first problem is to find out whether they are lying to you. Because I think that in facing hypothetical questions a lot of us do tell lies, sometimes sort of unintentionally. I am curious whether it is your impression that any of these people actually believe that equality means making the poor poorer and making the rich even "more poorer," so to speak

(Questioner: Wendy)

I think that they think that making people richer should be an optimal state, however they consider that to be a secondary issue to what they consider to be justice.

(David)

That's not what I'm asking. I'm asking are there any among this group who not only say that if we had to choose we would choose justice over people being better off, who not only say that but who really believe that they do have to choose. Are there any people there who actually think that their arrangements will make the people who are now oppressed worse off?

(Questioner: Wendy)

When people come up to me and give me a very systematic approach to their preferences and say this is my preference and are consistent in it and can systematically show me why it's their preference, I take their word. And that's what they say. And I believe it, yes.

(David)

All I am saying is that one has to distinguish between the, let us say the libertarian, who says "let right be done though the skies fall" and is quite sure the skies aren't going to fall.

(Questioner: Wendy)

Well, they're doing the same version of "Let right be done."

(David)

And the question I'm asking is, is it only because they are sure the sky won't fall that they take that position? And you think not. You think that even if some of them did believe that they would make the people they wanted to help worse off they would still be in favor of equality.

(Questioner: Wendy)

You can point out to them the example of Soviet Russia, which is considered by most feminists to be a far better society than America in terms of their ideal, and you can point out to them that it is substantially poorer, and they will say "Well yes, nevertheless it is just and that is my ideal."

(David)

I would say that would be evidence and in that case I would suggest you had probably better argue moral philosophy with those people.

(Questioner: Wendy) Okay.