



Episode 1,729: Libertarianism: A Necessary Review of the Foundations

Guest: Sheldon Richman

WOODS: I'm looking at this title, and of course I, being a libertarian nerd, immediately thought of the William Graham Sumner book, *What Social Classes Owe to Each Other*. Was there some commonality with that book?

RICHMAN: No, actually. No, I mean, I read the book. It's a collection of essays. And I don't know, maybe he says a few things in there that I repeat, but it wasn't intentional. I do have one article in one chapter in that book that builds on a quote by Sumner about the banking, finance power. But it just occurred to me that what I wrote over those years, in writing these essays that then got compiled into the book, it's about social animals and what they owe each other. That's what a large part of it is. And I knew that title, so I thought I like the idea of echoing that title. I'm really pleased I came up with that.

WOODS: Yeah, I like it too. So what I want to do with this book, because it's got so much material on so many topics that I think I might want to just milk this baby for all it's worth, as many *Tom Woods Show* episodes as I could wring out of this thing. Because as I went through, I can see that it's not just a slapdash. You've arranged it in a way that's thematic and make sense. And in particular, maybe the first ten chapters or so are really, truly foundational about why we believe what we believe and what the foundations of that are. And there's controversy among libertarians, of course, as how do we ground what we believe in. Do we ground it this way, using that sort of argument, that sort of argument? And you make repeated reference to Roderick Long and his Aristotelian approach to this, so this is a very, very rich ten chapters.

So I think I'm just going to, as I mentioned before we start recording, I'm going to home in on those, especially because I think you have a unique take on it and I'd like to just pick your brain a little bit on some of this stuff. Because even I sometimes feel – I'm not even sure how convincing I sound sometimes when it gets to fundamental things, because that's the real problem is first principles. Once you get those first principles and you're really committed to them, then an awful lot does follow. So the real question is: how do we persuade people of those first principles, especially when there are people who have different first principles who can defend them? Like, first of all, frankly – I'm sorry, I'm talking too much, but anarchocommunists can actually defend their position on property in a way that is not immediately ridiculous sounding. I think some libertarians don't realize that; they think, well, we're just obviously correct. Well, if you debate a really smart one of those guys, it's a little bit murkier than you think.

So let's just start off with the idea of nonaggression because that's where you start. And you describe it, interestingly, not as *just leave people alone*, but you describe it as an obligation, that nonaggression is a kind of obligation that we share.

RICHMAN: That's true. I mean, over the years, it's been called the nonaggression principle or the NAP, the nonaggression axiom — Murray Rothbard, whom I knew and was mightily influenced by over the years, called it the nonaggression axiom. I guess it's been called other things too. But as I was writing that piece — and that's the title piece, I believe, right, "What Social Animals Owe to Each Other" —

WOODS: Yes.

RICHMAN: — which then the whole book took the title from, it occurred to me as we were going, given my take on this, that it was more than just a principle or an axiom, but it actually is an obligation. And I tried to set out why I think it's that. I'll say quickly, just to preface all this, is that I'm an Aristotelian and I have been for a long time, and I think my thinking about Aristotle has been heavily focused or substantially focused over many years now by Roderick Long's work on Aristotle and relating it to libertarianism. When I talk about Aristotle now, I mean the ethics, not the politics, because the Greek politics were often not very good, as we know from Plato's *Republic*. But if you're looking at the ethics itself and discussing human beings as social animals and political animals, using *political* in a very broad sense, then that fits very nicely. And of course, Roderick is not the first to say this, either. There are other libertarians of today who have used Aristotle's foundations to get to our form of liberalism.

WOODS: There's some interesting work by a fellow named Fred Miller 00 I think maybe he was at Bowling Green —

RICHMAN: Yes.

WOODS: — elaborating on this and trying to position Aristotle in some broad sense as being within our tradition.

RICHMAN: No, that's right. Fred Miller's book came out years ago, many years ago, and that's one of the first things that would have come to mind about how can Aristotle kind of serve the purposes of forming a very solid libertarian foundation, and so I appreciate that. Others have done this, Douglas Den Uyl and his co-author Douglas Rasmussen, the two Dougs as they're sometimes called, they certainly write in the Aristotelian tradition. There are differences among all these authors, and Roderick's been doing it most recently in a very interesting way.

The interesting thing is just in the context of his showing that Aristotle was better than Ayn Rand, and I quote that essay of his. It's available as a booklet, originally appeared in the journal of the Institute for Objectivist Studies some years ago, and it's wonderful because it's such a great elaboration of Aristotle's views on — and he does this in other places too, but views on how we can acquire real knowledge of the world, and also what is the nature of human beings or the human animal, that I think, as Roderick does, you get a fantastic foundation for libertarianism.

WOODS: Well, Aristotle is concerned with, among other things, human flourishing and what sorts of things that a human being does, either contribute to his flourishing or detract from it. And Roderick then links, and then you, elaborating on this, link this idea of human flourishing to – well, I don't want to give it all away, because I think it's beautifully laid out. How do we connect human flourishing, properly understood, with a libertarian political view?

RICHMAN: Well, I think what you find in Aristotle, and again, Roderick – I hope I don't mention his name too many times. It's going to sound like you should have had Roderick Long on the show – e shows that this idea of flourishing is a very, very rich idea. And he contrasts it with Rand's approach, although Rand's approach is inconsistent and muddled, but a big part of Rand's approach, it's not the focus on flourishing, but the focus on survival, your survival, which is very different. That's very thin. Flourishing very thick.

So what you can get out of Aristotle is the way we flourish, since our essential nature as human beings is reason, language and language-using – you know, we're reasoning and language-using animals, that the way we achieve excellence, in the way Aristotle talked about virtue and excellence, developing your virtues – the way you achieve excellence, and therefore aim at happiness and the good life – a lot of words are used for this – is through dealing with people through reason. In other words, we flourish – number one, we need to be in communities. That's what it means to be a social animal. And we need to deal with people through rational means, which means reason, language, persuasion. And that rules out force.

Now, I'm not saying Aristotle extended that and saw that, although there are hints of it. But the point is, it doesn't matter what the original thinker thinks. He can easily miss some interpretation or implication of his own view, and so it's open to later thinkers to come along and say this great early thinker missed a very important concept sequence his own thoughts. So that's perfectly valid too. So I think you get a very firm foundation for libertarianism out of this. You get interpersonal ethics from personal ethics.

And one thing I should point out, again, to cite Aristotle, Aristotle was very clear early in *Nicomachean Ethics* that the kinds of proof you find in one discipline are going to differ from the degree of proof that you're going to find in other disciplines. So you don't expect to find, say, in ethics or politics the kinds of really rigorous sorts of demonstrations that you find in mathematics or the hard sciences, because it's just a different animal, and so you shouldn't be looking for mathematical proofs. In other words, there's lots to argue about. I can't offer like a knockdown, "nobody can say anything back to me" proof of these things, but I think we can evoke a lot of plausibility and just sort of there's a common-sense element to this, and I think that's what I tried to do.

WOODS: Well, in particular with the way you're framing it, it seems even more ridiculous that we have to deal with a misconception coming from, let's say, traditionalist-type people and from, let's say, left-wing social democrats, who both come together to say that we believe in atomized individuals. You know, we don't believe in society or we don't believe in tradition or whatever. We just believe in isolated individuals. But everything you've just described involves interpersonal relationships.

RICHMAN: Exactly. So the people on the left that talk the way you're now saying either are ignorant, which doesn't speak very well of them – that means they haven't read in the liberal tradition, the very rich liberal tradition dating back hundreds of years – or they're dishonest. I'm not sure I can think of a third alternative, and I'm not sure which is more flattering to

them, especially the ones that hold themselves as scholars. Because it's ridiculous to paint as sort of the ideal libertarian Ted Kaczynski without the letter bombs, the guy living in a shed or a shack in — where was he, Montana? — off the grid, no electricity, self-sufficient, never seeing anybody apparently. That can't be the ideal.

And it's so obvious. It's not like a subtle point that a critic of libertarianism could overlook. All you need to do is read Ludwig von Mises. I talk quite a bit about Mises in this book. You don't have to go far into libertarian literature or go deeply into the scholarly academic stuff to see libertarians lauding the division of labor. Okay, Adam Smith, the book talks about the division of labor being so important. Well, I guarantee you that Ted Kaczynski wasn't engaged in the division of labor. That takes cooperation. That takes other people. And so that's a start, at least, to talk the full case for the importance of social existence and the need for society in which to flourish. But certainly it's a very good start. You need people to divide the labor with and trade.

So it's just so superficial to say libertarians are atomistic individualists. So my answer to that is twofold. The first term I came up with to counter that was: no, we're molecular individualists, because we have —

WOODS: Ah, I like that.

RICHMAN: — like all kinds of ties to other people. But then the later one I came up with after the book, or maybe I hadn't done an article on it related to this, so there was nothing to put in the book about this. But I'm a big fan of Adam Smith in a lot of ways, and so I'll happily accept the designation Adamistic individualists, but I spell it Adamistic. So in that sense, I'm an Adamistic individualist.

WOODS: Fair enough. Now, you have a couple of chapters in here in which the very title of the chapter includes the words "social cooperation." You point out that Ludwig von Mises' book *Human Action* was originally intended to be called *Social Cooperation*. And I have to admit, although I understand why he called it *Human Action*, part of me wishes he had called it *Social Cooperation*, because it would have forced the other side to acknowledge, if one of our great treatises is called *Social Cooperation*, you have to reckon with what we are talking about.

RICHMAN: No, I agree. And I made this guess that the — I guessed that the second-most commonly used phrase in that, what, 700-, 800-page book is "social cooperation," second only to the term "division of labor". For some reason, I didn't think at the time that "private property" would have been a contender also, but it didn't occur to me. So later on, a friend of mine ran the text through one of those software things that count the phrases, and he said I was right. I was right. "Social cooperation," second "division of labor," which is another way of saying "social cooperation," maybe slightly more focused. "Social cooperation" would be a little more general. That was first, and "social cooperation" was second. But I share your view. Who knows? The history of the second half of the 20th century and into this century might have been very different, certainly for the libertarian movement, if one of our favorite books was called *Social Cooperation*.

WOODS: Well, how do we get through to people, though, who look at what they think is the market and they think they understand it, and what they see is nothing but competition? It's one firm competing against another, and the other firm loses and those people lose their

jobs. They would say, how naive can you be to describe that in any way as being cooperation? How do you answer that?

RICHMAN: Well, I deal with that in a few places in the book. That anticipates a later chapter beyond the section you're talking about, where I say that I get the feeling that a lot of people's objections to the market is not ethical or historical or economic, but aesthetic. Some people who I'm sure think of themselves on the left think of the market as ugly because they think the components of it are ugly, and competition is one of those. And the mistake they make is to assume the opposite of competition is cooperation. Cooperation sounds warm and fuzzy. Competition is cutthroat," right? Dog eat dog. It's ugly. Cooperation's nice. Oh, Kumbaya, we all get together around a campfire and sing songs, and then the next day we all cooperate.

I try to point out they are two sides of the same coin. Look, I walk into a shopping mall – not these days because of the pandemic. I walk into the shopping mall and need shoes. I see in the shopping mall three shoe stores. Okay, what's going on there? Well, I'm going into the shopping mall to cooperate with somebody in order to get shoes. I'm not a shoemaker, so I've got to cooperate with someone to get shoes. There are three sellers in there, each vying to cooperate with me to be the one. I'm only going to buy one pair, so I've got to pick one store out. Now, the relationship among the three of them we can call competition. One of them is going to win the sale and two are going to not win the sale. But what they're competing to do is what? Cooperate with me.

So competition is merely part of my being free to decide with whom I wish to cooperate. And it really is that simple. And the alternative would be some sort of compulsory cooperation, but that doesn't sound so warm and fuzzy anymore, does it? Forced cooperation, where I'm told – I mean, think of the some of the totalitarian regimes of the past – where I'm told with whom I'm going to "cooperate." That's not as aesthetically pleasing as when we typically think of the word *cooperation*. So they're two sides of the same coin.

And the other thing, what keeps the competitors honest with respect me is themselves, because one is ready to check the other by saying I have a better product, I have a lower price, whatever. So if they're free and they get no privileges from the state in any way, then they check each other, which is to the benefit of me, the potential cooperator.

WOODS: All right, I'm going to switch gears entirely, because I want to make sure that we get to all the topics that I selfishly desire to be covered. And one of them involves an exchange you had with somebody, a non-libertarian who thought that you had involved yourself in circular reasoning or you were kind of begging the question, because he's saying that libertarians say they believe in nonaggression, but look, suppose I'm just walking around on some land that some libertarian claims has come into his ownership. But I'm not physically aggressing against anybody. I'm just having a peaceful walk, and he thinks he can use aggression against me. Well, that goes to show libertarians are themselves the initiators of aggression in many cases. And so it all just comes down to definitions. It's not a clear-cut case of they're the good guys, and we're the bad, terrible invaders and so on and so forth. I may not be framing that debate exactly the right way, but maybe you can help me out.

RICHMAN: That was part of the objection. And you hear this; other people have said this over the years against this idea of private property, that isn't the aggressor the person that the libertarian says is the defender? So let me say right up front, like Murray Rothbard and other

people and Roderick Long, there is a rule regarding if you're using force – for the moment, let's accept that it's defensive force. If you're using defensive force, it has to be proportional to what's the aggression against you. And so some minor thing like someone crossing the corner of your property as a shortcut, you can't shoot that guy under I think a very reasonable application of libertarian natural law and natural rights. You can warn the person. You can put up a fence if you don't want that happening. So this critic sort of left the impression that libertarians think that if they're about to step on your toe, you can blow them away. That's just ridiculous. And I defy this person to name a libertarian who took any such position.

And the point about property, though, relates again to ourselves as rational social beings. I mean, one of the things rational social beings need to do to flourish or for flourishing is to engage in what's been called simply projects throughout our lives. A career would be an example of it. Setting up a family, etc. There are all kinds of huge, infinite variations. But to be able to do that in a secure way, you need to be able to control some physical things. I mean, you need a place to stand, to sleep, to live, to eat. And if you had no rights to that, no valid claim to that and no valid rights to repel someone who wants to take it away from you or interfere with that, then what happens to flourishing? It goes down the drain.

I don't have that text right in front of me, but later in that chapter when I engaged with this fellow on Twitter, I think, or somewhere, Facebook or Twitter, and he couldn't answer whether when a woman is repelling a rapist, whether she was an aggressor. Why wasn't she the aggressor? Her body – the first property is your body, right? Slave owners and slave traders were called appropriately by the abolitionists man stealers.

WOODS: Yeah.

RICHMAN: That kind of says it all. That's right, because the first property right is in yourself. Of course, Murray Rothbard used this image quite a bit, that self-ownership is very important, I think a good way to state what we're getting at here. And so why do you own yourself? I mean, I applied this critic's logic to the first property right, and he wouldn't answer me when I said, suppose that a woman who repels a rapist, maybe she's the aggressor. And he didn't respond. And I think I really caught him in his flaw.

WOODS: Yeah, that is a good one. That is a good one. Because what is he going to say? Because I bet he hadn't thought in those terms before. I don't think they think about the individual and self-ownership all that much, so I think when you raise objections like this, people –

RICHMAN: Because I'm sure he considers himself an advocate of human rights, because who would say I'm not an advocate of human rights? Everybody believes in human rights.

WOODS: Right.

RICHMAN: But he can't make the concession that it begins self-ownership, because number one, they don't like that O word, that horrible multisyllabic word *ownership*, because I think they realize that for them, it's a slippery slope.

WOODS: Oh, yeah, they're going to accidentally back into libertarianism if they're not careful.

RICHMAN: That's right, and I don't see how you avoid that. I mean, why do you own yourself but you don't own the food you either grew or you engaged in exchange for and got the food from somebody else? Why don't you own that? Why can't someone come along and take it? Why isn't crossing somebody's property? They don't see how it differs. And so I think they fear that, and they don't have a foundation for human rights, the non-libertarians, because they're afraid of it, if they have it. So yeah, I think it just collapses.

WOODS: Yeah, and what they're basically afraid of is that it'll turn out that those rights are far more expansive than they're willing to admit. They want some human rights, but let's be reasonable here.

RICHMAN: I'm not a huge fan of Abraham Lincoln in most respects. I don't think you are either. But he famously said if slavery is not wrong, nothing is wrong. I think that's a very good line.

WOODS: Yeah.

RICHMAN: It reminds me of H.L. Mencken's line, "I don't like slavery because I don't like slaves." Not quite the same line, but what's the corollary of Lincoln's saying, which he would or would not have accepted? If it's correct to say if slavery is not wrong, nothing is wrong, then I say, if self-ownership isn't right, then nothing is right.

WOODS: Yeah.

RICHMAN: And I don't see how you can attack that if you're going to accept the Lincoln point. And if somebody wants to reject Lincoln's point, let him have it. Go. Let me hear it.

WOODS: Now, I'm perfectly happy to respond to critics like the one you addressed, because I'm glad to explain myself and sometimes it helps me to learn how to explain things better. I understand it more deeply. I'm very happy with that. But there's a part of me that thinks that, in a way, we shouldn't necessarily always be the ones on the defensive. There should be a kind of presumption in favor of our view, because really what our view amounts to is maybe what we would call an — you know what? Maybe I'm stealing a phrase from Roderick Long at this point. I don't know where I got this, but it sounds like a Roderick expression.

We believe in like a functional egalitarianism in the sense that there's no obvious reason that any one of us should have more power over others than any other one of us. That is to say, nobody's born with a letter on the forehead that says: okay, you can tax and regulate and imprison, but you can't. And so it seems to me that the burden is on non-libertarians to show me why, given that, as I look around the human race, I don't see any natural indication that one person or one group of people is naturally meant to lord it over others. Where does that come from? Why would the presumption not be equality in that sense?

RICHMAN: Exactly, and Roderick Long has an article on this. I'm sure you can find it online. He called it *Equality: The Unknown Ideal*, kind of echoing Rand's *Capitalism: The Unknown Ideal*. I forget exactly how he put it. I did kind of write a version of that for *The Freeman* when I was editor of *The Freeman*. And his point there was everybody says they're for equality, but okay, equality, there's different ways of interpreting that word *equality*. So

equality before the law is one of the common ways, but he said that may not be a good thing. If it's bad law, we're all equal in front of a bad law, that's not good.

WOODS: Yeah.

RICHMAN: Because if you've got the draft where women were drafted, the answer wasn't to draft women; it was to stop drafting men.

WOODS: Right.

RICHMAN: Although some people said to draft women. Another one would be equal freedom, equality of freedom. But what if everybody's equal with a little bit of freedom, we all have the same "amount," not that you quantify it? But so that doesn't work either. So he reaches back to John Locke, who talked about equality of authority, and that's good, solid liberalism and again, in the libertarian sense. If we all are equal in authority, and it doesn't just mean that everybody's equal before the judge, as Roderick puts it, but equal to the judge, nobody has superior authority over anybody else. And that's true equality, and I think that's a very nice way to put it.

WOODS: And that can't be changed simply because a bunch of these equal people got together and decided that they're going to appoint certain others to have magical powers that – again, where does this come from? I think these are – not to say that there couldn't possibly be a response; I just think a lot of people don't think this fundamentally. I don't think they look into it that deeply. They like the way things are set up. They don't ask fundamental questions. Where does this come from?

And somebody who's been really good on things like this, and he attacks it from a different angle than usual, is Michael Huemer at the University of Colorado Boulder. Because his book *The Problem of Political Authority* I really think is one of the best contributions in a long time to our literature, because a lot of what he argues is not coming from, let's say, the traditional natural rights view, but really just kind of the, I don't know, like, common moral intuitions that everybody shares. Like if I go out to dinner with nine friends, and they vote that I have to pay for the dinner, we all recognize that's illegitimate. So how does that change just because it's people with suits and ties and a ballot box and a lever?

RICHMAN: Well, that's true. That's a very good book, and it's a very nice approach. He says we don't need to defend liberty on the basis of – liberty is already controversial, certainly in the way we talk about it. So maybe it doesn't help to defend liberty on the basis of even more controversial premises.

WOODS: Exactly.

RICHMAN: So no, he's a very smart guy and a very good writer and I like that book a lot. And he actually is drawing on – I don't know if he did this intentionally, but he's drawing on a point made by Bastiat in the first half of the 19th century, the great the liberal economist in France who pointed out that no group can have a right to do something that no member of the group has the right to do. So getting together doesn't give the group new rights, which is a way of yanking the rug out from democracy, right? You can't say, well, 50% plus one said we

can do this, so therefore, we can do it to the minority. No, it doesn't work. A bunch of zeros put together doesn't equal anything more than zero.

WOODS: Right, right. You know, I'm looking at the clock. I don't know where the heck this episode went. It seems like we just sat down. We're already finished. All right, first of all, to heck with Michael Huemer for a minute. We want to promote Sheldon Richman, because you should be reading, this is a great book from the Libertarian Institute, *What Social Animals Owe to Each Other*. I'll link to it at TomWoods.com/1729. But could I get you back on sooner rather than later to dig deeper into this thing?

RICHMAN: Absolutely, absolutely.

WOODS: Because this is a ton of fun, and I think we're in effect not only giving people a reading assignment of this book, but I think as they go through, they're going to think, *I should check out this and this and this*, and they're going to be better people. That's what we're here for. So thank you for your time today, Sheldon.

RICHMAN: I'm at your beck and call. Thank you for inviting me.