



Episode 566: Why Are Some Libertarians Rejecting the Nonaggression Principle?

Guest: Stephan Kinsella

WOODS: We are in a presidential election year now, 2016. You know that Austin Petersen is running for the Libertarian Party nomination. He has been critical of the nonaggression principle, so I thought the nonaggression principle, believe it or not, is a topic I have not covered, and here we are – yeah, I mean, obviously it's come up, but we haven't devoted an episode to it. Here we are on Episode 566. I didn't talk about public choice until Episode 563. Totally crazy. So still fundamental topics to get to all the way in 2016, all these episodes in.

What I want to do is talk to you about the nonaggression principle and then throw at you some of the objections that have been raised in recent years by philosophers. I'm not going to deal too much with Austin Petersen, but I'm sure he's got in common some of these sorts of objections. Tell us, first of all, just basically, basically, basically what the nonaggression principle means. Like, in less than a minute. And then we'll get into more detail.

KINSELLA: Okay, but we've talked about IP, contract theory, and legislation, all of which I felt like you could learn something from what I knew.

WOODS: Oh yea, no question about it.

KINSELLA: I don't know what you're going to learn from me on this. You know all this already, Tom (laughing).

WOODS: Yeah, but look, on these theoretical things, I still feel like you're much smarter than I am.

KINSELLA: Okay, all right.

WOODS: Now you have to go prove that.

KINSELLA: Yeah, no – okay, so the way I think about it now, and I've refined my thinking over the years, you know, by trying to counter disagreements and arguments against us. I think aggression is a term that really refers to interpersonal violence, like when you actually hit another person. That's really what the core of the idea is. So if you say you're against aggression or against hitting other people or, like, actually

physically invading their bodies or using their bodies without their permission. Aggression in that sense, or nonaggression, the nonaggression principle implies property rights in our bodies. So they're almost the same concept. Self-ownership or body-ownership is almost the same thing as saying you're against aggression when we're talking about our bodies. So that's really what it means.

But then we come to other types of conflicts that we can have with each other over external resources in the world, things that are not animate – well, except for animals – things that are not self-owned, things that were previously unowned in the state of nature, and that we need to use as means of action in the Misesian sense. So we need to use these things as means of action. We need to appropriate them to start using them. And if you don't want to have conflict over them, because conflict is possible in the use of these resources because of their nature as scarce things, then we have rules that say who is the owner of those things.

So there's like an analogy between your ownership of your body, which translates into the simple, stark nonaggression principle. There's an analogy between that ownership with that propriety, your right to control your body, your right to say who gets to use it or invade its borders, right? Like you can consent to surgery. The doctor is able to cut into you, because you consented to it. But if you say no and someone puts a knife into you, that's called, you know, an attempted murder. So the consent of the owner is what the essence of ownership is about. It's about the right of the person who owns the resource to deny or grant permission to others to invade the borders of that thing.

The same would be true for these external resources that we own, but the way that we come to own them is different than the ownership of our bodies. So if you say it's aggression if someone walks on your lawn without your permission, then it doesn't sound exactly like the aggression of interpersonal aggression between people hitting each other's bodies. So we sort of extend the concept of aggression to property rights, but in the case of external objects, I think the property idea is more fundamental. That is, we have to identify who the owner of a resource is by our property theories before we can determine what an act of aggression is. If I take –

WOODS: Okay, yeah. Yeah, let me jump in here, because that's actually been raised as an objection of the whole principle by Matt Zwolinski and probably others. Matt Zwolinski is a philosopher at the University of San Diego. I've had him on the show before; we talked about the basic income guarantee idea. And I want to go through in a few minutes some of his objections, but one of them is he says the nonaggression principle is parasitic on a theory or property. So in other words, in order to know what constitutes aggression, you have to know what is justly owned property, but I think that is really just a nitpicking objection, because all right, yeah, no kidding, of course you need to know what property is and what legitimate property is, but once you do, then we're against aggressing against it. So okay, in one sentence I just dealt with that program. That just seems nit picky to me.

KINSELLA: I think it is. In fact, one reason I think some of the original libertarians would call it the nonaggression axiom – and I think they were using the word "axiom"

more in the way Ayn Rand did. Ayn Rand used the "axiom" word not like a mathematician would, as some sort of postulate, but I think she used "axiom" to refer to a principle that was self-evident in the sense that denying it would lead to contradiction. Almost like an a priori type truth for contra for Mises. So most libertarians now call it the nonaggression principle or even the "ZAP," the zero aggression principle. I tend to think of the nonaggression principle as just a short summary of what we believe in. It's basically a stand-in for our property theory, but the property theory is in a sense more fundamental; I agree.

WOODS: Okay, so now that we've got this all out of the way, and that's the basic gist of it, we have to deal with some objections that have been raised, and it's become really fashionable, for some reason especially among philosophers, to attack the nonaggression principle and by implication to suggest that libertarians who really think it's something important are, well, kind of simpletons. You know, they're not as advanced as the rest of us are, so they're going to show us – now, Matt's a sweet guy, and I don't think he's an arrogant guy, but that's the spirit of this that I've gotten from a lot of people. So let's talk about – I'm not going to go through these in order, but this is just from an article that Matt wrote, called "Six Reasons Libertarians Should Reject the Non-Aggression Principle."

Let's pick one, because I know, Stephan, you've written about it. I've read you write about this. And he says that one reason we should reject it is it does not include a prohibition of fraud, because he says that you hear libertarians always talking about why it's legitimate to use violence to prevent either force or fraud, but if the only legitimate use of force according to the nonaggression principle is to prevent or punish the initiatory use of physical violence by others, well, fraud is not physical violence, so therefore the nonaggression principle can't protect you against fraud. Now, you've actually conceded some of this but then, I think, worked your way out of it, so help us through that.

KINSELLA: Right, well, he has a germ of a point there. You could make the same argument about trespassing against property. Let's say you're on vacation and someone breaks into your house and uses it. For us to call that aggression, as I said, it's a little bit of a stretch, because there's no person there that you're really aggressing against, so the metaphor breaks down a little bit. But we mean by that is that you're using someone's resource without their permission. So if you keep going back to the idea that we need property rights in society so that we can all use resources peacefully and cooperatively, and we need to know who the owner is for that purpose.

And this goes back to our previous conversation about contract theory. If you think of contracts as binding promises, then you get into all these problems that we have now with modern legal theory. If you understand that the essential human right, that all human rights are property rights, as Rothbard pointed out, and that property rights are identified in accordance with three very simple rules: the Lockean rule of appropriation; the rule of contract, like you can contractually transfer your resources; and then some kind of rectification rule, like if someone harms you without your permission, then they owe you some kind of recompense, and maybe they lose some of

their property rights to the extent that they need to to compensate the victim. Those rules are basically the foundation of the libertarian conception and even the Western legal conception of what property rights are and how they should be identified.

So out of that comes an understanding of contract. A contract is simply the exercise of dominion by the owner of a resource. He's either granting permission or denying permission to someone else to use or not use the resource, either permanently or temporarily. Permanently would be like a sale or a donation or a gift. And so this is what property rights all amount to.

Now, libertarians do do what he says. They will just say we're against aggression and against fraud. You know, they'll just kind of throw that in. And I think we have to understand what fraud is and why we would prohibit it and how you can justify that. If you go back to the contract theory, contract means that the owner of a resource can deny permission or can transfer ownership to someone else.

Fraud arises when there's a type of transfer where one party is being dishonest about what they're transferring. So for example, if you give me an apple and I give you a penny in payment for the apple, the implicit understanding we have and maybe even the explicit understanding if we write it down is that I'm transferring ownership of my penny to you in exchange for and conditioned upon your transferring to me a good apple, you know, that's now poisoned and doesn't have worms in it and that you actually own. So there's a host of subsidiary or auxiliary conditions that accompany these contractual exchanges.

And if I'm giving you a bad apple, knowingly doing that, then I am in effect receiving your payment, your penny, knowing that your transfer to me is not being – you're giving the penny to me conditioned about my giving you an honest, good, healthy apple. And if I knowingly give you a bad apple for that penny, I am taking your penny without your consent, similar to someone, like if you have surgery and you give the doctor permission to do an appendectomy, and while the doctor's in there he does some other stuff that you didn't consent to, that could be a type of trespass.

So in this case, fraud basically means – in the law we call it theft by trickery. So I think really the only type of fraud that can be justified as being a crime or a type of bad act in libertarianism is theft by trick. You're basically receiving someone's resource or their property and using it without their effective consent.

WOODS: Well, it seems like I could draw an analogy that might be easy for people to understand. If I dress up as your mother because I know that you give your mother \$500 a month, and I show up at your house dressed up as your mother and somehow it's a really great costume and you give me the \$500, I don't think we would say, well, I didn't physically assault you for the \$500; therefore it's legitimate. Obviously I took it. It's a case of trickery, and therefore I took it without your consent. If you'd had full knowledge, of course you wouldn't have given me the \$500. You would have given it to your real mother.

KINSELLA: Yeah, in the law we call that informed consent. There's no informed consent. And in contract theory we call that the meeting of the minds. When you have a contract, you say that the contract has to do with the meeting of the minds, what the people actually agreed to, which is one of the reasons I have problems with the idea that fine print in all of these click wrap and shrink wrap agreements is always enforceable, because —

WOODS: Yeah, I remember we talked about that in a previous episode. That was really interesting to me, because I had never really thought about it. Because yeah, we all click that we accept the terms, and everybody knows that nobody ever reads the terms, and so I asked you, obviously we wouldn't enforce something in those terms that said, oh, by the way, we get half your income. But I wanted to know why we wouldn't enforce that, and you basically gave this answer.

KINSELLA: Yeah, but the point is that the idea of fraud is a type of violation of rights, the reason that fraud can be prohibited and it's a violation of rights comes straight out of libertarian property theory. So I think Zwolinski is wrong to say that fraud could not be prohibited I think it's a pure outcome of property theory, just like the idea of trespass is and just like the idea of contract is.

WOODS: Let's look at his very first objection. It has to do with air pollution. Now he says Rothbard, he agrees that Rothbard was correct to say that industrial pollution violates the nonaggression principle and therefore must be prohibited. He says, But Rothbard did not draw the full implications of his principle. Not just industrial pollution, but personal pollution produced by driving, burning wood in one's fireplace, smoking, etc., runs afoul of [the nonaggression principle, which] implies that all of these activities must be prohibited, no matter how beneficial they may be in other respects, and no matter how essential they are to daily life in the modern industrialized world. And this is deeply implausible." Now later on, by the way, at the end of this post — I don't know if you ever saw this post, but at the end he says that he acknowledges that people have dealt with some of the issues that he raises, and he says that both you and Bryan Caplan "have tried (unsatisfactorily to my mind) to address" that issue. Do you want to try to address it satisfactorily to his mind now?

KINSELLA: Well, I think we have to keep a few things in mind. Number one, what is the competing theory — let's go a little bit meta. When anyone's coming up with an extended series of arguments against the nonaggression principle, I get a little bit nervous. There's a great line in Ayn Rand's money speech in *Atlas Shrugged*, where they say that anyone who attacks money, it's like "the leper's bell of an approaching looter." And so whenever I hear someone coming up with a sustained argument against the nonaggression principle, my immediate thought is, hold on a second, they're trying to justify aggression. Because otherwise, why would you really oppose the nonaggression principle? So it's just a smokescreen for some attempt to argue for aggression, which I think in effect it is, because these people are not anarchists, so they support the state, and the state has to commit aggression. So they're trying to come up with some basis for justifying the maybe limited amounts of aggression that they in effect do favor. So I'm always a little bit on guard.

The other thing is when you talk about these difficult issues, like pollution and things like this, you have to think they're criticizing our theory, but what's their theory? I mean, if you have a socialist or a minarchist or whatever system, they're never going to solve all the pollution problems that you come up with. There's always going to be a dilemma with these hard problems that they raise. So I'm not really sure why it's a criticism of us. But when you get down to it, I think Rothbard's theory is basically correct. It's only the core of a theory. He didn't flesh it out for every possible application. But in terms of pollution, I think we have to recognize a few things, and I think there are a few ways the law has satisfied and solved these things and that would be compatible with the libertarian evolution of legal principles.

So for example, there's the idea of a servitude, which is the right to use. Rothbard talks about this in more stark terms, like if you're the first person in an area and you start polluting with a factory, you've in a sense homesteaded an easement over surrounding areas to pollute, and anyone who comes there is what we call in the law coming to the nuisance, so they can't complain about it. So it's just like a Coasean question of who gets the property right in this respect, and we would say it's who gets there first, who starts using a resource in that way first.

We also have to recognize that we all are similarly situated as being human actors in human bodies using the world in certain ways. We all pose some risk to each other. I might go crazy in five years and go on a shooting spree. Just by existing we pose risk to each other, but we have to accept that bare risk, because that's what we bring to the table as well. You can't complain about the mere fact that someone else exists. You also can't complain that they move around the Earth. When they move around the Earth they also cause gravitational and other waves to pass through your body to some extent. They don't affect you, and this gets to the Rothbardian and the Hoppean idea of property.

Property is about the right to exclusively control a given resource, a type of thing that only one person can use at a time. And what that means is that invasion is prohibited. Someone else can't "use the resource" without my permission. But if someone is moving around or sending electromagnetic signals from a radio antenna that pass through my property without affecting my ability to use it, they're not really using my property. They're not affecting it. They're not affecting the physical integrity of my property. They're not preventing me from using my property as I see fit.

And the same thing I think can be said for very minor, small emissions of pollution just from you living, right, exhaling, inhaling, etc. These things have to be tolerated in society, because everyone does them, and they're part of what it means to live. So you could call it like a life servitude. We all are born with this sort of permitted ability to act and interact with each other to a certain, very small degree, but when it gets to a larger degree that's measurable and actually starts affecting the ability of people to enjoy and use their resources, like major scale pollution, at that point in time it rises to the level of something that's actionable. Rothbard calls it, I think, a nuisance. The common law calls it a nuisance. You could call it a minor trespass, whatever. I just

think these are continuum issues that are easily dealt with in a libertarian legal order as well as they can be dealt with in any conceivable legal order.

WOODS: Well, related to that, related to the pollution objection is that the nonaggression principle prohibits small harms for large benefits, and again, he gives a couple of hard cases. Let's take just a brief moment for this message, and then I'm going to give you this hard question.

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All right, this is directly from the Zwolinski piece. He says, "The NAP" – or course, nonaggression principle – "prohibits all pollution because its prohibition on aggression is absolute. No amount of aggression, no matter how small, is morally permissible. And no amount of offsetting benefits can change this fact. But suppose, to borrow a thought from Hume, that I could prevent the destruction of the whole world by lightly scratching your finger? Or, to take a perhaps more plausible example, suppose that by imposing a very, very small tax on billionaires, I could provide life-saving vaccination for tens of thousands of desperately poor children? Even if we grant that taxation is aggression, and that aggression is generally wrong, is it really so obvious that the relatively minor aggression involved in these examples is wrong, given the tremendous benefit it produces?"

What do you say to that?

KINSELLA: The tactic he's using is something I've seen in a lot of conservatives, who will say they value liberty, they're with the libertarians in valuing liberty; it's just not their only value. That's what they always say. And what they're trying to do is they're trying to set up a balancing scale. They're trying to say that we have to take all these values into account, all the things that "matter." Liberty matters, yes, but it's not the only thing that matters, and the problem with libertarians is they think that only liberty matters, which I think is actually a straw man; it's actually not true. Libertarians don't believe only liberty matters, because none of us are just libertarians. We have lives, and we value many things in life. And liberty is, in a sense, a means to other ends that we value. But what they're doing is they're just trying to come up with an excuse for saying they think aggression is justified in some cases. So what they're saying is they value liberty, just not that much.

So in this case, the presumption I think of Zwolinski's argument is that our basis for being in favor of liberty is some kind of utilitarian balance. In other words, we really can't have any principles. We can't have a principled reason to be in favor of liberty, and I think that's wrong. The libertarian simply is a person who believes, like most human beings do, that aggression is unjustified. We just take it very, very, very consistently and very seriously, and we apply a little economic logic and a little knowledge, and we get to a more consistent edifice in how we apply these principles in daily life. But most people think it's wrong to murder someone.

These hypothetical examples that people like Matt come up with, well, first of all, they're absurd, because the government does not in fact do good with its very limited ability to tax only billionaires, and in fact, that's not realistic, because they would never only tax billionaires, and they would never only do good with the money that they took. So the examples are just absurd in the first place, so they can only serve to be an attempt to justify something similar to what we have now, which is basically a semi-socialist, very large, mixed state system that taxes people, redistributes wealth, puts people in jail for not obeying the laws – drug laws, tax laws, conscription laws, antitrust laws, etc.

So I think this is really just a backdoor argument to justify the existing order or something like it, or something like even a quasi-minimal state that you and I would agree is still too tyrannical. So I'm not sold on this idea. I don't think that the argument for rights is based upon the idea that we're doing a net sum benefit for people. We're not all utilitarians like this argument sounds like. So I would say it's wrong to take money from Donald Trump and to give it to poor people, not because the poor people aren't made better off and made more better off than Trump is made worse off, but because it's wrong to steal. The principle I have is that it's wrong to steal, and I don't see how pointing out the fact that some people would benefit from an act of theft means that it's not an act of theft.

WOODS: Let's do this one on risk, because you've already hit on the subject of risk. He really takes this to an extreme with an example by David Friedman – well, I guess not really an extreme. Your point that basically by existing we're all theoretically a risk toward other people, that was the Thomas Hobbes' view. Everybody is equally the murderer of everybody else, but that doesn't justify preemptive murder of everybody.

But here's what he says: "The NAP clearly implies that it's wrong for me to shoot you in the head. But, to borrow an example from David Friedman, what if I merely run the risk of shooting you by putting one bullet in a six-shot revolver, spinning the cylinder, aiming it at your head, and squeezing the trigger?" Thank goodness I don't have Walter on for this episode.

KINSELLA: (laughing)

WOODS: I can't imagine what the answer would be. "What if it is not one bullet but five? Of course, almost everything we do imposes some risk of harm on innocent persons. We run this risk when we drive on the highway (what if we suffer a heart attack, or become distracted), or when we fly airplanes over populated areas. Most of us think that some of these risks are justifiable, while others are not, and that the difference between them has something to do with the size and likelihood of the risked harm, the importance of the risky activity, and the availability and cost of less risky activities. But considerations like this carry zero weight in the NAP's absolute prohibition on aggression. That principle seems compatible with only two possible rules: either all risks are permissible (because they are not really aggression until they actually result in a harm), or none are...And neither of these seems sensible."

KINSELLA: Well, I think what he's doing here – I wouldn't call the nonaggression principle absolute. If you call it absolute, it doesn't mean it's not nuanced, right? We have difficult cases. We have continuum issues. Those issues exist for any political theory. The fact that Zwolinski thinks that the nonaggression principle, as he states it so starkly and simplistically, doesn't tell you immediately what risk levels are permissible doesn't mean that there's a better answer. What do we do? We have a legislature that comes up with a statute. We have the Federal Aviation Administration with a bunch of regulations. Why is that something that's even better? So the thing is, trying to find a hole in the nonaggression principle to say that it's not justified to justify an intentional act of aggression, which is what they ultimately want to do, just doesn't work.

In these particular cases, I think the theorists have made some headway, actually. These are not easy issues. In some of my writing on rights theory, I've got this thing called a estoppel, which is where I come up with a rights theory based upon the common law idea of a estoppel, which is that you cannot consistently maintain an ethical position that contradicts another position that you're simultaneously maintaining or that was implied in the action you just committed. Just as a nutshell version, if you commit an act of murder, you really have no grounds to complain if the victim's family wants to have you executed in return, because you've shown that you don't value life, you'd be estopped from complaining, right?

In terms of these probability issues, the law has dealt with these issues by having different degrees. Like you can have first degree murder, second degree murder, negligent homicide, and something totally unintentional where there's no – like if you have a seizure and your arm hits someone and they die, you didn't even commit a wrong at all. It wasn't even an intentional action. So you have a continuum between intentionality of actions, and I think you could also have something about probability.

So for example, I've argued that the reason why – we talked about fraud earlier. Libertarians also say that threats are not permissible. Like they say you can't commit an aggression or threaten an aggression or commit fraud. They always throw in threats as well. And so I've worked on why are threats impermissible, and the reason I think is because you are, in the classic definition of a threat – or an assault, actually. In the law, an assault is when you attempt to harm someone or you put someone in fear of receiving a battery. It's one of those two things. So if someone is sleeping, and I swing an axe at their head and I miss, that is an assault, because it's an attempt of murder. If I point a blank gun at you and make you think you're about to be shot, that's also assault, because I'm putting you in fear of receiving a battery.

Both of those I believe are species of aggression, and the reason is because the victim is entitled to do back to the aggressor what they did to them. But what did the aggressor do? The aggressor attempted to hurt someone or put them in fear of receiving an act of aggression. So if I capture my tormentor and I want to put him in fear of receiving a battery, he knows the system is happening. He knows it's an institutional system. So I can't pretend to hurt him without putting him in fear. He has to believe that I actually have the right to hurt him, so I have to have the right to hurt

him to put him in fear of receiving a battery. Likewise, if he performed an action that had a 10% chance of me being harmed, I have the right to do that back to him. But since I have to do it intentionally, I can't make it 10% likely unless I reduce something else. So I can reduce the severity. So there are different ways you can balance these things out, or you can imagine juries would find creative ways to balance these things out. But they would take into account the probability of harm.

And also, the other consideration is in any legal system, you have to imagine that the *de minimis* harms would not be actionable, because any attempt to enforce your rights is going to involve the community somehow, your insurance company or your neighbors or some posse or a jury or something. And if you're just always a litigious person suing for very tiny things, you're going to be just a bother to everyone, and so those types of little *de minimis* things are going to tend to be ignored by the legal system, because you should just handle those yourself or ignore them and don't bother us to help enforce those kinds of trivial rights.

So I think you could see how over time you would have developed a spectrum of minor risks, things that we all do that people have to tolerate, things that get to be more appreciable and actionable, and people can take actions based upon those with the developed legal system. So I don't see that there's any reason why a legal system based upon libertarian property principles couldn't address these issues as well or better than a legislative approach or whatever the quasi/mini-statist approach of the minarchists would be.

WOODS: Well, in a way, I've done you an injustice here, Stephan, because I've left for the end one of the thorniest or at least most controversial questions, and that is the issue of children. So I've got a five-year-old, and I decide not to feed that five-year-old, and if you were to force me to do the positive work of feeding the child, that would be aggression, because you don't have any right to force me to do things, that that would be aggression. So therefore, I am, even if we all admit this is a moral abomination, I certainly am within my rights to starve the child, according to the nonaggression principle. Why is that not the best way to think about the nonaggression principle? Is there a way out?

KINSELLA: I actually think this is an easier one than some of the others, and this is probably an issue that you and I would probably agree on and maybe not every other anarchocapitalist. Maybe Rothbard, maybe Walter Block wouldn't agree with this completely. My view is that you can incur responsibility in life. Look, I agree with the libertarian idea that there are no positive rights. There are no positive obligations. That is, the basic rights we have are negative. They're rights that other people refrain from taking actions that they're not permitted to do. But we don't have the right for them to act in our behalf.

But I think that means that you don't have any unchosen positive obligations, but you can acquire an obligation by your actions. So the example I give is if you push a stranger into a lake, then you have an obligation to jump in and rescue them, because you caused the harm and you have an obligation to minimize the harm that you've

done to this person. Whereas if you're walking by a lake and you see a stranger drowning, you don't have a positive, legal obligation to jump in and save them. I would say you have a moral obligation perhaps in some contexts, but not a legal. But if you cause the harm to someone, then that does give rise to an obligation to reduce the injustice that you've done to them.

And I would make an analogy to that to having children. There is a natural process that we're aware of that gives rise to the existence of children. We create children by our actions, and these children by nature are helpless and dependent on their parents, and therefore I believe that if you voluntarily procreate, you do have a positive and even legal obligation to support that child. Whether you can actually have a legal order that has some enforceable rules that come in and do that is probably difficult, because it's difficult to make someone sing a song that they promised to sing; it's difficult to make someone be a good parent by a threat of compulsion. But that is the basic situation.

So for example, in Louisiana where I'm from, it's based on the Napoleonic system, and there's a practice called forced heirship. Forced heirship means that the parents have to leave a certain portion of their estate to their children, unless there's one of 23 enumerated things the child has done that gives the parent an excuse to disinherit the child, like if you don't visit your parents for more than two years or if you slap your parent or if you don't visit them in jail or bail them out of jail – there's like an enumerated set of causes. But other than that, you can't disinherit your kid – or that was the law until some change. In the libertarian sense, I'm not completely in favor of that of course, but I don't completely oppose the idea that a parent has some obligation to support their children, and that's what that idea is based upon.

So I don't agree that the obligation to support children is unlibertarian at all. It's a result of your actions. Libertarianism is simply the idea that we want to live in peace and prosperity and harmony with each other, so we come up with property rules that let us determine who is the rightful owner of a given contested resource. But it also means that you can't violate other people's rights by your actions, and if you do, you have some responsibility. And these actions don't all have to be acts of aggression. If you cause someone to exist, I think you have an obligation to care for them until they're ready to stand on their own feet.

WOODS: Well, that is exactly my view. I used to really be puzzled by this one, because obviously I didn't want these awful outcomes, but I didn't know how to make it all work theoretically. And then as you say, I mean, I basically came to the same conclusion that you did. It's not really so difficult a problem after all, but there's just been so much talked about with regard to it, and when libertarianism comes up on *Salon* or *Slate* or something, they're always talking about us as the people who want to starve children. That's probably not a fair way to talk about our views.

Now, Stefan, any time I have you on, I mean, people are always very – I get very, very good responses, and I want to make sure that people are coming to visit you, so they

can find out more about some of the writing that you've done and the work that you do. What's the best and quickest, most efficient place to sent them to?

KINSELLA: My website, StephanKinsella.com, and unfortunately my mom spelled my name the right way, so it's S-t-e-p-h-a-n. I know there are different variants out there, so that's how Stephan is spelled.

WOODS: All right, StephanKinsella.com it is. Well, as always, Stephan, enjoyable and a lot of great information and faulty ideas smashed in a gentlemanly way. And sometimes it's fun to smash them in an ungentlemanly way, but today you shed an awful lot of light for us, and I appreciate that.

KINSELLA: Thanks very much.