Episode 998: Against the Haters: The Brilliance of Hans-Hermann Hoppe

Guest: Stephan Kinsella

WOODS: All right, so here you are on your way to Turkey today as we're talking, and yet at the last minute, you were able to fit in an episode with me, and I sure appreciate it. Maybe we'll talk later about why you're headed to Turkey, because it's not a million miles removed from the topic of our discussion today. But I would say it's hard at least for me to think of somebody, maybe other than Karl Marx, where both his supporters and his critics have not read him than the case of Hans-Hermann Hoppe. I mean, his supporters love him for what they think he's all about, and his detractors hate him for what they think he's all about. But you ask, "What is his position on empiricism and positivism?" and they don't even know what the question means. So I'm not so sure these people are reading him, so I thought, I know Kinsella has read Hoppe even more thoroughly than I have, so let's talk about him. How did you first get to hear about this guy? I mean, with me it was just I wanted to read every single thing the Mises Institute had, and back in those days — in the old days, that used to be possible [laughing].

KINSELLA: It was, and you probably were like me. When I was in college and law school, I read like every issue of *Liberty* magazine, *The Free Market Newsletter* from Mises, *Reason* magazine. So I was reading — the Ayn Rand newsletter. There was only so much, and yeah, I read it all. But I think Hans came to my attention, he started appearing early in the pages of I think the Austrian economics newsletter put out by Mises in the early '80s, and also, *Liberty* magazine had a big symposium in 1988 on his argumentation ethics. And I was in law school and it blew me away, absolutely blew me away.

WOODS: We did an episode on argumentation ethics, so I'll link to that, and then I also did an episode where I walked through one chapter from Hoppe's book, *The Economics and Ethics of Private Property*, which is an amazing book. I just walked through the chapter on banking and society where he starts from barter and he —

KINSELLA: Yeah, "Banking, Nation States," I think.

WOODS: Yeah, I can't remember the — and "A Sociological Reconstruction of the Present Economic Order" I think is the subtitle [laughing].

KINSELLA: It's one of his best articles. It's so packed with insights.

WOODS: It's so explosive and, wow, you understand the world better, so much better after you read it. So I made that — And I think my title for that episode was a little click-baity, because I said, "Hans Hoppe on Blah, Blah, Blah," so people must think, *Oh, Hans is on the show!* No, it's just me talking about his ideas. So who knows if that'll ever happen? I know he's not big into audio interviews these days, but anyway —

KINSELLA: I will see him tomorrow and I'm going to put a bug in his ear and try to —

WOODS: Yeah, you've got to. You've got to. I mean, he's already done me a favor. I can't give away precisely what, but it'll become clear at my 1,000th episode event on September 30th. But anyway, let's talk about some of his significant work. I mean, the first two things I got at the same time — I got *A Theory of Socialism and Capitalism*, one of his books, and then *The Economics and Ethics of Private Property*. So the argumentation ethics thing, which is his defense of libertarianism, it's a defense that I had never heard before. Certainly I hadn't heard the — let's just say I hadn't heard the libertarian spin that he put on it before. I think this is his creation, but we have devoted an episode to that. Let's talk about other things that he does. First of all, what's your favorite book-length work of his then?

KINSELLA: Well, for me, it's clearly *A Theory of Socialism and Capitalism*, maybe just because I read it first or maybe because — it's actually a systematic work. It's not a collection of essays, which most of his other works are. And that book, it does lay out an extensive defense of his argumentation ethics in the middle of the book in Chapter Seven, if I recall. But the first two chapters, Chapters One and Two do a really good job of laying out the kind of foundational ideas for property theory, which he uses in his economic reasoning and his libertarian reasoning elsewhere. So just Chapters One and Two, which are very short, are just packed full of really concise definitions. Like the way he defines aggression, contract, property, socialism, capitalism is extremely helpful and much more clear than the way a lot of other writers use it, which is more of a loosey-goosey way. So the one I reviewed was — So I encountered that book in '88 or so, '89 when it came out when I was in law school when I read about the other stuff.

And then he released *The Economics and Ethics of Private Property*, which you just mentioned, which is the one after that, which is also fantastic. It's a collection of essays, which are related in two different parts, philosophy and economics. And I did a lengthy book review essay of that book for a law review, and I sent it to Hans in '94, and I didn't know him at the time. And he sent me a warm letter back, and so I met him for the first time, along with Lew Rockwell and David Gordon and Rothbard, actually, in 1994 in November at the John Randolph Club meeting in D.C.

WOODS: Yeah, then you and I must have been there at the same time, because I was there too.

KINSELLA: Yeah, that's the first thing I had ever done with any of them, and then Rothbard of course died in January, like two, three months later, so I was lucky to meet him there. But yeah, so Hans and I became friends — and so Hans became the editor of the *JLS* and a coeditor of the *QJAE*, the *Journal of Libertarian Studies* and the *Quarterly Journal of Austrian Economics*, after Rothbard's death. And because I

had just come into their sort of presence, he asked me to be the book review editor for the *JLS*, and that's how that started. So I've had a long friendship with him and followed his work throughout the years.

WOODS: There's an article that Rothbard wrote about Hans, where he's going after some of Hans' opponents, and he's saying, you know, maybe the problem people have with Hans, although they'd never say it, is that he's so relentlessly logical and he's so careful and devastating in his demolition of bad ideas that it's hard to take. And Rothbard sums it up by saying, "Well, shape up, guys. In argument as in politics, those who can't stand deductivist heat should get out of the philosophic or economic kitchen." So he absolutely loved Hans, Rothbard did.

So Hoppe has great treatment of the subject of public goods, for example, which is used to justify the state. There are certain goods that the market just won't produce in quantities that neoclassical economists consider to be optimal for various reasons, so therefore we have to have the state. And Hans will have none of that. But more than just public goods, his point is an extension of Rothbard's, that he comes to reject the state altogether, because he says the same arguments you make about why we need certain state programs are the arguments that socialists make for why we need further state programs. So if one group of arguments is bad, the other group of arguments must likewise be bad. There's no analytical reason that these particular goods are any different from those — So in other words, that's where the public goods argument ultimately winds you up, our side of the public goods thing, that this is an analytical mess, this whole public goods thing. You can't analytically distinguish these different sorts of goods, so therefore, there's no class of goods that must be supplied by the state, so we don't need the state. Over and above the moral problems of the state, we just don't need it.

KINSELLA: Yeah.

WOODS: And that's pretty tough medicine for a lot of people.

KINSELLA: Yeah, and that's a chapter, if I recall, in his '94 *Economics and Ethics of Private Property*. He demolishes the public goods approach. And he has another good one on anti-trust theory. But if you notice what he does there, he relies really heavily on praxiology, on Mises' method of economics. So he always does this. As I think I noted in one of my afterwords or forwards, more than anyone else I know, Hoppe really — like, he doesn't just give lip service to praxiology like some so-called Austrian thinkers do. Like, they never use it in their reasoning. Hans uses it consistently all the time. He really relies upon it and extends it.

So I think, just for example, he noticed that the Austrian notion that all goods are subjective, there's a subjective quality to them, means that no good is ever perfectly public or private, and I think he's got a similar point about other types of goods. It depends upon how the user perceives these goods, right? Just like something is not purely a capital good or a consumer good, it depends upon how a human actor perceives it subjectively. So there's no binary external objective classification of these goods, which is partly his point. You can't objectively say something is objectively a public good and then build some political theory on it.

WOODS: Now, getting back to that earlier book, *A Theory of Socialism and Capitalism*, with a book title like that with no subtitle — which is very rare in academic publishing, right? You usually have a three-paragraph subtitle. It's just *A Theory of Socialism and Capitalism*. What is the Hoppean theory of socialism and capitalism?

KINSELLA: Yes. I think there might actually be a subtitle, Tom. I think it's *Economics, Politics, and Ethics*.

WOODS: Oh, you're right. Darn it. Okay.

KINSELLA: [laughing] But it's hardly ever used.

WOODS: Okay, fair enough. But I think, does *Economics and Ethics of Private Property* have a subtitle? I think there's at least one with no subtitle.

KINSELLA: It may.

WOODS: All right, it doesn't matter, because his merits stand on their own regardless of this question.

KINSELLA: Well, his monograph on the nature of Austrian methodology — I'm getting the title wrong — I think has no subtitle. And *The Great Fiction*, which is his third series of essays — Now, by the way, I'll get into *TSC*, but he did have a couple of other works published in German earlier which have still never been translated into English, which is a frustration for me because I can't read German. So I'm hoping someday, some Hoppean, some German-English Hoppean speaker will translate some of those earlier works.

WOODS: Hint, hint, all you listeners out there. Hint, hint. All right, so go ahead.

KINSELLA: So his *A Theory of Socialism and Capitalism*, first he gets to, like, what I call essentialist definitions. And I've heard some people criticism Hans for his definition of socialism, because what he says is the essence of socialism is really just the institutionalize aggression with private property rights. It's not simply the centralized control, because again, there's no hard and fast, objective different between capital and other goods. This is an economic classification. So his point is yes, we can define socialism as a centralized control of the means of production, but the essence of it is any institutionalized interference with private property claims. And then he defines private property claims as those that arise from kind of the classical libertarian bases, like original appropriation or homesteading a la Locke and then contractual transfer, basically.

So his theory is that any time you have a state, you have a degree of socialism, and any time you have socialism, you have injustice and inefficiency. What is really illuminating is after his first two chapters in *A Theory of Socialism and Capitalism*, where he sets out the basic categories and concepts he's going to use, the chapters I think three, four, five, and maybe six, they analyze different types of socialism. So he criticizes socialism Russian style, which we call communism. He criticizes the socialism of conservatism, so he's anti-conservative — or fascism, you could say. He criticizes

the fascism of social engineering, things like that. So he breaks different types of socialism down into different classifications, but then finds common things to criticize about all of them.

WOODS: And that's what's so interesting about this. And of course, he also has a chapter in *Democracy, the God that Failed*, where he talks about libertarianism and conservatism. And he does not have much patience with conservatives who make the argument that we do after all need a welfare state. He says that the welfare state undermines all the things you conservatives claim to support. So he is so rigorous in his opposition to all these different approaches that it's really exciting and interesting to read.

And I'd like to just share an episode that I bet most people listening don't know. People in my private group know it because I shared it there, but almost nobody knows it. Were you at the John Randolph Club meeting in 1995?

KINSELLA: No, I just went to the first one.

WOODS: Okay, but do you know what happened in that year?

KINSELLA: Not sure.

WOODS: Okay, well, this is the year — the John Randolph Club was a meeting of libertarians like Lew Rockwell and Murray Rothbard and David Gordon and other people who've been on the show, and then on the other hand, it was the paleocons. These were anti-interventionists. Now that the Cold War is over, they want to shut down NATO, they want to bring the troops home. So why wouldn't you want to talk to them? And these days, this whole thing is being — people say, Oh, they were allying with Nazis or white nationalists. Well, that's because today, everybody is considered a Nazi. If you look at these people — Tom Fleming may be an irascible character, but he was no Nazi. He was just a regular — he's a non-neocon conservative. Or Bill Kauffman. What a wonderful guy. What a thrill to get to meet Bill Kauffman. There's nothing wrong with him. Why would you not want to talk to conservatives who want to slash the warfare state?

Well, anyway, after Rothbard died — Rothbard and Tom Fleming I think were the two personalities, one from each camp, that were really holding that thing together. And I don't think it could really hold without that glue, so after Rothbard died, some of the divisions between the two groups began to get greater and greater, because the libertarians kind of felt like we're willing to learn from the conservatives about a lot of cultural issues, but they've got to learn some economics, and it seems like a lot of them aren't and they're still talking about protectionism and this and that.

So Hans got up at the 1995 conference and didn't name any names, but he basically said that some of what he's hearing about nationalistic economic policy, he says, runs the risk of bleeding over into national socialism. I mean, not that these people were outright Nazis, but that you're more or less advocating an economic approach that approximates that and I don't want to have any part of that. And so that wound up splitting the whole group. The conservatives were so upset that Hans had criticized

them like that, that that pretty much blew the whole thing apart. Now, nobody knows that, and of course no one would believe that, because of course these days, *Well, Hoppe's a Nazi* — by people who have never read him. They've heard three out-of-context sentences. They would have no idea that it was Hans, before they were even born, who was saying there are trends here that I don't want to be part of and I have to reject wholeheartedly. That was Hans Hoppe who did that. And I thought on this episode, it might be relevant to throw that in.

KINSELLA: Yes, and the meeting I'm going to today is the annual meeting of the Property and Freedom Society, which Hans founded in 2006. So this is our 12th or something meeting. And on the 5th annual meeting, which is about 2010 or so, Hans gave a speech, which is on VDARE and it's also on Vimeo. I can give you the link. It was called "Reflections on the PFS After Five Years." And he talked in detail about that split with the paleoconservatives. And he's also got another paper on like the Middle American illusions of Sam Francis or something like that, a draft paper, which is good, which is online too. And he explicitly says basically, Listen, it was going to be an alliance, and we were going to learn some cultural things from them, which we did, but they refused to learn their economic lessons from us. So he is explicitly critical of these guys.

WOODS: Yeah.

KINSELLA: And his talk, by the way, on Sunday, I believe, is going to be on the alt-right, so I'm interested to see what he has to say about them.

WOODS: Yeah, I will be too, and I mean, his criticisms from 1995 are the same sorts of things I would — I would say I would be much tougher with these people.

KINSELLA: And let me also mention that, as just part of this whole history, Hans turned 60 years old in 2009, and so Guido Hülsmann, who — Guido and I became friends going to our first Mises conference together, and we were both going there to study under Hans basically, me for legal and political theory and Guido for economics. And we've stayed good friends over the years, and we decided to do a *Festschrift* for Hans, which is like, you know, a collection of articles in memory of a notable thinker. And we published it right before his birthday in — I think you were at the ceremony, Tom —

WOODS: I was. I've got a great picture where I'm standing right behind Hans where he's grinning from ear to ear because you guys had successfully managed to keep this project a secret from him.

KINSELLA: We did. He thought it was a birthday thing or something. But if you look at the volume, the array of scholars in there is just incredible. It's all over the world. Guido and I, we split the project up and we sort of humorously said, Well, Kinsella, you take America, and Guido the German will take the rest of the world [laughing]. Because it was about half and half that way, you know, because most of the scholars are concentrated here. So it was funny that we split the globe up between us that way. But it's a beautiful book and beautiful sentiments from there. There's Bob Higgs and Lew and scholars from Pascal Salin and scholars from all over the world, and it just shows the depth of his influence.

And you did mention earlier that some people that haven't read Hans, they criticize him. I think part of the reason for that is because he became more popular with the publication of his *Democracy* book, which followed his first two or three more philosophical works. And he became popular by a lot of people because of that, because of his theories about monarchy and democracy and immigration and things like that. And I don't know if a lot of those people have gone back and read the earlier, more foundational work.

WOODS: Right. Now, even the *Democracy* book, though, is, for a popular-style book, it's about as scholarly a popular book as you're ever going to see. But you're right, it is on that level. And it's published by a press, I think it was Transaction, that more or less catered to the public. But you're right, *A Theory of Socialism and Capitalism* and *The Economics and Ethics of Private Property*, beautiful thing about these books today is that they can be read for free. So I'll actually link to the free versions that you can read online over at TomWoods.com/998. The *Democracy* book you're going to have to buy. I'll link to that also.

KINSELLA: I have a — I think there is a link to a version online, but it's not exactly legit [laughing].

WOODS: Yeah, I don't know if I want to do that. But then also, you were mentioning he has a short — it's an essay in booklet form called *Economic Science and the Austrian Method*. This thing is beautiful, from 1995. Absolutely beautiful. So I'll link to that. I'll link to the *Festschrift*. There's a lot of material people can read. So let's get to the key question. Where do they jump in? What's the first one? Is it *A Theory of Socialism and Capitalism?*

KINSELLA: Yeah. Honestly, I would start with *A Theory of Socialism and Capitalism*. I mean, basically chronological order is good. Read that one, and then read *The Economics and Ethics of Private Property*. And then what I had noticed over the years was there were several of his best articles that had never been put into book, and most of those are included now in *The Great Fiction*, which was published by Laissez-Faire a few years later. So that's like a counterpart to *The Economics and Ethics of Private Property*. But I would say read *A Theory of Socialism and Capitalism* and then read that short monograph of his on praxiology and — *Economic Science and the Austrian Method*, I think is the title. And those are all online and free, and they are just — If you're interested at all like in Ayn Rand's sort of theory of concepts and of her criticism of Kant's idealism and you're interested in realism, and you're also interested in Rothbard and his Aristotelian sort of spin on Mises, and Mises himself, which is sort of a realistic Kantian take on things, this book is just heaven for you, because it's a blend of all those approaches. It's not Randian, but it would be of interest to Randians.

WOODS: Let's take a few minutes if we could to talk about controversy surrounding Hans. I mean, we might as well say something about it, even though I really do just want to talk about the basics of his books so that people will know where to start, because really, you should read the books and not listen to a podcast episode. You should read the books. They're fantastic. But he's attracted a lot of controversy. And the thing is — a couple things here. He doesn't really respond to critics. He responded to critics of argumentation ethics, but these days, if some guy calls him a racist or whatever, that is about the last thing in the world he cares about, which makes them

crazy, because of course he's supposed to come begging for forgiveness on his knees, and, *Oh my goodness, I hope you're not upset at me*. He could not possibly care any less, and that I think more than anything else drives people crazy, because they feel like, *Wait a minute. We've set the moral standards for this society, and we're the ones who are going to decide who's forgiven and who's in good standing and who isn't, and you don't even care? What is the matter with you?* So where are people getting this anger toward Hans? I mean, I assume it's not because they disagree with his public goods theory.

KINSELLA: Well, you know, it's weird to me, because he's one of the sweetest, gentlest, most sincere, honest, and intelligent —

WOODS: Absolutely.

KINSELLA: — I have ever met.

WOODS: Without a doubt.

KINSELLA: And he has obviously been a hard-working advocate for liberty and Austrian economics for, I don't know, 40 years now. Since '80 —

WOODS: How many foreign language translations are there of his books? You used to keep track of this.

KINSELLA: Oh, it's almost approaching 30 now, I think, so there have been translations all the time. And I have them on his website, HansHoppe.com, which I help maintain for him. There were a couple of statements he made that were taken out of context. You know, it's to the point now where if you say you're against the anti-discrimination laws, then everyone says you're a racist. So part of it is that kind of reaction.

But I think he had said one time in his — he was talking about imagining a private society in the future, and he expects there to be a higher role for private morality, private communities, and even something maybe like covenants, where people, they agree on certain values to live together. And he had some comment that people that advocate principles that are contrary to the basic unit of society, which is the kind of conservative, family unit and kind of conservative values — you know, hard work, honesty, things like. People that advocate for things like communism would be, he said physically removed, but what he meant was people wouldn't want to live near to them. They would use private means to do that.

And he also said something like advocates of homosexuality. And I think what he meant there was someone coming in and just vocally criticizing heterosexuality, like saying everyone should be this way or whatever. So he was talking about advocates, and people took that to mean that he thought homosexuals themselves should be banned, which he's clarified in comments and explained many times he of course doesn't believe that at all. In fact, he endorsed Rothbard's comment that you could also imagine this gorgeous mosaic, I think is some expression, where you have different types of covenant communities or neighborhoods around the world, which

some are more counter-cultural in their practices and their beliefs, and some are more traditional and Christian or whatever. So that was part of it.

Also, there was a flap at UNLV when he was a professor at University of Nevada, Las Vegas, where he used homosexuality as an example of a time preference situation, where he said that people that don't have children are not as oriented toward the future because having a child makes you think about the future more, so that would give you lower time preference. And he just observed the sole group that tends not to have children as much, like homosexuals, might have lower time preference in that respect. And some student complained, and he got censured and his career was threatened there. And he got the ACLU to defend him and he won. So he heroically stood up to these guys. So he's definitely not — I advised him at the time, too. I was saying just take the deal, because I'm a lawyer and I'm always looking at probabilities, but he was brave enough to fight it. He wasn't going to go down without a fight, so I admire that about him.

WOODS: I want to say something about this whole covenant community thing, because I think there are some libertarians, some anarchist types who I think their vision for what society would look like is not very well fleshed out. They just imagine that we really would be atomized individuals just walking around doing our own thing, and that every place on earth would be exactly like every other place.

KINSELLA: Yes.

WOODS: And that's their diverse world, where every place looks exactly like every other place.

KINSELLA: Yes, exactly.

WOODS: But some people do want to live among themselves. Whether it's a Christian community or whatever it is, they just want to live among themselves. Leave them alone. Yes, they know that that's the biggest sin in the world, is wanting to live with people who are like you. We all get that. We all know we're going to be demonized for saying it. But sometimes, that's what you want. During the day, I go to work and I see crazy people all day and I love them, but when I go home to relax, I just want, you know, my neighbors to be quiet, conservative. I just want quiet. I just want peace.

So a covenant community, I was just seeing a Facebook thread where people were just — they were saying, *Ugh, it's just like more little states. These are just like little states*. Except they're not, because you enter into them voluntarily. But they can't get over the idea that people could voluntarily agree to rules. But in an anarchocapitalist society, there's no reason to think that I would want to live in a neighborhood where my next-door neighbor could paint his house hot pink and put all kinds of crazy stuff all over it or whatever. We would come up with rules that we all agree on. And so I think sometimes these anarchists, it's like they're trying to live down to the caricature of anarchists where you don't believe in any rules —

KINSELLA: No, I agree, yeah.

WOODS: — and the sensible ones of us are trying to say we do believe in rules, just not state-enforced rules.

KINSELLA: Yeah, they're supporting our critics who say, You guys can't tell me what society's going to look like in the future and you don't believe in any rules. You want chaos, not anarchy. And when some of us try to say, Well, here's one possible suggestion about how society might look like: private institutions would take up a lot of the roles that the state has crowded out now and would do a better job of them. It would be more humane. It would be more responsive to what consumers really want. It would be more diverse. Then you have these kind of simple-minded, new anarchists who say, If you believe in law, you believe in the state. So they're ceding the ground to the statists, because that's what statists believe. They think without the state, there cannot be law and order. And these anarchists that object to the notion of law because they equate it with the state are ceding the ground to our opponents.

WOODS: And moreover, one of the ways you could cope with the public goods problem is precisely by offering some goods on a community basis, so that you don't have to somehow figure out how would an individual pay for sewer services or whatever. Well, the sewer service is one of the benefits you get when you join community A. That solves the problem. Streetlights are one of the benefits you get in this residential area when you belong to this community. And you know, you pay some dues and that covers it. Or either that or there are other ways you could just provide these things for free. There are a lot of ways you could provide public goods, but one of them is — like the analogy that Fred Foldvary gave on the show a long time ago was when you go to a hotel, you don't pay separately for the elevator. You don't pay separately for the lobby. It's all included in what you pay for, and we don't say the hotel is like a little state because I pay and I get — Well, no, the free market is where you pay and you get goods. So communities might be arranged the same way. There's nothing wrong with that.

KINSELLA: Yeah, and let me say one other thing too before we run out of time. But people sometimes say, What's the difference between Hoppe and, say, Rothbard? Now, I would say that Hoppe — like what's his main contribution or what's the distinction, right, because in my mind, Rothbard is the libertarian. He's the guy that really is the founding thinker of our modern libertarian movement. And Ayn Rand was probably the one that got it started, but with Rothbard's Austrian economics and his radicalism, his anti-statism, he is the founding libertarian thinker.

Hoppe, I would say — he studied under Rothbard for 10 years, and he was a deep Misesian. So Rothbard and his Mises are his two main influences. And there's one thing I discovered years ago, which I might have pointed out to you. Hans was in Germany. He was initially a socialist. He was in the German educational system. He was brilliant. And he started to reject socialism on his own, and he discovered the works of Böhm-Bawerk first and Böhm-Bawerk's criticism of Marxism. So that got him thinking, and then he started looking for free market ideas, and he came across Friedman and these guys and initially immediately rejected Milton Friedman and that school because of their logical positivism. So he was starting to conclude on his own that economics is a priori like Mises did. So I believe Hans was on the path to basically being a second independent Mises, and then he discovered Mises and realized, *Oh, this guy's got it figured out already. I'm a Misesian*. I sometimes wonder what would have happened if

he had never stumbled across Mises. We might have a brand new, independent, Austrian, Misesian framework generated by Hans from the scratch. But so I would say he's heavily Misesian.

Rothbard influenced his politics greatly, but I would say that some of the differences are that Hans goes way deeper into the issue of scarcity, which David Hume analyzed too. So the acknowledgement of the role of scarcity informs his libertarian property theory more so I think than it did for Rothbard. He's also a bigger skeptic of democracy in like the American Constitution than, say, Rothbard and Mises would have been. So he's more radical in that sense where he moved a little bit beyond them in his critique of democracy. Like, he views the Constitution as just like a centralizing force that was a step backwards and that democracy was a step backwards in many ways from the earlier monarchic period, whereas Rothbard kind of buys into this libertarian worship of the Founding Fathers' generation and the American original system as being quasi-libertarian. So those are some of the differences between Rothbard and Hoppe.

WOODS: Let me just say a quick thing about my own personal situation regarding Hans. I met him a long time ago, and I was kind of becoming a libertarian, but then I went through like a paleo-con phase in the '90s. And so I remember there was a time when I was going to speak at the Mises Institute, and Lew very gently said, "Tom, I would appreciate it if you would wear your Mises hat rather than your Buchanan hat while you're here [laughing]." And I said, "Of course. I'm not going to cause you problems." But I really was kind of a Buchananite. And I still like Pat Buchanan and all that, but it's funny that when people are trying to criticize me today, the best they can do is dig up something from like 1995. Well, yeah, when I wasn't really a libertarian, I wasn't really a libertarian, you know [laughing]? Duh, right? But I was interested in it and I was closer to libertarianism than most people were, but I went through that kind of a phase.

And the thing that got me out of that phase permanently was Hans Hoppe. I talked to him in 2001. It was the year *Democracy, the God that Failed* was about to come out, and I told him about my misgivings, and he said, "These will all be answered in my book." And I thought, *Yeah, I'd like to see that*. So then I read *Democracy, the God that Failed* and I basically decided, Okay, I've been on the fence about this for a while, but now I'm officially in the — was it 2001 that book came out?

KINSELLA: That sounds right.

WOODS: Somewhere around there, 2000 or 2001. I said, Okay, I am definitely in the libertarian camp, and then I started calling myself a libertarian. But even for a few years after that, if you read my articles, you don't even myself referring to myself as a libertarian. It took me a while. Took me a long while. If Hans had just written this book earlier, maybe it would have saved me a lot of trouble. And of course, with the Internet today, you can go through ten ideologies in five months, you know? But in the old days, you had to read books and it took a long time.

KINSELLA: Well, you know, I think you've had some interviews with Buchanan on your show, and he's brilliant. He's so likable, so smart in some areas. I understand the appeal there. And Hoppe likes him too. I think he's actually criticized Buchanan. In

that article on Francis, he did criticize Buchanan for I think like his trade views, his economic nationalism type views.

But no, I had a similar experience with Hans. I sent him an article one time to review. It was on federalism. And he said something like, Yeah, it's all right — because I was talking about the Constitution and all this. And said, But you American libertarians focus so much on the U.S. Constitution like it's special. And it struck me and I started thinking, *Yeah, he's got a point actually* [laughing]. It's not some protolibertarian mechanism for controlling or getting a good state. It's really not. It was really a centralizing coup, almost.

WOODS: Yeah, it's true. It's true. And I mean, I've argued — You know the arguments of both sides of that, but we can say the nationalists tried to ram through what they wanted, but the Constitution was still sold as a decentralizing thing. But the point is there were time bombs in it —

KINSELLA: Yes.

WOODS: — that, over time, could be and were in fact exploited by people who just wanted power.

KINSELLA: Yeah, I used to — I've come a little bit in like the Sheldon Richman direction over the years —

WOODS: Really? Okay.

KINSELLA: He persuaded me that — like I used to argue the Interstate Commerce Clause was never meant to grant all this great power to the feds and all this. And I don't want it to, so the argument's a little bit convenient. But he persuaded me that a lot of this language is very amorphous, and some of the people that wrote it did have some of these things in mind. John Hasnas has a really great article, "The Myth of the Rule of Law," where he talks about —

WOODS: Oh, yeah.

KINSELLA: — about how so much of legislative and statutory and constitutional language does not actually have an objective, clear answer. It is subject to the whims of the people that are left to interpret it.

WOODS: Yeah, and so no matter how good your intentions are when you're drafting a constitution, let's say — this isn't his main argument, but you're going to run afoul of this problem, that you can't — Well, anyway, in fact, I did a whole episode with him on this. This "Myth of the Rule of Law" was one of these articles that I read that I —

KINSELLA: Yes, it's a classic.

WOODS: I told him on the show that I indignantly rejected it when I first read it.

KINSELLA: Yeah.

WOODS: And that eventually I basically found myself shaking my fist at the sky and saying, "Hasnas, you were right," eventually. And those are the best articles of all, the ones that eat away at you until you finally just have to surrender. So I'm going to link to that.

KINSELLA: You know another really good one like that is Cuznan's article in the *JLS*. He's not a libertarian. It's called —

WOODS: "Do We Ever Get Out of Anarchy," is that it?

KINSELLA: "Do We Ever Get Out of Anarchy." Yes. And he revisited it later, which wasn't as good, and I think he submitted another article to my paper, my journal, the *Libertarian Papers* journal. But you know, Hans actually in his *Democracy* book, this is kind of what he talks about. The logic of democracy is that it has to lead to more centralized state power. It doesn't matter what a paper constitution says. They're going to, because of the nature of the state, they're going to use whatever means they can. And that long article you mentioned earlier, "Banking, Nation States," he traces the kind of actual steps the state takes to seize control. You know, it takes control of education. It takes control of the roads, transportation. It takes control of communication. And finally, it takes control of banking and money. So it has its tendrils on all these areas of society so it can basically buy support and make everyone dependent upon it and control them. It's really insidious. And the thing is this is the nature of the state, even if you have a paper constitution, even if you have democracy, or maybe even especially if you have democracy.

WOODS: In a way, it's kind of like you should ask yourself: suppose you were — because some people might say, that's an unnecessarily cynical view of the state. All right. Well, suppose you were about to think of a way to dominate people and keep them dependent on you and be able to lord it over them. What sectors of society would you want to control? And it'd be exactly the same ones that the state does [laughing]. Now, either that's an amazing coincidence or they're doing this on purpose.

KINSELLA: Yeah, transportation, security, law, communication, education of the kids. I mean — [laughing].

WOODS: Yeah. So do you see why you read Hans Hoppe and your brain explodes? And you think, *Okay, let me put all this goo back in my head, because I've got to read some more Hans and learn about how the world works*. It's thrilling and exciting stuff, which is why it's such a shame that, first of all, some of his own supporters haven't really read him, but secondly, that people of frankly bad will are driving people unnecessarily away from maybe the greatest living libertarian theorist we've got. And that ain't right, and hence, *Tom Woods Show* Episode Number 998. So what are your final thoughts on this, Stephan?

KINSELLA: Well, you just reminded me of — I think it's Lew Rockwell's chapter in the *Festschrift* to Hans, that he has some anecdote about how Hans gave a speech and he was just criticizing the expansion of the state and the U.S. Constitution in front of an audience of people that are somewhat friendly towards the Constitution. He said the audience was so silent, you could hear a pin drop. So the power of his ideas makes

people think. It doesn't matter what his unfair critics say because his work is all online, you can read it, and you can see what he says yourself. And when you listen to his speeches — I'll mention one other thing. I did a six-lecture course on Hans in 2011 called "The Social Theory of Hoppe." It was on Mises Academy, and it's all online on my site. So anyone who wants to go study more about Hans can read his works, which are all online and free, or they can listen to my 2011 video presentation about his theories.

WOODS: As I say, it almost sounds fanboyish to say, but his work really is exciting, intellectually exciting. There's nothing dull. It's like reading Rothbard. Nothing dull about reading Rothbard; nothing dull about reading Hans Hoppe. So a lot of great resources.

KINSELLA: Yeah, he electrified me when I came across him, and I still think his first book is my favorite book I've ever read. And you know, I have my own things that I've written, but I'm not too proud to say that I'm kind of like Hans' fanboy or amanuensis, as some people say [laughing], someone who spreads the ideas of someone else. But you know, because of his ideas. And I think they're well worth reading for any libertarian.

WOODS: So I'm going to have a bunch of them linked at TomWoods.com/998, so I urge people to check those out. And Stephan, safe travels as you head over to visit with Hans. Just let him know that there is a huge community of listeners out here that would pretty much crawl over broken glass if that would somehow help to get Hans on to my show. So just casually mention that, and safe travels, and thanks a lot.

KINSELLA: Good luck with 1,000.

WOODS: Thank you.