

## What Libertarianism Is

John Hospers

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*In the following essay, John Hospers both defines and defends the libertarian view. Central to libertarianism, he says, is the doctrine that by right every individual is the master of his own life. We all have the right to live as we choose, as long as we don't infringe on the rights of others to live as they choose. In particular, we have the rights to life, liberty, and property, and each of these rights serves as a "no trespassing" sign against interference by governments as well as other individuals. The only proper role of government is to protect those rights. In discussing the right to property, Hospers calls it the most misunderstood and unappreciated of all rights, and the right most violated by governments. It is not, he says, the right to take property but the right to obtain it without coercion. When people claim other property rights, such as the right to welfare or the right to housing at others' expense, they are claiming rights that don't exist.*

*The political philosophy that is called libertarianism (from the Latin *libertas*, liberty) is the doctrine that every person is the owner of his own life, and that no one is the owner of anyone else's life; and that consequently every human being has the right to act in accordance with his own choices, unless those actions infringe on the equal liberty of other human beings to act in accordance with their choices.*

There are several other ways of stating the same libertarian thesis:

1. No one is anyone else's master, and no one is anyone else's slave. Since I am the one to decide how my life is to be conducted, just as you decide about yours, I have no right (even if I had the power) to make you my slave and be your master, nor have you the right to become the master by enslaving me. Slavery is forced servitude, and since no one owns the life of anyone else, no one has the right to enslave another. Political theories past and present have traditionally been concerned with who should be the master (usually the king, the dictator, or government bureaucracy) and who should be the slaves, and what the extent of the slavery should be. Libertarianism holds that no one has the right to use force to enslave the life of another, or any portion or aspect of that life.

2. Other men's lives are not yours to dispose of. I enjoy seeing operas; but operas are expensive to produce. Opera-lovers often say, "The state (or the city, etc.) should subsidize opera, so that we can all see it. Also it would be for people's betterment, cultural benefit, etc." But what they are advocating is nothing more or less than legalized plunder. They can't pay for the productions themselves, and yet they want to see opera, which involves a large number of people and their labor; so what they are saying in effect is, "Get the money through legalized force. Take a little bit more out of every worker's paycheck every week to pay for the operas we want to see." But I have no right to take by force from the workers' pockets to pay for what I want.

Perhaps it would be better if he did go to see opera - then I should try to convince him to go voluntarily. But to take the money from him forcibly, because in my opinion it would be good for him, is still seizure of his earnings, which is plunder.

Besides, if I have the right to force him to help pay for my pet projects, hasn't he equally the right to force me to help pay for his? Perhaps he in turn wants the government to subsidize rock-and-roll, or his new car, or a house in the country? If I have the right to milk him, why hasn't he the right to milk me? If I can be a moral cannibal, why can't he too?

We should beware of the inventors of utopias. They would remake the world according to their other human beings. Is it someone's utopian vision that others should build pyramids to beautify the landscape? Very well, then other men should provide the labor; and if he is in a position of politic power, and he can't get men to do it voluntarily, then he must compel them to "cooperate" - i.e. he must enslave them.

A hundred men might gain great pleasure from beating up or killing just one insignificant human being; but other men's lives are not theirs to dispose of. "In order to achieve the worthy goals of the next five-year-plan, we must forcibly collectivize the peasants ..."; but other men's lives are not theirs to dispose of. Do you want to occupy rent-free, the mansion that another man has worked for twenty years to buy? But other men's lives are not yours to dispose of. Do you want operas so badly that everyone is forced to work harder to pay for their subsidization through taxes? But other men's lives are not yours to dispose of. Do you want to have free medical care at the expense of other people, whether they wish to provide it or not? But this would require them to work longer for you whether they want to or not, and other men's lives are not yours to dispose of.

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3. No human being should be a nonvoluntary mortgage on the life of another. I cannot claim your life, your work, or the products of your effort as mine. The fruit of one man's labor should not be fair game for every freeloader who comes along and demands it as his own. The orchard that has been carefully grown, nurtured, and harvested by its owner should not be ripe for the plucking for any bypasser who has a yen for the ripe fruit. The wealth that some men have produced should not be fair game for looting by government, to be used for whatever purposes its representatives determine, no matter what their motives in so doing may be. The theft of your money by a robber is not justified by the fact that he used it to help his injured mother.

It will already be evident that libertarian doctrine is embedded in a view of the rights of man. Each human being has the right to live his life as he chooses, compatibly with the equal right of all other human beings to live their lives as they choose.

All man's rights are implicit in the above statement. Each man has the right to life: any attempt by others to take it away from him, or even to injure him, violates this right, through the use of coercion against him. Each man has the right to liberty: to conduct his life in accordance with the alternatives open to him without coercive action by others. And every man has the right to property: to work to sustain his life

(and the lives of whichever others he chooses to sustain, such as his family) and to retain the fruits of his labor.

People often defend the rights of life and liberty but denigrate property rights, and yet the right to property is as basic as the other two; indeed, without property rights no other rights are possible. Depriving you of property is depriving you of the means by which you live.

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I have no right to decide how you should spend your time or your money. I can make that decision for myself, but not for you, my neighbor. I may deplore your choice of life-style, and I may talk with you about it provided you are willing to listen to me. But I have no right to use force to change it. Nor have I the right to decide how you should spend the money you have earned. I may appeal to you to give it to the Red Cross, and you may prefer to go to prizefights. But that is your decision, and however much I may chafe about it I do not have the right to interfere forcibly with it, for example by robbing you in order to use the money in accordance with my choices. (If I have the right to rob you, have you also the right to rob me?)

When I claim a right, I carve out a niche, as it were, in my life, saying in effect, "This activity I must be able to perform without interference from others. For you and everyone else, this is off limits." And so I put up a "no trespassing" sign, which marks off the area of my right. Each individual's right is his "no trespassing" sign in relation to me and others. I may not encroach upon his domain any more than he upon mine, without my consent. Every right entails a duty, true-but the duty is only that of forbearance-that is, of refraining from violating the other person's right. If you have a right to life, I have no right to take your life; if you have a right to the products of your labor (property), I have no right to take it from you without your consent. The non-violation of these rights will not guarantee you protection against natural catastrophes such as Hoods and earthquakes, but it will protect you against the 'aggressive activities of other men. And rights, after all, have to do with one's relations to other human beings, not with one's relations to physical nature.

Nor were these rights created by government; governments-some governments, obviously not all -recognize and protect the rights that individuals already have. Governments regularly forbid homicide and theft; and, at a more advanced stage, protect individuals against such things as libel and breach of contract.

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The right to property is the most misunderstood and unappreciated of human rights, and it is one most constantly violated by governments. "Property" of course does not mean only real estate; it includes anything you can call your own-your clothing, your car, your jewelry, your books and papers. The right of property is not the right to just take it from others, for this would interfere with their property rights. It is rather the right to work for it, to obtain non-coercively, the money or services which you can present in voluntary exchange.

The right to property is consistently underplayed by intellectuals today, sometimes even frowned upon, as if we should feel guilty for upholding such a right in view of all the poverty in the world. But the right to property is absolutely basic. It

is your hedge against the future. It is your assurance that what you have worked to earn will still be there, and be yours, when you wish or need to use it, especially when you are too old to work any longer ...

Indeed, only if property rights are respected is there any point to planning for the future and working to achieve one's goals. Property rights are what makes long-range planning possible-the kind of planning which is a distinctively human endeavor, as opposed to the day-by-day activity of the lion who hunts, who depends on the supply of game tomorrow but \_has no real insurance against starvation in a day or a week. Without the right to property, the right to life itself amounts to little: how can you sustain your life if you cannot plan ahead? and how can you plan ahead if the fruits of your labor can at any moment be confiscated by government?

"But why have individual property rights? Why not have lands and houses owned by everybody together?" Yes, this involves no violation of individual rights, as long as everybody consents to this arrangement and no one is forced' to join it. The parties to it may enjoy the communal living enough (at least for a time) to overcome certain inevitable problems: that some will work and some not, that some will achieve more in an hour than others can do in a day, and still they will all get the same income. The few who do the most will in the end consider themselves "workhorses" who do the work of two or three or twelve, while the- others will be "freeloaders" on the efforts of these few. But as long as they can get out of the arrangement if they no longer like it, no violation of rights is involved. They got in voluntarily, and they can get out voluntarily; no one has used force.

"But why not say that everybody owns everything? That we all own everything there is?"

To some this may have a pleasant ring-but let us try to analyze what it means. If everybody owns everything, then everyone has an equal right to go everywhere, do what he pleases, take what he likes, destroy if he wishes, grow crops or burn them, trample them under, and so on. Consider what it would be like in practice. Suppose you have saved money to buy a house for yourself and your family. Now suppose that the principle, "everybody owns everything," becomes adopted. Well then, why shouldn't every itinerant hippie just come in and take over, sleeping in your beds and eating in your kitchen and not bothering to replace the food supply or clean up the mess? After all, it belongs to all of us, doesn't it? So we have just as much right to it as you, the buyer, have. What happens if we all want to sleep in the bedroom and there's not room for all of us? Is it the strongest who wins?

What would be the result? Since no one would be responsible for anything, the property would soon be destroyed, the food used up, the facilities nonfunctional. Beginning as a house that one family could use, it would end up as a house that no one could use. And if the principle continued to be adopted, no one would build houses any more-or anything else. What for? They would only be occupied and used by others, without remuneration ....

### **Government**

Government is the most dangerous institution known to man. Throughout history it has violated the rights of\* men more than any individual or group of individuals

could do: it has killed people, enslaved them, sent them to forced labor and concentration camps, and regularly robbed and pillaged them of the fruits of their expended labor. Unlike individual criminals, government has the power to arrest and try; unlike individual criminals, it can surround and encompass a person totally, dominating every aspect of one's life, so that one has no recourse from it but to leave the country (and in totalitarian nations even that is prohibited). Government throughout history has a much sordid record than any individual, even that of a ruthless mass murderer. The signs we see on bumper stickers are chillingly accurate: "Beware: the Government is Armed and Dangerous."

The only proper role of government, according to libertarians, is that of the protector of the citizen against aggression by other individuals. The government, of course, should never initiate aggression; its proper role is as the embodiment of the retaliatory use of force against anyone who initiates its use.

If each individual had constantly to defend himself against possible aggressors, he would have to spend a considerable portion of his life in target practice, karate exercises, and other means of self-defenses, and even so he would probably be helpless against groups of individuals who might try to kill, maim, or rob him. He would have little time for cultivating those qualities which are essential to civilized life, nor would improvements in science, medicine, and the arts be likely to occur. The function of government is to take this responsibility off his shoulders: the government undertakes to defend him against aggressors and to punish them if they attack him. When the government is effective in doing this, it enables the citizen to go about his business unmolested and without constant fear for his life. To do this, of course, government must have physical power—the police, to protect the citizen from aggression within its borders, and the armed forces, to protect him from aggressors outside. Beyond that, the government should not intrude upon his life, either to run his business, or adjust his daily activities, or prescribe his personal moral code.

Government, then, undertakes to be the individual's protector; but historically governments have gone far beyond this function. Since they already have the physical power, they have not hesitated to use it for purposes far beyond that which was entrusted to them in the first place. Undertaking initially to protect its citizens against aggression, it has often itself become an aggressor—a far greater aggressor, indeed, than the criminals against whom it was supposed to protect its citizens. Governments have done what no private citizens can do: arrest and imprison individuals without a trial and send them to slave labor camps. Government must have power in order to be effective — and yet the very means by which alone it can be effective make it vulnerable to the abuse of power, leading to managing the lives of individuals and even inflicting tenor upon them.

What then should be the function of government? In a word, the protection of human rights.

1. The right to life: libertarians support all such legislation as will protect human beings against the use of force by others, for example, laws against killing, attempted killing, maiming, beating, and all kinds of physical violence.

2. The right to liberty: there should be no laws compromising in any way freedom of speech, of the press, and of peaceable assembly. There should be no censorship of ideas, books, films, or of anything else by government.

3. The right to property: libertarians support legislation that protects the property rights of individuals against confiscation, nationalization, eminent domain, robbery, trespass, fraud and misrepresentation, patent and copyright, libel and slander.

Someone has violently assaulted you. Should he be legally liable? Of course. He has violated one of your rights. He has knowingly injured you, and since he has initiated aggression against you he should be made to expiate.

Someone has negligently left his bicycle on the sidewalk where you trip over it in the dark and injure yourself. He didn't do it intentionally; he didn't mean you any harm. Should he be legally liable? Of course; he has, however unwittingly, injured you, —and since the injury is caused by him and you are the victim, he-should pay.

Someone across the Street is unemployed. Should you be taxed extra to pay for his expenses? Not at all. You have not injured him, you are not responsible for the fact that he is unemployed (unless you are a senator or-bureaucrat who agitated for further curtailment of business, which legislation passed, with the result that your neighbor was laid off by the curtailed business). You may voluntarily wish to help him out, 'or better still, try to get him a job to put him on his feet again; but since you have initiated no aggressive act against him, and neither purposely nor accidentally injured him in any way, you should not be legally penalized for the fact of his unemployment. (Actually, it is just such penalties that increase unemployment.)

One man, A, works hard for years and finally earns a high salary as a professional man. A second man, B, prefers not to work at all, and to spend wastefully what money he has (through inheritance), so that after a year or two he has nothing left. At the end of this time he has a long siege of illness and lots of medical bills to pay. He demands that the bills be paid by the government—that is, by the taxpayers of the land, including Mr. A.

But of course B has no such right. He chose to lead his life in a certain way—that was his voluntary decision. One consequence of that choice is that he must depend on charity in case of later need. Mr. A chose not to live that way. (And if everyone lived like Mr. B, on whom would he depend —in case of later need?) Each has a right to live in the way he pleases, but each must live with the consequences of his own decision (which, as always, fall primarily on himself). He cannot, in time of need, claim A's beneficence as his right ....

Laws may be classified into three types: (1) laws protecting individuals against themselves, such as laws against fornication and other sexual behavior, alcohol, and drugs; (2) laws protecting individuals against aggressions by other individuals, such as laws against murder, robbery, and fraud; (3) laws requiring people to help one another; for example, all laws which rob Peter to pay Paul, such as welfare.

Libertarians reject the first class of laws totally. Behavior which harms no one else is strictly the individual's own affair. Thus, there should be no laws against becoming intoxicated, since whether or not to become intoxicated is the individual's own decision; but there should be laws against driving while intoxicated, since the

drunken driver is a threat to every other motorist on the highway (drunken driving falls into type 2). Similarly, there should be no laws against drugs (except the prohibition of sale of drugs to minors) as long as the taking of these drugs poses no threat to anyone else. Drug addiction is a psychological problem to which no present solution exists. Most of the social harm caused by addicts, other than to themselves, is the result of thefts which they perform in order to continue their habit-and then the legal crime is the theft, not the addiction. The actual cost of heroin is about ten cents a shot; if it were legalized, the enormous traffic in illegal sale and purchase of it would stop, as well as the accompanying proselytization to get new addicts (to make more money for the pusher) and the thefts performed by addicts who often require eighty dollars a day just to keep up the habit. Addiction would not stop, but the crimes would: it is estimated that 75 percent of the burglaries in New York City today are performed by addicts, and all these crimes could be wiped out at one stroke through the legalization of drugs. (Only when the taking of drugs could be shown to constitute a threat to others, should it be prohibited by law. It is only laws protecting people against themselves that libertarians oppose.)

Laws should be limited to the second class only: aggression by individuals against other individuals. These are laws whose function is to protect human beings against encroachment by others; and this, as we have seen, is (according to libertarianism) the sole function of government. Libertarians also reject the third class of laws totally: no one should be forced by law to help others, not even to tell them the time of day if requested, and certainly not to give them a portion of one's weekly paycheck. Governments, in the guise of humanitarianism, have given to some by taking from others (charging a "handling fee" in the process, which, because of the government's waste and inefficiency, sometimes is several hundred percent). And in so doing they have decreased incentive, violated the rights of individuals, and lowered the standard of living of almost everyone.

All such laws constitute what libertarians call moral cannibalism. A cannibal in the physical sense is a person who lives off the flesh of other human beings. A moral cannibal is one who believes he has a right to live off the "spirit" of other human beings - who believes that he has a moral claim on the productive capacity, time, and effort expended by others.

It has become fashionable to claim virtually everything that one needs or desires as one's right. Thus, many people claim that they have a right to a job, the right to free medical care, to free food and clothing, to a decent home, and so on. Now if one asks, apart from any specific context, whether it would be desirable if everyone had these things, one might well say yes. But there is a gimmick attached to each of them: At whose expense? Jobs, medical care, education, and so on, don't grow on trees. These are goods and services produced only by men. Who, then, is to provide them, and under what conditions?

If you have a right to a job, who is to supply it? Must an employer supply it even if he doesn't want to hire you? What if you are unemployable, or incurably lazy? (If you say "the government must supply it," does that mean that a job must be created for you which no employer needs done, and that you must be kept in it regardless of

how much or little you work?) If the employer is forced to supply it at his expense even if he doesn't need you, then isn't he being enslaved to that extent? What ever happened to his right to conduct his life and his affairs in accordance with his choices?

If you have a right to free medical care, then, since medical care doesn't exist in nature as wild apples do, some people will have to supply it to you for free: that is, they will have to spend their time and money and energy taking care of you whether they want to or not. What ever happened to their right to conduct their lives as they see fit? Or do you have a right to violate theirs? Can there be a right to violate rights?

All those who demand this or that as a "free service" are consciously or unconsciously evading the fact that there is in reality no such thing as free services. All man-made goods and services are the result of human expenditure of time and effort. There is no such thing as "something for nothing" in this world. If you demand something free, you are demanding that other men give their time and effort to you without compensation. If they voluntarily choose to do this, there is no problem; but if you demand that they be forced to do it, you are interfering with their right not to do it if they so choose. "Swimming in this pool ought to be free!" says the indignant passerby. What he means is that others should build a pool, others should provide the materials, and still others should run it and keep it in functioning order, so that he can use it without fee. But what right has he to the expenditure of their time and effort? To expect something "for free" is to expect it to be paid for by others whether they choose to or not.

Many questions, particularly about economic matters, will be generated by the libertarian account of human rights and the role of government. Should, government have no role in assisting the needy, in providing social security, in legislating minimum wages, in fixing prices and putting a ceiling on rents, in curbing monopolies, in erecting tariffs, in guaranteeing jobs, in managing the money supply? To these and all similar questions the libertarian answers with an unequivocal no.

"But then you'd let people go hungry!" comes the rejoinder. This, the libertarian insists, is precisely what would not happen; with the restrictions removed, the economy would flourish as never before. With the controls taken off business, existing enterprises would expand and new ones would spring into existence satisfying more and more consumer needs; millions more people would be gainfully employed instead of subsisting on welfare, and all kinds of research and production, released from the stranglehold of government, would proliferate, fulfilling man's needs and desires as never before. It has always been so whenever government has permitted men to be free traders on a free market. But why this is so, and how the free market is the best solution to all problems relating to the material aspect of man's life, is another and far longer story. It is told in detail in chapters 3 to 9 of my book, *Libertarianism*.