

# Chapter 1

## The Epistemological Basis of Anarchism, An Open Letter to Objectivists and Libertarians

Annotated by Ronald N. Neff

### 1.1 Part I.

Nearly 200 years ago,<sup>1</sup> the father of both individualist and collectivist anarchism sought to provide a comprehensive case for anarchism, building on what he called “the right of independent judgment.” The work was *An Enquiry Concerning Political Justice and its Influence on Morals and Happiness*; its author was William Godwin. Though Godwin realized that “to a rational being there can be but one rule of conduct, justice, and one mode of ascertaining that rule, the exercise of his understanding,” his case for anarchism was seriously marred by the acceptance of a variant of the altruistic moral code which was so prevalent at the time he wrote. Godwin wrote that “each must have his sphere of discretion. No man must encroach upon my province, nor I upon his. He may advise me, moderately and without pertinaciousness, but he must not expect to dictate to me. He may censure me freely and without reserve; but he should remember that I am to act by my deliberation and not his.... I ought to exercise my talents for the benefits of others; but that exercise must be the fruit of my own conviction; no man must attempt to press me into the service.”<sup>2</sup>

---

<sup>1</sup> February 1793.

<sup>2</sup>In the late 1960s, Godwin’s book was not in print in the United States, and in any case there was no copy of it or abridgement of it in Childs’s library during the time I had access to it (and, for a few months, had charge of it), viz. 1971-72. I believe that he gained his acquaintance with Godwin’s work from a collection of excerpts from anarchist writings, to wit, Leonard I. Krimerman and Lewis Perry, *Patterns of Anarchy* (Garden City, New York: Doubleday & Company, Inc., 1966). We free-market anarchists of the late 1960s and early 1970s prized this volume highly (and, indeed, we still do) for its selections from the individualist anarchist tradition, some of which continue to be otherwise out of print. Both of the Godwin passages Childs cites are to be found on page 187.

From this foundation, Godwin goes on to justify the right of private property and the sovereignty of the individual. In all this glorious analysis, there is but a single flaw: the assumption that the individual should serve others. Voluntarily, perhaps—but the mistaken premise is still there. The main point, however, is not that Godwin was either correct or incorrect; it is that he thought he could derive anarchism from the right and necessity of independent judgment. Godwin may not have proven his case—but that is my intention here. My purpose, in brief, is to show how a consistent application of the Objectivist ethics leads inevitably to anarchism, rather than to the conclusion which most Objectivists and “students of Objectivism” themselves reach: limited, constitutional government. Throughout this short essay, I shall assume that the reader is familiar, in essence, with the Objectivist theory of morality and politics. My purpose shall be to extend the first in refuting the second, building on the Objectivist epistemology. The Objectivist ethics is not a floating abstraction;<sup>3</sup> it is not a code of values without a purpose, without a

---

While at the State University of New York in Buffalo, Childs took a special seminar on anarchism under Lewis Perry. It is possible that Perry had a copy of Godwin’s book and that Childs could have had access to it; but there are two reasons for thinking Childs was drawing on the Doubleday volume instead of Godwin. One is that he makes the same mistake Krimerman and Perry make in giving the name of Godwin’s book. The correct title is *Enquiry Concerning Political Justice and Its Influence on Modern Morals and Happiness*. Another is that the same ellipsis appears in the Krimerman and Perry passage as appears in Childs’s quotation.

The editorial commentary preceding the Godwin material also takes note of Godwin’s unusual starting point. After noting that Godwin held that the state produced the very moral and legal evils that it was supposed to prevent, it continues:

Godwin’s argument is noteworthy in a second way: it supplies an *epistemological* premise to establish his moral conclusion. This appeal to the concept of knowledge (to its internal relation to independent judgment) and to the sources of human ignorance and error, most clearly distinguishes Godwin from other anarchist thinkers. (p. 186)

An edition of the *Enquiry*, abridged and edited by K. Codell Carter and containing a few appendices from Godwin’s other writings (Oxford: Oxford University Press [Clarendon], 1971), was reviewed in *Books for Libertarians* (March 1975, pp. 2, 4) by Childs, who called the book, “the *magnum opus* of one of the great minds of the 18th century.” The theme of the review was Godwin’s evaluation of “the universal exercise of private judgment” as a doctrine “unspeakably beautiful.”

In 1976, Penguin Books (New York and London) issued a one-volume edition of the book, edited (but not abridged) and with an introduction by Isaac Kramnick. The two quotations Childs cites are to be found in that edition on pp. 200 and 198-99 respectively; Childs quoted the second passage again in his review of the Oxford edition.

<sup>3</sup> I have been unable to find any formal definition for the term “floating abstraction” that was generally available at the time Childs was writing, which is not to say that there was none. In 1969, a fair amount of “official” Objectivism still existed in the form of series of taped lectures, which were, for the most part, unavailable commercially. The acrimonious Rand-Branden split of 1968 complicated the copyright status of that material, and, withal, its availability, despite the release of the Basic Principles course by Academic Associates as a large set of LPs. And, of course, very little of the Objectivist canon as it existed in 1969 has been made available on the Internet.

The term has no index entry in Rand’s *Introduction to Objectivist Epistemology* (first published in eight successive issues of *The Objectivist*, July 1966-February 1967, and in 1967 as a paperback [New York: The Objectivist, Inc.]; superseded by the expanded 2nd edition, Harry Binswanger and Leonard Peikoff, eds. [New York: NAL Books, 1990]); and there is no entry for it in *The Ayn Rand Lexicon: Objectivism from A to Z*, edited by Harry Binswanger (New York: New American Library, 1986).

It seems to have been given formal definition by Leonard Peikoff in *Objectivism: The Philosophy of Ayn Rand*

justification; it is not, in short, something which “just is.” Man needs a code of ethics because he needs to choose among alternatives in reality; he needs, in short, to pursue values in order to live; it is only life which makes values or action either possible or necessary: all purposes, all values, are *within* life; there is no “purpose” or “justification” for life itself. Metaphysically, life is an end in itself; it is the fundamental value without which no secondary, derivative values are possible. Man must both be alive in order to pursue values, and he must pursue values in order to live. This is true of all other animals as well, though man alone is self-conscious, i.e., is aware of fundamental alternatives such as life and death, and can choose his values after a process of thought. In any case, if man needs to act, to pursue values, in order to live, and if life itself is the ultimate end or purpose of action (since there is no purpose outside of consciousness, and hence outside of life), then we may conclude that the ultimate standard of evaluation, that is, the principle which is used in order to judge among alternative courses of action, is that end-in-itself, life. In other words, the preservation and furtherance of life itself, by the very nature of values, sets the standard by which values themselves are to be chosen, for any action or evaluation which serves, existentially, to destroy or make impossible the maintenance of its own foundation, is in effect serving to negate itself, or that which makes it possible. In a *fundamental* sense, then, any action or evaluation which is not “pro-life” is self-contradictory, i.e., negates itself.<sup>4</sup>

While the purpose of values and hence morality is thus to maintain and further life, this standard of value merely sets the general framework within which, and for the purpose of which, a code of ethics, or principles to guide one’s evaluations and actions, needs to be elaborated. Thus, though all of ethics is implicit in what has thus far been said, in the same way in which much of mathematics is implicit in simple concepts of quality, or economics in the concept and nature of human action, it is necessary to undertake complex analysis to spell out the many implications, in order to derive those principles which can in fact be used by individuals in setting the course and choosing the nature of their lives and actions. It shall not be my purpose

---

(New York: Dutton, 1991): floating abstractions are

concepts detached from existents, concepts that a person takes over from other men without knowing what specific units the concepts denote. A floating abstraction is not an integration of factual data; it is a memorized linguistic custom representing in the person’s mind a hash made of random concretes, habits, and feelings that blend imperceptibly into other hashes which are the content of other, similarly floating abstractions. The “concepts” of such a mind are not cognitive devices. They are parrotlike imitations of language backed in essence by patches of fog. (p. 96)

The definition for “floating abstractions” in Ayn Rand, *Glossary of Objectivist Definitions*, edited by Allison T. Kunze and Jean Moroney (Gaylordsville, Conn.: Second Renaissance Books: 1999) stops at the words “concepts denote.”

Objectivism’s technical terms can pose a difficulty: in addition to providing an idiosyncratic philosophical vocabulary, they sometimes double as extended terms of abuse. Sometimes, as Peikoff’s definition suggests, they perform both functions in a single context.

<sup>4</sup>Childs’s use of the phrase “pro-life” parallels that of many Randians, with their adherence to the principle that what sustains or enhances life is good and what destroys or impoverishes it is evil. This essay having been written before *Roe v. Wade* was decided, Childs’s comments should not be understood in the context of the anti-abortion movement or its designation as “pro-life.”

to undertake complex analysis of such ethical principles here. It shall be my purpose only to derive a fundamental ethical virtue, thinking (or: rationality, or independent judgment), and to prove the validity of that fundamental social principle which makes it possible to extend and practice this virtue, this whole ethical code, in relation to other people, that is, in society. This principle, the principle of rights, or its corollary, nonaggression against nonaggressors, will then be shown to lead to anarchism.

If life is for every acting being the ultimate end or standard of value, then each living entity should pursue this end and all the things which make it possible in principle. This means: every living entity ought to pursue what is in its self-interest, i.e., what in reality (objectively) benefits itself. But since ethics only arises when there are alternatives open to choice (no choice is possible without *things* to choose between), ethics is not a subject which most living beings are or can be concerned with. They survive by certain patterns of behavior not based on reflection, and hence not subject to conscious control. This is not the case with man, hence ethics is a need of man's nature—that is, man needs a means of choosing between alternatives in reality. That means is a code of values, ethics. But if life in general is the purpose of an ethical code, and if there are in reality different modes of life, then the specific nature of any ethical code must depend on the kind of life which one is talking about. In the strictest sense, the “good” for any organism is anything which objectively benefits its life and well-being; but since different kinds of life exist, we must say that “good” is relative—to the kind of organism which we are talking about. What benefits one kind of organism may not benefit another—since the specific nature of their lives differs. The good for man, hence, is relative to the kind of entity man is, to the nature of his life and the objective requirements for maintaining and furthering it.

Thus, in the case of man, the standard of value by which he should choose all other values, is *man's life*, that is, that which is required for man's proper survival. “Proper” in this context is defined by reference to the kind of life peculiar to man. The kind of life peculiar to any organism is determined by observing its mode of action, i.e., the scope of the alternatives available to it, and its method of choosing between such alternatives. On a fundamental level, nonliving things have no “alternatives” qua acting beings, since they are not acting beings. They simply are. As we move up the ladder, so to speak, of existent entities, particularly living things, what do we find that determines the alternatives open to an entity? The complexity of the processes which it must go through biologically and (when the faculty of consciousness exists) psychologically in order to perform those actions necessary for it to survive and prosper. When we move into the realm of conscious organisms, we find that the *scope of the organism's awareness determines the alternatives open to it*. To be aware is to be aware of something—and reality is all that there is to be aware of. *The more complex the faculty of awareness or consciousness is in an organism, the more discriminations are possible to it, i.e., the more differentiating and integration between and of aspects of reality it is capable of engaging in*. The greater the scope of a consciousness, the more discriminations are possible to it, which means, in existential terms: the more alternatives are open to its consideration, since it is aware of more, and can make subtler distinctions between entities and hence alternative courses of actions with regard to them.

Man's proper survival, hence, has to be defined in terms of his means of choosing among the

alternatives available to him in reality, in terms of exercising his *basic means of survival*, which is, obviously, his faculty of awareness. Man possesses the most complex faculty of awareness known; man is capable of integrating and differentiating between the material provided by his perception of reality, of judging, of abstracting, of forming concepts, of thought, in short, of reasoning. Reason is a faculty (in the Aristotelian sense) which makes possible the identification and integration of the facts of reality, as perceived by man. Reasoning is the process of employing that faculty of awareness. Hence, since reason is man's distinctive method of identifying and choosing between alternatives, it is man's basic means of survival. Man, to live, must think and choose. Thus, the "good" when applied to man is defined as that which is proper to the life of a rational being. This is not a contradiction of the earlier treatment of the good; obviously it is an expansion of it *based on a consideration of the specific nature of the organism with which we are concerned: man*.

Since reasoning, or thinking, is man's basic means of survival, its employment is the *basic or fundamental* (i.e., metaphysically it makes the greatest number of other things possible) means by which the "good" for man, for the individual human being, is to be attained. In this sense, defining a "virtue" as the modes of action which are means of attaining the good, thinking, or rationality, is the primary virtue, which makes all of the others possible.

## 1.2 Part II.

To summarize thus far: the "good" for any organism is relative to the kind of organism it is, and is determined by reference to that which furthers and maintains its life. Thus, since self-interest is the pursuit of that which objectively benefits an organism, every organism should pursue its own self-interest. And since reason is man's basic means of survival (being his faculty of awareness and judgment), we can say that the basic ethical principle for man, that is, the basic principle which should be used as a guide to action by man is: *pursue your own rational self-interest*.

Though this is the primary in ethics, it is not the exhaustive content of an ethical code proper for man, since it does not show what is in fact to man's interest, other than reasoning, or thinking. The task of ethics is to elaborate a more complex code in order to guide a person's choices and actions. These demonstrable principles must then be applied by every man to the context of his own life, enabling him to choose among alternatives. The application of all principles is contextual, meaning: since everything which exists in reality is something (i.e., something specific, having definite attributes), all alternatives in concrete action are specific as well. The application of principles consists of observing and identifying the nature of the concretes subsumed by any principle in any given context, and applying the principle if it is relevant to that context. One cannot, for example, apply a principle necessitated by and derived from the existence of other people (society) in a context where other people are not present, e.g., on a desert island.

It should be clear at this point that a crucial corollary of rationality, in a social context, is

independent judgment. Since only an individual mind can think, can reason, can integrate the facts of reality and come to conclusions based on the evidence, this is a necessary application of the virtue of rationality. All knowledge is contextual, which means simply that man is not omniscient or infallible, and has to *learn or acquire knowledge*. This learning is a continuum, and so is the knowledge which results: that is, man operates according to an “epistemological continuum”—from complete (epistemological) ignorance at one end of the scale to complete (metaphysical) certainty at the other. (An example of this is one’s knowledge of any axiomatic concept or proposition, such as the fact that one is conscious, the law of identity, or the law of causality. “Metaphysical certainty” is certainty which is absolute. One step away from metaphysical certainty is “epistemological certainty,” which exists whenever one has a great deal of evidence concerning some fact, all of it pointing to a single conclusion, and no evidence contradicting the conclusion.) Independent judgment is the refusal to subordinate one’s own rational judgment to the assertion of another consciousness. If another rational consciousness has proven its contention or assertion, then one accepts it—not because another consciousness has asserted it, but because one sees it to be valid. This is the application of reason to the fact of communication of knowledge and beliefs in society. Independent judgment is the refusal to accept another’s opinion without evidence that it is valid.

Now how does one make the transition from thinking, or rationality, or independent judgment as a fundamental ethical principle to a society? Since thought is the primary function or activity of the mind, and since the three biological functions of the mind are cognition, evaluation, and regulation of action, these are the three primary or fundamental life-serving functions of thought. Though the science of ethics can establish the absolute validity of certain principles of action, the application of every principle must be done by a reasoning mind working from within a unique context. (All contexts are unique by virtue of the nature of the time continuum, just to mention one reason.) Cognition, evaluation, and regulation of action are the contextual application of ethical principles.

Man needs to think in order to know reality; he needs to know reality in order to be able to choose between (or evaluate) alternatives; he needs to choose between alternatives in order to act; he needs to act in order to attain and keep those values necessary for furthering and maintaining his well-being—that is, to live. Hence the purpose of thought, existentially, is to enable man to act, which is necessary to life. If, then, the *purpose or goal* of thought, ultimately, is action, there must be some way of protecting the continuum between the two. In the case and from the viewpoint of the acting man, the bridge between thought and action, which preserves the purpose of the first, is integrity. Integrity is unity of life and convictions, of action and thought, between body and mind, between one’s ideas and the reality of putting them into practice by a process of action. Existentially, then, the bridge between thought and life is the putting of ideas into practice; what makes this possible is freedom of action. If a man cannot, by the nature of reality, put his ideas into action to attain his ends, that means that he has made a mistake, he has not correctly identified some aspect of reality, and it is a signal for him to go back and rethink the issue, and try again. If a man can, by the nature of correct judgment and hence reality, put his ideas into action to attain his ends, that means that, ethically, he should

do so. If he cannot because others coercively prevent him from acting—to attain either success or failure, then he is prevented from taking actions which are in his rational self-interest. For even if a man has made an error, he should, morally, be left free to discover it on his own, for that is merely a contextual application of independent judgment. In other words, he cannot be expected to accept the assertions of others without evidence. And the ultimate evidence of the truth or falsity of a belief (or judgment) is the success or failure of a contextual application of it, which means: an action. Hence, given the derivation of the moral principle of thinking, and its function in life, it is an immoral act (i.e., life-negating) in principle to use physical force against a peaceful man in preventing him from translating his judgment, his means of survival and evaluation, into reality, which is its purpose. If this is so, then if men are to live in a society (nothing says, metaphysically, that they have to), then there must be a means of protecting and preserving rational self-interest in a social context, i.e., of making a transition from a purely individual morality to interacting with others.

What defines and delimits a man's freedom of action with regard to other men, that is, in a social context, is the concept of individual rights. A "right" is a "principle which morally prohibits anyone from using physical force or any substitute for force against anyone whose behavior is noncoercive." (Definition from Morris G. Tannehill)<sup>5</sup> Since only individuals (particular human beings) exist, only individuals can act. Hence only individuals "have" rights.

Rights are the bridge between rationality, thought, and independent judgment—those primary virtues—and life in society, i.e., interaction with other people. They preserve and make possible the extension or exercising of the individual's morality in a social context. The recognition of rights, or the absence of aggressive force (which is freedom), is a condition of existence for man's proper survival in a social context for the simple and fundamental reason that if a man is to live and pursue his rational self-interest, he must be able to act on the basis of his *judgment* (see above). Without action, thought is purposeless. It is only life which makes action possible or necessary. Likewise, it is only action which makes thought necessary or, ultimately, possible.

---

<sup>5</sup> It is one of the scandals of the modern libertarian movement that the Tannehills and their work are not better known. Morris Tannehill, a prodigious letter-writer, sent many letters to Childs, to me, and to others, and he was constantly refining his definition of rights. Sometimes he would scrap it and start over, and at other times he attempted to avoid the term altogether: for example, he and Linda Tannehill do not make use of the concept in their *Liberty via the Market* ("The United States of America": self-published, 1969). (The quotation marks around the place of publication are the Tannehills'.) The definition Childs is quoting here predates the publication of the Tannehills' *Market for Liberty* (Lansing, Mich.: self-published, 1970), so it probably comes from one of those letters, if not from a copy of an early draft of the book; he is not quoting exactly the definition that they ultimately used in *The Market for Liberty* (p. 11), but it does not differ substantially from it.

In a letter to me dated January 7, 1970, Childs said that he was "becoming increasingly dissatisfied with the definition of 'rights' offered by Morris Tannehill, since I cannot fit it into my general derivation of rights tightly enough..." In "Anarchism & Justice," Part 1 (*The Individualist*, May 1971), he says of the Tannehills' definition that it is a true statement about rights, but that it is not a definition. The definition he offers there is: "A *right* is a principle defining and sanctioning a man's freedom of action in a social context." (p. 5)

### 1.3 Part III.

Society is not an entity; it is a name given to certain patterns of human relationships. Society is a function of the actions of two or more individual people, and does not exist without them. Being a name given to certain relationships, and since relationships presuppose things which are related, society is nothing other than individual acting men. Since this is true, society has no “self” and no “interests” to protect, other than those already possessed by the individuals who constitute it. This being true, the ethical principles which guide men’s choices and actions in a nonsocial context also guide men’s choices and actions in a social context. Thus society, meaning relationships with other people, is not a value “in itself.” It is a value if it benefits the individuals who act, and is not a value if it destroys or hinders them from attaining their rational self-interest. Not all societies, or human relationships, hence, are in man’s rational self-interest. Basically man has two things to gain from social relationships: knowledge and trade. Other things, like friendship and love, are either subsumed by these two, or [are] secondary to them. When the use of aggressive physical force is barred (i.e., does not exist) in social relationships, then a man is free to associate with those who benefit him in some way, and free to avoid those who do not. He is also free to associate with different people to the degree which he judges proper.

But since rights are a function of self-interest in a social context (that is, they are a derivative concept, not a primary), they cannot at any point leave the individual disarmed, they cannot say to him: “It is never proper to use violence against another, even when he is attacking you.” This pacifist position, built on the twin palsy foundations of a sloppy definition of rights and the fallacy of context-dropping (ignoring, in this case, the derivation of rights from the primary: self-interest), is anti-life in essence, and hence morally evil, since it tells man that it is moral to attain values, and immoral to use coercion against another peaceful person to deprive him of his, but also immoral to defend oneself and one’s values against attack. But since men are capable of using aggressive violence, or the threat of it (intimidation) against others, this aspect of human relationships cannot be ignored. The concept which preserves and protects individual rights in their derivation from rational self-interest is the concept of *self-defense*, which includes retaliation. Self-defense and retaliation are not a violation of rights, since the derivation of rights clearly shows that rights preserve and protect the freedom of action of one who is noncoercive. The only people whom it is proper to use force against are those who directly, through violence or intimidation, threaten to (or do in fact) force one to act against his rational judgment, his rational self-interest, or who expropriate values from him without his consent. In short, the basic principle which defines and protects the pursuit of rational self-interest by “members” of a society is this: no man or group of men is morally entitled to use invasive or aggressive violence, or the threat of it, such as intimidation, or a substitute for it, such as fraud, against a nonaggressor (in this sense of “aggressor”).

This does not, of course, mean that there are no objective moral principles defining and sanctioning the proper uses and extent of retaliatory force. A man, by an act of aggression, causes a value-loss in his victim (i.e., he causes him to lose some state of being which he saw



as beneficial to himself, some rank on his value hierarchy). By his act of aggression, then, the aggressor creates a debt which he owes and must pay to his victim. “Justice demands that the aggressor who causes the loss, damage, or destruction of an innocent man’s values pay for his aggression *by repaying the victim for his loss*, plus all reasonable expenses directly occasioned by the aggression (such as apprehending the aggressor. Furthermore, the aggressor owes a *specific amount* which can be objectively determined, and he owes no more than that amount (if this were not true, there could be no justice). To make him pay more than he owes (as punishment—‘to teach him a lesson’) is an act of injustice. An aggressor owes no more than the debt he has created by his irrational actions.” (From Morris and Linda Tannehill’s *Liberty via the Market*, p. 7. Emphases in original.)

This is, basically, the principle of objective justice in retaliation. The purpose of retaliation is to repay the victim for the loss suffered. Now, there is an immense difficulty in applying this principle to certain contexts—granted. But the problem exists in every other realm as well, and is an epistemological difficulty (i.e., “How do we know?”). The standard by which one judges what is owed is an objective one; that is, it is determined by the nature of reality. The standard is, simply, the contextual hierarchy of values of the victim when the aggression took place—for all losses are value losses, and there is no way to “measure” values outside the context and hierarchy in which they exist. As all acts of aggression are against individual people, it is only individual men who are harmed and suffer loss. Those who were not harmed by the act of aggression can have no concern in retaliating, with two exceptions:

1. if the aggressor shows by a pattern of behavior that he is a real threat to those others not yet involved, they are justified in stopping him, and
2. since the victim possesses the right of self-defense and retaliation, he can *delegate* his authority to judge and act (his “right” to self-defense and retaliation, in a sense) to representatives or agents, who may then properly act on his behalf.

At any time, of course, other people may impose any other sanctions against the criminal they wish, since they must judge with whom to deal. There is of course an immense problem here when we are considering the problem of the destruction of an irreplaceable value, such as a human life. But this is outside the scope of this paper, and it does not in any sense negate the validity of the general principle in question.

## 1.4 Part IV.

In prefacing my discussion of government, let me emphasize one major point. “A group, as such, has no rights. A man can neither acquire new rights by joining a group nor lose the rights which he does possess.” (From Ayn Rand’s essay “Collectivized ‘Rights’”) Since a government is merely a group of men, an institution, let us bear this in mind while proceeding with our case

for anarchism.<sup>6</sup>

Up to this point, most Objectivists and libertarians will have come along with me for the most part—quibbling, perhaps, on a few minor points. But now we take issue with each other. Seeing the need for recognition of individual rights, the necessity for renouncing the use of invasive force, and the need for self-defense and retaliation, most of these people (happily, a shrinking number) conclude that what is needed to attain this is a government, which is defined as “an institution that holds the exclusive power to *enforce* certain rules of social conduct in a given geographical area.” (From Ayn Rand’s essay “The Nature of Government.” This should not be taken as a sign of my agreement with her definition, which is not true.)<sup>7</sup>

Why is government necessary? “If a society provided no organized protection against force, it would compel every citizen to go about armed, to turn his home into a fortress, to shoot any strangers approaching his door—or to join a protective gang of citizens who would fight other gangs, formed for the same purpose, and thus bring about the degeneration of that society into the chaos of gang-rule, i.e., rule by brute force, into the perpetual tribal warfare of prehistorical savages. The use of physical force—even its retaliatory use—cannot be left at the discretion of individual citizens.”<sup>8</sup>

Now there are a number of things which might be said about this, but I will not go into most of them, having gone into them in my essay, “Objectivism and the State: An Open Letter to Ayn Rand,” published in the August 1969 issue of *The Rational Individualist*.<sup>9</sup> But a few things should be brought up in any case. First—the use of retaliatory physical force cannot be left by whom up to the discretion of individual citizens? Surely this implies that self-defense and retaliation are *permissions* rather than *rights*. *But whose permissions are they? Who is the super-being who can grant and revoke them?* Secondly, what is this presumed entity—society—which needs “protection,” which has to have “organized protection against force”? It seems clear that society is not an entity, and thus has no needs other than those of individual men. Now individual men do indeed have a need to use self-defense and retaliation when it is justified. But what constitutes “organized protection”? Individual men *do indeed need protection*. Which is to say nothing except that they have need of certain conditions of existence—the absence of initiated coercion being the fundamental condition. Period. That is the sole and only need of man in a society which is different from individual needs outside of society. That is all Ayn

<sup>6</sup>*The Virtue of Selfishness* (New York: New American Library, 1964), p. 102. “Collectivized ‘Rights’ ” first appeared in *The Objectivist Newsletter* (June 1963, pp. 21, 23-24).

<sup>7</sup>*The Virtue of Selfishness*, p. 107. “The Nature of Government” first appeared in *The Objectivist Newsletter* (December 1963, pp. 45-46, 49-50) and later as an appendix to *Capitalism: The Unknown Ideal* (New York: New American Library, 1966), pp 295-303. Childs had also mentioned this disagreement in his Open Letter (see note 9). In his letter of January 7, 1970, he reiterated it, but offered no new definition of his own.

<sup>8</sup>*The Virtue of Selfishness*, p. 108; *Capitalism: The Unknown Ideal*, p. 297; *Objectivist Newsletter*, p. 45. In all original sources, a new paragraph begins with “The use of physical force . . .” Childs is quoting either from *Capitalism* or from the Newsletter; in *Virtue*, the phrase “gang rule” appears as an open compound.

<sup>9</sup>The Open Letter is reprinted in Joan Kennedy Taylor, ed., *Liberty Against Power: Essays by Roy A. Childs, Jr.* (San Francisco: Fox & Wilkes, 1994), pp. 145-56. The title used in that book, “Objectivism and the State,” was the subtitle of the Open Letter when it appeared in *The Rational Individualist* (later *The Individualist*). The actual letter carried the date July 4, 1969.

Rand has shown. The rest has been asserted with admittedly clever rhetoric. But it has not been proven.

To prove that a government is needed, that a single agency which holds an absolute monopoly on the power to enforce certain rules of social conduct over a given geographical area [is needed], she would have to prove that

- a) government is competent (i.e., able) to enforce such rules while others are not, and hence government is different in kind from the individuals who compose it, or
- b) government alone may morally enforce such rules, which is, seemingly, a variant of ethical subjectivism.

Let us consider the issue in more depth. Remember that the fundamental question at this point is this: granted that men may need institutions (which are but means to attain ends) to protect them from force, why is government somehow the only agency which can perform such functions? Or: how can a government exist which does not, to maintain its monopoly status in a given geographical area, have the power to coercively prevent other agencies from performing the same (supposedly proper) functions as it does itself? Or: How can a government exist without initiating force? It is clear that if a government must initiate force to remain a government, it is immoral, as has been proven. And, given the derivation of ethical-moral principles, it is also clear that the immoral is not necessary, in any sense, for man's well-being. Quite the contrary.

“The government [of a ‘free nation’—RAC] is not the ruler, but the servant or agent of its citizens and has no rights other than the rights delegated to it by the citizens for the specific, delimited task (the task of protecting them from physical force, derived from their right of self-defense). The citizens of a free nation may disagree about the specific legal procedures or methods [of implementing] their rights (which is a complex problem, the province of political science and the philosophy of law), but they agree on the basic principle to be implemented: the principle of individual rights.” (From Ayn Rand's essay “Collectivized ‘Rights’ ”)<sup>10</sup>

Now there are several strange things about this passage. The concept of an “agent” or representative is an economic concept, and has a specific meaning. In a social context, it arises when one specific individual approaches another individual or institution, and delegates to them a specific power (which was moral when performed by him) for a specific purpose and for a specific period of time. Representation is not, in short, either “general” or “nonspecific”; it is not open-ended. It requires, in addition to specific terms or conditions, that each of the two parties concerned, both the agent and the client, give their specific, voluntary, uncoerced consent. If the specific, voluntary consent of either party is missing, the alleged representation is invalid. There is, in short, no such thing as involuntary representation, since the essence of an agent is that he *carries out the expressed will of his client*. Involuntary representation would entail the absurdity of one man carrying out another's will against his will—clearly a contradiction in terms. Furthermore, the corollary of representation is responsibility. The client, in delegating

<sup>10</sup>*The Virtue of Selfishness*, p. 103; Objectivist Newsletter, p. 23. Emphasis in the originals. In both sources, a new paragraph begins with the words “The citizens of a free nation ...”

certain powers (not “rights”) to an agent, assumes partial responsibility for the man’s actions, for the man acts in his name by his agreement. And there can be no such thing as responsibility in a moral sense for any actions not subject to your control in any way whatever, which is the case when you are not free to choose to your own representative. So what happens to Ayn Rand’s conception of and justification for government when this highly specific representation and delegation of powers is absent? Since only individuals possess rights, only individuals can delegate them, or the legitimate powers arising from them, to anyone else. No two people can delegate powers to a third on behalf of both themselves and a fourth.<sup>11</sup>

Miss Rand comes close to realizing this when she states that the citizens of a “free nation” may disagree on the specific methods of implementing their rights (presumably they may rationally disagree), but ignores an obvious implication of this: if they may disagree, and are within their rights, then it is immoral to force them to accept a single monopolistic institution, or method of implementing their supposedly inalienable rights, if they in fact do not consent to it. The problem is that of having slipped in the concept “the citizens,” which is not defined. It is “the citizens” who supposedly delegate their rights, and surely they can do this. But unless there is unanimous consent as to the method and personnel for implementing their rights, there is absolutely no reason why a single agency will come out of this process of delegating powers. For those who do not delegate such powers obviously retain them for themselves, and if they have the right to delegate them to an agency, then they can do that—but there is no reason why they have to choose the same agency as the “citizens” who so merrily consented to the Objectivist government. For either they possess the right of self-defense and retaliation, or they do not. If

<sup>11</sup>Childs’s discussion of agency is heavily influenced by Lysander Spooner’s *No Treason: The Constitution of No Authority* (Larkspur, Colo.: The Pine Tree Press, 1966), a copy of which he had in his library and which the SIL Book Service sold. (The essay can also be found in *The Collected Works of Lysander Spooner* in Six Volumes, edited with a biography and introduction by Charles Shively, vol. 1 [Weston, Mass.: M & S Press, 1971], with the original pagination; and in *The Lysander Spooner Reader*, with an introduction by George Smith [San Francisco: Fox & Wilkes, 1992], pp. 77-122. It also may be found on any number of Websites.

*No Treason* also figured in his arguments in his debate with Jeffrey St. John (“Anarchism vs. Limited Govt.,” Audio Forum Sound Seminar #173 [Guilford, Conn.: Jeffrey Norton Publishers, Inc., 1971]); and in “Anarchism & Justice,” especially in his discussion of Mortimer Adler (Part IV, *The Individualist*, October 1971, pp. 14-29).

Childs was so convinced of the fundamental soundness of Spooner’s insights that when he managed the SIL Book Service he refrained from promoting a book about the Declaration of Independence that had been stocked since before the publication of the Open Letter. The book was titled *They Signed for Us*. He said he was opposed to the view that anyone could bind others by their signatures and that he would delegitimize the idea that they could whenever he had the opportunity.

A book that later expanded Childs’s thinking about representation was Robert Paul Wolff, *In Defense of Anarchism* (New York: Harper Torchbooks, 1970), which the SIL Book Service promoted in its June-July 1971 advertising bulletins and which Books for Libertarians (BFL) carried for several years afterward. Wolff likewise highlighted the absurdities inherent in “representation” and dwelt on the contradiction between political authority and personal autonomy, although he seemed completely unaware of Spooner. In the May 1973 issue of BFL, not because of any change in his own views but rather because of his delight in intellectual exchange, Childs published Tibor Machan’s review of Jeffrey H. Reiman, *In Defense of Political Philosophy: A Reply to Robert Paul Wolff’s “In Defense of Anarchism”* (New York: Harper Torchbooks, 1972). Wolff later published a second edition of *In Defense of Anarchism* (New York: Harper Torchbooks, 1970, 1976) containing a 30-page discussion of Reiman’s arguments.

they do not, then there is no need for government, since there is nothing for the government to protect. If they do possess these rights, then it is absurd to say that one has the right to use force against them if they do not delegate them to the government, for that is tantamount to saying that one has a “right” to violate rights. Clearly anyone who maintains this last proposition does not understand the derivation of the principles of rights. What he is in fact saying is that the “rights” of self-defense and retaliation are not in fact rights at all; they are permissions, for it is only permissions which can be revoked. But the defense of anything, and the use of retaliation to recover it once it has been violated, is a direct function of ownership, so one can be said to have a “permission” to self-defense and retaliation only if someone else owns one—i.e., there has to be someone to get the permission from. Hence the question to ask when such an approach is made is: *by whose permission?* Clearly the question is absurd in this context.

Even barring these objections, Miss Rand’s statement still does not make sense in the full context of her philosophy. For let us see what it implies. If independent judgment is the primary virtue, and if men may rationally disagree concerning the methods of implementing or protecting their rights, why cannot men be left free to *act on the basis of this rational dissent?* If a majority, or a minority, or any group seizes power, in effect, by implementing their means while denying others the same right, aren’t they initiating force against those others, especially since one manifestation of the initiation of physical force is to cause a person to act against his own judgment?

## 1.5 Part V.

The major objection to government is then that it must initiate force to remain a government. But elaboration is necessary. In his essay “The Assault on Integrity,” Alan Greenspan states: “To paraphrase Gresham’s Law: bad ‘protection’ drives out good. The attempt to protect the consumer by force undercuts the protection he gets from incentive.”<sup>12</sup> This is as true in the area of protection of individual rights as in any other area, something Greenspan does not mention. Specifically, any protection which involves the abandonment of the right and use of independent

---

<sup>12</sup>In *The Objectivist Newsletter*, August 1963, p. 31; and in Ayn Rand, *Capitalism: The Unknown Ideal* (New York: New American Library, 1966), p. 113. At one time Alan Greenspan was one of a close circle of friends of Ayn Rand, and a few of his articles appeared in her publications. So far as the public is concerned, Greenspan’s rise to power began with an advisory position in the 1968 Nixon campaign. After the election he “served” on the President’s Commission on an All-Volunteer Force, which gave us first the transitional “19-year-old draft,” then the transitional lottery, then the all-volunteer force. All functioned and were intended to function as methods for selecting young men to fight in unjust wars and invasions; to kill soldiers, rebels, and civilians in countries posing no threat to the liberties of Americans; and to face being killed or maimed themselves, for all of which they were paid from the proceeds of extortion and robbery. Greenspan was chairman of Gerald Ford’s Council of Economic Advisers, and as Ronald Reagan’s chairman of the National Commission on Social Security Reform he oversaw the designing of a tax scheme that weighs most heavily on the poor and middle class, the purpose of which is to sustain the fraudulent Ponzi scheme that is Social Security. As chairman of the Federal Reserve System, he has propped up the tyrannies of Ronald Reagan, George H.W. Bush, Bill Clinton, and George W. Bush. Like Milton Friedman and so many other economists and “champions of freedom” who have helped to streamline the state and solidify its power, he will have many crimes to answer for, come the Day of the Rope.

judgment and action is worse than no protection at all: it involves the abandonment of the epistemological foundation and justification for rights, and hence for protection itself. Since it is *always* necessary for the individual to judge, in every activity and aspect of his life, the function of a “limited government” is to undercut this necessity in the crucial area of protection and defense of values, and in retaliation against aggressors. It, in effect, tells its “citizens” to abandon judgment, or to judge, but “leave the acting to us.”

Now, it might be argued that protecting oneself constantly against violence is an unproductive expenditure of time and energy. This is true—which is why institutions or businesses will evolve in a free market to perform such proper services. There are only two kinds of goods in reality: *free goods*, or those which are so abundant that they are not the object of human action, and *economic goods*, which subsumes *any scarce good or service having to be produced by effort*. All economic goods, without exception, are capable of being produced and sold on the free market at a profit. For an economic analysis and proof of this, see Murray N. Rothbard’s masterly *Man, Economy, and State*.<sup>13</sup>

Thus, in any case, this is true of defense, which is an economic good. The *fact* that men require a service, however, is precisely what guarantees that it *will be produced*. Thus, the mere fact that something is an objective need of man’s existence does not constitute a reason for giving anyone the exclusive power to produce it, excluding competitors. Quite the contrary. The more basic or fundamental a need is, *the more it should depend on individual, independent judgment*, especially when rational men may differ as to what *method* to use in attaining the sought-after end.

Hence, epistemologically, government is an institution built on the logical fallacy of context-dropping, which consists of ignoring the context which gave rise to a dispute in considering the dispute itself.<sup>14</sup> For government is “derived” from the individual’s right of self-defense,

---

<sup>13</sup>Murray N. Rothbard, *Man, Economy, and State: A Treatise on Economic Principles* (Princeton, N.J.: D. Van Nostrand Company, Inc., 1962). Murray Rothbard did not serve on presidential commissions and never held any government position. Despite his being well known to Ayn Rand and her circle of friends, none of his articles ever appeared in an Objectivist publication, and none of his books was ever made available or sold by an Objectivist book service. Like so many economists and champions of freedom who lived out their lives in honest labor, ignored by the state’s “consensus universe” and never serving it, Murray Rothbard, not having many crimes to answer for, had nothing to fear from the Day of the Rope.

<sup>14</sup>Childs is drawing on Objectivism’s discussion of the fallacy of the stolen concept, though he does not use that term.

The fallacy of “the stolen concept” is implicit in much of Galt’s speech in *Atlas Shrugged* and is central to many Objectivist critiques. The term “stolen concept” appears in Galt’s speech, without technical definition: “As they feed on stolen wealth in body, so they feed on stolen concepts in mind, and proclaim that honesty consists of refusing to know that one is stealing. As they use effects while denying causes, so they use our concepts while denying the roots and the existence of the concepts they are using.” Rand, *For the New Intellectual* (New York: New American Library, 1961), p. 154; *Atlas Shrugged* (New York: Random House, Inc., 1957), p. 1039; paperback ed. (New York: New American Library, 1957), p. 964. Rand’s discussion of this fallacy in *Introduction to Objectivist Epistemology* (pp. 3 and 59) is not presented as a definition. (The corresponding discussions in *The Objectivist* are at July 1966, p. 98, and December 1966, p. 181.)

Nathaniel Branden, “The Stolen Concept,” in *The Objectivist Newsletter* (January 1963), pp. 2, 4, supplies what seems to be the only formal definition of the fallacy ever given: “the act of using a concept while ignoring,



which is derived from individual rights, which are derived from the requirements of man's proper survival in a social context—the primary requirement being the necessity of man to act according to his own independent judgment (which is the social-existential application of that root or primary virtue: thinking).

Now, if all this is true, then no institution ultimately grounded in the necessity of independent judgment can at any point be justified in negating this primary—not even to save itself. But this is exactly what the institution of government does—and hence it is unjustified.

The mistake should not be made at this point of assuming that by advocating “independent judgment” in the realm of self-defense, one is advocating “arbitrary whim” as a basis for action. Quite the contrary—for the cornerstone of truly independent thinking or judgment is logic or reason. The point is that if there are objective principles of human behavior governing proper self-defense or retaliation, these principles are merely an aspect of ethics—since a code of ethics subsumes behavior subject to choice. And there need *not* be a “final authority in ethics”—not in this or any other realm. (See Ayn Rand's masterly analysis of the question “Who is the Final Authority in Ethics?” in *The Objectivist Newsletter*)<sup>15</sup> There need *not* be some special, “elite” group gifted with mysterious powers—what is called a government. If such principles are objective (which they are—see above), then they are discoverable the same way any other ethical principle is and are applied the same way—by using reason to apply the principle in a given, appropriate, context.

What advocates of a government proclaim is that the state and it alone shall have the power to “make” and enforce objective principles in this area. First of all, one does not “make” an objective principle; one observes and discovers it—and then applies it. Secondly, to “enforce” an objective “law” (social principle) is merely to act according to it. So what advocates of a government are necessarily saying is:

- a) Government alone can discover objective “laws,” and hence it alone can act according to them;
- b) Anyone can discover them, but Government can (or should) act according to them; *or*

contradicting, or denying the validity of the concepts on which it logically and genetically depends.” His definition is one of the few Branden-originated elements of the Objectivist “vocabulary” to remain in use.

As central as it is in Objectivist critiques, even Leonard Peikoff, in *Objectivism: The Philosophy of Ayn Rand*, does not define it in his discussion of the fallacy (pp. 136-41), which is amusing given how much is made of precise definitions in Objectivist literature. Peikoff does define it in a footnote to Rand's essay “Philosophical Detection,” as it appears in her posthumous book, which he edited, *Philosophy: Who Needs It* (Indianapolis: Bobbs-Merrill, 1982), p. 26; and in paperback (New York: New American Library, 1982), p. 22. There, in a footnote that was absent from the original essay (*The Ayn Rand Letter*, January 28-February 11, 1974, pp. 285-93), he supplied a definition that is almost exactly Branden's. He gives the source of the definition as *The Objectivist Newsletter*, but of course does not name Branden, leaving the reader who does not check, which is to say, leaving nearly all his readers, to suppose that it was Rand's definition ... as, I am sure, he intended.

<sup>15</sup>In the “Intellectual Ammunition Department,” *The Objectivist Newsletter*, February 1965, pp. 7-8; reprinted in Leonard Peikoff, ed., *The Voice of Reason: Essays in Objectivist Thought by Ayn Rand* (New York: Penguin Books, 1989, pp. 17-22). Excerpts can be found at <http://www.freedomkeys.com/ar-whodecides.htm>.

- c) Anyone can discover them or observe them, and anyone can act according to them, by using reason.

Now, if they are saying (a), then they are clearly granting government some epistemological abilities not possessed by men, i.e., some sort of mystical insight. But if this is true, two things must be asked:

1. How does anyone outside of the government know this to be the case? and
2. What is government besides—MEN? But then we come to point (b).

If they mean to say that anyone can discover or know the principles, the objective “laws,” but only government *is capable of acting according to them*, they are granting to some men a capacity which other supposedly do not have. Yet this mystical power is merely asserted. It seems pretty clear that if some men, i.e, those in government, can perform a certain action, so can others. So the second alternative comes up for consideration: that all men can *know* what these principles are, but *should not* act according to them, i.e., are morally wrong in acting according to them. But supposedly these objective “laws” or principles are principles of right and wrong, i.e., they are moral principles. But if this is so, then it is absurd to say that it is *morally wrong for a person to take actions which are morally right*. What the advocate of government must say at this point is that the actions are moral if taken by some men (i.e., the government) but immoral if taken by another. This is ethical elitism, however, and in order to show that a principle applies to group A, but not to group B, it must be shown

1. that the two groups are different in kind with respect to one or more characteristics, and
2. that there is a causal link between that attribute and the principle in question. Otherwise, the assertion is merely stated and is epistemologically worthless.

Now some Objectivists and libertarians at this point rush in to point to the concept of “geographical area” as having more relevance to this issue. But mere geographical area comes in if and only if the area you are talking about is owned by the group or individual in question. Furthermore, the supposed basis of government is not in its territorial extent, but in the individual right of self-defense. It is clear, then, that the territorial extent of the government is morally worthless as an argument on its behalf.

If this is true, then, our advocate of limited government is driven to (c), that is, to the belief that anyone can know the relevant principles and anyone can morally act according to them. But if this is so, then we have in fact done away with government itself, for government was held to be an institution holding a *monopoly* on the power to enforce certain rules of social conduct.

This, of course, is the doctrine of anarchism.

Now, if it be retorted that the reason that government is needed is to ensure that the principles are enforced in reality, it can be answered that this is a variant of the illusory search for a “final authority in ethics.” For, in reality, only individual minds exist, can hence think, judge, or regulate action. Each individual mind must use reason in each and every context—which is as



close to an “authority” as we can get. But this is no authority at all. The limited statist is asking: “But who *decides* what is objective or not? Who makes the *final decision*? Who is the final authority?”

The answer to this is supplied in principle by Ayn Rand’s essay “Who Is the Final Authority in Ethics?” “Who ‘decides’ what is the right way to make an automobile, to cure an illness or to live one’s life? Any man who cares to acquire the appropriate knowledge and to judge, at and for his own risk and sake. What is his criterion of judgment? Reason. What is his ultimate frame-of-reference? Reality. If he errs or evades, who penalizes him? Reality.”<sup>16</sup>

Note that this general principle will apply to *every activity of man*. To seek a “final authority”—a government—is to seek knowledge without individual effort, an absolute guarantee where none is possible. This search for an ultimate authority, arbiter of disputes and absolute guarantee of liberty is, in the words of John Galt (used in a somewhat different context): “a desperate quest for escape from the responsibility of a volitional consciousness—a quest for automatic knowledge, for instinctive action, for intuitive certainty. . . .”<sup>17</sup> The political conclusion—the alleged necessity for government—is based on a subjectivist premise. The person who seeks a “final authority” is seeking to reach a conclusion without independent judgement. He is seeking some super-consciousness which will create the reality he wishes to evade. The question and the quest are alike absurd.

Perhaps it will then be pointed out that men make mistakes and hence we need a government to protect the innocent. There are several flaws to this argument. First, men do indeed make mistakes. But governments are men—hence if men cannot be trusted to make decisions, neither can governments. In short, the contention simultaneously declares that men are and are not competent to judge.

But if a “private citizen” (meaning, supposedly, an individual human being) should in fact initiate force in pursuing self-defense, or an institution in serving a client, would not the “government” have the “right” to retaliate, that is, to stop it by force? Yes. But it works the other way around, too—if government should initiate force, any other person or institution can morally stop it. Any other position would negate the alleged justification for government in the first place: the individual’s right to self-defense.

But, again, since the defining characteristic of government is its monopoly on coercion in a given area, this would not in any way be a government, since anyone could morally do what it is doing.

The principle involved has been well-stated, but ill-applied, by Ayn Rand: “It is important to note the *epistemological* significance of a free society. In a free society, the pursuit of truth is protected by the free access of any individual to any field of endeavor he may choose to enter. (A free access ... means the absence of any forced restrictions or legal barriers.) This prevents the formation of any coercive ‘elite’ in any profession—it prevents the legalized enforcement of a ‘monopoly on truth’ by any gang of power seekers....” (From “Who Is the Final Authority

<sup>16</sup>Objectivist Newsletter, p. 7; *Voice of Reason*, p. 18, where the hyphen is omitted.

<sup>17</sup> Rand, *For the New Intellectual*, p. 178; *Atlas Shrugged*, p. 1058; paperback ed., p. 982.

in Ethics?")<sup>18</sup>

But what else, then, is a government?

## 1.6 Part VI.

There are a few other minor points to be considered.

Nathaniel Branden, in his consideration of anarchism in the lecture on “Government and the Individual” in the *Basic principles of objectivism* course, states that anarchism is a species of ethical hedonism and holds that there are no objectively valid principles of human behavior.<sup>19</sup> It should be clear at this point that this is not true in the least, and is a misrepresentation—probably not intended. In any case, anarchism is not a species of hedonism, though some individual anarchists have held this fallacious theory. But, then too so have some advocates of limited government. This has nothing to do with the validity of either theory.

Some people maintain that the reason government is necessary is that men have to think and act long range, and have to plan in terms of a lifetime—thus necessitating some sort of a quasi-permanent institution. But it must be shown that this has to be a government, and, more important, that there must be only one such institution. And it has to be shown that somehow all this justifies abandoning independent judgment and action in contexts which involve coercion.

It is maintained that if there are two or more agencies, the “competition” between them will result in the “forcible restraint of men,” in short, of competition in aggression. This too is based on a misunderstanding. What free-market defense agencies would compete in would obviously be: competition for the business of their customers, not competition in retaliating against criminals. Anarchism, since it is based on the right of independent judgment, leaves it up to every victim to decide what course of action to take (recognizing that if he engages in “overkill” or injustice, he can be stopped). Thus, it is up to every consumer as an individual to decide if he wants to patronize an agency of defense or not, and if so, what agency. No person has the right to retaliate against a criminal in the name of someone else unless that someone else delegates such a right to him by appropriate, specific means. Anarchism, thus, is based on the doctrine of representation applied literally. If someone aggressed against one, it would be up to one to have, prior to or after the crime, contracted with an individual or agency to do something about it, if he wants something done. (Retaliation is not a moral obligation; the decision to

<sup>18</sup>P. 8, in *The Objectivist Newsletter*, where “power-seekers” is hyphenated; pp. 21-22 in *The Voice of Reason*.

<sup>19</sup>Nathaniel Branden, “Basic Principles of Objectivism,” was made available as a 20-lecture set of cassettes by Robert Kephart’s Audio Forum; they were reviewed by Childs in the August 1974 issue of *Books for Libertarians*, pp. 1-2, in which he called the series “the most serious and systematic attempt so far to present a comprehensive antidote to the poisons in the intellectual cultural life destroying Western Civilization.” Oddly, he began one paragraph, “Listening to these lectures now, for the first time . . .”

Childs may be quoting from the set of LPs issued by Academic Associates in late 1968 or 1969. Whether the course as recorded in LP format was identical to the course Branden used to deliver at the Nathaniel Branden Institute (and by reel-to-reel tape at the various Institute outposts throughout the country), I cannot say. I believe the same masters were used to produce both the LPs and the cassettes (Audio Forum Sound Seminar #561-80 [Guilford, Conn.: Jeffrey Norton Publishers, Inc.]).

retaliate or not is a contextual one, properly speaking.) Competition in the area of defense would be the same as for any other business. Different institutions would simply advertise what services they offered and one could patronize them if one wished. Without someone's assuming and usurping the alleged right to act, even retaliate, in one's name, there surely would not be any kind of competition in restraint of men, let alone warring parties. Free-market defense agencies would compete on the basis of the quality and cost of the services they offer.

What about warring defense agencies? Since men possess free will, there is always the possibility that men may choose to fight things out, rather than reason about them—even with a government. Thus a government does not automatically provide a “peaceful” way of resolving disputes. Furthermore, it would obviously not be in the rational self-interest of different agencies to fight things out in the streets. Besides scaring away potential customers, they would face extreme losses of capital in such conflicts. The agencies would hence probably choose to figure out some way, in advance, to resolve such disputes. Again, the existence of a single monopoly government in an area provides no guarantees at all that the same thing will not happen—under the guise of war or anything else. Also, under which society do checks and balances really exist? In a governmental society, where everyone is disarmed except the state, which is “bound” by a constitution (which it interprets—thus, standing outside of the state, there is no limitation on its power, since the agency which does in fact interpret the “constitution” will be itself a part of the government); or an anarchist society, in which no one is left disarmed against his will? Remember, in an anarchist society, if one defense agency becomes an aggressor, one can always hire another to defend oneself against it. In a state-society, one can do nothing except decry the activities of the state and “vote.” Again, anarchism is based on the right of self-defense and independent judgment totally. There is never any absolute guarantee that an agency will not become corrupted, but anarchism clearly leaves more room for objective checks and balances against aggressors.

Ultimately, of course, this whole line of attack leads to a particularly interesting conclusion: the limited-government libertarian will describe in all its horror the possibility of one agency taking over bit by bit, destroying other agencies of defense, usurping power over everyone in a given geographical area, establishing a monopoly on the power to enforce certain rules of society conduct ... But it usually occurs to him somewhere in the midst of his graphic tirade that his major objection to anarchism is ... (gasp!) that it might actually develop into a government! But of course the retort to this is that that is what we have already, and that is what he is advocating in any case. If he is really afraid of one agency's developing into a monopoly, why is he advocating that as an ideal to begin with? Surely if such a thing did happen to an anarchist society, there would be one inestimable benefit: people would at least be aware of the process by which the defense agency became a government—by initiating force. There would be no illusions.

A further objection to anarchism is one based on a misconception of the nature of “objective law.” This view holds that an objective law is primarily a law which is written down (a statutory law) and which states exactly what constitutes a crime and why, and prescribes certain punishments for those who break such “objective laws,” in advance of the crime, so that the criminals

know what is in store for them. But by this analysis, a law which clearly stated that all Jews older than 35 years of age were to be immediately put to death for the crime of being old Jews would be classified as an “objective law.” It should be clear that being written down is neither a necessary nor a sufficient condition for a law to be “objective.” An objective law is one which is derived from objective principles of justice, such as those developed in brief before. There is no particularly monstrous problem surrounding this: the only thing which would be prohibited in an anarchist society would be the initiation of force, fraud, or intimidation, and anyone who did so would become liable to retaliation to the extent of being forced to pay damages. Why is this so difficult to remember? Those who oppose competing defense agencies have a mistaken concept of how it will probably operate: they merely transpose their own Objectivist political institution onto the structure of the competing agencies—statutory law, political parties, elections, the whole bit. But there is clearly no need for such things. In an anarchist society, agencies of retaliation or defense would most likely be hired by those who have the greatest stake in keeping the peace and preventing value-losses through aggression: insurance companies. (I owe this suggestion in part to Morris and Linda Tannehill.)<sup>20</sup> There would be no problem of “conflicting statutory laws” because there would most probably be no statutory laws. The punishment for an act of aggression cannot be prescribed before the crime because the purpose of retaliation is to force the criminal to repay his victim, and the losses suffered by the victim cannot be determined, obviously, before the crime occurs. So what precisely is the problem? In any case, there is little difficulty for U.S. citizens today in traveling from state to state, even though in this context there are innumerable conflicts in their statutory laws. Now, would everyone, under anarchism, have to understand the principles of objective “law”? Of course not—they would merely have to understand the principle of individual rights, and its corollary, nonaggression. The market operations of the division of labor and the founding of free-market defense agencies will take care of the rest. Not everyone has the time or the inclination to learn how to make steel either, yet this is no reason whatever to have one monopoly which has the power to prohibit those others who do from competing. What about the incompetents who might try to become free-market agencies of defense? They, obviously, will go out of business—since no one will patronize someone to resolve conflicts if all they do is create more. The objective key is profit.

A final note on the application of the principles of retaliation is in order here. A number of self-styled libertarians and Objectivists are morally opposed to the concept of *revolution* as a means to attain social and political change. Surely from the standpoint of traditional “revolutions” this might be justified. But what, after all, is a revolution? A revolution is a process of rapid and radical social and political change, involving possibly, but not necessarily, the use of violence. Now few libertarians and Objectivists oppose rapid and radical change *per se*; what they focus on and oppose is the use of violence. But this is absurd. For, indeed, violence is

---

<sup>20</sup>*Liberty via the Market* was published in March 1969 (see above), so Childs may be referring to it. But I suspect rather that this idea grew out of his correspondence with Morris Tannehill. In their Acknowledgements in *The Market for Liberty*, the Tannehills credit Skye D’Aureous and Natalee Hall—two California libertarians who published *The Libertarian Connection*, the mimeographed forerunner of all Internet news groups—with having brought to their attention “ideas on data banks for intellectual property, educational TV, and the interest of insurance companies in medical and drug safety. . . .”

always to be condemned when it is used as initiatory violence. But the question of retaliation is contextual, i.e., every individual who is aggressed against by the state (which includes everyone, since there is always the threat of enforcement of invalid laws, i.e., there is always intimidation) must look rationally at his context and judge whether or not it is to his rational self-interest to retaliate against those who initiate force against him. To condemn violence employed against the state *per se* is tantamount to opposing retaliation *per se*, opposing it out of context and in defiance of context, or making the assumption that the state does not in fact initiate violence against anyone. The first of these is pacifism, and is in error because it does not understand the function of moral principles—which is to serve life, not to allow it to be destroyed or thwarted. The second is the fallacy of context-dropping, which consists of ignoring the fact that the application of the principle of retaliation, like all other principles, is a contextual matter to be determined by an individual acting in his rational self-interest. It may be, in a given context, stupid as a tactic, but one still possesses the right to retaliation, and hence to revolution. The third of these three alternatives is a blatant evasion. For the state today everywhere rests on the foundation of aggression and intimidation; all states today have three fundamental characteristics in common, which serve to unite them into a specific kind of institution (criminal) and differentiate them from other institutions in society. These attributes are:

1. All states obtain their revenue, not through a process of production and exchange, but through confiscation and intimidation, through the robbery of taxation, which is initiated force;
2. All states have *usurped or assumed* power over everyone in a geographical area, regardless of their will in the matter, which is enslavement; and
3. All states prohibit others from competing with them in functions which are morally proper (under ideal conditions), such as retaliation and issuance of currency.

Hence, all states are based on the foundation of blatant aggression against peaceful men, through regulation, robbery, and enslavement, not to mention the mass murder of the wars which states periodically engage in, in order to maintain their illicit status. Moreover, since even their one (potentially) proper function—retaliation—is not conducted according to objective principles of justice, no state is justified in doing, *qua state, anything whatever*.

The obvious conclusion to draw from this is that all present states are criminal organizations at root, and differ, one from the other, on a fundamental level only in degree. Superficial differences are apparent. They are also morally (*on a fundamental moral level*) irrelevant. In any case, since the state (all states) is a criminal organization, anyone is justified in retaliation (using retaliatory violence) to preserve or regain any value whatever. Furthermore, anyone who counsels, on moral, rather than tactical, grounds, otherwise, is advocating an immoral position, which means: a position which is anti-life.<sup>21</sup> It is to attempt to morally disarm the victim of an

<sup>21</sup> Author's revised text begins after "anti-life." The original text reads:

It is to attempt to morally disarm the victims of an aggressor, which is morally equivalent to sanc-

aggressor, which is morally equivalent to sanctioning the criminal and helping him to get away with his crime. The moral stature of any such individual is obvious. It is not necessary here to go into the question of libertarian tactics; it is not necessary to provide a roadmap of how to attain liberty. All that I have been concerned with here is providing a moral justification for the use of retaliatory violence against individual aggressors in the state apparatus, which means: a justification for revolution. This, needless to add, is a valid position regardless of whether or not one is an anarchist. But of course should Objectivists succeed in setting up their government, and should it attempt to maintain a territorial monopoly on retaliatory violence by initiating force against people performing proper actions, then it would be liable to retaliation itself.

In any case, this is the epistemological basis of anarchism: independent judgment and its social implementation—individual rights. The corollary of independent judgment is, of course, the rejection of any “final authority in ethics,” and since ethics subsumes all of human behavior subject to choice, including interpersonal relationships, it is obvious that the quest for a constitutional republic is a quest for just such a “final authority” in one aspect of ethics: the issue of retaliation, which is a subdivision of justice. What the case comes down to is simply an understanding of the objectivity of moral principles. Briefly, my case has been this: either the functions monopolized by government are morally legitimate, or they are not. If they are not, then the state is an immoral institution, since it is performing improper functions.

---

tioning the criminal and helping him to get away with his crime. The moral stature of *any* such individual is obvious. It is not necessary here to go into the question of libertarian tactics; it is not necessary to provide a road map of how to attain liberty. All that I have been concerned with here is providing a moral justification for the use of retaliatory violence against individual aggressors in the state apparatus, which means: a justification for revolution. This, needless to add, is a valid position regardless of whether or not one is an anarchist.

In any case, this is the epistemological basis of anarchism. What it comes down to is nothing but an understanding of the objectivity of moral principles. Briefly, my case has been this: either the functions monopolized by the state are morally legitimate, or they are not.

If they are not, then the state is an immoral institution, since it is performing improper functions.

If they are morally legitimate, then there is no justification for the state’s use of coercion to prevent others from doing the same thing. So long as the state uses aggression to maintain its monopoly over physical force in a given area, it is immoral. When it stops and allows others to compete for customers by supplying the same, legitimate service, it is no longer a state.

This is the alternative faced by the advocate of government. To consistently apply his moral-epistemological principles, or to evade the reality of the contradictions he advocates. To a man of self-esteem, the choice should be obvious. To those who prefer not to think about the matter—they have chosen their own course of action, and will have to live with it. I do not morally condemn them. They may very well have legitimate reasons for not considering the issue. That is their choice. But if they do not—and they alone know whether this is true or not—then I do not have to say anything. The moral principles which they advocate say everything that needs to be said.

To those who have considered the issue and are free-market anarchists (no matter what twists of rhetoric they go through to avoid the only logical term to classify them with), I can only say: you have taken the first step. Integrate what you have learned, and other steps will come in time. Principles are not irrelevant to man, or to life on this earth. It is principles which make both possible.

If, on the other hand, they are morally legitimate, then there is no justification for the state's use of coercion to prevent others from doing the same thing, for the alleged derivation of the government's power of retaliation was the basic *right of self-defense and retaliation possessed by the individual*; the justification of the government's power was in no way derived from the irrelevant (morally) question of geographic extent. Thus, so long as the state uses aggression to maintain its monopoly over physical force in a given area, it is immoral. When it stops and allows others to compete for customers by supplying the same legitimate service, it is no longer a state in the sense defined.

This essay has been the first in a series dealing with questions bothering Objectivists and libertarians in various fields, specifically what is generally called "political theory." Subsequent essays shall expand on some arguments, answer objections, and present new theories in various fields;<sup>22</sup> in general they shall continue in the same vein as this essay. I welcome comments on this, the issue of anarchism, and other issues raised. To those who are still "archists," I can only say that I hope you will attempt to answer my arguments, and those of others, in depth. Thus far, your position is relatively undefended and is everywhere being abandoned. If you wish to preserve it, then defend it.<sup>23</sup>

To those who are now free-market anarchists (no matter what awful circles you might go through to avoid that name), I can only say to you: you have taken the first step. Integrate what you have learned, and other radical steps will come in time. Principles are not irrelevant to man, or to life on this earth. It is principles which make both possible.

---

<sup>22</sup>The only subsequent essay dealing with anarchism per se that ever appeared was "Anarchism & Justice."

<sup>23</sup>At first, limited-state libertarianism was being abandoned. The efforts to meet Childs's arguments of the Open Letter were few and ineffectual. But it is now apparent that Childs was wrong in thinking that the way to defend limited-state libertarianism was to meet his arguments.

When libertarianism began to gain ground, its two major focal points—the Libertarian Party and the Cato Institute—both, for different reasons, prevailed on libertarians to drop the subject. Since arguments were the only weapon free-market anarchism ever had, once they were silenced it gained no more ground. Today, nearly all libertarians are limited-state libertarians. As David Boaz, vice president of the Cato Institute, wrote: "Libertarians are not 'anti-government.' Libertarians support limited, constitutional government—limited not just in size [or strength] but, of far greater importance, in the scope of its powers." (CATO Policy Report, July/August 1998, p. 2) Indeed, many so-called libertarians can now be found who oppose certain forms of tax cuts (called "junk tax cuts") and who are willing to rationalize certain forms of gun control, enhancement of the FBI's surveillance powers, the INS, and government aid to schools (and therefore government control of schools) through vouchers. Moreover, all plans to privatize Social Security, including those promoted by libertarians, will obviously entail federal oversight of the stock market.

There are even some well-known Objectivists who have been so eager to support the so-called War on Terrorism that they are unwilling to categorically denounce a national I.D. program's going into effect or the continuation of tax-supported, government foreign aid to Israel. One likes to think that had she lived to see it, Ayn Rand would have denounced them with all the vituperation of which she was capable.



## Chapter 2

# Anarchist Illusions

Editor's Note by Joan Kennedy Taylor: *During the early 1980s, Roy Childs mentioned to some of his friends that he had changed his mind about anarchism, and intended someday to write about the subject at length; exactly when and why this change occurred is unclear. He said to me once that the hostage crisis in Iran was a turning point for him, because it became obvious that when the Iranian students took the hostages, because of the de facto anarchy in that country there was no one with whom to negotiate for their release; but he didn't argue the point further. Many limited government libertarians, including myself, feel that their arguments were decisive in changing his mind, but we will never know. When Laissez Faire Books announced in 1988 that Childs would edit *The Libertarian* newsletter for them, he decided to put his new views on anarchism in the first issue, but neither the article nor the first issue was ever completed—this fragment (which was found in his papers after his death) is as far as he got. What his argument would have been, we will unfortunately never know, but because his views in defense of anarchism have been so influential, it seems only fair to include this tantalizing beginning here.*

Many years ago I wrote a little essay published as “Objectivism and the State: An Open Letter to Ayn Rand,” which caused quite a stir. At the time, I was a young libertarian who had become converted to the position I called “free market anarchism,” and it was my intention to convert Rand to that position; I knew that, through her, her followers would be reached as well.

### 2.1 Rand disagrees

Things did not exactly work out as planned. In place of the astonished but eager acceptance of my argument—and there was some minor hope on my part for that result—I received notice in my mailbox of the cancellation of my subscription to Ayn Rand's magazine, *The Objectivist*. I took my original letter to Ayn Rand and circulated it to a handful of friends and acquaintances, and after making a few minor line changes, published it in a magazine of small circulation.

The reaction astonished me because I received nearly as many letters in response to my



argument as the magazine had subscribers. Two letters were favorable, while about two hundred were not. Over the course of the next few years, the position of free market anarchism found more and more acceptance in the libertarian movement, and its enthusiasts easily gave the advocates of limited government a run for their money. I was not the first to advocate free market anarchism, but for a while, at least, I found myself one of its most vocal advocates, writing letters, engaging in public debates, publishing articles (“Anarchism and Justice,” a multi-part series, appeared in the *The Individualist*; “The Epistemological Basis for Anarchism,” a privately-published essay, was circulated in the thousands; there were others), making speeches, and always returning to print to refute new attempts to provide a justification for limited government.

My last essay on the subject was published as a critique of Robert Nozick’s *Anarchy, State and Utopia*, published more than ten years ago as “The Invisible Hand Strikes Back,” in the *Journal of Libertarian Studies*.

I have said that I was not the originator of free market anarchism, and that is indeed true. Murray Rothbard thinks that the original “anarcho-capitalist” was probably Gustav de Molinari, the nineteenth century Belgian economist and follower of the great French libertarian, Frederic Bastiat. At the time I began writing about anarchism, I knew nothing about Molinari. My own mentors were Robert LeFevre, whose doctrine of “autarchy” or “self-rule” caught my fancy as a teenager; and, later, the thinking done by such figures as Morris and Linda Tannehill, authors of the recently-reprinted work *The Market for Liberty*, and Murray Rothbard, particularly through my acquaintance with one of his associates, the late Wilson Clark.

## 2.2 Change of heart

Nevertheless, I was a tireless propagandist for anarchism, and probably convinced as many people of the legitimacy of the position as anyone else at that time. This was, no doubt, due to the fact that my argument was cast in the form of critiques of the most influential libertarian theorist of the time, Ayn Rand. Her followers were far more numerous than those of any other figure. Her influence was so vast that it easily dwarfed that of anyone else, with the possible exception of Ludwig von Mises, who pretty much stuck to economics and broader issues in the social sciences.

Since writing my critique of Nozick, which had a very favorable reception, I have been asked to expand on some of my views in this area. How would anarchism work? What were my current views on the subject? I regularly ducked the first issue, and anyone familiar with my writings on the subject may notice that I have never written anything about how free market anarchism would work; my published views have been limited to knocking down justifications for government. I ducked the second issue as long as I could, for a very good reason: I had changed my mind, and was not ready to argue my new case.

But I knew that sooner or later I would return to the subject of anarchism. That is the purpose of this essay: to refute myself as well as other anarchists. Why? Because, to paraphrase my

open letter to Ayn Rand, I was wrong. I now regard anarchism as incoherent and even dangerous to the libertarian movement.

It will be said that the only issue is the truth or falsity of an idea, and that calling an idea “dangerous” is itself somewhat a “dangerous” mode of thought. But it is my conviction that anarchism functions in the libertarian movement precisely as does Marxism in the international socialist movement: as an incoherent and therefore unreachable goal that inevitably corrupts any attempted strategy to achieve it. I will argue that, as in the case of advocates of a Marxist utopia, libertarians attempting to implement anarchism would find themselves invariably moving in practice toward something very different; something, furthermore, that they never intended.

## 2.3 Fantasy masquerading as ideology

My purpose, then, is twofold: to refute anarchism as a doctrine, to expose it as a fantasy masquerading as an ideology, and to show how in fact it has led too many libertarians away from reality, and, indeed, set them on a collision course with it.

Too often in social or political thinking the unreflective acceptance of an incoherent ideal has led to trouble. We need only look at the often pernicious effects of such ideals as “equality” or “planning” to see how something apparently innocent can lead otherwise well-meaning people into the acceptance of the most absurd proposals and realities imaginable. And sometimes, of course, the proposals and realities have not been merely absurd, but criminal. What crimes have not been committed in the name of equality? And what amount of arbitrary state power has not been sanctioned in the name of state planning of the economy?

But, it will be answered, we have never seen a full-fledged attempt to achieve anarcho-capitalism in the modern world. How can the things be compared? We simply lack the experience that we do in the case of ideals like equality and planning.

True enough, but an incoherent goal pursued with enough diligence and success must *always* produce unexpected and even shocking outcomes. Equality and planning were incoherent goals. So too, I will argue, is anarcho-capitalism. It has become a standard libertarian argument that the malicious implications of equality and planning are indeed implicit in any sustained, rational analysis of the actual meanings of the concepts involved. If we look at what is involved in the ideal of equality, we must be able to discern that it is either perniciously arbitrary (why only equality of wealth? what would “equality of opportunity” or “equality of outcomes” actually entail?) or that it can only be achieved by the most extreme and unacceptable means. And if we examine the notion of “comprehensive planning of the economy,” we find similar questions and implications. We would find that it would be necessary to accept not only a vast concentration of power in the hands of the state, but also a destruction of wealth on such a large scale as to render whole populations destitute.

Some people might not shrink from accepting such consequences, but they would probably be in the minority, which is where psychopaths properly belong.