

Anti-Libertarianism: a Book Review

J C Lester

(On *Anti-Libertarianism*, by Alan Haworth, *Journal of Applied Philosophy*, vol. 14, no. 1, 1997.)

In this book Alan Haworth tends to sneer at libertarians. However, there are, I believe, a few sound criticisms. I have always held similar opinions of Murray Rothbard's and Friedrich Hayek's definitions of liberty and coercion, Robert Nozick's account of natural rights, and Hayek's spontaneous-order arguments. I urge believers of these positions to read Haworth. But I don't personally know many libertarians who believe them (or who regard Hayek as a libertarian).

Perhaps the most useful response is to challenge some of Haworth's other views. He uses 'right-wing' to mean something like unregulated property matters. By analogy, I take 'left-wing' to mean unregulated personal matters. As libertarians want both areas unregulated they fit better on an unregulated-regulated axis, with extreme state regulation in both areas as an opposite. So the market is *not* the central tenet of libertarianism (contra p. 36). Libertarianism embraces all voluntary behaviour not imposing on others, including charity such as the Good Samaritan's (which example Haworth would twist to defend state intervention [pp. 100-103]).

Haworth denies that liberty is "essentially negative" (p. 47). But surely liberty is, analytically, about the *absence* of constraints. More precisely here, it is about people not being constrained by other people. To avoid confusion, I call this 'interpersonal liberty'. Hence falling into a pit does *not* reduce *interpersonal* liberty (contra p. 49) but being pushed in does, unless that is part of defence, restitution, or retribution (so it is false that "coercion and [interpersonal] liberty stand opposed" [contra p. 46]).

Though sometimes bad at expressing it, libertarians have a good grasp of interpersonal liberty as 'persons not (proactively) imposing on each other'. Such an account of liberty does not mention private property, though normal observance entails it. The market restricts one's *licence* (to impose) rather than certain (interpersonal) *liberties* (contra p. 54). Haworth's unseen trespassing child *does* impose (contra p. 97): by flouting the owner's choices, thus attacking liberty. By contrast, Haworth lacks any clear grasp of interpersonal liberty and hence libertarian acquisition, so cannot understand why state-expropriated utilities are illiberal (p. 10). He writes of "liberalism" as though ignorant of classical liberalism (p. 27) (and of the "true levellers" as though ignorant of the, libertarian, levellers [p. 10]). Perhaps that is why he sees no connection between liberty and the market.

Libertarians do not believe the market to be "the perfect moral order" (contra p. 3), merely better than state aggression. And lack of libertarian rights does not entail lack of moral obligation (contra pp. 78-9). To accept a right to liberty is not, *ipso facto*, to "confuse questions concerning rights with questions concerning freedom" (contra p. 11): following Karl Popper's epistemology, libertarians can simply conjecture the desirability of libertarian rights (viewing these as compatible with the market and utility, for conceptual and empirical reasons). Haworth writes nothing to refute this.

There are many completely unargued assertions. Exactly how does democracy respect choice better than the market (p. 17)? (If 'democratic' means to "facilitate self-determination for autonomous beings" [p. 102], then I guess the market is 'democratic'.) How are "huge capitalist corporations" not merely successful but "coercive" (p. 101)? How does so-called "equal opportunities legislation" protect "the property women hold in their persons" (p. 142 n. 4) rather than being female privilege?

Typical libertarian views, whether right or wrong, are unknown or ignored on many issues. Libertarians typically think that: people command ever better market wages by selling only their labour (contra p. 21); unemployment is due to state benefits (contra p. 99) and depressions to inflated money and state profligacy (contra p. 100); the state *undermines* public goods (contra p. 92) and equality (contra p. 131); extorted transfers will harm the poorest in the long term (contra p. 109); state medicine (contra pp. 82-4) and state education (contra p. 132) not only violate liberty but are more expensive and inferior.

Haworth misunderstands how states impose pollution and merely ignores market-justice arguments (p. 113). Nuclear waste would not be in free-market lakes (contra p. 111) because damaged third parties could sue using contingency fees (though choosing *some* pollution, as city-dwellers do, is hardly intolerable).

He even scores some clear own goals: it recently took New York's *state-licensing* to curtail ethnic hairdressing (contra p. 87); and voluntary discrimination (i.e., freedom of association) is not *state-imposed* segregation, which is what killed Bessie Smith (contra p. 140, n. 9).

Overall, this book contains too many of Haworth's prejudices and too little careful consideration of the relevant arguments.