

A Comment on Hoppe's "Egalitarians as Libertarian"

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Abstract: Hoppe (2014) claims that libertarianism, properly understood, is aligned with the right, not the left. The present paper defends the view that it is affiliated with neither; instead, it is unique, *sui generis*. What, then, is its relationship with both: it agrees a bit more with the right on economics, more with the left on personal liberties, and with neither on foreign policy.

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Hoppe (2014)¹ starts this essay in the splendid manner from which we are accustomed to viewing his publications. He brilliantly begins with:

Libertarianism is logically consistent with almost any attitude toward culture, society, religion, or moral principle. In strict logic, libertarian political doctrine can be severed from all other considerations; logically one can be—and indeed most libertarians in fact are: hedonists, libertines, immoraliasts, militant enemies of religion in general and Christianity in particular—and still be consistent adherents of libertarian politics. In fact, in strict logic, one can be a consistent devotee of property rights politically and be a moocher, a scamster, and a petty crook and racketeer in practice, as all too many libertarians turn out to be.

I am not aware of any other statement of this brevity which gets to the very core of what this philosophy is all about. He continues by properly identifying it as a "a pure deductive theory." Well, then, what are its major, foundational premises? Again, we can do no better than to agree with, and appreciate, the spotlight he focuses on libertarianism: its essence, private property rights:

Absent a perfect harmony of all interests, conflicts regarding scarce resources can only be avoided if all scarce resources are assigned as private, exclusive property to some specified individual. Only then can I act independently, with *my* own things, from you, with *your* own things, without you and me coming into conflict. But who owns what scarce resource as his private property and who does not? (Ref)

This scholar goes on to demonstrate, again quite correctly, that this stems from ownership of our own bodies, and, then, extrapolating from that, property properly belongs “to that person, who appropriated the resource in question *first* or who acquired it through voluntary (conflict-free) exchange from its *previous* owner.”

Hoppe is also on target here:

The difference between the Right and the Left ... is a fundamental disagreement concerning an empirical question. The Right recognizes, as a matter of fact, the existence of individual human differences and diversities and accepts them as natural, whereas the Left denies the existence of such differences and diversities or tries to explain them away and in any case regards them as something unnatural that must be rectified to establish a natural state of human equality.

Yes, score one point for the right, none, at least so far, with the left. The latter is mired in egalitarianism,

... all observable individual human differences are to be equalized. And where this cannot be done literally ... the Left insists that the undeservedly ‘lucky’ must compensate the ‘unlucky’ so that every person will be accorded an “equal station in life,” in correspondence with the natural equality of all men.

This leads the “progressives” into supporting all sorts of policies entirely incompatible with the liberty philosophy. Such as affirmative action, welfare, progressive taxes, soak the rich schemes of many varieties, etc. So far, the score is still one to zero, favoring the right over the left.

But then, I fear, Professor Hoppe goes a bit off the rails when he avers:

Is libertarian theory compatible with the world-view of the Right? ... the answer is an emphatic ‘yes.’ Every libertarian only vaguely familiar with social reality will have no difficulty acknowledging the fundamental truth of the Rightist world-view. He can, and in light of the empirical evidence indeed must agree with the Right’s empirical claim regarding the fundamental not only physical but also mental inequality of man; and he can in particular also agree with the Right’s normative claim of “laissez faire,” i.e., that this natural human inequality will inevitably result also in un-equal outcomes and that nothing can or should be done about this.

“The right’s normative claim of ‘laissez faire’”? This otherwise brilliant libertarian theorist is surely wrong here. Which right wing conservative member in good standing ever came out in favor of this libertarian policy of laissez faire capitalism? The facts of the matter are quite the opposite. Not only do political economic theorists of the right not support any such thing, but they actively attack it as anathema.

To boot, rightist conservatives support all sorts of government intervention.

For example, Republican Senators Tom Cotton and Mitt Romney favor a \$10 minimum wage (Birenbaum 2021). Now, it is possible to deny right wing status to Romney, the creator of socialist Romney-care in Massachusetts. But it would be difficult to do so for Mr. Cotton. A \$10 minimum wage is compatible with laissez faire capitalism? Alright, neither of these gentlemen are conservative theoreticians; they are, rather, politicians. But have any of the former ilk publicly criticized them for this stance. My research has been unable to uncover any such thing.²

No one can doubt the right-wing credentials of Pat Buchanan. And yet he has been for many years a vociferous opponent of free trade (Sanger 1995). Tariffs and quotas are compatible with laissez faire capitalism?

Republicans favor the U.S. military to remain in Afghanistan, after 18 years. This is libertarianism (BBC 2020)?³

Thus we see that Hoppe's unadulterated praise for the right is hardly justified.⁴

Asks this author:

Is libertarianism compatible with leftist views? ... the answer is an ... emphatic 'no.' The empirical claim of the Left, that there exist no significant mental differences between individuals and, by implication, between various groups of people, and that what appear to be such differences are due solely to environmental factors and would disappear if only the environment were equalized is contradicted by all everyday-life experience and mountains of empirical social research.

Hoppe then waxes eloquent about the shortcomings of the left's egalitarianism, and a truly splendid job he does in this regard. I am tempted to quote at length here, since I have never read a better excoriation of our friends on the left. I will resist. Read this for yourself, I suggest. No, I urge this; it is brilliant.

Where, then, do I have a problem with any of what he writes in this article?

Hoppe is extremely and unjustifiably supportive of the right, with the exception of reparations theory. Reading him here, one would suppose conservatives are all but indistinguishable from Rothbardians. As regards the left, he takes the opposite tack. He denounces them, very properly so, for their egalitarianism. But what kind of a way is it to judge an entire political philosophy on the basis of one and only one element, even though it is admittedly an important one? The socialist, "progressive" leftists have views on much, much more, and on several of these issues, they are far closer to libertarianism than are the rightists.

For example, for many decades homosexuals were thrown in jail for engaging in consenting adult behavior. The left protested police raids on their bath-houses, while the right cheered on these blatant rights violations. Similarly, the left was and still is far closer to libertarianism than the right in terms of legalizing prostitution. Then there is the entire drug issue. Nowadays, marijuana is almost entirely legal in the U.S., whether for medicinal or recreational purposes. But this very libertarian policy was accomplished with impetus mainly from the left. To the extent that the right acquiesced in drug legalization, it was due to being kicked and screaming. Oregon has just legalized small amounts of harder drugs, and it is the Democrats, not the Republicans, who were instrumental in this breakthrough in behalf of liberty (Burroughs 2021b).

The left is more libertarian on personal liberties issues, the right more so on economic matters, and both are exceeding horrid in terms of foreign policy. Both the Elephant and the Donkey are responsible for the fact that the U.S. has some 800 military bases in roughly 200 countries. This is as far as can be from the Ron Paulian notion of a military for defense, not offense and imperialism.

Now consider Hoppe's very critical views of left libertarians. He proceeds as follows:

What ideologically unifies these left-libertarians is their active promotion of various 'anti-discrimination' policies and their advocacy of a policy of 'free and non-discriminatory' immigration.

A minor difficulty arises here. Hoppe is guilty of an oversight. As I understand academic propriety, all direct quotes require quote marks, and a source. This author offers a footnote at this point, but it is to offer parenthetical remarks, not to let the reader know whom he is quoting.

But this author also commits a far more serious blunder. In his view, there are but two possible defenses of an open borders position. He is adamant, and correct, in blisteringly dismissing both:

The first is to place all current place occupants and occupations under moral suspicion. To this purpose, much is made of the fact that all current place occupations have been affected by prior State-action, war and conquest ... however, from this undisputable fact it does not follow that any present place occupant has a claim to migrate to any place else.

Yes, well said. Exceedingly well said. Just because present property titles are based on actions incompatible with libertarianism, it by no means logically follows that an immigrant, a total outsider, has a right to any of this real estate. The proper way to address this injustice is for the aggrieved to demonstrate that they, not the present land holders, are the proper owners. Possession is nine tenths of the law. The burden of proof thus rests with those who wish to contest present property titles. If they cannot do so successfully, then the law should defend the actual owners. Immigrants have no warrant whatsoever to horn in on these activities:

The second possible way out is to claim that all so-called public property—the property controlled by local, regional or central government—is akin to open frontier, with free and unrestricted access. Yet this is certainly erroneous. From the fact that government property is illegitimate because it is based on prior expropriations, it does not follow that it is un-owned and free-for-all. It has been funded through local, regional, national or federal tax payments, and it is the payers of these taxes, then, and no one else, who are the legitimate owners of all public property. They cannot exercise their right—that right has been arrogated by the State—but *they* are the legitimate owners.

Again, kudos to Hoppe. Roads, bridges, tunnels, parks, public buildings, were all put in place on properties seized from their rightful owners, and erected with funds further mulcted from their rightful owners, the long-suffering taxpayer. They are the licit proprietors, even though not the actual ones. All of this property should be privatized, and given⁵ to those from whom it was stolen. Any immigrant who utilized any of this terrain should be considered a trespasser on property properly owned by others.

Whence, then, Hoppe's error? He also writes this: "A right to 'free' immigration exists only for virgin country, for the open frontier." In rejecting open borders, this author is implicitly declaring there is no virgin territory anywhere in the country. Because if there is, then the settler from outside the country may no longer be gainsaid from entering it.

Consider the following scenario. An immigrant from a far away place, maybe from Africa or India, or Mars for that matter, lands with his helicopter or space-ship in the middle of the Rocky Mountains, somewhere in Wyoming, or, in the middle of Alaska. He plucks down on terrain that had never seen a human being set foot on it. It was never before been occupied by anyone. He begins the homesteading process. He clears away brush and trees, plants some vegetables, builds a house. Along comes a Hoppean policeman who wants to arrest this person for immigrating into the country with no by your leave from anyone. This immigrant is operating on open borders principles, supported by Hoppe's target, the left libertarians.⁶ But what libertarian law did he violate? None. None whatsoever.

The left-libertarians, Hoppe to the contrary notwithstanding, are thus correct in claiming that "free and non-discriminatory" immigration is legitimate. He is in effect asserting that there is not one single bit of completely virgin territory in these here United States. If he were correct in this, then his screed against the left-libertarians would be correct. However, as an obvious empirical claim, there most certainly are swathes, acres, entire square miles, of territory in this country that have never, ever, seen the imprint of the human foot.

What riposte could Hoppe offer in response? He might claim that immigrants rarely if ever "head for the hills." Instead, they aim for the cities, there better to collect government welfare. Of course this cannot be denied. But all we have to show is *one* plausible scenario in which an immigrant may enter the country entirely without permission to demonstrate that regulations of the sort Hoppe proposes would be invalid. This, we have done.

He might object on the utilitarian ground⁷ that with open borders we would be overrun with all sorts of undesirables. What is the libertarian answer to this demurral? It is that we should privatize every square inch of the U.S. territory, land as well as water (Block and Nelson 2015). In that way, we can have our cake

and eat it too: adhere to libertarian principle, and, also, protect ourselves against incoming hordes. Hoppe, I fear, is so intent upon the latter desiderata that he is willing to jettison the NAP⁸ in order to attain it.

However, there is a reason there is all this unclaimed land: it is sub-marginal. The economic results to be obtained from homesteading it will not defray the costs of doing so. But that was only before the issue of protecting ourselves from undesirables while strictly adhering to libertarian principle arose. Now that it has, we have one addition and important reason to occupy these lands and waters: safety. Under the fully libertarian society, voluntary charitable organizations would see to this homesteading as a way to maintain the NAP and private property rights vis a vis unwanted, would-be immigrants.

Do I expect that this will actually occur given the present state of affairs? Of course not. But my goal is not to safeguard us. It is, rather, to figure out the proper libertarian stand on immigration. This, I think, we have done. It is one of open borders.⁹

NOTES

- 1 Unless otherwise specified, all mentions of this author will refer to this one publication of his.
- 2 https://www.google.com/search?q=are+there+any+criticisms+of+Senators+Tom+Cotton+and+Mitt+Romney+favor+a+%2410+minimum+wage%3F&rlz=1C1CHBF_enUS724US724&oq=are+there+any+criticisms+of+Senators+Tom+Cotton+and+Mitt+Romney+favor+a+%2410+minimum+wage%3F+&aqs=chrome..69i57.20844j0j15&so=urceid=chrome&ie=UTF-8
- 3 Below are two audio links of Dennis Prager in his role as warmonger. Here is the first sentence of this rant. Dennis Prager which cofounded Prager University, a non-profit media company that has just under 3 million subscribers on YouTube had this to say about American occupation in Afghanistan: “I cannot overstate how opposed I am of taking American troops out of Afghanistan.” <https://www.youtube.com/watch?v=oS1GHT-OWrA>. The second audio link is Dennis Prager implying that Ron Paul’s libertarian, non-interventionistic foreign policy views are stupid. Here is the link to that: <https://www.youtube.com/watch?v=68yNBCSf900>. Nor can anyone dismiss Prager as a non-intellectual, a mere politician. If he is not a conservative right-wing theoretician, then no one is. See also, Burroughs (2021a).
- 4 To be fair to Hoppe, he does concede that there is “one important caveat, however.” The right does not favor reparations that are justified by prior theft: “Inequalities that are the result of violations of these rules, however, do require corrective action and should be eliminated. And moreover, the libertarian would insist that, as a matter of empirical fact, there exist quite a few among the innumerable observable human inequalities that are the result of such rule-violations, such as rich men who owe their fortune not to hard work, foresight, entrepreneurial talent or else a voluntary gift or inheritance, but to robbery, fraud or state-granted monopolistic privilege”
- 5 Not auctioned off, since the government would keep the money, and they already have all too many funds at their disposal. These properties should be given to those who paid for them in the first place. Only if they cannot be found should they be given to private homesteaders, people who have used them.
- 6 I am not a left libertarian; nor, yet, a right wing one. I am a centrist, or moderate, libertarian. I maintain that libertarianism, properly understood, is neither of the right nor the left, but something distinguishable from both.
- 7 This would be unlike him, in that he is a splendid rights-oriented philosopher-economist, not one given to pragmatic argumentation.
- 8 Which our Martian immigrant did not violate.
- 9 For the correct libertarian position on immigration, see Block 1998, 2004, 2011a, 2011b, 2013; Block and Callahan 2003; Gregory and Block 2007.

REFERENCES

BBC. 2020. US troops in Afghanistan: Allies and Republicans alarmed at withdrawal plan. November 18; <https://www.bbc.com/news/world-us-canada-54980141>

Birenbaum, Gabby. 2021. Tom Cotton and Mitt Romney are proposing a \$10 minimum wage. Feb. 23; <https://www.vox.com/2021/2/23/22297538/romney-cotton-10-minimum-wage-proposal>

Block, Walter E. 1998. A Libertarian Case for Free Immigration. *Journal of Libertarian Studies* 13(2): 167-186.

_____. 2004. The State Was a Mistake. *Mises Daily*. <http://www.mises.org/fullstory.asp?control=1522>

_____. 2011a. Hoppe, Kinsella and Rothbard II on Immigration: A Critique. *Journal of Libertarian Studies* 22(?): 593-623.

_____. 2011b. Rejoinder to Hoppe on Immigration. *Journal of Libertarian Studies* 22(?): 771-792.

_____. 2013. Rejoinder to Todea on the 'Open' Contract of Immigration. *The Scientific Journal of Humanistic Studies* 8(5): 52-55.

Block, Walter E. and Gene Callahan. 2003. Is There a Right to Immigration? A Libertarian Perspective. *Human Rights Review* 5(1): 46-71.

Block, Walter E. and Peter Lothian Nelson. 2015. *Water Capitalism: The Case for Privatizing Oceans, Rivers, Lakes, and Aquifers*. New York: Lexington Books.

Burroughs, Dillon. 2021a. George W. Bush Warns Biden's Afghanistan Withdrawal Is a 'Mistake' That Will Cause 'Unspeakable Harm' Jul. 14. <https://www.westernjournal.com/george-w-bush-warns-bidens-afghanistan-withdrawal-mistake-will-cause-unspeakable-harm/>

_____. 2021b. Democrats Reveal Plan to Make Marijuana Legal at the Federal Level. <https://www.westernjournal.com/democrats-reveal-plan-make-marijuana-legal-federal-level/>

Gregory, Anthony and Walter E. Block. 2007. On Immigration: Reply to Hoppe. *Journal of Libertarian Studies* 21(3): 25-42.

Hoppe, Hans-Hermann. 2014. A Realistic Libertarianism. Sept. 30. <https://www.lewrockwell.com/2014/09/hans-hermann-hoppe/smack-down/>

Mangan, Dan. 2015. Romney: Obamacare grew out of Romneycare. Oct. 23. <https://www.cnbc.com/2015/10/23/mitt-romney-admits-romneycare-had-to-precede-obamacare.html>

Sanger, David E. 1995. Buchanan's Tough Tariff Talk Rattles GOP. Oct. 8. <https://www.nytimes.com/1995/10/08/us/buchanan-s-tough-tariff-talk-rattles-gop.html>