A Comment on Njoya's *Economic Freedom and Social Justice*

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I am in accord with roughly 99% of what this author writes. I have two courses of action, and believe me, I am mightily tempted by the first, but I won't go down that path. That would be to just quote widely from this book and congratulate the author for making incisive, valid and significant points, along the way. I would quote practically the entirety of the book and perhaps supply theme and variation on what she writes. The second is to focus on the rare occasions where she and I diverge. I have chosen the latter. It is more fun. I will learn more from so doing.[1] And, perhaps, possibly, in this way she and I can together improve on what is already a magnificent contribution.

This is an important book. This is a courageous book. This is a book that deserves the widest possible distribution. This is a meticulously argued book, addressing issues that plague modern society. Her excoriation of Rawls (1971) is alone worth the entire price of admission.[2] She also is highly critical of Dworkin (1977, 1981), and very properly so.[3] Her support of libertarianism through and through is reminiscent of Rothbard (1973, 1982).[4] Her analysis of affirmative action, wokeism, private property rights, egalitarianism, equity, school busing, profiteering, employment at will, all cultures are equal, central economic planning, social justice, micro-aggressions, Jim Crow, sanctity of contract, freedom of association, silence is violence, stop and frisk, offensive jokes, stereotyping, racial, sexual and other such types of discrimination, white privilege—are nothing less than magnificent.

Let me begin in this second critical path. Here I will quote snippets from her absolutely brilliant book on which she and I disagree.

She states (p. 7): "… racial identity, like other forms of collectivism, inevitably erodes liberty…"[5] My problem is with her use of the word "collectivism." What jumps up in my mind is that there is nothing at all wrong with collectivism when undertaken on a voluntary basis, as in a commune or a kibbutz. The problem with this uneasiness of mine is, what nomenclature, then, can we employ to depict the views of those on the left. For "socialism," too, can be implemented on a voluntary basis. Shall we be limited to "leftists" with no possibility of synonyms? I really don't know the answer to this one; my hope is that together the participants in the seminar on this book can come up with a good response.[6] On a more substantive note, I also want to quarrel with the word "inevitably" in this context. Surely, racial identity does not *always* erode liberty. Perhaps "usually" would have been a better word here. Maybe, "almost always."[7]

She states (p. 25): "Liberalism in the classical tradition … seeks a political framework in which we need not all

agree on the ideal form of justice." This is true for some versions of libertarianism, but not others. The way I see matters, classical liberalism consists of four levels. At the very top of the heap would be the anarcho-capitalism of Rothbard; this is fully consistent with the non-aggression principle of this philosophy. Second, in terms of adherence with the NAP would be the minarchism of an Ayn Rand or a Robert Nozick; it allows for government, but only to promote and protect individual liberty. Third is the constitutionalism of Ron Paul, as interpreted not by the Supreme Court, but by a staunch libertarian such as himself. Why lesser? The Constitution adds to the armies, police and courts of the minarchists such things as post offices and post roads. Last, and least in its compatibility with the NAP would be the classical liberalism of a Milton Friedman (1962) or a Friedrich A. Hayek (1994). They add to the ones above a whole host of supposedly legitimate government functions. Our author is clearly correct in this assertion of hers with regard to the latter category. There is no agreement as to justice here; even this very concept is somewhat alien. But, as we move up this hierarchy, this claim becomes less and less true. I think it is not the case at all for the anarcho-capitalists of the Rothbard variety. They would all concur that "the ideal form of justice" is one in which the NAP and private property rights were fully upheld.

Another difficulty arises with this statement (p. 27):

> Rawls's original position may also be taken as a starting point to derive classical liberal utilitarian outcomes, as Richard Epstein has illustrated: 'Rawls's framework could easily and sensibly be pressed into service by those who had more utilitarian objectives' and 'Rawls's [original] position could be of enormous use even to individuals who thought in terms of incentives and consequences, instead of simply in terms of just outcomes.' In that way, even though it is firmly associated with liberal-left egalitarianism, the Rawlsian philosophy framework is not inherently incompatible with strong private property rights and a limited role for state redistribution.

Voluntary egalitarianism, private charity, is of course fully compatible with the freedom philosophy. But state redistribution, even on a limited basis, hardly passes muster in this regard. I find this too much like giving away the store in an attempt to find common cause with Rawls, of all people.[8] The only "service" Rawls's framework can properly be utilized for, as far as I am concerned, is for study of antiquarian intellectual history.

Next we find this (p. 35): "One might readily endorse access to basic needs such as education and health…" Does this mean what I think it means? That the government should organize a welfare system which includes subsidies for schooling and physical well-being? If so, it is not at all clear as to how this can be reconciled with laissez-faire capitalism, which so heavily animates this entire book.

Let us now consider this statement (p. 69): "There is no viewpoint diversity on whether all human beings have a natural right to life and liberty…" Yes, liberty; that is a negative right. It is illicit to interfere with anyone's freedom. But right to life? That is a positive right. If I have a right to life, you have an obligation to see to it that I do not die.

Here is another problematic declaration (p. 83): "It is right that the legal framework should recognize a duty not to cause harm to others…" But we can "harm" each other in so many, many ways, most of them licit. For example, if I buy a loaf of bread I raise the price of this commodity by an infinitesimal amount; this harms you, at least to a small degree. A and B are vying for the affections of C. The latter accepts the proposal of A. Both A and C "harm" B. No one asks the ugly girl for a dance. They are all harming her. Surely, the legal framework should not stop us from harming each other; rather, it should ensure that we do not violate each other's rights.

At this point our author treads into a philosophical quagmire. She states (p. 91): "… nobody who tied to defend the right to … own slaves would deserve respect for their position."[9] But this is a highly contentious issue amongst libertarians. I refer, of course, not to ordinary, historical, coercive slavery which all too often takes place and is always a despicable rights violation, but, rather, to the voluntary variety. A parent sells

herself into slavery to save the life of her sick child. Is such a contract a valid one? There is a raging debate in libertarian circles on this very matter,[10] and Njoya has, perhaps, inadvertently entered into it.

One might take issue with this perspective (p. 93): "In the context of formal equality, the law does not require free speech to be courteous or inoffensive, nor does it impose on anyone a duty not to ignore others." The first part of this sentence is accurate, at least for now. Hopefully, the law will not change in the direction some of us fear it will, and mandate just that type of talk. However, the second part of this claim is false. Perhaps it is no more than a typographical error on her part? For the law, as presently written, most certainly compels people "not to ignore others." As an example, it is now entirely illegal for restaurants, shops, to "ignore" customers bearing certain ethnic, racial or gender characteristics: not serve them meals, not sell them groceries, etc. No entrepreneur would nowadays dare place a sign on his door, "ignoring" certain types of people by stating they are not welcome inside.

Njoya is a strong proponent of "individualism." She devotes an entire section of her book to its "virtue" (pp. 107-112). As to methodological individualism, she is on strong ground indeed. There is no more to a group of people than the individuals who comprise it. If they all leave, there is no more group; none whatsoever. However, at least from the libertarian point of view, there is nothing to choose from between collectivism and individualism, provided, only, that they are both voluntary.

Our author (p. 109) approvingly cites Epstein (2002) as follows:

> Markets work best when property rights are secured the by state, when contracts are enforced, when fraud and duress are held in check, when monopolies are contained, and when social infrastructure is available. All this activity takes government action; to create, as Coase suggests, the correct incentives…

There is more wrong here than you can shake a stick at. Property rights are not at all "secured by the state"; rather, the government, with its regulations and taxes, is the preeminent institution active in undermining private property rights.[11] Fraud and duress are the earmarks of the state. There are two types of "monopolies." First, those that arise due to state intervention, for example the post office, the motor vehicle bureau, courts. The only way these monopolies can be "contained" is for the government to stop creating and supporting them in the first place. The second type are not "monopolies" at all; rather, they are large companies such as IBM or Standard Oil which had for a time, due to market forces, a larger share of the market than governmental authorities and mainstream economists arbitrarily deemed appropriate. These single sellers should not be "contained" at all, if justice and economic good sense are to prevail.[12] Further, "… social infrastructure … takes government action?" Not really; privatization of parks, museums, libraries, even roads[13] (Block 2009) would be far more efficient and just. And as far as Coase (1960) as free enterpriser is concerned, don't get me started.[14]

We next arrive at our author's uncritical support (p. 126) of the usually reliable Thomas Sowell who "argues that it would be just as intellectually dubious uncritically to attribute racial disparities to genetically determined intelligence, as it would be to attribute them to social injustice. Both of these conclusions are unscientific. Explaining racial outcomes by reference to genetic determinism led to unethical theories of eugenics; and no less so do explanations deterministically rooted in discrimination destroy innocent lives by spreading messages of pointlessness and doom." Are Njoya and Sowell herein denying that IQ plays any role whatsoever in economic accomplishments? If so, neither offers any evidence for this claim.[15] Moreover, advocates of this theory need not and most do not claim "determinism." As well, I think that while there are true and false theories, there are no "unethical" ones. Further, this theory in and of itself, whether correct or incorrect, cannot "destroy innocent lives." If and to the degree that this occurs, it is due not to these theories, themselves, but, rather, to the thoughts that some people have about them and their resulting actions.[16]

I also take issue with her (p. 127) use of the word "privileged" to indicate wealth, rather than that which emanates based upon unfair government edicts. This usage implies that the only way to become rich is

through illicit statist proclamation which benefit some at the expense of others. As well, her distinction between "benign" and "hostile" racism is problematic. An example of the former would be affirmative action aimed at giving black people special privileges unavailable to others. But this is "hostile" to those who otherwise would have had these benefits.[17]

Is our author giving away too much of the store when she opines (p. 130):

> This is not to deny the reality of economic vulnerability. Various constraints certainly limit the scope of individual agency over the course of our lives, and it could be argued that it is important to acknowledge the harsh reality that racial discrimination is in many situations a fact of life. Harm caused to innocent victims is the hallmark of unfairness…

My answer is "Yes" and "No". There is for sure legislation which disproportionately negatively impacts African Americans; for example, the minimum wage law. Before its advent in 1935, the unemployment rate of blacks and whites was similar. More recently the former suffer from this economic malady to a remarkable degree: double the unemployment rate (Desilver 2013; Marte 2020; Wilson 2019). So Njoya is perfectly correct in pointing to racially oriented "economic vulnerability" as a result. Other examples of law that negatively impact blacks disproportionately more than whites are rent control (Block and Olson 1981), urban renewal (McMaken 2019), occupational licensing (Friedman 1962, ch. 9), such as hair braiding (Block 2015, Sammeroff 2019) and welfare (Murray 1984).

On the other hand, reading between the lines, it would appear that she is also indicting the free enterprise system for wealth divergences, and, here, she is on shaky ground. She offers no evidence for the claim that the free market elements of our present system for responsible for them (p. 130) "Thus the imperative to eradicate injustice directs our attention to situations in which victims are constrained by their race and unable to make free choices that might ameliorate their material conditions." Yes, there are still whites who will not employ, buy from, sell to, invest with, blacks, and the reverse is true as well. But there is no "injustice" here at all. It would be nice if all whites were willing to commercially interact, fully, with all blacks, and of course vice versa, but the fact that this does not occur is not unjust. For, no one has a right that others interact with them in any manner, shape or form.

A minor glitch now occurs (p. 131, emphasis added). We read as follows: "Yet it is nevertheless meaningful to describe *a* worker as exercising *their* free will…" Is this a typographical error, or, does it comprise surrender to the forces of political correctness? This error is repeated two pages later (p. 133, emphasis added), so perhaps the latter theory is correct: "There are of course many circumstances in which *a* person may be incapable of meeting *their* own needs…"

What are we to make of this statement (p. 139): "We can all agree that the behavior reported by anti-racism activists is often very bad behavior: insulting other people, shunning them…" As a libertarian, I have no views as to whether or not certain behavior is "very bad." Qua libertarian, I can only weigh in on whether or not such acts should be legal or not. Sometimes, an insult can verge into an actual threat of physical violence; when it does, it should be proscribed by law, since the essence of libertarianism is the Non-Aggression Principle, which prohibits the initiation of physical violence or the threat thereof. However, when an insult has no element of a threat in it, it should be legal to utter. As for shunning, if there were disallowed by law, we would all have to embrace bi-sexuality a highly problematic result. For male homosexuals shun half the human race in terms of love interests, bed partners, as do female homosexuals, as do male heterosexuals and also female heterosexuals. Only bi-sexuals do not "shun" anyone in this regard (Block and Walker 1982; Block 2010). Surely, no one, not even the most fervent wokester, would impose compulsory bi-sexuality on the entire population?[18] Our author writes on this matter with great eloquence and wisdom (p. 173): "In the private sphere of human interaction, each individual is free to discriminate based on race or any other identity characteristic when choosing for example whom to marry, or with whom to start a business, or in making decisions on matters such as one's hobbies or friendships or career choices."

However, she is in error when she avers (p. 180): "Discrimination in the private sphere, regardless of whether it is unlawful, is regarded by most reasonable people as morally abhorrent. Racists are ostracized and shunned." Surely, "most reasonable people" do not at all "shun" blacks who marry blacks, whites who marry whites, Orientals who marry Orientals. "Most reasonable people" themselves act in such "racist" behavior. It cannot be denied that there is much such racist behavior in the marriage market.

In the view of Njoya (p. 149): "Ancient liberties, such as are expressed in *Magna Carta*, played a key role in the evolution of modern British society. Examples include the common law duty of anyone offering service to members of the public, such as an innkeeper, to serve all comers." But suppose the innkeeper, or the restaurateur, or the grocer, or the baker, only wants to serve some, but not all, "members of the public." Why should the requirement of non-discrimination rest only with suppliers? Suppose it could be demonstrated that a buyer of these goods or services discriminated against a specific group of people. Would they too in this view be prohibited from so doing? This leads to the question of why anyone, buyer or seller, entrepreneur or consumer, should not be allowed to pick and choose the people with whom they wish to enter into commercial relations, or personal ones for that matter. What happened to the right of free association?

Njoya (p. 153) is on far firmer ground when she states:

> … an employer should in principle be free to hire an unqualified person if he so chooses, in cases where he wishes to for whatever reason; maybe he wants to give the less qualified person a break, or maybe the less qualified person has a sense of humour which improves workplace morale, and in the realm of private employers there should be no law prohibiting such exercise of the employer's decision-making prerogative.

Our author steps out of the realm of libertarianism, at least the Rothbardian version thereof, when she opines (pp. 168-169):

> Particular instances of offending others may be socially harmful, for example where it involves a breach of the peace or incitement to violence—both of which are criminal offences. Hence the classic example of shouting 'fire!' in a crowded theatre in the absence of an actual fire…

Here is Rothbard (1998) to the contrary:[19]

> Should it be illegal …. to 'incite to riot'? Suppose that Green exhorts a crowd: 'Go! Burn! Loot! Kill!' and the mob proceeds to do just that, with Green having nothing further to do with these criminal activities. Since every man is free to adopt or not adopt any course of action he wishes, we cannot say that in some way Green determined the members of the mob to their criminal activities; we cannot make him, because of his exhortation, at all responsible for their crimes. 'Inciting to riot,' therefore, is a pure exercise of a man's right to speak without being thereby implicated in crime. On the other hand, it is obvious that if Green happened to be involved in a plan or conspiracy with others to commit various crimes, and that then Green told them to proceed, he would then be just as implicated in the crimes as are the others—more so, if he were the mastermind who headed the criminal gang. This is a seemingly subtle distinction which in practice is clearcut—there is a world of difference between the head of a criminal gang and a soap-box orator during a riot; the former is not, properly to be charged simply with 'incitement.'

What are we to make of this assertion (p. 182):

> The rationale underlying the statutory framework is the need to redress the unequal bargaining power between employer and employee, for example by guaranteeing for workers great control over the performance of work…

No, this "unequal bargaining power" motif is a fallacy.[20] Yes, if wages are above equilibrium, and are hence on their way down, then the employer has more "bargaining power" than the employee. But if they are below equilibrium, and are thus headed in an upward direction, then the very opposite is the case. And, since there is no more reason to expect wages to be higher than lower compared to equilibrium, it cannot be demonstrated that either side has more "bargaining power" than the other.

In her view (p. 184): "The police … are often charged with a duty to offer an explanation for exercising discretionary stop and search powers and under public pressure not to stop a suspect without justifiable cause (not merely because 'something didn't look right')." Matters are not clear, here. Is she saying that it would not be justified to stop and frisk someone because something seemed amiss? If so, Njoya is underestimating the importance of police instincts, or gut feelings, or prudential judgement. This is part and parcel of being a good police officer. Nor is it any accident that there is an inverse relationship between stop and frisk practices and overall crime rates (Rosenthal 2020).

Must law (p. 188) "keep up with changes in society?" Yes, and no. Yes, when there are innovations, such as radio, television, computers, airplanes; then the legal system must extrapolate from what appeared before, so as to apply law to the new dispensations. No, for pretty much anything else. Surely, there are certain verities in the law which must not be allowed to change merely to keep up with altering customs.

Would that it be true that (p. 198) "… the defence of economic freedom offered in this book is not necessarily controversial as a general principle." The reality, alas, if far different. There are socialists, communists, fascists, Marxists out there for whom economic freedom is anathema. I don't know about "necessarily" controversial, but controversial for sure.

There are problems with this opinion (pp. 202-203):

> Hayek observed that there was an appropriate role for state action, including social security and other functions of the welfare state in circumstances where the price mechanism of the market would not adequately satisfy the public good. To acknowledge that economic freedom is not absolute is a helpful and productive starting point in entering this contested ideological arena, and in this sense classical liberalism offers a 'middle of the road' defence of liberty—it acknowledges the need for specified encroachments upon liberty unlike more purist libertarianism, of which Ayn Rand's work may be perhaps the best example…

But Rand allowed government intervention into the marketplace for armies, courts and police. A far better example of this extremism would have been the oeuvre of Rothbard. Yes, Hayek (1994) gave away a goodly percentage of the store (Block 1996, 2006c), but that is no reason to support his compromises with evil. Consider only social security; it is logically incompatible with democracy,[21] yet another favorite of many classical liberals. What is behind this program is that people are too stupid to save for a rainy day or for their retirement. But the underpinning of democracy is that such stupid, irrational, high-time preference folk may nevertheless be trusted with the ballot box vote. You may pick and choose one or the other, but both cannot be true. As to the "price mechanism of the market" it has not been demonstrated in this book or indeed in any other publication that it cannot "adequately satisfy the public good."

Another problem arises here (p. 208): "The defence of free markets rests on the more limited claim that voluntary transactions incidentally tend to produce more equal opportunity than regulation deigned to enforce equality." But suppose laissez faire capitalism ended up with greater Gini coefficients than a statist egalitarian economy. Would this mean we should no longer defend free enterprise. I cannot see my way clear to this conclusion. Nor while it might be true that sometimes (p. 209) "The more widely wealth is dispersed, the more opportunity abounds for all members of society" this is certainly not necessarily true as our author seems to think. We can certainly imagine cases in which the wage dispersal that emanates from pure economic freedom would mean greater wealth at least at the mean and quite possibly at the median level too. It is even quite possible that all members of society would be richer under complete capitalism than with rabid, complete and total egalitarianism.

On pages 210-211 Njoya acquiesces far too easily with the nostrums of "perfect competition" as the ideal; with supposed market failures concerning "monopolies, rigidities, externalities or transactions costs"; with "exploitative conditions for individual market participants"; with the assertion that there is indeed a proper "role for state regulation." This is not the time nor place to refute each and every one of these concessions. Let me content myself by merely asserting they are all fallacious.

Nor need we accept Njoya's (p. 215) support of Sowell's claim that there is no such thing as "cosmic justice" and that if there were, it would not be worth pursuing. There is indeed such a thing. It consists of laissez faire capitalist economics and the libertarian legal code.

Our author gives at least provisional support (p. 219) for the British "Factories Act" which supposedly "protected children from working in factories." The facts are far different. The reason children, nowadays, do not work in factories, at least not in civilized countries, has nothing to do with that or any other type of "progressive" legislation. Rather, this is the result of greater wealth, which, in turn, emanates from economic freedom and the innovation it engenders. The proof of this claim is a mental experiment: suppose these laws were enacted centuries before they actually were, and fully enforced. Then, we would have had massive deaths of children. What actually occurred is that legislators tried to take credit for this process by passing laws prohibiting child labor, but did so only after economic progress rendered this sort of labor no longer needed.[22]

I have a problem with this belief of our author's (p. 225): "Paying the same wage to those who merit it and those who do not—that would be unjust." In the bible story "The Laborers in the Vineyard" (Matthew 20:1-16)[23] an employer hires three men for the same wage; only one of them works the entire day, a second for a few hours and a third for only one hour. Great wailing and gnashing of teeth is heard from the workers who felt underpaid. His response: "Friend, I am doing you no wrong; did you not agree with me for the usual daily wage?... Am I not allowed to do what I choose with what belongs to me? Or are you envious because I am generous? So the last will be first, and the first will be last" (Matthew 20:13, 15-16)." Perhaps Njoya and I have difference concepts of in what justice consists.

Our author also appears to oppose reparations for slavery on the ground that it is impossible (p. 225) "to make right the wrongs of the past." But there is a significant libertarian literature which takes this very position. Posit that my grandfather stole a watch from Njoya's grandfather. He then gave this timepiece to my father, from whom I inherited it. It has a picture of Njoya's grandfather in it; we posit there can be no dispute over this fact. Contrary to factual assumption: if my grandfather was not a thief, this bit of jewelry would have been handed over to Njoya's father, who would have then given it to her. Yes, it is impossible to change history; my grandfather's evil deed cannot be changed. But, surely, compelling me to hand this watch over to the author of this book would indeed "make right the wrongs of the past," and I should be so ordered if I had such stolen property in my possession.

Our viewpoints on justice also clash when she declares (p. 226) that one of the "basic principles of natural justice … (includes) the right to be given reasons for dismissal (from a job) and to be heard in one's own defense." But employment at will contracts provide for no such benefits, and, if entered into voluntarily, cannot properly be deemed unjust. It is the same with marriage and divorce. It would be nice, it would be helpful, if the person wishing to end any such relationship would explain why. But just law should hardly require this.

She and I also depart on the basis of this statement of hers (p. 232):

> The critical empirical issue is whether a person who encounters discrimination from one firm would in practice have a realistic possibility of fining a different opportunity with another firm, in the absence of laws mandating equal opportunities.

I fail to see why this is "critical" at least from the point of view of the law.[24] For the implication is that if this opportunity does not exist, legislation should be enacted to protect the worker. But this implies positive

obligations, something incompatible with libertarianism: that someone is obliged to hire this person on a non-discriminatory basis. The presumption is that the first employer has some sort of legal obligation to the discriminated against person; I cannot see from whence that would spring.

This author and I diverge when she writes (p. 236): "Unfair or irrational discrimination—discriminating when there is no rational justification for doing so …." I fail to see why discrimination on the basis of race or sex or any other basis would be irrational. I discriminate all the time between vanilla and chocolate ice cream. Am I irrational in so doing? I cannot think of any justification for such a claim. Ditto for discriminating between white and black people. It would seem that the burden of proof for this claim rests with this scholar, and she has not acquitted herself of that obligation. Why is not such discrimination between people just a matter of taste, as in the case of ice cream? No one, I think, would claim that discrimination regarding this confection is irrational; why, then, people?

She repeats what I regard as this error of hers when she says (p. 239):

> An irrational buyer will pay over the odds for something he might purchase for better value elsewhere by reason only that he likes the look of the seller—he thinks she is pretty.

I venture to say that many if not most (heterosexual) men would operate at least often on that basis, and that it would be awkward to say the least to charge them with irrationality for so doing.

We now move to an economic claim (p 240): "But it cannot be ruled out that some racist employers may not only survive in free markets, but in fact thrive." Not so, not so. There are three types of economic discrimination in the market; by employers, customers, and fellow workers. The latter is easily dealt with: if some employees cannot get along with one another, you segregate them: place some in one factory, the others in a different factory. The work, preeminently of Sowell (1975, 1982, 1983, 2013), Williams (1982, 2011) and Becker (1957) has established that apart from using race as a proxy for ascertaining other qualities that are more difficult to uncover, employer discrimination tends to get weeded out in the market place, as those with a taste for such behavior have to pay more for what they buy, and obtain less for what they sell. Perhaps what Njoya has in mind is the case where the employer is color blind, but most of his customers are discriminators. Then, he loses nothing by catering to their wishes, and suffers a lot by ignoring them. True.[25] But this is only the case in the short run. In the long run, all of these customers, too, will lose out in the competitive struggle as they, also, will have to pay more for what they buy, and obtain less for what they sell.

Our author avers (p. 241): "There will always be those miscreants whose taste for racism is so high that they are prepared to suffer any cost to indulge that taste." But why are they "miscreants." Yes, of course, if they burn crosses on other people's lawns, and engage in other such and even more serious rights violations, then "miscreants" might even be too soft a description. But suppose they merely refrain from dealing with certain groups of people. Then, at least it seems to me, that this description is far too harsh. Are all non bisexuals "miscreants"?

Economics, once again, arises. In the view of Njoya (pp. 243-244):

> Nobody has, or can have, complete knowledge or foresight; at best we make decisions within the limits of bounded rationality, but it must be remembered that the knowledge problem applies to governments and other collective decision-making bodies in the same way as it applies to individuals.

I beg to differ. I don't know about "other collective decision-making bodies,"[26] but if Hayek (1937) has taught us anything, it is that in this regard the individual market participant is in a far better placement to know what is going on than government. He directly experiences the small number of market phenomenon that he experiences. The state, in contrast, knows little of the entire economy over which they presume to rule.

CONCLUSION

Our author asks (p. 102): "… we all want to wage war on racism, don't we? We do not." If that is not a brave, bold and heroic statement, then nothing deserves that appellation. Yes, voluntary racism is a human right; the law of free association dictates that we should all be free to choose our own friends, love interests, partners in commerce, buyers, sellers, renters, investors—on whatever basis we choose. If we wish to have nothing to do with people who have a chartreuse skin color, with pink and blue polka dots appearing on it, then that is our right. Yes, they will be the poorer for such behavior, as will we. Specialization and the division of labor will not be spread as far and wide as would otherwise be the case. But those who indulge in this type of discrimination have every right to do so.

Reading over what I have written above, it is a litany of areas in which the author of this splendid book and I diverge. That is because I thought it more important to stress this aspect of the publication than where we overlap. I would estimate that the former amounts to 1% of what she has written, the latter to 99% of it. So let me say a word about the latter. It is inspirational; it is courageous; it is exceedingly well-written. I greatly regretted when I finished reading this book since there was then no more of it to read. I anxiously await the next sterling publication of this very impressive author.

NOTES

1 I also have a word limit of this present comment of mine on her book

2 I place her many important criticisms of him in much the same category as that of Nozick's (1974); unfortunately, see below, she also supports him upon occasion.

3 On Dworkin, see also Gordon (1998). However, I think Njoya places too much reliance on Tomasi (2012), who I regard as less than a staunch libertarian (Block 2016).

4 I am hard pressed put to come up with more enthusiastic praise than this.

5 Unless otherwise indicated, all quotes will be from this one book of hers, Njoya (2021).

6 Speaking of language, do we all really have to call these critics of the marketplace "progressive" (p. 28) just because they characterize themselves thusly? "Regressive" would be much more accurate.

7 Hey, I hate to nit-pick, but that's all I've got!

8 For libertarian critiques of Rawls, see Evers 1978; Gordon 2000, 2001, 2014; Hoppe 2007; Nozick 1974; Pavel 2002; Wortham 2012. I do not view Epstein, either, as an uncompromising advocate of economic freedom and libertarianism; his support for Rawls does not show him in this light. For an alternative view on Epstein, see Block and Gordon 1985; Block 2003, 2005, 2006b, 2012.

9 See also the anti-slavery statement by Lord Mansfield in Somerset v Stuart (fn. 70, p. 149).

10 In the view of Boldrin and Levine 2008, p. 254: "Take the case of slavery. Why should people not be allowed to sign private contracts binding them to slavery? In fact economists have consistently argued against slavery—during the 19th century David Ricardo and John Stuart Mill engaged in a heated public debate with literary luminaries such as Charles Dickens, with the economists opposing slavery, and the literary giants arguing in favor." For others on the pro side of this debate, see: Andersson 2007; Block 1969, 1979, 1988, 1999, 2001, 2002, 2003, 2004, 2005, 2006b, 2007a, 2007b, 2009a, 2009b; Boldrin and Levine 2008; Frederick 2014; Kershnar 2003; Lester 2000; Mosquito 2014; Nozick 1974, pp. 58, 283, 331; Steiner 1994, pp. 232-233; 2013, pp. 230-244; Thomson 1990, pp. 283-284. Here is the con side in the debate over voluntary slavery: Barnett, 1986, 1988; Calabresi and Melamed 1972; Epstein 1985; Evers 1977; Gordon 1999; Kinsella 1998-1999a, 1998-1999b, 2003; Kronman 1983; Kuflik 1984, 1986; Long 1994-1995; McConnell 1984, 1996; Radin 1986, 1987; Reisman 1996, pp. 455f., pp. 634-636; Rothbard 1998; Smith 1996, 1997; Unknown nd.

11 In the view of Rothbard (1973): "For centuries, the State (or more strictly, individuals acting in their roles as 'members of the government') has cloaked its criminal activity in high-sounding rhetoric. For centuries the State has committed mass murder and called it 'war'; then ennobled the mass slaughter that 'war' involves. For cen-

turies the State has enslaved people into its armed battalions and called it 'conscription' in the 'national service.' For centuries the State has robbed people at bayonet point and called it 'taxation.' In fact, if you wish to know how libertarians regard the State and any of its acts, simply think of the State as a criminal band, and all of the libertarian attitudes will logically fall into place." See also Anderson and Hill 1979; Benson 1989, 1990; Block 2007, 2011; Block and Fleisher 2010; Casey, D. 2010, 2016; Casey, G. 2012; Childs 1969; Chodorov pp. 216-239; DiLorenzo 2010; England 2013; Gregory 2011; Guillory & Tinsley 2009; Hasnas 1995; Heinrich 2010; Higgs 2009, 2012, 2013; Hoppe 2008, 2011; Huebert 2010; King 2010; Kinsella 2009; Long 2004; McConkey 2013; Molyneux 2008; Molyneux and Badnarik 2009; Murphy 2005; 2010, 2013a, 2013b, 2014; Paul 2008; Rockwell 2014a, 2014b; Rothbard 1965, 1973, 1975, 1977, 1998; Shaffer 2012, pp. 224-235; Sloterdijk 2010; Spooner 1870; Stringham 2007; Tannehill 1984; Tinsley 1998-1999; Wenzel 2013; Wollstein 1969, 2010.

12 For an Austrian critique of neoclassical monopoly theory, see Anderson, et. al., 2001; Armentano 1972, 1982, 1989, 1999; Armstrong 1982; Barnett, et. al. 2005, 2007; Block 1977, 1982, 1994; Block and Barnett 2009; Boudreaux and Costea 2003; DiLorenzo 1992, 1996; DiLorenzo and High 1988; Henderson 2013; High 1984-1985; Hull 2005; McChesney 1991; McGee 1958; Rothbard 2004; Shugart 1987; Smith 1983; Tucker 1998a, 1998b.

13 States our author (p. 181): "It is not controversial to argue that public decisions about, say, the upkeep of roads and bridges should be determined through collective decision-making processes and funded by taxes." This is *very* controversial at least in libertarian circles. Government highways kill almost 40,000 people annually in the United States and proportionately to population in other countries. Private enterprise in this industry could greatly cut down on this needless death toll (Block 2009).

14 Ok, ok: Block 2006a; Block, Barnett II and Callahan 2005; Cordato 1989, 1992a, 1992b, 1997, 1998, 2000; DiLorenzo 2014; Fox 2007; Hoppe 2004; Krause 1999; Krecke 1996; Lewin 1982; North 1990, 1992, 2002; Rothbard 1982, 1997; Stringham 2001; Stringham and White 2004; Terrell 1999.

15 Herrnstein and Murray 1994 take the opposite point of view based upon empirical research.

16 In the view of Edelstein and Steele 2019; Ellis 1961; Epictitus 1995, sticks and stones can break my bones but theories can never harm me.

17 For example, at the time of this writing there is a case *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* (Docket 20–1199) in which the plaintiffs claim hostility to Asians based on this university's supposedly benign affirmative action policy on behalf of blacks.

18 I make this claim with great caution.

19 As for yelling "fire!" see Block 1976.

20 DiLorenzo 2004b; Hutt 1954, 1973, 1989; Rothbard 1954.

21 For a magisterial critique of this institution, see Hoppe (2001).

22 See on this DiLorenzo 2004a; Kauffman 1992; McElroy 2001; Nardinelli 1990; Rojas 2010; Rose 1998, Tucker 2008.

23 https://www.theologyofwork.org/new-testament/matthew/living-in-the-new-kingdom-matthew-18-25/the-laborers-in-the-vineyard-matthew-201-16

24 I concede it is critical from the point of view of the would-be employee.

25 I assume, here, that neither race is more costly to deal with than the other.

26 It depends upon what they are.

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