

## Toward a Thick Libertarianism

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From one perspective, this article will consider the question of why conservatism and liberalism each has so many adherents, while libertarianism has merely a dedicated few. From another perspective, this article will consider the question, “What is wrong with libertarianism?”—wrong, that is, *not* in the sense of “incorrect,” but in the sense of being seemingly completely incapable of generating a significant following, despite the devotion and single-minded advocacy of its small cadre of faithful and well-credentialed followers.

There is no general agreement, much less a clear consensus, on what liberalism and conservatism actually mean. Notwithstanding this intellectual disarray, there is broad agreement that both of these movements have economic, political, social, and moral components—not so libertarianism. In the words of one staunch and radical libertarian:

Libertarianism is a political theory that asks only one question: under what conditions is the use of force justified? It responds with only one answer: in retaliation against the prior use or threat of force or fraud against persons or justly owned property. . . . Initiatory force against innocent people or their rightfully owned property is strictly prohibited by law. The libertarian axiom is “thou shalt not aggress against non-aggressors.”<sup>1</sup>

Libertarianism is thus to its supporters (myself among them), a thin and narrow doctrine. It has a single axiom and everything else its adherents believe more-or-less follows from it. It has no social or moral component, beyond its eusocial and moral axiom. It speaks only of law, not of ethics. Is it any wonder that such a doctrine, a doctrine with just *one* idea, has not gained and by itself seems most unlikely ever to gain traction, let alone a mass following?

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<sup>1</sup> Walter Block, “Blackmail *Is* Private Justice: A Reply to Brown,” *University of British Columbia Law Review* 34 (2000-2001), p. 11. This article is not endorsed; there are *other* ethical problems with blackmail, and more than one.

I wish to offer here a fuller, thicker, and more attractive variety of libertarianism, one that entirely subsumes the one axiom, but that also has two others, with these latter two about *ethics*, not *law*. To the libertarian, after all, while the law, if discovered and intuited correctly, can provide guidance on matters of right and wrong, it is not and cannot *ever* be dispositive; rather, ethics is what is dispositive. There are two ethical rules, in addition to the legal rule barring the initiation of force and fraud, that are of paramount importance.

Before I discuss these two rules, I need to digress to one of the least understood and, I will argue, misunderstood concepts commonly thought to be a character trait, namely, the concept of humility.

Humility is often taken to mean self-effacement and sometimes even self-deprecation or self-abnegation, but if humility means anything at all, it cannot mean something that a person can in any way announce of himself. No number of self-deprecating remarks, self-effacing remarks, and the like can possibly indicate true humility. If those remarks are false, one has instead a person with low self-esteem; this is not humility. If those remarks are true, we have what Diogenes was looking for—namely, an honest man—but honesty is not humility and, in the case of knowledge of one's own lack of knowledge, it is in no small part a cognitive trait, not a character trait.

Likewise, the ability to say truthfully and frequently “I don't know” or “I'm not sure” is, again, not humility. Given the vast reservoir of knowledge and the near-total inability of any single person to drink particularly deeply from even a small portion of it, such admissions are, once again, merely an indication of honesty and, also, self-awareness. Neither honesty nor self-awareness, both of which are extraordinarily valuable in themselves, can possibly be humility, not only because both of them have different words to describe them, words that refer to very different concepts, but also because both of these valuable character traits are, indeed, capable of self-announcement. A few dozen hours alone with someone in an experimental setting, in which no behavior other than that which is merely verbal is possible, suffice to disclose these qualities.

So, what then is humility and why should it be of concern to the libertarian? The answer has to do with those two ethical rules I alluded to above. The first rule is: No one speaks for anyone else, except with agency. The second rule is: No one speaks between two persons, except with the agency of one or the permission of both. The first rule has many manifestations, among them, for example, authors' moral rights. The second rule is perhaps best summed up this way: no third parties. I would argue that adherence to these two rules is the best definition of humility, and deviation from them on a regular basis is the best definition of arrogance. (As for the self-deprecating remarks, they're normally merely how a person *presents* rather than *who he is*.) A person who never *presumes* to speak for another without agency and who, likewise, never *presumes* to intervene between two parties except with the agency of one or with the permission of both (except obviously when force or fraud has been initiated and an emergency therefore

exists) is a humble man. A man who regularly does either or both is an arrogant man, for, in the first case, he has arrogated to himself the right to speak for another and similarly, in the second case, he has arrogated to himself the right to speak between others. Notice that a few dozen hours with someone in which nothing but verbal behavior is possible cannot truly disclose whether a person will or will not presume to speak for others or between others: That has to be observed directly. One can observe, of course, whether and how one speaks *of* others in isolation, but unless the interlocutor knows one of those others, the speaker cannot really (attempt to) speak *for* another, much less *between* others. The experimental setting precludes that entirely. (Needless to say, if the interlocutor *does* know some of those others, the experimental setting is ruined.)

Now why is *any* of this discussion important to the libertarian? First, and most obviously, this is because these two rules are the *ethical extension* of non-interventionism that forms the bedrock principle of libertarianism. Second, and much less obviously, this is important because the failure to abide by these ethical principles normally backfires or misfires in much the same way that all intervention backfires or misfires. Third, and perhaps still less obviously, because the failure to abide by these ethical principles will frequently result, if not sooner then later, in forcible intervention by or on behalf of the party wrongfully spoken for or the parties wrongfully spoken between. If there's anything at all that a libertarian must come to understand, it's that "You don't speak for me!" and "Stay out of it!" cannot apply *only* to the state—the single worst offender and most arrogant entity in the history of man—but also and *of paramount importance to each and every single one of us as we go about our daily lives*.

The core principle has already been suggested by the present author briefly in print:

In one of his finest and most enduring articles,<sup>2</sup> Leonard E. Read, one of the twentieth-century's strongest and proudest voices for freedom, elaborated on a remark by Tolstoy to the effect that when men do things in councils that they would not and could not do in their own name, there lies the beginning of all troubles. I would like to suggest here that the opposite is also true, that when men do things in councils that they would have no problem, ethical or otherwise, in doing in everyday life, the fact that they act in concert makes no difference, ethically or otherwise.<sup>3</sup>

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<sup>2</sup> Leonard E. Read, "On That Day Began Lies," *Essays on Liberty*, Vol. I (Irvington-on-Hudson, NY: Foundation for Economic Education, 1952), pp. 231-52, originally issued as a pamphlet in 1949. An abridged and edited version appears under the same title in *The Freeman* 48 (May 1998), pp. 263-71.

<sup>3</sup> Joseph S. Fulda, "The Package Deal and Microsoft," *Economic Affairs* 25, no. 3 (September 2005), pp. 58-59.

In *that* piece, the author was writing about things that would *not* present an ethical problem in everyday life, whereas in this essay, the subject is precisely the opposite, namely, things that virtually *always* present just such a problem.

Libertarians also understandably appreciate deeply the freedom of the press, because only the Fourth Estate is powerful and courageous enough to check the worst depredations of the state. However, they must also come to understand that its undeniable power and courage in acting as a check on the arrogant state has made it itself *the second-most arrogant entity in the history of man*. Whenever, for example, there is a problem in a marriage, far from obeying the injunction “Stay out of it!” the press, like the Serpent of yore, exacerbates tensions mightily, causing significant damage to the marriage—far more than the parties themselves could ever even begin to manage, with the couple left to pick up the pieces all by themselves. Even more arrogant still, the press often comes *between* people *without* problems, creating them out of whole cloth, that is, out of rumor and innuendo. This is truly unforgivable, but also just an everyday press occurrence.

A libertarianism which confines itself to the narrow politico-legal sphere and which therefore lacks an ethical dimension is a very thin reed on which to hang one’s hat, for which reason so few have—and, unless the situation changes, so few will. “You don’t speak for me!” and “Stay out of it!” are *universal* principles applicable to state, press, and *each and every one of us* alike.

