

Smiting Statist Philosophical Philistinism: a Reply to the T. Brooks Review of *Escape from Leviathan*

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A reply to the T. Brooks review of *Escape from Leviathan: Liberty, Welfare, and Anarchy Reconciled* (Macmillan 2000) in the *Journal of Applied Philosophy*, Vol. 19, No. 1, 2002 (77-83).

It is possible to pose many difficult and fascinating problems and criticisms for the various theses and arguments in *Escape from Leviathan* (*EFL*). This occurred while writing it, and various sharp minds did it on reading drafts or the final product. However, some reviews misunderstand, or ignore, what is written and reassert conventional views. But it is best to answer all published criticisms if only to show how they fail, lest anyone thinks they are sound, and even poor criticisms can sometimes elicit elucidation. Thus, we now turn to the review.

Early on the review states that *EFL*'s "conservatism runs counter to my socialist disposition" (77). Words do not matter too much as long as it is clear what is meant. But it might mislead readers if libertarianism is called "conservatism". There is no significant connection between these two ideologies and no explanation is given. Perhaps it is simply an example of the muddle that all so-called '[right-wingers](#)'—*EFL* is described as, "On the right-hand side of libertarianism" (80)—are in some way the same and 'reactionary' compared to the supposed 'radicalism' of the so-called 'left'. However, the review later states that *EFL* "would greatly reshape the structure of the society in which we live" (n. 27). So, what kind of "conservatism" is that? (Although it seems more accurate to see libertarianism not as itself out to "reshape" society, so much as to stop any proactively-imposed "reshape".)

There is a stipulative definition of 'politics' in the opening lines of *EFL*: "By 'politics' I mean all that, and only what, involves the state". The review asks, "Do we not have 'politics' in other places? Such as the workplace or in our family?" (80). No, not by the definition that had just been stated. A stipulative definition of the phenomenon that is being addressed is not open to questioning in the way that an attempted 'essentialist' view of politics would be. *EFL* is not putting forward a *theory* of 'what politics is'. Of course, most people are familiar with the statist view that 'everything is political'. This appears to be some combination of being tendentious and a conflation of the metaphorical use of the term with its normal sense. This is tantamount to an unwitting and confused advocacy of totalitarianism, where everything would indeed be political. The review asks, "is not the problem rather of power relationships between people rather than always (state) interference?" (80). No, that is not the problem *EFL* is tackling. One key issue in *EFL* is of *interpersonal proactive impositions*, and the state is far and away the greatest source of these. Power in itself need not be a problem: it can be used defensively and justly. But, in any case, merely offering or withholding benefits to obtain legal and moral cooperation (in the "workplace", "family", etc.) is not exercising the stick of power but the carrot of influence. Therefore, *EFL* is not "redefining what is at issue" (80). It is simply stating what the issue is in *EFL* (very broadly, at least, for the specific issue is philosophically explaining and defending an extreme version of the, implicit, Classical Liberal—or libertarian—Compatibility Thesis: liberty, welfare, and anarchy do not clash). It is not up to a review to decide what the thesis should have been instead. Moreover, the rest of the book is *not*, even stipulatively, "redefining" the key terms of 'rationality', 'liberty', 'welfare', and 'anarchy'. Rather, it explains and defends particular *theories*—or conceptions—of these things as plausible and compatible; which is an entirely different matter. Describing this as mere

“word play” (80) is a hallmark of philosophical philistinism. When people encounter a philosophical argument without a good grasp of [what philosophy is](#), they can see it is not science and so often invalidly assume that it is only arguing about the usage of words.

As a note to quoting the Compatibility Thesis, the review states that it is “a bit remarkable” to see a “utopian anarcho-libertarian theory ... rejecting ... ‘imaginary cases’” (n. 11). More or less libertarian societies have existed, not least in Iceland and Ireland (and we might say that, politically, libertarianism always exists in the interstices of state interference). But the point the review is misunderstanding is that the Compatibility Thesis is intended to be practical. Therefore, it is not relevant that certain clashes in liberty, welfare, and anarchy are merely *logically* possible (although they certainly are).

The review expresses surprise that there is perfect interpersonal liberty where “no other person exists besides ourselves!” This is a vacuously true starting point added for logical completeness. It asks, “But what is *interpersonal* about this?” (80). Libertarian liberty is theorised as the *absence* of interpersonally imposed costs (constraints on want-satisfaction). There clearly cannot be any interpersonal imposition if there is only one person, therefore that person has perfect (or complete) interpersonal liberty. If X is explained as being the *absence* of Y, and Y is absent, then X. (Or, by analogy, suppose that there is—albeit similarly vacuously—‘perfect interspecies animal peace’¹ on some island where there is only one animal species, because it is explained as ‘the *absence* of any interspecies animal conflict’. It would be a logical confusion to ask, ‘But what is *interspecies* about this?’)

EFL defends ‘welfare’ as the want-satisfaction of unimposed wants, as the review appears to grasp. But it then says, “In other words, ‘welfare’ is about the instant actualisation of immediate preferences, rather than one’s satisfactory mental and physical health” (80). That does not follow at all, as *EFL* makes plain. First, it is about obtaining more of what we want *overall* (not “instant actualisation” but in the long term). Second, if having better “mental and physical health” promotes that for someone, then that is indeed for the good of his welfare. Although, if he would rather trade some portion of these for other ends—as we all do to varying extents—then he would be worse off from his point of view if we were to prevent him.² If the review disagrees, then it needs to explain how it knows just the right amount of these things that *everyone* ought to trade off against the other ends they have in life *whether they want it or not*.

The review goes on to assert that *EFL* has here “made welfare compatible with liberty by simply redefining welfare to resemble liberty” (81). This is clearly false. This is a theory of welfare that is hardly unique to *EFL*: it is at least partly the sense used in welfare economics and it is entirely the sense used in preference utilitarianism (from whence it was taken). Neither of these are interpreted by their advocates or their critics as “simply redefining welfare to resemble liberty”. Moreover, it is defended throughout the chapter in the light of an abundance of criticisms. There is no attempt to dismiss these criticisms merely by referring back to, or covertly using, the ‘definition’ (actually a theory). It is not practical to go through all the examples here, but one fundamental aspect is that it is the theory of welfare that each person is likely to accept for himself (but paternalists are likely to waive it for ‘irrational’ other people). Furthermore, it is clear that this view of welfare could in principle significantly clash with liberty: it is logically possible that 1) individuals freely and systematically do what gives them

¹ We might even imagine that this is a goal of some vegan organisation out to police the entire animal kingdom.

² Having said this, the only sense of “mental ... health” (strictly a category mistake, as Thomas Szasz makes clear in so many of his books, not least *The Myth of Mental Illness*) that might be defended for *EFL* purposes is of our brain behaving as we want.

less of what they want overall (in the long term), and 2) state redistribution and regulation could increase overall want-satisfaction. Of course, *EFL* holds that there are philosophical as well as empirical reasons that these two possibilities are false. But this requires arguments, which *EFL* gives in light of the best and of typical criticisms. It should be clear that “simply redefining welfare” is not the method.

In the final chapter on anarchy, which is mistaken to be a “conclusion”, the review quotes the opening sentence: “Private-property anarchy is better than the state in the enhancement of liberty and welfare”. It then says, “Again, anarchy would be best if liberty is understood as the absence of all constraints and welfare is understood as best enhanced through one’s living in a state of negative freedom” (81). As this “Again” does not introduce an accurate paraphrase of what even the review had to say before, it requires a separate response. To be clear, ‘anarchy’ means ‘not being ruled’. It does not mean ‘having no rules or laws’ (that is ‘anomie’) or ‘no constraints’, as *EFL* explains. And, in *EFL*, ‘liberty’ is nothing like the “absence of all constraints”. It is the absence of *proactive* impositions by other people. *EFL* explains and defends its independent theories of these things as well as their compatibility. The review ignores these arguments because it mistakenly assumes that this is all overwhelmingly due to persuasive or stipulative definitions. It is not entirely clear what the review intends by “negative freedom”, but that expression (and ‘negative liberty’) is barely used in *EFL* (only pages 128-130) and this reply has already explained the two crucial ways that welfare as overall want-satisfaction could in principle clash with liberty. The review’s “disappointment” is mainly caused by its mistakenly perceiving philosophical arguments as “word play”.

According to the review, *EFL* “tells us not to worry about the absence of a law-enforcement body bringing about societal chaos” (81). Where? “Absence”? On the contrary, with private-property anarchy there would in all likelihood be more than one “law-enforcement body” competitively improving services; unlike the chaos of the state’s coercively imposed monopoly of ‘law and order’. *EFL* gives several references to the relevant literature in the endnote and discusses similar issues, such as libertarian restitution, elsewhere in the book. A careless reading seems to have given the review the interpretation that there won’t be any police, courts, etc., to defend people and their external property. When *EFL* writes of “a generally libertarian culture” being necessary for a libertarian society, it does not imply that everyone will then spontaneously behave themselves. And that libertarianism must be what the *majority* want, does not mean that what they get will thereby be “majoritarian” in any “tyrannical” sense (although the review’s final sentence is obscure on this topic).

The introduction to *EFL* admits that its author holds libertarianism as a moral value. *EFL* asserts that, nevertheless, it is defending a non-moral thesis (the Compatibility Thesis) with non-moral arguments. But the review “finds it difficult to take Lester seriously” and it is “not persuaded that this account is non-moral” (81). The review’s fallacy implies that a scientist who morally disapproves of smoking must thereby somehow involve morality in his research articles on smoking. The review was free to cite an example of *EFL* somehow engaging in moral advocacy, but it fails to do so. Instead, it asserts that “any position regarding the organization of human beings—or the natural environment—is a moral position ...” (81). But *EFL* is not taking any such “position”. It is not arguing *for* the implementation of any “positions or principles”. In *EFL*’s defence of the Compatibility Thesis, it does not *advocate* that anything be done. It only examines the philosophical and, to a lesser extent, empirical relationships among liberty, welfare, and anarchy. One of the most important tools of philosophy is separating conflated ideas in order to clarify the implications of each. There appears to be more than a suggestion in the review of the fallacy that research (here involving “the organization of

human beings”) cannot be ‘value-free’ (more precisely, values can *only* be in the mind; although value theories and arguments can be expressed objectively). Perhaps this accounts for its conflation.

The review then cites as an alleged “further example” (81) *EFL*’s view that “moral values must be obeyed because if disobeyed they are, ipso facto, not held *categorically*”. This is not an example either, for this is part of the analysis of what morals are and how they square with the conception of rationality that is being defended. It is what is sometimes called ‘meta-ethics’. It does not morally *advocate* anything. *EFL* explains this well-known distinction and how it is clearly possible to discuss the nature of morals without taking a ‘moral position’ on any particular moral issue (39). Why does the review conflate these two things? The review then goes on, using the example of unknown or unconsented-to extramarital affairs, to ask whether it is “not conceivable to assume” that the people engaged in it “at the time of their affair were cognizant of the fact that what they were doing was wrong ...?” In other words, the review ignores the arguments given explaining exactly how this common-sense view is mistaken (which it would make this reply too long to repeat). Instead of attempting to show *exactly* where the arguments have gone wrong, the review in effect simply asks whether it is “not conceivable to assume” that the common-sense view is correct. Has the review really grasped what philosophy is supposed to be about? ‘I reply to your philosophical arguments against a common-sense view by assuming that common-sense view’?

The review continues to ignore the arguments in *EFL* and asserts that we can tell a lie knowing that it is immoral to do so at the time we tell it. It explains:

When we lie, do we not—at least sometimes—feel guilty about it later, if not at the time we speak it? Is not this recognition that we acted contrary to how we ought to have acted an instance of moral self-awareness? (81-82)

So, this ‘explanation’ is precisely *not* of us doing what we feel to be wrong *at the time of action*. *EFL* also mentions this type of case and various similar possible confusions. Why does the review ignore them? Again, where is the hint of philosophical analysis in its restatement of the conventional view? The review also conflates, without argument or explanation, the crucial distinction *EFL* makes between knowledge of moral theory (what it is) and what is *felt* to be moral or immoral. It concludes that *EFL* has embraced an “awkward proposition” (82). So what if it is “awkward”? What is wrong, *exactly*, with the specific arguments? The review has again taken a relatively small point, and out of its context in the compatibility thesis, and failed to say anything useful, interesting, or relevant about it.

It is not in any way part of *EFL*’s “conception of liberty”, as the review mistakenly asserts, but the theory of ‘action’ and ‘rationality’ that “to act *at all* is to do what one most desires, most wants, or thinks it best to do” under the perceived circumstances and at that time. The review then quotes *EFL* on free will, which is also not part of the theory of interpersonal liberty. It states, “on this account gluttons and smokers are to be understood as being just as ‘free’ as those who can curb their appetites and resist addiction” (82). Their *wills* are just as free: no one is proactively imposing this on them. “More troublesome ...”, but why was *that* “troublesome”? Only because it conflicts with the review’s prior common-sense theories so it can ignore the philosophical arguments, apparently. Nor is *EFL*’s theory of free will a “definition”, as it asserts. The review interprets every theory as a “definition” and then complains that *EFL* is merely redefining terms. If “there are numerous examples from

psychology which might damage the credibility of this claim” (the theory of free will), then why not cite at least *one* of them?

The review then comes up with this piece of typical ‘reasoning’:

In some instances our will may be all that we possess. However, the idea that our will creates our personality and expresses our desires and that we might not have control over our personality and desires, yet have a free will, strikes me as contradictory. (82)

How can our will be “all that we possess”? Have we no bodies? How is what we possess relevant to the issue anyway? Who says “our will creates our personality”, apart from the review? Why is it even implicitly inconsistent (for it is not “contradictory”: $A \ \& \ \sim A$) *exactly* that “we might not have control over our personality and desires, yet have a free will”? What is wrong *exactly* with the explanation given in *EFL* apart from the fact that it clashes with how it “strikes” the review? Why does the review systematically avoid philosophical argument?

The review’s confusion about definitions continues with the assertion that, “Throughout, Lester has been attempting to redefine libertarianism” (82). Perhaps an analogy can help here. To try to capture and clarify the implicit libertarian conception of liberty is no more an attempt to “redefine” it than an attempt to come up with a more precise theory of the composition of the sun is an attempt to “redefine” the sun. In both cases there is already something there that we are trying to understand better. The review states that *EFL*’s comment that libertarians view liberty as the “voluntary interaction of persons rather than selfish individualism” is its “account of liberty” (82) and part of its ‘redefinition’. No, that merely indicates what libertarians are getting at in contradistinction to the caricature set up by some anti-libertarians. The review then discusses a passage on individualism and families, which it mistakenly assumes “develops this account” of liberty. In observing the fact that the state undermines families and replaces fathers, *EFL* was implying nothing about its author’s views on the role of the father in families—as the review infers. Therefore, it is irrelevant for the review to call this imagined implication “controversial” (but what’s wrong with that, anyway?), “perhaps sexist” (but what’s wrong with that, anyway?), and “in need of some justification” (supporting justifications are epistemologically impossible, as Karl Popper explained). *EFL* is here replying to John Gray’s point at greater length than it was made and with references to relevant empirical work. Why should it offer a more-detailed explanation than it does? It cites Ferdinand Mount’s *Subversive Family*, as the review notes, but also the considerable canon of Patricia Morgan’s (although one work in particular). Why should *EFL* rehearse all their empirical work instead of continuing with the philosophy beneath it all, which is what *EFL* is primarily about? If the review wants to grasp the empirical literature, then it should consult the books instead of complaining that *EFL* offers “no such further explanation of any of these claims” (82). The review quotes out of context where *EFL* admits that the answers to Gray will not “convince those who are sympathetic to any of his points”. For it is then explained that this is because of the lack of any detail in Gray’s assertions and that relevant empirical literature has been cited.

What is the worth of the claim that the “book’s chapters are a bit uneven running between eleven and ninety one pages” (83)? The first chapter is in fact ten pages: it is only an introduction. The longest chapter is in fact ninety-two pages. As might be expected, the longest chapter is on liberty; dealing with the majority of the philosophical problems. Chapters ought to be just as long as they need to be to do the job required. The procrustean view of chapter length is bizarre. Why is it an “imbalance” that the chapter on liberty is very long and the one on anarchy is very short? It is explained in the anarchy chapter exactly why it is short: there

are just a few philosophical points left to make and some typical biases to reply to, because most of the work on private-property anarchy has already arisen more naturally in the chapter on liberty. It would have been foolish to put those points into the anarchy chapter just to make the chapter lengths more even.

The review notes *EFL*'s many "critiques for opposing viewpoints, but ... wonders if many of them are no more than strawmen" (83). If the review is really without any background in any of the "opposing viewpoints", why idly wonder rather than check some of them? We have seen that the review's targets are strawmen. The reason that *EFL* "concedes" (as the review puts it) that it seems "better to be 'too quick' than 'too slow'" is because it is always likely that anti-philosophical responses will miss the point, no matter how much it is laboured (and because there are so many issues to deal with). The review also notes the admission that *EFL* "cannot possibly guess which points will prove the most controversial and for what reasons" and so must press on looking forward to helpful criticism of the book. It is an irony that the review interprets this as admitting that *EFL* "knowingly treads along at surface level" and that it has avoided "greater reflection and comments by colleagues" (83). Would that the review could even get to grips with the surface. Drafts of *EFL* received many astute criticisms throughout and they certainly helped to clarify a wide variety of points. The review apparently doubts that this happened, despite the acknowledgments. The more-eminent readers of *EFL* have tended to [rate it highly](#), including Professors Antony Flew, Jan Narveson, Norman Barry, John Gray, and even Brian Barry—who admitted that he found it "hard to fault the philosophical arguments"³ (but the relevant empirical social science is largely assumed *arguendo* in order that the philosophical arguments can then explain it). The review, footnote 26, strangely interprets as being an admitted failing the merely logical point that it is impossible to deal with the unlimited number of "possible criticisms of want-satisfaction as a view of welfare". And the review has ignored the criticisms that were dealt with.

It is mistaken, and irrelevant to its objective thesis, to state that *EFL*'s "motivation" is a "deep dissatisfaction with the structure of contemporary Western-liberal society" (83). As a matter of fact, the motivation was eventually coming to accept the social-scientific evidence for libertarianism but seeing that all the philosophical arguments for it were hopelessly confused (much of both types of literature are listed in the bibliography). Hence, *EFL* refers to the social science—as being mainly presupposed—but focusses on the philosophical aspects. If readers are unfamiliar with the cited empirical literature and not prepared to read it, or insufficiently familiar with philosophy and not, at least, prepared to read the arguments carefully, then they are likely to be objectively confused by *EFL* (even if they don't feel confused). All that said, to put it in the review's terms, it might be clearer to say that *EFL*'s aim is to philosophically explain the counterproductive consequences of state interference with "contemporary Western-liberal society". *EFL* is not anti-Western or anti-liberal (in the classical sense, of course).

To what, imagined, "costs of the West's industrial revolution" is the review alluding? Despite the illiberal Acts of Enclosure and twenty-two years of state war—1793-1815—the Industrial Revolution eventually enabled working hours and pay to become better than in agriculture and continue to improve. What have the "debts being acquired by the third world" to do with free markets? The review wants more than "bold assurances that history would not repeat itself". However, history is repeating itself in the less-developed countries of the world; and that is just what they need to get them out of poverty permanently. The review then asserts that the state has improved, and the "free market" has failed, the "educational system" (even though, for

³ Personal communication.

instance, there is now around 20% functional illiteracy among school leavers?), “transport systems” (even though, for instance, there are far fewer miles of railways in the UK than when the system was first nationalised?), “the arts” ([seriously?](#)), the “environment” (even though, for instance, political intervention has typically prevented people from suing for negative environmental effects on their persons and property?), “child-labour” (even though this helps families in countries not yet well developed?) and “overtime for workers” (even though working hours generally decrease without state intervention as wages rise in freer economies?). The review asserts that “anarcho-capitalist conceptions need to engage these concerns at a much deeper level”. These “concerns” are the ignorant orthodoxies fostered by state ‘education’. The main problem being the, corrupt and grossly inefficient, state monopolies of the [university-and-degree systems](#) all over the world. It is not possible to deal in detail here with the review’s empirical falsehoods. Many relevant works are listed in *EFL*’s bibliography.

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