Social Anarchism and the Rejection of Moral Tyranny, by Jesse Spafford.
Cambridge, UK: Cambridge University Press. 2023. Pp. v | 242.

1. Introduction and summary

Perhaps no political tradition is as widely subject to crude misunderstandings as
anarchism. In mainstream discourse, anarchism means lawlessness and punk-rock. In more
sophisticated circles (including analytic philosophy and Argentine presidential politics) one
might find self-identifying 'anarcho-capitalists' for whom living free is for markets as much
as for people (Huemer 2013; Friedman 1989). Jesse Spafford's anarchism is neither of these.
It is a left-wing, 'social anarchism', as sceptical about private property as it is of state
coercion, and underpinned by a thorough moral framework.

Though the social anarchist tradition is rich, including authors such as Bakunin,
Kropotkin, Goldman and Bookchin, it has been neglected by analytic political philosophers.
Spafford's 'Social Anarchism and the Rejection of Moral Tyranny' (2023a) does for social
anarchism what Cohen's 'Karl Marx's Theory of History: A Defence' (1979) did for historical
materialism: it provides an articulation of the theory that is intelligible to analytic
philosophers and mostly in-keeping with the tradition, but also offers novel arguments and
nuances on orthodox positions. This is not the book's only aim. Through the course of the
exposition and defence of social anarchism, Spafford intervenes in key debates of
contemporary moral and political philosophy, introducing a new adequacy criterion for
moral theories and providing a well-motivated and helpfully concrete version of luck
egalitarianism. In this respect it resembles Nozick's 'Anarchy, State and Utopia' (1974),
which combined advocacy for a political vision – quite different to Spafford's – with
interventions against hedonism, aggregation and redistribution.

Spafford's main points can be summarised thus. He argues that the consent theory of
legitimacy undermines political obligation: since we do not consent to the state, we are not
morally obliged to obey the law as such and states have no right to coerce us to do so. Next,
he gives a new version of the Lockean proviso on appropriation. This version of the proviso,
together with the consent theory of legitimacy, gives us the distinctive thesis of left-wing
anarchism, the title of Spafford's third chapter: 'you own yourself and nothing else'. He
endorses a version of self-ownership (slightly weaker than libertarians typically hold) but
rejects the ownership of external private property.

If private property rights do not determine how resources should be distributed, what
does? Here, Spafford appeals to luck egalitarianism, which he makes impressively precise.
This chapter alone (see also Spafford 2021) will be of interest to anyone working in

distributive justice, regardless of interest in anarchism. The final chapter of the book distinguishes philosophical anarchism – the rejection of political obligation – from political anarchism – the belief that states are unjust and ought to be overthrown, and argues for a 'state-tolerant' philosophical anarchism.

The combination of libertarian self-ownership with luck egalitarian distribution is not new: it can be found in the left-libertarianism of Steiner, Vallentyne and Otsuka (Vallentyne and Steiner 2000; Otsuka 2003). However, Spafford's combination is novel in two ways. Firstly, it connects this set of views to an actual social movement: left-wing anarchism. Secondly, whilst left-libertarianism has been criticised for being *ad hoc* (Fried 2004), Spafford's conclusions throughout the book are brought together by a single fundamental principle. This is what he calls 'the moral tyranny constraint', and it is from this constraint that his anarchist conclusions are ultimately derived. I will express some scepticism about this principle below. But it does deliver what Spafford aspires to, following Fried: coherence, 'where the adoption of any additional principles beyond one's starting principle is motivated by that starting principle' (Spafford 2023a, 14; Fried 2004, 87).

Despite his grand ambitions, Spafford is adept at the analytic philosopher's stock-in-trade: the careful distinction, the valid argument, the conceptual clarification. Some of the strongest parts of the book are where Spafford takes aim at libertarians who have been vague or careless in their arguments. Why, when discussing the Lockean proviso, do libertarians so often make the case that private property leads to better overall outcomes, when they otherwise reject consequentialism? Why do they include the right to waive one's rights amongst property rights, but assume in arguing for just appropriation that those who appropriate will retain their holdings? Why must external property be justly appropriated whilst self-ownership is innate?

Most importantly Spafford points to an inconsistency in how libertarians treat the moral powers of a state and the moral powers of property owners. The state cannot oblige us to obey it, they say, since we have not consented to its rule – a rule that gives it the power to coerce. But Spafford points out that the owners of private property have similar powers. To own a piece of land is to have 'is to have a bundle of rights including... the right to exclude others from that land' (2023a, 129; see also 2023b). A landowner can say: 'if you want to come onto my land, you have to do X, Y and Z', just as a state can say 'if you want to live in my state, you have to obey my laws'. So, private property ownership seems to require the same consent that state coercion does.

Though this point is valuable, I worry that Spafford moves very quickly from land ownership to the ownership of artefacts. Having made the case against private ownership of land, he says:

> territory must be understood as space defined in relation to some bit of mass such as a planet. Specifically, a territory is a portion of the surface of some massive object… Once territorial legitimacy has been recast in this way, the apparent distinction between property rights in land and property rights in objects collapses. (2023a, 131)

But Spafford has merely noted that land and objects have things in common – they have mass and surfaces. There are other things about them that differ, of course, and these things might well be morally salient. Nevertheless, the weaker conclusion – that private ownership of land is problematic on libertarian grounds, is still highly significant.

2. The moral tyranny constraint

The philosophical core of Spafford's theory is what he calls 'the moral tyranny constraint' (MTC). It holds that:

> A theory of duties is acceptable only if full compliance with that theory would not allow any person to unilaterally, discretionarily, and foreseeably act in a way that would leave others with less advantage than they would have possessed had the agent made some other choice. (2023a, 69)

This constraint is supposed to capture the 'recurrent theme in libertarian thought… that persons should not be allowed to discretionarily impose costs upon others' (2023a, 68), and appeal to those non-libertarians who believe in 'the separateness of persons' (e.g. Rawls 1971), or the value of non-domination (e.g. Pettit 2012).

MTC is meant to motivate and cohere the consent theory of legitimacy, the revised Lockean proviso, anarchist self-ownership and luck egalitarianism. If I comply with the law and with property rights, then a state or a landowner can discretionarily and foreseeably act in ways that would make me worse off, for instance by increasing my taxes or not allowing me across their land. Therefore, Spafford says, MTC will grant such the power to impose such duties only if it is not unilateral: that is, if it depends on the consent of the governed. Ownership of resources, as we saw above, usually gives owners such power. Therefore, appropriating resources is subject to MTC too. Appropriators will struggle to get consent from every person that their ownership might place them in a position to affect. So appropriation will only be permissible when it does not leave owners with the power to leave others with less advantage than they would have possessed had the agent made some other

choice. This implies, Spafford argues, his novel version of the Lockean proviso on appropriation, whereby property can come to be owned only if the owner does not thereby make any others worse off than they would have been (assuming full compliance with property rights) relative to the closest possible world in which the owner never existed. The appropriation of external resources violates this proviso, since had the would-be owner not existed, those resources could have been used by others. The appropriation of one's own body is different: your body may be a resource that other people could use, but it would not be a resource that they could use if you had never existed. The only thing that can be legitimately appropriated, then, is oneself. Lastly, MTC motivates luck egalitarianism. Luck egalitarianism is distinguished by its unwillingness to equalise the shares of people whose resources differ through their own choices (as opposed to brute luck). Imagine an egalitarianism that does mandate such equalisation. Under this theory, a person could unilaterally, discretionarily and foreseeably take steps to reduce their own resources – for instance, by setting fire to some of their banknotes – and would then, being worse off than others, have a claim to redistribution. This would reduce the holdings of everyone else, leaving them worse off. Thus, non-luck versions of egalitarianism fail to abide by MTC.

MTC, however, is problematic. As Jason Byas said at a conference session on the book, 'the danger of others discretionarily worsening your subjective conditions by their arbitrary actions is just the danger of living in society.' (Byas 2023) We cannot help but affect others, and be affected by them, and to police this involves significant restrictions on mundane freedoms. MTC would seem to rule out, in Byas's example, any theory that permits me to style my hair in a way that others find offensive. The punk-rock anarchists would be unimpressed! In fact, any moral theory that permits me to style my hair in a way that makes *any* individual worse off than they might otherwise be seems to foul of MTC. If Anu would prefer me to wear my hair long, and Bhaskar would prefer me to crop it short, then what am I to do?

Spafford's response, it seems, would be that in such situations I would be permitted either to wear my hair long or to crop it – but that Bhaskar in the former case, and Anu in the latter, would then have a claim to compensation. For my haircut, to them, is a piece of brute luck, and according to Spafford's luck egalitarianism, redistribution must correct this. In a situation of full compliance, perhaps, such a compensation system would be in effect. Therefore, in such a situation my haircut would not make either worse off than they otherwise could have been, since they would be indifferent between seeing the haircut they wanted and no compensation, or the haircut they didn't want and compensation. MTC therefore allows freedom over our haircuts – but only alongside a complex redistributive system, which one might not typically associate with anarchism.

In all systems, policy-makers face trade-offs that seem difficult to square with MTC. Consider the following choice:

> A policy-maker could increase spending on care for the elderly, or on child tax credits. Increasing elderly care spending would help many elderly people, but increasing child tax credits would help a different group of people (parents, would-be parents, and children). Economic advisers tell her that increasing child tax credits would do more good for more people.

Whatever the policy-maker chooses, she leaves some group of people worse off than they otherwise could have been. If she chooses tax credits, she does this to those who would have received better elderly care. If she chooses elderly care, she does it to parents, would-be parents and children. In this case there is no option of compensating those whose interests are set back. This is for two reasons. Firstly, the policy-maker may face a budget constraint. If, having taken the decision to fund child tax credits, they spend money on compensating the elderly to the level that they would have been had the money been spent on elderly care, they will need to spend twice as much money. If their budget is constrained, this may not be possible. (Moreover, if they spend half the money on child tax credits and half on elderly care, or compensation, they leave both groups worse off than they could have been!) Secondly, some of those potentially affected may be impossible to fully compensate. For many people who rely on elderly care, there is little that can be done to restore them to the level of well-being that they would receive with better care, given care's centrality to their lives, and their short life expectancies. At the other end of life, many of those affected with respect to child tax credits are as yet unborn. If people have fewer children due to low tax credits, no compensation can be made to those who would have been born had tax credits been higher – for the simple fact that they do not exist.

No matter what the policy-maker does she leaves some worse off than they could otherwise have been. MTC appears to make both options impermissible; whatever the policy-maker does must be wrong according to the correct theory of duties. Perhaps such dilemmas are possible in tragic circumstances. But almost all social policy decisions involve choices that inevitably make some worse off than they could have been: people's interests conflict; we do not yet have abundance, and very many policies affects which people come into existence (Parfit 1984). Strong moral dilemmas ought not appear in every social policy decision.

One solution here would be to interpret MTC aggregatively. If child tax credits do more good for more people, there is a sense in which if the policy-maker chooses them, she does not make others worse off than they could have been. The overall goodness enjoyed by

others, in aggregate, is as much as could have been delivered. On this aggregative reading of 'leaving others with less advantage', MTC is close to utilitarianism. Like utilitarianism, it would allow us to make some people worse off to increase the well-being of others; in this case, it would direct the policy-maker towards increasing tax credits.

However, this cannot be Spafford's intended reading of MTC. Given his wish to accommodate the 'separateness of persons' objection to utilitarianism, Spafford must intend a non-aggregative reading, according to which MTC is violated if there is any individual whom someone can make worse off than they could have been. It is the non-aggregative reading that gives us the result that both policy choices are impermissible.

Another route to salvage MTC from the charge that it makes strong moral dilemmas proliferate in public policy is to emphasise the caveats that MTC is violated only if some person is permitted to 'unilaterally, discretionarily, and foreseeably' make others worse off than they could have been. In particular, Spafford may dispute the unilateralness of the decision in this case. Remember, we are imagining a situation of full compliance with the correct moral theory. Anarchists might hold that under full compliance with the true moral theory, the kind of policy-making envisaged above would not occur. Full compliance with morality cannot plausibly eliminate the need for trade-offs. However, it might give us institutions such that we can say that policies are not made 'unilaterally'; indeed, they are consented to by those who stand to be made worse off. (This coheres with another anarchist concern which is surprisingly underemphasised by Spafford: 'mutual aid' (Kropotkin 1902; Jun and Lance 2020; Mouser 2023; Pearlman 2023).) Spafford may not hold that the policy-maker in our example faces a strong moral dilemma, but rather that under full compliance with the true theory of duties, such decision-situations would not arise: policy would be made via consensual, democratic mutual aid institutions. In such institutions, no policy-maker could 'unilaterally' make others worse off, because all affected parties would have consented to all policy decisions. Thus, if full compliance with some moral theory would give rise to such institutions, policy-making in those institutions would comply with MTC – even policy-making involving trade-offs. Whether such institutions are feasible is unclear. (There is a very difficult problem of obtaining consent from possible future people.) But even if they are, there is a further problem: how to build those institutions from our actual, morally flawed world?

3. Ideal theory anarchism

A commitment to such consensual democratic policy-making institutions would add to the long list of anarchist principles by which Spafford characterises the movement:

the contention that the state should be eliminated, that police and prisons should be abolished, that (almost) all wars are unjust, that capitalism and/or markets are morally bad forms of economic organization, that private property rights are unacceptable constraints on freedom, that resources should be distributed from each according to her ability to each according to her need, that production should be managed by trade unions and/or democratically, that centralized state planning of the economy is an unacceptable alternative, that gender norms are objectionable constraints on autonomy, that significant social changes need to be made to eliminate racist and sexist practices that prop up White supremacy and patriarchy, that borders should be open or eliminated entirely, that children have a robust set of rights and should not be subject to expansive parental authority or compulsory education, that consuming animal products is exploitative and immoral, and that humans should significantly limit their activities to preserve and restore natural ecosystems, among others. (2023a, 10–11)

Let's grant to Spafford that those goals are both feasible and desirable. How are we meant to achieve them? Here, Spafford's theory faces a dilemma. As has already been mentioned, MTC is about the implications of full compliance with a moral theory. We are not in a situation of full compliance with any theory of duties, and certainly not with the correct one. On one horn of the dilemma, MTC leaves what we ought to do in our actual, partial compliance situation massively underdetermined. It will not be silent: it will say that we ought not to do things that could *only* be justified by principles which would, if fully complied with, permit some to unilaterally, discretionarily and foreseeably make others worse off. But it wouldn't say much more – it wouldn't tell our policy-maker what to do. On the other horn of the dilemma, we could try to infer from MTC some similar principle to guide us in our actual situation. Both horns, I think, are unattractive.

Consider the second horn. As we have seen, the most natural application of MTC to the situation of actual policy-makers leads to a proliferation of strong moral dilemmas. But anarchists are unlikely to be policy-makers in the actual world any time soon, nor do they typically believe that the way to reach their desired utopia will come through current governing institutions. Perhaps some actual-world-applicable version of MTC might be a good guide for actual world anarchists even if it cannot guide actual world policy-makers? I doubt it will. The spirit of MTC is inconsistent with the energetic activism of actual anarchists: it is a recipe for political quietism. Imagine that you are a member of some anarchist group. You all agree on the above goals. Now you must decide where to put your limited resources: do you organise antiracist protests, or sabotage factory farms? If you choose the former, you leave farmed animals worse off than they would have been if you had chosen the latter. (Of course, you can't get their consent for this.) If you choose the latter,

though, you will leave racial minorities in your town worse off than they would have been if you'd chosen the former. If your group has a broad enough base, you might be able to do this with the consent of some of these cost-bearers, but gaining the consent of all is impossible. So either way you choose, you impose costs on non-consenting others. It gets worse. You decide to organise the protest. To be effective at raising awareness of your cause, the protest will need to be disruptive. But disruption will impose costs on others, and not all of these costs will be negligible. Obtaining the consent of all those you inconvenience is impossible, too. It gets worse. Some white right-wingers who claim to be victims of 'reverse racism' attend your protest, and one of them wants to address the crowd through your megaphone. This would seriously undermine the goals you set out to achieve. Thankfully, your group anticipated this and decided that one member would be responsible for controlling access to the megaphone, and that the others amongst you would defend their decisions. This person refuses to give the megaphone to the right-wingers, even though so many have infiltrated the crowd that a democratic vote would have favoured them speaking. You defend the megaphone physically, and some of you get hurt. But the right-wingers are thwarted. But wait: haven't you put someone in a position where they are able to oblige others to do things that might make them or others worse off?

Acting in the spirit of MTC, then, would forbid almost all effective and strategic political action. It is hard to see how a movement committed to such methods could bring about the radical social change anarchists want to see. Indeed, it has been suggested that anarchist-inspired squeamishness about leadership and emphasis on consensual decision-making was a significant reason for the failure of many recent protest movements (Bevins 2023). If you want to change the world, you need to be able to impose discipline and to make trade-offs.

I suspect that Spafford would embrace the other horn of the dilemma, and deny that MTC implies anything in particular about what we should do in our actual partial compliance situation. He could insist that MTC simply says that full compliance with the right moral theory will lead to a world in which nobody would be in a position to impose costs on non-consenting others. Such a world, he suspects, will be one with no borders, no capitalists, no racism, no factory farms and so on. But in the actual world we may make decisions that impose costs on non-consenting others, and act in structures that put people in positions to make such decisions. Perhaps, given the argument of the previous paragraph, we must do this, in order to bring about the change we wish to see.

This is not a recipe for political quietism. It is, however, philosophically quietist. Imagine you are an anarchist activist, and you pick up Spafford's book. You might hope for some advice on how to make decisions, which causes to prioritise, when violent means might and might not be justified by noble ends, and so on. These are things on which philosophers have

views. But – assuming that Spafford embraces the second horn of the dilemma – Spafford's theory does not. The philosophy you will find in this book is ideal theory: it gives you moral justifications for the utopia you seek, but it does not tell you how to get there.

I think this should be worrying for Spafford. He wants to connect his theory with anarchism as a social movement. But anarchism as a social movement isn't quietist – it is often on the forefront of disruptive protest and organised mutual aid. He also wants his view to be coherent, in the sense I mentioned earlier. But if what we ought to do in the actual, partial compliance world cannot be derived from MTC, there's a limit to how much of anarchism MTC can cohere.

In this respect, of course, Spafford's book is in good company. Famously, Rawls's magisterial and canonical works offer little or no advice on what to do in situations of partial compliance (Mills 2005; Geuss 2008). Like Rawls, Spafford's book contributes something of great scope and originality to political philosophy, something that deserves to be read and discussed, but also something that lacks, perhaps, in practical political utility.*

NIKHIL VENKATESH
London School of Economics and Political Science, UK
n.venkatesh2@lse.ac.uk

References

Bevins, Vincent. 2023. *If We Burn: The Mass Protest Decade and the Missing Revolution*. Public Affairs. https://www.waterstones.com/book/if-we-burn/vincent-bevins/9781035412273.

Byas, Jason. 2023. 'Comments on Spafford's "Social Anarchism and the Rejection of Moral Tyranny"'. Conference talk presented at the PPE Society Seventh Annual Meeting, New Orleans, November 4.

Cohen, G. A. 1979. *Karl Marx's Theory of History: A Defence. Karl Marx's Theory of History*. Princeton University Press. https://doi.org/10.1515/9780691213002.

Fried, Barbara H. 2004. 'Left-Libertarianism: A Review Essay'. *Philosophy and Public Affairs* 32 (1): 66–92. https://doi.org/10.1111/j.1467-6486.2004.00005.x.

Friedman, David I. 1989. *Machinery of Freedom: Guide to a Radical Capitalism*. 2nd ed. edition. Chicago, Ill.: Open Court Publishing Co ,U.S.

Geuss, Raymond. 2008. *Philosophy and Real Politics*. Princeton University Press.

Huemer, Michael. 2013. *The Problem of Political Authority: An Examination of the Right to Coerce and the Duty to Obey*. First Edition. Houndmills New York: Palgrave Macmillan.

Jun, Nathan, and Mark Lance. 2020. 'Anarchist Responses to a Pandemic: The Covid-19 Crisis as a Case Study in Mutual Aid'. *Kennedy Institute of Ethics Journal* 30 (3): 361–78. https://doi.org/10.1353/ken.2020.0019.

Kropotkin, Petr. 1902. *Mutual Aid: A Factor of Evolution*. https://theanarchistlibrary.org/library/petr-kropotkin-mutual-aid-a-factor-of-evolution.

Mills, Charles W. 2005. '"Ideal Theory" as Ideology'. *Hypatia* 20 (3): 165–84. https://doi.org/10.2979/hyp.2005.20.3.165.

Mouser, Ricky. 2023. 'Mutual Aid as Effective Altruism'. *Kennedy Institute of Ethics Journal* 33 (2): 201–26. https://doi.org/10.1353/ken.2023.a904083.

Nozick, Robert. 1974. *Anarchy, State, and Utopia*. New York: Basic Books.

Otsuka, Michael. 2003. *Libertarianism Without Inequality*. Oxford, GB: Oxford University Press UK.

Parfit, Derek. 1984. *Reasons and Persons*. Oxford University Press.

Pearlman, Savannah. 2023. 'Solidarity Over Charity: Mutual Aid as a Moral Alternative to Effective Altruism'. *Kennedy Institute of Ethics Journal* 33 (2): 167–99. https://doi.org/10.1353/ken.2023.a904082.

Pettit, Philip. 2012. *On the People's Terms: A Republican Theory and Model of Democracy*. The Seeley Lectures. Cambridge: Cambridge University Press. https://doi.org/10.1017/CBO9781139017428.

Rawls, John. 1971. *A Theory of Justice*. Harvard University Press.

Spafford, Jesse. 2021. 'Luck Egalitarianism Without Moral Tyranny'. *Philosophical Studies* 179 (2): 469–93. https://doi.org/10.1007/s11098-021-01667-4.

———. 2023a. 'Social Anarchism and the Rejection of Moral Tyranny'. Cambridge Core. Cambridge University Press. October 2023. https://doi.org/10.1017/9781009375429.

———. 2023b. 'Javier Milei's Anarcho-Capitalism Is Incoherent'. What to Do about Now. 3 December 2023. https://www.whattodoaboutnow.com/post/the-incoherence-of-anarcho-capitalism.

Vallentyne, Peter, and Hillel Steiner, eds. 2000. *Left Libertarianism and Its Critics: The Contemporary Debate*. Palgrave Publishers.