## Escape from Philosophy: a Rejoinder to the Thom Brooks Reply

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For clarity: *Escape from Leviathan (EfL/*book), the Brooks review (review), the Lester response (response), the Brooks reply to the response (reply).

The reply<sup>1</sup> begins by stating that responses to reviews of *EfL* are "taking criticism of their philosophical claims as personal attacks" and resorting to "hysterical *ad hominems*". On the contrary, the responses to around fourteen—often highly positive—reviews have welcomed all their criticisms and simply replied to them. None of these replies appear to commit the *ad hominem* (to the man) fallacy: that of addressing the qualities of a person as a way of attempting to undermine or defend an argument or assertion made by that person. The response's title refers to the *review*'s "*philosophical* philistinism": a quite different, more precise, and relevant description than calling a *person* a philistine (*simpliciter*); as the reply's title suggests. However, the attempt to spur closer engagement with the philosophical arguments has clearly failed. The reply deems it better to avoid "responding to each of Lester's complaints" (i.e., the actual *arguments*) just "because" the reply still affirms the same opinions. "Because"? It is only *because* there is still disagreement that argument is possible and productive. And only engagement with the arguments can change opinions. But, as before, this rejoinder will deal with all of the reply's relevant points.

The reply then says, "As I state in my review, Lester endorses the conception of negative liberty". The expression used in the review is "negative freedom". In a very brief discussion in EfL of Isaiah Berlin's conception of "negative liberty" both expressions occur and are related to the libertarian conception. But EfL "endorses" neither as the libertarian conception except as reinterpreted and elaborated in the book. The reply continues, "(something he now claims he does not entirely understand)". The response to the review says, "It is not entirely clear what *the review* intends by 'negative freedom" (emphasis added).

The response states that in *EfL* (interpersonal) liberty is "the absence of having initiated impositions by other people". The reply interprets this as, "if other [sic. people?] do not impose upon me I am constrained by no one (certainly not directly)". No, if they don't *initiate* impositions on you, then you are not *initiatedly* constrained by anyone. But one can still be "constrained" by other people in a *responsive*—defensive or rectificatory—way. However, these do not count as restrictions on the liberty of libertarianism as it is theorised in *EfL*.

It is, part of, the thesis of *EfL* that welfare theorised as 'want-satisfaction' does not in practice systematically clash with liberty as 'the absence of initiated imposed costs'. The reply asserts that it can concede this: "General welfare understood as pure want-satisfaction is certainly compatible with a notion of liberty as the absence of proactive constraints: in practical terms, they are almost identical". If orthodox views on the usefulness of the welfare state are held, then that cannot be conceded. The welfare state restricts liberty, as theorised by *EfL*, in a variety of ways. But it is commonly supposed, on balance, to bring about many desirable advantages that people clearly want and would judge themselves worse off without. The reply appears to imply—but it is unclear—that the libertarian view is that these alleged benefits are not really wanted. If so, that is an error. The, typical, libertarian view is that the welfare state produces worse education, pensions, healthcare, etc., than would the free market and charity. And it is not "discovered" that market-anarchy is compatible with liberty and welfare. That is also part of the conjectured Compatibility Thesis that is being defended. Nor is it true by "redefinition": a falsifiable theory is not a definition. The reply ignores the explanations and arguments in *EfL* and in the response to the review and merely repeats the original charge based on a vague impression instead of getting to grips with the actual arguments used. That is not philosophy.

The reply insists that, "Of course, there could be discord being [sic. between?] having (negative) freedom and this freedom contributing to one's welfare". As *EfL* insists on this as a logical possibility as well, the reply is not obviously disagreeing with it. But the reply's example is this:

<sup>&</sup>lt;sup>1</sup> Brooks, Thom. 2003. "A Reply from a so-called 'Philistine'" (Libertarian Alliance website).

the civilians of Iraq have a kind of 'freedom' at the moment. Yet, if that devastated land were left entirely on its own, its recovery would be a far more painful process than if international bodies and the global community offer assistance....

If all that happens is that people "offer assistance", how is that supposed to be incompatible with the current "freedom" of the Iraqis? The reply explains its view: "freedom … seems to presuppose some basic level of material subsistence". How *exactly* does it "presuppose" this? Why can't someone be free but in poverty? Saying that, "Freedom means little when living is impossible" is a political slogan, not a philosophical explanation.

The reply also wants to affirm the view that "people may want things that do not benefit their welfare: whether this be overconsumption of food or drink, perhaps gambling, etc.". Two main things need to be said about this. First, *EfL* does not deny that people can damage their welfare, even as those people themselves conceive it, as a result of their liberty. The claim is that overall and in the long-term people will have more self-perceived welfare if they are at liberty to make their own choices. Second, if people freely choose to pay with part of their health or wealth for some activities, then they must at least regard themselves as better off at the time. Consequently, want-satisfaction seems to be a *modus vivendi* conception of welfare: no one tries to initiatedly impose his own view of a 'better' way of life on other people. Obviously, this is a different conception of welfare from paternalistic ones. But one cannot dismiss the want-satisfaction view of welfare (which, after all, is only a non-moralised version of preference utilitarianism) simply because it is not paternalistic.

Does this go "against the grain of our intuitions"? It is not clear how or why, or whose, "intuitions" should be trumps over such "arguments" (ironically, the reply puts warning quotation marks anent the response's arguments). Why are such views "indefensible"? The review has written nothing to explain how they are. It apparently mistakes the response's and *EfL*'s arguments for a "sleight of hand" on the erroneous assumption that they are based on persuasive or stipulative definitions. This is ignoring the defences of them from various real criticisms. And why does the reply footnote its author's emotional response ("outrage") at the question, which it calls a "comment", asking what is wrong with sexism? Does it imply that a politically correct (PC) emotional reaction is superior to any kind of explanation, however brief? Of course, state-monopolised academia is ideologically rife with PC authoritarianism (and now even woke totalitarianism); and that is the enemy of freedom of communication and freedom of association as regards certain dogmata.

There does not seem to be a great problem with book reviews and notes being "brief". However, the section of the review dealing with *EfL* approaches 2,000 words; so it's hardly that "brief". It might have been better if the review had been briefer but more accurate and more philosophical. Of course, an "extended philosophical argument" will not take place in a short review. But a short review is a poor excuse for impressionistic assertions that are then merely contradicted with common-sense opinions. The reply then returns to a criticism in the original review. In the relevant *EfL* passage it is explained that, for reasons of space, some criticisms have been dealt with fairly quickly in order to cover the philosophical ground of the overall Compatibility Thesis. The reply appears to hold that this is inconsistent with the response's alleged complaint that others are too brief (and that *EfL*, in the space of a whole book, ought not to have been so brief). But the response has no such complaint. Precision is often compatible with brevity. And it would, indeed, have been impossible to deal with all the critics in detail. An entire book could, for instance, reasonably do nothing but go into the details of Murray Rothbard's libertarian arguments, or discuss nothing but competing views of liberty, etc.

Any responses to other reviews are, of course, not germane to this particular debate. However, there is no criticism in those responses that the reviews are not "offering adequately thorough philosophical arguments". Rather, responses to some reviews have sometimes made the following criticisms: when making particular criticisms of assertions EfL has allegedly made, they have not shown where it makes them, or they have ignored the actual arguments, or they have failed to attempt to precisely indicate the part of the argument that they allege is faulty. No such errors have been wittingly perpetrated in EfL. There is no objection at all to reviews that "skip around to convey anything about the book under review". But accuracy of quotation, or interpretation, and saying exactly where some supposed fault lies is quite possible in the area on which any review briefly settles. Amongst various philosophically irrelevant remarks, the reply throws in the claim that its author is "one of many open to converting back to libertarianism". Does this seriously imply that the author (with a "socialist

disposition") was once a private-property libertarian? That is hardly credible. It seems likely that the reply is conflating all people who might once have self-described as 'libertarian' in some sense. In which case, nothing could convert anyone "back" to a different kind of "libertarianism".

The abstract philosophical theory of libertarian liberty developed in *EfL*—and how it relates to private property, welfare, morality (in principle, at least), and epistemology—is very different from the other more-orthodox libertarian approaches. Indeed, even libertarian philosophers have had trouble understanding it; as some reviews demonstrate. Non-libertarians—especially those unaware or unaccepting of the relevant social-science literature—and non-philosophers are even more likely to be confused by it. All that can be done to deal with this problem is to continue to try to make it clearer, and respond to published criticisms and alternative accounts. Apart from three more books and numerous articles on the subject, there is now "Eleutheric-Conjectural Libertarianism: a Concise Philosophical Explanation".<sup>2</sup> But for more philosophical detail there is also, "The Heterodox 'Fourth Paradigm' of Libertarianism: an Abstract Eleutherology plus Critical Rationalism."<sup>3</sup>

(May 2003; Revised January 2022.)

<sup>&</sup>lt;sup>2</sup> Lester, J. C. PhilPapers: <u>https://philpapers.org/rec/INDNLA</u> (2022).

<sup>&</sup>lt;sup>3</sup> Lester, J. C. Journal of Libertarian Studies, 23: 91-116 (2019).