
For a New Liberty after Fifty Years

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When *For a New Liberty* was published in 1973, it soon became one of the key books of the libertarian movement, and it has retained this status ever since. Why is this so? The principal reason is that Murray Rothbard, the book's author, set forward in it an account that brings together systematically his views on history, political philosophy, economics, foreign policy, and strategy. But this raises another question: why should we care about Rothbard's views on these topics? Part of the answer has already been suggested: Rothbard was able to integrate diverse subjects into a unified structure, doing so in a way that made libertarianism an attractive vision of a free society, one that in the opinion of many readers retains its appeal today. Some libertarians strongly dissent from some or all of Rothbard's opinions, but few would deny that his thought merits careful study, and *For a New Liberty* is the book in which he "puts it all together."

The book begins by situating libertarianism in history, tracing the struggle to establish what Rothbard calls a "new order" of liberty from its origins in the English Revolution of the seventeenth century and the American and French Revolutions in the eighteenth century, and contrasting this new order with the competing ideologies of conservatism and socialism. After this beginning section, the book is divided into three parts. The first of these parts discusses the "libertarian creed," presenting Rothbard's natural law ethics and his notion of the state as the enemy of liberty.

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Author's note: I have incorporated in this article material that I have published elsewhere. See David Gordon, "Rothbard on A Priori History," at <https://mises.org/wire/rothbard-priori-history>.

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The second part features Rothbard's libertarian responses to various policy issues, and the final part sets forward a strategy to achieve a libertarian society.

I was very glad, as well as honored, to be invited to contribute to the retrospective on *For a New Liberty*, as the book has meant a great deal to me, and its author has influenced my thinking about economics and politics more than anyone else. In what follows, I shall endeavor to offer an overview of the book by discussing a few of its main themes and important insights. After this, the other contributors to this issue of *The Independent Review* will address various topics in more detail.

Social Darwinism

Defenders of the free market are often charged with favoring “social Darwinism,” by which is meant a view that sees market competition as a struggle for survival in which those who cannot hold their own are ruthlessly cast aside. Rothbard opposes social Darwinism, instead seeing the market as an institution that allows mutually beneficial cooperation. This point will be familiar to most readers of *The Independent Review*, but Rothbard also addresses another aspect of social Darwinism.

Charles Darwin's account of evolution was one of gradual change rather than sudden leaps, and a social Darwinist in this sense would be someone who believes that social change is also very gradual. Rothbard rejects this position and holds that it had a deleterious influence on several “hardline” liberals, who thought that a free society might not arise until millennia hence.

Rothbard explains his view of social Darwinism, understood this way:

But the really important and crippling aspect of their social Darwinism was the illegitimate carrying-over to the social sphere of the view that species (or later, genes) change very, very slowly, after millennia of time. The social Darwinist liberal came, then, to abandon the very idea of revolution or radical change in favor of sitting back and waiting for the inevitable tiny evolutionary changes over eons of time. In short, ignoring the fact that liberalism had had to break through the power of ruling elites by a series of radical changes and revolutions, the social Darwinists became conservatives preaching against any radical measures and in favor of only the most minutely gradual of changes.

In fact, the great libertarian Spencer himself is a fascinating illustration of just such a change in classical liberalism (and his case is paralleled in America by William Graham Sumner). In a sense, Herbert Spencer embodies within himself much of the decline of liberalism in the nineteenth century. For Spencer began as a magnificently radical liberal, as virtually a pure libertarian. But, as the virus of sociology and social Darwinism took over in his soul, Spencer abandoned libertarianism as a dynamic, radical historical movement, although without abandoning it in pure theory. While looking

forward to an eventual victory of pure liberty, of “contract” as against “status,” of industry as against militarism, Spencer began to see that victory as inevitable, but only after millennia of gradual evolution. Hence, Spencer abandoned liberalism as a fighting, radical creed and confined his liberalism in practice to a weary, conservative, rearguard action against the growing collectivism and statism of his day ([1973] 1978, 17).¹

Suppose that someone objects to Rothbard, “You haven’t shown that social change is rapid. You have merely said that you don’t accept Spencer’s account; you haven’t demonstrated that he is mistaken.” This objection is not to the point. Rothbard isn’t here claiming to show that Spencer is wrong. His claim is that one’s view of the speed of social change shouldn’t be determined by one’s view of the speed of biological evolution.

Utilitarianism

Rothbard thinks that utilitarianism also leads to undue gradualism in political strategy, and he has some valuable comments on it. Usually, if you are looking for Rothbard’s views on ethics, *The Ethics of Liberty* (1982) is the place to go, but there are some points in *For a New Liberty* that are not discussed in the later book.

One of the most interesting of these arguments is this:

The utilitarians declare, from their study of the consequences of liberty as opposed to alternative systems, that liberty will lead more surely to widely approved goals: harmony, peace, prosperity, etc. Now no one disputes that relative consequences should be studied in assessing the merits or demerits of respective creeds. But there are many problems in confining ourselves to a utilitarian ethic. For one thing, utilitarianism assumes that we can weigh alternatives, and decide upon policies, on the basis of their good or bad *consequences*. But if it is legitimate to apply value judgments to the *consequences* of X, why is it not equally legitimate to apply such judgments to X *itself*? May there not be something about an act itself which, in its very nature, can be considered good or evil? ([1973] 1978, 31).

Rothbard is arguing in this way: Utilitarians take “good” to be the fundamental concept of ethics. You should act to achieve the greatest good possible, and utilitarians “cash this out” in terms of which of your actions has the best results. “Best” in this context can be specified in various ways, e.g., results in the most pleasure,

1. All my quotations from *For a New Liberty* are from the second edition, published in 1978 with a subtitle (which was absent in the original edition), viz., *For a New Liberty: The Libertarian Manifesto*. Page numbers refer to this edition. It is available online at <https://mises.org/library/new-liberty-libertarian-manifesto/html>.

maximizes preference satisfaction, etc. Rothbard's question is this: With what justification do utilitarians limit the determination of what is good to consequences? Why not ask about the goodness or badness of types of acts in themselves? In determining what to do, for example, we would not just ask what the consequences of a particular lie would be but add the badness of lying into the calculation.

It's important to distinguish this view from a more familiar position. According to this view, when considering whether you should lie, you need to take account not only the consequences of the particular lie in a given situation but the consequences if lying in such circumstances were adopted as a general practice. (There are all sorts of complications involved here that I won't go into now.) But this isn't Rothbard's question. He is talking about the intrinsic goodness or badness of types of acts. A utilitarian might think that in a given case, killing someone would have beneficial consequences, but Rothbard says he needs to add the badness of "killing" into his calculation.

Rothbard deserves great credit for seeing this issue, and in fact "pluralist" utilitarians have incorporated the goodness or badness of types of acts into their calculations, in just the way his question suggests. As Walter Sinnott-Armstrong notes in the *Stanford Encyclopedia of Philosophy* (2023):

Pluralism about values also enables consequentialists to handle many of the problems that plague hedonistic utilitarianism. For example, opponents often charge that classical utilitarians cannot explain our obligations to keep promises and not to lie when no pain is caused or pleasure is lost. Whether or not hedonists can meet this challenge, pluralists can hold that knowledge is intrinsically good and/or that false belief is intrinsically bad. Then, if deception causes false beliefs, deception is instrumentally bad, and agents ought not to lie without a good reason, even when lying causes no pain or loss of pleasure. Since lying is an attempt to deceive, to lie is to attempt to do what is morally wrong (in the absence of defeating factors). Similarly, if a promise to do an act is an attempt to make an audience believe that the promiser will do the act, then to break a promise is for a promiser to make false a belief that the promiser created or tried to create. Although there is more tale to tell, the disvalue of false belief can be part of a consequentialist story about why it is morally wrong to break promises.

Although Rothbard's question is a good one, it isn't clear how damaging it is to utilitarianism. Utilitarians need to figure out what items are to be included in their calculations, but to say this is not to establish that they cannot do so in a reasonable way.

Another of Rothbard's arguments, though, does wound utilitarianism severely, and possibly mortally:

Suppose a society which fervently considers all redheads to be agents of the Devil and therefore to be executed whenever found. Let us further

assume that only a small number of redheads exist in any generation—so few as to be statistically insignificant. The utilitarian-libertarian might well reason: “While the murder of isolated redheads is deplorable, the executions are small in number; the vast majority of the public, as non-redheads, achieves enormous psychic satisfaction from the public execution of redheads. The social cost is negligible, the social, psychic benefit to the rest of society is great; therefore, it is right and proper for society to execute the redheads.” The natural-rights libertarian, overwhelmingly concerned as he is for the *justice* of the act, will react in horror and staunchly and unequivocally oppose the executions as totally unjustified murder and aggression upon nonaggressive persons. The *consequence* of stopping the murders—depriving the bulk of society of great psychic pleasure—would not influence such a libertarian, the “absolutist” libertarian, in the slightest. Dedicated to justice and to logical consistency, the natural-rights libertarian cheerfully admits to being “doctrinaire,” to being, in short, an unabashed follower of his own doctrines. (Rothbard, 32)

I think it would be very difficult for a utilitarian to escape from Rothbard’s conclusion that utilitarianism would justify murdering the redheads. The attempts to do so generally emphasize the bad consequences (from a utilitarian standpoint) that doing this might lead to in other cases. Philippa Foot used to say that when a utilitarian is presented with a counterexample, he will immediately talk about side effects.

There are, unfortunately, utilitarians who will “bite the bullet.” The economist Robin Hanson has said that the reason the Holocaust was bad is that there weren’t enough Nazis. His reasoning, according to Bryan Caplan (2009) is this: “After all, if there had been six trillion Nazis willing to pay \$1 each to make the Holocaust happen, and a mere six million Jews willing to pay \$100,000 each to prevent it, the Holocaust would have generated \$5.4 trillion worth of consumer surplus.” Some people don’t recognize a *reductio ad absurdum* when they see one, but the rest of us will see the force of Rothbard’s example against utilitarianism.

Policy Issues

Though he was a critic of consequentialist approaches to morality, Rothbard has a keen eye for tracing out the consequences of various measures of government intervention in the free market. He is especially adept at showing the deleterious effects of such measures on ethnic minorities. In recent years, there has been considerable discussion of a bad effect of “public” education. Children almost always go to the nearest public school in their neighborhood, but schools in different neighborhoods vary widely in quality. In general, schools in wealthy neighborhoods are better than those in poor neighborhoods, because more revenue is generated from the property taxes that support these schools. This gives parents of schoolchildren a great incentive

to try to move into the wealthy neighborhoods, and the demand for houses there drives prices higher. But ethnic minorities find themselves priced out of the market, and their children are relegated to inferior schools.

Rothbard's account of this is strikingly prescient. He says:

The geographical nature of the public school system has also led to a coerced pattern of residential segregation, in income and consequently in race, throughout the country and particularly in the suburbs. As everyone knows, the United States since World War II has seen an expansion of population, not in the inner central cities, but in the surrounding suburban areas. As new and younger families have moved to the suburbs, by far the largest and growing burden of local budgets has been to pay for the public schools, which have to accommodate a young population with a relatively high proportion of children per capita. These schools invariably have been financed from growing property taxation, which largely falls on the suburban residences. This means that the wealthier the suburban family, and the more expensive its home, the greater will be its tax contribution for the local school. Hence, as the burden of school taxes increases steadily, the suburbanites try desperately to encourage an inflow of wealthy residents and expensive homes, and to *discourage* an inflow of poorer citizens. There is, in short, a breakeven point of the price of a house beyond which a new family in a new house will more than pay for its children's education in its property taxes. Families in homes below that cost level will not pay enough in property taxes to finance their children's education and hence will throw a greater tax burden on the existing population of the suburb. Realizing this, suburbs have generally adopted rigorous zoning laws which prohibit the erection of housing below a minimum cost level—and thereby freeze out any inflow of poorer citizens. Since the proportion of Negro poor is far greater than white poor, this effectively also bars Negroes from joining the move to the suburbs. And since in recent years there has been an increasing shift of jobs and industry from the central city to the suburbs as well, the result is an increasing pressure of unemployment on the Negroes—a pressure which is bound to intensify as the job shift accelerates. The abolition of the public schools, and therefore of the school burden-property tax linkage, would go a long way toward removing zoning restrictions and ending the suburb as an upper middle-class-white preserve. (132–33)

This is not the only area in which Rothbard is sensitive to the effects of government programs on ethnic minorities. He suggests that excessive use of force by police is much less likely if police protection is purchased on the free market than if the government provides it, because the suppliers of a service in the market have an

incentive to provide courteous and efficient service. In a “public” system, prejudiced police who treat minorities badly face no penalty: not so in the free market.

The merchants’ association, furthermore, would be induced, by their drive for profits and for avoiding losses, to supply not only sufficient police protection but also courteous and pleasant protection. Governmental police have not only no incentive to be efficient or worry about their “customers” needs; they also live with the ever-present temptation to wield their power of force in a brutal and coercive manner. “Police brutality” is a well-known feature of the police system, and it is held in check only by remote complaints of the harassed citizenry. But if the private merchants’ police should yield to the temptation of brutalizing the merchants’ customers, those customers will quickly disappear and go elsewhere. Hence, the merchants’ association will see to it that its police are courteous as well as plentiful. . . . Furthermore, police paid for by the landowners and residents of a block or neighborhood would not only end police brutality against customers; this system would end the current spectacle of police being considered by many communities as alien “imperial” colonizers, there not to serve but to oppress the community. In America today, for example, we have the general rule in our cities of black areas patrolled by police hired by central urban governments, governments that are perceived to be alien to the black communities. Police supplied, controlled, and paid for by the residents and landowners of the communities themselves would be a completely different story; they would be supplying, and perceived to be supplying, services to their customers rather than coercing them on behalf of an alien authority. (204–5)

Rothbard was well aware that mainstream opinion considered his complete rejection of government unrealistic, and in an imaginative thought experiment, he tries to turn the tables on the advocates of government. He describes a “state of nature” situation in which a Hobbesian proposal would be considered blatantly absurd.

We will explore the entire notion of a State-less society, a society without formal government, in later chapters. But one instructive exercise is to try to abandon the habitual ways of seeing things, and to consider the argument for the State *de novo*. Let us try to transcend the fact that for as long as we can remember, the State has monopolized police and judicial services in society. Suppose that we were all starting completely from scratch, and that millions of us had been dropped down upon the earth, fully grown and developed, from some other planet. Debate begins as to how protection (police and judicial services) will be provided. Someone

says: “Let’s all give all of our weapons to Joe Jones over there, and to his relatives. And let Jones and his family decide all disputes among us. In that way, the Joneses will be able to protect all of us from any aggression or fraud that anyone else may commit. With all the power and all the ability to make ultimate decisions on disputes in the hands of Jones, we will all be protected from one another. And then let us allow the Joneses to obtain their income from this great service by using their weapons, and by exacting as much revenue by coercion as they shall desire.” Surely in that sort of situation, no one would treat this proposal with anything but ridicule. For it would be starkly evident that there would be no way, in that case, for any of us to protect ourselves from the aggressions, or the depredations, of the Joneses themselves. No one would then have the total folly to respond to that long-standing and most perceptive query: “Who shall guard the guardians?” by answering with Professor [Charles] Black’s blithe: “Who controls the temperate?” It is only because we have become accustomed over thousands of years to the existence of the State that we now give precisely this kind of absurd answer to the problem of social protection and defense. (68)

Rothbard is well known as one of the greatest exponents of praxeology, which operates through a priori reasoning. He was careful, though, to distinguish praxeology from history. The latter can be studied only through empirical investigation.

In a section of the book called “Avoiding A Priori History,” Rothbard warns against the assumption that because democracies are “better” than dictatorships, they are necessarily more peace loving. Of course, Rothbard isn’t a supporter of democracy and has written eloquently against its defects; indeed, he does so in this book. But we can say, at least for the purposes of the argument, that a government with relatively free elections and civil liberties is better than a dictatorship without much freedom. Even if a democracy really is “better,” in this sense, than its authoritarian rivals, nothing follows about how often it will go to war.

Rothbard says:

In short, libertarians and other Americans must guard against *a priori* history: in this case, against the assumption that, in any conflict, the State which is more democratic or allows more internal freedom is necessarily or even presumptively the victim of aggression by the more dictatorial or totalitarian State. There is simply no historical evidence whatever for such a presumption. In deciding on relative rights and wrongs, on relative degrees of aggression in any dispute in foreign affairs, there is no substitute for a detailed empirical, historical investigation of the dispute itself. It should occasion no great surprise, then, if such an investigation concludes that a democratic and relatively far freer United States has been more

aggressive and imperialistic in foreign affairs than a relatively totalitarian Russia or China. Conversely, hailing a State for being less aggressive in foreign affairs in no way implies that the observer is in any way sympathetic to that State's internal record. It is vital—indeed, it is literally a life-and-death matter—that Americans be able to look as coolly and clear-sightedly, as free from myth at their government's record in foreign affairs as they are increasingly able to do in domestic politics. (363–64)

Rothbard's target here needs to be specified. He isn't attacking so-called democratic peace theory in this passage, although he opposes this also. According to democratic peace theory, democracies are unlikely to go to war with other democracies. This is a different question from whether democracies are on the whole more warlike than other states. Even if democratic peace theory is true, it could still be the case that democracies are more warlike, because they go to war with dictatorships more than dictatorships do with other dictatorships.

The extent to which a state is dictatorial has little if anything to do with how aggressive it is:

Many dictatorships have turned inward, cautiously confining themselves to preying on their own people: examples range from premodern Japan to Communist Albania to innumerable dictatorships in the Third World today. Uganda's Idi Amin, perhaps the most brutal and repressive dictator in today's world, shows no signs whatever of jeopardizing his regime by invading neighboring countries. On the other hand, such an indubitable democracy as Great Britain spread its coercive imperialism across the globe during the nineteenth and earlier centuries. . . . What we have said about democracy and dictatorship applies equally to the lack of correlation between degrees of internal freedom in a country and its external aggressiveness. Some States have proved themselves perfectly capable of allowing a considerable degree of freedom internally while making aggressive war abroad; other States have shown themselves capable of totalitarian rule internally while pursuing a pacific foreign policy. The examples of Uganda, Albania, China, Great Britain, etc. apply equally well in this comparison. (362–63)²

Rothbard gives an illustration of his point that many readers will find controversial. He is a "Cold War revisionist" and argues that the United States was for the most part the aggressor in its struggle with the Soviet Union. The Soviets aimed to get back the territory held by Czarist Russia and to ensure that no hostile state on its borders was in a position to invade it.

2. A few years after Rothbard wrote this, Idi Amin did try to annex a section of neighboring Tanzania.

Suppose you disagree with Rothbard and think that the Soviets were more expansionist than he does—for example, after he wrote *For a New Liberty*, the Soviets sent troops into Afghanistan, although Rothbard interpreted this in line with his revisionist views. You must still take account of a vital point that is particularly relevant in our own times, when neoconservatives urge on us confrontation with Russia.

We are not saying, of course, that Soviet leaders will never do anything contrary to Marxist-Leninist theory. But to the extent that they act as ordinary rulers of a strong Russian nation-state, the case for an imminent Soviet threat to the United States is gravely weakened. For the sole alleged basis of such a threat, as conjured up by our cold warriors, is the Soviet Union's alleged devotion to Marxist-Leninist theory and to its ultimate goal of world Communist triumph. If the Soviet rulers were simply to act as Russian dictators consulting only their own nation-state interests, then the entire basis for treating the Soviets as a uniquely diabolic source of imminent military assault crumbles to the ground. (362–64)

For a New Liberty continues to provoke, inspire, and instruct us after fifty years.

References

- Caplan, Bryan. 2009. Are Grotesque Hypotheticals Cheap Shots? *EconLog* (blog). *Econlib*, April 15, 2009. https://www.econlib.org/archives/2009/04/are_grotesque_h.html.
- Rothbard, Murray N. (1973) 1978. *For a New Liberty*. New York: Collier Macmillan. Reissued as *For a New Liberty: The Libertarian Manifesto*; Auburn, Ala.: Mises Institute. Citations refer to the Mises edition.
- . 1982. *The Ethics of Liberty*. Atlantic Highlands, N.J.: Humanities Press.
- Stanford Encyclopedia of Philosophy*. 2023. Edited by Edward N. Zalta and Uri Nodelman, s.v. “consequentialism,” by Walter Sinnott-Armstrong. <https://plato.stanford.edu/archives/win2023/entries/consequentialism>.

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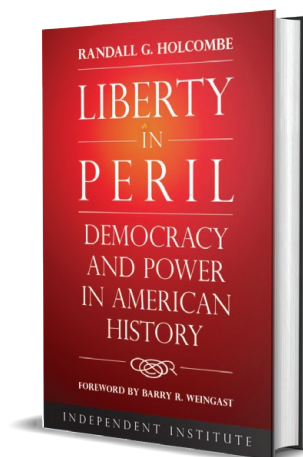
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