# THE CLASSICAL ROOTS OF RADICAL INDIVIDUALISM

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## I. Radical Individualism: Atomistic or Organic?

While the phrase "radical individualism" may connote a distinctively modern outlook, at least two intellectual traditions so describable trace their roots to classical antiquity. The one I *don't* plan to focus on here is the atomistic individualism that views human beings as radically separate selves locked in a struggle for survival or power. Elements of this view can be found in Thomas Hobbes, Max Stirner, and to some extent (though he is a much more complicated case) Friedrich Nietzsche; and the view's antecedents—as these thinkers well knew—certainly lie in antiquity, with positions like those that Antiphon defends in *On Truth* and Plato puts in the mouths of Callicles (in the *Gorgias*), Thrasymachus (in *Republic* I), and Glaucon and Adeimantus (in *Republic* II).

The tradition to which I wish to draw attention is a more organic version of individualism which, though it might initially seem less radical than its atomistic rival,[1] has to my mind a greater claim to the title "radical individualism." The principal representatives of this tradition are, in the nineteenth century, the radical liberals of France (e.g., Charles Comte, Charles Dunoyer, Augustin Thierry, Frédéric Bastiat, Gustave de Molinari)[2] and England (e.g., Thomas Hodgskin, William Thompson, Herbert Spencer, Auberon Herbert, Wordsworth Donisthorpe—and to a lesser extent John Stuart Mill),[3] and the individualist anarchists of France (e.g., Pierre-Joseph Proudhon, Anselme Bellegarrigue, Molinari again) and America (e.g., Josiah Warren, Stephen Pearl Andrews, Lysander Spooner, William Lloyd Garrison, Henry David Thoreau, Ezra Heywood,

[1] Tibor Machan, for example, reserves the term "radical individualism" for the Hobbesian atomistic tradition, applying the term "classical individualism" to the more organic tradition. Tibor R. Machan, *Classical Individualism: The Supreme Importance of Each Human Being* (London: Routledge, 1998).

[2] On French radical liberalism, see Murray N. Rothbard, *Classical Economics: An Austrian Perspective on the History of Economic Thought, Volume II* (Cheltenham, UK: Edward Elgar, 1995), chap. 14; David M. Hart, "Class Analysis, Slavery, and the Industrialist Theory of History: The Radical Liberalism of Charles Comte and Charles Dunoyer," http://homepage.mac.com/dmhart/ComteDunoyer/index.html; David M. Hart, "Gustave de Molinari and the Anti-Statist Liberal Tradition: Part I," *Journal of Libertarian Studies* 5, no. 3 (Summer 1981): 263–90; "Part II," *Journal of Libertarian Studies* 5, no. 4 (Fall 1981): 399–434; and "Part III," *Journal of Libertarian Studies* 6, no. 1 (Winter 1982): 83–104, http://homepage.mac.com/dmhart/Molinari.

[3] Mill's degree of support for economic regulation and British imperialism places him outside the mainstream of the radical individualist tradition.

 

Moses Harman, Benjamin Tucker, Voltairine de Cleyre);[4] and, in the twentieth century, the later Austrian School (e.g., Ludwig von Mises, Friedrich A. Hayek, Murray N. Rothbard, Samuel E. Konkin III) and the libertarian Old Right (e.g., Albert Jay Nock, Frank Chodorov, Isabel Paterson, Ayn Rand, Rose Wilder Lane, Rothbard again). Others beyond these categories might include the American sociologist William Graham Sumner, the German sociologist Franz Oppenheimer, and the Russian nihilist Nikolai Chernyshevsky. It is a diverse group, cutting across traditional left/right lines, but lines of affiliation, influence, and common concern are easily traceable among the group's members.

While these thinkers are often misidentified as atomistic—partly because of their own willingness on occasion to employ atomistic language—their stress on the inherent sociality of human beings and the natural harmony of human interests entitles them to a different category; and this camp's roots, too, lie deep within classical antiquity. This camp's form of individualism merits the label "organic" in two respects: in its members' view of individuals as essentially related to society, and in their view of different aspects of society (political, economic, cultural) as essentially related to one another.

These organic individualists, I argue, have a double claim to be more "radical" than their atomistic cousins.[5] First, their individualism is more radical in the sense that it is more thoroughgoing. The organicists, like the atomists, tend to be motivational individualists, both methodologically and normatively; that is, they generally insist, on the one hand, that social phenomena must be explained and understood in terms of the desires, choices, and interests of individual agents, and on the other hand, that no moral demands can be binding on an agent except insofar as they fit in with those desires, choices, and interests. But because the organicists see human interests as harmonious and social cooperation as natural, they are also social individualists, encouraging autonomy and independence, and economic and political individualists, trusting individuals to pursue their goals without coercive control. Atomists, by contrast, tend to see human interests as naturally conflictual, and thus do not expect social order to emerge unless it is imposed on society by coercive authority—which often leads atomists to reject economic and political individualism and to be wary of social individualism. (This is most clearly true of Hobbes—who regards untrammeled pursuit of self-interest as morally

[4] On American individualist anarchism, see James J. Martin, *Men Against the State: The Expositors of Individualist Anarchism in America, 1827–1908* (Colorado Springs, CO: Ralph Myles, 1970); and Wendy McElroy, *The Debates of Liberty: An Overview of Individualist Anarchism, 1881–1908* (Lanham, MD: Lexington Books, 2003).

[5] Incidentally, I do not intend my distinction between atomistic and organic individualists to line up in any neat way with Hayek's distinction between rationalist and antirationalist individualists; in fact, I am inclined to think that Hayek's distinction is to some degree a false dichotomy. See Friedrich A. Hayek, *Individualism and Economic Order* (Chicago: University of Chicago Press, 1948), chap. 1.

justified, while at the same time advising that such pursuit be curbed through authoritarian political arrangements—and is true to a fair degree of Nietzsche, who favors social individualism, at least for some, but is ambivalent with regard to political individualism and has only scorn for economic individualism.[6] This characterization is, of course, less true of Stirner, who supports social individualism for all and is willing to embrace a laissez-faire social order even at the price of a fair degree of chaos; yet even Stirner's "union of egoists" evidently proposes forcibly to compel the cooperation of recalcitrant members,[7] so laissez-faire apparently has its limits.) Thus, organic individualism is more thoroughgoingly individualistic, in that it upholds individualism across a broader range of issues.

The second basis of the organicists' greater claim to the title "radical individualism" turns on a different and more philosophical sense of the term "radical." In this sense, a radical understanding of a social phenomenon is one that declines to see it in isolation from a broader context, but instead views social phenomena as organically interconnected across political, economic, and cultural spheres—so that addressing social problems calls for system-wide change rather than local fixes.[8] While radicalism in this sense is certainly not absent from the atomistic tradition, the much closer tie that the organicists identify between individuals and their social context arguably earns them a higher score on this dimension.

I shall not offer a precise definition of "radical individualism," since I take it, like most such labels in intellectual history, to be a cluster concept rather than a matter of necessary and sufficient conditions. Nonetheless, I assume that a theory is *individualist* to the extent that it accepts any or all of methodological motivational individualism, normative motivational individualism, social individualism, economic individualism, and political individualism; and that a theory is *radically* individualist, first, to the extent that it accepts more of these four perspectives, or accepts them to a more extreme degree, and second, to the extent that it emphasizes the interconnected nature of social phenomena. To recap, then, atomistic individualists count as somewhat radical since they accept motivational individualism, both explanatory and normative, to an extreme degree, and

[6] On Nietzsche, see Lester H. Hunt, *Nietzsche and the Origin of Virtue* (London: Routledge, 1993), chaps. 3–4.

[7] "You won't find any [plowman who will work for lower wages], for we plowmen are no longer doing otherwise, and, if one puts in an appearance who takes less, then let him beware of us." Max Stirner, *The Ego and His Own*, trans. Steven T. Byington (New York: Benj. R. Tucker, 1907), 359.

[8] For this aspect of the individualist tradition, see Chris Matthew Sciabarra, *Marx, Hayek, and Utopia* (Albany, NY: State University of New York Press, 1995); Sciabarra, *Ayn Rand: The Russian Radical* (University Park: Pennsylvania State University Press, 1995); Sciabarra, *Total Freedom: Toward a Dialectical Libertarianism* (University Park: Pennsylvania State University Press, 2000); and Roderick T. Long and Charles W. Johnson, "Libertarian Feminism: Can This Marriage Be Saved?" http://charleswjohnson.name/essays/libertarian-feminism (May 2005). In the present essay, I use the term "organicist" in a broader sense than Sciabarra does.

sometimes social individualism as well; but organic individualists count as more radical in virtue of accepting to an extreme degree not only these but also economic and political individualism—and they *also* count as more radical because of their greater acceptance of essential interconnectedness. Moreover, organic individualists' greater radicalism in the second mode helps to explain their greater radicalism in the first mode, since a focus on interconnectedness leads the organic individualists to view sociality as constitutive of human identity, and thus *not* as something which must be imposed by coercive government or conformist social pressure.

In other words, both camps of radical individualists emphasize, often to the point of psychological egoism, the need to explain action in terms of the pursuit of individual interests; and both camps endorse, often to the point of ethical egoism, the legitimacy of such pursuit. But the atomistic individualists view such pursuit as leading to inevitable conflicts, which only forcible constraint can resolve, while the organic individualists, with their greater emphasis on sociality, are led to embrace, often to the point of anarchism, a minimization of all coercive constraints on individual activity.[9]

The thesis I wish to defend is that radical individualism in the organic sense is best understood as the heir and continuator of classical Greek and Roman thought. I do not maintain that the ancient thinkers on whom this tradition draws were themselves radical individualists; by and large they were not. In case after case, however, the central themes and arguments of the radical individualists were partly anticipated by, and directly or indirectly draw on, classical originals.

I begin, in the two sections immediately following, by attempting to clear away certain misconceptions that tend to obscure the connection between radical individualism and the classical tradition. In Section II, I seek to explain how a failure to distinguish between state and society has led modern readers to underestimate the degree of the radical individualists' organicism and continuity with classical precedent. In Section III, I rebut the charge that classical ethics is too greatly oriented toward warlike and hegemonic relations among people to be plausibly identified as an ancestor of radical individualism.

Then, in three further sections, I explore some of the specific points of similarity and influence between classical and radical individualist thought. In Section IV, I identify the classical background of the radical individualists' tendency to view human conduct in terms of hypothetical imperatives. In Section V, I show how the radical individualists' emphasis on

[9] Benjamin Tucker summed up the tendency of radical, organic individualism in a 1907 advertisement for his "Unique Book-Shop," offering "The Literature that Makes for Egoism in Philosophy; Anarchism in Politics; Iconoclasm in Art; With Now and Then a Book that Makes the Other Way." Reproduced in Michael E. Coughlin, Charles H. Hamilton, and Mark A. Sullivan, eds., *Benjamin R. Tucker and the Champions of Liberty: A Centenary Anthology* (St. Paul, MN: Michael E. Coughlin and Mark A. Sullivan, 1986), 102.

spontaneous order and noninstrumental concern may be seen as a development of the argument of the "Great Speech" in Plato's *Protagoras.* And in Section VI, I argue that the radical individualists' tendency to undermine the legitimacy of established authority by embracing a moralized conception of "law" and related terms has its origins in Socratic and Stoic precedent.

## II. Organicism and the State

One factor that helps to explain why the organic nature and classical pedigree of radical individualism have often gone unnoticed is the radical individualists' attitude toward the state, which they regard as an administrative convenience at best and an inherently criminal enterprise at worst. Aristotle, by contrast, famously compared the individual's relation to the state with the hand's relation to the body[10]—meaning not that the interests of the individual must be sacrificed to those of the state (for Aristotle does not accept a conflictual model of interests)[11] but rather that the individual is intelligible, and can exist and flourish as the kind of being he is, only in the context of the state.[12]

With this position the organic individualists, being largely anarchists or near-anarchists, unsurprisingly disagree—but only because they draw, as Aristotle does not, a sharp distinction between state and society.[13] Herbert Spencer, for example, develops Aristotle's analogy:

[10] Aristotle, *Pol.* I.1.1253a19–30.

[11] For the relation between Aristotelian individuals and the state, see Fred D. Miller Jr., *Nature, Justice, and Rights in Aristotle's Politics* (New York: Oxford University Press, 1997); and Robert Mayhew, *Aristotle's Criticism of Plato's Republic* (Lanham, MD: Rowman and Littlefield, 1997).

[12] It is a matter of controversy whether Aristotle means that a human being cannot exist *at all* outside the state (i.e., that outside the state a human being ceases to be human except homonymously), or merely that a human being cannot function *properly* outside the state. In support of the former is the hand analogy (cf. *Meteor.* IV.12.389b31–390a20); in support of the latter is Aristotle's saying, not that whoever is stateless is nonhuman, but that whoever is *naturally* stateless is nonhuman (*Pol.* I.1.1253a2–5, 26–30). These represent different versions of organicism, but organicism nonetheless (since both tie the individual's identity to the state, albeit to different degrees), and we need not decide between them here.

[13] The *locus classicus* is Thomas Paine in *Common Sense*: "Some writers have so confounded society with government, as to leave little or no distinction between them; whereas they are not only different, but have different origins. Society is produced by our wants, and government by our wickedness; the former promotes our happiness *positively* by uniting our affections, the latter *negatively* by restraining our vices. The one encourages intercourse, the other creates distinctions. The first is a patron, the last a punisher. Society in every state is a blessing, but government even in its best state is but a necessary evil; in its worst state an intolerable one." Thomas Paine, *Common Sense*, in Philip S. Foner, ed., *The Life and Major Writings of Thomas Paine* (Secaucus, NJ: Citadel Press, 1948), 1–46, at p. 4. The state/society distinction is sometimes regarded as alien to antiquity; in his book *Was Athens a Democracy? Popular Rule, Liberty, and Equality in Ancient and Modern Political Thought* (Copenhagen: Royal Danish Academy, 1989), Mogens Herman Hansen argues to the contrary that the distinction was in fact recognized in popular political culture—but not so much, he notes, among philosophers. Cicero, however, makes the distinction, explaining that human beings form society out of fellow-feeling, but form states to protect their property (*Off.* I.158, II.73).

> [T]here can be no correct idea of a part without a correct idea of the correlative whole. . . . If the part is conceived without any reference to the whole, it becomes itself a whole—an independent entity; and its relations to existence in general are misapprehended. . . . The process of loading a gun is meaningless until the subsequent actions performed with the gun are known. A fragment of a sentence, if not unintelligible, is wrongly interpreted in the absence of the remainder. . . . Suppose a being ignorant of the human body to find a detached arm. If not misconceived by him as a supposed whole, instead of being conceived as a part, still its relations to other parts, and its structure, would be wholly inexplicable. Admitting that the cooperation of its bones and muscles might be divined, yet no thought could be framed of the share taken by the arm in the actions of the unknown whole it belonged to; nor could any interpretation be put upon the nerves and vessels ramifying through it, which severally refer to certain central organs. A theory of the structure of the arm implies a theory of the structure of the body at large.[14]

Spencer accordingly concludes that society is an organism and that individuals have their identity only in connection with society. Far from drawing an authoritarian or collectivist moral from this conception, however, Spencer insists that it is precisely because individuals are organically related to society that imposing cooperative arrangements on them through governmental compulsion is unnecessary.[15]

In like terms, Ludwig von Mises distinguishes *organization,* "an association based on authority," from *organism,* cohering through "mutuality," and warns against interpreting social formations as "having been organized from outside" when in fact they have "grown themselves, organically."[16] And Benjamin Tucker draws a distinction between *discrete* individuals, whose component parts can function in separation from the whole, and *concrete* individuals, whose component parts cannot do so.[17] A book, for example, is not a mere "assemblage within a cover of printed sheets consecutively numbered" (that would presumably be a discrete individual) but "a thing of unity and symmetry," a "literary structure, each part of which is subordinated to the whole and created for it"[18]—in other words, a concrete individual or organism. "That society is a concrete organism," Tucker notes, "the Anarchists do not deny; on the con-

[14] Herbert Spencer, *The Principles of Ethics,* vol. 1, ed. Tibor R. Machan (Indianapolis, IN: Liberty Fund, 1978), 37–38.

[15] Herbert Spencer, *The Man Versus the State; with Six Essays on Government, Society, and Freedom* (Indianapolis, IN: Liberty Fund, 1982), 456–64.

[16] Ludwig von Mises, *Socialism: An Economic and Sociological Analysis,* trans. J. Kahane (Indianapolis, IN: Liberty Fund, 1981), 262.

[17] Benjamin R. Tucker, *Instead of a Book, By a Man Too Busy to Write One: A Fragmentary Exposition of Philosophical Anarchism* (New York: Benj. R. Tucker, 1897), 35.

[18] Ibid., ix.

trary, they insist upon it. . . . They know that its life is inseparable from the lives of individuals; that it is impossible to destroy one without destroying the other." Tucker's quarrel with the Aristotelian position lies only in his rejection of what he calls "a confusion of the State with society."[19] Unlike Mises, Tucker is willing to call the state an organism, but only in a weaker sense:

> The State, unlike society, is a discrete organism. If it should be destroyed to-morrow, individuals would still continue to exist. Production, exchange, and association would go on as before, but much more freely. . . . The individual is not related to the State as the tiger's paw is related to the tiger. Kill the tiger, and the tiger's paw no longer performs its office; kill the State, and the individual still lives and satisfies his wants.[20]

For Frédéric Bastiat, too, while the state is "the great fictitious entity by which everyone seeks to live at the expense of everyone else,"[21] society is "man's necessary milieu," indispensable provider not only of "exchange" and "specialized skills" but above all of "language, without which he could not have communicated with himself or formed his thoughts."[22] Mises concurs that man is "inconceivable as an isolated being," since "humanity exists only as a social phenomenon," and "mankind transcended the stage of animality only in so far as cooperation evolved the social relationships between the individuals."[23] While these thinkers generally embrace the "methodological individualist" commitment to explaining the behavior of collectives in terms of the actions of their individual members (by contrast with, say, the search for laws governing macroeconomic aggregates), they do not do so in a reductive manner; for the actions themselves cannot be described in abstraction from their social relations. As Friedrich A. Hayek notes:

> Neither a "commodity" or an "economic good," nor "food" or "money," can be defined in physical terms. . . . Economic theory has nothing to say about the little round disks of metal as which an objective or materialist view might try to define money. . . . Nor could we distinguish in physical terms whether two men barter or

[19] Ibid., 35.
[20] Ibid., 36.
[21] Frédéric Bastiat, *Selected Essays on Political Economy*, trans. Seymour Cain, ed. George B. de Huszar (Irvington-on-Hudson, NY: Foundation for Economic Education, 1968), 144.
[22] Frédéric Bastiat, *Economic Harmonies*, trans. W. Hayden Boyers, ed. George B. de Huszar (Irvington-on-Hudson, NY: Foundation for Economic Education, 1968), 64.
[23] Mises, *Socialism*, 259.

exchange or whether they are playing some game or performing some ritual.[24]

Hence, nothing I do counts as "selling," say, apart from my beliefs and desires. But not just mine: try as I might, I cannot engage in selling unless other people have the relevant beliefs and desires also (e.g., nothing counts as "money" unless it enjoys a widespread expectation of acceptance). Indeed, individual actions can be understood only in terms of the network of social beliefs and practices that give them meaning; writing a check, for example, is an individual's action, but in so describing it we make use of irreducibly social concepts. In short, then, the radical individualists' quarrel with Aristotle's famous hand analogy—an analogy often regarded as radically anti-individualistic—lies not with Aristotle's organicism but with his failure to distinguish society from state.

## III. Slavery, Patriarchy, and Hegemony

Greco-Roman society was a slaveholding, patriarchal civilization that glorified martial valor and denigrated commerce and productive labor. The radical individualists, by contrast, were at the forefront of the abolitionist and feminist movements, and proclaimed the superiority of "industrial" over "militant" modes of social organization.[25] Classical antiquity might then seem unpromising as a source of inspiration for an individualist political agenda. Developing and extending Benjamin Constant's contrast between ancient and modern liberty,[26] Bastiat even opposed classical education, on the grounds that students who should be learning the arts of "labor, peace, and freedom" are instead "imbued and saturated" with the culture and values of a "plundering, slave-owning people."[27] The task of modernity is, properly, the subjugation of nature; but the ideal of antiquity, Bastiat charged, was the subjugation of one's fellow human beings.

[24] Friedrich A. Hayek, *The Counter-Revolution of Science: Studies on the Abuse of Reason* (Indianapolis, IN: Liberty Fund, 1979), 53; cf. Barry Smith, "Austrian Economics and Austrian Philosophy," in Wolfgang Grassl and Barry Smith, eds., *Austrian Economics: Historical and Philosophical Background* (London: Croom Helm, 1986), 1–36; Roderick T. Long, "Anti-Psychologism in Economics: Wittgenstein and Mises," *Review of Austrian Economics* 17, no. 4 (2004), 345–69.

[25] For the role of radical individualists in the abolitionist and feminist movements, see Wendy McElroy, "The Roots of Individualist Feminism in 19th-Century America," in Wendy McElroy, ed., *Freedom, Feminism, and the State: An Overview of Individualist Feminism,* 2d ed. (New York: Holmes and Meier, 1991), 3–26. For some striking parallels between the radical individualists of the nineteenth century and the radical feminists of our own day, see Long and Johnson, "Libertarian Feminism."

[26] Benjamin Constant, "The Liberty of the Ancients Compared with That of the Moderns," in Benjamin Constant, *Political Writings,* ed. and trans. Biancamaria Fontana (Cambridge: Cambridge University Press, 1988), 307–28.

[27] Bastiat, *Selected Essays,* 245.

Now even if one grants that classical ethics celebrates domination, it does not follow that an antidomination ethic can borrow nothing of value from a prodomination ethic. Thomas Jefferson maintained that ancient ethics was sound on obligation to oneself but weak on obligations to others,[28] while John Stuart Mill called for a balance between "pagan self-assertion" and "Christian self-denial."[29] In a similar vein, the contemporary philosopher David Kelley suggests that Ayn Rand's version of ethical individualism fuses the inspiring heroism of the ancient ethos with the productive industriousness of the modern ethos, while leaving behind the aristocratic, warlike values of the former and the tepid sobriety of the latter.[30] In each case, while tendencies are identified in ancient ethics that run contrary to the radical individualist values of peace, equality, and productivity, the possibility of finding aspects of ancient ethics of value to individualists is nonetheless affirmed.

In general, the radical individualists tend to be suspicious of, and to seek to transcend, false dichotomies[31]—between materialism and dualism in metaphysics, between self-interest and benevolence in ethics, and between "capitalism" and "socialism" in political economy—and this tendency itself is, of course, a specifically Aristotelian inheritance. Seeking to overcome the dichotomy between classical, virtue-oriented conceptions of ethics and modern, liberty-oriented conceptions of politics is one more such theme that runs through the organic individualist tradition.

Thus, even if it were true—or to whatever extent it is true—that ancient thinkers endorse an ethic of domination, there could still be aspects of their perspective on which radical individualists mighty profitably draw. But in any case there are already antidomination strands in classical thought as well. Lysias, for example, regards "the liberty of all" as "supreme harmony," declaring that it is "the way of wild beasts to be forcibly subjected to one another, but the way of human beings to define justice by

[28] "Let a just view be taken of the moral principles inculcated by the most esteemed of the sects of ancient philosophy. . . . Their precepts related chiefly to ourselves. . . . In this branch of philosophy they were really great. . . . In developing our duties to others, they were short and defective." Thomas Jefferson, Letter to Benjamin Rush, April 21, 1803, in Merrill D. Peterson, ed., *The Portable Thomas Jefferson* (New York: Penguin, 1977), 490–94.

[29] John Stuart Mill, *On Liberty and Other Essays*, ed. John Gray (Oxford: Oxford University Press, 1991), 69.

[30] David Kelley, "The Code of the Creator," in William Thomas, ed., *The Literary Art of Ayn Rand* (Poughkeepsie, NY: Objectivist Center, 2005), 243–57.

[31] This is part of what Sciabarra identifies as their "dialectical" orientation: "A thinker who employs a dialectical method embraces neither a pole nor a middle of a duality of extremes. . . . He or she presents an integrated alternative that examines the premises at the base of an opposition as a means to its transcendence. [The dialectical thinker] does not literally *construct* a synthesis out of the debris of false alternatives [but rather] aims to *transcend* the limitations that . . . traditional dichotomies embody." Sciabarra, *Ayn Rand: The Russian Radical*, 16–17. Transcending a false dichotomy involves neither embracing both sides of a genuine contradiction nor denying that the two sides contradict each other, but rather showing either that the opposite sides are contraries rather than contradictories (i.e., while they cannot both be true, they can both be false) or else that the terms in which the opposition is drawn are conceptually confused and should be abandoned.

law and to persuade by reasoned discourse [*logos*]."[32] Aristotle maintains that human beings are "more political" than other social animals because their interactions are governed by *logos*, reasoned discourse, about the common good;[33] to "rule and despotize over one's neighbors" and "those who are unwilling," by contrast, is a *non*political, lawless mode of interaction.[34] Xenophon agrees that legitimate authority depends on the consent of the governed,[35] while Aristippus the Cyrenaic rejects both ruling and being ruled, preaching a "middle path" that leads "neither through rule nor through slavery but through freedom."[36] And Cicero observes that "there are two forms of conflict: one by discussion, the other by force; the former appropriate to man, but the latter to beasts."[37] What these examples show is that an opposition to relations of domination is not something that radical individualists need to graft onto their classical inheritance, but is rather a seed already present in classical thought and merely awaiting development.

Taking seriously the superiority of persuasive over coercive modes of interaction has radically libertarian, even anarchistic, political implications; most of these thinkers, of course, did not draw out any such implications, but a few did. For example, Zeno of Citium, founder of Stoicism, envisioned a republic without borders or law courts,[38] while the Epicurean Diogenes of Oenoanda prophesied that justice and friendship would one day render laws and city walls obsolete.[39] This is not precisely the radical individualist version of anarchism, which generally favors the rule of law, regarding law as prior to and separable from the state; but it is certainly an ancestor.[40]

[32] Lysias, *Funeral Oration*, in *Lysiae Orationes*, ed. Karl Hude (Oxford: Clarendon Press, 1912), 17–19; translation mine.

[33] Aristotle, *Pol.* I.1.1253a7–18.

[34] Aristotle, *Pol.* VII.2.1324b22–36.

[35] Xenophon, *Mem.* IV.6.12.

[36] Quoted in Xenophon, *Mem.* II.1.8–13.

[37] Cicero, *Off.* I.11.

[38] Plutarch, *De Fortuna Alexandri* 329a–b; Diogenes Laertius VII.1.33, in Diogenes Laertius, *Lives of Eminent Philosophers*, 2 vols., ed. R. D. Hicks (Loeb Classical Library, 1925).

[39] "Then truly the life of the gods will pass to men. For everything will be full of justice and mutual friendship, and there will come to be no need of city-walls or laws and all the things we manufacture on account of one another." Diogenes of Oenoanda, *New fragment* 21.1.4–14, 21.2.10–14, quoted in A. A. Long and D. N. Sedley, *The Hellenistic Philosophers, Volume I: Translations of the Principal Sources with Philosophical Commentary* (Cambridge: Cambridge University Press, 1987), 134.

[40] For an exploration of individualist, proto-libertarian themes in Socratic, Aristotelian, and Hellenistic philosophy, see R. F. Stalley and Roderick T. Long, "Socrates and Early Socratic Philosophers of Law," in Fred D. Miller, Jr., and Carrie-Ann Biondi, eds., *A History of the Philosophy of Law from the Ancient Greeks to the Scholastics* (Dordrecht: Springer, 2007); Roderick T. Long, "Aristotle's Conception of Freedom," *Review of Metaphysics* 49 (June 1996): 775–802; Long, "Aristotle's Egalitarian Utopia: The *polis kat' euchen*," in Mogens Herman Hansen, ed., *The Imaginary Polis: Symposium, January 7–10, 2004: Acts of the Copenhagen Polis Centre 7* (Copenhagen: Royal Danish Academy, 2005), 164–96; and Long, "Hellenistic Philosophers of Law," in Miller and Biondi, eds., *A History of the Philosophy of Law*.

The classical condemnation of coercion and compulsion, if followed to its logical conclusion, must also cast suspicion on such institutions as slavery and the subjugation of women—as indeed it did, for Alcidamas famously criticized the former[41] and Plato the latter.[42] Aristotle defended both, but only on the grounds that slaves and women are unable to govern their own lives by reason[43]—thus implying that any persons who *can* run their own lives by reason deserve to be free. Aristotle's defense of slavery and patriarchy thus ironically laid the groundwork for later defenses of abolitionism and feminism. (As an example, in the sixteenth century the Spanish Aristotelian Francisco de Vitoria in *De Indis* would use Aristotle's theory of natural slavery to argue that the natives of America, being evidently rational, could not legitimately be subjected to Spanish rule.)[44]

Still more feminist themes are present in classical ethics. Plato may have favored sexual equality in practice as well as in theory; at any rate, he admitted female students into the Academy. These students wore male clothing,[45] as did the Cynic philosopher Hipparchia, who lived with her husband Crates on terms of equality.[46] Zeno's *Republic* likewise established unisex clothing, as well as abolishing marriage in favor of purely consensual sexual relationships;[47] Diogenes of Sinope held similar views.[48] Antisthenes[49] taught that virtue was the same for both sexes, as did Plutarch;[50] and Aeschines defended (or had Socrates defend) women's qualification to rule in his dialogue *Aspasia*. The anti-feminist Aristotle seems more and more to be something of an odd man out in the Socratic tradition.

Then there is Xenophon, whose views on the political status of women are more progressive than is often recognized,[51] and indeed are broadly in line with the feminism of the other Socratics just mentioned. One of the central themes of his *Oeconomicus* is women's skill in ruling; the principal moral of the dialogue[52] is that the real administrator of the household is

[41] "God has left all men free; nature has made none a slave." Scholiast on *Rhet.* 1373b18.

[42] Plato, *Rep.* V.454c–457c. Cf. Gregory Vlastos, "Was Plato a Feminist?" in Nancy Tuana, ed., *Feminist Interpretations of Plato* (University Park: Pennsylvania State University Press, 1994), 11–23.

[43] Aristotle, *Pol.* I.1.1252a24–b10, I.2.1253b15–1255a3, I.5.1259b22–1260b8.

[44] Francisco de Vitoria, *Political Writings*, ed. Anthony Pagden and Jeremy Lawrance (Cambridge: Cambridge University Press, 1991).

[45] Diogenes Laertius III.46; Philodemus, *Academicorum Historia*, Papyrus Herculaneum 1021, in Tiziano Dorandi, ed., *Filodemo: Storia dei Filosofi: Platone e l'Academia* (Naples: Bibliopolis, 1991).

[46] Diogenes Laertius VI.7.96–97.

[47] Diogenes Laertius VII.1.33.

[48] Diogenes Laertius VI.2.72.

[49] Diogenes Laertius VI.1.12.

[50] Plutarch, *De Mulierum Virtutibus.*

[51] Cf. Sarah B. Pomeroy, *Xenophon, Oeconomicus: A Social and Historical Commentary* (Oxford: Clarendon Press, 1994), 36–39.

[52] Cf. also Xenophon, *Mem.* II.7.12.

the wife, not the husband. The wife is described as learning to sit in judgment on her husband[53] and make him her servant;[54] the husband takes his leisure in the agora while his estate is run without him.[55] In light of Xenophon's insistence that household management, generalship, and kingship are all the same expertise,[56] the radical implications of this endorsement of feminine administration are obvious; and, indeed, the wife's training in self-discipline is the very training that elsewhere[57] is described as the preparation for political rule. These implications are gently disguised by a veneer of conventional patriarchal attitudes, by which readers have often been taken in; but the veneer is belied by the reference to Pericles' partner, the iconoclastic courtesan Aspasia, as an expert on proper spousal training, a claim no upholder of conventional patriarchy would be likely to make.[58] Other indications support the feminist interpretation: while granting physical and emotional differences, Xenophon stresses that in matters of intellect and virtue—which, for a Socratic, are what really count—men and women are equal;[59] he relates with respect the story of Mania, the competent female satrap;[60] and he praises the Spartan practice of physical training for girls, criticizing the tendency in other states to keep girls underfed, sedentary, and busy at the loom.[61] Since Spartan education was famous for producing women who were regarded by other Greek cities as shockingly forward and masculine,[62] this defense of the Spartan system is striking.

[53] Xenophon, *Oec.* XI.23–25.

[54] Xenophon, *Oec.* VII.43; cf. *Mem.* III.9.11.

[55] Xenophon, *Oec.* XII.1–2.

[56] Xenophon, *Oec.* XXI.2–12; *Mem.* III.1 6–7, 4.6–12.

[57] Xenophon, *Mem.* II.1.

[58] Xenophon, *Oec.* III.14. If the *Oeconomicus* is later than Aeschines' *Aspasia*, the reference to Aspasia here may be intended to remind the reader of the defense of women's qualification to wield power in Aeschines' dialogue. If, instead, Xenophon's dialogue is earlier, the story of Xenophon's marriage in the *Aspasia* might be intended as a comment on the *Oeconomicus*. In "Aeschines on Socratic Eros," in Paul Vander Waerdt, ed., *The Socratic Movement* (Ithaca, NY: Cornell University Press, 1994), 87–106, at pp. 103–5, Charles H. Kahn argues convincingly that Aeschines' *Aspasia* must be earlier than 385 B.C.; if Xenophon's thoughts on estate-management reflect his days on his own estate at Scillus, the *Oeconomicus* will have been written after his arrival at Scillus (394 B.C.), making Aeschines' precedence likely, but not certain.

[59] Xenophon, *Oec.* VII.23–27; cf. *Oec.* X.1, *Symp.* II.9–12.

[60] Xenophon, *Hell.* III.1.10–15. Lest Xenophon be thought to undercut Mania's accomplishments in remarking that she eventually came to grief through taking precautions against strangers but not against her loved ones, it should be pointed out that Xenophon in his own case (*Anab.* VII.6) proclaims that taking precautions against enemies but not against friends is quite proper and nothing to be ashamed of.

[61] Xenophon, *Const. Lac.* I.3–4; cf. *Cyneg.* XIII.18. Spencer would likewise complain, in the late nineteenth century, that women's upbringing encouraged "a certain delicacy, a strength not competent to more than a mile or two's walk, an appetite fastidious and easily satisfied, joined with that timidity which commonly accompanies feebleness." Herbert Spencer, *Education: Intellectual, Moral, and Physical* (New York: D. Appleton, 1887), 254.

[62] Euripides, *Andromache* 595–601; Aristotle, *Pol.* II.6.1269b22, 1270a23.

Other aspects of ancient political thought find an echo in radical individualism. The radical individualists' penchant for class analysis,[63] for example, is a classical inheritance, as is their tendency to think of distributive justice in terms of the distribution of political power rather than the distribution of economic resources[64]—an orientation which in the case of the radical individualists leads to an increasing skepticism of the state.

Moreover, not all classical thinkers shared Plato's conviction that military pursuits are nobler than productive and commercial ones. Hesiod's *Works and Days* is a sustained celebration of productive labor and critique of aristocratic and warlike values; the beneficial competition associated with commerce, where "potter vies with potter," is contrasted with the hateful and destructive effects of military competition. The Stoics, too, defended commerce and debated fine points of business ethics.[65]

The radical individualists tend to favor private property and free markets;[66] and in this too they find classical forebears. Despite his suspicion

[63] Class analysis in the modern era, while often regarded as a Marxist contribution, was in fact pioneered by pre-Marxist radical individualist thinkers like Charles Comte and Charles Dunoyer, though for the individualists class was based on access to the means of parasitism (especially via governmental patronage, or what today would be called "rent-seeking") rather than on access to the means of production: "There are but two great parties to be found in the world: one of men who seek their living from the fruit of their own labor or property, and the other of men who seek their living from the labor or property of others. The first is the party of farmers, manufacturers, tradesmen, scholars, the industrious of all classes; the second is the party of courtiers, officeholders, monks, standing armies, pirates, and freeloaders. Since the beginning of the world these two parties have been in a never-ending state of war. . . ." Charles Comte, "De la multiplication des pauvres, des gens à place, et des gens à pensions," in *Le Censeur Européen* 7 (1818), 1–79, at pp. 1–2; translation mine. On Comte's analysis, the parasitic party typically employs state power to constitute itself as a ruling and exploiting class. Cf. Hart, "Class Analysis, Slavery, and the Industrialist Theory of History"; Mark Weinburg, "The Social Analysis of Three Early Nineteenth Century French Liberals: Say, Comte, and Dunoyer," *Journal of Libertarian Studies* 2, no. 1 (1978): 45–63, http://mises.org/journals/jls/2_1/2_1_4.pdf; Leonard P. Liggio, "Charles Dunoyer and French Classical Liberalism," *Journal of Libertarian Studies* 1, no. 3 (1977): 153–78, http://mises.org/journals/jls/1_3/1_3_1.pdf; Ralph Raico, "Classical Liberal Exploitation Theory: A Comment on Professor Liggio's Paper," *Journal of Libertarian Studies* 1, no. 3 (1977): 179–83, http://mises.org/journals/jls/1_3/1_3_2.pdf; Raico, "Classical Liberal Roots of the Marxist Doctrine of Classes," June 14, 2006, http://mises.org/story/2217; and Roderick T. Long, "Toward a Libertarian Theory of Class," *Social Philosophy and Policy* 15, no. 2 (Summer 1998), 303–49. Marx is arguably more indebted to this approach in his applied analysis—e.g., in his *Eighteenth Brumaire*, which stresses the state's role in exploitation—than in his official theory of class, where the villain is private property, and the state is more or less an afterthought. By identifying the free market as the cause of, rather than the cure for, exploitation and oppression, Marx transformed class analysis from an individualist to an anti-individualist enterprise.

[64] Cf. Roderick T. Long, "Equality: The Unknown Ideal," October 16, 2001, http://mises.org/story/804; and Long, "Aristotle's Egalitarian Utopia."

[65] Cicero, *Off.* III.50–63, 89–92.

[66] While there are exceptions (e.g., William Thompson, Nikolai Chernyshevsky, and, on the issue of land, Herbert Spencer), support for private property and free markets tended to prevail even among those radical individualists who called themselves "socialists"—meaning by "socialism" not state ownership or regulation, but workers' control of industry. When Proudhon proclaimed that "property is theft," he was not rejecting private ownership, but rather distinguishing "possession," a legitimate form of private holding based on labor, from "property," an illegitimate form of private holding not so based; see Pierre-Joseph Proudhon, *What Is Property? An Inquiry into the Principle of Right and of Government,*

of commerce, Aristotle defended private property against Platonic criticism,[67] anticipating "tragedy of the commons" arguments. Cicero went further; following the Stoic Panaetius, and anticipating John Locke, he made the protection of property the central function and justification of the state:

> The primary concern of any administrator of a republic must be to see that each person shall keep what belongs to him, and that private persons shall not have their goods taken by public enactment. . . . For it was above all for the sake of ensuring that each shall retain his own that republics and states were set up. For while [mere] human association is a natural impulse, nevertheless it was in the hope of maintaining custody of their possessions that people sought the protection of cities. . . . For this, as I noted above, is the special function of a state and a city: to secure to each person free and unmolested custody over his own possessions.[68]

Aristotle's claim that "the product is, in a way, the producer in actualization," and so "the producer loves the product, because he loves [his own] being,"[69] likewise anticipates the Lockean-style defense of property rights offered by French radical liberals Louis Wolowski and Émile Levasseur.[70] Cicero, presumably still following Panaetius, also defended a proto-Lockean theory of private appropriation from the commons,[71] complete with Nozick-style[72] concerns about rectification.[73] It was on the

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trans. Benjamin R. Tucker (New York: Humboldt, 1890). Thomas Hodgskin's distinction between "artificial" and "natural" property is analogous; see Thomas Hodgskin, *The Natural and Artificial Right of Property Contrasted* (London: B. Steil, 1832). Tucker even called his own form of "socialism" the "logical carrying out" of laissez-faire Manchesterism (*Instead of a Book*, 10; cf. 404). The association of socialism with central planning is as misleading for the interpretation of the radical individualists' free-market version of "socialism" as the association of capitalism with plutocracy and privilege is misleading for the interpretation of the radical individualists' egalitarian, anticorporatist version of "capitalism." Cf. Roderick T. Long, "Immanent Liberalism: The Politics of Mutual Consent," *Social Philosophy and Policy* 12, no. 2 (Summer 1995): 1–31; and Roderick T. Long, "Toward a Libertarian Theory of Class," *Social Philosophy and Policy* 15, no. 2 (Summer 1998): 303–49.

67 Aristotle, *Pol.* II.1.1262b36–II.2.1264a11.

68 Cicero, *Off.* II.73, 78; translation mine.

69 Aristotle, *EN* IX.7.1168a4–9.

70 "The producer has left a fragment of his own person in the thing which has thus become valuable, and may hence be regarded as a prolongation of the faculties of man acting upon external nature. As a free being he belongs to himself; now, the cause, that is to say, the productive force, is himself; the effect, that is to say, the wealth produced, is still himself. Who shall dare contest his title of ownership so clearly marked by the seal of his personality?" Louis Wolowski and Émile Levasseur, "Note on Property," in John J. Lalor, ed., *Cyclopaedia of Political Science, Political Economy, and of the Political History of the United States*, vol. 3 (New York: Charles E. Merrill and Co., 1888), 391–95, at p. 392.

71 Cicero, *Off.* I.21; cf. 51.

72 Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 150–53, 230–31; cf. Karl Hess, "Where Are the Specifics?" *Libertarian Forum* 1, no. 6 (June 15, 1969): 2; Murray N. Rothbard, "Confiscation and the Homestead Principle," *Libertarian Forum* 1, no. 6 (June 15, 1969): 3–4; and Murray N. Rothbard, *The Ethics of Liberty* (New York: New York University Press, 1998), chaps. 9–11.

73 Cicero, *Off.* II.81–82.

basis of a fusion of such Aristotelian and Stoic arguments that the late Scholastic economists would develop the first systematic defense of the free market.[74]

It is sometimes said that classical ethics differs essentially from modern ethics in having an orientation toward concern with honor and shame, that is, with one's standing in the eyes of one's peers rather than with one's own inner integrity—in contrast with the emphasis that "social individualism" places on autonomous self-development and independent judgment. But while there may be some truth to this generalization as far as *popular* morality goes,[75] the classical *philosophers* by and large tend to deemphasize the importance of public opinion and social status. Plato's Socrates, for example, tells Crito that we should be concerned only with what the wise will think of us, not with what the average person will think;[76] and he likewise tells Thrasymachus that the virtuous man, like the expert musician, measures his success in terms of living up to an objective standard, rather than in comparative terms, by how far he is outdoing other people.[77] Aristotle argues that a good reputation, while certainly desirable, cannot be at the core of happiness, because it depends too much on other people and not enough on the agent himself; and he adds that the fact that we care *who* admires us shows that at bottom we want not just to be admired but to be worthy of being admired.[78] Epictetus stresses the value of independence, while Cicero's list of the four roles the virtuous person must fulfill[79] places the fulfillment of our individual nature ahead of the fulfillment of our social roles.

The Cynics, too, stress being true to one's own nature and rejecting social conformity, even to the point of being willing to copulate and defecate in public—since any action not intrinsically objectionable cannot be made objectionable by social disapproval. Ayn Rand may be giving a nod to the Cynics when she writes in *The Fountainhead* of her fictional individualist hero, Howard Roark: "For him, the streets were empty. He could have walked there naked without concern."[80] Yet, like the Cynics—who regarded themselves as "citizens of the world"—Rand does not regard such independence as antisocial; for in a later scene she writes:

[74] Murray N. Rothbard, *Economic Thought before Adam Smith: An Austrian Perspective on the History of Economic Thought, Volume I* (Cheltenham, UK: Edward Elgar, 1995), chaps. 2–4; Rothbard, *The Logic of Action I: Method, Money, and the Austrian School* (Cheltenham, UK: Edward Elgar, 1997), chap. 8; Alejandro A. Chafuen, *Faith and Liberty: The Economic Thought of the Late Scholastics* (Lanham, MD: Lexington Books, 2003).

[75] And even there the contrast is probably overstated; for it is not as though concern with reputation and social status are absent from present-day popular morality.

[76] Plato, *Cr.* 44c–d.

[77] Plato, *Rep.* I.349a–350c.

[78] Aristotle, *EN* I.5.1095b23–31.

[79] Cicero, *Off.* I.107–21.

[80] Ayn Rand, *The Fountainhead* (New York: Signet, 1997), 17.

> Roark stood before them as each man stands in the innocence of his own mind. But Roark stood like that before a hostile crowd—and they knew suddenly that no hatred was possible to him. For the flash of an instant, they grasped the manner of his consciousness. Each asked himself: do I need anyone's approval?—does it matter?—am I tied? And for that instant, each man was free—free enough to feel benevolence for every other man in the room.[81]

In short, independence is a *basis* of, not an obstacle to, benevolence: when we stop letting others' opinions determine our destiny, those others lose power over us and cease being a threat to our happiness, and so the fear and resentment we might otherwise feel toward them give way to fellow-feeling. For Rand, as for Plato,[82] hostility toward others is a sign of a *lack* of psychological independence. Nor does Rand conceptualize *economic* independence on the model of a hermit's existence; on her view, to pursue one's goals by means of cooperation or exchange with others is not to abandon self-reliance but simply to implement it *indirectly.*[83] In a similar vein, Tucker maintains that in championing the right of individuals to "labor independently," his aim is "[n]ot to abolish wages" but "to make every man dependent upon wages" by ensuring that "every man will be a laborer exchanging with fellow laborers."[84] The radical individualists follow their classical forebears in rejecting any dichotomy between independence and sociality.

The point of these various examples is not, of course, to show that the ancients were radical individualists, but rather to rebut the charge (brought, e.g., by Bastiat) that the ancient *ethos* was too wedded to domination, war, slavery, male supremacy, social conformity, and anticommercialism to have much in common with radical individualism. On the contrary, it is precisely in classical thought that we may find the seeds from which the radical individualist position on these matters grew.

[81] Ibid., 679.

[82] For Plato it is the self-sufficing possession of a good condition, and the consequent lack of *envy,* that leads both men (*Rep.* VI.500b–d) and gods (*Tim.* 29d–30b) to seek to reproduce that good condition in others.

[83] "[A] rational man never holds a desire or pursues a goal which cannot be achieved directly or *indirectly* by his own effort. It is with a proper understanding of this *'indirectly'* that the crucial social issue begins. Living in a society, instead of on a desert island, does not relieve a man of the responsibility of supporting his own life. The only difference is that he supports his life by *trading* his products or services for the products or services of others. . . . [H]e depends on nothing but his own effort: *directly,* by doing objectively valuable work—*indirectly,* through the objective evaluation of his work by others. . . . He trades value for value." Ayn Rand, *The Virtue of Selfishness: A New Concept of Egoism* (New York: Signet, 1964), 59–60; italics in the original. Nor is this analysis confined to narrowly economic exchange: "In spiritual issues . . . the currency or medium of exchange is different, but the principle is the same. Love, friendship, respect, admiration are the emotional response of one man to the virtue of another, the spiritual *payment* given in exchange. . . ." Ibid., 35.

[84] Tucker, *Instead of a Book,* 403–4.

## IV. *Praxis* and *Telos*

As I mentioned earlier, radical individualists tend *inter alia* to be motivational individualists, both in the "methodologically subjectivist" sense of explaining people's actions in terms of their beliefs, desires, and preferences, and in the "ethically internalist" sense of denying that there could be moral duties that did not somehow engage the agent's preferences. Indeed, most of these thinkers go beyond mere internalism to ethical eudaimonism, insisting that all moral duties must be in the agent's self-interest.[85] Far from being distinctively modern developments, these ideas are of classical origin: nearly all the ancient philosophers from Socrates onward insist that every action we perform is chosen either as a means to or as a part of our own happiness;[86] and they also agree that the life of virtue is the happiest life. Indeed, the first claim arguably entails the second: if all action is necessarily directed toward achieving the agent's happiness, it makes no sense to demand that agents substitute some other end.[87] Of course, these classical thinkers also stress that people can be, and often are, mistaken both about the true nature of happiness and about the means best suited to achieving it—and that, too, is a theme that runs through the radical individualist literature.

The methodologically subjectivist project of explaining people's actions in terms of their own beliefs and values leads naturally enough into economic theory, so it is no surprise that, as I have noted, the first systematic body of European economic theory originates with the Aristotelian Scholastics. The Scholastics also pioneered a subjective theory of economic value, which was inherited by the Continental tradition generally; while English economists were attempting in vain to uphold backward-looking, objective theories of value based on labor or cost of production, it was the radical individualists in the French liberal tradition who kept the forward-looking subjective theory alive. Today, the French *économistes* are recognized as forerunners of Austrian economics, one of the foremost currents feeding modern-day economic libertar-

[85] Hence, many radical individualists even call themselves "egoists" (e.g., Bellegarrigue, Tucker, Chernyshevsky, Rand), though their conception of a fundamental harmony of interests among rational agents belies some of the ordinary associations with that term.

[86] The Stoics are a partial exception, since they hold that we may quite rationally choose some actions because *trying* to perform those actions is a means to or part of our happiness, even though actually *succeeding* in performing such actions is neither; but this is only a technical deviation and still accords in spirit with the doctrine enunciated. The Cyrenaic hedonists are perhaps a more genuine exception; but theirs is not the version of classical hedonism that became most influential.

[87] Both among the classical philosophers and among their radical individualist descendants there has been dispute as to whether the claim that we always act to promote our own happiness entails psychological determinism. For some reasons for thinking it doesn't, see Roderick T. Long, "Praxeology: Who Needs It," *Journal of Ayn Rand Studies* 6, no. 2 (Spring 2005): 299–316, esp. pp. 309–10.

ianism[88]—and Carl Menger, founder of the Austrian School, explicitly acknowledged his dependence on Aristotle.[89]

The ethical internalism and eudaimonism of the radical individualists can also be traced, in many instances, to specifically classical origins. Mises, for example, writes that the "autonomous, rationalistic and voluntaristic ethics" of Epicurus "inaugurated . . . the spiritual, moral and intellectual emancipation of mankind" by challenging the prevailing "heteronomous" systems of morality.[90] Where a heteronomous ethic demands that the individual "renounce his well-being for the benefit of society," Epicureanism instead "advises him to recognize what his rightly understood interests are."[91] Likewise, Rand rejects the Kantian notion of duty as a categorical imperative in favor of "the principle of causality—specifically, of Aristotelian *final* causality . . . i.e., the process of choosing a goal and taking the actions necessary to achieve it." In place of a "constant battering of causeless, arbitrary, contradictory, inexplicable 'musts'," Rand maintains, "[r]eality confronts man with a great many 'musts,' but all of them are conditional: the formula of realistic necessity is: 'You must, if—' and the 'if' stands for man's choice: '—if you want to achieve a certain goal.' "[92]

This emphasis on hypothetical imperatives does not lead to an anything-goes subjectivist attitude to morality, however, because the radical individualists generally hold that there are certain values (e.g., social

[88] Rothbard, *Classical Economics*, chap. 14; Joseph T. Salerno, "Comment on the French Liberal School," *Journal of Libertarian Studies* 2, no. 1 (1978): 65–68, http://mises.org/journals/jls/2_1/2_1_5.pdf; Salerno, "Neglect of the French Liberal School in Anglo-American Economics: A Critique of Received Explanations," *Review of Austrian Economics* 2, no. 1 (1988): 113–56, http://mises.org/journals/rae/pdf/rae2_1_7.pdf.

[89] See, e.g., Carl Menger, *Investigations into the Method of the Social Sciences*, trans. Francis J. Nock (Grove City, PA: Libertarian Press, 1996), 207–9; and Carl Menger, *Principles of Economics*, trans. James Dingwall and Bert F. Hoselitz (Grove City, PA: Libertarian Press, 1994), 53n. Cf. Barry Smith, "Aristotle, Menger, Mises: An Essay in the Metaphysics of Economics," in Bruce J. Caldwell, ed., *Carl Menger and His Legacy in Economics* (Durham, NC: Duke University Press, 1990), 263–88. Also, for parallels between Austrian thought and the ideas of Socrates, see Roderick T. Long, "Beyond Subjectivism: Socrates' Praxeological Project," in Roderick T. Long, *Wittgenstein, Austrian Economics, and the Logic of Action: Praxeological Investigations* (London: Routledge, 2007).

[90] Mises is deliberately using the term "heteronomous" in a way contrary to Immanuel Kant, who applied it to actions based on inclination, since in such actions, according to Kant, the rational will is directed by an alien force, inclination, rather than by its own internal commitments. For Mises, by contrast, it is precisely by legitimizing inclination as a source of motivation that an ethical theory *avoids* heteronomy. Ironically, both Kant and Mises are ethical internalists, but of very different sorts (e.g., Kant's version attempts to avoid any trace of eudaimonism). There is, to be sure, a story to be told about Kant's own contribution to the radical individualist tradition, though exploring those connections lies beyond the scope of this essay.

[91] Ludwig von Mises, *Human Action: A Treatise on Economics*, 3d ed. (Chicago: Contemporary Books), 147, 883.

[92] Ayn Rand, *Philosophy: Who Needs It* (New York: Signet, 1984), 98–99.

cooperation)[93] to which all rational agents are committed—not in a way that bypasses the agent's happiness, but rather inasmuch as such values are *necessary* for happiness. For some radical individualists, the value of social cooperation is an essential *constituent* of happiness, just as playing a particular chord, while in some sense a "means" to playing the Moonlight Sonata (and so compatible with a hypothetical-imperative approach), is an essential constituent of, rather than being causally instrumental toward, the end it serves;[94] this approach mirrors that of Plato, Aristotle, and the Stoics, who viewed justice as an intrinsic part of the human good. For other, more consequentialistically minded radical individualists, the value of social cooperation is related instrumentally rather than constitutively to our ends; but despite the diversity of human ends, social cooperation remains indispensable, being suited not merely to some specific purpose but to all or most human purposes;[95] this approach mirrors that of Epicurus, who regarded justice as an instrumental, but indispensable, means to the good life, and counseled against any attempt to trade off considerations of justice against those of expediency.[96] Hayek, following this second line,[97] compares certain values to a pocket knife which one takes on a hiking trip, not with any specific purpose in mind but because pocket knives are generally useful in a variety of unforeseeable situations:

> The rules of conduct [are] not designed to produce particular foreseen benefits for particular people, but are multi-purpose instruments developed as adaptations to certain *kinds* of environment because they help to deal with certain *kinds* of situation. . . . And this adaptation to a kind of environment takes place through a process very different from that in which we might decide on a procedure designed to achieve particular foreseen results. . . . Just as a man, setting out on a walking tour, will take his pocket knife with him, not for a particular foreseen use but in order to be equipped for various possible contingencies, or to be able to cope with kinds of situation likely to occur, so the rules of conduct . . . are not means for known

[93] See, e.g., Larry J. Eshelman, "Ludwig von Mises on Principle," in *Review of Austrian Economics* 6, no. 2 (1993): 3–41, http://mises.org/journals/rae/pdf/rae6_2_1.pdf; Henry Hazlitt, *The Foundations of Morality* (Los Angeles: Nash Publishing, 1972); and Leland B. Yeager, *Ethics as Social Science: The Moral Philosophy of Social Cooperation* (Cheltenham, UK: Edward Elgar, 2001).

[94] Cf. Neera Badhwar, *Is Virtue Only a Means to Happiness?* (Poughkeepsie, NY: Objectivist Center, 2001).

[95] Perhaps ironically, this is also a Kantian idea; Kant writes that we cannot rationally commit ourselves either to leaving our natural talents undeveloped or to forgoing all aid from other people, since talents and aid are useful "for all sorts of possible purposes." Immanuel Kant, *Grounding for the Metaphysics of Morals*, 3d ed., trans. James W. Ellington (Indianapolis, IN: Hackett, 1993), 31–32.

[96] Cicero, *Off.* III.9.

[97] But see Section V below.

> particular purposes but adaptations to kinds of situations which past experience has shown to recur in the kind of world we live in. . . . The whole system of rules . . . does not aim at the achievement of known particular results but is preserved as a means for assisting in the pursuit of a great variety of individual purposes.[98]

Since the purpose of moral rules is to meet a variety of generic possible needs rather than certain specifically foreseen needs, the temptation to trade morality off against expediency is blocked, Hayek argues.

The similarities between classical and radical individualist versions of eudaimonism do not end there. The classical eudaimonists often tried to specify the content of happiness by grounding it in a human being's biological function as a rational and social animal;[99] Seneca, for example, writes that "a human being's constitution is a rational one, and so a human being's attachment is to himself not *qua* living being but *qua* rational being; for he is dear to himself in respect of what makes him human."[100] This approach, transmitted to modernity by Aquinas and Locke among others, is followed by a number of radical individualists, including Spencer,[101] Rand,[102] and Rothbard[103]—the latter two explicitly on the inspiration of Aristotle. Rand's use of the phrase "the virtue of selfishness," for example, might initially seem shockingly un-classical; but her point is not essentially different from that of Aristotle, who tells us that self-love is a positive trait in a virtuous person, since virtuous people identify themselves with their rational nature and so have a correct conception of their self-interest.[104] Certainly Rand is as opposed to sacrificing others to oneself as she is to sacrificing oneself to others; on her view, as on Aristotle's, human interests when properly understood are nonconflictual.[105]

[98] Friedrich A. Hayek, *Law, Legislation, and Liberty: A New Statement of the Liberal Principles of Justice and Political Economy, Volume I: The Mirage of Social Justice* (Chicago: University of Chicago Press, 1978), 4–5.

[99] See, e.g., Plato, *Rep.* I.352d–354a; Aristotle, *EN* I.7.1097b22–1098a18.

[100] Lucius Annaeus Seneca, *Letter* 121; translation mine.

[101] Spencer, *Man Versus the State*, 149–51.

[102] Rand, *The Virtue of Selfishness*, chap. 1.

[103] Rothbard, *The Ethics of Liberty*, chaps. 1–6.

[104] Aristotle, *EN* IX.8.1168b15–1169b3. Because Rand wrote positively about "selfishness" and "capitalism," used a dollar sign as her personal symbol, and called love of money "the root of all good," it is often assumed that she conceptualized happiness primarily in terms of accumulating material wealth—which would certainly be a departure from the classical tradition, and from most of the radical individualists as well. But in fact she was not especially interested in acquiring riches; for Rand, those who "place money first" are "second-handers" who seek "to show, to stun, to entertain, to impress others"—thus fatally making the judgment of others, rather than their own, their "motive power" and "prime concern" (*The Fountainhead*, 606–9). Rand's own "love of money" is not so much a love of *having* money as a love of the noncoercive, nonsacrificial mode of social interaction she sees money as *representing*: "Money is the material shape of the principle that men who wish to deal with one another must deal by trade and give value for value." Ayn Rand, *Atlas Shrugged* (New York: Signet, 1996), 380.

[105] Rand, *The Virtue of Selfishness*, chap. 4.

Thus, the radical individualists' emphasis, both explanatory and ethical, on the pursuit of individual self-interest has a solidly classical basis.

## V. The Legacy of Protagoras

In Plato's *Protagoras*, Plato attributes to Protagoras (with what accuracy we do not know) a critique of atomistic individualism, in the form of a myth in which Prometheus, pitying human beings for their lack of natural gifts by comparison with the other animals, steals technical wisdom—we might think of it as a kind of instrumental rationality—from the goddess Athena and grants it to the human race. The result is that while humans are now enabled to use tools and engage in various sorts of intelligent planning, they are unable to live together peacefully—for the same instrumental rationality that brings them together into cooperative association also leads them to cheat on the cooperation and stab each other in the back.

This is a picture made familiar by Hobbesians and game theorists: intelligent, self-interested agents caught in the trap of their own rationality, unable to maintain stable cooperative relationships even though all would benefit from their being maintained. But Protagoras's solution is not to have a Hobbesian sovereign forcibly impose terms of cooperation on them; nor does he, like Critias (or whoever wrote the *Sisyphus*), invoke a noble lie to put the fear of gods in them. Nor, again, does he, like Glaucon in *Republic* II, envision a mere state of truce, a nonaggression pact held together by mutual fear—which would be using instrumental rationality to solve the problem created by instrumental rationality.

Instead, Protagoras appeals to a different kind of rationality: Zeus intervenes to supplement humans' technical wisdom with *political* wisdom, which enables them to form stable cooperative ties—and he makes sure to distribute such wisdom throughout the entire population, since social order could not prevail, communities could not persist, if the ability to cooperate were confined to a few experts. That such political wisdom involves a more than merely instrumental concern for others, a *commitment* to fair dealing with them, is suggested by Protagoras's identification of justice, friendship, order, and *aidôs* (a term that can mean both "shame" and "respect") as among the components and/or fruits of political wisdom.

The moral to which Protagoras's myth points, then, is that merely instrumental rationality is insufficient to render human cooperation stable. But the upshot is optimistic, not pessimistic: since cooperation *does* prevail for the most part, since human communities *do* exist, since crime is the exception rather than the rule, Protagoras invites us to conclude that humans *are* generally capable of forming noninstrumental cooperative ties. (And his answer surely makes more sense than the Hobbesian one: governmental authority can hardly be a precondition of cooperation, since it requires cooperation to set up a government in the first place.)

Protagoras's point is that cooperation would be more unstable than it is if we were capable only of a strategic attitude toward other people, regarding deference to their claims solely as a causal means to some further goal; the fact of cooperation thus shows that we are in fact capable of, and indeed disposed toward, honoring other people's claims for their own sake.

Despite what might be suggested by the talk of political wisdom being a gift from Zeus,[106] Protagoras is not claiming that political wisdom is *innate* (though the capacity to acquire it presumably is). On the contrary, he makes clear that it is learned—not from specific teachers or experts, however, but like one's native language, absorbed from the general social environment. Morality, like language, thus strains the traditional divide between "nature" and "convention"; and Protagoras's nonhierarchical model of moral education has potentially counterauthoritarian political implications—explicitly so for Protagoras, who is in effect trying to justify democracy as superior to rule by a cadre of experts.[107]

Thinkers in the mainline tradition of Greek philosophical ethics inaugurated by Socrates will be reluctant (rightly so, I think) to attribute political wisdom to people merely on the ground that those people are,

[106] The historical Protagoras was, famously, agnostic about the gods. One of his few surviving direct quotations is "Concerning the gods I cannot know either that they exist or that they do not exist, or what form they might have." Quoted in Rosamund Kent Sprague, ed., *The Elder Sophists* (Columbia: University of South Carolina Press, 1972), 20. In light of this, Plato presumably intends for us to take Protagoras's tale of divine intervention metaphorically.

[107] It is important to recall the context in which Protagoras offers his argument. At *Prot.* 319b-320b, Socrates argues that if political wisdom were teachable, then (a) there would be specialized political experts, in which case the democratic practice of accepting input on political matters from all citizens equally would not make sense, yet surely it does; and (b) wise statesmen like Pericles would be both willing and able to teach such wisdom to their own children, yet they do not. Therefore, Socrates concludes, political wisdom is not teachable. Now it is doubtful that Socrates himself accepts this argument, since we have good reason to think that he does not really regard democratic practice as sensible (cf. *Cr.* 44c–d, *Gorg.* 471e–472d) or Pericles as a wise statesman (cf. *Gorg.* 503b–e, 515c–516d); but Socrates offers the argument as a problem for Protagoras, presumably on the ground that Protagoras may be expected to find the premises, but not the conclusion, attractive. In any case, Protagoras does not challenge either the premise that democratic practice makes sense or the premise that democratic statesmen are wise; instead, he proposes to *explain* how those premises are in fact both true and compatible with wisdom's teachability (*Prot.* 322d–323c, 326e–327d). Hence, Protagoras's myth constitutes a defense of democracy against implicit Socratic criticism.

Today, Protagoras is better known for his apparently relativist doctrine, examined in Plato's *Theaetetus*, that "man is the measure of all things," i.e., that whatever seems true to a person is true for that person. While both the *Theaetetus* doctrine and the *Protagoras* doctrine reject the idea of expertise being confined to a few, they have little else in common, and in particular the *Protagoras* doctrine does not appear to depend in any way on the far more extreme—and as Plato arguably shows, ultimately incoherent—*Theaetetus* doctrine. Indeed, the *Protagoras* doctrine insists that political wisdom *differs* from other forms of expertise in not being confined to a few, a position plainly incompatible with the *Theaetetus* doctrine. Leaving aside questions about the historical Protagoras, I doubt that these two doctrines, advanced by the *character* Protagoras in two different dialogues, were intended by Plato to be parts of a single position.

for the most part, successfully cooperating. "Cooperating to do *what*?" will be the question. Still, successful cooperation is surely *part* of a just social order, even if it is not the whole of it, and the later Socratic tradition (broadly understood) is happy enough to find the seeds of true wisdom and justice in people's ordinary moral and linguistic conceptions and practices—what Aristotle calls "reputable beliefs" (*endoxa*)[108] and the Stoics call "common conceptions" (*koinai ennoiai*). The Socratics also agree with Protagoras that proper human relationships require passing from instrumental to noninstrumental concern: Plato's *Symposium* takes erotic love from an initial attachment to another's body to a more developed attachment to another's soul and to the ideal potentially realizable within it;[109] Aristotle tells us that while political communities arise for the sake of life, they exist for the sake of the good life;[110] and the Stoic doctrine of *oikeiôsis* describes moral maturation as a passage from an instrumental to a noninstrumental attachment to reason.

Epicureanism might seem to be an exception here, since Epicurus insists that justice has only instrumental value and arises from contract[111]—a perspective that might seem closer to Glaucon than to Protagoras. But Epicurus also tells us that while "all friendship is intrinsically choiceworthy," it "arises from benefiting,"[112] suggesting that what begins in instrumental concern properly becomes noninstrumental; and Cicero tells us that according to some Epicureans, because one cannot obtain the full pleasures of friendship unless one cares about the friend for the friend's own sake, the wise man will allow himself, for *instrumental* reasons, to be habituated into *noninstrumental* concern for others.[113] And since Epicurus measured his friendships by the cityful,[114] we should not assume that such concern will be narrow in scope.

The Epicureans also inherit Protagoras's friendliness to the notion that social cooperation can develop and persist spontaneously, without direction or compulsion. This is not to say that either Protagoras or the Epicureans renounce all need for force in human affairs. (Neither, for that matter, do most of the radical individualists.) But by relying on widespread political wisdom, rather than either a Hobbesian sovereign or an elite corps of educators, to originate and maintain social cooperation, Protagoras gives evidence of a conviction that spontaneous order rather than top-down control is the decisive factor in cooperation; and the Epicureans certainly follow him here. To be sure, they insist that only a wise minority can be trusted to behave justly without the incen-

[108] For Aristotle on *endoxa*, see Roderick T. Long, *Reason and Value: Aristotle Versus Rand* (Poughkeepsie, NY: Objectivist Center, 2000).

[109] Plato, *Smp.* 204d–212c.

[110] Aristotle, *Pol.* I.1.1252b30–31.

[111] Epicurus, *KD* 33–34.

[112] Epicurus, *Sent. Vat.* 23 (reading *hairetê* for *arêtê*).

[113] Cicero, *Fin.* I.66–70.

[114] Diogenes Laertius X.9; Cicero, *Fin.* I.65.

tive of legal punishment;[115] but just as in their physics they explain the emergence of cosmic and biological order through spontaneous evolutionary mechanisms rather than divine intervention, so they appeal to similar processes—rather than, say, a wise ruler—to explain the emergence of social phenomena like language.[116]

We likewise find an appreciation of spontaneous order in Cicero, who suggested that Rome owed its success to its constitutional order's having evolved gradually through a process drawing on collective human experience, rather than having been the deliberate product of a single designer:

> Cato used to say that our constitution was superior to those of other States on account of the fact that almost every one of those other commonwealths had been established by one man, the author of their laws and institutions. . . . On the other hand our own commonwealth was based upon the genius, not of one man, but many; it was founded, not in one generation, but in a long period of several centuries and many ages of men. For, said he, there never has lived a man possessed of so great genius that nothing could escape him, nor could the combined powers of all the men living at one time possibly make all the necessary provisions for the future without the aid of actual experience and the test of time.[117]

Echoes of such Protagorean ideas as the spontaneous maintenance of social order and the stability of cooperation run through the radical individualist tradition. Among the classical liberal thinkers who most strongly influenced this tradition are John Locke, who insisted against Hobbes that individuals in a stateless society would recognize a moral law based on their common humanity, and so would find mutual cooperation easier to maintain than Hobbes supposed;[118] David Hume, who wrote of cooperation arising tacitly without the need for explicit agreement;[119] and Adam Smith, who described socially beneficial cooperation as arising without anyone's planning, as though by an invisible hand.[120]

The keynote for the radical individualist approach to these issues was set by Thomas Paine, who proclaimed that nature "has not only forced man into society by a diversity of wants which the reciprocal aid of each other can supply, but she has implanted in him a system of social affec-

[115] Hermarchus *ap.* Porphyry, *De Abstinentia* I.7–12.

[116] Epicurus, *Epist. Herod.* 75–76; Lucretius V.1028–90.

[117] Cicero, *Rep.* II.1.2, in Cicero, *De Re Publica; De Legibus*, trans. Clinton Walter Keyes (London: William Heinemann, 1928); cf. Polybius VI.9–10.

[118] John Locke, *Second Treatise of Government* (1690), ed. Peter Laslett, 3d ed. (Cambridge: Cambridge University Press, 1988).

[119] David Hume, *A Treatise of Human Nature* (1739–40), ed. David Fate Norton and Mary J. Norton (New York: Oxford University Press, 2000), III.2.2.

[120] Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776), 2 vols., ed. R. H. Campbell and A. S. Skinner (Indianapolis, IN: Liberty Fund, 1982), IV.2.

tions, which, though not necessary to his existence, are essential to his happiness." While Paine, unlike Protagoras, regards social impulses as innate rather than acquired, he is otherwise making the same point Protagoras makes: that the attitudes necessary for cooperation are distributed throughout society and do not require inculcation by some specialized expert or heavy-handed ruler. Paine writes:

> Great part of that order which reigns among mankind is not the effect of government. It has its origin in the principles of society and the natural constitution of man. It existed prior to government, and would exist if the formality of government was abolished. The mutual dependence and reciprocal interest which man has upon man, and all the parts of civilised community upon each other, create that great chain of connection which holds it together. The landholder, the farmer, the manufacturer, the merchant, the tradesman, and every occupation, prospers by the aid which each receives from the other, and from the whole. . . . In fine, society performs for itself almost everything which is ascribed to government.[121]

As this passage shows, viewing cooperation as a product of spontaneous order provides vital ammunition for those seeking to limit or abolish the power of the state: the less social order depends on government enforcement, the more feasible it becomes to restrict the scope of such enforcement. Hence the prominence of spontaneous-order themes in radical individualist literature.

Spencer was, famously, one of the foremost champions of the spontaneous evolution of cosmic, biological, and social order:

> It is not by "the hero as king," any more than by "collective wisdom," that men have been segregated into producers, wholesale distributors, and retail distributors. Our industrial organization, from its main outlines down to its minutest details, has become what it is, not simply without legislative guidance, but, to a considerable extent, in spite of legislative hindrances. It has arisen under the pressure of human wants and resulting activities. . . . Through the combination thus spontaneously evolved, every citizen is supplied with daily necessaries; while he yields some product or aid to others.[122]

For Spencer, as for Protagoras, *language* is the paradigm case of a body of knowledge and practices absorbed from one's social environment rather

[121] Thomas Paine, *The Rights of Man,* in Philip S. Foner, ed., *The Life and Major Writings of Thomas Paine* (Secaucus, NJ: Citadel Press, 1948), 357.

[122] Spencer, *Man Versus the State,* 385.

than explicitly inculcated by specific teachers—though Spencer, typically, gives this idea an evolutionary spin in Epicurean fashion:

> No language is a cunningly-devised scheme of a ruler or body of legislators. There was no council of savages to invent the parts of speech, and decide on what principles they should be used. . . . Going on without any authority or appointed regulation, this natural process went on without any man observing that it was going on. Solely under pressure of the need for communicating their ideas and feelings—solely in pursuit of their personal interests—men little by little developed speech in absolute unconsciousness that they were doing anything more than pursuing their personal interests.[123]

Hayek, like Spencer, took spontaneous order as the *leitmotif* of his work, and gave an evolutionary spin to what is, in effect, still Protagoras's distinction between technical and political wisdom:

> Which individuals and which groups succeed and continue to exist depends as much on the goals that they pursue, the values that govern their action, as on the tools and capacities at their command. Whether a group will prosper or be extinguished depends as much on the ethical code it obeys, or the ideals of beauty or well-being that guide it, as on the degree to which it has learned or not learned to satisfy its material needs.[124]

Hayek also follows Protagoras and Spencer in treating the rules that make civil cooperation possible as tacit absorptions from the social environment rather than as the explicit inculcations of teachers:

> We understand one another and get along with one another, are able to act successfully on our plans, because, most of the time, members of our civilization conform to unconscious patterns of conduct, show a regularity in their actions that is not the result of commands or coercion, often not even of any conscious adherence to known rules, but of firmly established habits and traditions. . . . [O]ur morals are not a product but a presupposition of our reason, part of the ends which the instrument of our intellect has been developed to serve.[125]

Like Cicero, then, Hayek denigrates the "rationalist" and "constructivist" mind-set that assumes the superiority of deliberate planning to sponta-

[123] Ibid., 437–38.

[124] Friedrich A. Hayek, *The Constitution of Liberty* (Chicago: University of Chicago Press, 1960), 36.

[125] Ibid., 62–63.

neous social evolution. On the contrary, Hayek argues, market incentives serve to coordinate individuals' plans through the "utilization of knowledge which is not given to anyone in its totality."[126] "What individualism teaches us," he insists, "is that society is greater than the individual only so long as it is free. In so far as it is controlled or directed, it is limited to the powers of the individual minds which control or direct it."[127]

Spencer additionally held that the progress of both biological and social evolution is gradually weakening our egoistic and combative impulses, and strengthening our altruistic and cooperative ones—and that its doing so is greatly to everyone's benefit. (Here evolution takes over the role of the Protagorean Zeus.) The human race is gradually moving from a regime of compulsory cooperation to one of voluntary cooperation,[128] and may in time reach a stage at which "government . . . shall have become extinct."[129]

> [F]orced, as men in society are, to seek satisfaction of their own wants by satisfying the wants of others; and led as they also are by sentiments which social life has fostered, to satisfy many wants of others irrespective of their own; they are moved by two sets of forces which, working together, will amply suffice to carry on all needful activities. . . .[130]

Moreover, while Spencer was a consequentialist of sorts, he held that we stand to reap the beneficial results of moral principles only if we commit ourselves to them *as* principles rather than mere strategies of expediency—another case of having instrumental reasons to adopt noninstrumental concerns.[131] Very much the same view is defended by a number of later radical individualists, including Mises,[132] Hayek,[133] and Rand.[134] (And, of course, Mises explicitly cites Epicurus as an inspiration, while Rand cites Aristotle.) This stress on noninstrumental concern, I would argue, is crucial in giving a humanistic shape to the organic individualists' "egoistic" ethical internalism and preventing it from becoming atomistic. If internalism is part of what makes organic individualism

[126] Hayek, *Individualism and Economic Order*, 78.
[127] Ibid., 32.
[128] Spencer, *Principles of Ethics*, vol. I, 271–85.
[129] Herbert Spencer, *Social Statics; or, The Conditions Essential to Human Happiness Specified, and the First of Them Developed* (New York: D. Appleton, 1878), 24.
[130] Spencer, *Man Versus the State*, 478.
[131] Spencer, *Social Statics*, chap. 1.
[132] Mises, *Liberalism*, 56–57.
[133] Friedrich A. Hayek, *Law, Legislation, and Liberty: A New Statement of the Liberal Principles of Justice and Political Economy. Volume I: Rules and Order* (Chicago: University of Chicago Press, 1973), chap. 3.
[134] Rand, *The Virtue of Selfishness*, 32.

individualist, then noninstrumental concern is part of what makes it organic.

Tucker might seem to be an exception to the account I have been giving, since he was a Stirnerite egoist who held that might makes right, and that justice is no more than a mutual nonaggression pact that nobody has reason to honor any farther than it suits his interests.[135] Well, yes, such is Tucker's official doctrine; but his overall theory, both in tone and in substance, is far closer to Protagoras, Epicurus, or Spencer than to Stirner. Although he recognizes "the right of society to coerce the individual and the right of the individual to coerce society so far as either has the requisite power," Tucker regards respect for individual sovereignty as "the law of social life, the only condition upon which humans can live in harmony."[136] Nor is the social contract a grudging détente among suspicious strangers in the style of Glaucon; on the contrary, according to Tucker: "My neighbor is not my enemy, but my friend, and I am his, if we would but mutually recognize the fact. We help each other to a better, fuller, happier living; and this service might be greatly increased if we would cease to restrict, hamper, and oppress each other."[137] On this view, although compliance with fair terms of cooperation has no *inherent* value, no value apart from its benefit to the individual agent, in practice it should be treated *as though* it had such value. Thus, even foolish promises should be kept (except in unusual circumstances where keeping them would lead to disaster), because it is of "vital consequence that associates should be able to rely upon each other."[138]

Likewise Francis Tandy, a disciple of Tucker's, expounding the Tuckerite egoist position in his 1896 book *Voluntary Socialism,* writes that while violations of the Spencerian law of equal freedom may be expedient in "very exceptional" cases, "an unflinching adherence to the principle in all cases . . . would, in the long run, be less harmful than a very lax application of it."[139] Once again, we have instrumental reasons for adopting noninstrumental concerns, or at least for treating some of our concerns *as though* they were noninstrumental. A similar position is found in Mises, who "demands toleration for doctrines and opinions" he considers "detrimental and ruinous to society," and does so "as a matter of principle, not from opportunism"—yet not for reasons divorced from utility, but rather because "only tolerance can create and preserve the condition of social peace."[140]

135 Tucker, *Instead of a Book,* 24.
136 Ibid., 132.
137 Ibid., 24–25.
138 Ibid., 51.
139 Francis Dashwood Tandy, *Voluntary Socialism: A Sketch* (Denver, CO: F. D. Tandy, 1896), 53n.
140 Ludwig von Mises, *Liberalism: In the Classical Tradition* (Irvington-on-Hudson, NY: Foundation for Economic Education, 1985), 56–57; cf. Larry Eshelman's comment that "Mises's moral 'utilitarianism,' in spite of his repeated attacks on natural law and natural rights,

But what does it mean to treat instrumental concerns *as* noninstrumental? When I choose respect for others' rights, say, *as though* such respect had noninstrumental value for me, do I *actually* attach noninstrumental value to it, or am I merely pretending? There would seem to be no third possibility. If I actually attach noninstrumental value to it, then it would seem that I can no longer consistently accept a purely instrumental account of its value. I may have had a purely instrumental motivation for cultivating such noninstrumental concern in myself, but once I have it, my resulting perspective is no longer an instrumental one. In contrast, if I *don't* embrace such respect as a genuinely noninstrumental concern, then I will continue to be open to the temptation to make the very sorts of trade-offs of principle for expediency that the radical individualists regard as inexpedient in the long run. Thus, concerns *treated as* noninstrumental just *are* noninstrumental concerns, and so-called "indirect consequentialist" arguments, whatever their authors may intend, are really consequentialist arguments for abandoning consequentialism.[141] Some of the organic individualists (e.g., Hayek) see this more clearly than do others (e.g., Tucker).[142] But this is likewise true of classical thinkers: the Stoics see the point more clearly than do the Epicureans, for example.

Both in their views on the robust and undirected nature of social cooperation and in their views on instrumental grounds for adopting noninstrumental concerns, then, the radical individualists may be seen as developing classical themes first pioneered by the originator (be that person Plato or Protagoras) of the ideas in the "Great Speech" in Plato's *Protagoras*.

## VI. Law Versus Convention

One final point of contact between the classical and individualist traditions is a radically antipositivist conception of law—an insistence that unjust governmental edicts are not merely bad laws, but no laws at all. Such a position, of course, has no *necessary* link to radical individualism: an authoritarian collectivist might likewise claim, for example, that only authoritarian collectivist measures count as genuine laws. Nonetheless, the antipositivist conception is particularly congenial to the perspective of dissidents against authority (including, though not limited to, radical individualists), because it serves to delegitimize the state's commands

owes more to the principled, categorical moral framework of Spencer and Herbert, than to the maximizing, comparative moral framework of Bentham and Mill" (Eshelman, "Ludwig von Mises on Principle," 38).

141 I elaborate this argument in Roderick T. Long, "Review of Leland B. Yeager's *Ethics as Social Science*," *Quarterly Journal of Austrian Economics* 6, no. 1 (Spring 2003), 89–98, http://mises.org/journals/qjae/pdf/qjae6_1_7.pdf; and Long, "The Value in Friendship," *Philosophical Investigations* 26, no. 1 (2003): 73–77.

142 For Ayn Rand's ambivalence on this question, see Long, *Reason and Value*, and Badhwar, *Is Virtue Only a Means to Happiness?*

and to legitimize resistance to the existing power structure; that is why the doctrine was invoked by American revolutionaries in the eighteenth century, by abolitionists in the nineteenth, and by civil rights activists like Martin Luther King, Jr., in the twentieth. In Dr. King's words:

> You express a great deal of anxiety over our willingness to break laws. . . . One may well ask: "How can you advocate breaking some laws and obeying others?" The answer is found in the fact that there are two types of laws: There are *just* and there are *unjust* laws. I would agree with Saint Augustine that "An unjust law is no law at all."[143]

In Plato's *Minos*, Socrates inaugurates this tradition by declaring that since laws essentially aim to enact justice rather than injustice—or as he puts it, "law wishes to be the discovery of what is so"—no statute whose content falls short of justice should be counted as a genuine law.[144] Xenophon likewise suggests that inasmuch as lawfulness is traditionally understood to be the opposite of force, statutes forcibly imposed against the will of the governed lack legal authority;[145] while Aristotle declares that "to govern not only justly but also unjustly is unlawful."[146]

This idea that the difference between true law and mere command must rest on moral authority rather than mere power is taken up by the Stoics. Cicero, expounding the Stoic conception of natural law, writes that "true law is right reason in agreement with nature," so that "there will not be different laws at Rome and at Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all nations and for all times."[147] It follows that the mere will of a legislature is insufficient to create law. Cicero writes:

> I find that it has been the opinion of the wisest men that Law is not a product of human thought, nor is it any enactment of peoples, but something eternal. . . . From this point of view it can be readily understood that those who formulated wicked and unrighteous statutes for nations . . . put into effect anything but "laws." It may thus be clear that in the very definition of the term "law" there inheres the idea and principle of choosing what is just and true. . . . What of the

143 Martin Luther King, Jr., "Letter from Birmingham City Jail," in James M. Washington, ed., *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.* (San Francisco: Harper, 1990), 293. I am not claiming that King was a radical individualist, only that he shared with the radical individualists a concern to delegitimize established authority, and like them found antipositivism useful in this regard.

144 Plato, *Minos* 314c–317d.

145 Xenophon, *Mem.* I.2.40–46; cf. IV.4.

146 Aristotle, *Pol.* VII.2.1324b28–30.

147 Cicero, *Rep.* III.22.33, in Cicero, *De Re Publica; De Legibus*, 211.

> many deadly, the many pestilential statutes which nations put in force? These no more deserve to be called laws than the rules a band of robbers might pass in their assembly. For if ignorant and unskillful men have prescribed deadly poisons instead of healing drugs, these cannot possibly be called physicians' prescriptions. . . .[148]

This approach governed not only Roman legal theory but, at least to some extent, Roman legal practice. As the legal scholar Bruno Leoni notes:

> The Roman jurist was a sort of scientist: the objects of his research were the solutions to cases that citizens submitted to him for study, just as industrialists might today submit to a physicist or to an engineer a technical problem concerning their plants or their production. Hence, private Roman law was something to be described or to be discovered, not something to be enacted—a world of things that there were, forming part of the common heritage of all Roman citizens. Nobody enacted that law; nobody could change it by any exercise of his personal will.[149]

However strange it might sound to modern ears to say that unjust statutes are *not laws* (rather than saying that they are *bad* laws), the Socratic position became the dominant opinion in jurisprudence throughout most of European history. Augustine, as we have seen, enunciated the motto *lex injusta non est lex* ("an unjust law is not a law"), in which he was followed by jurists for over a millennium. In the thirteenth century, for example, Thomas Aquinas wrote that "every human law has the nature of law in so far as it is derived from the law of nature," but "if it is in any respect at odds with the law of nature, it will then no longer be law, but a corruption of law."[150] In the seventeenth century, the Spanish Scholastic Francisco Suárez concurred that a human legislator "has not the power to bind through unjust laws," for "even though he may indeed prescribe that which is unjust, such a precept is not law, inasmuch as it lacks the force or validity to impose a binding obligation."[151] In the same era, in

[148] Cicero, *Leg.* II.8, in Cicero, *De Re Publica; De Legibus*, 379–85. For a defense of this argument, see Roderick T. Long, "Federalism and the Bill of Rights: The Pros and Cons of *Kelo*," July 8, 2005, http://lewrockwell.com/long/long14.html.

[149] Bruno Leoni, *Freedom and the Law*, expanded 3d ed. (Indianapolis, IN: Liberty Fund, 1991), 83. Leoni does not mean to deny that there were such things as enacted statutes in Roman private law; his claim is simply that such statutes were so few, in comparison with those of public law, that private disputants "could rarely base their claims on a statute" (82), thus leaving the vast bulk of private law to be determined by judicial rather than legislative process.

[150] Thomas Aquinas, *Summa Theologica*, IaIIae.95.2, in Aquinas, *Political Writings*, ed. R. W. Dyson (Cambridge: Cambridge University Press, 2002), 130.

[151] Francisco Suárez, *On Law and God the Lawgiver*, excerpted in J. B. Schneewind, *Moral Philosophy from Montaigne to Kant: An Anthology*, vol. 1 (Cambridge: Cambridge University Press, 1990), 73–74.

England, Richard Overton—one of the leaders of the Leveller movement and thus an important forerunner of radical individualism—was writing that the doctrine "nothing which is against reason is lawful" was "a sure maxim in law, for reason is the life of law."[152] In the eighteenth century, the eminent jurist William Blackstone would explain that the law of nature "is of course superior in obligation to any other," being "binding all over the globe, in all countries, and at all times," so that "no human laws are of any validity, if contrary to this; and such of them as are valid derive all their force, and all their authority, mediately or immediately, from this original."[153]

The radical individualists' critique of state power draws, then, on this moralized conception of law running back to Socrates. Bastiat, for example, defines law as "the organization of the natural right of lawful defense," adding that the "nature of law is to maintain justice." It follows that any legislative violation of liberty or justice is a "perversion of the law . . . in direct opposition to its own purpose."[154] Lysander Spooner, in his book *The Unconstitutionality of Slavery,* employs the principle that laws should be interpreted in accordance with their proper aim, so that interpretations more favorable to liberty and justice should be chosen over interpretations more favorable to authorial intent;[155] and he declares, in language reminiscent of Cicero, that

> justice is an immutable, natural principle; and not anything that can be made, unmade, or altered by human power. . . . Lawmakers, as they call themselves, can add nothing to it, nor take anything from it. Therefore all their laws, as they call them,—that is, all the laws of their own making,—have no color of authority or obligation. . . . It is intrinsically just as false, absurd, ludicrous, and ridiculous to say that lawmakers, so-called, can invent and make any laws, *of their own* . . . as it would be to say that they can invent and make such mathematics, chemistry, physiology, or other sciences, as they see fit. . . .[156]

Such is equally the opinion of Rose Wilder Lane a century later, who "den[ies] that legislators make law," holding that they create only "legal

[152] Richard Overton, *A Defiance Against All Arbitrary Usurpations or Encroachments* (1646), quoted in Carl Watner, "'Come What, Come Will!' Richard Overton, Libertarian Leveller," *Journal of Libertarian Studies* 4, no. 4 (Fall 1980): 405–32, at 415, http://mises.org/journals/jls/4_4/4_4_7.pdf.

[153] William Blackstone, *Commentaries on the Laws of England* (1765–69), 4 vols. (Chicago: University of Chicago Press, 1979), introduction, section 2.

[154] Frédéric Bastiat, *The Law,* trans. Dean Russell (Irvington-on-Hudson, NY: Foundation for Economic Education, 1964), 7–9, 13.

[155] Lysander Spooner, *The Unconstitutionality of Slavery* (Boston: Bela Marsh, 1860), chap. 17.

[156] Lysander Spooner, *A Letter to Grover Cleveland on His False Inaugural Address, the Usurpations and Crimes of Lawmakers and Judges, and the Consequent Poverty, Ignorance, and Servitude of the People* (Boston: Benj. R. Tucker, 1886), 3–4.

Acts, statutes, which may or may not coincide with real Law, and in fact seldom do."[157] And Hayek argues that law has always been independent of and prior to legislation:

> Law in the sense of enforced rules of conduct is undoubtedly coeval with society; only the observance of common rules makes the peaceful existence of individuals in society possible. . . . Such rules might in a sense not be known and still have to be discovered, because from "knowing how" to act, or from being able to recognize that the acts of another did or did not conform to accepted practices, it is still a long way to being able to state such rules in words. But while it might be generally recognized that the discovery and statement of what the accepted rules were (or the articulation of rules that would be approved when acted upon) was a task requiring special wisdom, nobody yet conceived of law as something which men could make at will.[158]

There are some differences here, to be sure. Where Spooner is a straightforward natural-law theorist in a manner reminiscent of the Stoics, Hayek seeks to transcend the distinction between natural law and conventional law; for Hayek, law is "conventional" in the sense that it is the product of human custom—but "natural" in the sense that it is not the product of anyone's deliberate decision. Such a position is perhaps already implicit in Protagoras's insight that we learn the rules that constitute political wisdom as we learn our native language, tacitly and without reliance on specific teachers. While the Stoic and Protagorean approaches differ, they may both be seen as versions of antipositivism.

Nor is such antipositivism confined to the sphere of law. Socrates maintained that only beneficial acquisition counts as genuine wealth or profit,[159] and that only those jurors who voted for his acquittal were genuine jurors.[160] The Stoics developed the same idea, maintaining that only the wise man is a genuine king, only the universe is a genuine city, only a moral failing is a genuine harm, and so on. Aristotle radically revised the traditional Greek classification of constitutions, allowing for majoritarian oligarchy, for example, on the grounds that the true essence of oligarchy (as opposed to its conventional dictionary definition) is not minority rule but plutocracy.[161]

[157] Rose Wilder Lane, Letter to Jasper Crane, February 14, 1961, in Roger Lea MacBride, ed., *The Lady and the Tycoon: Letters of Rose Wilder Lane and Jasper Crane* (Caldwell, ID: Caxton Printers, 1973), 268.
[158] Hayek, *Rules and Order*, 72–73.
[159] Xenophon *Oec.* I.1–15; Plato, *Hipparchus*; pseudo-Plato, *Eryxias*.
[160] Plato, *Ap.* 39e–40a.
[161] Aristotle, *Pol.* III.5.1279b20–1280a6; cf. Long, "Aristotle~~'s~~ Egalitarian Utopia," 175–82.

Here, too, the radical individualists are followers. Part of Spooner's argument for the unconstitutionality of slavery, for example, was that the U.S. Constitution guarantees to the several states a "republican form of government," and by Spooner's lights a slaveholding state is no true republic—since it is part of the true concept of a *republic* that "the public, the mass of the people, if not the entire people, participate in the grant of powers to the government, and in the protection afforded by the government," rendering it impossible that "a government, under which any considerable number of the people . . . are disfranchised and enslaved, can be a republic."[162] Similarly, Murray Rothbard and Samuel Konkin reason that since market relations are essentially voluntary, unregulated exchanges, what is called the "black market" just *is* the market, the only true market;[163] and that since robbery is essentially the involuntary, *forced* transfer of assets, "taxation is robbery."[164] It was for similar reasons that Pierre-Joseph Proudhon had maintained a century earlier that "property is robbery"—that what is conventionally *called* property is really based not on genuine ownership but on the negation of genuine ownership. By analogous logic, Proudhon's contemporary Anselme Bellegarrigue argued that since interpersonal harmony requires the absence of compulsion—governmental or otherwise—then "Anarchy is Order," while "Government is Civil War";[165] and that since romantic love objectifies and depersonalizes its object, "Love is Hate."[166] And, as we have seen, Rand—following Aristotle—declared that only the virtuous person is *truly* selfish. In each of these cases, the conventional meaning of a term is being revised in the light of a radical social analysis.

By challenging the conventional understanding of crucial terms like "law" and "robbery," the radical individualists sought to undermine the moral legitimacy that conventional usage lends to established authority. It would be a mistake, however, to take the individualists as arbitrarily changing the meanings of words for their own purposes; in each case they insist, in good Socratic fashion, that their favored meaning is already *implicit* in ordinary usage and simply needs bringing out. In short, the radical individualists hold that there is a conflict between the central thrust of certain ideas and the ways in which they are conventionally applied—a conflict which they propose to resolve by following the idea's logical tendency and jettisoning its traditional applications.

[162] Spooner, *The Unconstitutionality of Slavery*, 106.

[163] Murray N. Rothbard, *Man, Economy, and State: A Treatise on Economic Principles; with Power and Market: Government and the Economy* (Auburn, AL: Ludwig von Mises Institute, 2004), 1079; Samuel E. Konkin III, *Strategy of the New Libertarian Alliance*, no. 1 (May Day 1981).

[164] Murray Rothbard, *For a New Liberty: The Libertarian Manifesto*, rev. ed. (New York: Collier Macmillan, 1978), 23–24.

[165] Anselme Bellegarrigue, *Anarchie: Journal de l'Order* 1 (Paris, 1850): 1.

[166] Anselme Bellegarrigue, *Les Femmes d'Amérique* (Paris: Blanchard, 1853).

In a debate with Horace Greeley over marriage law, Stephen Pearl Andrews summed up the general approach:

> I am as honestly and thoroughly opposed to Adultery, for example, as the Editor of the Tribune can be, except that we might differ in the definition. I *charge* adultery upon nine-tenths of the married couples in this city, committed not out of, but within, the limits of their marriage bonds. . . . Mr. Greeley denounces me, as favoring Impurity and Adultery. . . . If by Adultery is meant a breach of a legal bond, binding a man and woman, between whom there are repugnance and disgust instead of attraction and love, to live together in the marital embrace, then there may be some grounds for the charge; but if, as I choose to define it, Adultery means a sexual union, induced by any other motive, however amiable or justifiable in itself, than that mutual Love which by Nature prompts the amative conjunction of the sexes, materially and spiritually, then do I oppose and inveigh against, and then does Mr. Greeley defend and uphold Adultery.[167]

It was the Greek philosophers who first separated *nomos* in the sense of mere "convention," potentially opposed to nature, from *nomos* in the sense of "law," opposed to violence and in accordance with nature;[168] by employing a moralized conception of law to undermine the legitimacy of established "law," the radical individualists here too were largely reaping what their ancient predecessors had sown.

## VII. Conclusion

While the classical Greco-Roman tradition is not ordinarily thought of as associated in any significant way with radical individualism, the two intellectual traditions most commonly described as radically individualist—one atomistic, the other organic—both draw heavily on classical precedent. In particular, the more organic individualist tradition, which I have argued is also the more radical, turns out to be continuing and developing ancient themes in many of its central positions—including, as we have seen, its stand on such topics as human sociality, hegemonic relationships, "militant" versus "industrial" society, methodological individualism, ethical eudaimonism, psychological independence, spontaneous order, noninstrumental concern, and a moralized conception of law.

[167] Stephen Pearl Andrews, ed., *Love, Marriage, and Divorce and the Sovereignty of the Individual: A Discussion by Henry James, Horace Greeley, and Stephen Pearl Andrews* (New York: Source Book Press, 1962), 11–14.

[168] Lysias, *Funeral Oration* 17–19; Plato, *Minos* 313c–315b; Xenophon, *Mem.* I.2.40–47; Aristotle, *Pol.* VII.2.1324b23–30. Cf. Roderick T. Long, "Three Conceptions of Nature in Hellenistic Philosophy of Law" (unpublished); and Stalley and Long, "Socrates and Early Socratic Philosophers of Law," section 3.

The identification of these connections between the classical tradition and the organic individualist tradition suggests, at the least, that scholars working primarily in the study of one of these traditions might profit from an investigation of the other. More controversially, perhaps, such connections would seem to imply that those who find either one of these traditions attractive (i.e., for its substantive content rather than merely as a historical curiosity) might wish to explore the extent to which they are or should be committed to the foundations or applications offered by the other.

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