

Is Libertarianism Thick or Thin? Thin!

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Abstract

Thin libertarianism, and only thin libertarianism, is valid libertarianism. Thick libertarianism is actually an attempt to hijack real, or thin, libertarianism. The present paper is devoted to stopping thick libertarianism in its tracks. We take as foils thick libertarians Johnson (2013) and Tucker (2014) and demonstrate that their thick libertarian views are contrary to true libertarianism.

I. Introduction

Thin libertarianism is defined as being based, solely, on the non-aggression principle (NAP). It is a theory of just law, or, equivalently, the proper use of violence. This philosophy maintains that it is licit to use force only in defense, or punishment against NAP violators. That is, people may lawfully do exactly as they please, except that they may not initiate aggression against non-aggressors, nor steal their property. Thick libertarianism, if it is to deserve this honorific, must also subscribe to the NAP. However, it adds what thin libertarians consider extraneous considerations to this basic principle. Here, the thick version of this philosophy breaks down into two sub-categories. The left wing variety maintains that in addition to the NAP, adherents must also adopt policies of inclusion, of non-discrimination against minority groups, support for enactments such as the Civil Rights Law of 1964; the right wing variant would combine the NAP with backing for the very opposite: namely, discrimination against these very demographics, favoring the second amendment to the constitution, religious morality, etc. For the thin libertarian, both left and right thickists are off the mark; these considerations are no more relevant to this philosophy than would for example, the claim be that checkers is somehow to be associated with libertarianism, or, maybe, instead, chess. All, everything, apart from the NAP, are strictly irrelevant to this perspective.

Before we begin, a true confession. The authors of the present paper regard ourselves as the thinnest of thin libertarians. We maintain that even those who consider themselves as part of the 'thin' crowd succumb on some issues where

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they try to make libertarianism ‘thicker’ than it really should be; namely, *zero* thickness. We shall address all of the ‘thin’ and ‘thick’ issues directly but first, let us say at the outset that ‘thin’ libertarianism is true libertarianism and so-called ‘thick’ libertarianism is based on otherwise libertarians making moral and strategic judgments and then trying to cloak them as libertarianism.

This is not an issue of leftist vs rightist thought. There are ‘thick’ philosophers on both sides of that particular ideological divide. However it cannot be denied that as an empirical truth the most steadfast proponents of ‘thick’ libertarianism are mostly from the left. And like this part of the political spectrum they have engaged in some troubling rhetoric. What is especially ironic about his choice of terms is that in calling us ‘Brutalists’ he has already done something he supposedly opposes. He has exhibited bigotry against those who do not conform to his ‘thick’ view of libertarianism.

In section II of this paper we address thick libertarian philosophy. Section III is devoted to a critique of thickster philosophy. We conclude in section IV. No truer words were ever written on this subject than those by Lew Rockwell¹ who said that this is not a sectarian fight within libertarianism but one at the very core of what it means.

II. Johnson (2013)²

This author starts out with a most important point. ‘Thin’ vs ‘Thick’ is not equivalent to left vs right.³ It is rather a matter of definition and clarity. He starts out with this question:

¹ L.H. Rockwell Jr, ‘The Current Libertarian Infighting and the Future of Libertarianism’, available at <https://tinyurl.com/yczm4ck7> (last visited 15 June 2017).

² Unless otherwise specified, all references to this author’s work will apply to this one essay of his, that is, C. Johnson, ‘Libertarianism through Thick and Thin’ *Rad Geek People’s Daily*, available at <https://tinyurl.com/3nkv2j> (last visited 15 June 2017).

³ For other essays in support of the thick libertarian perspective see N. Gillespie and M. Welch, *The Declaration of Independents: How Libertarian Politics Can Fix What’s Wrong With America* (New York: Public Affairs, 2011); C. Johnson, ‘Libertarianism: Through Thick and Thin’ n 2 above; R. Long, ‘The Plot Thickens’ *Austro-Athenian Empire*, available at <https://tinyurl.com/ybreguzz> (last visited 15 June 2017); Id, ‘Monster Thickburger Libertarianism’ *Austro-Athenian Empire*, available at <https://tinyurl.com/y8kxhxc6> (last visited 15 June 2017); Id, ‘Thickness Unto Death’ *Austro-Athenian Empire*, available at <https://tinyurl.com/y7lev42g> (last visited 15 June 2017); C. Reisenwitz, ‘Thick and Thin Libertarianism and Tom Woods’ *Cathy Reisenwitz*, available at <https://tinyurl.com/y8hrxd7n> (last visited 15 June 2017); S. Richman, ‘TGIF: In Praise of ‘Thick’ Libertarianism’ *The Future of Freedom Foundation*, available at <https://tinyurl.com/mnld553> (last visited 15 June 2017); Id, ‘Libertarianism is More than Just Rejecting Force: The ‘Thick’ and ‘Thin’ of Libertarian Philosophy’ *Reason.com*, available at <https://tinyurl.com/y99q2f3v> (last visited 15 June 2017); Id, ‘TGIF: Libertarianism Rightly Conceived’ *The Future of Freedom Foundation*, available at <https://tinyurl.com/kdzwxa5> (last visited 15 June 2017); Id, ‘What Social Animals Owe Each Other’ *The Future of Freedom Foundation*, available at <https://tinyurl.com/mu9j73x> (last visited 15 June 2017); J. Tucker, ‘Against Libertarian Brutalism: Will Libertarianism Be Brutalist or Humanitarian? Everyone Needs to Decide’ *The Freeman*,

‘But if coercive laws have been taken off the table, what should libertarians say about other religious, philosophical, social, or cultural commitments that pursue their ends through non-coercive means, such as targeted moral agitation, mass education, artistic or literary propaganda, charity, mutual aid, public praise, ridicule, social ostracism, targeted boycotts, social investing, slow-downs and strikes in a particular shop, general strikes, or other forms of solidarity and coordinated action? Which social movements should they oppose, which should they support, and towards which should they counsel indifference? And how do we tell the difference?’

In this question we arrive at the essential nature of the debate. However his challenge is an easy one to answer. If the activity in question is violating the NAP then we oppose it but if it is not then let your conscience be your guide. Here we return to our main point Libertarianism, true libertarianism that is, is an extremely limited philosophy. It asks but one question, and gives but one answer. The question? When is violence justified? And the answer? Only in response to a prior act of aggression. That is it. Period. It cannot, it must not, oppose or support any other issue. This is something every libertarian and indeed every person needs to figure out for themselves. Is a general strike justified? Of course it is, if it embodies no initiatory invasion. If it does, then of course not. Ditto for every other act mentioned by Johnson.

Next this philosopher offers a seeming soft-ball to demonstrate that ‘there are clearly cases in which (...) commitments might just be an application of libertarian principles to some specific case’ to justify what he calls ‘thickness in entailment and conjunction (...)’ Here is his clearest and least interesting case:

‘Aztec libertarian might very well say, “Of course libertarianism needs to be integrated with a stance on particular religious doctrines! It means you have to give up human sacrifice to Huitzilopochtli!”’

No it doesn’t mean that at all. Rather, it means you have to give up *involuntary* sacrifices to the gods. Willing participants should be allowed to be sacrificed if they wish to do so.⁴

Johnson goes on to make another important point:

available at <https://tinyurl.com/pn32pdy> (last visited 15 June 2017); K. Vallier, ‘Libertarian Social Morality: Progressive, Conservative or Liberal?’ *Bleeding Heart Libertarians*, available at <https://tinyurl.com/aj5oyez> (last visited 15 June 2017); Id, ‘Political Libertarianism: Between Thick and Thin’ *Bleeding Heart Libertarians*, available at <https://tinyurl.com/kqz3kby> (last visited 15 June 2017); M. Zwolinski, ‘Sweatshops, Choice, and Exploitation’ *17 Business Ethics Quarterly*, 689-727 (2007); Id, ‘Libertarianism: Thick and Thin’ *Bleeding Heart Libertarians*, available at <https://tinyurl.com/yd5zp5ef> (last visited 15 June 2017).

⁴ It is unclear why a philosopher of Johnson’s stature should not insist on making this crucial distinction between voluntary and involuntary sacrifice. Not only does he not insist on this; worse he fails, utterly, to acknowledge this important distinction.

‘Considerations of entailment make clear that consistent libertarianism means not a narrow concern with government intervention only, but also opposition to all forms of coercion against peaceful people, whether carried out within or outside of the official policy of the state.’

Yes of course it does! Libertarians should be concerned with the cessation of all aggressive violence regardless of the perpetrator.⁵ Then he raises another good question but misses some of the nuance by talking in this context about ‘considerations of conjunction’:

‘(...) whether there are any other evils that libertarians should oppose, as libertarians, that is, whether there are any further commitments that libertarians should make, beyond principled non-aggression, at least in part because of their commitment to libertarianism’.

This is where so many ‘thick’ libertarians go astray. There are evils that would be morally good or strategically sound to oppose but not *as libertarians*. Maybe a better way to say this is that it is not libertarian to want a libertarian world.⁶ That is a moral judgment about how someone thinks society should be ordered. Libertarianism, in contrast, is a legal theory about how violence should be employed. It is the only moral legal theory but it does not have anything to say about morality as such.⁷ Johnson goes on to treat his four types of ‘thick’ arguments he calls ‘the most interesting’ which we will now endeavor to address.

Thickness for Application

Here our author takes an unfortunate turn for the worse. He opines:

‘One of the most important, but most easily overlooked, forms of

⁵ Had this author contented himself with this sort of thin libertarian statement, we would have no quarrel with him. Alas, alas, this is not at all the case. See below.

⁶ A (thin) libertarian theorist is one maintains that property rights and the NAP exhaust the basic premises of this philosophy. He need not favor the implementation of libertarianism. In contrast, a libertarian activist is someone who wants to promote liberty. The present authors fall into both camps.

⁷ We readily ‘concede’ that this sounds anomalous. A libertarian who does not to bring about a libertarian world? This sounds like a downright logical contradiction, but it is not, we insist. Remember, we are amongst the thinnest of thin libertarians. We insist that the libertarian, *qua* libertarian, is committed to espousing one thing and one thing only: that the just use of force is in retaliation only, never in initiation. But does that commit the libertarian to wanting to promote this philosophy amongst the populace, to bringing about a libertarian world, where the NAP is the order of the day. No, it does not. It is certainly possible, albeit rather unlikely, for the pure libertarian to maintain that this would indeed be just, but he opposes justice. The present authors are libertarians in that we maintain that the NAP is at the core of the just philosophy. Do we also want to bring about the free and just society? Yes, as it happens, we do. But buy into this, strictly speaking, *not* as libertarians, but rather as moral agents.

thickness is what I will call “thickness for application”. There might be some commitments that a libertarian can reject without formally contradicting the non-aggression principle, but which she⁸ cannot reject without in fact interfering with its proper application. Principles beyond libertarianism alone may be necessary for determining where my rights end and yours begin, or stripping away conceptual blinders that prevent certain violations of liberty from being recognized as such’.

There are two problems. First, he seems to be saying that sometimes the general rule, in this case the NAP, can be wrong in some situations. However if a general rule does not apply to the specifics then something is wrong with it. Either it is not a general rule but more like a guideline to which there are exceptions or the general rule is wrong. By definition a general rule must apply to every specific situation that is part of it. Second, there are no principles beyond the NAP, property rights and homesteading which determine where my rights end and yours begin. The NAP is the general rule for all legal questions and applies in every situation. We cannot discuss ‘moral’ rights and ‘legal’ rights. The only rights are property rights and they are legal not moral.

Consider the case where A shakes his fist at B. If the two are separated by one mile, then, presumably, no NAP violation has occurred. If they are two feet from each other, then, depending upon the context⁹ it is a paradigm case of the initiation of a threat of force. But what if there is a distance between them of ten or twenty yards. Is this act of A’s incompatible with the NAP? We need some sort of reasonable man¹⁰ to weigh in on the matter.¹¹ But are these considerations ‘Principles beyond libertarianism alone’? We think not. Rather, they are part and parcel of any rational interpretation of the NAP of libertarianism.

Johnson makes another mistake when he talks about how feminists are critical of:

‘(...) the traditional division between the private and the political sphere, and of those who divide the spheres in such a way that pervasive, systemic violence and coercion within families turn out to be justified, or excused, or simply ignored, as something private and therefore less than a serious form of violent oppression’.

This is not a valid criticism of libertarianism. In libertarian legal theory there

⁸ This political correctness is part and parcel of thick libertarianism. In the proper use of the English language, ‘he’ includes both ‘he’ and ‘she’. Properly, ‘she’ is only used to refer to females only. When a concept applies to both genders, as it does in this case, the proper word is ‘he’.

⁹ This is not a play or an opera, or two friends being silly with one another while smiling at each other.

¹⁰ Not woman; see n 7 above.

¹¹ For a libertarian analysis of continuum problems of this sort, see W. Block and W. Barnett II, ‘Continuums’ *Etica & Politica (Ethics & Politics)*, 151-166 (2008).

are no less or more ‘serious’ violent aggressions. There is a degree to which a violent aggression occurs but stealing a candy bar is just as ‘serious’ as cold-blooded murder. They are both violent aggressions against property and can be punished proportionally to their degree. Surely most people would agree stealing a candy bar is not as serious morally as murdering someone. In the libertarian legal theory these moral judgements would affect whether or not the victim will seek punishment of the crimes. But they do not affect the fact that both are crimes and can be punished.

Then he goes on to aver:

‘(...) To the extent that feminists are right about the way in which sexist political theories protect or excuse systematic violence against women, there is an important sense in which libertarians, because they are libertarians, should also be feminists’.

This is backwards. Instead, we maintain ‘(...) there is an important sense in which feminists, because they are feminists, should also be libertarians.’ Feminism is concerned with moral judgments about how females are being treated unfairly. Since they quite correctly oppose violence against women they should be libertarians as well because we oppose violence against everyone. Johnson thinks that adding in the additional commitments strengthens the NAP by giving it a ‘full and complete application’. However, again the very opposite is true. We *weaken* the NAP by adding additional commitments because we thereby reduce its status from a general rule to a guideline with exceptions.

Thickness from Grounds

According to Johnson, how one arrives at libertarianism,¹² has implications which apply to libertarianism. For example authoritarianism. In his view:

‘Yes, in a free society the meek could voluntarily agree to bow and scrape, and the proud could angrily but nonviolently demand obsequious forms of address and immediate obedience to their commands. But why *should* they? Non-coercive authoritarianism may be *consistent* with libertarian principles, but it is hard to *reasonably* reconcile the two; whatever reasons you may have for rejecting the arrogant claims of power-hungry politicians and bureaucrats – say, for example, the Jeffersonian notion that all men and women are born equal in political authority, and that no-one has a natural right to rule or dominate other people’s affairs – probably serve just as well for reasons to reject other kinds of authoritarian pretension, even if they are not expressed by means of coercive government action’.

¹² Whether through utilitarianism, natural law, argumentation ethics, religion or some other method.

This goes much too fast. For instance, libertarians could hate spinach. However, for the love of all that is rational, *not qua libertarians*. Anyone and everyone has the right to hate this vegetable, libertarian or not. So, yes, if he wishes, Mr Johnson should by all means feel free to hate authoritarianism.¹³ Let him never ‘bow and scrape’ to anyone. He may with our blessing look them all straight in the eye. But it is unclear what this, any more than spinach hating, has to do with the NAP.

Our author is putting the cart before the horse. If the implication of the ideas that transmit you to libertarianism are contrary to this viewpoint we suggest finding some better foundations. Or, perhaps, jettison those invalid arguments that brought you to the one true political philosophy, while maintaining the latter. Just because the heart surgeon initiates the operation from the front of the patient’s body does not mean he has to exit from that spot.

He argues that libertarians should oppose authoritarianism. Authoritarianism is a way of ordering a social situation. It works in some cases better than others but the only problem libertarianism has with it is when aggressive violence is used to support it. Authoritarianism vs any other method of social cooperation is a matter of personal preference. There are many examples of voluntary authoritarianism that we take for granted such as a parent to their child, teacher to student and worker to boss. Many religious women believe their place is to be subservient to their husbands and fathers. To the extent that it is voluntary then more power to them (or maybe away from them.) Johnson believes that it is ‘weird’ that some people might prefer this kind of authoritarian social order but that is irrelevant. In our humble opinion, liking spinach is weird also. What either of these tastes has to do with libertarianism is unclear.

States Johnson:

‘While no-one should be forced as a matter of policy to treat her fellows with the respect due to equals, or to cultivate independent thinking and contempt for the arrogance of power, libertarians certainly can – and should – criticize those who do not, and exhort our fellows not to rely on authoritarian social institutions, for much the same reasons that we have to endorse libertarianism in the first place’.

If it floats your boat then feel free to criticize and exhort away; just stop calling it libertarian to do so. It is merely a personal moral judgement about the value of authoritarianism vs other forms of social cooperation.

Strategic Thickness – the Causes of Liberty

In the view of Johnson, libertarians *qua* libertarians should endorse policies

¹³ And spinach too, while you are at it.

orthogonal to libertarianism in order to convince people of the virtues of libertarianism so as to save the world from statism. For example,

‘(...) libertarians have genuine reasons to be concerned about large inequalities of wealth, or large numbers of people living in absolute poverty, and to support voluntary associations – such as mutual aid societies and voluntary charity – that tend to undermine inequalities and to ameliorate the effects of poverty. The reasoning for this conclusion is not that libertarians should concern themselves with voluntary anti-poverty measures because free market principles logically entail support for some particular socioeconomic outcome (clearly they do not); nor is it merely because charity and widespread material well-being are worth pursuing for their own sake (they may be, but that would reduce the argument to thickness in conjunction). Rather, the point is that there may be a significant causal relationship between economic outcomes and the material prospects for sustaining a free society. Even a totally free society in which large numbers of people are desperately poor is likely to be in great danger of collapsing into civil war. Even a totally free society in which a small class of tycoons own the overwhelming majority of the wealth, and the vast majority of the population own almost nothing is unlikely to remain free for long (...).’

Stipulate that this is true: a rough equality of income is more causally conducive to the free society than a vastly unequal one. Why, then, it would be a good idea to promote egalitarianism, in a voluntary manner, of course. But why *qua* libertarian? Why not merely as a means toward the free society? But, it is an empirical issue that equality preserves liberty. Posit the very opposite to be the case. Then, according to our author, it would be a crucial aspect of libertarianism to, again voluntarily, enhance policies that lead in the very opposite direction, a conclusion he would not likely accept. Nor would we. In contrast, the only thing we care about as libertarians are property rights, homesteading and the NAP. As men of good will, but not in our role as libertarians, we would encourage the poor to donate money to the rich, so as to promote inequality, and thus, freedom.

Thickness from Consequences – The Effects of Liberty

In this section of his paper Johnson wants us, as libertarians, to denounce the social evils created by the crony, statist system. In his view:

‘Thus, to the extent that sweatshop conditions and starvation wages are sustained, and alternative arrangements like workers’ co-ops are suppressed, because of the dramatic restrictions on property rights throughout the developing world – restrictions exploited by opportunistic corporations,

which often collaborate with authoritarian governments and pro-government paramilitaries in maintaining or expanding legal privilege, land grabs, and oppressive local order – libertarians, as libertarians, have good reasons to condemn the social evils that arise from these labor practices’.

This is invalid. As libertarians we concern ourselves only with aggressive violence. So, yes, by all means, as libertarians, we may condemn the aggressive violence used to aid and abet sweatshop conditions. But never, not ever, at least not *qua* libertarianism, do so for sweatshops themselves, totally divorced from NAP violations. There is a sect of Christianity called Calvinism that places great emphasis on the value of hard work, thrift, and avoiding moral temptation. Denizens of these organizations work all day, live simple lives and cannot be sinning while busy making iPhones, shirts or shoes. For them a sweatshop is a positive virtue.

He goes on to say that there is a good reason to support ‘(...) private fair trade certification, wildcat unionism, or mutual aid societies (...)’ But there are numerous studies that demonstrate that sweatshops themselves are a boon to the economy, especially for the poorest workers.¹⁴ The reason for this is straightforward. When a sweatshop moves opens up for business in a poverty stricken area, does it make offers lower than prevailing wages, equal to prevailing wages, or greater than them? To ask this is to answer it: of course, the latter,¹⁵ otherwise such a firm would not be able to attract a labor force. Alternatively, suppose a sweatshop is closed down, thanks to the policies urged on us by

¹⁴ See on this W.E. Block, *Labor Economics from a Free Market Perspective: Employing the Unemployable* (London: World Scientific Publishing, 2008); Id, ‘Reply to Hellmer on Sweatshops’ 22 *Journal of Libertarian Studies*, 719-739 (2011); Z. Greene, S. Henry et al, ‘Negative Impacts of Minimum Wage and anti Sweatshop Legislation’ 23(2) *Humanomics*, 83-92 (2007); M.E. Hellmer, ‘Establishing Government Accountability in the Anti-Sweatshop Campaign: Toward a Logical, Activist Approach to Improving the Working Conditions of the Poor’ 19(3) *Journal of Libertarian Studies*, 33-47 (2005); A. Hotfelder, ‘Why Nicholas Kristof Is Right to Defend ‘Sweatshops’ in His Recent New York Times Op-ed’, *Gadling*, available at <https://tinyurl.com/99hfqs> (last visited 15 June 2017); P. Krugman, ‘In Praise of Cheap Labor, Bad Jobs at Bad Wages are Better Than No Jobs at All’ *Slate*, available at <https://tinyurl.com/72rae3v> (last visited 15 June 2017); Id, ‘Reckonings: Hearts and Heads’ *The New York Times*, available at <https://tinyurl.com/2b2g4lt> (last visited 15 June 2017); A. Myerson, ‘In Principle, a Case For More ‘Sweatshops’ ’ *The New York Times*, available at <https://tinyurl.com/65ybrry> (last visited 15 June 2017); B. Powell, ‘In Reply to Sweatshop Sophistries’ 28(4) *Human Rights Quarterly*, 1032-1042 (2006); Id, ‘In Defense of ‘Sweatshops’ ’ *Library of Economics and Liberty*, available at <https://tinyurl.com/3us7dj> (last visited 15 June 2017); Id, *Out of Poverty: Sweatshops in the Global Economy* (Cambridge: Cambridge University Press, 2014); Id and D. Skarbek, ‘Sweatshops and Third World Living Standards: Are the Jobs Worth the Sweat?’ 27(2) *Journal of Labor Research*, 263-274 (2006); B. Powell and M. Zwolinski, ‘The Ethical and Economic Case Against Sweatshop Labor: A Critical Assessment’ 107 *Journal of Business Ethics*, 4 (2012); W. Williams, ‘Sweatshop Exploitation’ *WND Commentary*, available at <https://tinyurl.com/y72cmx7d> (last visited 15 June 2017); M. Zwolinski, ‘Sweatshops, Choice, and Exploitation’ 17 *Business Ethics Quarterly*, 689-727 (2007). Note that Krugman, infamous leftist, is pro-sweatshop.

¹⁵ And, typically, *much* higher wages and better working conditions.

economic illiterate Johnson. Then, what happens to the disposed workers? Do they migrate to better, similar or worse remuneration? Again, the answer is obvious: it is the latter. If they had better options, they would have already accessed them, and not stooped to sweatshop labor. Instead the alternative to sweatshop labor too often consists of hunting in garbage dumps for food, or child prostitution.

III. Tucker (2014)¹⁶

The first problem with this essay is his choice of terminology. ‘Brutalism’ sounds bad. Who would want to be a ‘brutalist’? But he chose ‘brutalist’ and in doing so conceded most of the argument before even starting. If his view is that there are some libertarians who embrace this philosophy so as to essentially brutalize others and he believes it is bad to do so, eg, to be a bigot then why is he choosing an obviously bigoted term to describe his detractors? That means he is doing exactly what he denigrates in other people.

We reject the suggestion that libertarians fall into two camps: humanitarians and brutalists. But before we get to why let us give him the benefit of understanding what these distinctions supposedly mean. So according to Tucker humanitarian libertarians believe the following:

‘Liberty allows peaceful human cooperation. It inspires the creative service of others. It keeps violence at bay. It allows for capital formation and prosperity. It protects human rights of all against invasion. It allows human associations of all sorts to flourish on their own terms. It socializes people with rewards toward getting along rather than tearing each other apart, and leads to a world in which people are valued as ends in themselves rather than fodder in the central plan’.

Then he goes on to describe the brutalists as:

‘(...) a segment of the population of self-described libertarians – described here as brutalists – who find all the above rather boring, broad, and excessively humanitarian. To them, what’s impressive about liberty is that it allows people to assert their individual preferences, to form homogeneous tribes, to work out their biases in action, to ostracize people based on “politically incorrect”-standards, to hate to their heart’s content so long as no violence is used as a means, to shout down people based on their demographics or political opinions, to be openly racist and sexist, to exclude and isolate and be generally malcontented with modernity, and to reject

¹⁶ J.A. Tucker, ‘Against Libertarian Brutalism’ *Foundation for Economic Education*, available at <https://tinyurl.com/ybjem73j> (last visited 15 June 2017).

civil standards of values and etiquette in favor of antisocial norms’.

In his defense of this nomenclature, Tucker gives some of the history of the term he uses. He avers it was an architectural style that values function over form in the extreme. These brutalists rejected beauty because it ruins purity. If you were a ‘Brutalist’ architect you thought you were showing us something we didn’t want to face. We are supposed to be surprised that ugly buildings emanated from a theory that rejected ‘beauty, presentation, and adornment’.

Tucker then relates these considerations to ideological ‘Brutalism’:

‘By analogy, what is ideological brutalism? It strips down the theory to its rawest and most fundamental parts and pushes the application of those parts to the foreground. It tests the limits of the idea by tossing out the finesse, the refinements, the grace, the decency, the accoutrements. It cares nothing for the larger cause of civility and the beauty of results. It is only interested in the pure functionality of the parts. It dares anyone to question the overall look and feel of the ideological apparatus, and shouts down people who do so as being insufficiently devoted to the core of the theory, which itself is asserted without context or regard for aesthetics’.

Here is where the present ‘brutal’ authors part company with Tucker.¹⁷ Thin libertarians are innocent of all of these charges. Thin libertarians can have as much ‘civility’ as anyone else, thicksters included. Only, thinsters are not civil *qua* libertarian. They do so on their own time. Why not condemn thin libertarians for not being excellent violin players. Is not violin playing ‘beautiful’? Certainly it is, when done well. Does not violin playing exhibit ‘finesse, (...) refinements, (...) grace (...)’? This can hardly be denied. The point here, obvious to anyone other than a thick libertarian, is that Tucker is making a category mistake. He is conflating libertarianism with other good things such as, wait for it, violin playing.

‘Shouting down’ is entirely a different matter. This borders on the initiation of violence, or the threat thereof. It would appear that Tucker’s appreciation of the nuances of libertarianism is rather suspect. What evidence does he offer for the claim that thinsters engage in ‘shouting down’? None.

As for promoting our cause, libertarians, thick and thin, who sympathize with leftists policies such as social justice and helping the poor would be well-advised to use all the ‘grace and finesse’ they can muster to try to show their statist allies that their supposed goals are better served by libertarianism. Similarly for rightists, thick and thin, with regard to religious freedom and

¹⁷ Actually, this occurred at the outset with his choice of ‘brutalism’ to depict his intellectual opponents. Just because this is a school of architecture makes never no mind. Suppose we were to characterize the thick libertarians as ‘sissies’ on the ground that this terminology is used on school yard playgrounds. We could do so with as much, or, rather, as little, justification as his terminology.

family values. Here is the basic problem with ‘thick’ libertarians. They think their moral code and aesthetic sensibility is the best and so obviously their political philosophy should reflect that. Well maybe their taste is the best but, ‘thin brute’ libertarianism is the only political philosophy where it is possible to integrate different types of morality and aesthetics so it is uniquely suited to the real world where people have different tastes and preferences.¹⁸ So in order to have the best taste in political philosophy ‘thin’ libertarianism is the only option.

Tucker continues:

‘In the libertarian world, however, brutalism is rooted in the pure theory of the rights of individuals to live their values whatever they may be. The core truth is there and indisputable, but the application is made raw to push a point. Thus do the brutalists assert the right to be racist, the right to be a misogynist, the right to hate Jews or foreigners, the right to ignore civil standards of social engagement, the right to be uncivilized, to be rude and crude. It is all permissible and even meritorious because embracing what is awful can constitute a kind of test. After all, what is liberty if not the right to be a boor?’

It is imperative to convince the thick humanitarians to stop making their moral code part of the indisputable core truth. Yes, we all have every right in the world to be a boor! Libertarianism is a theory of the proper use of violence. Should boors be put in jail, violently, against their will? Of course not. No more than non-violin players should be treated in such a manner.¹⁹

He goes on:

‘These kinds of arguments make the libertarian humanitarians deeply uncomfortable since they are narrowly true as regards pure theory but miss the bigger point of human liberty, which is not to make the world more divided and miserable but to enable human flourishing in peace and prosperity. Just as we want architecture to please the eye and reflect the drama and elegance of the human ideal, so too a theory of the social order should provide a framework for a life well lived and communities of association that permit its members to flourish’.

¹⁸ Tim Moen, leader of the Canadian Libertarian Party, gained international attention with his ‘meme’ calling for gay married couples to be able to protect their marijuana plants with guns. As a matter of pragmatism, if we are to attract the masses of people to our banner, we must be open to *all* shades of opinion on matters other than the NAP and private property rights. The thin version of our philosophy accomplishes this task; not the thick. That viewpoint imposes side order conditions that will be acceptable to some, but not others.

¹⁹ For a spirited defense of offensive actors, such as boors, who do not themselves violate rights, see W.E. Block, *Defending the Undefendable* (Auburn: The Mises Institute, 2008 (1976)); Id, *Defending the Undefendable II: Freedom in all realms* (Eastbourne: Terra Libertas Publishing House, 2013).

We have many such ‘social orders’; their collective name is morality. Tucker keeps mentioning that thinsters are technically correct. Then what is his argument based on? It is predicated on the fact that he seeks to hijack libertarianism to his own personal ends; not, to be sure, violin playing, which would be unjustified, but to his own equally unjustified agenda. Libertarianism by itself is not a complete social order. Every person must buttress his libertarianism with other parts of social order. Thinsters want to keep two obviously separate things separate; thicksters want to conflate them.

He continues:

‘As regards race and sex, for example, the liberation of women and minority populations from arbitrary rule has been a great achievement of this tradition. To continue to assert the right to turn back the clock in your private and commercial life gives an impression of the ideology that is uprooted from this history, as if these victories for human dignity have nothing whatever to do with the ideological needs of today’.

If Tucker is referring to the historical situation during the time when women were subjugated by men, when suttee laws compelled wives to be burned alive on the funeral pyres of their dead husbands, he makes a good point. Ditto when it comes to powerful populations enslaving and butchering weaker ones. But this, surely, is covered by the thin libertarian proscription against initiatory violence. On the other hand, more to the point, he presumably has in mind free association: men’s only golf clubs, or gated communities which are not totally inclusive. If so, then he is attacking yet another basic building block of libertarianism: free association. No one should be compelled to serve anyone else against his will, whether it is a baker, photographer or florist compelled to officiate at a gay wedding, or an Air-bnb that does not cater to all ethnic groups. Here, Tucker leaves the realm, even, of thick libertarianism, and embraces the non-libertarian view of left liberalism or progressivism. For a crucial part of thickism is the NAP, and in this case this author’s views are incompatible with that. Imagine, forcing some people to associate with others against their will, and calling yourself *any* kind of libertarian: thick *or* thin.

But is it not unfair to women and minority groups’ members if they are discriminated against? Perhaps, but Libertarianism is not an ideology of fairness. It is one of justice!

Nothing daunted, Tucker continues his diatribe:

‘Brutalism is more than a stripped-down, antimodern, and gutted version of the original libertarianism. It is also a style of argumentation and an approach to rhetorical engagement. As with architecture, it rejects marketing, the commercial ethos, and the idea of ‘selling’ a worldview. Liberty must be accepted or rejected based entirely on its most reduced form. Thus is it

quick to pounce, denounce, and declare victory. It detects compromise everywhere. It loves nothing more than to ferret it out. It has no patience for subtlety of exposition much less the nuances of the circumstances of time and place. It sees only raw truth and clings to it as the one and only truth to the exclusion of all other truth’.

Again this author misses the point. Yes, liberty must be accepted or rejected based entirely on its most reduced form: property rights, the NAP, and homesteading. This doesn’t mean that thin libertarians oppose marketing or selling the worldview. However, we insist on truth in advertising. We accept the nuanced point that while freedom means you can be a (non-invasive) jerk you probably will not do well as a human being if you are. If this is the great contribution of thick libertarianism, it can hardly be said to be worth all the fuss in its train.

He goes on with:

‘Brutalism rejects subtlety and finds no exceptions of circumstance to its universal theory. The theory applies regardless of time, place, or culture. There can be no room for modification or even discovery of new information that might change the way the theory is applied. Brutalism is a closed system of thought in which all relevant information is already known, and the manner in which the theory is applied is presumed to be a given part of the theoretical apparatus. Even difficult areas such as family law, criminal restitution, rights in ideas, liability for trespass, and other areas subject to case-by-case juridical tradition become part of an a priori apparatus that admits no exceptions or emendations’.

Yes, the libertarian legal theory is separate from time, place and culture. But how does it follow that we don’t want to change the way the theory is applied in specific cases, that is what it means to apply a theory. That is what *principle* is all about. In contrast, if the legal analysis changes with the wind, seemingly what Tucker is calling for, then its claim to be guided by the rule of law is invalid. His final statement is highly problematic. Whenever ‘case-by-case’ is mentioned, reach for your wallet; check the number of fingers still on your hand. For this means the abnegation of all principle, libertarian or not. *Of course*, libertarianism utilizes an ‘a priori apparatus’: the NAP and private property rights. Without them, this philosophy is a ship at sea with no rudder. No one can deny that there are gray areas in the law, and indeed in all arenas of human endeavor. There is of course a need for judges to interpret libertarian law in changing circumstances. But Tucker is calling for throwing out all of libertarian law. Thus, he does not qualify as a spokesman for any kind of libertarianism, including the thick variety. There are some principles that libertarians and non-libertarians do agree upon: the defendant in a libertarian court case would

always have the presumption of innocence; possession is nine tenths of the law, so the burden of proof always rests with the plaintiff. But these are deductions from the basic premises of libertarianism, not arbitrary accretions, as the thicksters would have it.

Tucker attempts defend his position:

‘Of course the brutalist as I’ve described him is an ideal type, probably not fully personified in any particular thinker. But the brutalist impulse is everywhere in evidence, especially on social media. It is a tendency of thought with predictable positions and biases. It is a main source for racist, sexist, homophobic, and anti-Semitic strains within the libertarian world – at once denying that this sentence is true while asserting with equal passion the rights of individuals to hold and act on such views. After all, say the brutalists, what is human liberty without the right to behave in ways that put our most precious sensibilities, and even civilization itself, to the test?’

These are serious charges. Does our author supply any evidence in support of these allegations? To ask this question is to answer it: of course not. We could with equal justification, namely none, accuse thick libertarians of beating their wives, supporting slavery, or embracing Communism. This is not the work of a serious scholar, who, when making such charges, at least attempts to back them up. Nor does he define his terms. Is it sexist to make empirical generalizations that are true? For example, men are on average taller and heavier than women. Is it racist to make empirical generalizations that are true? For example, blacks are better runners and basketball players than whites, while the latter are better swimmers and chess players than the former.²⁰

Prejudice is a natural part of life. Literally, it means ‘pre-judging’. But pre-judging on the basis of what? Past experience, of course. Stereotypes are merely empirical generalizations. Indeed, they are inductions which, along with deductions, are half of the scientific method. Is this racist or sexist? Tucker offers us no guidance on these important matters, contenting himself with mere name-calling. For shame.

Tucker concludes his essay on this note:

‘An ideology robbed of its accoutrements, on the other hand, can become an eyesore, just as with a large concrete monstrosity built decades ago, imposed on an urban landscape, embarrassing to everyone, now only awaiting demolition. Will libertarianism be brutalist or humanitarian? Everyone needs to decide’.

²⁰ For an insightful analysis of racism, from a libertarian point of view, see L. H. Rockwell Jr, ‘Freedom and Discrimination’ *The Free Market*, available at <https://tinyurl.com/y9dyrz2p> (last visited 15 June 2017); Id, ‘What Exactly Is ‘Racism?’ *LewRockwell.com*, available at <https://tinyurl.com/pawk8ro> (last visited 15 June 2017).

It is his version of libertarianism that is the eyesore. He wishes to complicate the simple beauty of a universal system of justice with irrelevancies, just like a hipster who paints over a handmade mahogany finish. Libertarianism is both brutal and humanitarian.

IV. Conclusion

Writers such as Johnson (2013) and Tucker (2014) have attempted to hijack libertarianism from its roots, predicated on the NAP, into something quite different. Why, if they wish to establish an entirely different philosophy, the NAP plus side conditions of all sorts and varieties, mostly left wing or ‘progressive’ ones,²¹ did they not have the decency to proceed in that direction

²¹ For other critiques of thick libertarianism launched by thin libertarians, see L. Albright, ‘What Libertarianism Is Not’ *mises.ca*, available at <https://tinyurl.com/mshz2wb> (last visited 15 June 2017); W.E. Block, ‘Both Left and Right Are Guilty’ *LewRockwell.com*, available at <https://tinyurl.com/nbyvn9w> (last visited 15 June 2017); Id, ‘On Pure Libertarianism’ *Economic Policy Journal.com*, available at <https://tinyurl.com/y89t9azc> (last visited 15 June 2017); Id, ‘Was Murray Rothbard a Thick Libertarian?’ *Economic Policy Journal.com*, available at <https://tinyurl.com/y9g9udjv> (last visited 15 June 2017); Id, ‘Mondays with Murray: Walter Block on Rothbard’s “Thick” Libertarianism’ *Lions of Liberty*, available at <https://tinyurl.com/y8gk7ybw> (last visited 15 June 2017); Id, ‘Walter Block on Ayn Rand, Murray Rothbard and Thick Libertarianism’ *Economic Policy Journal.com*, available at <https://tinyurl.com/y72nt7sv> (last visited 15 June 2017); Id, ‘Was Murray Rothbard a Thick Libertarian? Part II’ *Economic Policy Journal.com*, available at <https://tinyurl.com/y866najn> (last visited 15 June 2017); Id, ‘Thin and thick libertarianism’ *Political Dialogues: Journal of Political Theory*, forthcoming; P. Bonneau, ‘Some Reasons for Libertarians to NOT Reject the Non-Aggression Principle’ *Strike the Root*, available at <https://tinyurl.com/y9h3x5zb> (last visited 15 June 2017); Id, ‘A Critique of ‘Against Libertarian Brutalism’ ’ *Strike the Root*, available at <https://tinyurl.com/y9dhdfza> (last visited 15 June 2017); C. Cantwell, ‘Jeffrey Tucker Reduces Core Libertarian Ideals To ‘Brutalism’ ’ *Cristopher Cantwell*, available at <https://tinyurl.com/ybdlj6m3> (last visited 15 June 2017); D. Gordon, ‘What Is Libertarianism?’ *LewRockwell.com*, available at <https://tinyurl.com/y8d4nfez> (last visited 15 June 2017); J. Hornberger, ‘The Virtues of Libertarianism’ *The Future of Freedom Foundation*, available at <https://tinyurl.com/zfo2pkd> (last visited 15 June 2017); J. McCaskey, ‘New Libertarians: New Promoters of a Welfare State’ *John P. McCaskey*, available at <https://tinyurl.com/ycppt65p> (last visited 15 June 2017); S. Montgomery and W.E. Block, ‘Animal Torture and Thick Libertarianism’ 1(3) *Review of Social and Economic Issues* (RSEI), 105-116 (2016); B. Mosquito, ‘Sheldon Richman Takes Down Walter Block & Lew Rockwell?’ *Economic Policy Journal.com*, available at <https://tinyurl.com/yabgsczw> (last visited 15 June 2017); Id, ‘On Thick, BIG Libertarians’ *Economic Policy Journal.com*, available at <https://tinyurl.com/ybozplq2> (last visited 15 June 2017); Id, ‘The Real Action is in the Reaction of the Opposition’ *LewRockwell.com*, available at <https://tinyurl.com/h2ucz2k2> (last visited 15 June 2017); L.H. Rockwell Jr, ‘Freedom and Discrimination’ n 20 above; Id, ‘The Current Libertarian Infighting and the Future of Libertarianism’ *LewRockwell.com*, available at <https://tinyurl.com/ybrxmf9b> (last visited 15 June 2017); Id, ‘The Current Libertarian Infighting and the Future of Libertarianism’ *LewRockwell.com*, available at <https://tinyurl.com/yczm4ck7> (last visited 15 June 2017); Id, ‘What Exactly Is ‘Racism’?’ *LewRockwell.com*, available at <https://tinyurl.com/pawk8ro> (last visited 15 June 2017); D. Sanchez, ‘Sophistry and the State: The Perils of Fuzzy (Thick) Thinking’ *LewRockwell.com*, available at <https://tinyurl.com/yaq6rk33> (last visited 15 June 2017); J.N. Smith, ‘Thick as a Brick’ *Before It’s News*, available at <https://tinyurl.com/yc7tmowj>

on their own? Why this attempt to dilute real libertarianism? Why this desire on their part to play the role of tapeworm, using (thin)²² libertarianism as a host.

The present authors have no more objection to thick libertarianism than to many other political philosophies, such as communism, Nazism, fascism, liberalism, conservatism, progressivism, etc. As a matter of fact, we object *less* to thick libertarianism than to any of these others. Far less, since thick libertarianism at least²³ adheres to the NAP, and none of these others do anything like that. However, we insist on product differentiation. If the thicksters insist on launching a new philosophy, we wish them the best of good fortune. As we say, they are closer to our views than any of these others. But if they really wish to be rid of the scourge of real libertarianism, that is, the thin version thereof, they should adopt new nomenclature. In the spirit of brotherhood²⁴ we offer the following suggestions: Private Property Pinkos,²⁵ Bleeding Hearts,²⁶ Progressive Capitalists, Left-Liberal NAPsters²⁷ and Hippies of the Marketplace.²⁸

(last visited 15 June 2017); L.M. Vance, 'I Am a Libertarian' *LewRockwell.com*, available at <https://tinyurl.com/yfdb5uz6> (last visited 15 June 2017); R. Wenzel, 'A Note on the Difference Between Libertarians and Libwaps' *Economic Policy Journal.com*, available at <https://tinyurl.com/ybye9a5d> (last visited 15 June 2017); Id, 'It's Here: Libertarian-Socialism' *Economic Policy Journal.com*, available at <https://tinyurl.com/y9xr2ns6> (last visited 15 June 2017); T. Woods, 'Thick and Thin Libertarianism, and Duck Dynasty' *mises.ca*, available at <https://tinyurl.com/mshz2wb> (last visited 15 June 2017).

²² That is, real, valid, or legitimate libertarianism.

²³ For the most part; we have seen some exceptions to this statement *supra*.

²⁴ Something they conflate with libertarianism, but we do not.

²⁵ This has the added benefit of good alliteration.

²⁶ Their main blog is 'Bleeding Heart Libertarians': <https://tinyurl.com/8zy9v2x> (last visited 15 June 2017).

²⁷ This is perhaps the most accurate description of their views.

²⁸ Ayn Rand referred to (thin) libertarians as 'Hippies of the Right'.