

LIBERTARIAN SOCIETY IN “THE MACHINERY OF FREEDOM”

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Abstract: My paper offers a critical analysis of the libertarian “anarcho-capitalist” society as envisioned by David Friedman in his book *The Machinery of Freedom*, and, in the same time, an interpretation of the possibility of new relationships between the citizen and the state, between the individual and society. The case study is theoretically framed within liberal individualism as a philosophy of freedom whose expression is political creation.

Keywords: *Libertarianism; Society; Individual; Liberalism; Anarchism; Private Property*

Individual, Society – Libertarian Sources

We live in a world where political leaders make decisions that do not take into account the will and desires of individuals. The reason, freedom and power of the individual proclaimed by modern political philosophy seem to have lost their relevance, therefore, by reconsidering a vision of capitalism that at the time of its elaboration seemed radical, we can glimpse a way to understand and to look for solutions to problems that affect individuals today.

In his book on libertarianism¹, Friedman often uses the term “anarcho-capitalist society” to project the functioning of absolute freedom. But is this “absolute freedom” (of some individuals), one that violates and defies the rules of civilized coexistence in society (national or global, extended to larger or smaller groups) in order to increase equity and profit? In his book *Development as Freedom*, starting from priority of rights, including property rights, in the more demanding versions of libertarian theory and taking as an example Nozick’s theory (as presented in *Anarchy, State and Utopia*), Amartya Sen made a remark that could be considered a provisional answer to this question: “The uncompromising priority

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¹ David Friedman, *The Machinery of Freedom. Guide to a radical capitalism*, second edition, La Salle, Illinois, 1989, [http://voluntarykarism.com/wpcontent/uploads/Library/Friedman,%20David%20D/The%20Machinery%20of%20Freedom%20\(1973\).pdf](http://voluntarykarism.com/wpcontent/uploads/Library/Friedman,%20David%20D/The%20Machinery%20of%20Freedom%20(1973).pdf).

of libertarian rights can be particularly problematic since the actual consequences of the operation of these entitlements can, quite possibly, include rather terrible results. It can, in particular, lead to the violation of the substantive freedom of individuals to achieve those things to which they have reason to attach great importance, including escaping avoidable mortality, being well nourished and healthy, being able to read, write and count and so on. The importance of these freedoms cannot be ignored on grounds of the ‘priority of liberty’.”²

If in antiquity and the Middle Ages, the (conservative) Aristotelian conception was predominant in European political thought, according to which the community precedes the individual and therefore its good as a whole precedes the individual good, the modern era, through representatives of the philosophy of law and then of liberal philosophy, establishes in developed capitalist countries the paradigm of man as a rational individual being and of the conditioning of the community by the existence of the individuals who compose it, capable of building a society, being bound by a contract whose terms they themselves establish.

The tension between individual rationality and collective reason increases as individualism as a philosophical-moral doctrine and liberalism as a philosophical-political doctrine impose the individual as a value in itself, providing arguments for democratic regimes, and this phenomenon is described with all possible objectivity by John Gray. According to him, conservative individualists recognize that, before anything else, even before freedom, people need a home, a set of institutions, and a way of life that they feel is their own.³ On the other hand, like liberals, they recognize the necessity of market exchanges and rational argument in all levels of judgment, but do not absolutize them.

If, however, the individual is called to play a leading role in modern history, things happen this way because he “carries freedom within him”, as Georges Burdeau succinctly puts it.⁴ And because he is free, the individual cannot accept rules whose source is not himself, in the spirit of the famous Kantian doctrine according to which law ensures the coexistence of freedoms. As a combination of freedoms, law specifies the framework, but freedom is that through which the development of the individual is affirmed and the progress of society is manifested. Therefore, freedom is creative⁵.

We consider this premise synthesized by G. Burdeau following the investigation of the most important manifestations of liberal philosophy as a “key” with which we can open not only the “doors” of liberalism, but also of libertarianism.

In the Preface to the first edition of *The Machinery of Freedom*,⁶ David Friedman invites his potential reader to an intellectual adventure in which he personally believes, without trying to convince others of the validity of his option.

² Amartya Sen, *Development as Freedom*, Alfred A. Knopf, New York, 2000, pp. 66-67.

³ John Gray, *Dincolo de liberalism și conservatism*, neat edition and introductory study by Adrian-Paul Iliescu, trans. by Raluca Prună, All Publishing House, Bucharest, 1998, p. 142.

⁴ Georges Burdeau, *Le libéralisme*, Paris, Éditions du Seuil, 1979, p. 92.

⁵ *Ibidem*, pp. 92-93.

⁶ David Friedman, *op. cit.*

The book is representative of right-wing libertarianism, but it must also be added that its publication (in 1973, then in a revised and expanded edition in 1989) and its reception brought David Friedman reputation as the most radical of libertarians. The mechanisms of freedom explained here are relevant regarding the author's complex personality, regarding what seems to be the very manifesto of extreme libertarianism (unless these two words are synonymous), as well as regarding the foundations of the differences in principles in the name of which individuals build their ideals and express their commitments. In the Preface to the third edition from 2014, the author mentions that he added a few footnotes and notes at the ends of some chapters, but since the subject is ideas, not history, he didn't keep the old chapters current. But a self-ironic and skeptical mention at the same time, regarding the reception interval of theoretical books and the perennality of some ideas, can assure us that the references in this article to the 1989 edition are as current as possible: "(...) with luck, this edition will still be being read at a point when the details of 2014 are almost as out of date as the details of 1970."

Subtitled *Guide to a Radical Capitalism*, this work, more than the author's other books and articles⁷, brings to mind first of all the emblematic figures of individualist anarchists, more precisely to a kind of synthesis between postliberalism and postconservatism, to the extent that anarchist philosophy at the end of the 19th century defined its objectives in the ideological context of the two dominant political doctrines: "no authority – regardless of whether it claims spiritual leadership or political command power – is legitimate to the extent that it generates constraints that burden the freedom of the individual"⁸.

Unlike classical liberals who nuance the idea of individual freedom and recognize the authority of reason and the state, anarchists only recognize the power of the individual, capable of making the best choices to achieve their own goals. On the other hand, like conservatives, they believe that human groups (especially those formed naturally in society) can organize themselves autonomously, but unlike them they ignore higher authorities (religious, economic or political). At the same time "they reject (...) alternative socialist projects (which want to establish a new centralized political leadership), claiming for all people a right that they consider to be unalterable: the right to maintain absolute independence, a guarantee of freedom"⁹. And the polemic with socialism is evident in *Machinery of Freedom*, which, while reading, leaves the impression that it was written as a theoretical reaction to socialist ideology.

⁷ Among which, non-fiction: *Price Theory: An Intermediate Text* (1986), *Hidden Order: The Economics of Everyday Life* (1996), *Law's Order. What Economics Has to Do with Law and why It Matters* (2000), "The Case for Privacy" in *Contemporary Debates* (2005), *Future Imperfect. Technology and Freedom in an Uncertain World* (2008); fiction: *Harald* (2006); *Salamander* (Kindle e-book) (2011). Some articles by the author: "A Libertarian Perspective on Welfare", with Geoffrey Brennan, in *Income Support* (1981); "The Economics of War", in *Blood and Iron*; "Should Medical Care be a Commodity?", in *Rights to Health Care* (1989), "An Economic Theory of the Size and Shape of Nations", in *Journal of Political Economy*, 85 (February 1977); "Gold, Paper, or ... Is There a Better Money?", in *Cato Institute Policy Analysis* (1982).

⁸ Olivier Nay, *Istoria ideilor politice*, trans. by Vasile Savin, Iași, Polirom, 2008, p. 496.

⁹ *Ibidem*.

Furthermore, not only from the perspective of classical liberalism, but even from that of classical anarchism (so to speak), the Friedmanian theoretical project is an illustration of what Burdeau considered a deviation from the principle of individual autonomy, for: “Neither the thinkers of the Age of Enlightenment nor the people of the revolution conceived of a freedom that was essentially unlimited and that would, through its exercise, have come to restrict laws in the interest of common life. (...) The antagonism between freedom and order will only appear when individuals, claiming liberal tolerance, use their freedom forgetting the moral reserve that justifies it. Then, individual autonomy will be the independence of the powerful: it will no longer be measured by the imperatives of conscience, but by the means at the individual’s disposal to impose his will. Freed from the moral rule, it will serve as a justification for the selfishness of the powerful, encouraging the cynicism of the skilled. The autonomy that doctrinal liberalism recognizes for all will in fact become the privilege of some.”¹⁰ Those who “will mutilate liberalism to limit its application to the economic domain” are the second-generation liberals who dismantle the solidarity between order and freedom in favor of the individual typical of a “distorted liberalism”, “ignorant of the connection between freedom and virtue that gives the title to Spencer’s famous book, *The Man Versus the State*.” On the other hand, the “anarchic ferment underlying the revolutionary conception of individual freedom” that modern corporatists criticized is not found, according to Burdeau, at the level of original liberalism: “Certainly, the men of the revolution were hostile to power, their entire activity being a testimony to this hostility. But the State they combat is the absolutist one, the oppressor of individual autonomy, and not the one they propose to build themselves. They do not conceive that the individual can oppose the State since the latter, founded on the social contract and respecting the natural order, has no other powers than those that the people have delegated to it so that it may ensure their freedom.”¹¹

With multiple meanings for libertarians, the affirmation of the absolute independence of the individual taken from the first anarchists (Nechaev, Bakunin, Kropotki, Rochefort, Faure) and continued in the form of anarcho-capitalism¹² – in David Friedman, it acquires purposes that, without constituting a theoretical-ideological program, have the appearance of a manifesto, beyond analyses, sometimes formulated with the puerile, literary simplicity characteristic of libertarianism popularized in the 60s – 70s.

¹⁰ Georges Burdeau, *op. cit.*, pp. 43-44.

¹¹ *Ibidem*, pp. 46-47.

¹² Anarcho-capitalism is the doctrine according to which all services, including law enforcement, should be provided by the market, and all coercive government activities should be replaced by free market activities. Concealed by economists such as Murray Rothbard and David Friedman in the early 1970s, it is now discussed in leading economic journals and defended by well-known scholars such as Nobel laureate in economics Vernon Smith and professor emeritus of philosophy Jan Narveson. Reconciling the individualist anarchism of Lysander Spooner and Benjamin Tucker with the classical liberalism of John Locke and Adam Smith, anarcho-capitalism claims to differ from other types of anarchism by paying greater attention to human nature as it is, rather than how it should be. Indeed, left-wing anarchism seems to involve a spiritual conversion that would render government and its functions unnecessary – *Anarcho-capitalism and Moral Philosophy: Deontological versus Consequentialist Ethics*, Sébastien Caré, Ph.D. in Politics, Assistant Professor at the University of Rennes 1 (France).

How philosophical speculation is foreign to the author, as specified in the Preface to the first edition, *Machinery of Freedom* looks at libertarian ideas not from the perspective of a history of the libertarian movement or a description of its current state (the author not being a follower of intellectual models measured in the number and violence of their adherents), but from the perspective of a kind of capitalist and anti-communist "credo", evident also in the choice of the two mottos (present in the Prefaces of all three editions). The first, from Lenny Bruce, states that capitalist society is the best because it is a free enterprise and this is visible in the simple fact that the individual can choose freely and can reject what blocks their freedom. Whereas communism is like a big government telephone company that controls everything: and if the individual comes into conflict with this company, where can he go? The elementary requirements of libertarianism appear as natural, paradoxically conservative in the second motto: "Why can't you see? We just want to be free/To have our homes and families/And live our lives as we please" – Dana Rohrabacher, *West Coast Libertarian Troubadour*. David Friedman attempts to show that this is possible for the individual in a libertarian anarcho-capitalist society, while in bourgeois state capitalism it is restricted, and in socialism it is directed towards a goal that exceeds the aspirations of the average individual.

As for the American author's ideological affiliations, they are gratefully assumed in the formula: "This book is dedicated to Milton Friedman Friedrich Hayek Robert A. Heinlein, from whom I learned and to Robert M. Schuchman, who might have written it better." Apart from these libertarian authors mentioned at the outset, Friedman was ideologically associated with Murray Rothbard's anarcho-capitalist libertarianism and the idea of local justice and a private legal system.

The final structuring of the multiple "bio"-bibliographic sources of libertarianism, ranging from literary fiction and history, to political science, legal theory and institutional filiations (largely used by the author of *The Machinery of Freedom*) according to his own visions and affinities is able to offer us an image of what the libertarian utopia means: a plural habitation of individuals who provide answers to questions that most people (be they free citizens of a state governed by the rule of law or subjects in a totalitarian regime) do not even think of formulating.

A Libertarian Interpretation of Property

The sections in the first and second editions of *The Machinery of Freedom* offer right-wing libertarian solutions to the civil and political problems that the author considers to be crucial: the institutions of private and public property and how they work in practice (I), individual problems from a libertarian perspective (II), what a libertarian society might be and how it might be achieved (III), and a variety of topics added in the second edition (IV). Two more chapters are added in the third edition: Further Thoughts (V) and New Stuff (VI).

The issue of protecting property and individual assets revolves around the idea that in a libertarian society “the rich get richer and the poor get richer.”¹³ The author explains, in this sense, what state monopoly and profit mean, but also the context in which the citizen can say “I don’t need anything” or “how to sell the state in small pieces” (it is, first of all, about selling schools) and how to get everything you want if you have the financial means: “If you want it, buy it”. Starting from the assertion that the concept of property is fundamental to the libertarian society and to any viable society, and considering the slogan “property rights vs. human rights” Starting from the assertion that the concept of property is fundamental to the libertarian society and to any viable society, and considering the slogan “property rights vs. human rights”, the author believes that its rhetorical force comes from the implication that property rights are rights of property, and human rights are rights of the human being.

According to this logic, the author concludes that the mere assertion of property rights alone amounts to the assertion of some conservatives that certain objects – a forest of conifers, for example – have an inherent right not to be destroyed. And this situation was not taken into account when the phrase about human rights and property rights was conceived, that is why Friedman finds in it a possible explanation of the controversial problems of economic law.

Since property is a central economic institution of any society, and private property is the central institution of a free society, Friedman considers it self-evident that it took some time and effort to understand what property is and why it exists: to make the human individual an absolutely free being! But, as will be seen, this assertion violates the very universality of human rights on which original and... moral individualism is based. For the two factors that make the institution of property necessary are, in Friedman’s opinion, that different people have different purposes and that there are some things that are sufficiently rare that they cannot be used by everyone, no matter how much each one might want them: “We cannot all have everything we want”¹⁴ – notes “reasonably” at a certain point, implying, however, that those who have financial capital can have everything they want, and this seems “natural” to him.

The fact that goals may differ because individuals pursue either their own narrow self-interest or share a different vision of a higher and holy purpose matters little in the radical libertarian’s view. However, in any society there must be a way of deciding “who can use what and when”, or, more specifically, “You and I cannot simultaneously drive the same car to our different homes.”¹⁵

So the essential problem that makes property institutions necessary lies in the desire of several people to use the same resources for different purposes.

As an example, Friedman brings up the particular case of the printed media (newspapers, magazines, and the like) which are produced entirely with private property: “Buy newsprint and ink, rent a printing press, and you are ready to go.

¹³ David Friedman, *The Machinery of Freedom. Guide to a radical capitalism*, third edition, 2014, Machinery 3rd Edn.pdf, p. 24.

¹⁴ *Ibidem*, p. 4.

¹⁵ *Ibidem*.

Or, on a cheaper scale, use a Xerox machine. You can print whatever you want without asking permission from any government. Provided, of course, that you do not need the U.S. Post Office to deliver what you print. The government can use, and occasionally has used, its control over the mails as an instrument of censorship."¹⁶ And this is even more so in relation to *Broadcast media*, because "Broadcast media (radio and television) are another matter. The airwaves have been designated as public property. Radio and television stations can operate only if they receive permission from the Federal Communications Commission to use that property."¹⁷ In a completely and libertarian way (in the sense of pursuing individual interests) the thorny issue of corruption comes into play here, as the value of audiovisual licenses amounts to large sums. In this respect, Lyndon Johnson's personal fortune, built on an audiovisual empire, whose "active principle" was the special relationship between the FCC and the Senate majority leader, is exemplified. From this we can conclude that the use of strictly private funds in the media represents not only moral capital, but also a bastion of absolute capitalism.

Moreover, the result of the fact that the written press only needs private property, while the audiovisual press uses public property, is seen in the fact that the written press is much more diverse, and sometimes more corrosive and cynical "Printed media require only private property; broadcast media use public property. What is the result? Printed media are enormously diverse. Any viewpoint, political, religious, or aesthetic, has its little magazine, its newsletter, its underground paper. Many of those publications are grossly offensive to the views and tastes of most Americans – for example, *The Realist*, an obscene and funny humor magazine that once printed a cartoon showing 'One Nation under God' as an act of sodomy by Jehovah on Uncle Sam; *The Berkeley Barb*, a newspaper that has the world's most pornographic classified ads; and the Black Panther publication that superimposed a pig's head on Robert Kennedy's murdered body."¹⁸ However, just as the government can't let anyone use the airwaves for whatever they want (like broadcasting songs that promote drug use), the same goes for paper and ink: "Free speech may be free, but printed speech is not; it requires scarce resources. There is no way that everyone who thinks his opinion is worth writing can have everyone in the country read it. We would run out of trees long before we had enough paper to print a hundred million copies of everyone's manifesto; we would run out of time long before we had finished reading the resultant garbage."¹⁹

All of this does not violate the democratic principle of freedom of the press, but rather expresses the evidence that the things that an individual as a free citizen has to say cannot be printed for free, but only if someone is willing to pay the cost: "Nonetheless, we have freedom of the press. Things are not printed for free, but they are printed if someone is willing to pay the cost. If the writer is willing to pay, he prints up handbills and hands them out on the corner. More

¹⁶ *Ibidem*, p. 5.

¹⁷ *Ibidem*.

¹⁸ *Ibidem*, p. 6.

¹⁹ *Ibidem*, p. 7.

often, the reader pays by subscribing to a magazine or buying a book. Under public property, the values of the public as a whole are imposed on the individuals who require the use of that property to accomplish their ends. Under private property, each individual can seek his own ends, provided that he is willing to bear the cost. Our broadcast media are dull; our printed media, diverse.”²⁰ In other words, the absolute freedom guaranteed by private property is not so absolute. The citizen must resign himself to the thought that his rights are limited, even by property rights.

*The Project of the Libertarian Society:
Absolute Freedom, Absolute Competition*

“The purpose of this book is to persuade you that a libertarian society would be both free and attractive, that the institutions of private property are the machinery of freedom, making it possible, in a complicated and interdependent world, for each person to pursue his life as he sees fit”²¹ – Friedman states in his Introduction to *The Machinery of Freedom*.

If in the first two chapters the author deals mainly with the problem of property that allows or restricts freedom, in the third part of the work he specifies from the title that “Anarchy is not chaos”. And he tries to demonstrate this by defining in his own way “What Is Anarchy? What Is Government?”, writing about “Police, Courts, And Laws – On The Market”, about “The Stability Problem”, asking rhetorically “Is Anarcho-Capitalism Libertarian?”, relating terms that are apparently impossible to judge on the same plane as “Socialism, Limited Government, Anarchy, And Bikinis”. The perspective of libertarianism does not prevent the author from recognizing an evidence: “National Defense: The Hard Problem” and to meditate on situations such as “In Which Prediction Is Reduced To Speculation”, “Revolution Is The Hell of It”, “The Economics of Theft or The Nonexistence of The Ruling Class”. Although most of this book was written between 1967-1973, the libertarian ideas that the author embraces are valid, with some exceptions, regardless of the historical-political context, but in cases where new serious problems have arisen, he has updated the examples and added explanatory comments, although in most places he has started from the original unaltered text. And this is because even the most current examples will not remain in circulation for very long, and the author hopes that this book will last longer than the governor of California since that time (i.e. Ronald Reagan).

Friedman attempts to describe what a fully-fledged anarcho-capitalist society might look like and how it would function in the event of a radical change in institutions, starting from the observation that to him personally his own political opinions seem natural and obvious, but others find them strange. But why do the radical libertarian (or the absolute capitalist) find his own opinions “natural and obvious”? Simple: precisely because of their particularity, consisting in the fact that they largely carry certain statements, already familiar in political oratory – to their natural conclusions.

²⁰ *Ibidem*.

²¹ *Ibidem*, p. XV.

He believes, as many say they do, that each individual has the right to direct his own life in whatever direction he sees fit, "to go to hell in his own way." And he concludes, as many leftists do, that censorship of any kind should be eradicated. Also, that all laws against drugs – marijuana, heroin, or Dr. Quack's cancer cure – should be repealed. Also, laws requiring that vehicles be equipped with seat belts.

Friedman's devotion to *laissez-faire* is obvious starting from the motto of the "Introduction", taken from *The Last Whole Earth Catalog* and able to underline Friedman's fundamental option: "From Ayn Rand to bushy anarchists there is an occasional agreement on means called libertarianism, which is a faith in laissez-faire politics/economics ... How to hate your government on principle". According to Friedman, the central idea of libertarianism is that individuals (i.e. human persons) should be allowed to live their own lives as they wish: "We totally reject the idea that people must be forcibly protected from themselves. A libertarian society would have no laws against drugs, gambling, pornography – and no compulsory seat belts in cars. We also reject the idea that people have an enforceable claim on others for anything more than being left alone. A libertarian society would have no welfare, no Social Security system. People who wished to aid others would do so voluntarily through private charity instead of using money collected by force from the taxpayers. People who wished to provide for their old age would do so through private insurance. People who wished to provide for their old age would do so through private insurance. People who wish to live in a virtuous society, surrounded by others who share their ideas of virtue, would be free to set up their own communities and to contract with each other so as to prevent the sinful from buying or renting within them. Those who wished to live communally could set up their own communes. But nobody would have a right to force his way of life upon his neighbor."²² To this day, notes the author of *The Machinery of Freedom*, many who do not call themselves "libertarians" would agree. But a difficulty arises when it comes to defining what that means "being left alone".

The theoretical assault on this difficulty begins with the elementary observation that we live in a complicated and interdependent society, that each individual is constantly affected by thousands of events from miles away, happening to people they have never heard of. In such a society, can one speak meaningfully of the freedom of each person to go his own way? The answer to this question (as outlined in the Friedmanian economics lesson) lies, as with Milton Friedman, in the concept of property rights. And these rights begin, according to the American libertarian economist, with the fact that "each person owns his own body and can acquire ownership of other things by creating them or by having ownership transferred to him by another owner". That is why "it becomes at least formally possible to define being left alone and its opposite, being coerced."²³

The opposition between the two terms appears in the following example: "Someone who forcibly prevents me from using my property as I want, when

²² *Ibidem*, p. XIII.

²³ *Ibidem*.

I am not using it to violate his right to use his property, is coercing me. A man who prevents me from taking heroin coerces me; a man who prevents me from shooting him does not.”²⁴

This leaves open the question of how ownership of things that are not created or not entirely created, such as land and mineral resources, is acquired. On this issue, Friedman accepts, there is no disagreement among libertarians, and the answer, “fortunately” has little effect on the character of libertarian society, at least in the U.S. As evidence, the extreme libertarian points out that only about 3 percent of all income in America comes from rental income, and adding the rental value of owner-occupied housing would bring this figure up to about 8 percent: “Property tax – rental income collected by government – is about another 5 percent. So the total rental value of all property, land and buildings, adds up to about 13 percent of all income. Most of that is rent on the value of buildings, which are created by human effort, and thus poses no problem in the definition of property rights; the total rent on all land, which does pose such a problem, is thus only a tiny fraction of total income. The total raw material value of all minerals consumed, the other major unproduced resource, is about another 3 percent.”²⁵

These examples are chosen by the author because they illustrate that much of this value is the result of human effort, consisting in digging the earth to extract the ore, and only the value of the mineral resources in the sites can reasonably be considered unproduced. The conclusion is that raw materials whose existence owes nothing to human action bring to their owners at least one twentieth of the national income, and most of the income is the result of human action, being created by identifiable groups of people working together according to an agreement specifying how the common product of their labor will be divided.

Returning to the difficulty noted in applying the libertarian principle of being left alone, Friedman finds it appropriate (as I have shown) to define at least formally the concept of property through the play between “being left alone” and “coercion”. The fact that this definition corresponds to what people usually understand by these words – that in a libertarian society they would be free – is not evident even in *The Machinery of Freedom*, Friedman self-critically admits. Moreover, on this point libertarians associate themselves with their “friends on the left”, those who agree that everyone should be free to do as they wish, “but argue that a hungry man is not free and that his right to freedom therefore implies an obligation to provide food for him, whether one likes it or not”.²⁶

Therefore, as a response to socialist ideals, but also to classical capitalist society, Friedman argues that “An ideal Objectivist society with a limited government is superior to an anarcho-capitalist society in precisely the same sense that an ideal socialist society is superior to a capitalist society”, mocking

²⁴ *Ibidem*, pp. XIII-XIV.

²⁵ *Ibidem*, p. XIV.

²⁶ *Ibidem*.

socialism which "does better with perfect people than capitalism does with imperfect people; limited government does better with perfect people than anarcho capitalism with imperfect." In support of his theory, the American economist also makes a trivial observation: "And it is better to wear a bikini with the sun shining than a raincoat when it is raining" – in other words, it is better to live in a country with a mild climate (possible metaphor of a relaxed political climate) than in a country with harsh weather (possible metaphor of a restrictive political regime), or, reducing, for anyone, good weather is preferable to bad weather – "That is no argument against carrying an umbrella."²⁷

As a consequence of absolute freedom, Friedman predicts that if anarcho-capitalist institutions were to emerge in the United States in the very near future, heroin would be legal in New York and illegal in many other places. And just as the Statue of Liberty can be returned to France, the outdated verses can be replaced with new verses: "America the closed preserve/That dirty foreigners don't deserve".

Regarding governance, noting that in the ideal socialist state power will not attract power conflicts, that the people who will make decisions will not show the slightest bias towards their own interests, that for a wise or intelligent man, there will be no way to serve the institutions for his own purposes, Friedman comments with another irony: "and the rivers will flow upwards." In other words, the socialist ideal, more than any other, demands the impossible and defies the laws of nature. But doesn't the libertarian "institutional" model do the same? It is true that the social order in which the anarcho-capitalist individual can act freely indefinitely is based on a legal contract, and the law is established by competition: packages of legal codes and administrative services intended for "clients" are "free" and enter into competition through various "protection agencies".

And since Friedman unwittingly acknowledges that the legal establishes the political, in the anarcho-capitalist society whose ideal is the disappearance of the state, so that the individual "can be left alone", the courts are also private (which brings this model closer to the medieval community order or the internal order of small groups, but even in those frameworks there was a higher principle, considered objective, in the name of which a court administers, governs and distributes justice). Thus, the individual will be free to live according to "his own law", refusing to finance what others consider to be of general interest, including objectives of national interest, such as defense, because after all, wars are also "private" actions (and if we think about how many times in history armed conflicts have represented the solution to the personal ambitions of politicians or leaders, we cannot completely reject this observation of Friedman): "Some contemporary anarchists argue that national defense can be provided or not provided for each individual or at least each small group. One form of this argument is the assertion that national defense is unnecessary in an anarchist society, since there is no nation to defend. Unfortunately, there will still be nations to defend against, unless

²⁷ *Ibidem*, p. 130.

we postpone the abolition of our government until anarchy is universal. Defense against nations, in the present state of military technology, is a public good. It is all very well to fantasize about fighting the invader village by village, commune by commune, or corporation by corporation, according to the dreamer's particular brand of anarchy. A serious invader would inform each unit that if it resisted or failed to pay tribute it would be destroyed by a nuclear weapon. After the invader proved that he meant business, the citizens of the surviving communities would be eager to create the institutions, voluntary or otherwise, necessary to give the invader what he wanted.²⁸

In the libertarian society designed by Friedman, the principle of competition makes the state useless as a guarantor of power and law, and here we can notice a kind of continuity with the principle of reason in which the profile of the classical liberal individual is found, and even his identity according to Emilio Santoro. But liberal rationality, unlike libertarian rationality, accepts to give up some freedom for one's own good, despite recognizing the autonomy of the individual: "The idea of the identity of the liberal-democratic citizen allows, in my opinion, to highlight the fact that the doctrine on which the liberal-democratic political order is based assumes as an essential element an individual subject with a self-awareness that shows him the rationality of transferring part of his own rights. This perspective allows, in other words, to reveal the way in which liberal thinking bases the political order on the governance of the self as an activity proper to each individual before it is an activity specific to the rulers".²⁹ Or, in Friedman, continuity makes the break with the original model of the liberal-democratic citizen even more clearer, which, by prioritizing the individual as a social and political actor, aims to shape collective life according to the requirements of the citizen, characterized both by free initiative and by the capacity to fit into a measure of everyone's freedom.

The individual designed by Friedman lacks civic virtue, that is, the very mark of a rational society, made up of rational beings who enjoy rights, while accepting the discipline of reason as the ultimate source of authority. Moreover, this revolutionization of the classical European concept of the individual shows that in the most current sense of identity, the Friedmanian libertarian and generally the anarcho-capitalist is an American, be he in New York or Paris.

Regarding defense and foreign policy, the American professor shows that the best way to see why anarcho-capitalism would be more peaceful than our current system is through an exercise in imagination: What would our world be like if the cost of moving from one country to another were zero, if all people lived in a house trailer and spoke the same language.

In a "Puzzle" inserted by Friedman into Chapter V (Further Thoughts) added to the third edition of *The Machinery of Freedom*, the author expresses a point of view characteristic of libertarian society: "In the state of nature, each individual

²⁸ *Ibidem*, pp. 133-134.

²⁹ Emilio Santoro, "Appunti per una genealogia del cittadino liberal-democratico", in *Identità e politica*, a cura di Furio Cerutti, Roma-Bari, Editori Laterza, 1996, p. 150.

acts in his own interest. That sounds like a reasonably accurate description of our world. How is his improved version, the world with a ruler, different? The ruler is not superman; he too must sleep and can be killed while doing so. He may have a police force and an army, but police forces and armies are made up of men; what causes those men to act differently than they did in the state of nature? Where does the structure of an orderly, peaceful society come from? What is the magic ingredient that distinguishes civil order from the state of nature? It cannot simply be laws – laws are words on paper and only take effect to the extent that individuals act on them. Why should individuals act differently after laws are passed than before? It cannot be police in uniforms and judges in robes, in Hobbes' day wigs as well. Uniforms, robes and wigs do not confer magic power on their wearers or compel their wearers to act differently than they would without them."³⁰

This is, in short, the outline of the main ideas with which David Friedman's name is linked as a libertarian author: the absolute freedom of the individual guaranteed by private property; the liberalization or privatization of all economic sectors of activity; the absolutization of competition, *versus* the existence of the state. In this sense, not only health and education, but also the defense and provision of law and order (attributes that belong to the classical state) enter the sphere of competition.

As we have seen, even a radical libertarian like Friedman does not easily overlook the refinement of the conception of creative freedom that liberal philosophy presupposes, which does not ignore a certain type of faith in the harmony of the interests of different individuals, in a real civilization of contract and in a genuine "liberal democracy" (Georges Burdeau). Whether the anarcho-capitalist society that the American author outlines can be considered an expression of democracy and whether it could function in the European space remains an open question. Regarding the libertarian vision of society, referring to the article "The Enterprise of Law: Justice without the State" by Bruce L. Benson, Martin Anderson made a malicious observation: "For decades, libertarians have insisted that the interaction of individuals spontaneously provides – and to a large extent already has – much of the constraint necessary for the efficient and equitable functioning of human society. This insistence has been met with ironic derision by other economic and political tendencies, both conservative and socialist, as an idea that is both extremist and even idiotic."³¹

In a way, contrary to the implicit "Aristotelianism" of the idea of socio-political life, Friedman gives shape to a model of an individual whose nature could be apolitical. For him, man is not a political being, but an individualist, who wants nothing more than to be left alone to live his life as he wishes, without accepting any compromise, not even that of being protected "by force", including by himself.

³⁰ *Ibidem*, p. 249.

³¹ Martin Anderson, «Compte rendu» ("The Enterprise of Law: Justice without the State" by Bruce L. Benson), in *L'Observateur de l'OCDE*, Volume 3, numéros 2/3, Juin/Septembre 1992, pp. 380-383, p. 381.

The individual is neither a purpose nor a means, he is a being who moves from inertia in search of profit, in a secularized world, reduced for the most part to fleeting pleasures.

The novelty that Friedman's libertarian approach brings to the concept of the individual of classical liberalism consists in defining his autonomy in terms of absolute capitalism, i.e. through the absolute freedom guaranteed by private property which allows him to obtain everything he wants, if he pays: "If you want it, buy it!". In the anarcho-capitalist society, which the author of *The Machinery of Freedom. Guide to a radical capitalism* claims that he don't conceive it as chaos (but so criticizable at least from an ethical point of view), the principle of order is competition in all areas, including that of defending and providing law and order (attributes of the classical state), and the private interests of the individual are situated at the highest level. The important message of Friedman's libertarianism is found in what we could call the "zero degree" of interference between public property and private individual property, which leads to the getting out of the influence of politics of economic, social, and cultural relations. Only in this way can free initiative be truly free initiative, i.e. the imposition on the market of the best, who share ethical and professional criteria and do not seek to obtain an undeserved place through fraud. Otherwise, the so-called liberal society, which consciously or not adopts libertarian principles, remains a triumph of those in power who use public funds to serve individual interests and businesses, favoring their "clients", using liberal-democratic levers to commit injustice.

Also, as a doctrine of the end of politics, Friedmanian libertarianism may imply the idea of obtaining all leadership positions – including that of "president" (or whatever he would call himself) of the "state" (or whatever that somewhat organized community of individuals would be called) through competition, and not through parties representing a small number of citizens with a political culture that makes them incapable of reacting to abuses.

In a critical article, Walter E. Block credits Friedman with bringing the deontological dimension of libertarianism into question: "As for the substance of his critique, I congratulate him on giving deontological libertarianism a good run for its money. There is no principled libertarian who can hold this position without being able to deal with Friedman's excellent, although mistaken, objections."³²

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³² Walter E. Block, "David Friedman and Libertarianism: A critique", in *Libertarian Papers* Vol. 3, No. 35 2011, p. 23, <https://libertarianpapers.org/archive/libertarian-papers/volume-3-2011/>.

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