

Ethics and the Foundations of Economics

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Ethics and the Foundations of Economics

Most economists agree that economics and ethics are two separate studies. Economics does not say “ought,” but rather, “given these conditions, if *this* occurs, then *this* will be the result.”

This does not prevent economists from speaking as economists and as ethicists, though it is usually wise to make clear which is the ethical statement and which is the economic statement. Yet it is a very different thing to say that economics is value-free. As we will see, drawing any conclusions whatsoever from economics requires *faith*.

Ludwig von Mises was correct to say that the proper way to study the aprioristic sciences, including praxeology (a branch of which is economics) was to use a deductive method. We begin from certain commonly accepted axioms and arrive at all conclusions by deduction. Though Mises does not use such words, we might say that depending on these unsupported axioms is a kind of *faith*. Economics is not free of a fundamental reliance upon faith. Which basic axioms the economist accepts depends upon his faith.

Most economists have avoided all discussion of the foundations of economics—of method and the basic assumptions of economics. Thus, there is often little or no consistency between their economic statements and their ethical pronouncements. Many have become pragmatists, despite the logical problems with pragmatism.

Pragmatism asserts that an idea can be justified because it produces a certain outcome. It is *good* because it *works*. Yet how can we know that the *outcome* is justified? Pragmatism commits the logical fallacy of *asserting the consequent*, and assumes we all agree on the desirability of the outcome.

Ethics and Social Cooperation

Certain rationalists, such as Ludwig von Mises and certain of his followers, have attempted to obtain ethics from economics, without reference to faith. This attempt has failed, because they have not come up with value-free axioms.

Mises tried to unify economics and ethics by resorting to a single standard of justice: social cooperation. In *Theory and History*, Mises wrote:

The ultimate yardstick of justice is conduciveness to the preservation of social cooperation. Conduct suited to preserve social cooperation is just, conduct detrimental to the preservation of society is unjust. ... The problem is to organize society for the best possible realization of those ends which men want to attain by social cooperation. Social utility is the only standard of justice. It is the sole guide of legislation.

Thus there are no irreconcilable conflicts between selfishness and altruism, between economics and ethics, between the concerns of the individual and those

of society. Utilitarian philosophy and its finest product, economics, reduced these apparent antagonisms to the opposition of short-run and long-run interests.

So Mises believes that whatever preserves social cooperation is right. He says that he knows this because "...social cooperation becomes for almost every man the great means for the attainment of all ends."

Is not Mises claiming that *since the majority of men* choose social cooperation over non-cooperation, that social cooperation must be—not only right—but the ultimate test of right and wrong? Where does Mises get this idea? How does he know this to be true? It is a *non sequitur* to say that *because most men have chosen* social cooperation as their preferred means, social cooperation *must be* the standard of justice. Is it, then, an arbitrary idea of justice? What makes Mises's idea of justice superior?

Furthermore, Mises presumes that man is able to recognize that which fosters social cooperation by his excellent reasoning capability. But men might well disagree about what fosters social cooperation. Mises, of course, believed that a free market produced the greatest degree of social cooperation.

We might well agree that cooperation is a good thing, but agreement is not the same as knowledge of the truth. Truth is not found by majority vote. Mises cannot escape having to make an assumption about the desirability of social cooperation. It is a statement of *faith*.

Induction and the Link to Reality

The Misesian *a priori* approach is distinct from the inductive approach of economists like Milton Friedman. Friedman appeals to the scientist's "judgment or "experience" in applying the rules for using economic models. Friedman understands that the model's rules cannot be complete, therefore "there inevitably will remain room for judgment in applying the rules. ... The capacity to judge... is something that cannot be taught; it can be learned, but only by exposure to the 'right' scientific atmosphere, not by rote."¹ And, "The construction of hypotheses is a creative act of inspiration, intuition, and invention; its essence is the vision of something new in familiar material."²

This is an appeal to some form of *intuition* as the way to link the model to the perceptions of the world. By definition, a model is a simplified representation of the world. It is thought that the model basically conforms to the facts. Economist Gary North, in his criticism, writes,

But how do we know? How can we have such faith in the coherence of our minds, the orderliness of nature, and the intuitive ability of our minds (or whatever it is) to bridge the gap? We have faith—a remarkable quantity of faith. Without it, there could be no economics. So our neutral, rationalistic practitioners simply put this statement of faith in the back of their minds and forget it.³

Kantian Categories and the Link to Reality

Mises presents a strong case for deductive rationalism. Yet, as we will see, it does not escape faith. Following Kant, Mises says that the permanent point of reference we need to study human action is the human mind's set of *a priori* categories of knowledge. "All knowledge is conditioned by the categories that precede any data of experience both in time and in logic. The categories are a priori; they are the mental equipment of the individual that enables him to think and—we may add—to act. As all reasoning presupposes the a priori categories, it is vain to embark upon attempts to prove or disprove them."⁴ Without these permanent points of reference, we would have a chaotic universe and no science. No regularity whatsoever in events means that no thinking and no acting would be possible. Therefore, Mises says, all reasoning must be based on the belief that there are categories that give regularity to the succession of events. We could have no economic laws if there were no regularity.⁵

Mises is resorting to *intuition* here to explain the connection between external events and the human mind. Mises then asks,

How can the human mind, by aprioristic thinking, deal with the reality of the external world? As far as praxeology is concerned, the answer is obvious. Both, a priori thinking and reasoning on the one hand and human action on the other, are manifestations of the human mind. ...Reason and action are...two aspects of the same phenomenon.⁶

So, then, how are these "manifestations of the human mind," the Kantian categories, the "logical structure of the human mind," linked to the external world? What connection is there between the thought processes of the human being and the events of the external world? How can we have a science of human action, when "we do not know how external ...facts produce in a human 'soul' definite thoughts and volitions resulting in concrete acts...."⁷ In other words, if we must have categories, how do we know if these categories will cause us to choose or act consistently with respect to the world around us?

Action, then, results from human will or volition, and, according to Mises, "...we do not know what will is. We simply call will man's faculty to choose between different states of affairs...."⁸ Is not this "faculty to choose" the same thing as Friedman's "judgment" or "intuition"?

Moreover, how does Mises know whether his a priori mental categories fit the real world? Mises's answer is fundamentally the same as Friedman's: "The question whether or not the real conditions of the external world correspond to these assumptions is to be answered by experience." Gary North concludes at this point that Mises is trapped: facts cannot be interpreted without these *a priori* mental categories, but relating these mental categories to the external world must rely upon faith in human judgment or intuition.

...[We] are back to Friedman's intuitional, experiential link. We are back to testing once again—testing on the assumption that there is the mind-matter link.

Mises acts in faith that this mystical link exists, although he denies any mysticism in such an affirmation. . . . But what is experience? How does it relate mind and external matter? Is it the same as will? Is it the same as intuition?⁹

How sure are we that experience will link the cognitive framework of the mind with reality? Mises says that we are not very sure, but that if experience does provide that link, praxeology is reliable. But, as North says, “here is a huge ‘if clause’ in Mises’s epistemology. It is, in fact, a statement of faith, incapable of proof, as he admits, and yet it is the very intellectual foundation of his a priori rationalism.”¹⁰

Economic science cannot be value-free, even though Mises attempts to shut values and faith out of scientific analysis.

Ethics of Property Rights Among Misesians

Two prominent Austrian scholars, Murray Rothbard and Hans-Hermann Hoppe, have made attempts to give property rights an ethical foundation. These and some other Austrians have proposed an approach based on two “self-evident” axioms drawn from John Locke. This provides an excellent opportunity to examine the faith of Austrian economists.

The first of these axioms is the right of self-ownership: “the absolute property right of each individual in his own person.”¹¹ The second axiom, which is alleged to follow from the first, is the homesteading right: “the absolute right in material property of the person who first finds an unused material resource and then in some way occupies or transforms that resource by the use of his personal energy.”¹² As Rothbard says, “From these twin axioms—self-ownership and “homesteading”—stem the justification for the entire system of property rights titles in a free market society.”

Ultimately, the natural rights approach to property rights is based on a set of unsupported assumptions—which some might call “faith.” Rothbard, Hoppe, and their followers are right to seek fundamental ethical norms to support private property rights, but key parts of their arguments depend on faith: a faith their readers may not share. As we have said, faith is certainly not incompatible with economics, but the statement of faith should at least be made clear. Presuppositions are necessary. Christians, for instance, presuppose the truth of biblical revelation. Christians are no more dependent upon faith than Rothbard, Hoppe, and others who are using the natural rights approach. For the Christian, the ethics of property ownership originate with this biblical truth.

Is Every Man a Self-Owner?

Hans-Hermann Hoppe defends the self-ownership axiom by contending that the process of argumentation necessarily presupposes the existence of self-ownership and private property: “. . . obviously, no one could possibly propose anything, and no one could become convinced of any proposition by argumentative means, if a person’s right to make exclusive use of his physical body were not already presupposed.”¹³

In other words, it is self-contradictory to verbally oppose private property without contradicting oneself. Because one must assert private property rights in one's own body in order to make any argument whatsoever, one cannot make any consistent argument against private property. Also, anyone who argues must presuppose the right of the other person to accept or reject the argument, for if this right were not recognized, brute force would supplant free discussion. Thus, Hoppe says, any participant in argument must implicitly recognize certain basic property rights of the listener.¹⁴ This sort of reasoning is quite appealing, and many in the Austrian school of thought have adopted Hoppe's reasoning as their ultimate defense of private property and, ultimately, of the system of anarcho-capitalism.

Hoppe, as a Kantian, rests his defense of the self-ownership axiom upon self-evident *a priori* propositions. These propositions are established not through observation or formal logic, but through "inner, reflectively produced experience."

This is essentially an admission that *faith* is necessary to establish these axioms. Rothbard and Hoppe depend upon the rule of ethics that an ethical system must apply equally to all people, or, the Kantian Categorical Imperative ("Act only on that maxim whereby thou canst at the same time will that it should become a universal law"). They do not present a reason why this rule of ethics must hold true. In fact, it has fatal problems. The Christian philosopher Gordon Clark has pointed out one: that the Kantian Categorical Imperative condemns particulars, and leads to an impossibility of decision making, unless we resort to looking at the practical consequences of an action as a supplement to logical deduction. Of course, once we have done that, we must use some other ethical framework for determining the rightness or wrongness of those consequences. Clark writes,

This principle cannot justify a young man in deciding to become a stock broker or in choosing the legal profession for a career, for it is impossible that all people should be lawyers or stock brokers. Similar examples will show that the categorical imperative, though it may sanction generalities, such as, one should earn a living, condemns every particular method of earning a living. And to avoid this disastrous conclusion Kant in his latest writings ... includes practical consequences along with the logical deduction [endorsing pragmatism with its associated problems]. Likewise, the maxim may in strict logic condemn the breaking of a promise, but it never shows what promises are to be made in the first place.¹⁵

If the Kantian Categorical Imperative does not hold true, a special entity or class of entities could *own* one or more people. Neither Hoppe nor Rothbard presents any compelling reason to believe that this Kantian universality rule should hold over any other ethical rule. No justification is offered other than that these principles are "self-evident." This puts a great deal of faith in our agreement on what is "evident."

Because the libertarian theory of property rights is essentially faith-based, it is no more "objective" than any other faith-based property rights theory. The Christian may assert that God is the creator, and therefore the owner, of all men.¹⁶ The Christian ethical

system applies equally to all people in principle, not because God is *constrained* by an external rule of ethics but because God has *chosen* to act in this way with his creation. It may appeal to our sense of fairness to say that an ethical rule should apply to all people equally, but our sense of fairness is a poor foundation for ethics.

Libertarians oppose one human owning another, of course, but Rothbard and Hoppe do not present a consistent argument. Based on the Kantian universality rule, the only way to justify one group of self-owners owning another group is to say that one group is not fully human. Thus, the ethic would not apply to them. However, from the Christian point of view, we have an ethical system imposed upon humanity by the owner of all humanity, God. That ethical system provides certain protections against unjust enslavement, theft, murder, etc.

Yet Christian teaching makes very clear that there is a distinction between the Creator and the creation. Christians would argue that we are not subhuman, but we *are* sub-God. God is in fact the only being to enjoy true self-ownership.

Basing ethics on the self-ownership axiom, as Rothbard and Hoppe do, is dependent upon faith—faith in the self-evident nature of the Kantian universality rule. Some may not agree that it is self-evident. Those who do not share Rothbard’s or Hoppe’s faith will not necessarily accept this first axiom.

Property and the Homesteading Principle

Murray Rothbard argues that because each human must make use of substances outside his own body to survive, each human who “mixes his labor” with unowned things gains a property right in them.

Explaining the core of the homesteading argument, Hoppe writes,

...[I]f no one had the right to control anything at all except his own body, then we would all cease to exist.... Thus, by virtue of the fact of being alive then, property rights to other things must be presupposed to be valid, too. No one who is alive could argue otherwise.¹⁷

This is a *non sequitur*. It does not follow that because I must use certain substances outside my body, I must therefore make them my own property. It is conceivable, as I pointed out earlier, that we do not own our own bodies, but are owned by a deity. Likewise, it is possible to *use* things that we do not own—even things essential to our survival. Again, the Christian point of view is that God not only owns us but owns everything else in the world, since it is all his creation.¹⁸ He permits us the use of our bodies and certain other things we need.

The implications of God’s ownership of and sovereignty over his creation are widespread. The late Christian philosopher R.J. Rushdoony explains the outworkings of the Christian view:

The beginning of a Biblical doctrine of property is to see God's absolute property rights over us, and over our income, vocation, family, and total life. *What belongs to God cannot be surrendered to another.* Our sin begins with a claim that we are our own property, and it ends with our enslavement by a tyrant state.¹⁹

The contrast here between Rushdoony and libertarian thinkers is striking. Rushdoony views the claim to self-ownership as the initial step toward statism, while Hoppe believes that self-ownership is a protection against statism. The different views stem from different faith-based assumptions about human nature. Rushdoony believes that the man who claims self-ownership will see that he is free to surrender his life and property to the state, and because of his sinful condition, he will want to do so. Thus, if people recognize that God owns them, they will see that they are not permitted to enslave themselves to the State. There are Biblical limits on what the State is permitted to do. Hoppe has to assume that man has the moral power to resist transferring his individual rights to the state.

Applications to Animal Rights, Abortion and Children's Rights

Hoppe says that to argue presupposes private property rights. He does not show that *failure to argue* implies a lack of property rights. It is not clear, then, under Hoppe's argumentation ethic, why animals do not have property rights in their own bodies. Hoppe loudly argues against animal rights,²⁰ but his objections appear to be raw assertions: "Animals are not moral agents, because they are incapable of argumentation; and my theory of justice explicitly denies its applicability to animals and, in fact, implies that they have no rights!" Animals may not argue, but they do contest territory. Why isn't this the same thing? Even so, the Christian argues for or against certain animal rights based on biblical truth, not the presence or absence of the ability to argue.²¹ It would also appear that the killing of human fetuses, infants, the senile, mentally retarded, and comatose would be acceptable under Hoppe's ethical system, because they cannot argue.

Because man is uniquely distinguished from all other creatures by his capacity for rational thought, Rothbard says that the "rights-ethic for mankind is precisely that: for all men, regardless of race, creed, color or sex, but for the species man alone. ...Natural law is necessarily species-bound."²² The Christian might well agree about man's rights being distinct, but the Christian would base that belief on the fact that biblical law explicitly recognizes the unique place of mankind in the world. Rothbard, in contrast, bases his argument on the sympathies of his audience. He says things like, "It would surely be absurd to say...."²³ This begs the question.

Rothbard hopes to prove that "the concept of a species ethic is part of the nature of the world...by contemplating the activities of other species in nature." The "proof" lies in the contention that the wolf, in devouring other species, "is simply following the natural law of his own survival." In other words, ethics are species-specific because other species act as though ethics are species-specific. Apparently, because the practice is common, it means that the practice is morally right! The principle here carries nasty consequences. Contemplating the activities of other species in nature might lead us to infer a natural

right to infanticide. Lions, alligators, guppies, and other species often devour their young—may we then infer a natural right to do the same?

A human fetus within the body of its mother cannot argue, and what it consumes is provided entirely by the mother, perhaps without her consent. This leads many libertarians to defend the legality of abortion at any time prior to birth.²⁴ In *The Ethics of Liberty*, Rothbard lays out clearly the libertarian position on abortion.²⁵

The proper groundwork for analysis of abortion is in every man's absolute right of self-ownership. This implies immediately that every woman has the absolute right to her own body, that she has absolute dominion over her body and everything within it. This includes the fetus. Most fetuses are in the mother's womb because the mother consents to this situation, but the fetus is there by the mother's freely-granted consent. But should the mother decide that she does not want the fetus there any longer, then the fetus becomes a parasitic "invader" of her person, and the mother has the perfect right to expel this invader from her domain. Abortion should be looked upon, not as "murder" of a living person, but as the expulsion of an unwanted invader from the mother's body. Any laws restricting or prohibiting abortion are therefore invasions of the rights of mothers.²⁶

From the Christian point of view, what is rightfully legal and illegal is determined by God, not by appeals to man's self-asserted right over his own body.²⁷ Whether or not we deem it *proper* that an unborn child should be legally protected from harm,²⁸ or that a woman should be required by law to care for her child before and after birth, these are God's requirements.

Failing to appeal to God's law concerning children forces Rothbard into a difficult situation. After defending the ownership of children by their parents, Rothbard recognizes that certain limitations would have to be placed on that ownership. If a child were absolutely owned by the parent, the "bizarre" situation would result that a 50-year-old would be owned by the 70-year-old parent. So the ownership has to be limited in duration, he says. Also he argues that it must be limited in kind, because, as he says, it would be "grotesque for a libertarian who believes in the right of self-ownership to advocate the right of a parent to murder or torture his or her children." So he says that parents only have the limited rights of trustees or guardians.

At two points here, Rothbard finds that his reasoning leads to conclusions he finds objectionable. So he relies on the reader's sympathies. First, the ownership of an older adult child by an aging parent is "bizarre," Rothbard claims, so the reader is expected to agree to the limitation of ownership in time. Why must we agree with Rothbard's notion of what is bizarre? Second, the murder or torture of children by the parents is called "grotesque." I'm glad that Rothbard agrees with me and others on this point, but again, our mutual agreement is not sufficient to argue against child abuse.²⁹ To call something bizarre, grotesque, or strange implies a standard. What is Rothbard's standard?

Rothbard's concept of parents as trustees or guardians is entirely appropriate, but it is defensible only from a *Christian* perspective. The defense he actually uses, based on libertarian property rights, is arbitrary. A child *ex utero* has the right of self-ownership, he writes, and has the right not to be harmed,³⁰ but does not possess the right to any property or services of another. Therefore, in Rothbard's system, parents may legally allow a healthy child to starve to death!³¹

Yet again, this position results from a refusal to acknowledge God's ultimate ownership of all humanity. God as creator sets the rules by which all men must live, and among these is the requirement that parents provide for their children.³² To the Christian who understands God's ownership of all things, we are only trustees of all we possess.

Conclusion

According to Rothbard, Hoppe, and their followers, the self-ownership and homesteading axioms form the foundation of all libertarian social thought. Of course, not all libertarian or Austrian thought is unsound. Austrians do have powerful criticisms of socialist schemes, and there is much to appreciate in the vast body of work that Rothbard, Hoppe, and many others have produced. What is needed now is a better way of defending a social system based on private property rights. All that underlies libertarian property rights theory are assertions of "self-evident" axioms. A Christian approach is neither inferior to, nor less objective than, the natural rights approach.

Instead of the self-ownership and homesteading axioms, Christians would substitute two different axioms: 1) God owns the creation, and 2) God provides a system of ethics that must govern our use of the creation. There is often substantial agreement between libertarian scholars and Christians on the necessity of private property and a free market. We can at least establish the necessity of private property rights in any Christian economic system, by reference to the eighth and tenth commandments and other parts of the Bible.³³ Once these property rights are well-established, Austrian approaches to economics can be quite useful. The Austrian emphasis on the deductive method, entrepreneurship, subjective value, ordinality in preference rankings, and time, and certain other Austrian distinctives are valid and contribute to a better understanding of economic problems.

In fact, we can find numerous situations in which the libertarian/Austrian view and the Christian view will generate similar conclusions.³⁴ The existing differences appear in sharpest contrast where libertarians fail to acknowledge God's ultimate ownership and our *provisional* ownership of our persons and possessions.

Because Misesian economics begins with axioms and proceeds by deduction, it bears a similarity to Christian theology, at least in form and method.

Unfortunately, Misesian economics does not derive its economic postulates from the Bible; in fact, Mises could give no good account of why someone should accept his axioms and not those of another system of economics. Misesian economics has no "Thus says the Lord" at its foundation; in fact, its axioms do

not even include a truth claim. But if the postulates of Misesian economics are actually found in Scripture, or, to put it another way, if Mises borrowed his postulates from Christianity, perhaps unwittingly, then the epistemological basis for a deductive economics is present.³⁵

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¹ Friedman (1953), p. 25.

² *Ibid.*, p. 13.

³ North (1976) p. 83.

⁴ Mises (1962), p. 12.

⁵ *Ibid.*, p. 21-22.

⁶ *Ibid.*, p. 42.

⁷ Mises (1944).

⁸ *Ibid.*, p. 4.

⁹ North (1976), pp. 91-92.

¹⁰ North (1976), pp. 91-92.

¹¹ Rothbard (1997a), p. 279.

¹² Rothbard (1997a), p. 279.

¹³ Hoppe (1993), p. 205.

¹⁴ *See* Kinsella (1996), p. 315.

¹⁵ Clark (1952) [1998].

¹⁶ It might be contended here that man cannot voluntarily enter into slavery. As Rothbard put it, "...a man can naturally expend his labor currently for someone else's benefit, but he cannot transfer himself, even if he wished, into another man's permanent capital good. For he cannot rid himself of his own will, which may change in future years and repudiate the current arrangement." (Rothbard [1998], pp. 40, 41) It might seem then that a resolution would require either rejecting the idea that man has an independent will, or giving up the thesis that God is owner of all men. This is a false opposition, however. God as Creator owns all men, whether or not they will it to be so. The ownership is not voluntarily entered into, neither are we slaves. We have a free will, in that we all have the freedom to do what we please, given our choices. Our choices are in turn determined by our desires, which are naturally evil in Reformed thought. St. Augustine essentially argued that we have the freedom to choose, but the ability to choose only what we want.

¹⁷ Hoppe (1993), pp. 205, 206.

¹⁸ Psalm 24:1, 2 states, "The earth is the Lord's and all its fullness, The world and those who dwell therein. For He has founded it upon the seas, And established it upon the waters." *See also* Psalm 47:2, 7-8; Psalm 50:10-12; Jeremiah 27:5.

¹⁹ Rushdoony (1982), p. 538. *See also*, pp. 307-310, and pp. 690-692, which says in part, "God's law-word is binding upon man because man is God's property. ... We are God's property by virtue of creation, and, because of redemption, we are doubly His, 'bought with a price.' Hence 'we are not (our) own' (I Cor. 6:19-20). We are the Lord's, and His right to use us and to govern us is total."

²⁰ Hoppe, (1993), pp. 205, 247.

²¹ *See*, e.g., Deut. 25:4, John 21:9-13.

²² Rothbard (1998), p. 155, 156.

²³ Rothbard (1998), p. 156.

²⁴ A possible exception would be when the mother is under contract as a surrogate for another woman.

²⁵ Some prominent libertarians do, of course, take exception with this position. U.S. Congressman Ron Paul is a notable example.

²⁶ Rothbard (1998), p. 98.

²⁷ See Rushdoony (1973, 1982, 1999).

²⁸ See, *e.g.*, Exodus 21:22, 23.

²⁹ A similar case in which Rothbard “borrows” conclusions from Christian principles without acknowledging their proper source (or providing a non-arbitrary alternative means of deriving the same conclusions) is found in his chapter on punishment and proportionality in *The Ethics of Liberty* (1998). Rothbard argues that the punishment should fit the crime—“the criminal loses his rights to the extent that he deprives another of his rights.” We might all deem this principle (the *lex talionis*) just, but our mutual agreement does not make it so. *See also*. Exodus 21:22-25. Incidentally, Rothbard’s favored principle of multiple restitution for theft also has precedent in Hebraic law—*e.g.* Exodus 22:1, 4, 7, 9. *See generally* North (1990). For another example, in Rothbard’s chapter “Law, Property Rights, and Air Pollution” in *Logic of Action One* (1997b), Rothbard apparently borrows again. Rothbard finds the presumption of the defendant’s innocence in a tort case attractive (pp. 157, 158), without clearly specifying the reasons. Deuteronomy 19:15-20 shows that this presumption is indeed biblical.

³⁰ Thus Rothbard’s implied opposition to corporal punishment by the parents. *See* Rothbard (1998), p. 105.

³¹ The source(s) of Rothbard’s moral pronouncements is not clear. Is it divine revelation, human custom, or Rothbard’s own preferences? If divine revelation is the source, it is puzzling why Rothbard would accept divine pronouncements of the immorality of abortion or infanticide but not divine pronouncements on the legitimacy of the state to legally prohibit a subset of immoral activity.

³² *See, e.g.*, I Timothy 5:8.

³³ *See, e.g.*, Deuteronomy 19:14, Matthew 20:15, Acts 5:4. *See also* Beisner (1988), pp. 154-156.

³⁴ *See, e.g.*, Wohlgenant (1998).

³⁵ Robbins (1999), p. 8.