

Anthony Comegna: [00:20](#) Welcome back to Ideas in Progress from the IHS. This week we prepare for another discussion colloquium on classical liberalism in contemporary political philosophy. We take you now to our discussion leader and political philosopher at Georgetown University, Jason Brennan.

Anthony Comegna: [00:39](#) All right. Our reader for this event is laid out thematically, and the first theme is natural rights. I was wondering if you think it's fair to say, as I've heard some classical liberals lament at least in recent decades, that philosophers today kind of treat natural rights theory as a relic from the medieval period. It's up there with bleeding and leeching as medical techniques or theories of the humors as psychological explanations for people's behavior or the phlogiston theory in chemistry and geocentrism and let's just say the labor theory of value or other things like that. It's downright medieval and past its prime and we've come so much further than that.

Anthony Comegna: [01:31](#) We have Eric Mack's article from just 2010 on the natural right of property. What can you tell us about Mack's arguments and the state of natural rights theory at the moment?

Jason Brennan: [01:42](#) Yeah, good. I have a PhD in philosophy and I went to the number one political philosophy program in the world and I'm a specialist in political philosophy. I often don't really know what people are talking about when they debate whether natural rights exist because it almost seems as though the people who say they don't exist are attributing to the other side a bunch of crazy sounding ideas that no one could actually ever endorse, but then when people defend natural rights, they're saying something that seems like so clear and obvious that it doesn't seem like anyone could deny them unless you just are fundamentally immoral. I honestly don't really know what's at stake in the debate about what counts as a natural right or not.

Jason Brennan: [02:22](#) I think part of what's going on here is something like we recognize that the institutions that we live under, the rules of the game, including rules of the game like property rights and how marriage is going to work or how rights of free speech are going to work, are in a sense partly conventional because we recognize that morality doesn't draw a really fine line about these things. Then when ends up having to be done in any given society is come up with some mechanism to create a fine line where there really isn't one.

Jason Brennan: [02:51](#) Just to give an example. It seems sensible that if you take some property and like leave it out on the ground and don't touch it

for a certain period of time, at some point, it just reverts to the commons and anyone can grab it. Using a priori methods of philosophy, you can't come up with the rule that, "Oh, it should be 30 years or 20 years or 25 years or 50." There doesn't seem to be any particularly good reason to draw the line somewhere, but actual societies need to have a fine line. They need to know what counts as you've relinquished your property versus you haven't. They end up setting these lines.

Jason Brennan: [03:24](#) I think everyone recognizes that rights are partly conventional. Then some people use that to mean there can't be any kind of natural property right or there can't be any kind of natural rights, but I don't think they really want to say that because it leads to just absurd consequences, such as imagine a person living alone on an island who isn't interacting with anyone. He's not part of society, and he has a hut that he lives in and a bunch of vegetables that he's growing in a garden and like a bed that he sleeps on and so on. If you really think there's no such thing as any kind of natural rights, then you would think, "Well, because he's not part of a society, he's not under the purview of any government, I'd be free to burn down his house, to take his vegetables, to kill him, etc."

Jason Brennan: [04:03](#) That seems absurd. It seems like you have to accept that there's some reason not to do those things to him and that he has a claim against you not to, which means you believe in what must be a natural right, a right that isn't merely a convention and a right that doesn't simply come from a social contract or for government.

Jason Brennan: [04:20](#) But then when you say that to people who deny natural rights, they go, "That's not what I'm talking about", and then I never know what ... They never really clarify. Again, I'm not sure what's at stake. I just think what must be something about natural rights is just, "Hey, people, you have obligations to people that do not simply arise from your convention." I think that's what's at stake.

Jason Brennan: [04:38](#) What I like about Mack's article is he's trying to update Locke's theory of why people have property, but he's taking into account the insights of the fact that these things are largely to some degree conventional, that when we're thinking about why people can acquire property or not, we have an argument that's not simply wedded in or grounded in like convention or grounded in agreement, that the institution of property is a good and useful thing, that you're going to need some set of

rules to determine what counts as property, what doesn't, what counts as acquiring property, what doesn't.

Jason Brennan: [05:13](#)

His argument is, in a sense, natural rights theory tells us why we need these institutions, but then the details can be filled in in like different ways by different societies, largely on the basis of questions of what works better, what's more useful given the background characteristics of that society, given different understandings people have, given the different constraints that they face. I think what Mack is doing quite well in this paper, in the book more generally, is reconciling the insights we have in economics and institutional economics explaining why these institutions are useful with the moral insight from philosophers that there is a reason to have these institutions and that they are not simply a matter of utility.

Anthony Comegna: [05:55](#)

You're saying that part of the problem here is that we don't have any clear definitions. I remember when I was an undergraduate in my first philosophy class, my second semester of college, I was arguing like any young libertarian would with my professor about natural rights and property and how everything is really just a property right and things like that. He was trying to argue against self ownership of your body. His argument essentially came down to, "Well, the body is something special and different. What it is, I don't really know, but it's not subject to the rules of ownership and rights in the way that we think of them. It's something somehow different." I never got a clear answer as to what that was. I just kind of brushed it away and didn't take it seriously. I saw no good reason to take it seriously. There was nothing behind it.

Anthony Comegna: [06:47](#)

But this sounds like a much better basis. Essentially what you're saying is what I eventually came to for my own thinking on this. Now I want to touch on two other themes that we come up with here, equality and justice. They feature heavily on the reading list with pieces from David Schmidtz's *Element of Justice* and Gerald Gaus's article, *Coercion, Ownership, and the Redistributive State*. I'm wondering, what would you say is the state of classical liberal notions of equality and justice?

Jason Brennan: [07:20](#)

Maybe this is not fair, but I think every theory of justice says that people should be equal in one way or another, but they dispute what in particular they ought to be equal about. What I really like about Schmidtz's piece, he's saying equality has to have a point. Equality is not valuable for its own sake. Making people materially equal or other ways of equal, it's not valuable for its own sake. There has to be something like it's liberating

people in some way or it's making their lives better. If it's not doing those things, then there isn't really much pull towards equality.

Jason Brennan: [07:51](#) Oftentimes, when people have a pull towards equality, it's because they're mistaking equality for something else or something else for equality. I remember a student in a class when I was teaching at Brown saying, "Some people are rich and some people are poor, so the problem is inequality." I said, "Is the problem inequality or is the problem that just that people are starving?" If we look and we see people starving, we don't go, "Oh, the problem is that he doesn't have any food and you do." The problem is that he just doesn't have any food. Or David Schmidtz says in that paper, "The problem isn't that there's an unfair distribution of cleft palates. The problem's that some people have cleft palates and we should ask how we rectify that."

Jason Brennan: [08:28](#) One thing that Schmidtz is pointing out is that many times when people argue for egalitarian intuitions, they rely upon certain thought experiments which do in fact generate egalitarian moral intuitions but are in a sense irrelevant. The easiest one to describe is talking about a race. It's very common.

Jason Brennan: [08:46](#) If you're a first year undergraduate, you'll probably have something that your resident assistant will put on for you in your dormitory talking about privilege and they'll show a picture of people like running a race together and one person will be on easy street with a conveyor belt and then another person will have to run and then another person will have to jump over various obstacles and things that are interfering. They go, "Isn't this like how society is? Like we're all running a race, but we're not running ... We're not starting at equal starting points and we have different levels of obstacles in our way."

Jason Brennan: [09:16](#) Schmidtz is like, "It's true that that would be an unfair way to run a race, but it's also false that society is a race. It is true that people start at different starting points and people have different obstacles, and we should talk about removing those obstacles, but society is not fundamentally a race.

Jason Brennan: [09:30](#) A race is what economists call a zero sum game. It is a game in which in order for one person to win, another person loses. In a race, anything helps you is at someone else's disadvantage. The fundamental insight I think of economics and of just good social philosophy is that society is a positive sum game, that we benefit from other people, that the fact that I'm not the most

talented person in the world benefits me. I benefit from other people being more talented than I am, and so we often lose sight of that.

Jason Brennan: [10:00](#)

There isn't as much ... There isn't also just one winning. It's not like we're all trying to get to exactly the same spot and one person will get there first and they beat the rest of us. We win in different ways. What I count as success is different from what you count as success and other listeners count as success. It's not like a race, and so it doesn't have the same need to make sure that we have equal starting points. The purpose of a race is to measure relative ability, and that's why it's important to have equal starting points. A society is not trying to measure ability. It's not trying to create a competition. It's trying to create conditions under which people can cooperate with one another for mutual advantage.

Anthony Comegna: [10:35](#)

Now if you at least ... If you are unfortunately immersed in our political culture today, it seems like this is maybe the weakest area for classical liberals in their actual, where their contribution shows up socially and culturally. At least on the natural rights side, we have all sorts of constitutions all over the world that sort of give lip service at least to concepts of natural rights. They're embedded in systems all around us. But these ideas about equality and justice that you're talking about don't seem to have caught on whatsoever. What would you say is the actual impact that classical liberal scholars have made in this area?

Jason Brennan: [11:25](#)

I think most people have intuitions that go this way and they also have intuitions that go the other way because the typical person has a lot of contradictory ideas. I actually want to push back on that a little bit and say it's true that classical liberalism is not winning when it comes to ideology, but one of the things I work on, my professional work is on democracy and thinking about how democracy works. What's funny about this is that it turns out that basically no ideology is winning very much.

Jason Brennan: [11:55](#)

There's this very famous paper published in 1964 by a guy named Philip Converse about mass publics where he's trying to measure how much ideology do Americans actually have. Since he published that paper, there's been a huge amount of research on this. It turns out, this is a pretty good estimate, that roughly ... I was just reading a book by Kinder and Kalmoe about this yesterday called *Neither Liberal Nor Conservative*. It turns out that maybe 16 out of 100 Americans that actually vote, not including the non-voters, is proficient with ideological concepts

enough to use them in a clear way. Maybe only about eight out of 16 actually has something we might call an ideology. Any kind of consistent ... Not necessarily consistent, but just a clear set of beliefs that persists over time, like for even a few weeks.

Jason Brennan: [12:40](#)

It's true that like we haven't converted the masses, but for what it's worth, neither has anybody else. Basically, people are ... They don't have political philosophies. They don't have very many political beliefs. They don't have stable ideas about politics. It's more of a question of, for the small number of cognitive elite who actually do form ideologies, how much impact do we have?

Anthony Comegna: [13:02](#)

Now, it seems to me that one area where we have made the most progress, it may be given that caveat that you just added, maybe I'm wrong, is the the area of let's say conscience toleration and ideas about authority because again, I think that the sort of classical liberal spin on those ideas has really proliferated around the world for the last 200 to 300 years and made profound contributions to societies. It's kind of hard to deny that, especially when you go outside academia into areas like religious thought and practice. The world is much more open and tolerant today and even anti-clerical and anti-authority today than it was several hundred years ago.

Anthony Comegna: [13:52](#)

I'm thinking of figures like Anne Hutchinson in colonial America gets banished from Massachusetts Bay to Rhode Island because she's a lawless antinomian anarchist type. Over the centuries, despite the persecution against people like her, her ideas seem to have basically won out in practice, that we don't constantly push and nudge each other around like the Puritans did in Massachusetts Bay. We don't use the state nearly as much as before to crack down on people who simply disagree with us in our religious worldview or other matters of mere opinion. It seems that these sorts of values of radical openness and cosmopolitanism have really been predominant and have absolutely won out over heavy-handed methods of authoritarianism. I'm wondering if you agree that this is perhaps the area where we've contributed the most.

Jason Brennan: [14:55](#)

I think that's probably true, but I also would want to avoid overstating it. I think it's true that societies in general are more open and tolerant today than they were 300 years ago. I also think it's true that ... I was just looking at like the Heritage Institute's Index of Economic Freedom and they're talking about measurements over time. In general, the world has more economic freedom on average today than it did 25 years ago

and so on. There's ways in which these ideas are winning, even if they're not dominant.

Jason Brennan: [15:22](#)

But keep in mind, China is an autocratic repressive regime where there's not a lot of ... There's no acceptance of free speech. You're not allowed to criticize the government. You have large swaths of the world where people still believe that you should be executed or punished severely for espousing the wrong religion or for mocking or saying things that are heretical about their religion.

Jason Brennan: [15:42](#)

Even today in the United States, this is true of the right and the left, but I'll pick on the left. Why not? The very left wing people who 50 years ago were saying one of the horrible things about capitalism is that you could be fired for not sharing the beliefs of your employer, those same people are pushing hard to dig up people's old Facebook posts and tweets and look for their beliefs and trying to get them fired from their jobs for saying things that they disagree with. I think the puritanical spirit of intolerance is alive and well in the US. I think it's actually on the upswing right now rather than on the downswing. You go on social media today, go and read news stories, and you'll see people trying to find cases where other people disagree with them about some issue of justice and so on, and they'll try to ruin their lives.

Jason Brennan: [16:26](#)

I think the difference is when I think the average person today reads something like the Scarlet Letter, what they do is they think, "Oh, well, the problem with the Scarlet Letter is that having premarital sex or extramarital sex in this case where like her husband's gone, that's fine. That's why she shouldn't be made to wear the scarlet letter." They're not actually opposed to the idea of like putting someone up on a stage and mocking them and criticizing them and ruining their lives. They just don't want to mock them and criticize and ruin their lives for that particular reason. They want it to be because you ate at Chic-Fil-A or because you said something mean about police officers or because you like made a gay joke in 1992. Then they want to ruin and destroy your life. I think Americans love puritanism. They love outrage. They can't wait to consume it. Both people on the left and right are doing this a great, great deal.

Anthony Comegna: [17:14](#)

What kinds of things should warrant ruining one's life?

Jason Brennan: [17:19](#)

Here's kind of the dilemma here. I can see why you would think like if I find out that you're secretly a Nazi, like maybe I shouldn't be your friend and maybe I don't want to hire you and

so on. I think there's a principled reason for just accepting other people's bad behavior in a modern society where we think ... At the end of the day, we're bad judges of character. We are over ... We have a tendency to like consume outrage as a way of enhancing our own status. There's something very seductive about that.

Jason Brennan: [17:52](#) Being able to be better than other people leads to a kind of arms race of anger and intolerance and fighting. It leads to people segregating themselves and separating themselves by whatever group they belong to, and ultimately leads to a kind of ... In the worst case scenario, it can lead to various sorts of civil war. I don't think it's going to happen now, but it used to in the past.

Jason Brennan: [18:11](#) I think there's an instrumentalist reason for allowing, tolerating what is actually immoral beliefs from others. I'm not saying that these beliefs are immoral. I think if I learned about you that you secretly think that I'm a mass murderer, I think you owe it to me not to believe that about me. Nevertheless, I don't think that means I should try to get you fired from working here. I think we just have to sort of accept this. Overall, when people just have this attitude that it's not important to me that other people think the right way about me or have the right beliefs, that we can still work together, I think that tends to lead to more openmindedness and change over time that's better and more productive.

Anthony Comegna: [18:48](#) But now usually, the normal context for this is social media. There's the sort of standard classical liberal refrain that these are private organizations. It's not as though this is an issue of the government cracking down on people's free speech. This is a company choosing how they want to deploy their property and people choosing who they want to be networked with and universities choosing their affiliation. I don't necessarily see those, let's say, deplatforming, the deplatforming crisis, or the free speech crisis on college campus, I don't necessarily see those as challenges to openness because they're still usually examples of people freely choosing their behavior in a way that they have every right to.

Jason Brennan: [19:42](#) I think you're right, but I think not to be ... I think it's sort of missing the point or beside the point because I think oftentimes when classical liberals think about this, they ask the question, "What is within my rights?" If you're any sort of liberal at all, I don't mean just classical liberal, but any kind of liberal at all, then you believe that human beings have the right to do wrong.

Here are things that are within my rights. I can call my mom right now and say, "Hey, mom. I'm never going to let you see your grandkids again while I'm their parent, while they're children", just for the hell of it, just to like make a point on a podcast.

Anthony Comegna: [20:10](#) Just to mess with her.

Jason Brennan: [20:10](#) Yeah. I have the right to join the Nazi party. I have the right to write a book talking about why everyone should be put in a pain amplifier for all eternity. I have the right to just do all sorts of awful and evil things that are permissible. They're within my rights, meaning the government should not interfere with me or harm me for doing it, but it might still be the wrong thing to do and it might still be highly counterproductive.

Jason Brennan: [20:32](#) There's a nice book coming out called *Moral Grandstanding* by Justin Tosi and Brandon Warmke, and it's all about what's happening. It's not just a reaction to social media, but it describes a sort of behavior where we all have a very strong incentive to show that we are better than other people. The way that we do that is by finding possible sources of outrage, looking for every little possible thing to try to have evermore extreme and stronger beliefs than others to speak as loudly as we can.

Jason Brennan: [20:59](#) This kind of behavior that you see is dysfunctional. It's culturally dysfunctional. It reduces opportunities for cooperation. It creates conflict where there didn't need to be. It actually causes people to become more extreme in their positions in part because they feel like, "I'm going to be ostracized anyway. I might as well, like ... If you're going to call me an evil person anyways, I might as well just adopt these evil beliefs and hang out with the evil doers."

Jason Brennan: [21:24](#) Sure, it might very well ... All this stuff might very well be within people's rights, but that doesn't mean it's not regrettable or it's not dysfunctional. John Stuart Mill, if you ever read like the classic book on free speech, *On Liberty*, he's very clear about the consequentialist argument for free speech is not simply an argument about why the government should refrain from censoring people. He's very clear that it's an argument about why having a social system in which people are sinserious busy bodies continuously judging each other is bad for society and bad for us. It might be within their rights, but it sucks.

- Anthony Comegna: [21:58](#) No, I agree with that. I think that's accurate, but it makes me think the primary party to blame still is the person who originally had reprehensible ideas. Too often, I just hate to hear people in our community get wrapped up in what sounds very much like victim blaming because, if you'll forgive me, they do sort of what you did 20 minutes ago or so now and say, "Well, let's pick on the left because they're sort of fun targets", when meanwhile, usually, or at least in our own current context, it seems to be people on the right with deeply traditional views who actually seem fairly ugly in terms of their values and then provoke an ugly response on the part of the left and their own nastier values come out into play.
- Anthony Comegna: [22:58](#) I think there's plenty of blame to go around on all sides. Let's not get that equation wrong, but let's tease out what might be two other critiques of liberalism as it stands today or classical liberalism. We also have readings from Samuel Freeman and Philip ... Is it Pettit?
- Jason Brennan: [23:15](#) It is.
- Anthony Comegna: [23:16](#) Yes. Can you lay out their arguments and sort of give us an assessment?
- Jason Brennan: [23:21](#) Yeah. Pettit's an interesting guy, and I've made this critique of him before in print, but basically what Pettit says is he reads Isaiah Berlin. Berlin writes a paper called Two Concepts of Liberty. Berlin says, "Liberals, classical", he meant just classical liberals, "Liberals have an idea of freedom where what it is to be free is in some way to have the absence of interference." Exactly what kind of interference is debated between one liberal or another. Hobbes, who's sort of a proto liberal despite advocating Leviathan, he still has a liberal kind of conception of governments that just goes the wrong way. Hobbes says, "Any interference with you counts as an impingement to freedom." Someone like Locke would say any interference with what your rights counts as an interference, like stopping your freedom. There's a debate about that, but the basic conception is the absence of certain kinds of interference is what equals freedom.
- Jason Brennan: [24:11](#) Pettit says, quite rightly, he's right about this, that can't quite be right. Here's a counter example to that conception of freedom. Imagine I own you as a slave, but I'm a really nice slave master. I could continually interfere with your freedom with impunity, but because I'm such a nice slave master, I never actually give you any orders at all and I allow you to just live however you please. You live a life that's identical to someone who is actually

free, but you're a slave. Pettit says we wouldn't call that person free, like they're more free than other slaves, but they're not properly free because someone has the power to interfere with them with impunity. He says, "So really what freedom has to have is some sort of guard against that. Like not just the absence of interference, but some sort of check against the possibility of people arbitrarily interfering with you with impunity."

Jason Brennan: [24:58](#) That sounds right to me. I'm not sure if that's a critique of liberalism unlike Pettit because I think if you go and carefully read other liberals like Locke and so on, they've basically already said that. I think it just comes down to like maybe Berlin when he was trying to explain what liberals think was wrong, like he made a mistake.

Jason Brennan: [25:15](#) But then here's what's the problem with what happens with Berlin. He says, "Okay. The absence of interference is not sufficient for you to be free. What we need to do is add something to that." He says we have to ... Call it non-domination. There has to be some sort of institutional check or set of rules or something that prevents people from arbitrarily interfering with you. Great. I'm on board.

Jason Brennan: [25:36](#) But then when he does is he basically says, "Oh, actually, the interference part doesn't really matter at all." It really is just the absence of arbitrary interference. Then he ends up advocating a political system, Geoffrey Brennan and Loren Lomasky have a really nice paper pointing this out, where you could be continuously interfered with by government and by others, but as long as it's not arbitrary in some technical sense, you count as free. It's almost like he said, "Oh, A is not enough for you to be free. You need A and B. Actually, you just need B", and he gets rid of A. It's like no, the system you're advocating is you've given up what was right about Berlin's liberalism when you added something to it. You were like, "A meat patty is not enough to make a sandwich. We need bread." Then two minutes later he's like, "Actually, all we need is bread. We don't need the meat patty." It's like, "Well, that's not a sandwich, dude." That's my take on Pettit. I think he was right about something, but he got rid of something that was necessary.

Anthony Comegna: [26:30](#) Correct me if I'm wrong, but arbitrary basically just means without reason, right? People are very good at coming up with reasons for all sorts of ridiculous things.

- Jason Brennan: [26:40](#) Yeah. Basically, if a government interferes with you, but it goes through a certain kind of process to do the interference and it has a certain kind of intention when it does it, then even if it's continuously interfering with you, you count as free because it wasn't arbitrary interference and because it doesn't have impunity because you have a check on it. It's like, "No, you're not free, but you're not ... " I would think the thing to say is, "In this situation, you're not dominated in the technical sense that Pettit brings up, but you're also just not free."
- Jason Brennan: [27:06](#) Now as for Freeman, I have to admit, I'm really not a big fan of that paper. That's not a slam against Freeman. Freeman and I might be writing a book together called *Debating Libertarianism* for Oxford that's under review right now. I like him a lot, but I think what's going on with Freeman is he has a certain conception of what liberalism is and he takes to be an essential condition of liberalism something that's actually pretty contentious and a lot of liberals don't accept. It's the idea that what it is to have a free society is that the rules of the game have to in some way be publicly justified according to some sort of standard of public reason.
- Jason Brennan: [27:47](#) This is a thing that he got from Rawls. It's a certain kind of ideological movement that I think Jerry Gaus belongs to it called public reason liberalism where they say, "Okay. If government is going to be a liberal, it's going to be legitimate and authoritative if and only if in some way the rules of the game are justified according to some standard of public reason where all reasonable people subject to it can be ... The rules can be justified to them according to their own rights. Exactly how you interpret that is up for debate. If you get seven or eight public reason, if you get eight public reason liberals in a room, you'll get 16 conceptions of public reason liberalism.
- Jason Brennan: [28:24](#) He basically in that paper is saying, "Well, people like Rothbard and Nozick, they don't accept this kind of standard, so they're not really liberals. It's like I don't know. That's taking like one particular weird form of liberalism and taking it to be essential to what liberalism is. I just don't find that very plausible. I also think that he's just making the mistake of he's not under ... I think maybe his critique of Rothbard is fine, but I think he's missing the point of what Nozick is doing. I think most people do. Most people read Nozick as doing the following. People are self owners. Here's what follows from self ownership, libertarianism.

Jason Brennan: [28:57](#) He's not doing that. He's very clear that he's not doing that in his book. Part one of *Anarchy State and Utopia*, he assumes for the sake of argument that people have very strong libertarian rights, the very rights that Murray Rothbard says they do. For the sake of trying to show that *Contra* or *Pache*, Murray Rothbard, that a state is compatible with those rights. You don't have to be anarchist. That's part one of the book.

Jason Brennan: [29:21](#) Part two of the book, his argument against a more than minimal state is not, "We're self owner. Self ownership implies libertarianism. Libertarianism implies we can't have a more than minimal state." Instead it's, "Here's a bunch of arguments for the more than minimal state, and I'm going to show that they just fail on their own terms. One of my most common ways of showing that they fail will be to say to the liberal, the left liberal, 'You say that this principle is a reason for interfering with economic Liberty. That very same principle seems to be equally valid as a reason to interfere with personal Liberty, which you, the left liberal, wouldn't want to do when you wouldn't think that principle works there. You need to give me another principle that explains why you're treating personal and economic Liberty differently'", and then they never do. Then part three does something else.

Jason Brennan: [30:03](#) This reading of Nozick, not only is it fair to him because the word self ownership appears only once in his entire book on page 172, where he attributes it to somebody else. He doesn't even necessarily endorse it. But also, this controversial reading of Nozick is literally what he tells you to do in the preface of the book. I think it's like page 11 in Roman numerals in the preface. He's like, "Here's what I'm doing in the book." My reading of him is just taking him at his word. It makes sense of his book more.

Jason Brennan: [30:28](#) I think Freeman spends a lot of time critiquing self ownership conceptions, critiquing the theory of bargaining and stuff that's going on in part one of Nozick's book, but that's not because it's Nozick's own view. It's because he's trying to show that if you accept Rothbard's view, it doesn't lead to the conclusions that Rothbard thinks. To a certain degree, I think it's like Freeman's paper is defending a weird version of liberalism that not all liberals have to accept. It's not essential to liberalism. Plus, it's I think strawmanning Nozick. I'm not really a big fan of that paper.

Anthony Comegna: [31:00](#) Yeah. The historian in me immediately revolts against the description you gave there because classical liberalism is

nothing if not a gigantic tent. It is very old and busted up in some corners by now, but it's very well-trodden. There are lots and lots of different flavors out there. It seems sort of odd to me to even have that impulse of defining some people out who are clearly in.

Jason Brennan: [31:26](#)

For what it's worth out, Jerry Cohen, the great Marxist philosopher, he thought that self ownership was essential to what it is to be a liberal. He said every liberal accepts a self ownership thesis. I think he's right about that. I think it just plays a different role in arguments than people realize.

Jason Brennan: [31:42](#)

Your professor that you mentioned earlier who said, "I don't believe in self ownership", yes he does, unless he's literally like a complete authoritarian fascist because he doesn't understand what ownership is. Ownership is a bundle of control rights, and how we own things varies from thing to thing. I own my car differently than the way I own this jacket, which I own differently from the way I own a dog. What exactly ownership amounts to is going to vary from object to object, but it includes a right to exclude, a right to certain controls, rights to compensation, and so on. In some cases, the right to destroy. In some cases, the right to alter. In some cases, the right to sell or rent and so on.

Jason Brennan: [32:17](#)

The difference between Rawls and Nozick and your professor is not whether they believe in self ownership, it's what they think the ownership right you have over your body amounts to. If they actually reject the idea of ownership, then they have to think that you actually don't have any of these rights over your body. The point of that is not to say that this helps libertarianism in any way, I don't think it does, but self ownership I think is a conclusion. It's not a starting point. If I'm debating Rawls on what I think a just society is, we're both going to end up with a conception of human beings that amounts to self ownership at the end, but the thing we're debating is just why we own ourselves in the particular way we own ourselves and what those rights amount to.

Anthony Comegna: [33:00](#)

Our greatest thanks to Professor Brennan for joining us on the show. Check back in next week for the exciting conclusion to our latest *Ideas in Progress*.