

Liberty vs. Welfare Rights – Continued

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There has been a long-running discussion between me and Jim Sterba on the subject of liberty and equality, and more narrowly, liberty versus welfare rights. I have taken what I suppose is the more “natural” view that the two pairs are opposites, but Jim argues that it’s not so, and indeed that if we uphold a general format of liberty, then we will find ourselves perforce driven to welfare rights after all. In the present development of our discussion, I begin by restating my earlier case, which is at, as we may call it, the fundamental theoretical level.

To this end, Jim especially presses one basic argument. He accepts, generally speaking, the analysis of (social) liberty as the absence of interpersonal (imposed) harm. That is to say: our liberty consists in others’ not intervening to prevent us doing as we like, or coercing us into doing what we don’t like. Where someone is guilty of a violation of that, then we may use force in defense, but not otherwise. This, I argue, leaves the poor who insist on succor in the position of having to *ask*, rather than to having the right to *take*, from those who might be able to afford to assist them.

But in his favored confrontation between wealthy and poverty-stricken, where what is in question is the former’s status, his argument is that “harm cuts both ways,” as he puts it, and therefore we must decide between the two on the basis of which is the greater harm – what the poor do by taking from the rich, or what the rich do by denying, perhaps forcibly, access of the poor to their largess? Does the wealthy person have the right to defend himself against the attacks of the poor on what he claims is his property? Or must he stand aside and let the poor despoil him, and to do so just because they are poor? Jim claims the latter. I insist that if there is a basis for that, it evidently isn’t Libertarianism; and our question, let us remember, is whether, as Jim claims, Libertarianism upholds the welfare state.

I argue, contrary to Jim, that in his confrontation, it is the “rich” who are in the right. That is because I see the status of property to be properly awarded to *innocent possession*. And innocent possession is utilization of items, natural or artificial as may be, in situations in which prior use by others either hasn’t happened at all, or is such as to create no claims by the prior user,

normally because they are acquired by voluntary purchase or other voluntary transfer. Here we will ignore the second case and consider only the first, which of course is basic: we take the cases of voluntary transfer – which are the source of virtually all actual wealth, of course – to be nonproblematic. In the specified circumstances of “original acquisition,” then, I hold that no one, whether antecedently “rich” or “poor” or sick or needy or whatever, has any right to lay hands on those possessions without the consent (explicit or understood) of those possessors. That is because to do so is to interfere with the activities of those who brought about the circumstances in which that possession takes place, and thus to violate their liberty – to which, as he agrees, they have a right.

We can take the two Lockean standards: getting there first, and settling into open-ended future use, as our guide, tabling the numerous problems that would be involved in working out in detail the common-law principles of ownership in tricky or obscure cases. Why these two? They are not axiomatic or dogmatic, but explicable. Firstness has the crucial feature that others, who come later, would be *interfering* with the activities of the first comers – which, just because they were literally “first,” must have been harmless to others, there having been at the time no “others” around to do harm to. (It is precisely because of the obviousness of that point, I suggest, that defenders of Jim’s position, like Jim himself, insist on bringing in “harm to future generations” – which would make the lack of others around at the time basically irrelevant.)

Open-ended future use, however, is also essential. If Jones simply throws out his ottoman on the street, he can’t complain if someone comes along and takes possession. And what if he neglects his property? This creates a presumption that he *doesn’t care*, in which case squatters have a case. Again, we assume that in the Sterba arguments, neither applies. I often point out, and will reiterate where relevant, that few real cases of the kind of conflict he finds so basic will arise in practice – in wealthy countries – because most of us will gladly help out the starving if occasion arises. Most of us care about each other enough to take care of real needs voluntarily. (Let us, though only for the sake of argument, grant the supposition – though actually quite contestable – that somehow government “guarantees” of provision would in fact result in *provision* whereas leaving it to charity would make provision “uncertain.” That supposition would provide edge to this discussion, because it would leave the would-be libertarian in the position of having to defend the rich in the face of actual starvation against the socialist hordes who, whatever their other faults, would presumably keep the very poor away from death’s door. Would those of us – like myself – who defend the “rich” in such suppositious cases, stick to our last in the face of actual starvation? We live in a world in which, we are told, there still is a certain amount of starvation – though none of it, so far as I know, occurs in the rich countries of northern

North America; and welfare states in those rich countries do nothing to prevent that, thus suggesting that the certainty on the part of the socialists that socialism would prevent starvation should be pretty shaky. If they can reply that those governments *ought* to be doing something about it, our reply is that private agencies, such as Oxfam, actually *are* doing something about it – whenever the governments of the unfortunate areas in which the starvation is occurring will *let* them!)

So, back to theory. According to libertarianism, our sole right is to act as we will, without interference, so long as our action is not such as to invade and despoil any further persons – unless, of course, those persons are already non-innocent, such as to justify some kind of exacted compensation or punishment. So what this all depends on is whether, in defending themselves against invasions by the needy, better-off persons would *thereby* be violating the rights of those needy. It seems to me a stretch to argue, as Jim does, that they would. After all, it is surely quite clear that Jim’s poor *do* thus invade and despoil, and extremely *unclear* that his rich do.

Roderick Long has pointed out that in contemporary circumstances, it may be that owing to government intervention, at least many of the rich are in fact benefiting from what amounts to the state despoliation of the poor. That is plausible, and of course shifts the empirical argument greatly. But it is not Jim’s case – Long’s is a very different conceptual complaint than the one Jim is making. Jim’s case is, essentially, *a priori*: it is the sheer fact that A *could* provide B with the necessities of life (assuming we can appropriately define those), and that B does need them (same caveat) that entails the right of B to take what he needs from A – *not* further facts about contemporary societies, mismanaged government programs or laws, and so on. All these latter are extremely important, of course, and in contemporary political circumstances make the application of basic principles extremely difficult. But Jim is talking about those basic principles, as am I. And it is at that level that I don’t see that he makes his case.

Jim insists that we have in such cases a “pure conflict of liberties,” and thus that we need to choose between them on a nonlibertarian basis such as supposed utility maximization or sympathy for the poor or whatever. I deny that, too. Prior settlement plus open-ended pattern of further use, as explained above, settles the matter so far as liberty-regardingness is concerned. The poor, in short, are not morally at liberty to help themselves to the “excess” resources of the better off.

Ought and Can

Jim appeals heavily to an “ought implies can” principle, the idea being that the very poor “cannot” refrain from attempting to avail themselves of others’ properties if they are to survive, and thus that it cannot be credible to insist that they *ought* so to refrain. But I argue that it is a misuse of the “ought

implies can” principle to argue as Jim does. If we are to appeal to that principle, it has to be in the abstract way that moral philosophers have always recognized: if somebody ought to do x, it of course is required that he be *able* to do x – that x is an action (or inaction) it is possible for him to voluntarily choose. And there is no question that it is *possible* for people, however poor, to refrain from theft.

It is, to be sure, *unsurprising* that some people do resort to theft in those circumstances. (Sample remark, from a recent article¹ about terrorism in Europe: “With an unemployment rate as high as 30 percent, it should not be surprising that the vast majority of Belgian recruits to the Islamic State are small-time criminals.”) But is the theft in question then *not even wrong*, as Jim apparently thinks, and as St. Thomas seems to have held? On this, the libertarian will have to be hard-hearted: Yes, it’s wrong. Perhaps it is personally excusable, in many cases anyway. Should we, the rest of us, try to do something about it? Sure: but that’s out of the goodness of our hearts, and not a requirement of justice. The bishop declares that he *gave* the candlesticks to Jean Valjean. That’s his business, and we can and should – in some cases, including that one – commend him for his humanity. (There are also more self-interested motives, to be discussed further below. A good way of warding off the danger of attacks by the very poor – as Thomas Hobbes argues – may be to buy them off. But possibly not, in other cases.) However (contra Hobbes, in my view) what we should do about that is to give of our own wealth, and to appeal to likeminded others – not to dip into the resources of those others against their wishes, as the welfare state does. (Of course, the state does not *ask* – it simply *takes*. Now it is always logically possible that 100% of those thus taken from do not in fact mind, if it’s used for good purposes. Does that, on the libertarian view, figure as a justification for taxation? It might, in a way. If all agree, and roughly agree to the right set of amounts, then the state’s actions might be viewed as purely administrative, just as the agents of a charitable organization would be. But all this is not really relevant to our subject, for what Jim is claiming is that the poor have the *right* to our resources, which of course *would* justify taking them against our wills.)

First-Comers and the Rights of Others

Jim has another argument, however, or rather, another aspect of his main one: does not the first-comer *deny the right* of others to the use of the occupied territory? And the answer, certainly, is that he does – of course! That’s what property *is* – the right to exclude. But does he thereby deny their libertarian

¹ Valentina Pop, “Islamic State Terror Cell Found Refuge in Brussels District, *Wall Street Journal*, 22 March 2016: <https://www.wsj.com/articles/islamic-state-terror-cell-found-refuge-in-brussels-district-1458694455>

rights? No. On the contrary: he exemplifies and affirms them. Those are rights to appropriate *what there is to appropriate* – not rights to appropriate what has *already been* appropriated by somebody else. If you think people have a right of the latter kind, then you deny property rights at the root. And you thereby deny human freedom – and undermine the basis of human progress, which depends on society’s becoming a positive-sum game, rather than one in which gainers can only gain at the expense of losers.

There is a tendency to talk nonsense on this matter. With respect to any particular item, one and only one person can wholly possess it. In some cases, it is possible for two or more to engage in joint ownership, sure – by agreement among them. But unless the joint possessors are literally *everybody*, the point stands that ownership is exclusive: others, those not amongst the set of joint owners or individual owners, are thereby enjoined to refrain from attempting to take possession themselves. It is *logically* impossible for all to wholly own any given consumable thing. The peach goes down a given throat, and that’s that. The soil is turned over by a given person, to raise a particular crop, and if others turn it again for other crops, the first person’s actions are thwarted. Etc. A major social rationale for recognizing the right of private property follows: if we don’t effectively have such rights, it is basically impossible for anything to be accomplished. “Second-comers” who try to take possession of what has already been taken are not just persons who happen to “come second”: they are invaders and despoilers of those who are already there and who have produced what the second-comers propose to take, thus reducing the society’s available product. In the most serious cases, they reduce it to zero and cause universal misery.

Jim draws up a scenario in which my enterprising ancestors “fence off the entire state of Kansas.” Sterba’s ancestors arrive later, with nothing but the shirts on their backs. They then “occupy a relatively small piece of the land that the Narveson clan had initially appropriated,” and turn it to good use, growing wheat and maintaining themselves. What next?

But given Jim’s description, a question now arises, whether the newcomers aren’t actually first possessors, first users, of previously *unowned* resources. If my ancestors do nothing, Sterba says that his ancestors in that case have done mine no harm. And that may be so: whether it is depends, for one thing, on the nature of my ancestors’ claims: are they just verbal, or was there substance to them? (You don’t acquire vast acreages by just *saying* they’re yours. In a state of nature, use is everything.) If the latter, then *prima facie* the newcomers *would* have done mine some harm – but also, given Jim’s description, it appears that my ancestors do not in fact mind just giving them the land. And if not, there’s no problem. So I don’t see how much argumentative weight is gained from that hypothetical example.

The more interesting question is, what if they *have* done more than just declare, and what if they *do* mind and then proceed to try to drive the

squatters off? Now Sterba says, “Under this second and more likely possibility, harm would cut both ways: either the rich Narvesons would be harming the poor Sterbas or the poor Sterbas would be harming the rich Narvesons.” But there’s the mistake again: is Jim denying that the land *belonged* by virtue of their prior occupation, to my ancestors? If not, how can he claim that his ancestors’ actions are *innocent* – since it seems pretty clear that they are not? Jim wants to classify it as a case of “conflicting harms” which is, in one clear sense, perfectly true, to be sure. But since the harms his ancestors inflict on mine go contrary to the liberties of my ancestors, whereas the ones the latter inflict on his do not – being instead cases of self-defense, there would seem to be no in-principle issue here. Not, that is, if we are sticking to the libertarian premises that frame this discussion.

Here we have to distinguish two aspects of the developing scenario:

(a) Suppose that in the process of ejection, some of the Sterbas resist, and are roughly used by my ancestors? Of course that harms them, so far as it goes: it makes them worse off than the situation in which they get up and move elsewhere. (We will not take up the Socratic view that the only “true harm” is harm done to the moral souls of the subjects. Physical damage will do just fine, so far as we are concerned.) However, the question is whether the “harm” in question is of the type prohibited by the liberty principle. Or is it instead the type that is *sanctioned* by that principle, namely, whatever harms might need to be inflicted in the defense of people’s rights? Violation of rights always opens the door to some extent to defensive actions that would otherwise be wrongful invasions: when we jail thieves, we of course harm them, but we are entitled to do so because of what they have done, namely violated *our* antecedent rights.

(b) But suppose that upon our doing so, they complain, Sterba-like, that I have now harmed them by “depriving them of an opportunity.” It is true that the Narvesons have deprived them of it, but it is not true that they are *thereby* harmed. For what they are “deprived” of is not an opportunity they *actually have*, since my people did get there first (ex hypothesi), and so the Sterbas were in fact invaders. They “have” that opportunity, then, only in the usual sense that robbers and murderers have opportunities to deprive their victims of their properties or lives. Is that the kind of opportunity Jim wants to argue we should all have the right to take advantage of?

Of course, there is the question of just what constitutes occupancy and use. Certainly building a fence, in and of itself, does not necessarily settle the matter. Newcomers setting out in the, as they supposed, Kansas wilderness and coming upon a fence may be astonished, but they will only be (morally) impressed if there is a lot more to it than that. The sheer existence of a fence-like construction doesn’t settle the matter. But if my ancestors come and install the fences as part of schemes to actually use the newly fenced-in land, so that they fence with meaning and purpose, then that creates a very strong

prima facie claim of those whose lands are thus enclosed to be recognized as the owners, and, therefore, entitled to exclude the newcomers.

Jim then considers a new scenario, in which the already wealthy cattle ranchers in Colorado and Nebraska encroach on my ancestors' property, with a view to an even greater increase in their incomes. And perhaps they get away with it. But Jim agrees that this would be wrong – only *his* reason for agreeing is that the Coloradans didn't *need* this extra profit, any more than the Narveson ancestors did. And thus the ought-implies-can principle, he wants to say, doesn't allow the Coloradans to encroach. I have already rejected his first application of that principle, and while this second application doesn't have the force he attributes to the first one, I again insist that the obvious solution is simply to say that the Coloradans are guilty of theft whereas my ancestors (in this scenario) are not, and consequently they act with right in attempting to ward off the Coloradans – any decent legal system would uphold their right, and any decent government would act to protect them.

Jim presumably does not – surely – want to award ownership rights to whoever wins a war between claimants. What a moral/legal system is *about* is precisely to avoid that – to provide a better way of resolving or forestalling human conflicts than war. Whether you *succeed* in doing X is therefore irrelevant to whether it is *right* to do or to try to do X. Neither the already-wealthy cattle ranchers nor the previously somehow impoverished wannabe Kansans are acting rightly in his envisaged scenario, and that seems wholly obvious, does it not? What remains is that the Narveson ancestors acted rightly throughout, while both sets of invaders do in fact invade, depriving the Narvesons of their liberty, which is to do whatever they innocently can, including occupying tracts of land as large as they are able effectively to occupy, with the resulting implication that others must now keep off until invited.

We should, therefore, simply deny that, in his words, “there is a clear difference between supporting the liberty of the poor against the liberty of the rich and supporting the liberty of the rich against the liberty of the poor.” Well – there is, as Bishop Butler would put it, as much difference between them as there is! But there is no difference vis-a-vis the *rights* of those concerned: the first-come Kansans are in the right, and the others in the wrong. We are not in the business of cataloguing differences, but in assessing their relevance to matters of justice. And there, the situation is remarkably clear and simple, if libertarianism is our guide. So far as I can see, it isn't Jim's guide – but he's claiming it is, and I don't see that he has made out his claim.

On the Real World: Universalism and Resources

I have advanced, against most versions of welfarism, that its proponents seek to justify welfare systems that exclude most of the earth's people, namely all those who are not citizens (or legally recognized occupants, anyway) of the state in question. Such welfare-staters – the normal kind – have a hard time

declaring welfare to be a universal right. But Jim is not guilty of that: he declares that his own attitude toward welfarism is that we all do actually owe *everybody in the world, and in the future too*, whatever it takes to “meet their basic needs” insofar as we are able. Most defenders of welfare states would not go along with that – they like their bourgeois pleasures too much, as apparently Jim does not. Fine: to each his own. But the claim that we all *owe* this to everybody, including all future people, whatever their parents may or may not have done to try to secure a decent existence for their children, is outlandish – an enormous and unjustified invasion of their lives.

Many have explained elsewhere² why resource limitation arguments are all completely wrong as they are so airily applied to these matters by philosophers, and we presumably don’t have time to go into that again here, at any length. Suffice to say that it is a total misunderstanding of “resources” to suppose that humans are necessarily dependent on the existence of almost any specific material things for their survival. People create the goods they need, and as they get more ingenious, we have more and better goods, for more and more of us. We do make gold from the baser metals; or rather, we make more important things from all sorts of less important things (my favorite example being computer chips made from silicon). Insisting that we must steal from the supposedly wealthy in order to feed the inevitable poor is simple-minded Malthusianism. Realizing that wealth comes, overwhelmingly, from human activity and not from nature, carries with it also the implication that proper recognition for contribution to that wealth is a fundamental requirement for progress. It’s not that “we” need to “reward” the creators. It’s that we need to *allow* them to create, and thus to be the agents of their creations, and then to recognize them as having the right to use and, as may be, exchange those creations. That way lies progress.

The preceding is not empirical speculation, but commonsense analysis. Humans use various things in the course of their lives. In order to use them they need to have some idea *what you can do* with things of various kinds – technology – and there is no limit to the possible ideas we can have about those things, nor, in consequence, of the possible kinds of things we can have those ideas about. All these ideas are human-made. Nature “provides” materials, but what we use are materials that have been either made suitable for use, or found to be suitable for uses we have; and how we use them is to make new things that are in one or another way better.

Perhaps it is necessary also to mention here, at the inevitable risk of not going into the matter as deeply as required – no doubt a book-length project at least – that Jim’s cavalier talk of supposed harms to future persons is insufficiently considered. Future persons, to begin with, are there because *we*,

² Recommended: Matt Ridley, *The Rational Optimist : How Prosperity Evolves* (NY: Harper Collins, 2010).

present people, *put* them there. They don't come from thin air. Responsible parents care for their children, and their children's children, just as responsible people in general do not poison the wells of their neighbors. If irresponsible people produce more children than they or anyone can handle, it's their *fault* – it's *not* a matter of imposing further duties on the rest of us with each new ill-advised birth.

And in addition, the progress of technology is unforeseeable. We simply don't know what the future holds, because how the future is depends on what people think up in the way of methods for dealing with resources. Yet these are continually increasing, of course: knowledge is cumulative – barring total barbarism – and wealth is a function of knowledge. And so, just as Malthus has been proven wrong about resources, down the line – the world contains far more and yet far better-off people now than it ever did, due entirely to human production – so claims that we are “harming future people” by what we do now are almost entirely without sense. Best, then – because it's the only sensible option – is to talk about the people we have now, and the small bit of the future that we can foresee, which is a generation or so. After that, the advance of knowledge among much else makes it impossible to talk reasonably about what we need to do *now* to prevent this or that catastrophe much later on.

It is interesting, speaking of ought-implies-can, that Jim concedes that his draconian-sounding principle would not, after all, leave us with no right to *our own* basic minimum of need-fulfillment if that meant there would *not* be enough and as good left for others. So he admits that a supposed right to the fulfillment of our basic needs is *not* necessarily in principle possible for all, always, to respect. It is, then, not universalizable, in one clear sense of that rather ambiguous expression. We can generalize: so long as the ratio of necessary goods to persons is less than 1:1, it is *logically impossible* for his principle to be fulfilled. Can its status as a fundamental right survive that? I don't think so. Our *basic* rights must be compatible.

And then, next, we must ask why should it survive in the particular form he's got? (Namely: first, enough for me – and then, as much for others as remains possible.) How about this instead: those who prudently, industriously, and ingeniously make excellent use of what there is to create lives that are far beyond the basic minimum have the right to do so even if it meant that millions of other would-be appropriators starve (or, not be born in the first place) – so long as the big appropriators do not appropriate *from* the assets created by others. We can agree that it would be too bad if such choices had to be made. And we can also see, in view of the preceding points, that such choices do *not* have to be made. But why should we have to accept Sterba's effectively communist system instead?

But then, again – once more: they do *not* have to be made. The high-end goods of the wealthy are made by people less wealthy who make their livings

by making and selling them to those well-off people; which in turn enable those not-as-wealthy to buy things from the still-less wealthy who make their livings selling *those* things to those people; and so on and so on. The idea that each thing used somehow creates a reduction in total available goods is a pure fallacy, and one long exposed by economics. Why keep trying to reinstate it?

Jim distinguishes negative welfare rights from positive ones, agreeing that he really wants to push the positive ones that cannot be justified in pure libertarian terms. But his supposedly negative ones can't either, as I have explained above. Universality requires that all *fundamental* rights are negative – indeed, there is but one – as Kant lays it down, it's recognizably our principle of liberty. The basic right is the right that others not act to make us worse off than we are in a status quo of innocence upon encountering others. This applies not only to minimum welfare but also to Andrew Carnegie-level welfare. What matters, as libertarians insist, is not how much we've got but how we got it – in particular, whether we got it by forcibly extracting it from others who got it without such extraction. In short, then, the question is only whether our acquisitive actions thereby worsen the innocently achieved situations of others.

To repeat: the point is that so long as we get what we do by freely made arrangements with voluntarily acting others, it cannot be true that we get what we do *by* worsening the lives of others. It can certainly be true that we have what we have when others *could have had more*, but it does *not* follow that we have thereby *taken* from those others.

Now, agreed, there are still the incompetent to be concerned about. Do *they* have the (positive) right against the rest of us that we feed, house, and clothe them to some minimal degree? No. *Should* we do this? Sure: simple humanity impels us to do so. But that's not the same as enforceable rights.

Why?

Why insist on the libertarian idea rather than a welfarist/egalitarian/socialist one? There is a good answer to this question – it's not just a matter of taking a stand, with any old stand being as good as any other. There are foundations of morals, and those foundations lie in the classical sources: (a) the Nature of Man, and (b) our environment. Neither of them works as Jim seems to think.

Starting with the first, the Nature of Man. We need here to use common sense observation. If this can be supplemented with science, fine. But morality begins, as it were, at home – or, as we might say, in our gardens. Morality consists of socially reinforced norms, principles intended to direct the behavior of all. They can *direct* our behavior only if they appeal to our practical reasons. And since there are a lot of us, and we are different, we need to find out both what we have in common and how we can accommodate the differences. We “need” to do this, that is, *if we are interested*

in avoiding conflict. And why would we be thus interested? The brief answer is that we have so much (*viz.*, everything) to lose from it. Our fellows are about as tough as we, and certainly as interested as we in getting on. If all of us stand ready to try to get our way regardless, conflict is expected, and it can be expected to be perilous and costly. And if for some it seems not so, then the others whom they seek to prey upon have an interest in increasing the cost and the peril.

But people are not just fighting machines. They're not that stupid! They can see also the potential of cooperation, and cooperation requires lack of conflict. All of this makes for a general human situation of Prisoners' Dilemma: we can get (local) advantages at the expense of others, or they of us; but if we all try, we all come out worse off than if we had remained at peace. Peace requires agreement; it requires a bit of trust. But it can be hugely promoted by social devices, among which moral norms, inculcated in all, are arguably the most important of all.

So strong and so important are those devices that if they are misused – as they often are – we can expect dismal results. What, then, is the *rational* morality, the morality in which we *all* have an interest, given the general nature of man (and one important point about the environment, which we'll discuss next)? The answer is clear. We all want the best from our fellows, as they from us. But those “bests” differ enormously, and meanwhile, we want to avoid the worst, and even the merely bad if possible. The obvious conclusion is to adopt as a principle Respect for our Fellows, in the sense of refraining from inflicting losses on them as a means of making gains for ourselves. That is to say, we are to declare peace on them, provided (and expecting that) they reciprocate. Peace is the supreme Public Good: we can *only* get it from others, and they from us, and it is possible *only* by agreement – by agreeing, in particular, to refrain from inflicting evils on others provided they similarly refrain in relation to us.

As soon as we go for more – insisting, say, on minimum welfare from others, exacted by force if need be – we have lost the advantages of universal peace. And we can then expect to do much less well, both collectively and, by and large, individually. (“By and large” is an important qualification. Keeping an eye out for those who seek loopholes, to gain at our expense, becomes an important preoccupation as society goes on.) A welfare state is bound to be non-universal. Some will live at the expense of others, who would prefer not to play the roles imposed on them.

Advocates of “more” make many mistakes, among them being an imputation of omnipotence and omniscience to social “leaders” – none of whom, ever, remotely qualify in those respects. Yet more than the minimum is not only available, but actually certain. It is the part of wisdom to help others in need, and to arrange effective and efficient systems for providing that help when possible. These systems include insurance and philanthropy,

both of which are extremely helpful in keeping us all in reasonable health – especially the former, however, since most of us are not hopeless incompetents. The insurance motive is, of course, an interest in our secure futures, while the philanthropic motive is human fellow feeling, plus, importantly, the awareness that Things Happen and we too could become one of the needy.

Then there is the other component, our environment. About this there is a level of misunderstanding – especially among philosophers who should surely know better – that is all but beyond rectification. But we must try. We humans live on a planet happily endowed with a large supply of free air and a very good supply of basically free water, among various other things. Nature supplied our remote ancestors with a modest sufficiency of food – for some, anyway – and the rest starved. But ere long, people began finding ways to increase supply, and those ways have increased by leaps and bounds, especially in the past couple of centuries. The fact that we can *increase supply* – improve on what Nature provides on its own – is crucial, and basic to civilization. We do *not* live by “extraction”: we live by improving on what can be extracted or found. We live by our brains and not, mostly, by our muscles. And thus we learn how to get much from little. For example, talk of “water shortages” is confronted with technologies enabling us to recycle it – indefinitely. Thus astronauts remain aloft for weeks with minuscule amounts of water, used and reused without end. Edible vegetation, likewise, can be improved, so that diets today, for virtually everyone, are incomparably superior to what they once were. Likewise with homes, which are no longer just places to keep the elements out, but places of beauty, of interest, of entertainment. And so on. There is no problem of running out of land (most new urban houses uses no new land – just more levels on tall buildings), or building materials.

To achieve all this what is needed is incentives, and incentives are individual: the desire of each to live well, to do better. This motivates trade and cooperative production. Today’s high standards of living for much of mankind, and much better standards for all than a few centuries ago, are due to just those things – trade and cooperation. We need to ask why we don’t have more of it, and why we still have so much of the familiar scourges of war and poverty. Unfortunately, the general answer is clear: it’s due to the desire of too many people to exert power over others instead of sticking to cooperation – mainly by seizing political power and using it to despoil others. And this is impelled, in considerable part, by a history in which political arrangements have been supposed to be valuable and necessary – with consequent wars and social misallocations of so many kinds.

It is easy to argue that we should extend the Social Agreement to include a reciprocal disposition to help each other when in need. I have indeed

subscribed to just that.³ However, to make it an *enforceable* disposition is another matter. Many will think they have more to lose than to gain from the arrangement if it is imposed. After all, we can locally arrange agreements with each other of this kind if we wish. But Sterba wants to extend it to all of mankind, including future mankind. Life, for most of us, is too short for that!

There may be reasons special to contemporary life that make the welfare state as popular as it politically is (democracies everywhere have welfare states of one level or another.) Is this, as I think, a mistake, or is it a rational reaction to real features of contemporary life? I will leave that question dangling here. If we affix enough minor premises to the Principle of Liberty, we can get remarkable results. Whether those premises are actually true is the issue. I won't pursue that farther here.

Waterloo, Ontario
July 2016; somewhat revised, July 2017

³ Jan Narveson, "We Don't Owe Them a Thing! – a Tough-Minded but Soft-Hearted View of Aid to the Faraway Needy," in *Monist*, July 2003, vol. 86.3, 419-433. Reprinted in: *Global Justice*, ed. by Christian Barry and Holly Lawford-Smith (Ashgate 2012), pp 23-36.

