The Ideas of Lysander Spooner — Libertarian or libertarian socialist?

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This article analyses Lysander Spooner's ideas and their relationship to Libertarian capitalist ideas and libertarian socialist (ie anarchist) ideas. It is partly based on my own research and an article I found on a newsgroup. The article included in this essay was originally posted by an154754@anon.penet.fi. It ends with the anonymous author asking:

> "One wonders whether Spooner has written much on the industrial revolution, already well under way during his youth. In particular, what are his views on wage labor and the employer-employee relationship?"

In part answer to the question, Spooner was opposed to wage labour, wanting that social relationship destroyed by turning capital over to those who work in it, as associated producers and not as wage slaves. Hence Spooner was *anti-capitalist*, prefering to see a society of self-employed farmers, artisans and cooperating workers, not a society of wage slaves and capitalists. This can be clearly seen from the following quote:

> "All the great establishments, of every kind, now in the hands of a few proprietors, but employing a great number of wage laborers, would be broken up; for few or no persons, who could hire capital and do business for themselves would consent to labour for wages for another."
>
> — Letter to Cleveland

This shows that Spooner was opposed to capitalism, prefering an artisan system based on simple commodity production, with capitalists and wage slaves no more, being replaced by self-employed workers.

Further highlighting his anti-capitalist ideas, is this quote where he notes that under capitalism the labourer does not receive "all the fruits of his own labour" as the capitalist lives off of the workers "honest industry".

> "…almost all fortunes are made out of the capital and labour of other men than those who realize them. Indeed, large fortunes could rarely be made at all by one individual, except by his sponging capital and labor from others."

— Poverty: Its illegal cases and legal cure.

Thus Spooner believed that every person was entitled to "all the fruits of his own labour" and so called for the end of wage labour (ie capitalism) by ensuring workers owned their own means of production. This analysis is backed up by various books that address Spooners ideas:

> "Spooner envisioned a society of pre-industrial times in which small property owners gathered together voluntarily and were assured by their mutual honesty of full payment of their labour"
>
> — The Black Flag of Anarchy, Corinne Jackson, p. 87

Spooner considered that "it was necessary that every man be his own employer or work for himself in a direct way, since working for another resulted in a portion being diverted to the employer. To be one's own employer, it was necessary for one to have access to one's own capital." — Men Against the state, James J. Martin, p 173

Spooner "recommends that every man should be his own employer, and he depicts an ideal society of independent farmers and entrepreneurs who have access to easy credit. If every person received the fruits of his own laboor, the just and equal distribution of wealth would result" — Demanding the Impossible, Peter Marshall, p 389.

Hences its pretty clear that Spooner was against wage labour, and so was no capitalist. I can but agree with Marshall who indicates that Spooner was a *left* libertarian, with ideas very close to Proudhon and mutualism. Whether these ideas are relevent now, with the capital needed to start companies in established sectors of the economy is another question. As is whether a "free market" in credit would actually in practice lead to near zero interest on loans as the banks would require to make profits in order to compete and survive in the market (ie get investment, survive competition, increase services, etc).

But, as can be seen, Spooner was *anti* capitalist. Here is the original article, where this theme is explored in greater depth.

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Having often heard numerous references to Lysander Spooner on the net (but having never read him) it was with considerable interest that I read Tim Starr's posting of Spooner's essay "No Treason", curiously labeled as Part I, II, and IV (no Part III?.)

Spooner has frequently been referred to as a Libertarian, an anarcho- capitalist and a propertarian anarchist. I was thus interested in comparing Spooner's ideas with those currently espoused on the net.

Since the motivation for Spooner's essay was the Civil War (and Spooner's particular outrage at the forced prevention of the Southern Secession) much of the essay is thus devoted to the question of legitimacy of government and the definition of treason.

In fact, Spooner does not claim that governments are inherently illegitimate but only that legitimate governments must be based on the consent of every individual contributing to the maintenance of the government. He thus demands that taxation be voluntary. From such a position Spooner would seem to assume a minarchist viewpoint more akin to the Libertarian than the anarcho-capitalist.

Spooner makes frequent mention of the right of private property. In addition, as a lawyer, Spooner naturally places considerable stock in legalisms such as binding contracts. Indeed, Spooner devotes considerable discussion to the concept of the Constitution as a contract. Spooner argues that the Constitution may be considered a contract, but that it may only be considered as binding upon those who actually demonstrated their consent to its authority. He definitively rejects the legitimacy of the Constitution as a contract binding on the *descendents* of the original signers:

> "Inasmuch as the Constitution was never signed, nor agreed to, by anybody, as a contract, and therefore never bound anybody, and is now binding upon nobody; and is, moreover, such an one as no people can ever hereafter be expected to consent to, except as they may be forced to do so at the point of the bayonet, it is perhaps of no importance what its true legal meaning, as a contract, is. Nevertheless, the writer thinks it proper to say that, in his opinion, the Constitution is no such instrument as it has generally been assumed to be; but that by false interpretations, and naked usurpations, the government has been made in practice a very widely, and almost wholly, different thing from what the Constitution itself purports to authorize."

In the above Spooner reads more or less like a Libertarian. What is more interesting is his departures from the Libertarian position, and these are rather radical.

Spooner first seems to view the profit motive with considerably more skepticism than modern Libertarians. Bankers, particularly the Rothschilds, evoke scathing criticism. Spooner writes:

> "The Rothschilds, and that class of money-lenders of whom they are the representatives and agents — men who never think of lending a shilling to their next-door neighbors, for purposes of honest industry, unless upon the most ample security, and at the highest rate of interest — stand ready, at all times, to lend money in unlimited amounts to those robbers and murderers, who call themselves governments … The question of making these loans is, with these lenders, a mere question of pecuniary profit. They lend money to be expended in robbing, enslaving, and murdering their fellow men, solely because, on the whole, such loans pay better than any others."

Spooner seems to suggest that the promotion of "honest industry" and not mere "pecuniary profit" should be the underlying principle of money lending (and, presumably, of all economic activity.) Evidently *how* one makes money matters to Spooner. Such consideration is not necessary in Libertarian ideology since all economic activity is viewed as wealth-creating and as an inherently positive-sum game.

Spooner also seems to place a good deal of emphasis on the importance of human relations in economic decision making, suggesting that loans to one's "next-door neighbors" should be on more generous terms. This *social* context for economic decision making seems foreign to current Libertarian ideology.

Spooner's further criticisms of the Rothschilds depart even more strongly from most Libertarian positions. In particular, Spooner believes that sheer wealth has intrinsic power. Even to such an extent as to force governments to behave at the behest of the wealthy, e.g.,

> "Thus it is evident that all these men, who call themselves by the high-sounding names of Emperors, Kings, Sovereigns, … are intrinsically not only the merest miscreants and wretches, engaged solely in plundering, enslaving, and murdering their fellow men, but that they are also the merest hangers on, the servile, obsequious, fawning dependents and tools of these blood-money loan-mongers, on whom they rely for the means to carry on their crimes. These loan-mongers, like the Rothschilds, laugh in their sleeves, and say to themselves: These despicable creatures, who call themselves emperors, and kings, and majesties, … all these miscreants and imposters know that we make them, and use them; that in us they live, move, and have their being; that we require them (as the price of their positions) to take upon themselves all the labor, all the danger, and all the odium of all the crimes they commit for our profit; and that we will unmake them, strip them of their gewgaws, and send them out into the world as beggars, or give them over to the vengeance of the people they have enslaved, the moment they refuse to commit any crime we require of them, or to pay over to us such share of the proceeds of their robberies as we see fit to demand."

The concept of government as the servant of the wealthy is not a common one among Libertarians. If one admits that wealth has power and may be used in such a Machiavellian manner as Spooner claims, then simple opposition to the State is not sufficient. Logically, any ideology claiming to promote liberty should then also seek to limit or abolish the institutions from which the innate power of wealth derives. This is one of the fundamental differences between Libertarian and Socialist programs of political action.

Spooner's criticism of money lenders is not limited to the Rothschilds nor his criticism of government to the crowned heads of Europe. He applies the same to the US:

> "Perhaps the facts were never made more evident, in any country on the globe, than in our own, that these soulless blood-money loan-mongers are the real rulers; that they rule from the most sordid and mercenary motives; that the ostensible government, the presidents, senators, and representatives, so called, are merely their tools; and that no ideas of, or regard for, justice or liberty had anything to do in inducing them to lend their money for the war [i.e, the Civil War]."

Spooner then continues with an analysis of the motives of the Civil War. Spooner claims that the motives for the War were control of Southern markets with slavery a mere pretext. Here Spooner's commentary closely parallels modern critics of economic imperialism, e.g. Noam Chomsky.

> "In short, the North said to the slave-holders: If you will not pay us our price (give us control of your markets) for our assistance against your slaves, we will secure the same price (keep control of your markets) by helping your slaves against you, and using them as our tools for maintaining dominion over you; for the control of your markets we will have, whether the tools we use for that purpose be black or white, and be the cost, in blood and money, what it may."

In general, Spooner seems to view militarism in a highly unfavorable manner:

> "When these emperors and kings, so-called, have obtained their loans, they proceed to hire and train immense numbers of professional murderers, called soldiers, and employ them in shooting down all who resist their demands for money."

By referring to soldiers as "murderers" Spooner would seem to call into question the legitimacy of coercive force itself. Not simply insofar as it's used by a government. Spooner seems leery of the potential of a military force to behave in an oppressive fashion. The following comment makes one wonder how Spooner would regard anarcho-capitalist protection firms:

> "Any number of scoundrels, having money enough to start with, can establish themselves as a "government"; because, with money, they can hire soldiers, and with soldiers extort more money; and also compel general obedience to their will."

In summary, Spooner's ideas seem to fall somewhere between those of modern Libertarians and Socialists. One wonders whether Spooner has written much on the industrial revolution, already well under way during his youth. In particular, what are his views on wage labor and the employer-employee relationship?

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