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**Revisiting a Libertarian Classic:
Nock's *Our Enemy, the State*
by Sheldon Richman**

We're spied on by the federal government, often without even a warrant from the submissive Foreign Intelligence Surveillance Court. The government has gathered information on anti-war groups and People for the Ethical Treatment of Animals. The president is angry — that ordinary people have found out about this. He is planning not to stop these obnoxious activities, but rather to find out who gave him away. In his view, the Constitution and the Congress's blank check after 9/11 bestow on him the power to do virtually anything if he can rationalize it as necessary to prosecute the "war on terror." This is quite a claim, considering that there is no reason why the "war on terror" shouldn't go on forever.

I can think of one man who wouldn't have been surprised by any of this: Albert Jay Nock.

Nock (1870–1945) was a prolific author of books and articles, a magazine editor, a colleague of H.L. Mencken, and a sharp observer of the political and culture scene. He is best known for his little book *Our Enemy, the State*, published in 1935. The book is considered a libertarian classic, and despite its brevity it overflows with insights — political, sociological, and historical. Unfortunately, like many classics, it is less read than cited. The libertarian movement might look different today if libertarians read this book closely. They might find parts unsettling.

Nock begins by drawing the contrast between what he called social power and state power. Here he reflects the influence of the classical-liberal sociologist Franz Oppenheimer, whose earlier book, *The State*, distinguished the only two ways to obtain wealth: the economic means and the political means. As Oppenheimer wrote,

There are two fundamentally opposed means whereby man, requiring sustenance, is impelled to obtain the necessary means for satisfying his desires. These are work and robbery, one's own labor and the forcible appropriation of the labor of others.... I propose ... to call one's own labor and the equivalent exchange of one's own labor for the labor of others, the "economic means" for the satisfaction of needs, while the unrequited appropriation of the labor of others will be called the

“political means.”

... *The state is an organization of the political means.* No state, therefore, can come into being until the economic means has created a definite number of objects for the satisfaction of needs, which objects may be taken away or appropriated by warlike robbery. [Emphasis added.]

Nock picks up from there:

It is unfortunately none too well understood that, just as the State has no money of its own, so it has no power of its own. All the power it has is what society gives it, plus what it confiscates from time to time on one pretext or another; there is no other source from which State power can be drawn.

Therefore every assumption of State power, whether by gift or seizure, leaves society with so much less power; there is never, nor can be, any strengthening of State power without a corresponding and roughly equivalent depletion of social power.

For Nock, “the sole invariable characteristic of the State is the economic exploitation of one class by another.” Today we tend to associate talk about class exploitation with Marx and Marxism. But in fact liberals (libertarians) developed class analysis before Marx. The theory is attributed to two French liberals, Charles Comte and Charles Dunoyer. In their theory, class and exploitation arise the moment a taxing authority comes into existence, for at that point we have the emergence of two groups: tax-producers and tax-consumers. Taxation is the quintessential form of exploitation. One group labors in behalf of another, the fruits of that labor being expropriated for the privileged class.

Nock (and Oppenheimer) saw this characteristic in all states. But it should be pointed out that Nock distinguished state from government. For him, government grows out of people’s desire for freedom, security, and justice, and its interventions are negative. It is what Jefferson (whom Nock admired immensely) had in mind when he wrote the Declaration of Independence. In contrast, a state originates in conquest and intervenes positively in order to appropriate the product of honest laborers for the benefit of the privileged class. This distinction between state and government has been criticized by later libertarians (such as Murray Rothbard), largely on the grounds that any organization that claims the power to tax is to be scorned regardless of what it is called. But Nock was quite insistent. He wrote,

They [government and state] are so different in theory that drawing a sharp distinction between them is now probably the most important duty that civilization owes to its own safety.

At any rate, Nock, although he sometimes called himself an anarchist, endorsed limited government, complete with taxation, at the township level. He favored the Articles of Confederation, with some changes, leaving few functions at the national level. Higher levels of government would have to ask the townships for revenue. Perhaps the best term for Nock is “radical decentralist.”

Nock and American history

Nock’s overview of American history is bracing indeed. The standard libertarian view is that, aside from slavery and the tariff, the American political system approached the laissez-faire ideal until things began to go wrong during the Progressive Era, with the pace quickening after the election of Franklin Roosevelt and the advent of the New Deal. (Sometimes the Civil War era is seen as the start of pervasive statism.) Nock doesn’t see it that way, although he pegged the New Deal a monstrous extension of centralized bureaucracy. But for him, things started going wrong much earlier than the Civil War — in fact, right after the American Revolution if not earlier. He saw far more continuity from the colonial to the national period than others have. For Nock, the transition from feudalism to the “merchant-State” (in England) was not a matter of kind, but of degree. To be sure, there were differences between the two, but the essential exploitation of one class by another was present in both cases. In the merchant-State, however, there was more opportunity to enter the exploiting class. You did not have to be born into it. But you did need connections. The English merchant-State was brought to the New World, where it took root and grew into the United States.

Nock admired the Jeffersonian ideals of natural rights and popular sovereignty. The problem, as Nock saw it, was that those ideals were quickly forgotten: “When political independence was secured, the stark doctrine of the Declaration went into abeyance, with only a distorted simulacrum of the principles surviving.” Rights were “left open to eviscerating interpretations,” and popular sovereignty was undermined in assorted ways, including fixed terms of office (unlike the parliamentary system) and judicial review, “which ... is a process whereby anything may be made to mean anything.” According to Nock, the admirable, though imperfect, Articles of Confederation were overthrown in the “coup d’etat” that took place in Philadelphia in 1787, resulting in a centralization of power (favoring industrial over agrarian interests) that revolted Jefferson.

So for Nock, the United States does not represent the radical break in political history that it is often made out to be. It metamorphosed from the British system of privilege (through land grants, tariffs, and other enactments), despite the Jeffersonian window-dressing, then forged a distinctly American form of the merchant-State. Stripped to essentials, it was Oppenheimer’s organization of the political means, with the business class as the prime beneficiary.

Part of Nock's view is colored by his position on land ownership. Nock was a follower of Henry George, who held that no individual has the right to the value of land per se because that value is created not by the putative owner, but by the community. Thus that value should be taxed for the benefit of the community — the famous “single tax.” (The individual user of land, however, did have the right to the fruits of his labor.) For George and Nock, a host of evils grow out of a Lockean notion of property ownership, including land speculation and scarcity. (Nock was no fan of Locke or Adam Smith.) But Nock's view of American history is also shaped by a view of ownership that is not dependent on George's position. Nock (like Rothbard after him) condemned the *political* creation of scarcity in land — the process by which rulers parcel out property (which they never homesteaded) to favored interests, who then charge rent for others to use and occupy it. This thoroughly illegitimate “land monopoly” creates far-ranging injustices. For example, it prevents competition and closes off options to the mass of people, forcing them to work for others, depressing wages, and leaving them vulnerable to exploitation. In a society without land privilege, workers would have alternatives to standard employment. Nock thought the initial distribution of land was crucial, and that many in society suffer long after that distribution is made. This suffering then is used to justify further state intervention.

Nock represents a radical strain of modern libertarian thought that gets insufficient attention today. While he did not get everything right, he was more often on the mark than off.

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