In our days the State has come to be a formidable machine... set up in the midst of society... a machine whose existence and maintenance depend on the vital supports around it... sucking out the very marrow of society.

José Ortega y Gasset

I. INTRODUCTION

The development of mankind toward a more humane existence can be witnessed through three historic stages. Each represents a precious legacy of hard-won value. This three-fold perspective on the civilizing advances of mankind was suggested to me in an article by Gerhart Niemeyer entitled «Modern Politics» in which he evaluates the great advantages of the limited state and of liberty¹. Niemeyer enunciates the three stages that led to, and describe, these benefits. First, the separation of church and state imparts full liberty to the conscience of the person by prohibiting institutional religion or self-righteous superego from intimidating those who differ. Coercive politics are lifted out of the life of religion and spirit. Second, the separation of society and state gives causal force to the

associations that persons spontaneously form. Purely social associations supplant the need for political power. They help persons adapt their natural social inclinations to their purposes. They diminish the need for legal enforcement. The plural society resulting from free association enriches the personal life and the life of the community. The separation of society and state allows us to separate law and government. Law is society’s property, not the property of politics. Accordingly, it allows us to keep government under law. The «rule of law» constitutes the heart of social accord.

Third, the separation of individual and society distinguishes the intrinsic moral dignity, sanctity and conscience of the person from the groups, communities or civil orders to which he belongs. We call this individualism. Individualism enables us morally to criticize existing practices, customs, and norms without denying their influence and support. This separation of self from society in recognition of the individual as an autonomous and worthy center of chosen purposes brings about a host of valuable relationships, natural goods, and beneficial contributions to society as a whole. Scientific, legal, artistic and entrepreneurial improvements develop, and prosperity is produced. These benefits characterizing the public interest cannot develop if persons’ unique contributions are not recognized. This supposes differentiation from collective wholes and their sometimes suppressive norms. Foremost among social goods is the intrinsic good called liberty of the person. Self-fulfilment in the enjoyment of liberty needs no utilitarian justification. Liberty and its yield are rights in and of themselves. That society benefits from liberty of the individual is a wondrous bounty.

Constituting this heightened morality of individualism are rights of individuals against the immoral potentials of political force. Rights are a common-good product only of individualism because only as justice to the individual becomes a reality, does justice to everyone become a reality. John Mill put it this way: «Justice implies something which it is not only right to do and wrong not to do, but which some individual person can claim from us as his moral right». There is no moral right to justice if individualism is not first conceptualized, then fostered.

These three historical adaptations are unquestionable betterments in our moral, social and spiritual life. They were not
arranged, designed, decided upon or produced by states. They were not political, legislative or administrative policies. Slowly they evolved, moral insights transcending their times, adapting themselves in practicable, institutional form. Today the range of their circumference and legitimacy is comprehensive. No one wishes to roll back history to church, social or state empowerments over persons.

I should like to examine a problem that arises with the third of these moral elevations of humanity, the separation of the individual from society. It is a problem which invades the other two civilizing advances because they are all connected. There is a false doctrine about this third moral advance, individualism, a doctrine that has become popular and dangerous. I believe this false doctrine may have led Karl Marx toward a repudiation of individualism and, of course, the capitalist society he thought presupposed and promoted it. We are familiar with the result of the Marxist rebellion and the ideology that Marx replaced individualism with. In our times, this thought-mask has caused almost a century and a half of economic pathologies, social distortions and belligerent civil upheaval.

My thesis is this: The Marxist revolt against the dehumanization of man which Marxism attributes to capitalist economics takes on the same malignant assumptions that it repudiates: First it holds that individualism means that man, under capitalism, is anti-social, selfish, exploitive. Then by requiring the force of the absolute state to put down self-aggrandizing individualism and inaugurate true community, the Marxist ideology reinforces and perpetuates this false view of man until it becomes inherent in the Marxist ideology of the state and cannot be shaken off. Statist Marxism sees human nature and social reality almost exactly like Thomas Hobbes: anti-social, brutal, exploitive, selfish. Marxism adopts the Hobbist premises of individualism, then finds it cannot get rid of them. I should like to show how, through a misinterpretation of the separation of individual from society, this paradoxical twist takes place whereby that which is detested invades its detester.
II. Marxist Interpretation of the Separation of Individual and Society

The Marxist rebellion took two forms. One was ineffectual and relatively harmless. The other rebellion is still threatening.

1. Ideal Marxism tried to weld the individual back to society by moving toward the utopian community, the ideal of the brotherhood of man as a worldwide, stateless condition. I shall say no more about ideal Marxism except to note what is known: Not even modestly conceived utopian communities survive for long on Marxist communitarian principles. First to dissolve are those founded on secularism, horizontal authority or egalitarianism, and common property wherein meum and teum are cut down as guiding norms. Marxist utopias fade away in formless anarchisms of impossibility.

2. Statist Marxism is the realistic threat. It houses the problem of individualism I want to examine. It too tried to weld the individual back to society. Then it took a step in keeping with the economic and political reality it thought it perceived, but a step that was contrary to its futuristic ideals. Marxist Realpolitik discovered that if the goal of community-shared property, production and distribution is to be sustained, the state cannot wither away at all. The vision of the future remains society without the state. But until utopia arrives, the state must be inextricably laminated onto society. This is because the need for a controlling and enforcing power to manage property resources and their allocation, and eventually everything related to them, is so compelling and comprehensive that society cannot be left autonomous. It has virtually to transform itself into the all-controlling state. This program naturally also requires putting down the type of virulent individualism that Marxism defines.

Under statist Marxism, state and society therefore become one undifferentiated entity. They become fused in meaning.

2. If sovereign states are to wither away, it may be for the opposing reason: Property integrity under law will so unify and cohere the structure of society, that the state will be seen to be superfluous. Numerous historical examples demonstrate the existence of firm lines of legal control without the state.
Society is perceived as state and state is perceived as collective whole. What begins as an effort to socialize man by taking out his core of selfish individualism, ends in politicizing society. After the ideological surgery, no conceptual room is left for personal and interpersonal activities. The withering away of the state on behalf of humanization is so completely abandoned in realistic or statist Marxism that state and society are not conceptually distinct anymore; the point where the state terminates its control over society and the individuals who constitute it, is blurred beyond identification. Is this account an exaggeration?

(The people) cannot represent themselves, they must be represented. Their representative must at the same time appear as their master, as an authority over them, an unlimited governmental power which protects them from the other classes and sends them rain and sunshine from above. The political influence of the small-holding peasants, therefore, finds its final expression in the executive power which subordinates society to itself.

Thus does Marx write in *The Eighteenth Brumaire of Louis Napoleon*. It is not a matter of diminishing society's independence from the state. It is a matter of being unable even to conceptualize society's independence from the state. The executive power *expresses* what society is, «subordinating society to itself!» The nightmare foreseen by Frederic Bastiat has happened: Society cannot imagine its own existence without imagining a controlling central power.

Statist Marxism thus regresses to the continuum in history wherein society and state cannot even be thought of as separate entities. The medium in this thought-distortion is the idea of anti-social individualism. If society can no longer be thought of in itself because it requires permanent coercion to enact and maintain humanitarian ends by ridding itself of selfish individualism, then the moral idea of the person who is in certain ways separable from society, also necessarily withers away, and with it, the individual's rights. Nor can the benign advances in human morality and the common good that we identified as products of the liberty of the person be realized. Reflecting this

enfeeblement in the causal force of freedom of the individual is the well known Marxist notion of the «superstructure» wherein morality and even positive law are thrust into supine inutility.

Marxist construction of the ideology wherein independent personhood cannot be thought of because it is subordinate to a monolithic, inescapable process, and hence persons have no property even within themselves, necessitates rationalizations by which political engulfment of the freely chosen associational life of man appears justified. We are familiar with these turgid distortions. Civil life is narrowed into a means-end relation whose past, present and future are forced by a monocausal agency of change alleged to be the ultimacy of history, a set of economic determinations over which persons and groups have little influence. There is no way to prove, or to disprove, the ultimacy of history or the causal ineffectuality of human morals and law. Hence a faction, the Party, can appropriate to itself the office of representative of history in its inevitable progression toward the self-realization of the laboring class heretofore oppressed.

Stripped of meaning and causal power, the morality and self-sustaining reciprocities of social life secured under legal rights no longer protect the person or define his associational life. They can no longer, therefore, promote a humane and civilized existence. They are inert. Moreover, they are needless. If social life is unreal and non-existing, it no longer requires protection from harmful interference.

To justify this absorption of social life by the state, rationalizations enter into statist Marxism and remain permanently fixed there. 1) The individual is selfish and antagonistic to his fellows. His evil instrument is property. If property is a tool of aggression, then no one must own property. Since the individual is selfish and aggressive, the state has to deny him property. 2) Social life takes on this taint of human nature: left autonomous, it is exclusive, exploitive and factional. Therefore the state as «executive power which subordinates society to itself» is justified in destroying norms and institutions that represent unjust property positions. When these institutions and practices can no longer be identified as tools of class discrimination, classes will be helpless to exploit, exclude and divide.
Is this account an exaggeration? Marxism calls for «the forcible overthrow of all existing social conditions». Just as the conceptual synthesis of an Hegelian pyramid absorbs the identities of thesis and antithesis, so does the pyramid of the sovereign state absorb the identities of persons and groups. Is it not illogical to assign rights and protections to entities like persons and groups that cannot be thought to exist?

A false and deceptive interpretation of individualism had earlier appeared in the philosophic and political literature. Individualism was understood by Thomas Hobbes, and by seminal thinkers influenced by him, as harboring a self-centered, self-aggrandizing bias in the nature of man. Rightly, individualism meant liberty, non-interference by others, including the state, in persons’ innocent choices. But with Hobbes, and later with Marx, individualism meant that persons, in choosing, choose for themselves alone. Distortion in the concept of individualism lay in attributing to the agent of choice (to persons) some of their purposes: purposes in their own self-interest; then it lay in interpreting «self-interest» to mean «selfish», «other-denying», or «other-obstructing». But psychological egoism is a false doctrine.

Hobbes thought selfish individualism characterized human nature. The laws of nature if enforced by political sovereignty correct this adversarial condition. Marx thought selfish individualism characterized human nature under capitalism. The currents of history if catalyzed and enforced by Party correct this adversarial condition. Prudence harnessed to self-interest underlies Hobbist statism. Idealism harnessed to economic equality underlies Marxist statism. But absolute state sovereignty knows no difference between these motives when their means come to the same thing. Both Hobbism and Marxism render a might-makes-right explanation of justice. The forces of human fear and the forces of class history are the final justification for the sword of the state.

Six significant ideas will help to illustrate how this false version of individualism invaded Western culture and invited the Marxist critique of the dehumanization of man which, when its implementation becomes clear, turns Marxism upside-down. These six familiar criteria defining Hobbist individualism typi-
cally approximate Marxist doctrine and its assumptions. What do these six criteria mean on the Hobbist-Marxist interpretation of individualism and the political life?

1) Individualism means that persons are competitive and self-aggrandizing. They desire to control others out of fear that others will control them. In short, they despise and use their fellows when they have the right to do so. Since beating each other out is what constitutes «society», then absolute state intervention in this war of each against all represents a higher moral condition of history.

2) In its relation to individualism, property presupposes that persons are privatistic, self-seeking, greedy for more. They crave the power that accrues from increasing their property, from having wealth and enjoying consumption. They turn this property-power against others who have less. Domination and injustices arise. These excite civil strife. But the collective community as Party is conscious of what is going on. It has the right to reform the maldistribution of property, thereby ridding society of the unrest caused by legal discrimination. In this moral task, the state thus represents a higher condition of history.

3) Factions and classes are the result of persons grouping together out of expedience and for their exclusive purposes: to dominate or to fend off the domination of others. Factions advance self-interest that cannot be advanced by individuals alone. No other motive than self-centeredness explains group association. Persons being also competitive and property-hungry, these factional interests contend with each other. Economic struggle and warfare is the outcome, «naked, shameless, direct, brutal exploitation» of the laboring classes by the owners of property or capital, the ruling elite. Such inequities and strife need not occur if the sovereign as the state Party forbids the formation of factions. In representing the collective as a whole and repressing factional war, the state thus constitutes a higher moral condition of history.

4) The unvirtuous character of man is seen in his inhumanity. In Hobbes, this is individual antagonism and greed; in Marx, it is class antagonism and greed. Individualism disinclines persons to carrying out natural acts of benevolence, charity
and mutual aid. Not social or affiliative, man's fear and greed contradict the impulse to share or sacrifice; selfishness works against community association. With virtue in scarce supply, man's purely social institutions are discriminatory and exclusive. Designed to forward sectional interests, they are inef­
tual distributors of welfare, service agencies, keepers of the peace. Since it is the paternal state that brings «sunshine from above» and not virtue and affection that supply to each accord­
ing to his needs, enforcement from the center with its perva­sive regulative arm represents a morally advanced stage of history.

5) Survival of the fittest is a dangerous and immoral con­dition. Hobbism takes this condition as a natural evil to be quelled, in the interest of peace, by political absolutism. Mar­xism takes this condition as capitalist domination to be stamped out, in the interest of justice, by political absolutism. Under the private property nexus of ownership, only the fittest, the owners of capital, survive and do well. The powerful, energetic and resourceful, or those who have inherited wealth, rule the state. Their superiorities in economic fortune become fixed to legal privileges that allow them to treat the poor and the weak unjustly. But if the state in representing the collective whole owns the capital and distributes its product, then no dominant elite exists and hence those who are fit cannot discriminate against wage labor.

6) Alienation and anomie describe man, who is funda­mentally alone. Competitive, he is estranged from fellowship, he is in separation from others and hungry for a compensating power. His factional forces work for him but only in working against others. He joins with others to safeguard his survival or well being, but this brings him no real fraternity. Only the state as indivisible sovereign replacing society, fosters peace, equal­ity, fraternity that satisfy the ideal of unalienated humanity.

These six measures of the Hobbist-Marxist view of man and society illustrate misunderstood individualism. All reflect acute ambiguities in the idea of the separation of the person from society. Each of these measures, with allowance for their em­phases, describes both Hobbism and Marxism. Each demonstra­tes how fundamentally alike they are in their perception of
mankind, of society as a war of each against all and its political remedy: the complete sovereignty of the state conceived as a moral agent transcendent over human beings in natural society.

III. WHAT IT MEANS TO SAY INDIVIDUAL AND SOCIETY ARE SEPARATE

Careful observation and historical study unbiased by ideology discover falseness in the Hobbist-Marxist view of the individual. Individualism connects not with anti-social alienation or vengeful self-seeking but with rights justified by a conception of the moral worth of each person. The person is a natural unit of sentence and suffering; he is the smallest independent unit of consciousness and moral reasoning we can distinguish. This is why unleashed, ulterior force used against persons completes the reason for fixing rights to individuals. Individualism therefore has nothing to do with an alleged malevolent nature of man or of brutal superiority within a capitalist order. These notions are indifferent to each other. Indeed we shall see that socialized, affiliating human nature is presupposed by the individualism of the free society. In my concluding remarks I analyze what this means and show how the limited state both requires and fosters the social nature of man. But let us see first what it means to say that individuals are separate from society.

Even if persons are innately social, person and society are independent ideas distinguishable in concept and context for certain purposes. Rights are these purposes. Rights assume the crucial importance of thinking of persons separately from any particular societal arrangement. Persons have a nonprohibitable claim to be untrammeled by norms which their conscience cannot accept. They have a claim to be free from obligations or roles their spirit cannot endorse; they have a right to exercise autonomy of will in their choices of association or separation. They have a right to engage in voluntary trade, barter, contract or an exchange with other parties. They have a right to criticize
their social and political and legal environment and its practices and institutions.

These opportunity-making and self-realizing claims—subject always to equality in these rights, to obligations not to invade them, and to the non-injurious nature of their exercise—presuppose that the individual on the one hand is autonomous with respect to any given social interaction, community or norm. Yet on the other hand, he may be fully immersed in communal influences and in many-leveled social orders. Indeed, because persons are socialized in just these ways, they retain rights against the state’s intrusion upon these vital associational and self-realizing domains.

Clearly what are needed in this dangerous debate are refinements in the individual-society distinction. These refinements include clarification of the varied contexts and concepts in which self-society independence serves the purpose of moral explanation. These contexts and concepts allow us to understand how it is possible for rights to function for individuals so as to make their social nature possible of enhancement in so many and various ways.

Let us therefore correct and refine the malignant and mischievous interpretation of individualism that has crept into our literature and law, holding back and denigrating social development. I should like to show what each of the six criteria we examined actually means when individualism is placed in the context of human development. When these meanings are clear, a paradoxic twist will emerge. Marxism’s alleged evils of capitalism drawn from the Hobbist characterization of man will be seen even more pointedly to characterize the very heart of Marxism itself. Statist Marxism demands that the Hobbist features of human nature be retained. If they are not retained, statist Marxism loses its reason for being. Statist Marxism retains invidious individualism because the concept is needed in order to rationalize the continued existence of absolute sovereignty.

1) The meaning of competition is narrowly stipulated within economic theory. Therein it has nothing to do with—nor does it cause—morally repugnant motives; nor does it reinforce antagonism in human nature. Indeed competition describes a propitious social condition brought into existence by liberty in
economic relations. Competition is a consequence of prohibiting legal or administrative barriers against any party’s entry into the practice of voluntary exchange. Competition means that buying, selling, contracting are open equally to everyone without political discrimination, advesive or favored. Economists know that competition, or freedom of entry, drives purchasing power higher. This is the meaning of wealth, or prosperity, a common good consequence of economic rights. Without this social good, few persons can be satisfied according to their need.

It is true that «competitive» can also describe a personality and not only a beneficial social condition. But as a personal attribute, competitiveness must turn up in a wide variety of situations, and for this reason it can have no reference to a capitalist order. Too, whenever we notice a competitive personality, this suggests that relative to what we expect of human nature, competitiveness is exceptional.

But politics is the most «zero-sum game» that exists. There cannot be a winner without a loser. This means invidious competition. Pervasive, lingering competitiveness characterizes the ambiance of political campaign and office. Unlike the variety, surpluses and substitutes produced by liberties of economic exchange, political positions are a scarce, and an unreplaceable commodity. Since political position must be gained or won by popular appeal or favoritism and not on merit, scarcity in this desired commodity tends to arouse a competitive urge. The fact that power is wielded in office arouses a competitive threat, for the power of one party is positioned to dispense with the power of another. Competitiveness reflects the anxious and threatening necessity to continue in office, to increase one’s powers and benefits, to gain control over a segment of society. Competition reigns where two or more want the same thing and substitutes do not exist, as, for example, the scarcity of important offices in the ruling Party faction of a Marxist state. The unequal advantages delivered to the holder of political, or coercive, power demonstrate that it is the statist mentality that is competitive, nasty, brutish and short.

2) Property means proprietary, proper or right. Property in one’s person or goods is thus whatever is rightful to protect. A
right is an individual’s property, and likewise one’s own person is his property. The idea of property as that which cannot be alienated thus helps to secure that we view persons and what are theirs as of inherent moral value.

In implying an individual right, property furnishes a foundational idea on which to build moral and legal justice. In the 8th century BCE, the peasant-poet Hesiod brought to court an appeal against his brother’s illegal appropriation of Hesiod’s rightful inheritance of land. The ancient case illustrates the logical relationship already in place between «justice» meaning «what is rightfully one’s own» (or «what is one’s due») and property. This universal, common moral and legal idea of justice is indifferent to particular economic systems like capitalism or to personal motives like acquisitive greed. On the contrary, it was the acquisitive greed of Hesiod’s brother that was corrected by the idea of rightful property belonging to Hesiod.

Rules of obligation are immanent in the affectional life of man, and they are associated with various claims we have upon one another. These moral and legal obligations are properties of social life because, everyone —society— is obligated to respect an individual’s right.

«Private property» has nothing to do with a greedy human nature or with a certain type of social economy. Private property is a basic human right because it secures persons in the power to do the harmless things they choose to do. Private property is, for example, one of the most decisive powers persons can use in realizing their charitable and communitarian desires without drawing away from the parallel powers of others to do the same. (This is only, of course, when property is generated by free exchange.) These powers in using productive property lessen alienation, fears, destitution; and hence it is morally urgent that the powers which property bestows be kept circulating so that more rather than fewer persons can make use of it, tailoring it to accommodate effectively the circumstances which persons create and confront. By withholding from the state a monopoly on its use, free economic functioning more than anything else fans out private property over a wide social domain.
Before modern capitalism, the largest owners of property were political rulers and their favorites and pawns. This still is true whenever government controls people through controlling the property that is the product of their energies. Their energies belong to their persons, the source of all wealth. Because rulers and sovereigns well understand the manipulating potential that comes from the possession of property when they are accorded the authority and enforcement prerogatives to use it, they compete for the power to coerce property from others—to tax, to inflate the currency, to subsidize their constituency's wants, to make transfer payments, to distribute income, to confiscate—using property and the power to control it to enhance their self interest while seeming to enhance the public interest. What is new about this? Very little. Plato identified the despot in *The Republic.* «They always do take a share...as much as their leaders can give them, as they take it from the prosperous and distribute it to the people, though they keep the greater share of it to themselves.» Self-interested power as the definition of justice is as old as the Sophists.

If justice rightly implies to each his due, then power to direct one's own life that rights of property guarantee belongs to the members of society and not to the factional monopoly called the state.

3) Pernicious *factions and classes*, like a disease hard to eradicate from the bonemarrow of society, demonstrate that collusion and discrimination have been locked into law and administrative fiat. Factions feed on having their demands met. This can only be done by taking the blinders off justice and its indifference to persons and interests. As the excitant of factions, the state can hardly be thought of as their dissolvant and arbitor. A faction is a collective with an identifiable self-interest that can only be satisfied at the expense of others. Its goal is therefore to determine, and sometimes to seize, the direction in which governmental resources, forces and favors shall be used. If the state has previously discriminated in violation of general principles of just law, those who are disadvantaged by this abuse of right will naturally desire to form counter-factions to redress the perceived injustice; hence it is inevitable that factions multiply under the discriminatory state.
In the Marxist state as we know it today, factions, except for the ruling elite, the Party, are suppressed. Only by keeping «faction» distinct from «social group» can we make sense of the fact that social groups are the innocent production of natural society, factions the product of the state. Under Marxism the distinction dissolves: Construing society as nests of mutually exploitive factions (economic classes), Marxism, we saw, calls for the forcible overthrow of all existing social conditions. It subordinates society to the state.

Contrariwise, fluid patterns in economic functioning when left unmanipulated by the state, free the economic positions of its participants. If fair and equal general law prohibits tampering with economic liberty, economic blocs, factions, classes cannot be maintained. Victims of the dehumanization of classes cannot, therefore, exist. As between owners of capital and laborers for wage, class-struggle cannot, therefore, occur. Unfortunately, to take the United States as an example, wage labor supported by discriminatory law has become the most selfish sectional interest in opposition to the common good⁴.

4) What is the moral character of mankind? Do we know? The question is problematic. It is not clear that this is fully an empirical question or what supplies an acceptable answer. «Human nature» is usefully defined in contexts for certain purposes; all that seems necessary is their mutual consistency.

What is not in dispute is man’s social appetite. Recently there has appeared an important study on the biological basis of altruism⁵. Even homo economicus seeking gain (not necessarily for himself) by the most efficient and resourceful means, presumes an environment in which promise-keeping, integrity, reliance and trust among people are sustaining motives. Obligation and responsibility are the moral heart of all aspects of freedom. The idea of the separation of society and person never included denial of this social constant; it never implied that

---

⁴ EUGEN VON BÖHM-BAWERK. The Exploitation Theory. Libertarian Press, South Holland, IL. (U.S.A.). Böhm-Bawerk’s brilliant analysis of labor-management, or employee-employer, relations explains how it is that labor exploits capital, turning the Marxian explanation on its head.

man's rational calculation of benefit and the most economical means to obtain it obstructs his inclination to care about others, to join community, to render aid.

Man's virtue is reflected in his obligation to respect a right. It is therefore reflected in the separation of the idea of a person from the idea of society; persons may not be subordinated to a tribal whole. They may not be seen only and in all aspects as satisfiers of societal roles, as fillers of office or as members of families, clubs, localities, economies or nations. It is legitimate and morally essential not to confine their identity and moral dignity to cultural parameters, regional influences or accepted norms of relating. Persons reach out to the stranger. They can be morally original, iconoclastic, prophetic of transcendent insights. Man’s moral nature must at times be existential but his spiritual obligations may be thought of as a-social, bonded as they are to asceticism, privatism, renunciation. He must often lose society in order to find his spirit, a deliberate, restorative act of temporarily «putting aside».

The moral integrity that individualism presupposes did not begin with John Locke and the limited state. In Western culture it began with the religion of the Hebrews 3500 years ago, and later with the philosophy, politics and history of the ancient Greeks. On the other side and evidencing the need for moral and positive law are relationships so grievous and tormenting that everyone finds them intolerable. Theft, personal assault, murder, treachery are such relationships. These are, be it remembered, crimes of the state that is not bound down by the chains of the law.

5) The Marxist rebellion took survival of the fittest to mean an unjust condition fostered by the economic inequalities of capitalism. Capitalists are the fittest, who survive. The weak and the unfit (the laboring, exploited poor) go under.

On the contrary, «survival of the fittest» becomes a principle of justice. The term has nothing to do with a postulated ruling class with dominating economic power. Rather, it expresses and approves a second fundamental concept of justice equally ancient and significant as Hesiod's «to each his own» and intimately related to it. This concept of justice denotes that it is the agent or author of an action that, all else being equal,
is to enjoy, or suffer, the consequences of his action. Here is
the original statement of individual accountability, in its native
context: «Each individual shall reap the benefits brought to him
by his own powers, inherited and acquired»\(^6\). Penalties are to
be inflicted, or rewards bestowed, only in consistency with
merit or deservingness (justice as desert). Only the doer of an
act takes the blame if it is wrong (unfitting) and deserves the
reward or gain if it is right (fitting). Justice as desert or merit
is the core idea of moral and legal responsibility.

This principle of adaptation, requiring causes to stay toget­
her with their natural effects, as in nature, results in a societal
working out of things; society as a whole —the general
interest— benefits from the extinction of those plans, designs
and operations, both individual and organizational, that do not
work effectively, that are «unfit». Maladaptive (wrong) actions
get weeded out; adaptive actions (cost-efficient, well-working,
accepted, norm-conforming, socially utilitarian, etc.) survive.

The moral and legal principle of meritarian justice, as this
idea of natural differences and mutual adjustment has come to
be called, closely follows fact: Persons and other parties do
tend to experience the consequences of their actions, and these
actions will be unequal as among them. Meritarian justice thus
seems to mirror a natural ethical law more than any other ulti­
mate principle of conduct if it is not pressed to the letter. Let­
ting merit rise to its own level matches our intuitive sense of
what is right to occur in the interest of individual justice. Once
again, the general welfare is the beneficiary of liberty of
merit.

Justice as desert —getting what is one's due— is one of the
giant steps of civilization. Unless the person in some sense is
individuated and his social units are correspondingly liberated
from accountability in determining his actions, justice is not
possible. It is not «society's fault» that an individual acts cri­
minally and that his crime is socially unfit. This deeply indivi­
duated idea of justice as merit or desert —Marx called it a

\(^6\) HERBERT SPENCER, «The Data of Ethics», in Luis Navia and Eugene
York, 1980.
«defect in unequal labors»— enables us to escape from the ini­quity and tyranny of collective responsibility whereby a group or community is blamed, punished or made to suffer for the actions of one or few. Such tribal retribution describes the war of each against all. The idea of individual accountability also is not new. It is ancient. Socrates' defense of the ten generals after the battle of Arginusae illustrates the moral essential that the conduct of each of us must be understood on its merits and that our enterprising efforts should be allowed to own whatever rewards others may see fit to render them.

This natural law of deservingness which means that enter­prise, effort, discipline and talent shall not be robbed of their yield, is silent on the treatment of those who have little they can offer. It is not implied that the less capable shall be neglec­ted, that they ought not survive or cannot enjoy the advantages of culture and legal justice. Nothing whatsoever is implied, by society's respect for meritarian justice, regarding the treatment or condition of persons who cannot cope with the risks of life, participate in the development of their capacities, or contribute very much to the lives of others. On the contrary: The resour­cefulness and responsibility of those who thrive have generated such economic and cultural wealth, when they enjoyed the right to do so, that the «unfit» have risen, today, to their highest level in history. When the «fittest» survive, they can help the less fit. In this propitious truth lies another example of benefits in the social interest arising out of rights and powers fixed to the individual and instrumented through his choices. That an individual's powers belong to himself does not mean that he uses them only for himself or to do others in. This, we saw, is a sustaining error in the Hobbist-Marxist interpretation of indi­vidualism. The victims of realist Marxism as it violates the nume­rous faces of meritarian differentiation suffer poverty, collective injustice and oppression.

6) Alienation and anomie describe a mood disorder which individuals suffer differentially. There is no evidence that isolation from one's fellows correlates positively with the exube­rance and independent spirit generated in a capitalist society. It is hard to see how freedom from oppression, from torture, from constraints on civil and economic liberty thrusts persons into the lonely anguish of alienation and despair, fragments their
emotions or dries up their affiliative concern. On the contrary: we saw that social concern is presupposed by the principles of individual rights and of the state governed by law. If these principles define and help to sustain a peaceable and productive order, then networks of positive and facilitating interactions must remain firmly in place. Law cannot govern the ungovernable temper.

But we have made a significant discovery. As a widespread social pathology, alienation is inversely related to participative decision-making, to community self-rule and belongingness. Since the neighborhood, the family, the community, the school, the club are contact points for heightened sociability and personal caring, it has been the centralizing of political, social and economic power that promotes anomie. A state that holds itself sovereign over religion, education, art, travel, association, and recreation, as well as employment and production, must lead persons not to care about anything at all. A program that calls for «the forcible overthrow of all existing social conditions» must lead persons to be alienated from the society that has been captured by the state. When the state is rotten and degenerates, Plato warned us, the individual degenerates as well.

(When) the mass of the poor people come to believe that the wealthy classes in society are oppressing them... the poor put forward one man to champion their cause. When their leader comes to power, he begins to oppress the rich... So does despotism represent the final and absolute decline of the... state?.

The dissolution in our times of effective governing representation, of free congregation and the closeness and sense of fulfilment this engenders, is, I believe, directly attributable to a trend toward the centering forces of the nation-state and the concomitant destruction of the decentralizing idea. The most threatening and painful alienation as a general social malignancy results from depersonalized abstraction in the modern Marxist state.

The six criteria we examined have gone round in a vicious circle. Marxism assumes that individualism means what Hobbes

took it to mean. Marxism denounces individualism. The state is the agent of this denunciation. Since rights belong to individuals, they are stamped out. With them goes the right to associate freely and the elimination of the state-independent idea of society. The result is deterioration in the social, communitarian life of man. This is alienation. Alienation is the product of the Marxist state in destroying the internally willed solidarity of natural groups and spontaneous relations.

IV. CONCLUSION: INDIVIDUALISM PRESUPPOSES THE SOCIALIZED PERSON

The sociality of human nature is multivocal. This means that it is universal, everywhere present and in countless forms. But it is not without limits. We do not have to imagine an ideal society in which property is res nullius in order to discover fraternity and brotherly love. Individual rights make sense only because individuals are born, nurtured, educated and continually dwell among others in a social setting. Without this social setting, no individual would profit from owning a right since a right is a claim against violation of man's many-leveled sociality. Socialization completes the differentiating biological and chemical processes of individual development. As we are socialized, so are we differentiated: so do we become distinct individuals.

Parenting, learning, educating are social experiences. All require modeling upon other persons.

We are social because no one is self-sufficient. No one wants to be self-sufficient. Our most dreaded punishment is isolation. In facing death, we yearn for the comforting presence of other persons.

Voluntarily, individuals enter into I-thou relationships, into informal groups and organizations whose benefits of association are too numerous and obvious to overlook. Persons enjoy affiliative and affectional emotions for their own sake. They love, and they grieve when loved ones die. They work together by choice, plan and goal-seek together, play together, and «misery
loves company*. They enjoy common and shared purposes; they cooperate and compromise. The customs, norms and anticipations that direct human reciprocities are totally products of personal interaction.

Thousands of associations have been founded, when secured in the right to do so, for the purpose of rendering aid, service, scholarship, praise to strangers. Powerful and effective voluntary actions of individuals and groups give the lie to a definition of man as a rational calculator of his own benefit; they confute an account of man awakened into exploitation and class struggle by capital.

The most prosperous nation in history has been the most altruistic nation in history. It has been, for most of its life, a capitalist nation.

Language is a social commodity: it is comprised of conventions of interaction and public agreement evolved over time through peoples in union. Truth, knowledge, morals, science, law, language formulates, communicates and corrects these social institutions. If the social order were not natural and self-maintaining, law could not help to regulate relationships, moral rules would be inapplicable, and the exchange of goods and services could not generate the patterned expectations that make planning and improvements possible. This exchange is, in fact, a paradigm of the separation of self from society because it requires contracting individual parties in trusting interactions and because it presumes personal valuation. Yet the wondrous product of this separation of self from others is the most complexly welded and coherent social system we have discovered. The social order that free trade produces is a foundation for civil peace, and its prosperity is a foundation for the general good.

In all these varied and innumerable forms of social influence and interaction, there is no such thing as individuals in opposition, alienated, competitive, exploitive, selfish, «the antagonism of oppressing and oppressed classes». Marxism’s misunderstanding of individualism necessitates a misunderstanding of society as well. No political center is immanent in society’s nature or is essential to its unity and cohesion. Society is networks of chosen association, of consent and con-
sensus, and of influence on many levels all at once, concentric circles of overlapping sociality, guarded and protected by law. Marxist ideology contradicts an understanding of this inherent sociality in human nature. It cannot even postulate the social constants we examined, since there can be no constants whatsoever in an historicist picture of human nature. We have already seen how Marxism destroys society itself.

In the shocking rhetoric of exploiting and exploited classes lies the deathblow to the development of mankind toward a more humane existence. Marxism describes the war of each against all that mirrors only itself, putting an end to the civilizing advances of man.