

# CHAPTER

## 10

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# A Framework for Utopia

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**N**O state more extensive than the minimal state can be justified. But doesn't the idea, or ideal, of the minimal state lack luster? Can it thrill the heart or inspire people to struggle or sacrifice? Would anyone man barricades under its banner? <sup>1</sup> It seems pale and feeble in comparison with, to pick the polar extreme, the hopes and dreams of utopian theorists. Whatever its virtues, it appears clear that the minimal state is no utopia. We would expect then that an investigation into utopian theory should more than serve to highlight the defects and shortcomings of the minimal state as the end of political philosophy. Such an investigation also promises to be intrinsically interesting. Let us then pursue the theory of utopia to where it leads.

### THE MODEL

The totality of conditions we would wish to impose on societies which are (preeminently) to qualify as utopias, taken jointly, are inconsistent. That it is impossible simultaneously and continually to realize all social and political goods is a regrettable fact about the human condition, worth investigating and bemoaning. Our

subject here, however, is the best of all possible worlds.\* For whom? The best of all possible worlds for me will not be that for you. The world, of all those I can imagine, which I would most prefer to live in, will not be precisely the one you would choose. Utopia, though, must be, in some restricted sense, the best for all of us; the best world imaginable, for each of us.† In what sense can this be?

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\* There is an ambiguity in the notion of the best possible world. Corresponding to the different decision criteria discussed by decision theorists are different principles of institutional design. The talk of designing institutions so that bad men at their head can do little harm, and of checks and balances, can be interpreted as prompted by a minimax principle, or, more accurately, by minimax considerations built into a less stringent principle. [See Kenneth Arrow and Leonid Hurwicz, "An Optimality Criterion for Decision-Making Under Ignorance," in *Uncertainty and Expectations in Economics*, ed. C. F. Carter and J. L. Ford (Clifton, N.J.: Augustus M. Kelley, 1972), pp. 1-11.] Everyone who has considered the matter agrees that the maximax principle, which chooses the action that has of its many possible consequences one which is better than any possible consequence of any other available action, is an insufficiently prudent principle which one would be silly to use in designing institutions. Any society whose institutions are infused by such wild optimism is headed for a fall or, at any rate, the high risk of one makes the society too dangerous to choose to live in.

But a society which does not have its institutions patterned by maximax principles will not be able to reach the heights reachable (if things go well for it) by a maximax society. Which society is the best possible? That in accordance with the "best" principles of institutional design (which build in certain safeguards against bad eventualities at a cost of making some good ones more difficult of quick attainment) or that one of the possible ones in which things turn out best: the maximax society in which the most favorable eventuality is realized? Perhaps no one's notion of utopia is precise enough to say which way this question is to be answered. Utopia to the side, the question that interests us here concerns the best principles of institutional design. (Perhaps, so as not to imply that it is possible or desirable to create major institutions *de novo*, we should speak of principles of institutional evaluation, rather than of design.)

† That my best world is not yours will seem to some to show the corruption and degeneracy of at least one of us. And not surprisingly, in their view, for we haven't been brought up in, and shaped by, utopia. So how could we be expected to be its perfect inhabitants? Hence the emphasis in utopian writings on the various processes of molding the young. *Those* people will find it utopia. By how much may they differ from us? Presumably, a short nice history should lead from people like us to people like them. Utopia is where our grandchildren are to live. And the double generation gap is to be small enough so that we all happily realize we are part of the same family. People are not to be transformed. The ape description of their utopia does not begin "First we evolve and then . . ." nor "First we start to like tomatoes and crawling on the ground, and then . . ."

Imagine a possible world in which to live; this world need not contain everyone else now alive, and it may contain beings who have never actually lived. Every rational \* creature in this world you have imagined will have the same rights of imagining a possible world for himself to live in (in which all other rational inhabitants have the same imagining rights, and so on) as you have. The other inhabitants of the world you have imagined may choose to stay in the world which has been created for them (they have been created for) or they may choose to leave it and inhabit a world of their own imagining. If they choose to leave your world and live in another, your world is without them. You may choose to abandon your imagined world, now without its emigrants. This process goes on; worlds are created, people leave them, create new worlds, and so on.

Will the process go on indefinitely? Are all such worlds ephemeral or are there some stable worlds in which all of the original population will choose to remain? If this process does result in some stable worlds, what interesting general conditions does each of them satisfy?

If there are stable worlds, each of them satisfies one very desirable description by virtue of the way the worlds have been set up; namely, *none* of the inhabitants of the world can *imagine* an alternative world they would rather live in, which (they believe) would continue to exist if all of its rational inhabitants had the same rights of imagining and emigrating. This description is so very attractive that it is of great interest to see what other features are common to all such stable worlds. So that we continually do not have to repeat long descriptions, let us call a world which all rational inhabitants may leave for any other world they can imagine (in which all the rational inhabitants may leave for any other world they can imagine in which . . .) an *association*; and let us call a world in which some rational inhabitants are not permitted to emigrate to some of the associations they can imagine, an *east-berlin*. Thus our original attractive description says that no member of a stable association can imagine another association, which (he

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\* I use "rational" or "rational creature" as short for beings having those properties in virtue of which a being has those full rights that human beings have; I do not mean here to say anything about what those properties are. Some brief introductory remarks on the issue are contained in Chapter 3.

believes) would be stable, that he would rather be a member of.

What are such stable associations like? Here I can offer only some intuitive and overly simple arguments. You will not be able to set up an association in which you are the absolute monarch, exploiting all the other rational inhabitants. For then they would be better off in an association without you, and, at the very least, they all would choose to inhabit that one containing all of them minus you, rather than remain in your creation. No stable association is such that everyone (but one) in it jointly would leave for their own association; for this would contradict the assumption that the original association was stable. This reasoning applies as well to two or three or  $n$  persons whom everyone else in an association would be better off without. Thus we have as a condition of stable associations: if  $A$  is a set of persons in a stable association then there is no proper subset  $S$  of  $A$  such that each member of  $S$  is better off in an association consisting only of members of  $S$ , than he is in  $A$ . For if there were such a subset  $S$ , its members would secede from  $A$ , establishing their own association.\*

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\* In a detailed exposition, we would have to consider whether there mightn't be such an  $S$  which would remain in  $A$  because the members of  $S$  couldn't agree upon a particular division of goods among themselves, or whether there mightn't be many such overlapping subsets  $S$  whose complicated interactions (which one should a person enter?) lead to everyone's staying in  $A$ .

The condition we state is related to the notion of the core of a game. An allocation is blocked by a coalition  $S$  of persons if there is another allocation among the members of  $S$  which makes each of them better off, and which the members of  $S$  can bring about independently of other persons (independently of the relative complement of  $S$ ). The *core* of a game consists of all those allocations which are not blocked by any coalition. In an economy, the core contains exactly those allocations to consumers such that no subset of consumers can improve each member's position by reallocating their own assets among themselves, independently of the other consumers in the economy. It is a trivial consequence that every allocation in the core is Pareto-optimal, and an interesting theorem that every equilibrium allocation of a competitive market is in the core. Furthermore, for every allocation in the core, there is a competitive market with an initial distribution of goods, which gives rise to it as an equilibrium allocation.

For these results, with slight variants in the conditions necessary to prove the theorems, see Gerard Debreu and Herbert Scarf, "A Limit Theorem on the Core of an Economy," *International Economic Review*, 4, no. 3 (1963); Robert Aumann, "Markets with a Continuum of Traders," *Econometrica*, 32 (1964); and (for a statement of sufficient conditions for a core to be nonempty) Herbert Scarf, "The Core of an N-Person Game," *Econometrica*, 35, (1967). These articles have

Suppose that you are spokesman for all of the rational beings (other than me) in the world I have imagined and created. Your decision between staying in my association  $A_1$  or starting another one  $A_1'$  containing all of you but not containing me, is the *same decision* as the one of whether to admit me as a new member into an association  $A_1'$  which you all already belong to (giving me the same role in the expanded  $A_1'$  as I have in  $A_1$ ). In each case the crucial fact which determines the decision is the same; viz. are you better off with me or without me. Thus, in order to determine which of the many worlds  $A_1, A_2, \dots$ , that I can imagine would have all of its rational members stay in association with me rather than form associations  $A_1', A_2', \dots$ , containing (all of) them but not me, we may consider all of the associations  $A_1', A_2', \dots$ , as already existing and ask which of them would admit me as a new member and on what terms?

No association will admit me if I take more from the association than I give to it: they will not choose to lose by admitting me. What I *take* from the association is not the same as what I *get* from it; what I take is how much they value what they give me under the arrangement, what I get is how much I value my membership. Supposing for the moment that the group is united and can be represented by one utility function (where  $U_Y(x)$  is the utility of  $x$  for  $Y$ ), an association  $A_i'$  will admit me only if

$$U_{A_i'}(\text{admitting me}) \geq U_{A_i'}(\text{excluding me}),$$

$$\text{i.e., } U_{A_i'}(\text{being in } A_i) \geq U_{A_i'}(\text{being in } A_i'),$$

i.e., (what those in  $A_i'$  gain from my membership)  $\geq$  (what they give up to me to get me into the association)

From no association will I be able to get something worth more to them than what I contribute is worth to them.

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given rise to an extensive literature. See Kenneth Arrow and Frank Hahn, *General Competitive Analysis* (San Francisco: Holden-Day, 1971.) Since the notion of core they study is obviously central to our possible-worlds situation, one would expect results close to theirs to carry over to our case as well. A compendium of other useful and suggestive material having relevance to the possible-worlds model is Gerard Debreu, *Theory of Value* (New York: Wiley, 1959). Unfortunately, our possible-worlds model is more complicated in some ways than the ones these references study, so that their results cannot be carried over directly and immediately.

Need I accept less than this from any association? If one association offers me less than they would gain from my presence, it will be to the advantage of another association that values my presence equally to offer me something more than the first (though less than they would gain) in order to get me to join their association rather than the first. Similarly for a third association with regard to the second, and so on. There can be no collusion among associations to keep my payment down, since I can imagine any number of other entrants into the market for my presence, and so associations will bid up their offers to me.

We seem to have a realization of the economists' model of a competitive market. This is most welcome, for it gives us immediate access to a powerful, elaborate, and sophisticated body of theory and analysis. Many associations competing for my membership are the same structurally as many firms competing to employ me. In each case I receive my marginal contribution. Thus, it seems, we have the result that in every stable association, each person receives his marginal contribution; in each world whose rational members can imagine worlds and emigrate to them and in which no rational member can imagine another world he would rather live in (in which each person has the same imagining and emigrating rights) which he thinks would endure, each person receives his marginal contribution to the world.

Our argument thus far has been intuitive; we shall offer no formal argument here. But we should say something more about the content of the model. The model is designed to let you choose what you will, with the sole constraint being that others may do the same for themselves and refuse to stay in the world you have imagined. But this alone does not create in the model the requisite sort of equality in the exercise of rights. For you have imagined and created some of those persons, whereas they have not imagined you. You may have imagined them with certain wants, and in particular you may have imagined them as most wanting to live in a world with the precise character you have created, even though in it they are abject slaves. In this case, they will not leave your world for a better one, for in their view there *cannot be* a better one. No other worlds could successfully compete for their membership, and so their payoff will not be bid up in a competitive market.

What natural and intuitive restrictions should be placed on what the beings are imagined to be like, in order to avoid this result? To avoid the messiness of a frontal assault that describes the constraints on what the people imagined are like, we impose the following constraint: The world cannot be imagined so that it logically follows that (1) its inhabitants (or one of them) most (or  $n$ th most) want to live in it or (2) its inhabitants (or one of them) most (or  $n$ th most) want to live in a world with a certain (kind of) person, and will do whatever he says, and so on. For each *way* in which trouble can be caused, once we (or someone else) thinks of it we can explicitly exclude it by a proviso of the constraint. And this procedure will do, for our purposes, so long as there is a finite number of ways that the construction can be overturned. Imposing this constraint does not trivialize our construction. For the argument to the result about payment according to marginal contribution is the interesting theoretical step (provided by economic theory and game theory); focused wants directed to particular people or a particular possible world would constitute a roadblock in getting from our initial starting place to the result; there is independent intuitive reason to eliminate those focused wants, apart from the fact that it prevents the derivation of the result; and the details of the limitations on the initial situation to avoid these wants are not themselves likely to be of independent interest. It is best, then, merely to exclude these wants.

The epistemology of the situation needn't disturb us. No one can circumvent the constraint by depending on the fact that "follows from" is not an effective notion. For as soon as it is known that (1) or (2) (or an added proviso) *does* follow, the imagined world is excluded. More serious is the problem that something may follow causally, even though it does not logically follow. This would make it unnecessary to say explicitly that one of these imagined persons most wants  $X$ . Given a causal theory about the generation of wants, for example, some theory of operant conditioning, the person might imagine that someone has undergone just that past history which his empirical theory tells him causally produces the want for  $X$  as stronger than his other wants. Again, various *ad hoc* restrictions suggest themselves, but it seems best simply to add the additional constraint that the imaginer may not describe people and the world so that he knows it follows *causally*

that . . . (continuing as in the "logically follows" condition). It is only what he knows follows that we wish to exclude. It would be too strong to require that no such thing actually follow from his imagined description. If he doesn't know about it, he can't exploit it.

Though the imaginer of the world cannot design other persons so as to specially favor his own position, he might imagine others accepting certain general principles. (These general principles might favor his situation.) For example, he might imagine that everyone in the world, including himself, accepts a principle of equal division of product, admitting anyone to the world with an equal share. If the population of a world unanimously accepts some (other) general principle  $P$  of distribution, then each person in that world will receive their  $P$  share instead of their marginal contribution. Unanimity is required, for any dissident accepting a different general distributive principle  $P'$  will move to a world containing only adherents of  $P'$ . In a marginal contribution world, of course, any individual may choose to give some of his share to another as a gift; unless (though it is difficult to see what would be the motivation for this) *their* general principle of distribution requires distribution according to marginal contribution and contains a proviso against gifts. Therefore, in each world everyone receives his marginal product, some of which he may transfer to others who thereby receive more than their marginal product, or everyone unanimously consents to some other principle of distribution. This seems an appropriate point to note that not all of the worlds will be desirable ones; the special principle  $P$  that all the inhabitants of some world are imagined to favor might be quite atrocious. Our imaginary construction has been devised to focus only upon *certain aspects* of the relations among persons.

Do the particular details of the construction allow not only an infinite number of communities demanding someone's presence, but also their imagining an infinite number of candidates for inclusion? This would be unfortunate, for in a market with infinite supply and infinite demand the price is theoretically indeterminate.<sup>2</sup> But our construction involves each person imagining a finite number of others to inhabit his world with him. If these leave, he may imagine yet finitely many others. The first people who left are now out of the picture. They do not compete with the

new arrivals, being busy with their own tasks of world constructing. Though there is no finite upper limit to the number a person may imagine in the process, in no world is there an actual infinity of people competing for shares. And imagining a world in which, because of external circumstances, a person's marginal product is low makes it unlikely that he will choose to stay put.

Are there any stable worlds at all? In place of an association in which someone receives his quite low contribution, he will imagine an alternative association in which his contribution is higher than that in the first and will leave the first (rendering it unstable). By this reasoning, won't he imagine and choose to inhabit that association in which his contribution (and hence payment) is greatest? Won't everyone populate his association with maximally appreciative association mates? Is there some group of beings (larger than unit sets) who will be mutually maximally appreciative; that is, some group  $G$  such that for *each* member  $x$  of  $G$ ,  $G - [x]$  values  $x$ 's presence more than any other possible group of people would value  $x$ 's presence? Even if there *is* some such group  $G$ , is there one (or another) for everybody; for each person is there some mutually maximally appreciative group of which *he* is a member?

Fortunately, the competition isn't so keen. We needn't consider groups  $G$  such that for each member  $x$  of  $G$ ,  $G - [x]$  values  $x$ 's presence more than *any other possible* group would value  $x$ 's presence. We need only consider groups  $G$  such that for each member  $x$  of  $G$ ,  $G - [x]$  values  $x$ 's presence more than any other possible *stable* group of people would value  $x$ 's presence. A stable group  $G$  is a mutually maximally appreciate group where for each member  $x$ ,  $G - [x]$  values  $x$ 's presence more than any other possible *stable* group. Clearly this circular explanation of "stability" won't do; and to say "a group that will last, from which no one will emigrate" isn't closely enough tied to theory-laden notions to give interesting results, for example, that there are stable groups. Similar problems about stable coalitions have been faced by game theorists with only partial success, and our problem is more difficult theoretically. (Indeed, we have not yet imposed conditions sufficient to guarantee the existence of a stable finite group, for it is compatible with all we've said that, on some scale of measurement, above some  $n$ , the utility income of a community with  $n$  members =  $n^2$ .)

If the community divides utility equally, they will expand indefinitely, with people leaving each community for a larger one.)

Prospects for stable associations are improved when we realize that the supposition that each person receives only what others give up to him is too strong. A world may give a person something worth more to him than the worth to the others of what they give up to him. A major benefit to a person may come, for example, from coexisting in the world with the others and being a part of the normal social network. Giving him the benefit may involve, essentially, no sacrifice by the others. Thus in one world a person may get something worth *more* to him than his payoff from the stable association which most values his presence. Though they give up less, he gets more. Since a person wishes to maximize what he gets (rather than what he is given), no person will imagine a maximally appreciative world of inferior beings to whose existence he is crucial. No one will choose to be a queen bee.

Nor will a stable association consist of narcissistic persons competing for primacy along the same dimensions. Rather, it will contain a diversity of persons, with a diversity of excellences and talents, each benefiting from living with the others, each being of great use or delight to the others, complementing them. And each person prefers being surrounded by a galaxy of persons of diverse excellence and talent equal to his own to the alternative of being the only shining light in a pool of relative mediocrity. All admire each other's individuality, basking in the full development in others of aspects and potentialities of themselves left relatively undeveloped.<sup>3</sup>

The model we sketch here seems well worth investigating in detail; it is intrinsically interesting, promises deep results, is a natural way to approach the subject of the best of all possible worlds, and constitutes an area for the application of the most developed theories dealing with the choice of rational agents (namely, decision theory, game theory, and economic analysis), tools which surely must be of importance for political philosophy and ethics. It applies these theories not merely by using their results in the area for which they were intended, but by discussing a situation, other than the one theorists considered, which is, in the logician's technical sense, a *model* of the theories.

## THE MODEL PROJECTED ONTO OUR WORLD

In *our* actual world, what corresponds to the model of possible worlds is a wide and diverse range of communities which people can enter if they are admitted, leave if they wish to, shape according to their wishes; a society in which utopian experimentation can be tried, different styles of life can be lived, and alternative visions of the good can be individually or jointly pursued. The details and some of the virtues of such an arrangement, which we shall call the *framework*, will emerge as we proceed. There are important differences between the model and the model's projection onto the actual world. The problems with the operation of the framework in the actual world stem from the divergencies between our earthbound actual life and the possible-worlds model we have been discussing, raising the question of whether even if the realization of the model itself would be ideal, the realization of its pale projection *is* the best we can do here.

1. Unlike the model, we cannot create all the people whose existence we desire. So that even if there were a possible maximally mutually valuing association containing you, its other members actually may not exist; and the other persons among whom you actually live will not constitute your best fan club. Also there may be a particular kind of community you wish to live in, yet not enough other actual people (can be persuaded to) wish to live in such a community so as to give it a viable population. In the model, for a diverse range of nonexploitative communities, there are always enough other persons who wish to live in one.
2. Unlike the model, in the actual world communities *impinge* upon one another, creating problems of foreign relations and self-defense and necessitating modes of adjudicating and resolving disputes between the communities. (In the model, one association impinges upon another only by drawing away some of its members.)
3. In the actual world, there are information costs in finding out what other communities there are, and what they are like, and moving and travel costs in going from one community to another.
4. Furthermore, in the actual world, some communities may try to keep some of their members ignorant of the nature of other alternative communities they might join, to try to prevent them from freely leaving their own community to join another. This raises

the problem of how freedom of movement is to be institutionalized and enforced when there are some who will wish to restrict it.

Given the formidable differences between the actual world and the model of possible worlds, of what relevance is that fantasy to it? One should not be too quick, here or elsewhere, with such fantasies. For they reveal much about our condition. One cannot know how satisfied we shall be with what we achieve among our feasible alternatives without knowing how far they diverge from our fantasied wishes: and it is only by bringing such wishes, and their force, into the picture that we shall understand people's efforts toward expanding the range of their currently feasible alternatives. The details into which some utopian writers plunge indicate a blurring of their line between fantasy and the feasible, not to mention the actually predicted; for example, Fourier's view that the seas would turn to lemonade, friendly antilions and antitigers would evolve, and so on. Even the wildest hopes and predictions (such as Trotsky's in closing *Literature and Revolution*) express pangs and a longing whose omission from a portrait of us leaves it merely three dimensional. I do not laugh at the content of our wishes that go not only beyond the actual and what we take to be feasible in the future, but even beyond the possible; nor do I wish to denigrate fantasy, or minimize the pangs of being limited to the possible.

The realization of the possible-worlds situation would involve the satisfaction of various conditions; we cannot actually satisfy *all* of these conditions, but we can satisfy many of them. Even if satisfying all of them would be the best situation, it is not obvious (given that we cannot satisfy all) that we should try to satisfy each of the ones it is possible to satisfy, even if it is jointly possible to satisfy these latter. Perhaps near misses of the totality of conditions are worse than great divergencies; perhaps we should intentionally violate some of the conditions which it is possible to satisfy in order to compensate for or adjust for the (necessary) violation of some of the other considerations.<sup>4</sup>

Our consideration of alternative arguments for the framework, and discussion of objections to it, will make a case for (but not establish) the proposition that it would be better to realize the framework than to realize alternatives even more divergent from

the possible-worlds model than it. We should note here that *some* of the ways the framework diverges from the possible-worlds model, though making the framework less desirable than the possible-worlds model, leave it more desirable than any other actually realizable situation. For example, in the actual operation of the framework there will be only a limited number of communities, so that for many people, no one community will *exactly* match their values and the weighting they give them. Under the framework, each individual chooses to live in the actual community which (putting it roughly) comes closest to realizing what is most important to him. But the problem about no community exactly fitting someone's values arises only because people disagree about their values and their weighting. (If there were no disagreement, there would be enough other people to populate the exactly desired community.) So there will be *no* way to satisfy all of the values of more than one person, if only *one* set of values can be satisfied. Other persons will have their values more or less closely satisfied. But if there is a diverse range of communities, then (putting it roughly) more persons will be able to come closer to how they wish to live, than if there is only one kind of community.

#### THE FRAMEWORK

It would be disconcerting if there were only one argument or connected set of reasons for the adequacy of a particular description of utopia. Utopia is the focus of so many different strands of aspiration that there must be many theoretical paths leading to it. Let us sketch some of these alternate, mutually supporting, theoretical routes.\*

The first route begins with the fact that people are different. They differ in temperament, interests, intellectual ability, aspirations, natural bent, spiritual quests, and the kind of life they wish to lead. They diverge in the values they have and have different

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\* In order to keep the line of argument here independent of the first two parts of this book, I do not discuss here the moral arguments for individual liberty.

weightings for the values they share. (They wish to live in different climates—some in mountains, plains, deserts, seashores, cities, towns.) There is no reason to think that there is *one* community which will serve as ideal for all people and much reason to think that there is not.

We may distinguish among the following theses:

- I. For each person there is a kind of life that objectively is the best for him.
  - a. People are similar enough, so that there is one kind of life which objectively is the best for each of them.
  - b. People are different, so that there is *not* one kind of life which objectively is the best for everyone, and,
    1. The different kinds of life are similar enough so that there *is* one kind of community (meeting certain constraints) which objectively is the best for everyone.
    2. The different kinds of life are so different that there is *not* one kind of community (meeting certain constraints) which objectively is the best for everyone (no matter which of these different lives is best for them).
- II. For each person, so far as objective criteria of goodness can tell (insofar as these exist), there is a wide range of very different kinds of life that tie as best; no other is objectively better for him than any one in this range, and no one within the range is objectively better than any other.<sup>5</sup> And there is not one community which objectively is the best for the living of each selection set from the family of sets of not objectively inferior lives.

For our purposes at this point either of Ib2 or II will serve.

Wittgenstein, Elizabeth Taylor, Bertrand Russell, Thomas Merton, Yogi Berra, Allen Ginsburg, Harry Wolfson, Thoreau, Casey Stengel, The Lubavitcher Rebbe, Picasso, Moses, Einstein, Hugh Hefner, Socrates, Henry Ford, Lenny Bruce, Baba Ram Dass, Gandhi, Sir Edmund Hillary, Raymond Lubitz, Buddha, Frank Sinatra, Columbus, Freud, Norman Mailer, Ayn Rand, Baron Rothschild, Ted Williams, Thomas Edison, H. L. Mencken, Thomas Jefferson, Ralph Ellison, Bobby Fischer, Emma Goldman, Peter Kropotkin, you, and your parents. Is there really *one* kind of life which is best for each of these people? Imagine all of them living in any utopia you've ever seen described in detail. Try to describe the society which would be best for all of these persons to live in. Would it be agricultural or urban? Of great material luxury or of austerity with basic needs satisfied? What would

relations between the sexes be like? Would there be any institution similar to marriage? Would it be monogamous? Would children be raised by their parents? Would there be private property? Would there be a serene secure life or one with adventures, challenges, dangers, and opportunities for heroism? Would there be one, many, any religion? How important would it be in people's lives? Would people view their life as importantly centered about private concerns or about public action and issues of public policy? Would they be single-mindedly devoted to particular kinds of accomplishments and work or jacks-of-all-trades and pleasures or would they concentrate on full and satisfying leisure activities? Would children be raised permissively, strictly? What would their education concentrate upon? Will sports be important in people's lives (as spectators, participants)? Will art? Will sensual pleasures or intellectual activities predominate? Or what? Will there be fashions in clothing? Will great pains be taken to beautify appearance? What will the attitude toward death be? Would technology and gadgets play an important role in the society? And so on.

The idea that there is one best composite answer to all of these questions, one best society for *everyone* to live in, seems to me to be an incredible one. (And the idea that, if there is one, we now know enough to describe it is even more incredible.) No one should attempt to describe a utopia unless he's recently reread, for example, the works of Shakespeare, Tolstoy, Jane Austen, Rabelais and Dostoevski to remind himself of how different people are. (It will also serve to remind him of how complex they are; see the third route below.)

Utopian authors, each very confident of the virtues of his own vision and of its singular correctness, have differed among themselves (no less than the people listed above differ) in the institutions and kinds of life they present for emulation. Though the picture of an ideal society that each presents is much too simple (even for the component communities to be discussed below), we should take the fact of the differences seriously. No utopian author has everyone in his society leading exactly the same life, allocating exactly the same amount of time to exactly the same activities. *Why not?* Don't the reasons also count against just one kind of community?

The conclusion to draw is that there will not be *one* kind of

community existing and one kind of life led in utopia. Utopia will consist of utopias, of many different and divergent communities in which people lead different kinds of lives under different institutions. Some kinds of communities will be more attractive to most than others; communities will wax and wane. People will leave some for others or spend their whole lives in one. Utopia is a framework for utopias, a place where people are at liberty to join together voluntarily to pursue and attempt to realize their own vision of the good life in the ideal community but where no one can *impose* his own utopian vision upon others.<sup>6</sup> The utopian society is the society of utopianism. (Some of course may be content where they are. Not *everyone* will be joining special experimental communities, and many who abstain at first will join the communities later, after it is clear how they actually are working out.) Half of the truth I wish to put forth is that utopia is meta-utopia: the environment in which utopian experiments may be tried out; the environment in which people are free to do their own thing; the environment which must, to a great extent, be realized first if more particular utopian visions are to be realized stably.

If, as we noted at the beginning of this chapter, not all goods can be realized simultaneously, then trade-offs will have to be made. The second theoretical route notes that there is little reason to believe that one unique system of trade-offs will command universal assent. Different communities, each with a slightly different mix, will provide a range from which each individual can choose that community which best approximates *his* balance among competing values. (Its opponents will call this the smorgasbord conception of utopia, preferring restaurants with only one dinner available, or, rather, preferring a one-restaurant town with one item on the menu.)

#### DESIGN DEVICES AND FILTER DEVICES

The third theoretical route to the framework for utopia is based on the fact that people are complex. As are the webs of possible relationships among them. Suppose (falsely) that the earlier arguments are mistaken and that *one* kind of society *is* best for all. How are

we to find out what this society is like? Two methods suggest themselves, which we shall call design devices and filter devices.

Design devices construct something (or its description) by some procedure which does not essentially involve constructing descriptions of others of its type. The result of the process is one object. In the case of societies, the result of the design process is a description of one society, obtained by people (or a person) sitting down and thinking about what the best society is. After deciding, they set about to pattern everything on this one model.

Given the enormous complexity of man, his many desires, aspirations, impulses, talents, mistakes, loves, sillinesses, given the *thickness* of his intertwined and interrelated levels, facets, relationships (compare the thinness of the social scientists' description of man to that of the novelists), and given the complexity of interpersonal institutions and relationships, and the complexity of coordination of the actions of many people, it is enormously unlikely that, even if there were one ideal pattern for society, it could be arrived at in this *a priori* (relative to current knowledge) fashion. And even supposing that some great genius *did* come along with the blueprint, who could have confidence that it would work out well? \*

Sitting down at this late stage in history to dream up a description of the perfect society is not of course the same as starting from scratch. We have available to us partial knowledge of the results of application of devices other than design devices, including partial application of the filter device to be described below. It is helpful to imagine cavemen sitting together to think up what, for all time, will be the best possible society and then setting out to in-

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\* No person or group I (or you) know of could come up with an adequate "blueprint" (much less be trusted to do so) for a society of beings as complex personally and interpersonally as they themselves are. ["In fact, no utopia has ever been described in which any sane man would on any conditions consent to live, if he could possibly escape." Alexander Gray, *The Socialist Tradition* (New York: Harper & Row, 1968), p. 63] In view of this, it is strategically shrewd of groups who wish totally to remake all of society according to one pattern to eschew stating that pattern in detail and to keep us in the dark about how things will work after their change. ("No blueprints.") The behavior of the followers is less easy to understand, but perhaps the more vague the picture, the more each person can assume that it is really *exactly* what he wants that is planned and will be brought about.

stitute it. Do none of the reasons that make you smile at this apply to us?

Filter devices involve a process which eliminates (filters out) many from a large set of alternatives. The two key determinants of the end result(s) are the particular nature of the filtering out process (and what qualities it selects against) and the particular nature of the set of alternatives it operates upon (and how this set is generated). Filtering processes are especially appropriate for designers having limited knowledge who do not know precisely the nature of a desired end product. For it enables them to utilize their knowledge of specific conditions they don't want violated in judiciously building a filter to reject the violators. It might turn out to be impossible to design an appropriate filter, and one might try another filter process for this task of design. But generally, it seems, less knowledge (including knowledge of what is desirable) will be required to produce an appropriate filter, even one that converges uniquely upon a particular kind of product, than would be necessary to construct only the product(s) from scratch.

Furthermore, if the filtering process is of the type that involves a variable method of generating new candidates, so that their quality improves as the quality of the members remaining after previous filtering operations improves, and it also involves a variable filter that becomes more selective as the quality of the candidates sent into it improves (that is, it rejects some candidates which previously had passed successfully through the filter), then one legitimately may expect that the merits of what will remain after long and continued operation of the process will be very high indeed. We should not be *too* haughty about the results of filter processes, being one ourselves. From the vantage point of the considerations leading us to recommend a filter process in the constructing of societies, evolution is a process for creating living beings appropriately chosen by a modest deity, who does not know precisely what the being he wishes to create is like.\*

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\* Compare: "Nor is this world inhabited by man the first of things earthly created by God. He made several worlds before ours, but He destroyed them all because He was pleased with none until He created ours." Louis Ginsburg, *Legends of the Bible* (New York: Simon & Schuster, 1961), p. 2.

The whole subject of filtering devices, deterministic and stochastic, and how they should differ for different kinds of tasks, is tremendously interesting. There

A filtering process for specifying a society which might come to mind is one in which the people planning out the ideal society consider many different kinds of societies and criticize some, eliminate some, modify the descriptions of others, until they come to the one they consider best. This no doubt is how any design team would work, and so it should not be assumed that design devices exclude filtering features. (Nor need filter devices exclude design aspects, especially in the generating process.) But one cannot determine in advance which people will come up with the best ideas, and all ideas must be tried out (and not merely simulated on

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is not, to my knowledge, any detailed theory of optimal filters (relative to their tasks) and their features. One would expect that the work on mathematical models of evolution (and evolutionary theory itself) would be useful and suggestive in beginning to construct such a general theory. See R. C. Lewontin, "Evolution and Theory of Games," *Journal of Theoretical Biology*, 1960, Howard Levene, "Genetic Diversity and Diversity of Environments: Mathematical Aspects," in the *Fifth Berkeley Symposium*, Vol. 4, and the references cited therein, Crow and Kimura, *Introduction to Population Genetics Theory* (N.Y.: Harper & Row, 1970).

Consider as another illustration the issues of genetic engineering. Many biologists tend to think the problem is one of *design*, of specifying the best types of persons so that biologists can proceed to produce them. Thus they worry over what sort(s) of person there is to be and who will control this process. They do not tend to think, perhaps because it diminishes the importance of their role, of a system in which they run a "genetic supermarket," meeting the individual specifications (within certain moral limits) of prospective parents. Nor do they think of seeing what limited number of types of persons people's choices would converge upon, if indeed there would be any such convergence. This supermarket system has the great virtue that it involves no centralized decision fixing the future human type(s). If it is worried that some important ratios will be altered, for example of males and females, a government could require that genetic manipulation be carried on so as to fit a certain ratio. Supposing, for simplicity, that the desired ratio is 1:1, hospitals and clinics could be required (at least as a bookkeeping arrangement) to pair couples desiring a male child with those desiring a female before aiding either couple in realizing their desires. If more couples desired one alternative, couples would pay others to form the opposite couple in the pair, and a market would develop to the economic benefit of those indifferent about the sex of their next child. Maintenance of such a macroratio would appear to be more difficult in a purely libertarian system. Under it either parents would subscribe to an information service monitoring the recent births and so know which sex was in shorter supply (and hence would be more in demand later in life), thus adjusting their activities, or interested individuals would contribute to a charity that offers bonuses to maintain the ratio, or the ratio would leave 1:1, with new family and social patterns developing.

a computer) to see how they will work.\* And some ideas will come only as we are (*post facto*) trying to describe what patterns have evolved from the spontaneous coordination of the actions of many people.

If the ideas must actually be tried out, there must be many communities trying out different patterns. The filtering process, the process of eliminating communities, that our framework involves is very simple: people try out living in various communities, and they leave or slightly modify the ones they don't like (find defective). Some communities will be abandoned, others will struggle along, others will split, others will flourish, gain members, and be duplicated elsewhere. Each community must win and hold the voluntary adherence of its members. No pattern is *imposed* on everyone, and the result will be one pattern if and only if everyone voluntarily chooses to live in accordance with that pattern of community.<sup>7</sup>

The design device comes in at the stage of generating specific communities to be lived in and tried out. Any group of people may devise a pattern and attempt to persuade others to participate in the adventure of a community in that pattern. Visionaries and crackpots, maniacs and saints, monks and libertines, capitalists and communists and participatory democrats, proponents of phalanxes (Fourier), palaces of labor (Flora Tristan), villages of unity and cooperation (Owen), mutualist communities (Proudhon), time stores (Josiah Warren), Bruderhof,<sup>8</sup> kibbutzim,<sup>9</sup> kundalini yoga ashrams, and so forth, may all have their try at building their vision and setting an alluring example. It should not be thought that every pattern tried will be explicitly designed *de novo*. Some will be planned modifications, however slight, of others already existing (when it is seen where they rub), and the details of many will be built up spontaneously in communities that leave some leeway. As communities become more attractive for their inhabitants, patterns previously adopted as the best available will be

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\* For some writers, the most interesting points come after they think they've thought everything through and have begun to set it down. Sometimes, at this stage, there is a change in point of view, or a realization that it is something different one must write (on what, before writing, one assumed was a subsidiary and clear subject). How much greater will be the differences between a plan (even one written down) and the working out in detail of the life of a society.

rejected. And as the communities which people live in improve (according to their lights), ideas for new communities often will improve as well.

The operation of the framework for utopia we present here thus realizes the advantages of a filtering process incorporating mutually improving interaction between the filter and the surviving products of the generating process, so that the quality of generated and nonrejected products improves.\* Furthermore, given people's historical memories and records, it has the feature that an already rejected alternative (or its slight modification) can be *retried*, perhaps because new or changed conditions make it now seem more promising or appropriate. This is unlike biological evolution where previously rejected mutations cannot easily be recalled when conditions change. Also, evolutionists point out the advantages of genetic heterogeneity (polytypic and polymorphic) when conditions change greatly. Similar advantages adhere to a system of diverse communities, organized along different lines and perhaps encouraging different types of character, and different patterns of abilities and skills.

#### THE FRAMEWORK AS UTOPIAN COMMON GROUND

The use of a filter device dependent upon people's individual decisions to live in or leave particular communities is especially appropriate. For the ultimate purpose of utopian construction is to get communities that people will want to live in and will choose voluntarily to live in. Or at least this must be a side effect of successful utopian construction. The filtering process proposed will achieve this. Furthermore, a filtering device dependent upon people's decisions has certain advantages over one which operates mechanically, given our inability to formulate explicitly principles which adequately handle, in advance, all of the complex, multifarious situations which arise. We often state *prima facie* princi-

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\* This framework is not the only possible filter process for the task of arriving at a desirable or the best society (though I cannot think of another which would have the special interaction virtues to so great an extent), so the general virtues of filter processes over design devices do not argue *uniquely* for it.

ples without thinking that we can mark off in advance all of the exceptions to the principle. But though we cannot describe in advance all of the exceptions to the principle, we do think that very often we will be able to recognize that a particular situation we are presented with *is* an exception.<sup>10</sup>

Similarly, we will not be able in advance to program automatically a filtering device to reject all and only what should be rejected (either objectively, or in our view now, or in our view then). We will have to leave room for people's judging each particular instance. This is not by itself an argument for each person's judging for himself. Nor is the only alternative to the mechanical application of explicitly formulated rules the operation of a system *wholly* dependent upon choices without any guidelines at all, as it is clear from the existence of our legal system. So the fact of not being able to state or program exceptionless principles in advance does not, *by itself*, suffice to get to my preferred alternative of *everyone's* choice, and *no* guidelines set up in advance (except for those guidelines that protect this preferred argument).

We have argued that even if there is one kind of community that is best for each and every person, the framework set out is the best means for finding out the nature of that community. Many more arguments can and should be offered for the view that, even if there is one kind of society that is best for everyone, the operation of the framework (1) is best for anyone's coming up with a picture of what the society is like, (2) is best for anyone's becoming convinced that the picture is indeed one of the best society, (3) is best for large numbers of people's becoming so convinced, and (4) is the best way to stabilize such a society with people living securely and enduringly under that particular pattern. I cannot offer these other arguments here. (And I could not offer all of them anywhere; understanding *why* supports the correctness of the position.) However, I do wish to note that the arguments for the framework offered and mentioned here are even more potent when we drop the (false) assumption that there is *one* kind of society best for everyone, and so stop misconstruing the problem as one of which one type of community every individual person should live in.

The framework has two advantages over every other kind of description of utopia: first, it will be acceptable to almost every utopian at some future point in time, whatever his particular vi-

sion; and second, it is compatible with the realization of almost all particular utopian visions, though it does not guarantee the realization or universal triumph of any particular utopian vision.\* Any utopian will agree that our framework is an appropriate one for a society of good men. For good men, he thinks, voluntarily will choose to live under the particular pattern he favors, if they are as rational as he is and thus are able equally to see its excellence. And most utopians will agree that at *some* point in time our framework is an appropriate one, for at some point (after people have been made good, and uncorrupt generations have been produced) people voluntarily will choose to live under the favored pattern.† Thus our framework is now admitted, among a wide range of utopians and their opponents, to be appropriate common ground, *sooner or later*. For each thinks his own particular vision would be realized under it.

Those with different utopian visions who believe the framework is an appropriate *path* to their vision (as well as being permissible after their vision is realized) might well cooperate in attempting to realize the framework, even given mutual knowledge of their different predictions and predilections. Their different hopes conflict only if they involve universal realization of one particular pattern. We may distinguish three utopian positions: *imperialistic* utopianism, which countenances the forcing of everyone into one pattern of community; *missionary* utopianism, which hopes to persuade or convince everyone to live in one particular kind of community, but will not force them to do so; and *existential* utopian-

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\* I say *almost* every utopian and *almost* all particular utopian visions because it is unacceptable to, and incompatible with, "utopians" of force and dominance.

† I say "most utopians," because of the following possible position:

1. Pattern *P* is best, not only for uncorrupt persons but also for corrupt ones.
2. However corrupt ones would not choose voluntarily to live under pattern *P*.
3. Furthermore, it's an unfortunate empirical fact that there is *no* way to get to uncorrupt people starting from us and our society.
4. So we can never get to a situation of most people wanting to live under pattern *P*.
5. Therefore, since *P* is the best pattern for all (corrupt or not), it will have, continually and eternally, to be imposed.

ism, which hopes that a particular pattern of community will exist (will be viable), though not necessarily universally, so that those who wish to do so may live in accordance with it. Existential utopians can wholeheartedly support the framework. With full knowledge of their differences, adherents of diverse visions may cooperate in realizing the framework. Missionary utopians, though their aspirations are universal, will join them in supporting the framework, viewing fully voluntary adherence to their preferred pattern as crucial. They will not, however, especially admire the framework's additional virtue of allowing the simultaneous realization of many diverse possibilities. Imperialistic utopians, on the other hand, will oppose the framework so long as some others do not agree with them. (Well, you can't satisfy everybody; especially if there are those who will be dissatisfied unless not everybody is satisfied.) Since any particular community may be established within the framework, it is compatible with all particular utopian visions, while guaranteeing none. Utopians should view this as an enormous virtue; for their particular view would not fare as well under utopian schemes other than their own.

#### COMMUNITY AND NATION

The operation of the framework has many of the virtues, and few of the defects, people find in the libertarian vision. For though there is great liberty to choose among communities, many particular communities internally may have many restrictions unjustifiable on libertarian grounds: that is, restrictions which libertairans would condemn if they were enforced by a central state apparatus. For example, paternalistic intervention into people's lives, restrictions on the range of books which may circulate in the community, limitations on the kinds of sexual behavior, and so on. But this is merely another way of pointing out that in a free society people may contract into various restrictions which the government may not legitimately impose upon them. Though the framework is libertarian and laissez-faire, *individual communities within it need not be*, and perhaps no community within it will choose to be so. Thus, the characteristics of the framework need not pervade

the individual communities. In *this* laissez-faire system it could turn out that though they are permitted, there are no actually functioning "capitalist" institutions; or that some communities have them and others don't or some communities have some of them, or what you will.\*

In previous chapters, we have spoken of a person's opting out of particular provisions of certain arrangements. Why now do we say that various restrictions may be imposed in a particular community? Mustn't the community allow its members to opt out of these restrictions? No; founders and members of a small communist community may, quite properly, refuse to allow anyone to opt out of equal sharing, even though it would be possible to arrange this. It is not a general principle that every community or group must allow internal opting out when that is feasible. For sometimes such internal opting out would itself change the character of the group from that desired. Herein lies an interesting theoretical problem. A nation or protective agency may not compel redistribution between one community and another, yet a community such as a kibbutz may redistribute within itself (or give to another community or to outside individuals). Such a community needn't offer its members an opportunity to opt out of these arrangements while remaining a member of the community. Yet, I have argued, a nation should offer this opportunity; people have a right to so opt out of a nation's requirements. Wherein lies the difference between a community and a nation that makes the difference in the legitimacy of imposing a certain pattern upon all of its members?

A person will swallow the imperfections of a package  $P$  (which may be a protective arrangement, a consumer good, a community) that is desirable on the whole rather than purchase a different package (a completely different package, or  $P$  with some changes), when no more desirable attainable different package is worth to him its greater costs over  $P$ , including the costs of inducing enough others to participate in making the alternative package. One assumes that the cost calculation for nations is such as to per-

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\* It is strange that many young people "in tune with" nature and hoping to "go with the flow" and not force things against their natural bent should be attracted to statist views and socialism, and are antagonistic to equilibrium and invisible-hand processes.

mit internal opting out. But this is not the whole story for two reasons. First, it may be feasible in individual communities also to arrange internal opting out at little administrative cost (which he may be willing to pay), yet this needn't always be done. Second, nations differ from other packages in that the individual himself isn't to bear the administrative costs of opting out of some otherwise compulsory provision. The other people must pay for finely designing their compulsory arrangements so that they don't apply to those who wish to opt out. Nor is the difference merely a matter of there being many alternative kinds of communities while there are many fewer nations. Even if almost everyone wished to live in a communist community, so that there weren't any viable noncommunist communities, no particular community need also (though it is to be hoped that one would) allow a resident individual to opt out of their sharing arrangement. The recalcitrant individual has no alternative but to conform. Still, the others do not force him to conform, and his rights are not violated. He has no right that the others cooperate in making his nonconformity feasible.

The difference seems to me to reside in the difference between a face-to-face community and a nation. In a nation, one knows that there are nonconforming individuals, but one need not be directly confronted by these individuals or by the fact of their nonconformity. Even if one finds it offensive that others do not conform, even if the knowledge that there exist nonconformists rankles and makes one very unhappy, this does not constitute being harmed by the others or having one's rights violated. Whereas in a face-to-face community one cannot avoid being directly confronted with what one finds to be offensive. How one lives in one's immediate environment is affected.

This distinction between a face-to-face community and one that is not generally runs parallel to another distinction. A face-to-face community can exist on land jointly owned by its members, whereas the land of a nation is not so held. The community will be entitled then, as a body, to determine what regulations are to be obeyed on its land; whereas the citizens of a nation do not jointly own its land and so cannot in this way regulate its use. If *all* the separate individuals who own land coordinate their actions

in imposing a common regulation (for example, no one may reside on this land who does not contribute  $n$  percent of his income to the poor), the same *effect* will be achieved as if the nation had passed legislation requiring this. But since unanimity is only as strong as its weakest link, even with the use of secondary boycotts (which are perfectly legitimate), it would be impossible to maintain such a unanimous coalition in the face of the blandishments to some to defect.

But some face-to-face communities will not be situated on jointly held land. May the majority of the voters in a small village pass an ordinance against things that they find offensive being done on the *public* streets? May they legislate against nudity or fornication or sadism (on consenting masochists) or hand-holding by racially mixed couples on the streets? Any private owner can regulate his premises as he chooses. But what of the public thoroughfares, where people cannot easily avoid sights they find offensive? Must the vast majority cloister themselves against the offensive minority? If the majority may determine the limits on detectable behavior in public, may they, in addition to requiring that no one appear in public without wearing clothing, also require that no one appear in public without wearing a badge certifying that he has contributed  $n$  percent of his income to the needy during the year, on the grounds that they find it offensive to look at someone not wearing this badge (not having contributed)? And whence this emergent right of the majority to decide? Or are there to be no "public" place or ways? (Some dangers of this, noted in Chapter 2, would be avoided by the Lockean proviso of Chapter 7.) Since I do not see my way clearly through these issues, I raise them here only to leave them.

#### COMMUNITIES WHICH CHANGE

The individual communities may have *any* character compatible with the operation of the framework. If a person finds the character of a particular community uncongenial, he needn't choose to

live in it. This is all well and good for an individual deciding which community to enter. But suppose a particular community is *changing* in its character and becoming one of a sort an individual dislikes. "If you don't like it here, don't join" has more force than "If you don't like it here, leave." After a person has spent much of his life in a community, sent down roots, made friends, and contributed to the community, the choice to pick up and leave is a difficult one. Such a community's establishing a new restriction, or abolishing an old one, or seriously changing its character, will affect its individual members in something like the way in which a *nation's* changing its laws will affect its citizens. Shouldn't one, therefore, be less willing to grant the communities such great latitude in ordering their internal affairs; shouldn't there be limits on their imposing restrictions that, if imposed by a state, would constitute a violation of an individual's rights? Friends of liberty never thought that the existence of America made legitimate the practices of Czarist Russia. Why should there be a difference of kind in the case of the communities? <sup>11</sup>

Various remedies suggest themselves; I shall discuss one here. Anyone may start *any* sort of new community (compatible with the operation of the framework) they wish. For no one need enter it. (No community may be excluded, on paternalistic grounds, nor may lesser paternalistic restrictions geared to nullify supposed defects in people's decision processes be imposed—for example, compulsory information programs, waiting periods.) Modifying an already existing community is held to be a different matter. The wider society may pick some preferred internal structure for communities (which respects certain rights, and so on) and may require that communities somehow compensate the community's dissenters for changes away from this structure, for those changes it chooses to make. Having described this solution to the problem, we see that it is *unnecessary*. For, to accomplish the same end individuals need only include in the explicit terms of an agreement (contract) with any community they enter the stipulation that any member (including themselves) will be so compensated for deviations from a specified structure (which need not be society's preferred norm) in accordance with specified conditions. (One may use the compensation to finance leaving the community.)

## TOTAL COMMUNITIES

Under the framework, there will be groups and communities covering all aspects of life, though limited in membership. (Not everyone, I assume, will choose to join one big commune or federation of communes.) Some things about some aspects of life extend to everyone; for example, everyone has various rights that may not be violated, various boundaries that may not be crossed without another's consent. Some people will find this covering of all aspects of some person's lives and some aspects of all person's lives to be insufficient. These people will desire a doubly total relationship that covers all people and all aspects of their lives, for example, all people in all their behavior (none is excluded in principle) showing certain feelings of love, affection, willingness to help others; all being engaged together in some common and important task.

Consider the members of a basketball team, all caught up in playing basketball well. (Ignore the fact that they are trying to win, though is it an accident that such feelings often arise when some unite *against* others?) They do not play primarily for money. They have a primary *joint* goal, and each subordinates himself to achieving this common goal, scoring fewer points himself than he otherwise might. If all are tied together by joint participation in an activity toward a common goal that each ranks as his most important goal, then fraternal feeling will flourish. They will be united and unselfish; *they* will be *one*. But basketball players, of course, do not have a common highest goal; they have separate families and lives. Still we might imagine a society in which all work together to achieve a common highest goal. Under the framework, any group of persons can so coalesce, form a movement, and so forth. But the structure itself is diverse; it does not itself provide or guarantee that there will be any common goal that all pursue jointly. It is borne in upon one, in contemplating such an issue, how appropriate it is to speak of "individualism" and (the word coined in opposition to it) "socialism." It goes without saying that any persons may attempt to unite kindred spirits, but, whatever their hopes and longings, none have the right to impose their vision of unity upon the rest.

## UTOPIAN MEANS AND ENDS

How do the well-known objections to "utopianism" apply to the conception presented here? Many criticisms focus upon utopians' lack of discussion of *means* for achieving their vision or their concentration upon means that will not achieve their ends. In particular, critics contend that utopians often believe that they can bring about new conditions and nurture forth their particular communities by voluntary actions within the existing structure of society. They believe this for three reasons. First, because they believe that when certain persons or groups have an interest in the continuance of a pattern far from the ideal one (because they occupy a privileged position in it, and benefit from specific injustices or defects in the actual pattern which would be eliminated in the ideal one), then if their cooperation is necessary in order to realize the ideal pattern through voluntary actions, these people can be convinced voluntarily to perform the actions (against their interests) which will aid in bringing about the ideal patterns. Through argument and other rational means, utopians hope to convince people of the desirability and justice of the ideal pattern and of the injustice and unfairness of their special privileges, thereby getting them to act differently. Second, their critics continue, utopians believe that even when the framework of the existing society allows joint voluntary actions that would be sufficient to bring about a great change in the society by those not benefiting from defects and injustices in the actual society, then those whose privileges are threatened will not intervene actively, violently, and coercively to crush the experiment and changes. Third, critics assert that utopians are naïve to think, even when the cooperation of the especially privileged is not required and when such persons will abstain from violently interfering in the process, that it is possible to establish through voluntary cooperation the particular experiment in the very different external environment, which often is hostile to the goals of the experiment. How can small communities overcome the whole thrust of the society; aren't isolated experiments doomed to failure? On this last point, we saw in Chapter 8 how a worker-controlled factory could be established in a free society. The point generalizes: there *is* a means of realizing various micro-

situations through the voluntary actions of persons in a free society. Whether people *will* choose to perform those actions is another matter. Yet, in a free system any large, popular, revolutionary movement should be able to bring about its ends by such a voluntary process. As more and more people see how it works, more and more will wish to participate in or support it. And so it will grow, without being necessary to force everyone or a majority or anyone into the pattern.\*

Even if none of these objections hold, some will object to reliance on the voluntary actions of persons, holding that people are now so corrupt that they will not choose to cooperate voluntarily with experiments to establish justice, virtue, and the good life. (Even though if they did choose to do so, the experiments would succeed in a wholly voluntary environment, or in some current one.) Furthermore, if they weren't corrupt (after they're not corrupt) they would (will) cooperate. So, the argument continues, people must be forced to act in accordance with the good pattern; and persons trying to lead them along the bad old ways must be silenced.<sup>12</sup> This view deserves an extended discussion, which it cannot be given here. Since the proponents of this view are themselves so obviously fallible, presumably few will choose to give them, or allow them to have, the dictatorial powers necessary for stamping out views they think are corrupt. What is desired is an organization of society optimal for people who are far less than ideal, optimal also for much better people, and which is such that living under such organization itself tends to make people better and

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\* There remains a reason why, though permitted, possible of success, and not aggressively interfered with by the actions of hostile persons, the experiment taking place in the different external environment might not have a fair chance to survive. For if the whole society does not have a voluntary framework, then there might be an experiment, which is in a voluntary corner of the total actual framework, that *would* succeed in a *wholly* voluntary framework but won't succeed in the actual one. For in the actual one, while no one is forbidden to perform any action strictly necessary to the success of the experiment, it might be that some illegitimate prohibition on other actions makes people less likely (ranging to extremely low probability) to perform the voluntary actions comprising the success of the experiment. To take an extreme example, anyone in a certain group might be permitted to hold a certain job, yet everyone might be forbidden to teach them the skills used on the job, certification of such skills being the only feasible way to hold the job (though some other extremely difficult route is left open).

more ideal. Believing with Tocqueville that it is only by being free that people will come to develop and exercise the virtues, capacities, responsibilities, and judgments appropriate to free men, that being free encourages such development, and that current people are not close to being so sunken in corruption as possibly to constitute an extreme exception to this, the voluntary framework is the appropriate one to settle upon.

Whatever the justice of these criticisms of the views about means of writers in the utopian tradition, we make no assumption that people can be gotten voluntarily to give up privileged positions based upon illegitimate interventions, directly or through government, into other people's lives; nor do we assume that in the face of the permissible voluntary actions of persons refusing any longer to have their rights violated, those other persons whose illegitimate privileges are threatened will stand by peacefully. It is true that I do not discuss here what legitimately may be done and what tactics would be best in such circumstances. Readers hardly will be interested in such discussion until they accept the libertarian framework.

Many particular criticisms have been made of the particular *ends* of writers in the utopian tradition and of the particular societies they describe. But two criticisms have seemed to apply to all.

First, utopians want to make all of society over in accordance with one detailed plan, formulated in advance and never before approximated. They see as their object a perfect society, and hence they describe a static and rigid society, with no opportunity or expectation of change or progress and no opportunity for the inhabitants of the society themselves to choose new patterns. (For if a change is a change for the better, then the previous state of the society, because surpassable, wasn't perfect; and if a change is a change for the worse, the previous state of society, allowing deterioration, wasn't perfect. And why make a change which is neutral?)

Second, utopians assume that the particular society they describe will operate without certain problems arising, that social mechanisms and institutions will function as they predict, and that people will not act from certain motives and interests. They blandly ignore certain obvious problems that anyone with any experience of the world would be struck by or make the most wildly

optimistic assumptions about how these problems will be avoided or surmounted. (The utopian tradition is maximax.)

We do not detail the character of each particular community within the society, and we imagine the nature and composition of these constituent communities changing over time. No utopian writers actually fix *all* of the details of their communities. Since details about the framework would have to be fixed, how does our procedure differ from theirs? They wish to fix in advance all of the *important* social details, leaving undetermined only the trivial details, about which they either don't care or which raise no interesting issues of principle. Whereas, in our view, the nature of the various communities is very important, these questions are so important that they should not be settled by anyone for anyone else. Do we, however, wish to describe in specific detail the nature of the framework, which is to be fixed in character and unchanging? Do we assume that the framework will operate without problems? I do wish to describe the *kind* of framework, namely, one which leaves liberty for experimentation of varied sorts.\* But all of the details of the framework will not be set down in advance. (It would be easier to do this than to design in advance the details of a perfect society.)

Nor do I assume that all problems about the framework are solved. Let us mention a few here. There will be problems about the role, if any, to be played by some central authority (or protective association); how will this authority be selected, and how will it be ensured that the authority does, and does only, what it is supposed to do? The major role, as I see it, would be to enforce the operation of the framework—for example, to prevent some communities from invading and seizing others, their persons or assets. Furthermore, it will adjudicate in some reasonable fashion

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\* Some writers try to justify a system of liberty as one that will lead to an optimal rate of experimentation and innovation. If the optimum is defined as that yielded by a system of liberty, the result is uninteresting, and, if an alternative characterization of optimum is offered, it might be that it is best achieved by forcing people to innovate and experiment by taxing more heavily those who don't. The system we propose leaves room for such experimentation but does not require it; people are free to stagnate if they wish as well as to innovate.

conflicts between communities which cannot be settled by peaceful means. What the best form of such a central authority is I would not wish to investigate here. It seems desirable that one not be fixed permanently but that room be left for improvements of detail. I ignore here the difficult and important problems of the controls on a central authority powerful enough to perform its appropriate functions, because I have nothing special to add to the standard literature on federations, confederations, decentralization of power, checks and balances, and so on.<sup>13</sup>

One persistent strand in utopian thinking, as we have mentioned, is the feeling that there is some set of principles obvious enough to be accepted by all men of good will, precise enough to give unambiguous guidance in particular situations, clear enough so that all will realize its dictates, and complete enough to cover all problems which actually will arise. Since I do not assume that there are such principles, I do not assume that the political realm will wither away. The messiness of the details of a political apparatus and the details of how *it* is to be controlled and limited do not fit easily into one's hopes for a sleek, simple utopian scheme.

Apart from the conflict between communities, there will be other tasks for a central apparatus or agency, for example, enforcing an individual's right to leave a community. But problems arise if an individual can plausibly be viewed as *owing* something to the other members of a community he wishes to leave: for example, he has been educated at their expense on the explicit agreement that he would use his acquired skills and knowledge in the home community. Or, he has acquired certain family obligations that he will abandon by shifting communities. Or, without such ties, he wishes to leave. What may he take out with him? Or, he wishes to leave after he's committed some punishable offense for which the community wishes to punish him. Clearly the principles will be complicated ones. Children present yet more difficult problems. In some way it must be ensured that they are *informed* of the range of alternatives in the world. But the home community might view it as important that their youngsters not be exposed to the knowledge that one hundred miles away is a community of great sexual freedom. And so on. I mention these problems to indicate a fraction of the thinking that needs to be done on the details of a frame-

work and to make clear that I do not think its nature can be settled finally now either.\*

Even though the details of the framework aren't settled, won't there be some rigid limits about it, some things inalterably fixed? Will it be possible to shift to a nonvoluntary framework permitting the forced exclusion of various styles of life? If a framework could be devised that could not be transformed into a nonvoluntary one, would we wish to institute it? If we institute such a permanently voluntary general framework, are we not, to some extent, ruling out certain possible choices? Are we not saying in advance that people cannot choose to live in a certain way; are we setting a rigid range in which people can move and thus committing the usual fault of the static utopians? The comparable question about an individual is whether a free system will allow him to sell himself into slavery. I believe that it would. (Other writers disagree.) It also would allow him permanently to commit himself never to enter into such a transaction. But some things individuals may choose for themselves, no one may choose for another. So long as it is realized at what a *general* level the rigidity lies, and what diversity of particular lives and communities it allows, the answer is, "Yes, the framework should be fixed as voluntary." But remember that any individual may contract into any particular constraints over himself and so may use the voluntary framework to contract himself out of it. (If all individuals do so, the voluntary framework will not operate until the next generation, when others come of age.)

#### HOW UTOPIA WORKS OUT

"Well, what exactly will it all turn out to be like? In what directions will people flower? How large will the communities be? Will there be some large cities? How will economies of scale operate to

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\* We might of course try slightly different frameworks in different sections of a country, allowing each section to shift slightly their own framework, as they see how the others work out. Still, across the board, there will be some common framework, though its particular character will not be permanently fixed.

fix the size of the communities? Will all of the communities be geographical, or will there be many important secondary associations, and so on? Will most communities follow particular (though diverse) utopian visions, or will many communities themselves be open, animated by no such particular vision?"

I do not know, and you should not be interested in my guesses about what would occur under the framework in the near future. As for the long run, I would not attempt to guess.

"So is this all it comes to: Utopia is a free society?" Utopia is *not* just a society in which the framework is realized. For who could believe that ten minutes after the framework was established, we would have utopia? Things would be no different than now. It is what grows spontaneously from the individual choices of many people over a long period of time that will be worth speaking eloquently about. (Not that any particular stage of the process is an end state which all our desires are aimed at. The utopian process is substituted for the utopian end state of other static theories of utopias.) Many communities will achieve many different characters. Only a fool, or a prophet, would try to prophesy the range and limits and characters of the communities after, for example, 150 years of the operation of this framework.

Aspiring to neither role, let me close by emphasizing the dual nature of the conception of utopia being presented here. There is the framework of utopia, and there are the particular communities within the framework. Almost all of the literature on utopia is, according to our conception, concerned with the character of the particular communities within the framework. The fact that I have not propounded some particular description of a constituent community does *not* mean that (I think) doing so is unimportant, or less important, or uninteresting. How could that be? *We live* in particular communities. It is here that one's nonimperialistic vision of the ideal or good society is to be propounded and realized. Allowing us to do that is what the framework is *for*. Without such visions impelling and animating the creation of particular communities with particular desired characteristics, the framework will lack life. Conjoined with many persons' particular visions, the framework enables us to get the best of all possible worlds.

The position expounded here totally rejects planning in detail, in advance, one community in which everyone is to live yet sympa-

thizes with voluntary utopian experimentation and provides it with the background in which it can flower; does this position fall within the utopian or the antiutopian camp? My difficulty in answering this question encourages me to think the framework captures the virtues and advantages of each position. (If instead it blunders into combining the errors, defects, and mistakes of both of them, the filtering process of free and open discussion will make this clear.)

#### UTOPIA AND THE MINIMAL STATE

The framework for utopia that we have described is equivalent to the minimal state. The argument of this chapter starts (and stands) independently of the argument of Parts I and II and converges to their result, the minimal state, from another direction. In our discussion in this chapter we did not treat the framework as more than a minimal state, but we made no effort to build explicitly upon our earlier discussion of protective agencies. (For we wanted the convergence of two independent lines of argument.) We need not mesh our discussion here with our earlier one of dominant protective agencies beyond noting that whatever conclusions people reach about the role of a central authority (the controls on it, and so forth) will shape the (internal) form and structure of the protective agencies they choose to be the clients of.

We argued in Part I that the minimal state is morally legitimate; in Part II we argued that no more extensive state could be morally justified, that any more extensive state would (will) violate the rights of individuals. This morally favored state, the only morally legitimate state, the only morally tolerable one, we now see is the one that best realizes the utopian aspirations of untold dreamers and visionaries. It preserves what we all can keep from the utopian tradition and opens the rest of that tradition to our individual aspirations. Recall now the question with which this chapter began. Is not the minimal state, the framework for utopia, an inspiring vision?

The minimal state treats us as inviolate individuals, who may not be used in certain ways by others as means or tools or in-

struments or resources; it treats us as persons having individual rights with the dignity this constitutes. Treating us with respect by respecting our rights, it allows us, individually or with whom we choose, to choose our life and to realize our ends and our conception of ourselves, insofar as we can, aided by the voluntary cooperation of other individuals possessing the same dignity. How *dare* any state or group of individuals do more. Or less.