

Rules, Spooner Quote #8, Fallacy #16



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"Finding the Challenges" is an original column appearing every other Wednesday at Everything-Voluntary.com, by Verbal Vol. Verbal is a software engineer, college professor, corporate information officer, life long student, farmer, libertarian, literarian, student of computer science and self-ordering phenomena. Archived columns can be found [here](#). FTC-only RSS feed available [here](#).

I'm thinking today of the critical difference between rules and rulers. It is the difference between a voluntary life and the coerced surrender of life in a collective. It is the confusion among these things that rules what we would call the human condition. I will first discuss some of the self-taught rules by which I live, then we will turn to our old friend, Lysander Spooner, to consider the distinction between nature and artifice in our lives. We will then conclude by looking at a logic fallacy in its power to complicate the confusion rather than to clarify our course.

Rules

In our lives today there are three types of rules: natural, institutional, and individual. We don't have volition on the first type — those rules were here before us, they were here before our species, and they were here at the birth of our universe as far as we know. We have full volition on the third type — individual rules, being those that we learn and elect to follow or that we follow through esteem for the others with whom we elect to associate. The middle set can be adopted through volition as long as the institution does not have the power to coerce our acceptance, and even then we can choose within practical limits whether or not to be coerced (we actually do make a fundamental choice, preferably after due recognition of tradeoffs).

But how we come to grips with institutional rules is not my emphasis here. I am exceedingly more interested in living with natural rules and with individually adopted rules. As a voluntarist, my number one adopted rule is the non-aggression principle, do not initiate violence. My rational facilities, provided to me at birth, tell me that the NAP is a natural matter, it is fundamental to preservation of species, and its sole exception, for self-defense, is fundamental to both self preservation and species preservation.

What caused me to rethink my understanding of the NAP (aka zero aggression principle, ZAP) was a podcast discussion between Ben Stone and Davi Barker, recently. They both seemed to agree that there should be an allowance for retribution without infringing on the NAP. In effect, if someone does you wrong you should be able to play a little smashmouth to teach that someone a lesson, but this represents an unnecessary codicil to the NAP. If the NAP must be loaded down with any number of special cases, it becomes useless as a self-adopted rule. Retribution is the hole, NAP is the donut. If your emotions lead you, in a specific case, to retribution, you don't need, nor will you get, an excuse note from the NAP. It was an isolated choice. Get over it.

Rules that obtain through the workings of nature don't have exceptions. No amount of justification can alter this. So are we helpless in the grip of natural laws? No, but we must recognize that natural matters prevail. In fact, the quest for knowledge is all about pursuing an understanding of nature's truths and how we shall live with them.

If the NAP is self-adopted rule #1, then clearly observing, respecting, and assimilating the rules of nature should be, in my view, rule #2.

Rules may not be imposed on the voluntary individualist. The voluntaryist **adopts** rules, and she has the option of relinquishing reliance on one or more rules at any time, voluntarily. Even natural rules are not imposed, they just exist — they were here first. Institutions such as church or state may try to impose rules on individuals, but in the end only the individual can accept the imposition of a rule. Face it, every man-made imposition may be resisted. But one of the rules of nature is that there are consequences. Every individual must make a choice about how to mitigate her interface with natural consequences.

In future columns I hope to explore more individually adopted rules.

Spooner Quote #8

But if justice be a natural principle, then it is necessarily an immutable one; and can no more be changed—by any power inferior to that which established it—than can the law of gravitation, the laws of light, the principles of mathematics, or any other natural law or principle whatever; and all attempts or assumptions, on the part of any man or body of men—whether calling themselves governments, or by any other name—to set up their own commands, wills, pleasure, or discretion, in the place of justice, as a rule of conduct for any

human being, are as much an absurdity, an usurpation, and a tyranny, as would be their attempts to set up their own commands, wills, pleasure, or discretion in the place of any and all the physical, mental, and moral laws of the universe.

It would be gilding the lily to restate what Spooner has said so eloquently here. But I will tell you what my takeaway is — if a natural rule cannot be found to fit a case, and all such cases, then it is futile to try to bend pseudo-natural (fictional) rules to fit the case. Keep looking for a natural solution. I expect that when you find it, it will be stunning in its fitness for the case, and all such cases.

Taking this abstraction down to concreteness, free market interactions between two rational beings always show a clear direction for resolution by voluntarily agreed rules.

Logic Fallacy #16 — The Masked Man

Do you remember a time when a small child, perhaps yourself, covered his eyes and then expected that he was invisible? This is the **Masked Man Fallacy**. An example would be to say I know who Elvis is, but I do not know who the masked man is, therefore the masked man is not Elvis. This is, of course, a blatant example but the fallacy can be much more subtle. If a statist pretends that a fictitious law is a true consequence of natural law (humans are just codifying it), then he may be able to hide behind that pretense when someone else questions the law. This is the case when there is a clamor for the adoption of a preference, such as religious or patriotic preferences.

Much of the confusion that arises among the types of rules — natural, institutional, and individual — is due to subtle claims about each. These claims are like masks. Too often false conclusions are based on bad perceptions of the evidence. If we treat retribution as though it is arguably part of the non-aggression principle, then there is very likely to be a wrong conclusion about the ground covered by the NAP. I would hasten to add that Ben Stone and David Barker are **not** confused about the NAP, rather they are two of its strongest proponents. They were actually dismissing a triviality that is often mistaken for an argument against the NAP. Retribution is **not** the initiation of violence, therefore it does not even come under the crosshairs of the earnest NAP-debunker.

Look at the fallacy in view of a couple of today's big news stories. ISIS is violent, the Pentagon has capabilities for violence that can end life on Earth, therefore we must bomb Iraq where we believe ISIS is. The mask, in the Pentagon's case, is to cover that it is very difficult for them to apply simple killing power to situations which may be complex. The second story is Ebola, and the theme is that since people are stupid, while politicians are

smart, then we need an Ebola Czar to see us through (and that Czar could somehow just keep people from flying around).

Politicians know that it can appear as if birth control is a matter within their capabilities just by arguing a pro or a con relative to birth control. Clear thinking will tell us that the argument is a mask to cover the fact that there is very little that a politician can do, generally on many issues and specifically on the issue of birth control. The masked man fallacy is a cousin of the straw man.

Before I close, I want to plug Skyler Collins' excellent column this week, "[The Ethics of Voluntaryism](#)". Here is a natural law — our doubts about morals and ethics do not belie the existence, and necessity, for morals and ethics. The fulcrum of a philosophy is the combine of morals and ethics, else there is no need for philosophy.

All three of the topics today deal with rules. The only certainties, however, are the ever more clear physics of nature, including for now human nature. Individual voluntary rules should be reflections of nature's illustrations — even if they are distorted, they are the responsibility of the rule adopter. For institutions to make rules without the express and continuing volition of its constituents is the institutional practice of the masked man fallacy.

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