

# Self-Ownership as Self-Determination



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That “self-ownership” is axiomatic or the bedrock of many a libertarian theory cannot be denied. However, there are many libertarians who believe that “self-ownership” as a concept is “bollocks.” George Donnelly of Arm Your Mind for Liberty (AYMFL.com) is one such libertarian. In a recent podcast he attempts to lay down the libertarian arguments against self-ownership, but he’s left me unconvinced. Here’s why.

## Analyzing the Objections

Donnelly, drawing largely on arguments by others (see his show notes) summarizes four main objections. The first one is that because the argument *for* self-ownership (notably, Rothbard’s in Chapter 8 of *Ethics of Liberty*) is *reductio ad absurdum*, then it fails as logically fallacious. Indeed, it seems that Rothbard’s argument is *reductio*, so then it would fail. But while that is an objection to Rothbard’s argument for self-ownership, it cannot be said that all arguments for self-ownership are *reductio*. Hoppe’s, for example, is not a *reductio*. Whatever the objections there are to Hoppe’s argument (that one cannot argue against self-ownership without engaging in a performative contradiction) may be, one cannot say that it is *reductio*.

The second objection is that the mind cannot own the body because they are one and the same, two parts of the same whole. Likewise, the mind cannot own the arm because they are two parts of the same whole. What about a kidney? Part of the same whole. While it may be true that the mind and the brain are the same whole, the brain is a separate organ from the rest of the body. Today, doctors perform organ transplants, from kidney’s to faces. Clearly, then, not all organs of the body are one with the mind. If self-ownership is ownership by the mind/brain over the rest, then it would seem that this objection fails.

The third objection is that if you can own yourself, then you can own someone else, or someone else can own you. Since the idea of other-ownership, or slavery, is a “dangerous area” to go, then because [a particular argument for] self-ownership may (can? will?) lead

to other-ownership, it's a "fail." Mr. Donnelly thus creates a *reductio ad absurdum* for himself. First, how exactly does other-ownership follow self-ownership? If ownership is "the exclusive right to control," which I think it is, then other-ownership must be justified on its own merits; an other-owner has the burden of logical proof as to why his claim to ownership of another person is valid. "Because I own myself, so I can own others" is not a justification of why Person A has the exclusive right to control Person B. Second, what type of (or argument for) self-ownership are we talking about? Remember, Rothbard's is quite distinct from Hoppe's. And third, who says that other-ownership is always unjustified? What about a corpse? If a lifeless body can be an object of ownership, and I don't see why it can't, why not a live one? The only difference is that one is controlled by an internal will while the other is not. Since today we can perform kidney transplants, it's likely that in the future we could perform brain transplants. Since the brain houses the will, the will is, or will be, separable from the rest of the body. Thus one's body is alienable, and therefore ownable. (Wait, is this a *reductio*? Relying on the future to make an argument in the present must be some sort of logical fallacy. Or is it?)

Finally, Donnelly argues that self-ownership has an "is-ought" problem, meaning, that just because we control our bodies (is), it doesn't follow that we ought to have ownership of them. But ownership, at least as Rothbard, Hoppe, Kinsella, and others define it, is about *the right to control*, not *the fact of control*. Or in other words, ownership is *the right to exclude others from control*. Therefore, self-ownership is *the right to exclude others from control of one's body*. Whether or not "the right to exclude" exists, as it concerns one's own body, is an interesting question, but Donnelly doesn't address it, so neither will I. My only question is: whose will is best situated, or more likely, to have the right to exclude others from controlling one's body?

### **An Alternative Concept**

Perhaps self-ownership is better understood or presented as self-determination. The latter seems to invoke the idea of "the will" better than the former. It's the will that determines the movements of the body, and the will, working through the brain, that makes them so. In some cases, say paralysis from the neck down, the will is powerless over the body because the brain has been virtually severed. Because ownership is the right to exclude others from control, it's also the right to exclude other wills from determining control. Ownership is a useful concept in a world of scarcity, and our bodies are scarce, meaning only one will can determine their control at a time. Therefore, self-ownership-as-self-determination makes sense both as an *is* (until our brain is severed, our will determines/controls our body) and as an *ought* (property rights reduce conflict over scarce resources, like our bodies). I don't think that self-ownership is "bollocks" or a failed concept. However you argue for it, the fact is your argument began as an independent will determining, without permission from another, the use of its body, thereby claiming the

exclusive right of control in fact.

### **Final Thoughts**

I tend to favor Hoppe's argument for self-ownership based on argumentation, as my previous sentence demonstrates. I've yet to encounter an adequate rebuttal. Of course I remain open-minded to the possibility that every possible argument for self-ownership fails (or that Communism works!), I've just yet to be convinced of that. I love that there are so many willing, like George Donnelly, to engage in respectful dialog and debate on what I consider to be a very important concept to libertarian and voluntaryist thought. I don't know if Mr. Donnelly will respond to this column, I'm certainly not expecting it, but if he does I will be sure to soak up all that he has to offer by means of constructive criticism *and* alternatives to determining who has the exclusive right to control (or, exclude others from control of) one's body.