

facts of oligopoly and monopoly in its formal models. In short, it acknowledged, and made theoretical room for, the fact that individual firms might be able to calculate the effects of their actions on supply or demand curves. But the calculations still assumed an opaque social fabric. The identities and characters of the other economic actors were obscured from view. During the forties, when advanced industrial society had achieved so high a degree of functional integration that individual robber-barons had given way to anonymous board chairmen, and family firms had given way to multinational corporations, along came a new, mathematically sophisticated model of economic analysis—game theory. For the first time an economic theory took formal account of the existence, identity, values, and reasoning processes of the other economic actors whose rationally chosen policies, in ongoing interplay with one's own, produced those price levels, wage levels, and supply and demand curves that conventional economic theory had initially treated as given.

Nozick's extensive use of the game-theoretic model of rational choice is systematically inappropriate to his subject. He assumes throughout that the formal criteria of rational decision can be abstracted from the concrete social reality which is their matter or content, as when he rather irrelevantly brushes aside a century and a half of sustained criticism of the classical and neo-classical rationalization for industrial capitalist wealth with a fantasy about Wilt Chamberlain.³³ As we have seen, the Nozick model implicitly makes assumptions—risk rather than uncertainty, transparency rather than opacity—that presuppose specific stages of socioeconomic development. The net effect is to beg most of the important questions of social philosophy in a manner that provides ideological comfort for policies and doctrines which have never been established by argument.

ON THE WEIRDNESS OF ANARCHY, STATE, AND UTOPIA

In recent years, a number of philosophers, political scientists, and economists have adopted the style of language and mode of analysis that one finds in *Anarchy, State, and Utopia*. The rhetoric of game theory, if I may characterize it in that way, first appeared in the late fifties and early sixties in discussions of nuclear deterrence theory. I have in mind such books as Schelling's *The Strategy of Conflict*,³⁴ which was probably

33. R. NOZICK, *supra* note 1, at 161-63. In the nineteenth century, apologists of capitalism, such as Nassau W. Senior, spoke the religious language of "abstinence." See N. SENIOR, AN OUTLINE OF THE SCIENCE OF POLITICAL ECONOMY 58-59 (1836). "Outstanding athletic ability" is not much of an improvement as an explanation for the existence of massive accumulations of capital!

34. T. SCHELLING, *THE STRATEGY OF CONFLICT* (1960).

the most distinguished intellectual contribution to that debate. More recently, it has appeared in the writings of such theorists as James Buchanan and Gordon Tullock,³⁵ and—in a rather subdued manner—in John Rawls' work.³⁶ When I read books of this sort, I have two initial reactions. The first is that they are clever, witty, iconoclastic, that they look at old questions in remarkable new ways. The second is that they are creepy, that there is something fundamentally awry in the language and reasoning of the work. When I read *Anarchy, State, and Utopia*, I have both of these reactions. The first is easy to explain; Nozick is easily the brightest, most imaginative, most ebullient political philosopher to appear on the American philosophical scene for some time. The second reaction, however, is somewhat more difficult to explain, and it is only after some considerable reflection that I think I am able to get at its roots. In this last section of my discussion, I shall try to account for the curious impact of Nozick's style of political argument on myself and, I suspect, on other readers as well.

The growth of capitalism transformed certain spheres of human activity—the productive, the economic—by rationalizing them (in Max Weber's sense of that term). It came to be accepted, even praiseworthy, to apply rational principles of cost, profit, and benefit, to activities that had previously been dominated by customary, religious, or other norms. But broad though the scope of the economic is in social life, there remained a great deal of life that was very much less considerably affected by the change, notably religion, politics, family life, and personal relationships.

Utility theory, game theory, and their associated models of rational choice, seek to extend the methods of calculation, the presuppositions and rhetoric of rationalized economic activity into spheres of life hitherto shaped or governed by quite different sorts of considerations. One can make a joke of this move, as when one asks whether love is a zero-sum game, a bargaining game, or a game of perfect coordination. One can use the rhetoric and methodology for covertly ideological purposes, as the deterrence theorists did in the late fifties.³⁷ One can also seriously undertake to explore political and moral life with these models, as Nozick does. However one deploys the models, the sense of surprise comes from the incongruity of applying a terminology drawn from one field to phenomena usually considered in an entirely different field. Anthropologists achieve this surprise when they apply a terminology

35. J. BUCHANAN & G. TULLOCK, *THE CALCULUS OF CONSENT* (1962).

36. See J. RAWLS, *A THEORY OF JUSTICE* 153-58 (1971).

37. See, for example, H. KAHN, *ON THERMONUCLEAR WAR* (1960).

that we associate with primitive societies to the urban life of an advanced industrial society.

Nozick continually employs this rhetorical trick. He will consider, for example, forcibly restraining someone from defending his own interests according to his own view of them and paying him off for thus restraining him. Nozick describes this as compensating him sufficiently to raise him to his previous indifference curve,³⁸ a form of speech that we expect to find in a formal treatment of problems in welfare economics. The notion of an indifference curve presupposes the rationalization of a sphere of human experience. It presupposes that notions such as homogeneity, continuity, and substitutivity can find plausible application. What makes talk of this sort creepy (if I may repeat my rather unphilosophical word) is the assumption thereby insinuated that a hitherto uninvaded sphere of human activity should be similarly rationalized—and thus made ready for the extension into it of these models and methods.

Now perhaps we can see why Nozick's book is so strange. Nozick's decision to write about questions of morals and politics in the manner he does constitutes a covert proposal to transform into quasi-market-rationalized form important areas of human experience that have until now *not* been so treated. Such a proposal is inhuman; that is to say, it is a proposal to dehumanize much of our experience. To see that this is so, one need only reflect on the effect of such rationalization on the world of production and exchange.

Nozick may reply that I take too simple-minded a view of the matter, that I impute to him a vision of a mechanized, computerized life that bears no relation to his discussion. Just as there is room in economic calculations, he might point out, for some workers' preference for leisure over higher wages, or for a consumer's "noneconomic" pleasure in doing business where he is personally known, so there is room in *Anarchy, State, and Utopia* for obsessive fears of bodily harm, for soul-deep commitments to home and family, or for dogmatic religious convictions (all of which might, on some inadequate construal of the term, be stigmatized as "irrational").

However, such a reply would be too quick, and fundamentally wrong, in my judgment. The methodology infects the reasoning. The root problem is not at all that the method is too precise for the data (as Aristotle might have objected), but quite the reverse. If Nozick's inferences were tight, then we would be obliged to live with them, no

38. R. NOZICK, *supra* note 1, at 57.

matter how counterintuitive his conclusions might be. But of course we are not presented with inferences at all. We are offered a flood of rapidly sketched situations—scenarios—in which there are either no actual figures cited or in which the figures are “for illustration only.” The real burden of the argument is not on the reasonings themselves (for without more elaborate sophistication or more stringent simplification, we could never judge their validity), but on the plausibility of looking at matters in the manner implied by the language and methodology. Nothing is ever said to suggest a reason for accepting that new and peculiar way of looking at things.

Consider simply the notion of compensating someone for a “boundary-crossing.” Such compensation involves, among other things, paying him for the indignity of the infraction. Now, it is one thing to pay a man damages for an affront to his honor. It is quite another to say that his honor has a price—that the payment, in fact, has determined the market price of his honor! Indeed, once it has been established that a person’s honor has a price, he may plausibly be said to have lost his honor, in which case its market value is nil.

CONCLUSION

Despite its brilliance, its imaginativeness, and its sheer air of intellectual high spirits, Nozick’s book cannot, in my opinion, be judged a success. Its central argument will not stand up, although it shares that failing with most of the truly distinguished works in the corpus of Western political theory. More seriously, its treatment of politics abstracts from the essential character of social life, and thereby merely fails to come to terms with the most complex and intractable problems of political theory and practice. Most seriously of all, its language and methodology encourage us to treat as already rationalized those spheres of human experience that have not yet been subordinated to the dehumanization of quasi-economic rationalization, and that ought to be protected at all cost from such subordination.
