
Albert Jay Nock and Alternative History

BY JOSEPH R. STROMBERG

Albert Jay Nock (1870–1945) was a leading ideologist of the Old Right, a loose collection of individualist intellectuals, journalists, and a few politicians who opposed the growth of government in the first half of the twentieth century. Nock's writing appeared in the *Nation*, the original *Freeman* (1920–1924), which he founded with Francis Neilson, the *American Mercury*, *Harper's*, and elsewhere.

His books include *On Doing the Right Thing and Other Essays* (1928), *Jefferson* (1926), *The Theory of Education in the United States* (1931), *Our Enemy, the State* (1935), *Memoirs of a Superfluous Man* (1943), and *Cogitations* (Nockian Society, 1985).

Nock believed that education, properly understood, was not the same as vocational training, and he famously took a dim view of politics. Conservative political scientist George W. Carey has lately (2004) named him as one of “the great conservative thinkers of the twentieth century.”

Perhaps so; but Nock was also profoundly radical. *Jefferson* and *Our Enemy, the State* are the keys to understanding Nock's system, and inquiry into them sheds light on the relationship between Nock and the Old Right to Progressives and Progressivism and other strains of non-Marxist radicalism.

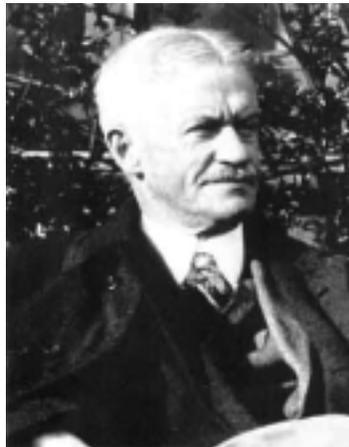
Nock's Jefferson

Few would doubt that Nock is a pleasure to read. *Jefferson* packs interesting detail and observation into an admittedly off-center account of its subject.

Thomas Jefferson is skillfully etched, foibles and all, and Nock notes favorably that he never speculated in land. Of his many inventions, Jefferson “never patented one” (being what we would now call a “freeware” inventor).

As ambassador to France, Jefferson supposed that country held 19 million paupers. He commented, “[W]herever there is in any country uncultivated lands and unemployed poor, it is clear that the laws of property have been so far extended as to violate natural rights. The earth is given as a common stock for man to labour and live on.” Adding in royal monopolies, Jefferson ascribed to France's productive classes “all the oppressions which result from the nature of the general government . . . their particular tenures, and . . . the seigneurial [feudal] government to which they are subject.”

In England, Nock writes, Jefferson “saw a population expropriated from the land, and existing at the mercy of industrial employers, with the enormous exactions of monopoly standing as a fixed charge upon the producer.” The English state was essentially the agent of privileged orders. Jefferson commented that while Englishmen were honest, their constitution (see Paine, Shelley), “from its nature, must render their government forever dishonest”; as politically organized, England comprised “a nation of buccaneers . . . seizing to itself the maritime resources and rights of all other nations.”



Albert Jay Nock

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Republicanism Is Superior, But Not Ideal

Europe's monarchies bred such evils naturally. Nock writes that Jefferson saw American republicanism as obviously superior. But ours was "not the ideal system"—Native American anarchism was (Nock's summary). Leaning that direction, Jefferson sometimes theorized a radical decentralization of the states themselves into ward-republics. In decentralized wards the people could, in Jefferson's words, "crush regularly and peaceably the usurpations of their unfaithful agents." Here, Nock writes, Virginia might have "set a good example, most of all to New England, which had the system, but was aborting its fruit." Jefferson attributed Shays' Rebellion to (in Nock's words) "an unfair pressure of debt and taxation, applied by collusion. . . ."

Nock observes that the leading Federalist ideologist, Alexander Hamilton, united "certain broad classes of the 'rich and well-born' with the interests of the government," starting with public creditors. As for "the natural-resource monopolist," his position, Nock says, "was as impregnable under the Constitution as his opportunities were limitless. . . . Hence the association of capital and monopoly would come about automatically. . . ." The Revolution's ideals had masked concrete economic interests; what really divided the country was the Federalists' political means to wealth. As for the Alien and Sedition Acts, Nock writes, "Americans were never sticklers for theory; they have been always more concerned with the inconveniences of despotism than with its iniquities."

Jefferson thought Hamilton's national debt could be paid in 15 years, but commented: "[W]e can never get rid of his financial system." He complained to Samuel Adams of "an artificial paper phalanx overruling the agricultural mass. . . ." Nock wryly notes "unaccountable fires among the Treasury records" just before Jefferson's appointees came in.

Nock is no unreserved admirer of Jefferson. He finds Jefferson's assessment of the Federalists inexact: "[W]hat really animated and held these people together was a predatory economic interest." Jefferson suspected Eng-

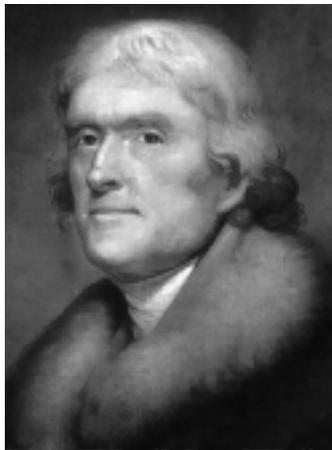
lish influence but saw only its "external and superficial aspects." The Federalists, Nock writes, devised their fiscal system "by no means because it was British, but because *there was money in it*" as "the most effective engine of exploitation by the 'rich and well-born'" (italics added).

Jefferson was slow to see the Constitution "as an economic document of the first order. . . ." "The four great general powers" it granted were over taxes, war, commerce, and control of western lands. Mercer of Maryland, John Taylor of Caroline, and Jackson of Georgia were quicker "to assess the economic implications of Hamilton's fiscal system." They were correct, and Hamilton's funding scheme created new assets amounting to an eighth of the national "wealth" out of nothing and gave them to "a single vested interest."

In Nock's opinion, Jefferson's "legalistic" opposition to Hamilton made him seem "a doctrinaire advocate of State rights and of strict construction; whereas he was really neither." Nor was he opposed to commerce in general; he understood the difference between everyday banking and public credit. For reasons of trade, Jefferson had supported the new Constitution, provided that "the United States should be a nation abroad, and a confederacy at home."

Taylor had a superior grasp of free-trade principles and of how taxes are shifted back to productive factors. When Jefferson complains to Taylor about political patronage, Nock writes laconically, "[T]he Constitution was meant to work that way, and it did." Jefferson's plan of paying off the public debt by selling western lands served to create "unlimited private land-monopoly." As for his Louisiana Purchase, "if it was a boon to the agrarian producer, it was a godsend to the speculator." Jefferson's unconcern about land monopoly aided the interests created by the Federalists.

Worse, Jefferson had an unfortunate faith in economic warfare—retaliatory tariffs and embargoes. "He never anticipated," Nock writes, "the appalling economic consequences brought indirectly upon the country in 1807." Discussing the background of the War of 1812 (and with 1914–1917 fresh in mind), Nock writes that instead of informing American



Thomas Jefferson

shippers that they took their own risks in sailing into the Anglo–French naval war zone, Jefferson backed an embargo “wholly subversive of the principle of liberty”—“the most arbitrary, inquisitorial and confiscatory measure formulated in American legislation up to the period of the Civil War. . . .” It made three states solidly Federalist and raised threats of New England secession.

Jefferson also failed to foresee the Federalists’ permanent lock on the Federal courts. In 1800 he predicted that “a single consolidated government would become the most corrupt government on earth,” exclaiming: “What an augmentation of the field for jobbing, speculating, plundering, office-building and office-hunting would be produced by the assumption of all the State powers into the hands of the General Government.” Yet Jefferson was not “a doctrinaire enemy of centralization.” He did not see his own constitutionally doubtful actions, as president, as comparable to things his enemies did (in Nock’s words) “for the final purpose of putting the legality of economic exploitation forever beyond the reach” of electoral politics and “official responsibility.”

In a “land of unprecedented monopolist opportunity,” Nock writes, men strove “to get out of the producing class and into the exploiting class as quickly as possible.” Jefferson “never seemed aware that the prospect of getting an unearned dollar is as attractive to an agrarian as it is to a banker. . . .” His Republicans kept their name while resisting “any tendency within the party to impair the system” that made extra-economic profits possible; hence, over time, “the essential identity of the parties.”

Our Enemy, the State

Nock deployed and criticized Jefferson in aid of reinterpreting American history. He made his theoretical ground explicit in *Our Enemy, the State*. Nock wrote that work in the shadow of the New Deal, which he treated as part of a two-century process of American state-building.

In Nock’s terminology, government serves society. But the *state* intervenes positively to divide society “into an owning and exploiting class, and a propertyless dependent class.” Only “incompetent observation” from Aristotle to Paine, had obscured this distinction. Franz Oppenheimer found the state’s origin in conquest, making every historical instance “a class-state”; but the state game only paid where economic exploitation could arise. For Nock, access to land was the key to preventing exploitation. Nock cites Turgot, Benjamin Franklin, John Taylor, Theodor Hertzka, and Henry George on the point.

The burden of Nock’s “theorem” is simply that few people with alternative economic means would beat down factory doors for mere “employment”—and at abysmally low wages, under miserable, dangerous conditions and quasi-military “discipline,” and with long, arbitrarily set working hours. The best alternative means was a plot of land and, short of that, access to traditional commons, “wastes,” and so on. These access rights were not especially tragic-because-common, but were in fact *collective private rights* held by specific persons in well-defined, once-feudal jurisdictions. All England could not show up one day and dissipate these resources. These little rights,

however, gave people an edge, a minimal independence useful for avoiding abject dependence on would-be employers. The latter hated these arrangements and duly enrolled the state to destroy them. Nock’s insight is that conquest, land engrossment, and destruction of economic options are not a one-shot deal, done in 1066, but can be repeated as needed, in an ongoing process favoring those with the best access to the state. This is why Nock uses the inflammatory word “exploitation.”

In actual (non-Whig) history, commercial interests gradually refit the state “to their own special interests, and strengthened it immeasurably.” Later, republican forms allowed the individual to imagine “that State action is his action. . . .” Following Oppenheimer, Nock contrasts the economic and political means to

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wealth. Feudal and merchant states were “higher integrations of the primitive State”; while states as such, “primitive, feudal or merchant [were] *the organization of the political means.*”

America’s colonial period unfolded in the period in England when merchants and financiers “saw the attractive possibilities of production for profit, with the incidence of exploitation gradually shifting to an industrial proletariat.” *This*, Nock says, was “the actual inwardness of . . . the Puritan movement. . . .” Growing individualism and social power coexisted with a “weak” state, but one strong enough to oversee “a thoroughgoing economic exploitation with relatively little apparatus of legislation or of personnel.”

The “Merchant-State”

John Locke justified this new state and sought “to copper-rivet . . . a doctrine of the sacredness of property” blocking state confiscations of the private property of important persons. Under Locke’s Whiggism-with-a-vengeance, the rights of property “took precedence even over those of life and liberty.” Even war powers, Nock writes, were to intrude on men’s lives and liberties “but *not* on their property” (*italics added*). Popular sovereignty provided additional leverage “for ousting . . . status to make way for the regime of contract . . . displacing the feudal State and bringing in the merchant-State.” Like everyone else, merchants felt the disutility of labor and wanted a better “access to the political means.” Parliament was their chosen instrument.

In America, colonial *states* developed from the chartered trading company as “an autonomous State.” Indeed, “the merchant-State was set up complete in New England long before it was set up in Old England.” As a result, “the merchant-State is the only form of State that ever existed in America”—“a purely class State,” benefiting particular commercial interests. (This was also true in Virginia, despite a feudal-patriarchal overlay.)

The merchant-State’s exploits were limited by the above-mentioned theorem that successful exploitation requires prior expropriation of surplus lands. In America, Nock says, the state-system of land tenure—“monopoly of the use-value of land” and “monopoly of the economic rent of land”—provided the expropriation needed. Nock seems to be saying, first, that states tend to grant more land than the title holder can actually use; second, that in such cases, the title holder realizes illegitimate profits from selling or renting the land to those who do use it. His third point would be that by encouraging the existence of large landed estates, the state and its beneficiaries take away from other potential users a livelihood they could otherwise have had.

The bourgeois state let “men of all sorts . . . climb into the exploiting class,” and with “a practically limitless field for speculation in rental-values,” Nock writes, “land speculation may be put down as the first major industry established in colonial America.” If land *use* rather than speculation had determined American settlement, “our western frontier would not yet be anywhere near the Mississippi River.” Hence all theses on “over-population,” beginning with Malthus, were “utterly incompetent” because deduced from “legal occupancy instead of actual occupancy.”

Pro-English commercial legislation cramped American would-be wielders of the political means to wealth, as did the King’s attempt in 1763 to curb colonial land grabs. Such interference irritated American elites no end. Political *independence* would provide them with full access *to* (and control of) state power.

Feudal elites “bequeathed” the idea of the political means to the bourgeoisie. “No other view of the State was ever held in colonial America,” Nock writes. He observes that since English policy limited colonial use of “*both* the political and economic means” (*italics added*), the language of natural rights and popular sovereignty had great appeal. The Declaration of Independence spoke to those who wished to combine

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“unlimited economic pseudo-individualism on the part of the State’s beneficiaries, and a judiciously managed exercise of political self-expression by the electorate.”

After American independence in 1783, Nock writes, “administration of the political means was not centralized in the federation, but in the several units. . . .” The federal level “had no taxing power, and no coercive power,” while each state had its own “bounties, concessions, subsidies,” and more. All 13 states continued the monopolistic state-system of land tenure defined above.

The struggle over a new constitution pitted “speculating, industrial, commercial and creditor interests” against “farmers and artisans and the debtor class generally.” The new plan widened the field of the political means, or of a *specific mix* of economic and political means. The outcome was free trade inside a bigger tariff zone: “the closer the centralization, the larger the exploitable area.” (This is Nock’s reading, in effect, of Federalist 10.) The classes behind the Constitution wanted “the British system . . . on a nation-wide scale”; they prevailed because mercantile interests were compact and agrarians dispersed—an early Public Choice insight. The Constitution provided republican forms with little democratic content. Under it, “the rights of life and liberty were recognized by a mere constitutional formality left open to eviscerating interpretations,” and sometimes “to simple executive disregard.” The point was to serve large property, however gotten, indiscriminately.

The 1789 Judiciary Act tied up the bundle, and with John Marshall’s able help the Supreme Court became “the highest law-making body.” Nock comments on the later “fetiches” of the party system and such “constitutional principles” as “strict construction,” always abandoned in practice. Jefferson’s dubiously constitutional Louisiana Purchase aimed at strengthening “agrarian control of the political means”—an achievement reversed after 1861. Nock scorns the embedded dishonesty of the system, even when defended with slogans

involving “states rights” and “rugged individualism.” Over the long haul, business had “most eagerly urged on the State to take . . . the successive single steps that lead directly to collectivism.” Similarly, he says, modern farmers were not family farmers, but manufacturers and speculators typically clamoring for state intervention.

Nock was not optimistic about the future. Characterless “mass-men” were helping the state absorb society. Alongside ideological factors, he remarks on the state’s “overweening physical strength.” In any case, “reforming and revolutionary movements” showed an “incorrigible superficiality,” especially when “the only

modification . . . necessary is that the smallest unit should reserve the taxing power strictly to itself.” History’s usual logic went as follows: “Conquest, confiscation, the erection of the State,” and ending, after a regular series of internal developments, with the victory of state power over social power. Social dissolution came last. A few “alien spirits” would record the tale.

Three Strands of Nockian Thought

It will be useful here to note key elements of Nock’s thought. (Unless noted, quotations are from *Our Enemy, the State*.)

Jeffersonianism. In 1787–1788, Americans chose between 13 predatory organizations and a large one at the center. Nock sided with the defeated parties. Echoing John Taylor, he writes that Federalists “aimed at bringing in *the British system of economics*, politics and judicial control, on a nation-wide scale.”

Progressive History. Nock dedicated *Jefferson* to Justice Louis Brandeis and wrote, too, that as “an old friend” of historian Charles Beard, he followed Beard’s interpretation of the politics of the early Republic. To this “economic interpretation,” Nock brought a breadth and resilience sometimes under- or unemployed by his successors (if any). When Nock says that ideological lags sustain institutions, or that the American Whigs of

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1776 did not care deeply about popular sovereignty and natural rights, he adopts Progressive views containing considerable truth.

Georgism. Nock did not take Progressive history uncritically, but creatively modified it. His grounding in Henry George gave systematic character to his work. This should not astonish us. Edmund Opitz, long-time FEE staffer and member of the Nockian Society, thought George's followers were "among the best libertarians we have," and Murray Rothbard commended Georgists for seeing *there is a land question*. Georgism gave Nock somewhere to stand outside the existing order. The central claim about primal state allocation of resources gave Nock great theoretical leverage (but does not require belief in George's single tax).

In Nock's hands, these three strands afford the basis for startlingly radical historical conclusions. Thus individualism and laissez faire had not produced the "horrors" of English industrialization, "for no such regime ever existed in England." The horrors arose instead from "the State's primary intervention," which expropriated peasant producers and kept land from competing "with industry for labour," while Adam Smith preached the gospel of "landowners and mill-owners."

Like Oppenheimer, Nock posits "an original allotment of the political means," or "original intervention," in place of Marx's "primitive accumulation." So armed, he calls American railroads "speculative enterprises enabled by State intervention." Transportation was "purely incidental"; the railroads were really about "land-jobbing and subsidy-hunting." Nock follows the trail of plunder. The French aristocracy, he notes, was "a closed corporation"; but a republic, "by an indefinite expansion of the cohesive power of public plunder, admits a steady accession of outsiders." This made Britain a predatory republic rather than traditional monarchy (*Jefferson*).

Seeing the "cohesive power of public plunder" as a near-law of history, Nock anticipates the "mode of predation" analysis pursued by Pierre Bourdieu, Sir Ernest Gellner, Joan Dyste Lind, Rothbard, and others. Here the state becomes "an anti-social institution," establish-

ing injustice through law, "which the State itself manufactures for the service of its own primary ends."

Nock also attended to ideology, noting that "certain arrangements of words" kept Americans ("the most unphilosophical of beings") from seeing "how far the conversion of social power into State power has actually gone." Americans cared nothing for "the theory of things."

"State" and "Government"

To bare such mysteries, Nock distinguished "state" from "government." This language probably owes something to late nineteenth-century Hegelian-American political science, but Nock repositions the absolute, totalizing state as a great evil, and takes government as a mere, limited mechanism of local self-rule. The state-concept becomes a critical tool, whose Hegelian content withers under Nock's surgery. From within Nock's radicalism, we see the need to understand the system as a whole, where the test of any public measure is, "*What effect has this upon the sum-total of State power?*" This sets a critical standard of sorts, to say the least.

In the end, our interest lies not merely in the task Nock undertook, but in what we could learn by following his lead.



Henry George

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