

## ON IMMIGRATION: REPLY TO HOPPE

ANTHONY GREGORY AND WALTER BLOCK

HANS-HERMANN HOPPE IS CLEARLY one of the most creative, inventive, and insightful libertarians now writing. This claim would be true if his only contribution was his “argument from argument” (1993, pp. 204–07), which placed the entire corpus of libertarian theory on an undeniable praxeological-like basis. But he has done more, far more. He has made sterling and original contributions to the theory of anarchism (2001), private property rights (1993), homesteading (1993), socialism and capitalism (1989), and insurance (2003), to single out just a few of his many contributions to this field.

Although the present paper is dedicated to a highly critical examination of Hoppe’s contributions to the field of immigration, we readily acknowledge at the outset that here, too, even though we cannot see our way clear to agreeing with his conclusions, his splendid, imaginative, and ingenious “footprints” can readily be seen. Who else but this scholar would think to model immigration along the lines of the importation of goods, pointing to disanalogies between them (2001)? No one other than he could analyze free immigration as a form of forced integration (2001) in violation of private property rights.

The early Rothbard took what may be called the traditional libertarian view. Here, libertarianism was ineradicably bound to the free movement of goods, investments, *and* labor across international boundaries.<sup>1</sup> Indeed, the concept of “international boundaries” was

---

ANTHONY GREGORY is a research analyst at the Independent Institute. WALTER BLOCK is professor of economics and the Harold E. Wirth Eminent Scholar Endowed Chair at Loyola University, New Orleans.

<sup>1</sup>The historian A.J.P. Taylor wrote:

In 1914 Europe was a single civilized community. . . . A man could travel across the length and breadth of the Continent without a passport until he reached . . . Russia and the Ottoman empire. He could settle in a foreign country for work or leisure without legal formalities. . . . Every currency was as good as gold. (Taylor 1966, p. 7, cited in Stromberg 1999)

itself a highly problematic one, and without it, the “problem” of free immigration did not even arise. Rothbard stated:

Tariffs and immigration barriers as a cause of war may be thought far afield from our study, but actually this relationship may be analyzed praxeologically. A tariff imposed by Government A prevents an exporter residing under Government B from making a sale. Furthermore, an immigration barrier imposed by Government A prevents a resident of B from migrating. Both of these impositions are effected by coercion. Tariffs as a prelude to war have often been discussed; less understood is the Lebensraum argument. “Overpopulation” of one particular country (insofar as it is not the result of a voluntary choice to remain in the homeland at the cost of a lower standard of living) is always the result of an immigration barrier imposed by another country. It may be thought that this barrier is purely a “domestic” one. But is it? By what right does the government of a territory proclaim the power to keep other people away? Under a purely free-market system, only individual property owners have the right to keep people off their property. The government’s power rests on the implicit assumption that the government owns all the territory that it rules. Only then can the government keep people out of that territory.

Caught in an insoluble contradiction are those believers in the free market and private property who still uphold immigration barriers. They can do so only if they concede that the State is the owner of all property, but in that case they cannot have true private property in their system at all. In a truly free-market system, such as we have outlined above, only first cultivators would have title to unowned property; property that has never been used would remain unowned until someone used it. At present, the State owns all unused property, but it is clear that this is conquest incompatible with the free market. In a truly free market, for example, it would be inconceivable that an Australian agency could arise, laying claim to “ownership” over the vast tracts of unused land on that continent and using force to prevent people from other areas from entering and cultivating that land. It would also be inconceivable that a State could keep people from other areas out of property that the “domestic” property owner wishes them to use. No one but the individual property owner himself would have sovereignty over a piece of property. (Rothbard 2004, p. 1146, App. B)

It is to Hoppe’s credit that he saw an entirely different way of looking at this issue. In his analysis, the free movement of goods was fully justified, insofar as it was entirely a matter of voluntary interaction. That is, there was a willing seller abroad and an agreeable buyer in the domestic country. Nothing could fit “plumb line” libertarianism better than that. This applied to investments as well. In this

case there was a voluntary investor in the foreign nation and an equally disposed recipient of the capital in the recipient nation. Again, this is black letter libertarianism, grounded, as are all justifiable acts, in mutual consent.

Matters, however, were very, very different when it came to immigration. In this case it cannot be denied that there was a willing immigrant. No one would migrate from country A to B were he not doing this of his own accord.<sup>2</sup> But, according to Hoppe, there was no agreeable recipient at the other end of this “transaction.” That is, it was not a voluntary commercial interaction at all. Rather, it was a unilateral move on the part of the immigrant onto a territory not all of whose owners accepted it. And, for those who did not welcome these people with open arms, the trip amounted to no less than a trespass. Governments that acquiesced in this were either initiating or aiding and abetting a variant of forced integration. Brilliant. No other anti-open immigration advocate<sup>3</sup> has ever come up with anything half as insightful.

The later Rothbard took a position similar to the one supported by Hoppe. He reversed field and supported governmental interference with the free movement of peoples:

I began to rethink my views on immigration when, as the Soviet Union collapsed, it became clear that ethnic Russians had been encouraged to flood into Estonia and Latvia in order to destroy the cultures and languages of these people. (Rothbard 1994, p. 7)

Let us allow Hoppe to state his position in his own words, lest any problems of misinterpretation cloud our analysis.

A truly remarkable position is staked out by Walter Block, “A Libertarian Case for Free Immigration.” *Journal of Libertarian Studies* 13, no. 2 (1998). Block does not deny the above predicted consequences of an “open border policy.” To the contrary, he writes:

“suppose unlimited immigration is made the order of the day while minimum wages, unions, welfare and a law code soft on criminals are still in place in the host country. Then, it might well be maintained, the host country would be subjected to increased crime, welfarism, and unemployment. An open-door policy would imply not economic freedom, but forced integration with all the dregs of the world with enough money to reach our shores.” (p. 179)

---

<sup>2</sup>If this were not the case, it would be a matter of kidnapping and not of immigration.

<sup>3</sup>For another staunch opponent of open immigration see Brimelow (1995).

Nonetheless, Block then goes on to advocate an open-door policy, *regardless* of these predictable consequences, and he claims that such a stand is required by the principles of libertarian political philosophy. Given Block's undeniable credentials as a leading contemporary theoretician of libertarianism, it is worthwhile explaining where his argument goes astray and why libertarianism requires *no* such thing as an open-door policy. Block's pro-immigration stand is based on an analogy. "Take the case of the bum in the library," he states.

"What, if anything, should be done about him? If this is a private library, . . . the law should *allow* the owner of the library to forcibly evict such a person, if need be, at his own discretion. . . . But what if it is a public library? . . . As such [libraries] are akin to an unowned good. Any occupant has a much right to them as any other. If we are in a revolutionary state of war, then the first homesteader may seize control. But if not, as at present, then, given "just war" considerations, any reasonable interference with public property would be legitimate. . . . One could "stink up" the library with unwashed body odor, or leave litter around in it, or "liberate" some books, but one could not plant land mines on the premises to blow up innocent library users. (pp. 180–81)"

The fundamental error in this argument, according to which everyone, foreign immigrants no less than domestic bums, has an equal right to domestic public property, is Block's claim that public property "is akin to an unowned good." In fact, there exists a fundamental difference between unowned goods and public property. The latter is *de facto* owned by the taxpaying members of the domestic public. They have financed this property; hence, they, in accordance with the amount of taxes paid by individual members, must be regarded as its legitimate owners. Neither the bum, who has presumably paid no taxes, nor any foreigner, who has most definitely not paid any domestic taxes, can thus be assumed to have any rights regarding public property whatsoever. (2001, pp. 159–60, n. 10)

Notwithstanding the above-mentioned accolades, in this paper we criticize Hoppe's theory of immigration as forced integration on the ground that it is vulnerable to a series of *reductiones ad absurdum*. His positions on immigration is inconsistent with his own (correct) perspectives on a myriad of other issues. We maintain that he cannot endorse, even tacitly or reluctantly, statist limits on immigration since such a stance is incompatible with his own position. We begin in section 1 by examining Hoppe's views on immigration in contrast to his stance on free trade. Section 2 is devoted to other aspects of statism, including forced integration. In section 3 we take on N. Stephan Kinsella's majoritarian restitution argument and examine

forestalling and the tragedy of the commons. In sections 4 and 5 we address homesteading and libertarian punishment theory, respectively. We conclude in section 6 with a discussion of the coercive and socialistic nature of immigration controls.

### 1. FREE TRADE

Hoppe is correct that the problems with the state's unjust socialization of resources can be compounded when numerous immigrants enter the country as part and parcel of "forced integration." No case can be made, however, for the state restricting immigration, at least not on grounds compatible with libertarianism.

One way to see the flaw in his position is by use of the argument *reductio ad absurdum*. Hoppe says that free immigration means that unwilling taxpayers are forced to finance the living expenses of the new entrants. They use roads, for example. But what if we applied such a standard to free trade?

Goods that are imported into America under provisions of free trade are *also* driven around on roads, and otherwise move through socialized sectors of the economy. Many of the same folks who are forced to fund roads and consider their now-stolen private property to be "invaded" by immigrants, would also consider free-flowing goods from China and Mexico, trucked around on public roads, to be "invasive."

In accepting Hoppe's argument that once private property has been stolen, the state compounds the injustice when it allows immigrants to use the property, thus further "invading" the private property rights of the original owners, we are certainly entitled to draw similar conclusions about free trade.

The point is, what is sauce for the immigration goose is also sauce for the free trade gander. Hoppe cannot be allowed to have it both ways. He (correctly) favors complete free trade, but opposes equally open immigration.<sup>4</sup> He takes this latter stance on the grounds that the long-suffering taxpayer is in effect forced to subsidize the newcomers' use of highways and streets. Well and good.

---

<sup>4</sup>Another anomaly for the Hoppe position surfaces when we consider migration between cities and states within the U.S. If migration from, say, Norway or Brazil to the U.S. constitutes an unwarranted "forced integration," then why does not movement of peoples from, say, Texas to Ohio fall under this rubric too? And if it does, then it also applies to labor mobility between cities, such as between New Orleans and Atlanta. And if this holds, then it also applies to migration *within* a city.

But then the same argument can be used against eliminating all tariffs: imported goods are *also* trucked around on taxpayer-financed thoroughfares. If he can object to immigrants using roadways, he is compelled by logical necessity to make the same objection to shipping these imported goods on streets and highways.

## 2. STATISM AND FORCED INTEGRATION

Hoppe's position that keeping illegals off public property because of their supposed "invasiveness" could easily be extended to other matters, aside from free trade. Gun laws, drug laws, prostitution laws, drinking laws, smoking laws, laws against prayer—all of these things could be defended on the basis that many tax-paying property owners would not want such behavior on their own private property. Such examples are hardly without a real-world basis. Large numbers of Americans would not allow guests in their homes if those guests had machineguns or crack cocaine in their possession. The principle of the freedom to exclude and set conditions for entry onto private property simply cannot be extended to the socialized public sphere, or else all sorts of unlibertarian, illiberal policies could be as easily justified as border controls. In other words, just because an individual—or many individuals—would not want act X to occur on their property does not mean that, according to libertarian law, it can be prohibited as a general principle, even on so-called "public-property."

The question then becomes, should the state determine what and whom to allow and forbid on public land, based on what the taxpayers would decide as it concerns their own private property? This becomes impossible, for states cannot make such economic calculations. In the end, immigration controls empower the state and further the misconception that it can emulate market decisions.

Another good analogy is campaign finance legislation. Certainly, mass democracy and the central state are sins, and the buying of favors by special interest groups is all too much of a reality. And yet, the answer is not to further empower the state so as to limit the invasiveness caused by this socialized sphere of society! The answer is not to use legislative force to keep lobbyists out of the democratic process, so long as the process exists! Is it?

The only policy answer from a libertarian perspective is elimination of democracy and of public property. This is unrealistic, say the Hoppeans. But even more so is the collectivist notion of the state keeping out immigrants in any way that emulates the market decisions and choices of the taxpayers. Since it is unrealistic, why even

consider asking the government to do so? Between two unrealistic choices, why, on libertarian grounds no less, favor the one that necessitates state action?

It is a solidly sound point that taxpayers who do not wish to see their expropriated wealth go to social services or even roads used by immigrants are further invaded if their wealth is distributed in this manner. But it is equally true that taxpayers who oppose border restrictions or who in fact especially *want* immigrants to enter their communities, are victimized by any tax-financed restrictions on immigration of which they do not approve. The question remaining is whether we should err in favor of an inclusive policy or an exclusive one, knowing that as long as there are socialized sectors of the economy, any use of the tax-funded resources will be invasive toward those who have been forced to pay. Since the restriction of immigration, carried out by states, is itself a state-enhancing government program, libertarians should err on the side of rejecting state activity and, therefore, oppose state border controls and immigration laws. All the talk about free immigration empowering the state seems to fly in the face of the logic. It is not as if the state will enforce immigration controls in ways that lessen its power.

Although Hoppe and others have argued that free immigration, for cultural and political reasons, will ultimately lead to bigger government and more statism than restricted immigration, it is vastly problematic to allow and empower the state to protect the borders and enforce immigration laws in the hope that the state will do so in a manner that limits its future size, expense, and power. Many policy proposals, in fiscal and monetary policy especially, have been characterized as attempts to use immediate state action with the intention that it will reduce state action in the long run. Price controls have been rationalized as a way to preempt total bailouts. Deficit spending and education subsidies have been defended on the grounds that they will allow for lower tax rates in the future. Foreign interventions have been advocated as ways to preclude the need for greater interventions and wars at a later time. Government intrusion in the healthcare market has been championed as a method to save future healthcare costs to the public sector. State action in the present to reduce the overall socialization of society, growth of the state, and threat to liberty and private property, has a failed record when put to practice and is therefore pernicious for a libertarian to endorse. In the case of immigration, if it is indeed true that certain types of immigrants tend to serve the interests of the state and further its growth, then it is rather unlikely that the state would ever exclude such immigrants effectively. The incentive simply is not

there. But giving the state the power and authority to exclude immigrants does necessarily give it the power, at least potentially, to exclude those immigrants who even the taxpayers most protective of liberty and private property might not want to exclude.

Indeed, Hoppe is correct that open borders compounded with large sectors of socialized society constitute a *de facto* “forced integration” upon all the native taxpayers and inhabitants who would not normally invite in the immigrants. Forced integration is a violation of private property rights and free association, and must be rejected on libertarian grounds. But what of the fact that immigration controls of any feasible sort similarly constitute a *de facto* forced discrimination? Some taxpayers want immigrants in their country, and to do business with them and associate with them in the framework of the peaceful, if hampered, market economy. Any immigration quota, limiting the number of immigrants per nation of origin, would be riddled with all the same problems as affirmative action in public universities. Although it is true that private universities might want to discriminate against white applicants, for example, and accept a disproportionately high number of minority candidates, based on quotas—and although such discrimination is undeniably the private property right of free association of any private organization—it is highly problematic to allow already socialized institutions to practice the same discriminatory entrance policy on the basis of what the market would allow. This is the classic economic calculation problem: the state cannot emulate the market. To allow the state to discriminate on the grounds that private individuals should be allowed to is to pave the way to a perverse enervation of free association in its own name.<sup>5</sup>

The free market is a unique mechanism of human organization that respects property rights and freedom of association. No matter what the state does, it cannot simulate the market process. Attempting to shift its policies to better reflect the market preferences of one group will always compromise and invade upon the preferences of another. Increasing the state’s power and monopoly over human travel cannot improve the overall level of liberty in society.

---

<sup>5</sup>Private road owners would probably prohibit drunk driving (Block 2004a). But see Rockwell (2000) who opposes government acting like a private business in this regard.



### 3. THE MAJORITARIAN RESTITUTION ARGUMENT, FORESTALLING, AND THE TRAGEDY OF THE COMMONS

Some libertarian theorists, drawing on and expanding upon the Hoppean analysis, have developed additional arguments against open borders. N. Stephan Kinsella has invoked an argument that immigration controls, or at least prohibition of illegal immigrant usage of “public lands,” can constitute a form of restitution. Since taxpayers have been victimized by the state’s forcing them to finance public spaces, they are owed something by the state as victims. Kinsella argues that “restitution need not be made only in dollars. It can be made by providing other value or benefits to the victims.” Since

99 percent of my fellow taxpayers would simply prefer some immigration restrictions, and therefore probably would prefer some kinds of rules of the road that discriminate against outsiders—given this preference, which does not seem per se unlibertarian—it is obvious that far more restitution is made overall if such rules are enacted. (Kinsella 2005)

There are several problems with this analysis. First of all, we have similar *reductio ad absurdum* as we do in the case of the general Hoppean argument. Just because most victims of the state would prefer that the state do something with government property does not make it *a priori* more just than how the minority would prefer it to be used. If immigration controls are coercive against the innocent in their own right, majority support for them makes them no more valid than any other program of majoritarian social democracy. A majority of Americans might believe in trade restrictions. A majority might not want people carrying guns in the public sphere, or even might prevent them from legally having a gun in their homes by preventing them from transporting it to their homes. Similarly, Kinsella’s road restitution proposal prevents people from hiring illegal immigrants to do their housework. Majority rule is no way to determine the justness of public policy, even within the realm of the socialized commons.

Immigration controls, far from being restitution to the victims of tax aggression, only expand the coercive activity of the state against another class of people, including both natives and foreigners. In principle, a victim of robbery has no “right” to direct his assailant to aggress against others as a matter of “restitution,” for doing so violates yet other person’s natural rights. Being a victim of the state in no way entitles someone to use the state against anyone else. Since socialist policies are such an inefficient drain on the economy, it is

inevitable that people's grievances will far outweigh the capacity of the state to compensate them. Moreover, the state does not have its own resources and it can only "compensate" people by robbing from others.

Another serious problem arises with Kinsella's majoritarian restitution argument. This author correctly points out that restitution "need not be made only in dollars." Also true is the fact that *harm done* by the state against people need not only be in terms of dollars. In other words, taxpayers are not the only victims of the state who have a moral claim to restitution. Most strikingly, the U.S. government has imprisoned hundreds of thousands of people for victimless crime laws and has over the years maimed and killed millions through its wars and interventions in other countries. The victims of war are especially worth considering, for there are millions of such people who have lost their homes, families, livelihoods, and everything they have to the U.S. government's acts of aggression—nearly none of which can be measured in a dollar amount. If anyone has a legitimate claim to restitution from the government, it is the victims of U.S. foreign policy. But should they be granted nonmonetary restitution for what they have suffered? If paying taxes into the government gives American taxpayers the right to "benefits" from the government in the form of more restrictive immigration controls, should foreigners who have been even more seriously victimized by the state be given the right to direct U.S. government policies as a compensatory measure? Should they be allowed to dictate the form of immigration controls, trade controls, or regulation of the American economy? It can be argued that they would never have a right to use the U.S. government to enforce policies that are *per se* unlibertarian, whereas immigration controls and other regulations regarding the already collectivized commons are not *per se* unlibertarian. But it is hard to imagine Kinsella endorsing the view that innocent Iraqis and other foreigners who lost everything to the U.S. war machine should be compensated in the form of government restrictions on his own freedom of movement on U.S. public property, or prohibitions on transferring alcohol on public property, or laws that force women to wear certain traditional Muslim clothing on public property—but that is the logical consequence of his line of argument.

One important consideration in attempting to direct the state to compensate its victims through nonmonetary "restitution" is whether in doing so the state will victimize others. Hoppe and Kinsella are both eminently correct that no one has a natural right to travel onto property owned by anyone else. But when acting on public property in a way that supposedly minimizes the *de facto* trespass

of forced integration, the state can only do so justly insofar as it does not violate the libertarian principle of forestalling (Block 2004b, 2005, unpublished A, B). Under the concept of forestalling, one has no natural right to do anything that prevents others from exercising their natural rights. If the government nationalized all of the land except for private residences, it would further invade liberty to prevent people from entering this socialized land, thus keeping them locked in their own private property and precluded from entering that of other consenting, inviting owners.

It is against natural rights for the government to “homestead” the land that completely surrounds the privately owned land of another homesteader, thus rendering the latter homesteader a prisoner on his own land. The government cannot legitimately maintain all the roads and public spaces in a city, for example, and prevent certain people from entering. Thus we see another problem with Kinsella’s argument that the government, or even the taxpayers as a collective entity, can “own” all the roads.<sup>6</sup>

Furthermore, Kinsella’s critique of open borders, much like Hoppe’s, rests on the notion that the taxpayers own government property. They cannot own it, however, because ownership rights cannot logically conflict in the way that preferences for public resource use inevitably conflict in the tragedy of the commons. Indeed, from Hoppean (1993) and Rothbardian (1998) homesteading theory, we can deduce that much of the land government claims to own is neither private nor public property, but rather no property at all. There is another reason for this conclusion as well: there cannot be two legitimate owners of one and the same property (Hoppe 1998) at the same time and in the same respect.<sup>7</sup> If the government is the legitimate owner of the property in question,<sup>8</sup> then the citizenry cannot also have proper title to it. The reverse, of course, is true as well.

#### 4. HOMESTEADING

If the government nationalized 90 percent of the land, we would not want the state to keep people off of it just because we would not welcome them in our own private property. Neither greater public space nor smaller public space warrants immigration controls by the state.

---

<sup>6</sup>Thanks to B.K. Marcus for pointing out this application of Block’s forestalling principle.

<sup>7</sup>We of course abstract from partnerships in making this claim.

<sup>8</sup>A claim that is awkward in the extreme when made in the context of the libertarianism shared by Hoppe and the present authors.

What are the facts of the matter? The brute undeniable situation is that the government, both at the state and federal levels, owns 38 percent of the total land-mass of the country (Property Rights Alliance). This figure is much higher in some states.<sup>9</sup> In general, the so-called “public sector” accounts for far more land ownership west of the Mississippi than east of it.

Now suppose an immigrant, one who Hoppe thinks is “uninvited,” takes it upon himself to “invade” some of this unowned land. How could this author react to such an occurrence? On the one hand, he (Hoppe 2001, 2002) is on record as opposing any such behavior as “forced integration.” On the other hand, he is *also* (Hoppe 1993) noted for championing the right of homesteading of virgin or hitherto unowned land. There would appear to be somewhat of a “tension” between these two positions, not to say an actual downright contradiction between them.

One possible way, however, to reconcile these seemingly disparate positions is to take the view that the citizens of the respective states, or, possibly, the occupants of the entire country own the government land. At first glance, this works. If *all* the land in the U.S. is really owned, the private along with the public, then when an outsider takes over a plot of land in either category, he is not homesteading; he is trespassing. But a moment’s analysis will show that this attempted reconciliation cannot really suffice. For, as anyone who has ever been in an airplane above the Rocky Mountains, or practically anywhere in Alaska knows, there are vast stretches that have *never* been so much as touched by human beings. If this is so, it is hard to see how a staunch homesteading theorist—as well as anarchist—such as Hoppe can countenance the claim that this land is really owned by a government none of whose agents has even been within miles of their supposed “property.”

## 5. PUNISHMENT THEORY

All men of good will can empathize with Hoppe’s goals. No one wants to be overrun by hordes of new criminals from abroad. The situation is even more tenuous when immigrants are implicated in a

---

<sup>9</sup>These are the comparable figures for the states with the highest percentage of governmental (at all levels) land ownership: Alaska (89 percent), Nevada (81 percent), Utah (70 percent), Idaho (67 percent), Wyoming (55 percent), Arizona (54 percent), and California (42 percent). These figures are not that much below the Soviet level of some 97 percent. See on this Gregory and Stuart (1980, pp. 30–33); see also Wadekin (1973).

myriad of lesser transgressions against a civilized order, for example, trespassing, public urination and defecation, sexual harassment of the “hey babe” variety, sexual solicitation, and littering.<sup>10</sup>

To this we can only say that just as libertarians do not seek punishments against drug use or gun ownership, but only belligerent drug users and gun owners, we should apply the same standard to immigrants.

#### 6. THE COERCIVE AND SOCIALISTIC NATURE OF IMMIGRATION CONTROLS

Despite the tragedy of the commons, highlighted so well by Hoppe's trenchant critique of the problem of open immigration in a partly socialized society, government immigration controls are *per se* coercive and socialistic. They give a border guard the power to invade the private property along the border to search for illegal aliens. They will lead to black markets in immigration, followed by further crackdowns on illegals, including proposed civil and economic liberties violations such as the National Identification Card, and invasions of the privacy of accused employers of illegal immigrants. The enforcement of immigration controls will invariably be burdened by many of the flaws of any other socialist program, which means they will likely fail and be followed by further enhancements of state power. The infrastructure along the borders poses a potential threat to the right of Americans to *emigrate*, as well. Of course, any and all state enforcement of immigration controls will require taxation, takings, government inflationism, and/or some other forms of coercive extraction of wealth (Block 1998; Gregory 2004, 2005). Because of the socialist economic calculation problem,<sup>11</sup> there is no way for government immigration controls to keep out the “uninvited,” let in the “invited,” or even determine who would fall into each category. The state simply cannot mimic the market, and directing its coercive mechanism in such an attempt will prove ineffective in achieving

<sup>10</sup>For more information on these transgressions, see, Knott (2005); Federation for American Immigration Reform; Frohnhoefer (2001); see also Block (1976, pp. 210–16).

<sup>11</sup>On this topic see Boettke (1991, 1993); Dorn (1978); Ebeling (1993); Foss (1995); Gordon (1990); Hoff (1981); Hoppe (1989, 1991, 1996); Horwitz (1996); Keizer (1987, 1997); Kirzner (1988); Klein (1996); Lavoie (1981, 1985); Lewin (1998); Mises (1975, 1981); Osterfeld (1992); Pasour (1983); Reynolds (1998); Rothbard (1971, 1976, 1991); Salerno (1990, 1995); Steele (1981, 1992).

desired goals, wasteful of wealth created in the private sector, and destructive to liberty.

Inevitably, of course, immigration controls violate the property rights of those inside, as well as outside, America who wish to exchange with each other, and who can indeed maintain the costs of the immigrant's stay.

While our take should not be one of guilt by association, it is more than passing curious that the Hoppe position has been embraced by none other than Senator Hillary Clinton (D, N.Y.), who states: "(I do not) think that we have protected our borders or our ports or provided our first responders with the resources they need, so we can do more and we can do better . . . I am, you know, adamantly against illegal immigrants." (NewsMax.com 2004)

The best practical argument is that the people who will implement and enforce any anti-immigration policy will surely be statist. No sort of Hoppean propertarian principles will be implemented by their border police. The state created many problems by socializing half the economy. One of these has to do with immigration. More state socialism conducted by fascists like Sen. Clinton is not the answer. State agents who would enforce immigration controls are living on taxed wealth, and thus are acting in ways invasive toward the taxpayers who *do* want to associate with immigrants. It is hard to see how this fact can be reconciled with Hoppe's opposition to government, which, as it relates to every other issue, he has so aptly described as the "expropriating property protector."<sup>12</sup>

#### REFERENCES

- Block, Walter. Unpublished A. "Terri Schiavo: A Libertarian Analysis."  
 ———. Unpublished B. "Homesteading, *ad coelum*, Owning Views and Forestalling."  
 ———. 2004a. "Open Letter to Mothers Against Drunk Driving (MADD)." *Procesos de Mercado: Revista Europea de Economía Política* 1(1): 251–58.  
 ———. 2004b. "Libertarianism, Positive Obligations and Property Abandonment: Children's Rights." *International Journal of Social Economics* 31 (3): 275–86.  
 ———. 1998. "A Libertarian Case for Free Immigration." *Journal of Libertarian Studies* 13, no. 2 (Summer): 167–86. Online at: [www.mises.org/journals/jls/13\\_2/13\\_2\\_4.pdf](http://www.mises.org/journals/jls/13_2/13_2_4.pdf).  
 ———. 1979. "Free Market Transportation: Denationalizing the Roads." *Journal of Libertarian Studies* 3, no. 2 (Summer): 209–38.

<sup>12</sup>See, for example, Hoppe (2003, p. 8).

- Block, Walter, and Roy Whitehead. 2005. "Compromising the Uncompromisable: A Private Property Rights Approach to Resolving the Abortion Controversy." *Appalachian Law Review* 4 (2): 1–45.
- Boettke, Peter J. 1993. *Why Perestroika Failed: The Politics and Economics of Socialist Transformation*. London: Routledge.
- . 1991. "The Austrian Critique and the Demise of Socialism: The Soviet Case." In *Austrian Economics: Perspectives on the Past and Prospects for the Future*. Vol. 17. Ed. Richard M. Ebeling. Hillsdale, Mich.: Hillsdale College Press. Pp. 181–232.
- Brimelow, Peter. 1995. *Alien Nation: Common Sense about America's Immigration Disaster*. New York: Random House.
- Dorn, James. 1978. "Markets True and False in Yugoslavia." *Journal of Libertarian Studies* 2 (3): 243–68.
- Ebeling, Richard M. 1993. "Economic Calculation Under Socialism: Ludwig von Mises and His Predecessors." In *The Meaning of Ludwig von Mises*. Ed. Jeffrey Herbener. Norwell, Mass.: Kluwer Academic Press. Pp. 56–101.
- Federation for American Immigration Reform. 2002. "How Day Laborer Hiring Sites Promote Illegal Immigration." Online at: [www.fairus.org/site/PageServer?pagename=iic\\_immigrationissue-centers192e](http://www.fairus.org/site/PageServer?pagename=iic_immigrationissue-centers192e).
- Foss, Nicolai Juul. 1995. "Information and the Market Economy: A Note on a Common Marxist Fallacy." *Review of Austrian Economics* 8 (2): 127–36.
- Frohnhofer, William. 2001. "Beautiful Losers." Online at: [www.vdare.com/misc/fronhofer\\_beautiful\\_losers.htm](http://www.vdare.com/misc/fronhofer_beautiful_losers.htm).
- Gordon, David. 1990. *Resurrecting Marx: The Analytical Marxists on Freedom, Exploitation, and Justice*. New Brunswick, N.J.: Transaction.
- Gregory, Anthony. 2005. "The Trouble With 'Cracking Down on Immigration'." *LewRockwell.com* (June 8). Online at [www.lewrockwell.com/gregory/gregory79.html](http://www.lewrockwell.com/gregory/gregory79.html)
- . 2004. "In Defense of Open Immigration." *Freedom Daily* (October). Online at: [www.fff.org/freedom/fd0410e.asp](http://www.fff.org/freedom/fd0410e.asp).
- Gregory, Paul, and Robert Stuart. 1980. *Comparative Economic Systems*. Boston: Houghton Mifflin.
- Hoff, Trygve J.B. 1981. *Economic Calculation in a Socialist Society*. Indianapolis: Liberty Press.
- Hoppe, Hans-Hermann, ed. 2003. *The Myth of National Defense: Essays on the Theory and History of Security Production*. Auburn, Ala.: Ludwig von Mises Institute. Online at: [www.mises.org/etexts/defensemyth.pdf](http://www.mises.org/etexts/defensemyth.pdf).
- . 2002. "Natural Order, the State, and the Immigration Problem." *Journal of Libertarian Studies* 16 (1): 75–97. Online at: [www.mises.org/journals/jls/16\\_1/16\\_1\\_5.pdf](http://www.mises.org/journals/jls/16_1/16_1_5.pdf).
- . 2001. *Democracy: The God That Failed: The Economics and Politics of Monarchy, Democracy and Natural Order*. New Brunswick, N.J. Transaction Publishers.

- . 1996. "Socialism: A Property or Knowledge Problem?" *Review of Austrian Economics* 9 (1): 147–54.
- . 1993. *The Economics and Ethics of Private Property*. Studies in Political Economy and Philosophy. Boston: Kluwer Academic Publishers.
- . 1991. "De-Socialization in a United Germany." *Review of Austrian Economics* 5 (2): 77–106.
- . 1989. *A Theory of Socialism and Capitalism: Economics, Politics, and Ethics*. Boston: Kluwer Academic Publishers.
- Hoppe, Hans-Hermann, Jörg Guido Hülsmann, and Walter Block. 1998. "Against Fiduciary Media." *Quarterly Journal of Austrian Economics* 1 (1): 19–50. Online at: [www.mises.org/journals/qjae/pdf/qjae1\\_1\\_2.pdf](http://www.mises.org/journals/qjae/pdf/qjae1_1_2.pdf).
- Horwitz, Steven. 1996. "Money, Money Prices, and the Socialist Calculation Debates." *Advances in Austrian Economics* (3) 59–77.
- Keizer, Willem. 1997. "Schumpeter's Walrasian Stand in the Socialist Calculation Debate." In *Austrian Economics in Debate*. Ed. Willem Keizer, Bert Riben and Rudy Van Zijp. London: Routledge.
- Keizer, William. 1987. "Two Forgotten Articles by Ludwig von Mises on the Rationality of Socialist Economic Calculation." *Review of Austrian Economics* 1: 109–22.
- Kinsella, N. Stephan. 2005. "A Simple Libertarian Argument Against Unrestricted Immigration and Open Borders." [LewRockwell.com](http://LewRockwell.com). (September 1). Online at: [www.lewrockwell.com/kinsella/kinsella18.html](http://www.lewrockwell.com/kinsella/kinsella18.html).
- Kirzner, Israel M. 1988. "The Economic Calculation Debate: Lessons for Austrians." *Review of Austrian Economics* 2: 1–18.
- Klein, Peter G. 1996. "Economic Calculation and the Limits of Organization." *Review of Austrian Economics* 9 (2): 3–28.
- Knott, Tom. 2005. "Tolerance Now Means Embracing Public Urination." Online at: [www.amren.com/mtnews/archives/2005/08/tolerance\\_now\\_m.php](http://www.amren.com/mtnews/archives/2005/08/tolerance_now_m.php).
- Lavoie, Don. 1985. *Rivalry and Central Planning: The Socialist Calculation Debate Reconsidered*. New York: Cambridge University Press.
- . 1981. "A Critique of the Standard Account of the Socialist Calculation Debate." *Journal of Libertarian Studies* 5 (1): 41–88.
- Lewin, Peter. 1998. "The Firm, Money and Economic Calculation." *American Journal of Economics and Sociology* (October).
- Mises, Ludwig von. [1969] 1981. *Socialism*. Indianapolis, Ind.: Liberty Classics.
- . [1933] 1975. "Economic Calculation in the Socialist Commonwealth." In *Collectivist Economic Planning*. Ed. F.A. Hayek. Clifton, N.J.: Augustus M. Kelley.
- NewsMax.com. 2004. "Hillary Eyes Immigration as Top 2008 Issue (November 21). Online at: [archive.newsmax.com/archives/ic/2004/11/21/233417.shtml](http://archive.newsmax.com/archives/ic/2004/11/21/233417.shtml).



- Osterfeld, David. 1992. *Prosperity versus Planning: How Government Stifles Economic Growth*. New York : Oxford University Press.
- Pasour, Jr., E.C. 1983. "Land-Use Planning: Implications of the Economic Calculation Debate." *Journal of Libertarian Studies* 7 (1): 127–39.
- Pirie, Madson. 1986. *Privatization in Theory and Practice*. London: Adam Smith Institute.
- Property Rights Alliance. 2001. "Federal Government Land and Building Ownership." Online at [www.propertyrightsalliance.org/index.php?content=fedlndown](http://www.propertyrightsalliance.org/index.php?content=fedlndown).
- Reynolds, Morgan O. 1998. "The Impossibility of Socialist Economy." *Quarterly Journal of Austrian Economics* 1 (2): 29–43.
- Rockwell, Llewellyn H., Jr. 2000. "Legalize Drunk Driving" (November 3). Online at: [www.lewrockwell.com/rockwell/drunkeating.html](http://www.lewrockwell.com/rockwell/drunkeating.html).
- Rothbard, Murray N. 2004. *Man, Economy, and State with Power and Market*. Scholar's Edition. Auburn, Ala.: Ludwig von Mises Institute. Online at: [www.mises.org/rothbard/mes](http://www.mises.org/rothbard/mes).
- . [1982] 1998. *The Ethics of Liberty*, Humanities Press. Atlantic Highlands, N.J. Online at: [www.mises.org/rothbard/ethics/ethics.asp](http://www.mises.org/rothbard/ethics/ethics.asp).
- . 1994. "Nations by Consent: Decomposing the Nation-State." *Journal of Libertarian Studies* 11 (1): 1–10.
- . 1991. "The End of Socialism and the Calculation Debate Revisited." *Review of Austrian Economics* 5 (2): 51–70.
- . 1976. "Ludwig von Mises and Economic Calculation Under Socialism." *The Economics of Ludwig von Mises*. Ed. Laurence S. Moss. Kansas City, Mo.: Sheed and Ward. Pp. 67–77.
- . 1971. "Lange, Mises and Praxeology: The Retreat from Marxism." *Toward Liberty*. Vol. 2. Menlo Park, Calif.: Institute for Humane Studies. Pp. 307–21. Reprinted in *The Logic of Action One: Method, Money, and the Austrian School*. Cheltenham, U.K. Edward Elgar. 1997. Pp. 384–96.
- Salerno, Joseph. 1995. "A Final Word: Calculation, Knowledge and Appraisalment." *Review of Austrian Economics* 9 (1): 141–42. Online at: [www.mises.org/journals/rae/pdf/rae9\\_1\\_8.pdf](http://www.mises.org/journals/rae/pdf/rae9_1_8.pdf).
- . 1990. "Postscript: Why a Socialist Economy is 'Impossible'." In Ludwig von Mises, *Economic Calculation in the Socialist Commonwealth*. Auburn, Ala.: Ludwig von Mises Institute. Pp. 51–71.
- Steele, David Ramsay. 1992. *From Marx to Mises: Post Capitalist Society and the Challenge of Economic Calculation*. La Salle, Ill.: Open Court.
- . 1981. "Posing the Problem: The Impossibility of Economic Calculation Under Socialism." *Journal of Libertarian Studies* 5 (1): 7–22. Online at: [www.mises.org/journals/jls/5\\_1/5\\_1\\_2.pdf](http://www.mises.org/journals/jls/5_1/5_1_2.pdf).
- Stromberg, Joseph. 1999. "World War I" (May 17). Online at: [www.mises.org/fullstory.aspx?control=224&id=77](http://www.mises.org/fullstory.aspx?control=224&id=77).
- Taylor, A.J.P. 1966. *From Sarajevo to Potsdam*. New York: Harcourt, Brace and World.

Wadekin, Karl-Eugen. 1973. *The Private Sector in Soviet Agriculture*. Berkeley: University of California Press.