

米塞斯编译社译丛

社会主义和资本主义理论

A Theory of Socialism and Capitalism

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乌拉米 校



米塞斯编译社

2025年2月

文档信息

书名：社会主义和资本主义理论

原书名：A Theory of Socialism and Capitalism

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译者：一叶七

校订：乌拉米

收稿日期：2025 年 02 月

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传递逻辑的力量

——奥地利学派丛书编译总序

哲学家休谟曾指出：“尽管人们在很大程度上受着利益的支配，但是即使是利益本身，以及所有的人类事务，也完全是由观念支配的。”经济学家凯恩斯也曾说过：“经济学家和政治哲学家的思想，不论正确与否，都要比人们通常所理解的力量大。事实上，这个世界就是由极少数思想统治的。”

无论我们多么不同意凯恩斯的经济学见解，他的这个论断无疑是对的。事实上，我们人之所以为人，不仅仅是因为我们遗传了自己祖先的生物性状，还因为我们接续了很多前人的思想观念。思想观念不同于基因遗传，它既不是“预装”的，也不是一成不变的，它是在接受前人观念的基础上形成自己的观念。

正如休谟所言，支配我们个体行动的根本因素，是我们的观念。但我们无法独立思考出自己关于经济、政治和社会问题的所有答案，我们需要借助前人的思想阶梯向上攀爬。

独立思考，大多数时候是一个褒义词，但如果刻意强调独立思考，却因此忽视了先贤们的那些智慧结晶，独立思考也许就会变成胡思乱想、失去章法。在具备真正的独立思考能力之前，我们需要阅读真正的优秀经典，进而锻造健全的思想观念。

只是“酒香也怕巷子深”，优秀经典并不会自动呈现在我们眼前，有些经典深藏于浩瀚的书籍文献之中亟待挖掘，而有些经典未必是我们熟悉的母语写就。所以至少有三项工作非常重要：其一，发现经典；其二，翻译经典；其三，解释经典。

奥地利学派丛书的编译工作，目的就是挖掘经典、引介经典、翻译经典，传递逻辑的力量，放大思想的光芒。

众所周知，奥地利学派并不属于主流经济学，国内外大学大都不会把奥地利学派的著作作为教科书。但是奥地利学派的影响力并未因此衰弱式微，相反，各行各业知道和认可奥地利学派的人越来越多。

他们对于奥地利学派的探索和财富追求无关，纯粹是出于对科学知识的热爱，出于对理论和逻辑的追求。正是这种热爱，让奥地利学派的思想火种遍布全球。

经过多年的努力，海外奥地利学派已经进入常态化发展阶段，既有长期运转的米塞斯

研究院，也有学术期刊。其中米塞斯研究院，作为奥地利学派思想传播的主阵地，提供了一个学术宝库，其书库涵盖了从纯粹经济原理，到自由主义理论，再到修正主义历史的大量经典文献。

其中作者既包括奥地利学派历代代表人物的代表性著作，也包括部分小众作品或者原来没有打算出版的稿件，还有像霍普、萨勒诺等在世奥派学者的最新著作。总之，米塞斯研究院的很多著作值得挖掘。奥地利学派丛书的编译工作，将主要引进米塞斯研究院的经典书籍。

我们之所以相信市场的力量，更多的也是因为相信逻辑的力量。经济学，终究是某种意义上的“经世济民”之学，其理论可以是纯粹形式逻辑的，但其作用却不能仅仅局限于理论。正确的经济学理论，以及基于此的思想观念，需要更多的人知道，需要影响大众的观念，进而影响人类的历史进程和文明走向。

为众人抱薪者，不可使其扼于风雪；为自由开路者，不可使其困于荆棘。寻求真理的过程，注定是艰难的。一个人可以走得很快，但一群人能够走得更远。

最后感谢米塞斯研究院，感谢各位译者的辛勤付出，感谢各位资助者的慷慨支持。对知识和真理的追求使我们相遇，让我们继续把逻辑的力量传递下去。

米塞斯编译社，成立于2023年1月1日，是奥地利学派经济学经典著作民间编译爱好者的自发性组织。

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2023年元月



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致谢

Three institutions assisted me while I wrote this treatise. As a Heisenberg Scholar I enjoyed the most generous financial support from the German Science Foundation (DFG) from 1982 through 1986. The present study is the most recent work I completed during this period. Additional support came from the Johns Hopkins University Bologna Center for Advanced International Studies, where I spent the academic year 1984-1985 as a Visiting Professor. The lectures delivered there provided the core of what is presented here. Finally, during the academic year 1985/86, when my research took on its present form and which I spent in New York City, I received the most unbureaucratic and cordial help from the Center for Libertarian Studies.

在我写这本论著时，有三家机构帮助了我。作为海森堡学者，从1982年到1986年，我得到了德国科学基金会(DFG)最慷慨的资金支持。本研究是我在此期间完成的最新研究。约翰霍普金斯大学博洛尼亚高级国际研究中心 (Johns Hopkins University Bologna Center for Advanced International Studies) 也提供了额外的支持，1984-1985 学年，我在那里担任客座教授。在那里所做的讲座为本书提供了核心内容。最后，在1985/86 学年，我的研究有了现在的形式，在纽约市期间，我得到了自由意志主义研究中心 (the Center for Libertarian Studies) 最没有官僚味和最诚挚的帮助。

My deepest gratitude is to my teacher and friend Murray N. Rothbard. To his scholarly and personal example I owe more than I can properly express. He read an earlier draft of the study and provided me with invaluable comments. Innumerable discussions with him were a never ending source of inspiration and his enthusiasm was a constant encouragement.

我要向我的老师和朋友默里·罗斯巴德致以最深切的感谢。对他的学术水平和个人榜样，我的感激之情无法用言语表达。他读了这份研究报告的初稿，并为我提供了宝贵的意见。和他的无数次讨论，是我永不枯竭的灵感来源，而他的热情是对我不断的鼓励。

To these people and institutions I owe a sincere "thank you."

对这些人 and 机构，我要真诚地说声“谢谢”。

第一章 序言

The following study on the economics, politics and morals of socialism and capitalism is a systematic treatise on political theory. Interdisciplinary in scope, it will discuss the central problems of political economy and political philosophy: how to organize society so as to promote the production of wealth and eradicate poverty, and how to arrange it so as to make it a just social order.

以下是一部系统论述政治理论的论著，是对社会主义和资本主义的经济、政治和道德的研究。在跨学科范围内，它将讨论政治经济学和政治哲学的核心问题：如何组织社会，以促进财富生产并消除贫困，以及如何进行社会安排，以促进形成公正的社会秩序。

But in doing this I will also constantly touch upon and illuminate social and political problems in the narrower, more common sense of these terms. In fact, it is one of the major goals of this treatise to develop and explain the conceptual and argumentative tools, economic and moral, needed to analyze and evaluate any kind of empirical social or political system, to understand or appraise any process of social change, and to explain or interpret similarities as well as differences in the social structure of any two or more different societies.

但是，在讨论中，我也会一直以上述术语更狭义也更常见的意义，来论及和阐明社会问题和政治问题。事实上，本论著的主要目标之一是提出并解释经济学和伦理学的概念与论证工具，这是分析和评估任何一种经验的社会或政治制度，理解或肯定任何社会变革过程，解释或说明任何两个或更多个不同社会的社会结构的相似与不同之处所必需的。

At the end of the treatise it should be clear that only by means of a theory, economic or moral, which is not itself derived from experience but rather starts from a logically incontestable statement (which is something very different from an "arbitrarily postulated axiom") and proceeds in a purely deductive way (perhaps using some explicitly introduced empirical and empirically testable assumption, in addition) to results which are themselves logically unassailable (and thus require no empirical testing whatsoever), will it become possible to organize or interpret an otherwise chaotic, overly complex array of unconnected, isolated facts or opinions about social reality

to form a true, coherent economic or moral conceptual system. Hopefully it will be demonstrated that without such a theory, political economy and philosophy can be considered nothing other than groping in the dark, producing, at best, arbitrary opinions on what might have caused this or that, or what is better or worse than something else: opinions, that is, whose opposites can generally be defended as easily as the original positions themselves (which is to say that they cannot be defended in any strict sense at all!).

在本论著的最后，我们应该会清楚地看到，只有通过经济或道德理论工具，才有可能梳理或解释一系列脱节的、孤立的关于社会现实的事实或意见（否则的话，它们就会是混乱的和极为复杂的東西），以形成一种正确的、连贯的经济和道德体系。这种经济或道德理论，本身并不源自于经验，反而始于一种逻辑上无可辩驳的陈述（它远不同于武断的公设[postulated axiom]）并以一种纯粹演绎的方式（另外，也许会利用一些明确引入的经验或经验上可检验的假设）得出本身在逻辑上无懈可击（因而不要求任何经验检验）的结果。希望我能够证明，没有这样的理论，政治经济学和哲学只能被视为在黑暗中摸索，充其量只不过产生一些关于何因造成了何果，或者某物好于或劣于它物的武断意见：亦即意见的对立面可以像初始立场本身一样轻易得到辩护（这就是说，这些意见根本不能在任何严格意义上得到辩护！）

Specifically, a theory of property and property rights will be developed. It will be demonstrated that socialism, by no means an invention of nineteenth century Marxism but much older, must be conceptualized as an institutionalized interference with or aggression against private property and private property claims. Capitalism, on the other hand, is a social system based on the explicit recognition of private property and of nonaggressive, contractual exchanges between private property owners. Implied in this remark, as will become clear in the course of this treatise, is the belief that there must then exist varying types and degrees of socialism and capitalism, i.e., varying degrees to which private property rights are respected or ignored. Societies are not simply capitalist or socialist. Indeed, all existing societies are socialist to some extent. (Even the United States, certainly a society that is relatively more capitalist than most others, is, as will become apparent, amazingly socialist and has gradually become more so over time.)

具体来说，我将阐述一种财产和产权理论。我将证明，社会主义——它不是马克思主

义在 19 世纪的发明，而是古老得多——必须从概念上理解为对私有财产和私有财产主张的制度化干涉或侵犯。另一方面，资本主义是这样一种社会制度，它建立在对私有财产，以及私产所有者之间的非侵犯性的契约交换的明确承认的基础上。隐含在这种意见中的，以及在本论著的过程中会越来越明晰的是这样一种信念：必定存在不同类型的和不同程度的社会主义和资本主义，也就是说，尊重或忽视私有产权的程度是不同的。社会不能简单地说是社会主义的还是资本主义的。事实上，所有现存社会某种程度上都是社会主义的。（甚至是美国这个显然比其他社会相对更资本主义的社会，也具有令人惊讶的社会性质，并且，随着时间的推移，正在渐渐变得越来越社会主义化，这一点会变得越来越明显。）

One goal then, is to demonstrate that the overall degree of socialism, i.e., the overall degree of interference with property rights that exists in a given country, explains its overall wealth. The more socialist a country, the more hampered will be the process of production of new and the upkeep of old, existing wealth, and the poorer the country will remain or become. The fact that the United States is, by and large, richer than Western Europe, and West Germany much richer than East Germany can be explained by their lesser degree of socialism, as can the fact that Switzerland is more prosperous than Austria, or that England, in the nineteenth century the richest country in the world, has now fallen to what is aptly called an underdeveloping country.

本文的一个目标是要证明，在一个特定国家内存在的社会主义程度，即对产权干涉的总体程度，可以解释其整体财富。一个国家越是社会主义，对生产新财富和维护旧财富的过程阻碍就越大，这个国家也就变得越贫穷。¹ 美国总体上比西欧富裕，西德比

¹ 为了避免从一开始就产生任何误解：这里提出的论点是，如果社会主义的总体程度降低，任何给任何时候，当我们比较不同社会的相对高下（如富裕水平）时，我们会遇到难以比较的问题，因为两个社会“其他因素是平等的”这个条件是不可能达到的。不同国家之间，除了社会主义程度不同，也还有其他因素不同，而这些因素都有可能影响社会的总体财富，例如这个国家的历史就对当前的总体财富水平有影响定社会的总体财富将相对增加，即比其他情况下增长得更多，反之亦然。例如，美国将通过采用更多的资本主义来提高他们的生活水平（高于其他方式所能达到的水平），德国也是如此，等等。任何时候，当我们比较不同社会的相对高下（如富裕水平）时，我们会遇到难以比较的问题，因为两个社会“其他因素是平等的”这个条件是不可能达到的。不同国家之间，除了社会主义程度不同，也还有其他因素不同，而这些因素都有可能影响社会的总体财富，例如这个国家的历史就对当前的总体财富水平有影响每个社会的贫富不仅取决于现在的条件，也取决于过去的条件；因为资本在过去被我们的父辈

东德富裕得多，这一事实可以用他们的社会主义程度较低来解释。这个理由同样能够解释，为什么瑞士比奥地利更富，为什么 19 世纪全世界最富有的国家英国如今会沦为名副其实的欠发达国家。

But the concern here will not be exclusively with the overall wealth effects, nor with the economic side of the problem alone. For one thing, in analyzing different types of socialism for which there exist real, historical examples (examples which, to be sure, very often are not called socialism, but are given a more appealing name), it is important to explain why, and in what way, every intervention anywhere, big or small, here or there, produces a particular disruptive effect on the social structure which a superficial, theoretically untrained observer, blinded by an immediate "positive" consequence of a particular intervention, might not perceive. Yet this negative effect nonetheless exists, and with some delay will cause problems at a different place in the social fabric more numerous or severe than the ones originally solved by the initial act of intervening. Thus, for instance, highly visible positive effects of socialist policies such as "cheap food prices," "low rents," "free" this and "free" that, are not just positive things hanging in midair, unconnected to everything else, but rather are phenomena that have to be paid for somehow: by less and lower quality food, by housing shortages, decay and slums, by queuing up and corruption, and, further, by lower living standards, reduced capital-formation, and/or increased capital consumption. And a much less conspicuous but almost always "positively" mentioned fact—a greater feeling of solidarity among the people, the greater value attached to things like family, relatives, or friends, which is found to exist between, for instance, the East Germans as compared to their more

积累或摧毁。所以很容易发生的情况是，一个资本主义程度较高的社会仍然比一个社会主义程度较高的社会要贫穷得多。同样，看似矛盾的结果会出现，因为社会可能(而且确实)在影响财富生产的以前或现在的其他运作因素方面有所不同。例如，不同社会之间的职业道德和/或普遍的世界观和习惯可能存在差异，这些差异能够而且确实解释了社会主义程度相同或不同的社会在财富生产方面的差异(或相似)。因此，在任何比较社会分析中，要说明社会主义程度与社会财富成反比这一论点的正确性，最直接和最好的方法就是比较那些除了社会主义程度不同之外，在其历史和人民目前的社会心理特征方面完全相同，或者至少非常相似的社会，例如西德和东德。在这里，预测的效果确实以最戏剧性的方式表现出来，我们将在下面讨论。

“individualistic, ” egoistic West/German counterparts—is again not a simple, isolated, unanalyzable fact. Such feelings are the result of a social system of constant shortages and of continually repressed opportunities to improve one's situation by one's own means. In East Germany, in order to accomplish the most simple routine tasks, such as a house repair which in other countries requires no more than a telephone call, you simply must rely more heavily on “personal” relations (as compared to impersonal business relations); and where someone's “public” life is under constant observation by “society, ” you simply have to go private.

但这里要关注的将不仅仅是整体财富影响，也不仅仅是经济方面的问题。首先，我们选取一些历史上真实存在的社会主义类型的国家（当然他们通常不被称为社会主义，而是有一些其他更有吸引力的名字）¹ 来进行分析，重要的是要解释，任何地方的任何干预，无论大小、领域、方式，都会对社会结构产生特定的破坏影响。一个肤浅的，理论上未经训练的观察者，他被特定干预的直接“积极”后果所蒙蔽，从而没有能力洞察这种影响。然而，这种负面影响会一直存在，并且随着时间的推移，将对社会结构的各个方面造成更多的问题，这些问题比起最初的干预行动想要解决的问题更为严重。那么，诸如“廉价食品价格”“低租金”“免费这个”“免费那个”这些社会主义政策，不再仅仅是与其它一切无关而高悬半空的积极事物，而是必须有人为之付出代价。代价就是：食品供应的减少和质量的低劣，住房的短缺，贫民窟的衰败，排队和腐败，资本形成的减少，和/或资本更快消耗，生活水平被进一步降低。还有一个不那么引人注目但几乎总是被“正面”提到的事实——东德与西德相比，东德人之间有更强的团结感，更加重视家庭、亲戚和朋友；而更“个人主义”“利己主义”的西德就更少有这些情感——同样不是一个简单、孤立、无法分析的事实。这种感觉是一个不断制造短缺的社会制度的结果，也是一个通过自己的手段改善处境的机会不断受到压制的结果。在东德，为了完成最简单的日常任务，比如在其他国家只需要打个电话就能搞定的房屋维修，你必须更多地依靠“个人”关系(与没有人情味的商业关系相比)；当一个人的“公共”生活受到“社会”的不断监视时，你只需要保持私人关系。

Analyzed in some detail are the particular disruptive effects that are produced: (1) by a traditional Marxist policy of nationalizing or socializing the means of production, or rather, by the expropriation of private owners of means of production; (2) by a

¹ 顺带说一句，在美国，“社会主义”被称为“自由主义”，而那些自称“自由主义者”的社会主义者或社会民主主义者通常厌恶被称为“社会主义者”。

revisionist, social-democratic policy of egalitarian income redistribution; (3) by a conservatively minded policy of attempting to preserve the status quo through economic and behavioral regulations and price controls; and (4) by a technocratically minded system of pragmatic, piecemeal social and economic engineering and intervention.

本文将详细分析各种方式所产生的特殊的破坏性影响，包括：(1) 通过传统的马克思主义政策，将生产资料国有化或国有化，或者更确切地说，通过剥夺私人所有者的生产资料；(2) 实行修正主义的、社会民主主义的以收入平均化为目标的再分配政策；(3) 通过保守的政策，试图以经济和行为条例、价格规定、价格控制来维持现状；(4) 通过以技术专家思维为导向，实用主义的、零敲碎打的社会与经济工程和干预。

These policy types, which will be analyzed sequentially, are not completely homogeneous and mutually exclusive. Each one can be carried through to varying degrees, there are different ways of doing things under each of these categories of policy and the different policy schemes can be combined to a certain extent. In fact, every given society is a mixture of all of them as it is the result of diverse political forces which have varied at different times in strength and influence. The reason for analyzing them separately (apart from the obvious one that not all problems can be discussed at once) is that they constitute policy schemes associated with clearly distinguishable social groups, movements, parties, etc., and that each policy scheme affects overall wealth in a somewhat different way.

我将按顺序对这些策略类型进行分析，它们完全不同类，而且相互排斥。每一种政策都可以不同程度地得到贯彻，每一种政策都有不同的做法，不同的政策方案可以在一定程度上结合起来。事实上，每一个社会都是所有这些因素的混合体，因为社会是多种政治力量共同作用的结果，这些力量在不同时期有不同的强度和影响。之所以单独分析它们的原因(除了一个显而易见的原因，即无法同时讨论所有的问题)是，它们构成了政策方案，这些政策方案与明显可区分的社会团体、运动、政党等相关，而且每种政策方案都以某种不同的方式影响总体财富。

And socialism will by no means be analyzed solely from an economic point of view. Of course, socialism, especially its Marxist or so-called "scientific" brand, has always pretended to be an economically superior organization of society (apart from all of its

other alleged qualities) compared to the so-called “anarchy of production” of capitalism. But socialism does not collapse once it is demonstrated that in fact the opposite is true and it brings impoverishment, not wealth. Certainly, socialism loses much of its attractiveness for most people once this is understood. However, it is definitely not at its argumentative end so long as it can claim—whatever its economic performance may be—that it represents a higher morality, that it is more just, that it has an ethically superior foundation.

社会主义绝不能只从经济的角度来分析。当然，社会主义，尤其是其马克思主义或所谓的“科学社会主义”，一直声称，相对于资本主义的所谓“生产无政府状态”，¹他们在社会组织方面经济上更为优越。即使事实证明与他们声称的恰恰相反，即社会主义带来的是贫困而不是财富，但是社会主义理论却从未破产过。当然，只要人们一旦了解到这一点，人们也就不会受到社会主义的蛊惑了。然而，无论其经济表现如何，只要它声称它代表了更高的道德，更加公正，具有更为优越的伦理基础，那就会开启无休止地争论。

Hopefully however, by a close analysis of the theory of property implicit in the different versions of socialism, this treatise will make clear that nothing could be farther from the truth. It will be demonstrated that the property theory implicit in socialism does not normally pass even the first decisive test (the necessary if not sufficient condition) required of rules of human conduct which claim to be morally justified or justifiable. This test, as formulated in the so-called golden rule or, similarly, in the Kantian categorical imperative, requires that in order to be just, a rule must be a general one applicable to every single person in the same way. The rule cannot specify different rights or obligations for different categories of people (one for the red-headed, and one for others, or one for women and a different one for men), as such a “particularistic” rule, naturally, could never, not even in principle, be accepted as a fair rule by everyone. Particularistic rules, however, of the type “I can hit you, but you are not allowed to hit me, ” are, as will become clear in the course of this treatise, at the very base of all practiced forms of socialism. Not only economically

¹ 回想一下俄罗斯共产主义早期，直到赫鲁晓夫时代，人们一再宣称，资本主义世界在经济上很快就会被超越！

but in the field of morals, too, socialism turns out to be an illconceived system of social organization. Again, in spite of its bad public reputation, it is capitalism, a social system based squarely on the recognition of private property and of contractual relations between owners of private property, that wins outright. It will be demonstrated that the property theory implicit in capitalism not only passes the first test of "universalization" but it turns out to be the logical precondition (die Bedingung der Moeglichkeit) of any kind of argumentative justification: Whoever argues in favor of anything, and in particular in favor of certain norms as being fair, must, implicitly at least, presuppose the validity of the property norms implicit in capitalism. To deny their validity as norms of universal acceptability and argue in favor of socialism is thus selfcontradictory.

然而，本书希望通过对不同版本的社会主义中隐含的财产理论的深入分析，将清楚表明，没有什么比这更偏离真理了。我们将证明，社会主义中隐含的财产理论，甚至不能通过人类行动准则所必需的第一个决定性的检验(必要条件，如果不是充分条件)，即宣称在伦理上是正当的或不正当的。在所谓的黄金法则中，或者类似的，在康德的绝对律令中，为了公正，这个检验需要一条必须对每一个人都普遍适用的规则。这条规则不能为不同类别的人规定不同的权利或义务(一种是红头发的，一种是其他发色的，或者一种是女人的，一种是男人的)，因为这样一种“特殊的”规则，自然不可能，更不要说在原则上，被每个人接受为公平的规则。然而，像“我可以打你，但你不能打我”这样的特殊规则，却是所有社会主义实践形式的基础，这一点在本文的论述过程中会逐渐变得清晰。不仅在经济方面，而且在伦理方面，社会主义都是一种错误的社会组织制度。再者，资本主义是一种完全建立在承认私有财产和私有财产所有者之间契约关系基础上的社会制度，尽管它在公众中名声不佳，但却赢得了彻底的胜利。我们将证明，隐含在资本主义中的财产理论不仅通过了“普遍化”的第一个检验，而且成为任何一种论证正当性的逻辑前提(die Bedingung der Moeglichkeit)：无论谁主张任何事情，尤其是赞成某些规范是公平的，都必须，或至少隐含地，以资本主义暗含的财产规范的有效性为前提。因此，否认它们作为普遍可接受的规则的有效性，而主张支持社会主义，是自相矛盾的。

The reconstruction of the morals of private property and its ethical justification then leads to a reevaluation of socialism and, as it turns out, the institution of the state, depending as it does for its very existence on taxation and forced membership

(citizenship), as the very incorporation of socialist ideas on property. Without any solid economic or moral reasons for their existence, socialism and the state are then reduced to and will be explained as phenomena of merely socio-psychological relevance.

私人财产伦理及其伦理正当性的重建导致了对社会主义的重新评估。事实证明，对国家制度的重新认识，认识到国家的存在取决于它的强制税收和强制成员身份（公民身份），而这正好与社会主义财产观的一致。如果没有任何坚实的经济或道德理由来证明它们的存在，社会主义和国家就会沦为并将被解释为只是与社会心理相关性的现象。

Led by such considerations, the discussion finally returns to economics. The concluding chapters deal with the constructive task of explaining the workings of a pure capitalist social order as the morally and economically required alternative to socialism. More specifically, they will be devoted to an analysis of how a social system based on a private property ethics would come to grips with the problem of monopoly and the production of so-called "public goods," and in particular with the production of security, i.e., of police and judicial services. It will be argued that, contrary to much that has been written in the economics literature on monopoly and public goods, neither problem exists or, if they did exist, would still not suffice in any meaningful sense to prove any economic deficiency in a pure market system. Rather, a capitalist order always, without exception and necessarily so, provides in the most efficient way for the most urgent wants of voluntary consumers, including the areas of police and the courts. With this constructive task completed, the argument will have been brought full circle, and the demolition of the intellectual credibility of socialism, morally and economically, should be complete.

基于这些思考的引导，讨论最终回到了经济学。最后几章处理了这样一个建设性任务，作为伦理和经济上的社会主义的替代，纯资本主义的社会秩序是如何运作的。最后几章涉及建设性任务，即解释纯粹资本主义社会秩序的运作，将其视为社会主义在道德和经济上所必需的替代品。更具体地说，他们将致力于分析基于私有财产伦理的社会制度将如何处理垄断和所谓“公共商品”的生产问题，特别是安全生产，即警察和司法服务的生产问题。有人会争辩说，与经济学文献中关于垄断和公共商品的许多内容相反，这两个问题都不存在，或者假如确实存在，仍然在任何意义上都不足以证明纯粹市场体系中存在任何经济缺陷。相反，资本主义秩序总是，毫无例外，而且必然如此，以最有效的方式为自愿的消费者提供最迫切的需求，囊括警察和法院领域。随着这一

建设性任务的完成，争论将画上一个圆满的句号，同时也将彻底摧毁社会主义在伦理和经济上的智识信誉。

第二章 财产、契约、侵犯、资本主义、社会主义

Before advancing to the more exciting field of analyzing diverse policy schemes from the standpoint of economic theory and political philosophy, it is essential to introduce and explain the basic concepts used throughout the following study. Indeed, the concepts explained in this chapter—the concepts of property, contract, aggression, capitalism and socialism—are so basic, so fundamental, that one cannot even avoid making use of them, if at times only implicitly. Unfortunately, though, the very fact that in analyzing any kind of human action and/or any kind of interpersonal relationship one must make use of these concepts does not imply that everyone has a precise understanding of them. It seems instead to be the other way around.

这是个让人兴奋的领域，即从经济理论和政治哲学的角度分析各种政策，不过在这之前，我们还需要先界定研究中会使用到的基本概念。的确，本章解释的概念——财产、契约、侵犯、资本主义和社会主义，这些概念是如此的基本而重要，我们根本没法不使用它们，尽管有时候使用得含蓄。然而，不幸的是，虽然我们在分析人类行动和人际关系时必须用到这些概念，我们也认为人们都该知道这些概念，但事与愿违，并不是每个人都理解这些概念。

Because the concept of property, for instance, is so basic that everyone seems to have some immediate understanding of it, most people never think about it carefully and can, as a consequence, produce at best a very vague definition. But starting from imprecisely stated or assumed definitions and building a complex net-work of thought upon them can lead only to intellectual disaster. For the original imprecisions and loopholes will then pervade and distort everything derived from them. To avoid this, the concept of property must first be clarified.

例如，因为财产的概念是如此基本，以至于每个人似乎都对它有一些直观的理解，大多数人从来没有仔细思考过它，因此，最多只能给出一个非常模糊的定义。但是，从不精确定义陈述或假设开始，并在其上建立一个复杂的思想网络，只会导致智力上的灾难。因为最初的不精确和漏洞将会蔓延，并扭曲它们衍生的一切。为了避免这种情况，财产的概念必须首先得到澄清。

Next to the concept of action, property is the most basic category in the social sciences. As a matter of fact, all other concepts to be introduced in this chapter—aggression,

contract, capitalism and socialism—are definable in terms of property: aggression being aggression against property, contract being a nonaggressive relationship between property owners, socialism being an institutionalized policy of aggression against property, and capitalism being an institutionalized policy of the recognition of property and contractualism.

财产是社会科学中仅次于行动概念的最基本的范畴。事实上，本章中引入的所有其他概念——侵犯、契约、资本主义和社会主义——都是从财产的角度来定义：侵犯是对财产的侵犯，契约是财产所有者之间的一种非侵犯性关系，社会主义是对财产的一种制度化的侵犯政策，资本主义是一种承认财产和契约精神的制度化政策。

Let us start with an elucidation of the precondition necessary for the concept of property to emerge. 1For a concept of property to arise, there must be a scarcity of goods. Should there be no scarcity, and should all goods be so-called “free goods” whose use by any one person for any one purpose would not in any way exclude (or interfere with or restrict) its use by any other person or for any other purpose, then there would be no need for property. If, let us say, due to some paradisiac superabundance of bananas, my present consumption of bananas does not in any way reduce my own future supply (possible consumption) of bananas, nor the present or the future supply of bananas for any other person, then the assignment of property rights, here with respect to bananas, would be superfluous. To develop the concept of property, it is necessary for goods to be scarce, so that conflicts over the use of these goods can possibly arise. It is the function of property rights to avoid such possible clashes over the use of scarce resources by assigning rights of exclusive ownership. Property is thus a normative concept: a concept designed to make a conflict-free interaction possible by stipulating mutually binding rules of conduct (norms) regarding scarce resources. 2 It does not need much comment to see that there is indeed scarcity of goods, of all sorts of goods, every-where, and the need for property rights is thus evident. As a matter of fact, even if we were to assume that we lived in the Garden of Eden, where there was a superabundance of everything needed not only to sustain one’s life but to indulge in every possible comfort by simply stretching out one’s hand, the concept of property would necessarily have to evolve. For even under these “ideal” circumstances, every person’s physical body would still

be a scarce resource and thus the need for the establishment of property rules, i.e., rules regarding people's bodies, would exist. One is not used to thinking of one's own body in terms of a scarce good, but in imagining the most ideal situation one could ever hope for, the Garden of Eden, it becomes possible to realize that one's body is indeed the prototype of a scarce good for the use of which property rights, i.e., rights of exclusive ownership, somehow have to be established, in order to avoid clashes.

让我们首先阐明产生财产概念所必需的先决条件。¹ 必须存在物品的稀缺, 才会有财产概念的产生。如果没有稀缺性, 如果所有商品都是所谓的“免费商品”, 任何人不管出于何种目的使用这些商品, 都不会以任何方式排除(或干扰或限制)任何其他人以何种目的使用这些商品, 那么就不需要财产概念了。假设, 由于香蕉如天堂般的超级丰裕, 我现在对香蕉的消费不会以任何方式减少我自己未来对香蕉的供给(可能的消费), 也不会减少对任何其他现在或未来的香蕉供给, 那么, 这里关于香蕉的产权转让就是多余的。因此建立和发展财产的概念, 一定是基于商品的稀缺性, 而这些稀缺商品的使用就有可能产生冲突。产权的功能就是通过分配排他性的所有权来避免在使用稀缺资源时可能发生的冲突。因此, 财产是一个规范性概念: 这个概念旨在通过规定有关稀缺资源的相互约束的行动规则(规范), 使无冲突交互成为可能。² 无需多言, 我们

¹ Cf. D. Hume, *A Treatise of Human Nature* (ed. Selby-Bigge), Oxford, 1968, esp. 3, 2, p.484; and, “Enquiry Concerning the Principles of Morals, ” in: Hume, *Enquiries* (ed. Selby-Bigge), Oxford, 1970; cf. also: L. Robbins, *Political Economy: Past and Present*, London, 1977, esp. pp. 29-33.

参见大卫·休谟《人性论》(塞尔比 - 比格编), 牛津, 1968 年, 特别是第三卷第二章, 第 484 页; 以及《道德原则探究》, 载于休谟《人类理解研究和道德原则探究》(塞尔比 - 比格编), 牛津, 1970 年; 另见莱昂内尔·罗宾斯《政治经济学: 过去与现在》, 伦敦, 1977 年, 特别是第 29 - 33 页。

² Incidentally, the normative character of the concept of property also makes the sufficient precondition for its emergence as a concept clear: Besides scarcity “rationality of agents” must exist, i.e., the agents must be capable of communicating, discussing, arguing, and in particular, they must be able to engage in an argumentation of normative problems. If there were no such capability of communication, normative concepts simply would not be of any use. We do not, for instance, try to avoid clashes over the use of a given scarce resource with, let us say, an elephant, by defining property rights, for we cannot argue with the elephant and hence arrive at an agreement on rights of ownership. The avoidance of future

就能看出，商品和稀缺是一体两面——不稀缺的不是商品，是商品一定稀缺。因此，对产权的需求是显而易见的。事实上，即使假设我们生活在伊甸园中，那里不仅有维持生命所需的一切，而且一切可能的舒适享受，都触手可及，财产的概念也依然是必须的。因为即使在这种“理想”的情况下，每个人的身体仍然是一种稀缺资源，因此需要建立财产规则，即关于人的身体的规则。一个人不习惯把自己的身体看作一种稀缺商品，但在想象一个人所希望的最理想的情况——伊甸园时，就有可能意识到，一个人的身体确实是一种稀缺商品的原始形态，为了避免冲突，对身体这种财产权的使用，即排他性所有权，必须以某种方式建立起来。

As a matter of fact, as long as a person acts, 3 i.e., as long as a person intentionally tries to change a state of affairs that is subjectively perceived and evaluated as less satisfactory into a state that appears more rewarding, this action necessarily involves a choice regarding the use of this person's body. And choosing, preferring one thing or state over another, evidently implies that not everything, not all possible pleasures or satisfactions, can be had at one and the same time, but rather that something considered less valuable must be given up in order to attain something else considered to be more valuable.⁴ Thus choosing always implies the incurrance of costs: foregoing possible enjoyments because the means needed to attain them are scarce and are bound up in some alternative use which promises returns valued more highly than the opportunities forfeited. Even in the Garden of Eden I could not simultaneously eat an apple, smoke a cigarette, have a drink, climb up a tree, read a book, build a house, play with my cat, drive a car, etc. I would have to make choices and could do things only sequentially. And this would be so because there is only one body that I can use to do these things and enjoy the satisfaction derived from doing them. I do not have a superabundance of bodies which would allow me to enjoy all possible

clashes in such a case is exclusively a technical (as opposed to a normative) problem.

顺便说一句，财产概念的规范性也为它作为一个概念的出现提供了充分的先决条件：除了稀缺性之外，“行动人的合理性”必须存在，即行动人必须能够交流、讨论、辩论，特别是他们必须能够参与规范性问题的论证。如果没有这种交流的能力，规范性概念根本就没有任何用处。例如，我们不会试图通过定义财产权来避免与大象在使用特定稀缺资源方面发生冲突，因为我们无法与大象争论，从而就所有权达成协议。在这种情况下避免未来的冲突完全是一个技术问题(而不是规范问题)。

satisfactions simultaneously, in one single bliss. And I would be restrained by scarcity in another respect as well: as long as this scarce resource “body” is not indestructible and is not equipped with eternal health and energy, but rather is an organism with only a limited life span, time is scarce, too. The time used up in pursuing goal A reduces the time left to pursue other goals. And the longer it takes to reach a desired result, the higher the costs involved in waiting will be, and the higher the expected satisfaction must be in order to justify these costs.

事实上，只要一个人行动，¹ 即一个人有意图地改变一种自我认为不太满意的状态而达到更满意的状态，那么此行动必然会涉及到这个人对自己身体使用的选择。而一个人选择，偏爱此而甚于彼，显然意味着他不可能在同一时间内得到所有的快乐或满足，因此他必须取舍——舍去一些被认为不那么有价值的东西，以获得另一些被认为更有价值的东西。因此，选择总是意味着产生代价：因为获得这些享受所需的手段是稀缺的，手段必然存在多种用途，一个人的取舍，必定是他所取的用途所预期的回报的价值，高于他所放弃的机会的价值。² 即使在伊甸园里，我也不能同时吃苹果、抽烟、喝酒、爬树、读书、盖房子、和我的猫玩、开车等等。我必须做出选择，只能按顺序做事。之所以会这样，是因为我只有一个身体可以用来做这些事情，也只有一个身体可以用来享受从中获得的满足感。我没有足够多的身体，使我能够同时在一个幸福的瞬间享受所有可能的满足。另一方面，我同样受到稀缺性的约束：只要这个稀缺的“身体”资源不是坚不可摧的，不是拥有永恒的健康和精力，而只是一个有限寿命的有机体，

¹ It should be noted that a person cannot intentionally not act, as even the attempt not to act, i.e., one’s decision not to do anything and instead remain in some previously occupied position or state would itself qualify as an action, thus rendering this statement aprioristically true, i.e., a statement that cannot be challenged by experience, as anyone who would try to disprove it thereby would have to choose and put his body willy-nilly to some specific use.

需要注意的是，一个人不可能有意地不行动，因为即使试图不行动，也就是决定什么都不做，而是维持先前所处的位置或状态，这本身就可算作一种行动。因此，这一表述是先验正确的，即这是一种无法被经验所质疑的表述，因为任何试图反驳它的人，都将不得不做出选择，且不由自主地以某种特定方式动用自己的身体。

² On the concept of cost cf. in particular, M. Buchanan, *Cost and Choice*, Chicago, 1969; L.S.E. *Essays on Cost* (ed. Buchanan and Thirlby), Indianapolis, 1981.

关于成本的概念，特别是 M.布坎南，《成本与选择》，芝加哥，1969；L.S.E.《成本随笔》（布坎南和蒂尔比编），印第安纳波利斯，1981年。

那么时间也是稀缺的。追求目标 A 所消耗的时间减少了追求其他目标的时间。达到预期结果所需的时间越长，等待的成本就越高，而为了证明这些成本是合理的，预期的满意度就必须越高。

Thus, because of the scarcity of body and time, even in the Garden of Eden property regulations would have to be established. Without them, and assuming now that more than one person exists, that their range of action overlaps, and that there is no pre-established harmony and synchronization of interests among these persons, conflicts over the use of one's own body would be unavoidable. I might, for instance, want to use my body to enjoy drinking a cup of tea, while someone else might want to start a love affair with it, thus preventing me from having my tea and also reducing the time left to pursue my own goals by means of this body. In order to avoid such possible clashes, rules of exclusive ownership must be formulated. In fact, so long as there is action, there is a necessity for the establishment of property norms.

只要有稀缺存在，就必须建立产权规则。因此，由于身体和时间的稀缺性，即使在伊甸园中，也必须制定财产规则。如果没有这些规则，而且现在假设存在不止一个人，他们的行动范围重叠，若是这些人之间没有预先建立的兴趣协调和同步，那么他们对于自己身体的使用将会有不可避免的冲突。例如，我可能想要用我的身体来享受喝一杯茶，而其他人可能想要开始一段与我发生爱情的关系，而这阻止我享受茶的乐趣，并减少通过这个身体追求自己目标的时间。为了避免这种可能的冲突，必须制定专有所有权的规则。实际上，只要存在行动，就有建立财产规则的必要性。

To keep things simple and free of distracting details let us continue to assume, for another stretch of analysis, that we indeed inhabit a Garden of Eden, where exclusively one's body, its standing room, and time are scarce resources. What can the prototype of a scarce good, a person's body, tell us about property and its conceptual derivatives?

为了使事情简单化，同时避免让人分心的细节，让我们继续假设，进行另一种分析。假如我们确实生活在伊甸园中，在那里，一个人的身体、站立的空间和时间都是稀缺的资源。稀缺品的原型，一个人的身体，能告诉我们关于财产及其概念衍生品是什么吗？

While even in a world with only one type of scarce resource all sorts of norms regulating

exclusive ownership with respect to scarce means are conceivable in principle (for example, a rule such as “On Mondays I determine to which uses our bodies can be put, on Tuesdays you determine their use, ” etc.), it is certain that not all of them would in fact have the same chance of being proposed and accepted. It then seems to be best to start one’s analysis with the property norm, which would most likely be accepted by the inhabitants of Eden as the “natural position” regarding the assignment of rights of exclusive ownership in bodies. To be sure, at this stage of the argument we are not yet concerned with ethics, with the problem of the moral justification of norms. Thus, while it can well be admitted from the very outset that I am indeed going to argue later on that the natural position is the only morally defensible one, and while I am also convinced that it is the natural one because it is morally defensible, at this stage, natural does not imply any moral connotation. It is simply meant to be a socio-psychological category used to indicate that this position would probably find the most support in public opinion.⁶ Indeed; its naturalness is reflected by the very fact that in talking about bodies, it is almost impossible to avoid using possessive (possession-indicating) expressions as well. A body is normally referred to as a specific person’s body: my body, yours, his, etc. (and, incidentally, the same is done whenever one speaks of actions!); and one does not have the slightest problem distinguishing what is mine, yours, etc.; clearly, in doing so, one is assigning property-titles and distinguishing between proper owners of scarce resources.

即使某个假定的世界里只有一种资源是稀缺的，关于稀缺资源的排他性所有权的各种规范在原则上也照样是可以成立的，（比如我们自己的身体，星期一由我决定如何使用它，星期二由你决定如何使用它）。只不过，并不是所有的这些规则在实际生活中有同样的机会被提出和接受。为了容易理解，我们可以从伊甸园开始分析财产权利的规则。（什么也不缺的）伊甸园里，享受身体的依然有且仅有自己，因此可以分析关于对身体的排他性所有权转让的“自然立场”。当然，在论证的这个阶段，我们还没有关注伦理学，没有关注规则的道德正当性问题。因此，虽然从一开始就可以大方地承认，稍后我确实会论证，自然立场是在道德上唯一站得住脚的立场，同时我也相信它是自然的，因为它在道德上是可以辩护的，但在这个阶段，自然并不意味着任何道德内涵。它只是一个社会心理学范畴，用来表明这一立场可能会在民众舆

论中得到最多的支持。¹事实上；它的自然性反映在这样一个事实上：在谈论身体时，几乎不可能避免使用所有格(表示所有)的表达。身体通常指的是一个特定的人的身体：我的身体，你的身体，他的身体，等等(顺便说一句，当一个人说到行动时也是如此!)区分什么是我的，什么是你的，等等，没有丝毫问题；显然，这样做是在分配财产所有权，并区分稀缺资源的适当所有者。

What, then, is the natural position regarding property implicit in one's natural way of speaking about bodies? Every person has the exclusive right of ownership of his body within the boundaries of its surface. Every person can put his body to those uses that he thinks best for his immediate or longrun interest, well-being, or satisfaction, as long as he does not interfere with another person's rights to control the use of his/her respective body. This "ownership" of one's own body implies one's right to invite (agree to) another person's doing something with (to) one's own body: my right to do with my body whatever I want, that is, includes the right to ask and let someone else use my body, love it, examine it, inject medicines or drugs into it, change its physical appearance and even beat, damage, or kill it, if that should be what I like and agree to. Interpersonal relationships of this sort are and will be called contractual exchanges. They are characterized by the fact that an agreement on the use of scarce resources is reached, which is based on mutual respect and recognition of each and all of the exchanging partners' domain of exclusive control over their respective bodies. By definition, such contractual exchanges, while not necessarily advantageous for each and all of the exchanging partners in retrospect (I might not like

¹ It is worth mentioning here that the validity of all of what follows, of course, in no way depends on the correctness of the description of the natural position as "natural." Even if someone would only be willing to grant the so-called natural position the status of an arbitrary starting point, our analysis assumes validity. Terms don't matter; what counts is what the natural position really is and implies as such. The following analyses are concerned exclusively with this problem.

在此值得一提的是，接下来所有内容的有效性，当然绝不取决于将自然状态描述为“自然的”这种说法是否正确。即便有人只愿意将所谓的自然状态视为一个任意选定的起点，我们的分析依然有效。用词并不重要，关键在于自然状态究竟是什么以及它本身所蕴含的意义。以下分析仅围绕这一问题展开。

my looks afterwards, even though the surgeon did exactly what I told him to do to my face), are always, and necessarily so, mutually advantageous for every participant ex ante, otherwise the exchange simply would not take place.

那么，人们在谈论身体的产权时，潜在承认的自然立场是什么呢？在身体表面的边界内，每个人都对自己的身体拥有排他性的所有权。只要不干涉他人控制自己身体的权利，每个人都可以把自己的身体用于他自己的用途，为长远利益也行，为眼前利益也行；为幸福也好，为满足也好。对自己身体的“所有权”意味着一个人有权邀请(同意)另一个人用自己的身体做某事：我有权对我的身体做任何我想做的事情，也就是说，如果喜欢并同意的话，可以邀请别人使用我的身体，可以喜爱它、检查它，也可以给它注射药品或毒品，还可以改变它的外表，甚至可以殴打、破坏或杀死它。这种同意的人际关系现在和将来都被称为契约交换。它们的特点是达成了一项关于使用稀少资源的协议，该协议的基础是相互尊重，并且承认自己与所有交换对象的身体，彼此都有各自的专属控制范围。根据定义，这样的契约交换，虽然回顾起来不一定对每一个交换方都有利(我可能不喜欢我术后的样子，即使外科医生完全按照我的要求对我的脸做了处理)，但它总是，而且必然是，事先对每个参与者都有利，否则交换根本不会发生。

If, on the other hand, an action is performed that uninvitedly invades or changes the physical integrity of another person's body and puts this body to a use that is not to this very person's own liking, this action, according to the natural position regarding property, is called aggression.⁷It would be aggression if a person tried to satisfy his sexual or sadistic desires by raping or beating another person's body without having this person's explicit consent. And it would be aggression as well, if a person were physically stopped from performing certain actions with his body which might not be to someone else's liking, such as wearing pink socks or curly hair, or getting drunk every day, or first sleeping and then philosophizing instead of doing it the other way around, but which, if indeed performed, would not in itself cause a change in the physical integrity of any other person's body. ⁸By definition, then, an aggressive act always and necessarily implies that a person, by performing it, increases his/her satisfaction at the expense of a decrease in the satisfaction of another person.

另一方面，如果一个人的身体被一个未经同意的行为侵犯或改变了完整性，或者这个身体被用于一个他自己不愿意的用途，根据财产权的“自然立场”，这个人的身体就是

受到了侵犯。¹ 如果一个人未经另一人的明确同意，却试图通过强奸或殴打此人的身体来满足他的性欲望或虐待欲，这就是侵犯。如果一个人行为的确不讨人喜欢，比如他穿粉色的袜子，烫卷头发，酗酒，生活节奏紊乱，晨昏颠倒，可就算他这样做了，也并不会对其他人的身体的完整性造成任何伤害，那么阻止他的行为也是对他的侵犯。²那么，根据定义，侵犯行动总是而且必然意味着，一个人通过实施它，以降低另一个人的满意度为代价，来增加他/她自身的满意度。

What is the underlying rationale of this natural position regarding property? At the bottom of the natural property theory lies the idea of basing the assignment of an exclusive ownership right on the existence of an objective, intersubjectively

¹ Note again that the term “aggression” is used here without evaluative connotations. Only later in this treatise will I demonstrate that aggression as defined above is indeed morally indefensible. Names are empty; what alone is important is what it really is that is called aggression.

再次注意，这里使用的“侵犯”一词不带任何评价性内涵。在本论文后续内容中，我才会论证上述所定义的侵犯在道德上确实站不住脚。名称并无实质意义，唯一重要的是被称作“侵犯”的行为究竟是什么。

² When I discuss the problem of moral justification in Chapter 7, I will return to the importance of the distinction just made of aggression as an invasion of the physical integrity of someone and, on the other hand, an invasion of the integrity of someone's value system, which is not classified as aggression. Here it suffices to notice that it is some sort of technical necessity for any theory of property (not just the natural position described here) that the delimitation of the property rights of one person against those of another be formulated in physical, objective, intersubjectively ascertainable terms. Otherwise it would be impossible for an actor to determine ex ante if any particular action of his were an aggression or not, and so the social function of property norms (any property norms), i.e., to make a conflict-free interaction possible, could not be fulfilled simply for technical reasons.

当我在第 7 章讨论道德正当性问题时，我将回到刚刚对侵犯所做的重要的区分上来，侵犯是对某人身体完整性的侵犯，另一方面，对某人价值体系完整性的侵犯，后者不被归类为侵犯。这里需要注意的是，任何财产理论(不仅仅是这里描述的自然立场)都有某种技术上的必要性，即用物理的、客观的、主体间可确定的术语来界定一个人对另一个人的财产权。否则，行动人就不可能事先确定他的任何特定行动是否构成侵犯，因此财产规范(任何财产规范)的社会功能，即使得无冲突的互动成为可能，此种功能不能仅仅出于技术原因而实现。

ascertainable link between owner and the property owned and, *mutatis mutandis*, of calling all property claims that can only invoke purely subjective evidence in their favor aggressive. While I can cite in favor of my property claim regarding my body the objective fact that I was the body's first occupant—its first user—anyone else who claims to have the right to control this body can cite nothing of the sort. No one could call my body a product of his will, as I could claim it to be the product of mine; such a claim to the right to determine the use of the scarce resource “my body” would be a claim of nonusers, of nonproducers, and would be based exclusively on subjective opinion, i.e., on a merely verbal declaration that things should be this or that way. Of course, such verbal claims could (and very likely always will) point to certain facts, too (“I am bigger, I am smarter, I am poorer or I am very special, etc.!”), and could thereby try to legitimize themselves. But facts such as these do not (and cannot) establish any objective link between a given scarce resource and any particular person(s). Everyone's ownership of every particular resource can equally well be established or excluded on such grounds. It is such property claims, derived from thin air, with purely verbal links between owners and things owned, which, according to the natural theory of property, are called aggressive. As compared with this, my property claim regarding my body can point to a determinate natural link; and it can do so because my body has been produced, and everything produced (as contrasted with things “given”), logically, has a determinate connection with some definite individual producer(s); it has been produced by me. To avoid any misunderstanding, “to produce” is not to say “to create out of nothing” (after all, my body is also a naturally given thing); it means to change a naturally given thing according to a plan, to transform nature. It is also not to say “to transform each and every part of it” (after all, my body has lots of parts with respect to which I never did anything!); it means instead to transform a thing within (including/excluding) borders, or, even more precisely, to produce borderlines for things. And finally, “to produce” also is not to say that the process of production must go on indefinitely (after all, I am sleeping sometimes, and my body is certainly not a product of my actions right then), it simply means that it was produced in the past and can be recognized as such. It is such property claims, then, which can be derived from past, embordering productive efforts and which can be tied to specific individuals as producers, which recalled “natural” or “nonaggressive.”⁹

这种关于财产的自然立场的基本原理是什么?自然产权理论的基础是,在所有权人和所拥有的财产之间存在一种客观的,在主体与财产之间可以确定的联系。那么,他人所声称的却缺乏客观证据的财产权主张,就是侵犯性的。我可以引用一个客观事实来支持我对我身体的财产主张,那就是我是这个身体的第一个占有者——它的第一个使用者——任何声称有权控制这个身体的人都不能引用任何这样的事实。我能主张我的身体是我意志的产物,但是旁人不能主张我的身体是他意志的产物;只有我自己才对作为稀缺资源的“我的身体”有支配权,别人想使用“我的身体”,作为非使用者和非生产者,无论他怎么说,都只是他的主观意见,只是他的言辞声明,只他的一厢情愿。当然,他也可能,而且也总是可能用某些其他的陈述借口来试图使他的声明合法化,例如“我更大”“我更聪明”“我更穷”“我更特别”等等借口。但是,诸如此类的陈述并没有(也不可能)在给定的稀缺资源和任何特定的人之间建立任何客观的联系。每个人对每一种特定资源的所有权都可以同样充分地建立或排除在这种理由之上。根据财产的自然理论,这种无中生有的财产主张,在所有者和所拥有的物体之间仅仅是单纯的口头联系,这种主张就被称为攻击性的。与此相比,我关于我身体的财产主张可以指向一个确定的自然联系;之所以能这样做,是因为我的身体是被生产出来的,而一切被生产出来的东西(与“给予”的东西相对立),在逻辑上都与某个确定的个人生产者有一定的联系;它是我生产的。澄清一下,虽然我的身体来自自然赋予物,但它也是“生产”出来的,而不是无中生有,意味着它是我自己改变自然赋予的事物而养成的。这也不是说“改变它的每一个部分”(毕竟,我的身体有很多部位,我从来没有对它们做过任何事情!);相反,它意味着在边界内(包括/排除)改变事物,或者更准确地说,为事物建立边界。最后,“生产”也不是说生产过程必须无限期地进行下去(毕竟,我有时在睡觉,我的身体当然不是我当时行动的产物),这仅仅意味着它是过去生产的,并且可以被认为是过去生产的。因此,正是这样的财产主张,可以从过去的、毗邻生产的努力中衍生出来,可以与作为生产者的特定个人联系在一起,这让人想起了“自然的”或“非侵犯性的”。¹

¹ It is worth mentioning that the ownership right stemming from production finds its natural limitation only when, as in the case of children, the thing produced is itself another actor - producer. According to the natural theory of property, a child, once born, is just as much the owner of his own body as anyone else. Hence, not only can a child expect not to be physically aggressed against but as the owner of his body a child has the right, in particular, to abandon his parents once he is physically able to run away from them and say “no” to their possible attempts to recapture him. Parents only have special rights regarding their child—stemming from their unique

The ideas of capitalism and socialism should be almost clear at this point. But before leaving the Garden of Eden once and for all, a look at the consequences of the introduction of elements of **aggressively founded ownership** into paradise should be taken, as this will help elucidate, purely and simply, the central economic and social problem of every type of real socialism, i.e., of socialism in a world of all-around scarcity, the detailed analysis of which then is the concern of the following chapters.

在这一点上，关于资本主义和社会主义概念应该是清晰的。但在最终离开伊甸园之前，应该看一下在这个天堂中引入以侵犯为基础的所有权元素的后果，因为这将不折不扣地有助于阐明每一种实际的社会主义的核心的经济和社会问题，即在一个全方位的稀缺世界中的社会主义，其详细分析将成为以下章节的关注点。

Even in the land of milk and honey, people evidently could choose different lifestyles, set different goals for themselves, have different standards as to what kind of personality they want to develop and what achievements to strive for. True, one would not need to work in order to make a living as there would be a superabundance of everything. But, put drastically, one could still choose to become a drunk or a philosopher, which is to say, more technically, one could choose to put one's body to uses that would be more or less immediately rewarding from the point of view of the acting person, or one could put one's body to such uses which would only bear fruit in a more or less distant future. Decisions of the afore-mentioned type might be called "consumption decisions." Decisions, on the other hand, to put one's body to a use that only pays later, i.e., choices induced by some reward or satisfaction anticipated in a more or less distant future requiring the actor to overcome disutility of waiting (time is scarce!), might be called "investment" decisions—that is, to

status as the child's producers—insofar as they (and no one else) can rightfully claim to be the child's trustee as long as the child is physically unable to run away and say "no."

值得一提的是，源于生产而产生的所有权，只有在产出物本身是另一个行动人——生产者的情况下(比如孩子)，才会受到自然的限制。根据自然财产理论，孩子一旦出生，就和其他任何人一样，是其自身身体的所有者。因此，孩子不仅可以期望自己的身体不受到侵犯，而且作为自身身体的所有者，一旦孩子有能力从父母身边跑开并对父母试图抓回自己的行为说“不”时，他就有权离开父母。父母对于孩子仅拥有特殊权利——这种权利源于他们作为孩子生产者的独特身份——前提是只要孩子在身体上还无法跑开并说“不”，他们(且只有他们)可以合法地宣称自己是孩子的监护人。

invest in "human capital, " in the capital embodied in one's own physical body.¹⁰

即使在奶与蜜之地，人们显然也会选择不同的生活方式，为自己设定不同的目标，想要发展什么样的个性，努力取得什么样的成就，各自都有不同的标准。即使在什么都不缺的流着奶和蜜的地方，即使人们都不需要为了谋生而工作，但一个人仍然得围绕自己的身体做选择。他要选择做个酒鬼还是做个哲人，选择及时行乐还是未雨绸缪，当然这些选择可以称为“消费决策”。另一方面，他也需要选择把自己的身体如何使用以获得更高的回报，选择立竿见影的行动还是厚积薄发的筹划，选择如何克服等待时间的负效用（毕竟时间是稀缺的），这些决策可以称为“投资决策”，也就是说投资于体现在自己身体上的资本，“人力资本”。¹

Now assume that [aggressively founded ownership](#) is introduced. Whereas before every person was the exclusive owner of his body and could decide on his own whether to become a drunk or a philosopher, now a system is established in which a person's right to determine how to use his body is curtailed or completely eliminated, and

¹ On the disutility of work and waiting cf. the theory of time-preference as espoused by L. v. Mises, *Human Action*, Chicago, 1966, chapters 5, 18, 21 ; the same, *Socialism*, Indianapolis, 1981, chapter 8;

M. N. Rothbard, *Man, Economy and State*, Los Angeles, 1970, chapters 6, 9; also: E.v. Boehm-Bawerk, *Kapital und Kapitalzins. Positive Theory des Kapitals*, Meisen-heim, 1967; F. Fetter, *Capital, Interest and Rent*, Kansas City, 1976.

On a critical assessment of the term "human capital, " in particular of the absurd treatment that this concept has had at the hands of some Chicago-economists (notably G. Becker, *Human Capital*, New York, 1975), cf. A. Rubner, [The Three Sacred Cows of Economics](#), New York, 1970.

关于劳动负效用与等待负效用，可参见路德维希·冯·米塞斯（L. v. Mises）所倡导的时间偏好理论，见其《人的行动》，芝加哥，1966年，第5、18、21章；以及他的《社会主义》，印第安纳波利斯，1981年，第8章；默里·N·罗斯巴德（M. N. Rothbard）的《人、经济与国家》，洛杉矶，1970年，第6、9章；还有欧根·冯·庞巴维克（E. v. Boehm - Bawerk）的《资本与资本利息：资本实证论》，美国茨海姆，1967年；弗兰克·费特（F. Fetter）的《资本、利息与租金》，堪萨斯城，1976年。关于对“人力资本”这一术语的批判性评估，尤其是对一些芝加哥学派经济学家（特别是加里·贝克尔，见其《人力资本》，纽约，1975年）对该概念荒谬处理的批判，可参见A. 鲁布纳（A. Rubner）的《经济学的三头神圣奶牛》，纽约，1970年。

instead, this right is partly or fully delegated to another person who is not naturally linked to the respective body as its producer. What would be the consequence of this? The abolition of private ownership of one's body can be far-reaching: the nonproducers can have the right to determine all of the uses of "my" body all of the time, or their right to do so can be restricted with respect to time and/or domains, and these restrictions again can be flexible (with the nonproducers having the right to change the restrictive definitions according to their own taste) or fixed once and for all, and so the effects can, of course, be more or less drastic! But whatever the degree, socialization of ownership always, and necessarily so, produces two types of effects. The first effect, "economic" in the narrower sense of the term, is a reduction in the amount of investment in human capital as defined above. The natural owner of a body cannot help but make decisions regarding that body as long as he does not commit suicide and decides to stay alive, however restricted his ownership rights might be. But since he can no longer decide on his own, undisturbed by others, to what uses to put his body, the value attached to it by him is now lower; the wanted satisfaction, the psychic income, that is to say, which he can derive from his body by putting it to certain uses is reduced because the range of options available to him has been limited. But then, with every action necessarily implying costs (as explained above), and with a given inclination to overcome costs in exchange for expected rewards or profits, the natural owner is faced with a situation in which the costs of action must be reduced in order to bring them back in line with the reduced expected income. In the Garden of Eden, there is only one way left to do this: by shortening the waiting time, reducing the disutility of waiting, and choosing a course of action that promises earlier returns. Thus, the introduction of aggressively founded ownership leads to a tendency to reduce investment decisions and favors consumption decisions. Put drastically, it leads to a tendency to turn philosophers into drunks. This tendency is permanent and more pronounced when the threat of intervention with the natural owner's rights is permanent, and it is less so to the degree that the threat is restricted to certain times or domains. In any case, though, the rate of investment in human capital is lower than it would be with the right of exclusive control of natural owners over their bodies being untouched and absolute.

我们在前一段的所描述的状况是“什么也不缺”的世界和各自有偏好的个人。现在我们

在前面假设的基础上引入一个因素，以侵犯性为基础的所有权。在此之前，每个人都是自己身体的专属所有者，可以自行决定成为酒鬼还是哲学家，现在建立了一个制度系统，使一个人决定如何使用他的身体的权利受到了削弱或完全消失，取而代之的是，这个权利在一定程度上或全部被转交给了另一个与相应身体没有自然联系的人。这会有什么后果呢？废除对自己身体的私有权利可能会产生深远影响：非生产者任何时候都有权决定“我的”身体的所有用途，或者他们有权在时间和/或领域上对此进行限制，而这些限制又可以是灵活的（非生产者有权根据自己的口味喜好更改限制的定义）或一劳永逸地固定下来，因此效果可能会或多或少地产生剧烈的变化！但无论程度如何，（身体）所有权的国有化（也就是交给别人来支配）总是会产生两种类型的影响。第一个影响，即狭义上的“经济”影响，是上文所定义的人力资本投资数额的减少。无论他的所有权多么有限，只要他不自杀并决定活下去，身体的自然所有者就不得不对其身体作出决定。但是，由于他不再能够在不受他人干扰的情况下，自己决定身体的用途，他所赋予身体的价值就降低了；他想要的满足，精神上的收益，也就是说，他可以通过身体的某种用途获得的收益，减少了，因为他可以选择的范围受到了限制。但是，由于每个行动都必然意味着成本(如上所述)，并且有克服成本以换取预期回报或利润的既定倾向，自然所有者面临的情况是，必须降低行动成本，以使其与减少的预期收入保持一致。在伊甸园中，只有一种方法可以做到这一点：缩短等待时间，减少等待的负效用，并选择一种承诺更早回报的行动方案。因此，引入侵犯性的所有权，会导致这样一种趋势，减少投资决策同时倾向消费决策。夸张一点，它会导致哲学家变成酒鬼的倾向。当对自然所有者的权利干预威胁是永久性的，那么这种趋势就会成为永久性的，且更加明显。而当威胁仅限于某些特定的时间或领域时，这种趋势就变得不那么明显。然而，无论如何，人力资本投资率低于自然所有者对其身体的独家控制权不受影响和绝对的情况下的水平。然而，无论如何，人力资本投资率低于它应有的水平，这应有的水平就是自然所有者对其身体的排他性控制权绝对不受影响的情况下的投资水平。

The second effect might be called social. The introduction of elements of aggressively founded ownership implies a change in the social structure, a change in the composition of society with respect to personality or character types. Abandoning the natural theory of property evidently implies a redistribution of income. The psychic income of persons in their capacity as users of their “own” natural body, as persons expressing themselves in this body and deriving satisfaction from doing so, is reduced at the expense of an increase in the psychic income of persons in their capacity as

invaders of other peoples' bodies. It has become relatively more difficult and costly to derive satisfaction from using one's body without invading that of others, and relatively less difficult and costly to gain satisfaction by using other peoples' bodies for one's own purposes. This fact alone does not imply any social change, but once a single empirical assumption is made, it does: Assuming that the desire to gain satisfaction at the expense of a loss in satisfaction available to others by instrumentalizing another person's body exists as a human desire, that it may not be instilled in everybody and to the same extent, but that it exists in some people sometimes to some degree and so conceivably can be suppressed or encouraged and favored by some given institutional arrangement, consequences are imminent. And surely, this assumption is true. Then, the redistribution of chances for income acquisition must result in more people using aggression to gain personal satisfaction and/or more people becoming more aggressive, i.e., shifting increasingly from nonaggressive to aggressive roles, and slowly changing their personality as a consequence of this; and this change in the character structure, in the moral composition of society, in turn leads to another reduction in the level of investment in human capital.

第二个效应可以称为社会效应。侵犯性所有权因素的引入，意味着社会结构的变化，社会结构在个性或性格类型方面的变化。抛弃自然产权理论显然意味着收入的再分配。作为“自己的”自然身体的使用者，用这个身体表达并从中获得满足的精神收入减少了，自己的身体成了侵犯者谋利的代价，侵犯者的精神收入却增加了。在不侵犯他人身体的情况下通过使用自己的身体来获得满足变得相对困难和昂贵，而使用他人的身体来满足自己的目的变得相对没那么困难和昂贵。这一假设看起来似乎并不意味着社会有什么变化，但人们的行为会变。一旦以掠夺他人来满足自己这种方式可以行得通，这种行为就会成为一种观念，或多或少地灌输给一些人，然后持有这种观念的这些人就会把这种观念变成一种制度安排，这种制度就会鼓励这种掠夺行为，这个推理的结果已经显而易见了。我们在这里引入这个假设是必要的，因为“收入再分配”就是剥夺一些人来满足另一些人。然后，收入的再分配必然导致更多的人通过侵犯来获得个人满足感，和/或导致更多的人变得更具侵犯性，即越来越多的人从非侵犯性角色转变为侵犯性角色，这样的后果就是很多人逐渐改变他们的个性；这种性格结构的变化，社会道德构成的变化，反过来又导致了人力资本投资水平的下降。

In short, with these two effects we have already pinpointed the most fundamental

reasons for socialism's being an economically inferior system of property arrangements. Indeed, both effects will reappear again and again in the course of the following analyses of socialist policy schemes. All that is left now is to explain the natural theory of property as regards the real world of all around scarcity, for this is the point of departure for all forms of real socialism.

综上所述，无论是通过人们对自己生活自主权的受损，还是通过人们生产者收入的被掠夺，侵犯产权都会导致人们高的时间偏好，从而导致人力资本投资水平的下降。如此，我们便找到了社会主义在经济上是一种劣等的财产安排制度的最根本原因。的确，这两种影响将在以下对社会主义政策方案的分析过程中一再出现。现在剩下的就是从现实世界的匮乏出发来解释自然产权理论，因为这是一切形式的现实社会主义的出发点。现在我要做的，就是从全面稀缺的现实世界出发来解释自然产权理论，因为这是一切形式的现实社会主义的出发点。

Notwithstanding some evident differences between bodies and all other scarce resources, all conceptual distinctions can be made and applied again without difficulties: Unlike bodies, which are never “unowned” but always have a natural owner, all other scarce resources can indeed be unowned. This is the case as long as they remain in their natural state, unused by anyone. They only become someone's property once they are treated as scarce means, that is, as soon as they are occupied in some objective borders and put to some specific use by someone. This act of acquiring previously unowned resources is called “original appropriation.”¹¹ Once unowned resources are appropriated it becomes an aggression to uninvitedly change their physical characteristics or to restrict the owner's range of uses to which he can put these resources, as long as a particular use does not affect the physical characteristics of anyone else's property—just as in the case of bodies. Only in the course of a contractual relationship, i.e., when the natural owner of a scarce means explicitly agrees, is it possible for someone else to utilize and change previously acquired things. And only if the original or previous owner deliberately transfers his property title to someone else, either in exchange for something or as a free gift, can this other person himself become the owner of such things. Unlike bodies, though, which for the same “natural” reason can never be unowned and also can never be parted with by the natural owner completely but only be “lent out” as long as the owners'

agreement lasts, naturally all other scarce resources can be “alienated” and a property title for them can be relinquished once and for all.¹²

尽管身体和其他稀缺资源之间，存在明显的差异，但所有这些概念上的差异，我们可以毫无困难的加以分辨。身体，从来不是“无主的”，总有一个自然的所有者，而其他稀缺资源却不同，它有时真是无主的。自然物只要保持原始状态，不被任何人使用，这时就是无主的。而自然物只有被视为稀缺手段，被置于某些特定用途，在它们的客观边界之内被某人占有时，才会成为某人的财产。这种获取先前无主资源的行动被称为“先占”。¹一旦无主资源已经被占用，后来者未经许可改变资源的物理特征，或限制所有者使用这些资源的用途，也就构成了侵权行为，即使这种特定的行为不曾影响他人财产的物理特征——就像使用身体的情况一样。只有在契约关系的过程中，即当稀缺资源的自然所有者明确同意时，其他人才有可能利用和改变之前已被所有者获得的东西。只有当原所有者或前所有者自愿将其财产所有权转让给他人，无论是作为交换物还是作为免费礼物，如此，这个人才能成为这些物品的所有者。然而，由于同样“自然”的原因，身体永远不可能是无主的，也永远不可能被自然所有者完全分开，而只能在所有者允许的情况下“借出”。与身体不同的是，所有其他稀缺资源自然都可以“异化”，它们的财产所有权可以一劳永逸地放弃。²

A social system based on this natural position regarding the assignment of property rights is, and will from now on be called pure capitalist. And since its ideas can also be discerned as the dominating ideas of private law, i.e., of the norms

¹ On the theory of original appropriation cf. J. Locke, *Two Treatises of Government* (ed. Laslett), Cambridge, 1960, esp. 2,

关于先占理论，可参见约翰·洛克《政府论两篇》（拉斯莱特编），剑桥，1960年，特别是第二篇。

² On the distinction, flowing naturally from the unique character of a person's body as contrasted with all other scarce goods, between “inalienable” and “alienable” property titles cf. W. Evers, “Toward a Reformation of a Law of Contracts,” in: *Journal of Libertarian Studies*, 1977.

关于“不可让渡”与“可让渡”财产权之间的区别，这一区别源于人的身体相较于其他所有稀缺物品所具有的独特性质，可参见 W. 埃弗斯发表于《自由意志主义研究杂志》1977年刊的《迈向契约法的改革》。

regulating relations between private persons, it might also be termed a pure private law system. ¹³This system is based on the idea that to be nonaggressive, claims to property must be backed by the “objective” fact of an act of original appropriation, of previous ownership, or by a mutually beneficial contractual relationship. This relationship can either be a deliberate cooperation between property owners or the deliberate transfer of property titles from one owner to another. If this system is altered and instead a policy is instituted that assigns rights of exclusive control over scarce means, however partial, to persons or groups of persons that can point neither to an act of previous usership of the things concerned, nor to a contractual relation with some previous userowner, then this will be called (partial) socialism.

这种社会制度，建立在自然状态之上的产权和产权转让，现在是，将来也是，被称为纯粹的资本主义。由于它的理念也可以被视为私法的主导理念，即规范私人关系的规范，它也可以被称为纯粹的私法体系。¹这一制度的基础是基于这种非侵犯性的产权理念，即对财产的要求必须提供必要的“客观事实依据”，包括先占行动，或产权转移的相互同意的互利的契约关系。这种关系既可以是产权所有人之间有意的合作，也可以是产权所有人之间有意的产权转让。如果基于自然产权的制度被改变，出现一种政策，允许将产权所有人对稀缺资源的所有权，或全部或部分地“分配”给其他人，而这个“其他人”既没有在先占中有过行动，又不曾与产权所有人有过契约关系，这就是社会主义或部分社会主义。

It will be the task of the next four chapters to explain how different ways of deviating from a pure capitalist system, different ways of redistributing property titles away from

¹ The superimposition of public on private law has tainted and compromised the latter to some extent everywhere. Nonetheless, it is not difficult to disentangle existing private law systems and find what is here called the natural position as constituting its central elements—a fact which once again underlines the “naturalness” of this property theory. Cf. also Chapter 8, n. 13.

公法凌驾于私法之上，在一定程度上，各地的私法都因此受到了玷污和损害。然而，梳理现有的私法体系，找出构成其核心要素、此处所称的自然状态，并非难事——这一事实再次凸显了该财产理论的“自然性”。另见第8章注释13。

natural owners of things (i.e., from people who have put some particular resources to a specific use and so are naturally linked to them, and onto people who have not yet done anything with the resources but who have simply made a verbal, declarative claim regarding them) lowers investment and increases consumption, and in addition causes a change in the composition of the population by favoring nonproductive over productive people.

接下来四章的任务是解释如何以不同的方式偏离纯粹的资本主义制度，以不同的方法重新分配财产所有权，使其远离事物的自然所有者（即从那些已经将某些特定资源用于特定用途因而与这些资源自然相连的人，转移到那些尚未对资源进行任何处理但仅仅通过口头声明对其提出主张的人），从而降低投资并增加消费。还将解释如果政策偏袒非生产性人群而歧视生产性群体，将会怎样导致人口构成的变化。

第三章 俄罗斯式社会主义

Chapter 3 Socialism Russian Style

We have defined socialism as an institutionalized policy of redistribution of property titles. More precisely, it is a transfer of property titles from people who have actually put scarce means to some use or who have acquired them contractually from persons who have done so previously onto persons who have neither done anything with the things in question nor acquired them contractually. For a highly unrealistic world—the Garden of Eden—I then pointed out the socioeconomic consequences of such a system of assigning property rights were then pointed out: a reduction of investment in human capital and increased incentives for the evolution of non-productive personality types.

前面我们已经定义过社会主义，定义它为一种制度化的产权再分配政策。现在我们更准确地说，社会主义是一种财产所有权的转移政策，将财产从实际使用者手里，从经契约转让而获得者手里，转移给另外的人——这些人既没有对财货的产生做过任何贡献，也从未以契约的方式获得过这些财货。前面我们也以高度不现实的世界，即没有任何财货稀缺的伊甸园，分析过一种现象——只要有产权再分配制度，就会削减人们对人力资本的投资，激励社会中更多的人倾向于成为掠夺者而不是生产者。

I now want to enlarge and concretize this analysis of socialism and its socio-economic impact by looking at different though equally typical versions of socialism. In this chapter I will concentrate on the analysis of what most people have come to view as “socialism par excellence” (if not the only type of socialism there is), this probably being the most appropriate starting point for any discussion of socialism. This “socialism par excellence” is a social system in which the means of production, that is, the scarce resources used to produce consumption goods, are “nationalized” or “socialized.”

现在，我想通过观察不同但同样典型的社会主义版本，来扩大和具化对社会主义及其社会经济影响的分析。在本章中，我将集中分析大多数人所认为的“卓越的社会主义”（如果不是唯一的社会主义类型），这可能是讨论社会主义最合适的起点。这种“卓越的社会主义”是一种社会制度，在这种社会制度中，生产资料，即用于生产消费品的稀缺

资源，被“国有化”或“国有化”。

Indeed, while Karl Marx, and like him most of our contemporary intellectuals of the left, was almost exclusively concerned with the analysis of the economic and social defects of capitalism, and in all of his writings made only a few general and vague remarks about the constructive problem of the organization of the process of production under socialism, capitalism's allegedly superior alternative, there can be no doubt that this is what he considered the corner-stone of a socialist policy and the key to a better and more prosperous future.¹ Accordingly, socialization of the means of production has been advocated by all socialists of orthodox Marxist persuasion ever since. It is not only what the communist parties of the West officially have in store for us, though they become increasingly reluctant to say so in order to seize power. In all of the Western socialist and social-democratic parties a more or less numerous, outspoken, and eloquent minority of some influence also exists, which arduously supports such a scheme and proposes socialization, if not of all means of production, then at least of those of big industry and big business. Most importantly, smaller or bigger sectors of nationalized industries have become part of social reality even in the so-called “most capitalist” countries; and of course an almost complete socialization of the means of production has been tried out in the Soviet Union and later in all of the Soviet-dominated countries of Eastern Europe, as well as in a number of other countries all over the world. The following analysis should thus enable us to understand the economic and social problems of societies, insofar as they are characterized by nationalized means of production. And in particular, it should help us to understand the central problems that plague Russia and its satellites, as these countries have carried a policy of socialization so far that it can justly be said to be their dominant structural feature. It is because of this fact that the type of socialism under investigation is called “Russian” style.²

事实上，卡尔·马克思，以及像他一样的大多数当代左派知识分子，几乎只关注对资本主义的经济和社会缺陷的分析，在他所有的著作中，对社会主义下生产过程组织的建设性问题只做了一些笼统而模糊的评论，而资本主义则被认为是更优越的选择，毫无疑问，他认为这是社会主义政策的基石，是通向更美好、更繁荣未来的关键。¹因此，

¹ On Marxism and its development cf. L. Kolakowski, Main Currents of Marxism, 3

从那时起，所有正统马克思主义的社会主义者都主张生产资料的国有化。这不仅仅是西方共产党官方为我们准备的东西，尽管他们越来越不愿意为了夺取权力而这么说。在所有的西方社会主义和社会民主党派中，也存在着数量或多或少的、直言不讳的、雄辩的、有一定影响力的少数人，他们坚定地支持这样的方案，并提出，如果不是国有化所有的生产资料，那么至少国有化大工业和大企业的生产资料。最重要的是，即使在所谓的“最资本主义”的国家，或大或小的国有工业部门已成为国有化现实的一部分；当然，苏联已经尝试了几乎完全的生产资料国有化，后来在所有苏联主导的东欧国家，以及世界上其他一些国家，同样如此。因此，下面的分析应该使我们能够理解这些国家的经济和社会问题，因为它们的共同特点是生产资料国有化。特别是，它应该帮助我们理解困扰俄罗斯及其卫星国的核心问题，因为这些国家迄今为止一直奉行社会主义化政策，到目前为止，可以说这是它们的主要结构特征。正是由于这个事实，我们所研究的社会主义类型被称为“俄罗斯”模式。¹

vols., Oxford, 1978; W. Leonhard, *Sovietideologie. Die politischen Lehren*, Frankfurt/M., 1963.

关于马克思主义及其发展，可参阅：L. 科拉科夫斯基所著《马克思主义的主要流派》（三卷本），牛津，1978年；W. 莱昂哈德所著《苏联意识形态：政治学说》，法兰克福，1963年。

¹ When one speaks of socialism Russian style it is evident that one abstracts from the multitude of concrete data which characterize any social system and with respect to which societies may differ. Russian style socialism is what has been termed by M. Weber an “ideal type.” It “is arrived at through the one-sided intensification of one or several aspects and through integration into an immanently consistent conceptual representation of a multiplicity of scattered and discrete individual phenomena” (M. Weber, *Gesammelte Aufsätze zur Wissenschaftslehre*, Tuebingen, 1922, p.191). But to stress the abstract character of the concept by no means implies any deficiency in it. On the contrary, it is the very purpose of constructing ideal types to bring out those features which the acting individuals themselves regard as constituting relevant resemblances or differences in meaning, and to disregard those which they themselves consider to be of little or no importance in understanding either one's own or another person's actions. More specifically, describing Russian style socialism on the level of abstraction chosen here and developing a typology of various forms of socialism later on should be understood as the attempt to reconstruct those conceptual distinctions which people use to attach themselves ideologically to various political parties or social movements, hence enabling an understanding of the ideological forces that in fact shape present-day societies. On ideal types as prerequisites for his-

As regards the motivational forces pushing socialization schemes, they are avowedly egalitarian. Once you allow private property in the means of production, you allow differences. If I own resource A, then you do not own it, and our relationship to this resource is thus different. By abolishing private ownership everyone's position vis à vis means of production is equalized with one stroke, or so it seems. Everyone becomes coowner of everything, reflecting everyone's equal standing as human beings. And the economic rationale of such a scheme is that it is supposedly more efficient. To the untrained observer unfamiliar with the action-coordinating function of prices, capitalism as based on private ownership of means of production simply appears chaotic. It seems to be a wasteful system characterized by duplicating efforts, ruinous competition, and the absence of concerted, coordinated action. As Marxists call it depreciatively, it is an "anarchy of production." Only when collective ownership is substituted for private does it seemingly become possible to eliminate this waste by implementing a single, comprehensive, coordinated production plan.

torico-sociologic al research cf. L. v. Mises, Epistemological Problems of Economics, New York, 1981, esp. pp.75ff; the same, Human Action, Chicago, 1966, esp. pp.59ff. On the methodology of "meaning reconstruction" of empirical social research cf. H. H. Hoppe, Kritik der kausalwis- senschaftlichen Sozialforschung, Opladen, 1983, chapter 3, esp. pp.33ff.

当人们谈及俄国式社会主义时，显然是从众多描绘任何社会制度的具体数据中进行了抽象，而不同社会在这些具体数据方面可能存在差异。俄国式社会主义就是马克斯·韦伯 (M. Weber) 所称的“理想类型”。“它是通过对一个或几个方面的片面强化，以及将众多零散、离散的个体现象整合为一个内在一致的概念表述而达成的” (马克斯·韦伯,《科学论文集》,图宾根,1922年,第191页)。但强调这一概念的抽象性,绝不意味着它存在任何缺陷。相反,构建理想类型的目的恰恰是要凸显那些行动个体自身认为构成了相关意义上的相似或差异的特征,并忽略那些他们自己认为在理解自身或他人行动时无关紧要或毫无意义的特征。更具体地说,在此处选定的抽象层面上描述俄国式社会主义,并随后构建各种社会主义形式的类型学,应被理解为试图重构人们在意识形态上用以归附不同政党或社会运动的那些概念区分,从而使我们能够理解事实上塑造当今社会的意识形态力量。关于理想类型作为历史社会学研究的先决条件,可参见路德维希·冯·米塞斯 (L. v. Mises) 所著《经济学的认识论问题》,纽约,1981年,尤其是第75页及以后内容;以及同一作者的《人的行动》,芝加哥,1966年,尤其是第59页及以后内容。关于实证社会研究中“意义重构”的方法论,可参见汉斯-赫尔曼·霍普 (H. H. Hoppe) 所著《对因果科学社会研究的批判》,奥普拉登,1983年,第3章,尤其是第33页及以后内容。

至于推动社会主义化计划的动机，就是公开的平等主义。一旦你允许生产资料私有制，你就允许有差异。如果我拥有资源 A，那么你就不拥有它，这样我们与这个资源的关系就不同了。通过废除私有制，每个人相对于生产资料的地位一下子就平等了，或者看上去是平等了。每个人都成为一切的主人，体现了每个人作为人的平等地位。根据他们的经济原理，据说这种（废除私有制的）方案更有效。对于不熟悉价格的行动协调功能的未经训练的观察者来说，建立在生产资料私有制基础上的资本主义似乎是混乱的。在他们看来这似乎是一个浪费的制度，其特点是重复努力、破坏性竞争和缺乏协调一致的行动。马克思主义者轻蔑地称之为“生产的无政府状态”。只有当集体所有制取代私人所有制时，似乎只有通过实施统一的、全面的、协调的生产计划才可能消除这种浪费。

More important, though, than motivation and promises is what a socialization of means of production really amounts to.³The property rules that are adopted under a socialization policy and which constitute the basic legal principles of countries like Russia are characterized by two complementary features. First, nobody owns the socialized means of production; they are “socially” owned, which is to say precisely: no person, or no group of persons, or all taken together is allowed to either acquire them or sell them and keep the receipts from their sale privately. Their use is determined by people not in the role of an owner but of a caretaker of things. And secondly, no person or group of persons or all taken together is allowed to engage newly in private investment and create new private means of production. They can neither invest by transforming the existing, nonproductively used resources into productive ones, by original saving, by pooling resources with other people, nor by a mixture of these techniques. Investment can only be done by caretakers of things, never for private profit, always on behalf of the community of caretakers with whom the possible profits from investments would have to be shared.⁴

然而，比动机和承诺更重要的是，生产资料社会主义化真正意味着什么。¹ 在国

¹ For the following cf. in particular L. v. Mises, *Socialism*, Indianapolis, 1981.

关于以下内容，尤其可参见路德维希·冯·米塞斯所著的《社会主义》，印第安纳波利

有化政策下通过的财产规则，构成了象俄罗斯这样的国家的基本法律原则，这些规则具有两个互补的特点。首先，没有人拥有国有化的生产资料；它们是“社会”所有的，确切地说：任何人、任何团体或所有人都不允许购买或出售它们，并将出售所得的收入私藏。它们的使用不是由作为物品的所有者决定的，而是由作为物品的看守人决定的。其次，任何“个人”或“团体”都不具有支配资源的权力，他们既不被允许从事新的投资，也不被允许创造新的私人生产资料。个人和团体不被允许通过原始储蓄、或与他人共享资源，或者混合这两种方法，来将现有的非生产性的自然资源转化为生产性资源。投资只能由物品的看守者代表整个群体进行，投资也绝不允许为了私人利益而只能为了群体的利益，任何从投资中可能获得的利润都必须由整个群体共享。¹

What does it mean to have such a caretaker economy? What, in particular, does it imply to change from an economy built on the natural theory of property to a socialized one? In passing, two observations should be made, which will already throw some light on the above-mentioned socialist promises of equality and efficiency. Declaring everybody a coowner of everything solves the problem of differences in ownership only nominally. It does not solve the real underlying problem: differences in the power to control. In an economy based on private ownership, the owner determines what should be done with the means of production. In a socialized economy this can no longer happen, as there is no such owner. Nonetheless, the problem of determining what should be done with the means of production still exists and must be solved somehow, provided there is no prestabilized and presynchronized harmony of interests among all of the people (in which case no problems whatsoever would exist anymore), but rather some degree of disagreement. Only one view as to what should

斯，1981年。

¹ Of course, this complete outlawing of private investment, as stated under (2) only applies strictly to a fully socialized economy. If next to a socialized part of the economy a private part also exists, then private investment would only become curtailed and hampered to the degree to which the economy is socialized.

当然，如第(2)点所述，对私人投资的全面取缔，严格来说仅适用于完全社会主义化的经济体。如果在经济体系中，除了社会主义化的部分之外还存在私有部分，那么私人投资只会随着经济社会主义化的程度而受到相应程度的限制与阻碍。

be done can in fact prevail and others must *mutatis mutandis* be excluded. But then again there must be inequalities between people: someone's or some groups' opinion must win over that of others. The difference between a private property economy and a socialized one is only how whose will prevails in cases of disagreement is to be determined. In capitalism there must be somebody who controls, and others who do not, and hence real differences among people exist, but the issue of whose opinion prevails is resolved by original appropriation and contract. In socialism, too, real differences between controllers and noncontrollers must, of necessity, exist; only in the case of socialism, the position of those whose opinion wins is not determined by previous usership or contract, but by political means.⁵ This difference is certainly a highly important one, and our discussion will return to it later in this chapter and again in later chapters, but here it suffices to say that—contrary to socialism's egalitarian promises—it is not a difference between a nonegalitarian and an egalitarian system as regards power of control.

拥有这样一个看守者经济意味着什么？特别是从一个建立在自然产权理论基础上的经济转变为国有化经济意味着什么？在此过程中，应当提出两点观察，这将为上述社会主义平等和效率的承诺提供一些启示。第一点，社会主义经济能消除不平等吗？宣布每个人都是一切事物的共同所有者，只是在名义上解决了所有权差异的问题，却并未解决真正的根本问题：控制权差异。在以私有制为基础的经济中，所有者决定如何处理生产资料。在国有化的经济中，这种情况不会再生，因为没有这样的所有者。毫无疑问，决定如何处理生产资料的问题仍然存在，而且必须以某种方式解决，因为不存在所有人之间的预先稳定和预先同步的和谐利益(在这种情况下，任何问题都不会存在)，而是存在某种程度的分歧。事实上，只有一种关于应该做什么的观点可以占上风，其他观点必须经过必要的修改后加以排除。但是，人与人之间肯定存在不平等：某些人或某些群体的意见必须胜过其他群体的意见。私有财产经济和国有化经济的区别仅仅在于，在出现分歧的情况下，如何决定谁的意志占上风。在资本主义制度下，必定有人控制，有人不控制，因此人与人之间存在真正的差异，但谁的意见占主导地位的问题是通过原始的占有和契约来解决的。在社会主义中，控制者和非控制者之间的真正差异必然存在；只有在社会主义的情况下，那些意见获胜的人的立场不是由以

前的用户或契约决定的，而是通过政治手段决定的。¹这种差异当然是非常重要的，我们将在本章后面的章节中讨论它，并在后面的章节中再次讨论它，但在这里，它足以说明——与社会主义的平等主义承诺相反——在控制权方面，非平等主义与平等主义制度之间并没有区别。

The second observation is intimately connected with the first and concerns socialism's allegedly superior coordinating capabilities. Again closer inspection reveals that the difference is merely illusory, created only by semantics: to say that an economy of private owners is supplanted by a nationalized one creates the impression that instead of a multitude of decision-making units, all of a sudden there is only one such unit. In fact, nothing has changed at all. There are as many individuals with as many different interests as before. Just as much as capitalism then, socialism has to find a solution to the problem of determining how to coordinate the uses of different means of production, given the fact of differing views among people on how this should be accomplished. The difference between capitalism and socialism is again one of how coordination is achieved, and not between chaos and coordination, as the socialist semantic insinuates. Instead of simply letting individuals do what they want, capitalism coordinates actions by constraining people to respect previous user-ownership. Socialism, on the other hand, instead of letting people do whatever pleases them, coordinates individual plans by superimposing on one person's or group of persons' plan that of another disagreeing person or group regardless of prior ownership and mutual exchange agreements.⁶ It hardly deserves comment that this difference, too, is of the utmost importance. But it is not, as Marxist socialism would like us to believe, a difference between social planning and no planning at all; on the contrary, as soon as the coordinating mechanisms of socialism and capitalism are brought into the open and reconstructed, socialism's claim to greater efficiency immediately begins to lose

¹ The related, crucial difference between capitalism and socialism is that under the former, the voluntary actions of consumers ultimately determine the structure and process of production, whereas it is the producer-caretakers who do so under socialism. Cf. in particular Chapter 9 below.

资本主义和社会主义之间的关键区别在于，在资本主义制度下，消费者的自愿行动最终决定了生产的结构和过程，而在社会主义制度下，是生产者-管理者决定了生产的结构和过程。参见下文第9章。

much of its credibility, and the opposite thesis appears to be more convincing.

第二个观察与第一个密切相关，社会主义经济真能达到它所承诺的优越的协调能力吗？进一步的仔细观察会发现，语言上所描述的“私有经济被国有经济取代，以前众多分散的决策被同一个决策核心统一决策，就能达到社会生产最好的决策”，这也仅仅存在于语义中。无论是私有经济还是国有经济，同样有很多不同利益诉求的人。无论资本主义还是社会主义，都必须要有个解决方案，来决定如何协调不同生产资料的使用，但人们对于如何实现这一目标却有不同看法。资本主义与社会主义的区别，不是目的的区别，不是社会主义者语义暗示的，社会主义是协调的而资本主义是混乱的；而是手段的区别，即资本主义和社会主义有不同的达到协调的手段。资本主义不是简单地让个人做他们想做的事，而是通过约束人们尊重已有的私人产权来协调行动。社会主义也不是让人随心所欲，个人和群体的行动是受到某一个人或某一群人的计划来协调，而毋须考虑之前存在的产权，也不考虑产权所有人彼此之间的交换契约。¹几乎毋庸置疑，这种差异是极其重要的。信奉马克思主义的社会主义者希望我们相信，社会主义生产有计划而资本主义生产没有计划。但恰恰相反的是，我们前面分析它们的协调机制是不同的，资本主义生产是被产权和契约来约束和协调，社会主义是被看守者计划和指挥。是个人被产权和契约约束更有效，或者是被看守者计划和指挥更优越，哪一种说法更可信？哪种观点更有说服力？

How well-founded this thesis indeed is, and exactly why it is that capitalism's, and not socialism's, coordinating mechanism proves to be economically superior will become clear when one turns away from apparent differences and concentrates on real ones instead, and looks at the redistribution of property titles, and hence of income, which is implied in giving up capitalism in favor of a caretaker economy, as

¹ Writes Mises, "The essential mark of socialism is that one will alone acts. It is immaterial whose will it is. The director may be anointed king or a dictator, ruling by virtue of his charisma, he may be a Fuehrer or a board of Fuehrers appointed by the vote of the people. The main thing is that the employment of all factors of production is directed by one agency only' (L. v. Mises, Human Action, Chicago, 1966, p.695).

米塞斯写道：“社会主义的本质特征在于，只有一个意志在起作用。这是谁的意志并不重要。指导者可能是受膏的国王，或是凭借个人魅力统治的独裁者，也可能是元首，或是由民众投票选出的一群元首。关键在于，所有生产要素的调配仅由一个机构来指挥。”（路德维希·冯·米塞斯，《人的行动》，芝加哥，1966年，第695页）

characterized above. From the standpoint of the natural theory of property—the foundation of capitalism—the adoption of the basic principles of a caretaker economy means that property titles are redistributed away from actual producers and users of means of production, and away from those who have acquired these means by mutual consent from previous users, to a community of caretakers in which, at the very best, every person remains the caretaker of the things he previously owned. But even in this case each previous user and each contractor would be hurt, as he could no longer sell the means of production and keep the receipt from the sale privately, nor could he privately appropriate the profit from using them the way they are used, and hence the value of the means of production for him would fall. Mutatis mutandis, every nonuser and noncontractor of these means of production would be favored by being promoted to the rank of caretaker of them, with at least partial say over resources which he had previously neither used nor contracted to use, and his income would rise.

根据前面的分析，我们认为资本主义对社会生产的协调性优于社会主义，其实这个观点应该还有更多的证据，尤其是当我们把注意力从表面的差异转到实际的差异上来，当我们关注财产所有权的再分配，进而再关注收入再分配的时候，我们会看到更清晰的差异。再分配意味着放弃资本主义，支持看守型经济，这一切正如以上所述。资本主义的基础是自然产权理论，自然产权理论意味着自己的行动受产权的约束和激励。但在看守型经济中，原有的产权所有者手中的财产权，未经同意就被拿走分配给别人。拿走后最不坏的情况是分配给原先的产权所有者，每个人都仍是他自己原先拥有的财产的看守人。但即使如此，每个先前的使用者和产权人都受到了伤害，作为看守者这个新角色，他已经不再是产权的真正拥有者了，他不能出售生产资料并留下出售的收入，他也不能按原有的生产方式来使用生产资料而获利，这生产资料对他来说，价值就大大降低。更可能的情况是，拿走后的生产资料分配给了另外的人，而这个人既不是原先生产资料的产权拥有者，也不是曾经的使用者。谁获得了这种飞来横财似的权力支配至少部分支配这些生产资料，他的收入就会因此而增加。

In addition to this redistributive scheme there is another one, implied by the prohibition of newly created private capital or by the degree of hampering (dependent as it is on the size of the socialized part of the economy) under which this process must now take place: a redistribution away from people who have forgone possible consumption and instead saved up funds in order to employ them productively, i.e.,

for the purpose of producing future consumption goods, and who now can no longer do so or who now have fewer options available, toward nonsavers, who in adopting the redistribution scheme, gain a say, however partial, over the saver's funds.

经济发展来源于投资，而投资来源于储蓄。人们只有放弃眼前的一部分消费，才能储蓄，才能投资，才能形成更多的资本。在生产资料公有制的情形之下，一方面，人们无权自己投资，因为他们不再有权把储蓄转化为投资，他们的这种权利被转移到“看守者”手里；另一方面，人们无钱储蓄与投资，因为他们的收入已经有一部分被再分配转移到“看守者”手里。只有“看守者”才有对再分配资金的发言权，哪怕只是部分的发言权。

The socio-economic consequences of a policy of socialization are essentially implied in these formulations. But before taking a more detailed look at them, it might be worthwhile to review and clarify the central features of the real world in which this socialization scheme would purportedly take place. It should be recalled that one is dealing with a changing world; that man, in addition, can learn with respect to this world and so does not necessarily know today what he will know at a later point in time; that there is a scarcity of a multitude of goods and that accordingly man is pressed by a multitude of needs, not all of which he can satisfy at the same time and/or without sacrificing the satisfaction of other needs; because of this, man must choose and order his needs in a scale of preferences according to the rank of urgency that they have for him; also, more specifically, that neither the process of original appropriation of resources perceived as scarce, nor the process of production of new and the upkeep of old means of production, nor the process of contracting, is costless for man; that all of these activities cost at the very least time, which could be spent otherwise, e.g., for leisure activities; and in addition one should not forget that one is dealing with a world characterized by the division of labor, which is to say that one is not talking about a world of self-sufficient producers, but one in which production is carried out for a market of independent consumers.

国有化政策的社会经济后果基本上隐含在这些表述中。但在更详细地研究它们之前，值得回顾和澄清这个国有化方案所发生的现实世界的核心特征。应该意识到，我们所面对的是一个变化中的世界，而人们可以学习有关这个世界的知识。一个人不知道的东西很多，例如他不知道将来的某个时刻会有什么知识。商品是普遍稀缺的，而一个人的需求是多样的，他不可能同时满足所有的需求，也不可能面对自己的需求时没

有取舍。因为要有所取舍，一个人必须对自己的需求进行排序，而排序的依据是他对这些需求的迫切程度。而且，更具体地说，无论是对稀缺资源的先占过程，还是生产新生产资料和维护旧生产资料的过程，还是履行契约的过程，对人类来说都是有成本的。在哪种活动中花费的时间少一点，就能够将时间用在其他方面，例如休闲活动。应特别强调的是，我们面对的是一个以劳动分工为特征的世界，而不是自给自足的生产者的世界，劳动分工的世界意味着所有的生产将面对市场中的独立消费者。

With this in mind, then, what are the effects of socializing the means of production? To begin with, what are the “economic” consequences, in the colloquial sense of the term? There are three intimately related effects.¹ First—and this is the immediate general effect of all types of socialism—there is a relative drop in the rate of investment, the rate of capital formation. Since “socialization” favors the nonuser, the nonproducer, and the noncontractor of means of production and, mutatis mutandis, raises the costs for users, producers, and contractors, there will be fewer people acting in the latter roles. [There will be less original appropriation of natural resources whose scarcity is realized, there will be less production of new and less upkeep of old factors of production, and there will be less contracting.](#) For all of these activities involve costs and the costs of performing them have been raised, and there are alternative courses of action, such as leisure-consumption activities, which at the same time have become relatively less costly, and thus more open and available to actors. Along the same line, because everyone's investment outlets have dried up as it is no longer permissible to convert private savings into private investment, or because the outlets have been limited to the extent to which the economy is socialized, there will therefore be less saving and more consuming, less work and more leisure. After all, you cannot become a capitalist any longer, or your possibility of becoming one has been restricted, and so there is at least one reason less to save! Needless to say, the result of this will be a reduced output of exchangeable goods and a lowering of the living standard in terms of such goods. And since these lowered living standards

¹ Cf. L. v. Mises, *Socialism*, Indianapolis, 1981, esp. part 2; also *Human Action*, Chicago, 1966, esp. Chapters 25, 26.

参见路德维希·冯·米塞斯所著《社会主义》，1981年于印第安纳波利斯出版，尤其第二部分；另见《人的行动》，1966年于芝加哥出版，尤其第25、26章。

are forced upon people and are not the natural choice of consumers who deliberately change their relative evaluation of leisure and exchangeable goods as the result of work, i.e., since it is experienced as an unwanted impoverishment, a tendency will evolve to compensate for such losses by going underground, by moonlighting and creating black markets.

既然我们面对的是一个以消费者为对象的市场，那么生产资料的国有化会带来什么影响呢？那么，我们先分析一下字面意义的“经济后果”，只从经济上看，就有三个方面密切相关的影响。第一，会出现投资率和资本形成率的相对下降，这是所有类型的社会主义的直接普遍影响。人们将更不愿意去当“生产者”，因为生产资料的“国有化”有利于生产资料的“看守人”而不是生产者、使用者，而且还必然提高了生产者、使用者和承包者的成本，因此会导致更多人愿意去做“看守者”而不是“生产者”，那么生产者的人数会逐渐减少。人们认识到自然资源的稀缺性，因此会减少对自然资源的先占，愿意投入生产和维护生产要素的意愿也会降低，通过契约交换生产要素的行为也会减少。因为所有这些行动都涉及成本，这些行动的成本都已经被提高，如此同时还有其他替代的行动方案，例如休闲与消费，这些行动的成本变得相对较低，因此对行动人来说更加开放和易得。同样，由于不再允许将私人储蓄转化为私人投资，每个人的投资渠道都已枯竭，或者因为受到一定程度的经济国有化的限制，因此储蓄会减少，消费会增加，工作会减少，休闲会增加。毕竟，要么你根本不被允许成为资本家，或者你成为资本家的机会被重重限制，你还有什么理由去储蓄投资呢？毋庸置疑的结果是，可用于交换的商品产出减少，以及基于商品计算的生活水平会降低。消费者并不愿意降低生活水平，但是现在由不得你。并不是消费者偏爱休闲而不喜欢商品，而是他们根本无可选择。当然他们也想要商品而不是贫困，不被允许的交易会转入地下，在黑市里偷偷交换他们的商品和劳务，来弥补自己生活中的损失。

Secondly, a policy of the socialization of means of production will result in a wasteful use of such means, i.e., in use which at best satisfies secondrate needs and at worst, satisfies no needs at all but exclusively increases costs. ⁸The reason for this is the existence and unavoidability of change! Once it is admitted that there can be change in consumer demand, change in technological knowledge, and change in the natural environment in which the process of production has to take place—and all of this indeed takes place constantly and unceasingly—then it must also be admitted that there is a constant and never-ending need to reorganize and reshuffle the whole

structure of social production. There is always a need to withdraw old investments from some lines of production and, together with new ones, pour them into other lines, thus making certain productive establishments, certain branches, or even certain sectors of the economy shrink and others expand. Now assume—and this is precisely what is done under a socialization scheme—that it is either completely illegal or extremely difficult to sell the collectively owned means of production into private hands. This process of reorganizing the structure of production will then—even if it does not stop altogether—at least be seriously hampered! The reason is basically a simple one, but still of the utmost importance. Because the means of production either cannot be sold, or selling them is made very difficult for the selling caretaker or the private buyer or both, no market prices for the means of production exist, or the formation of such prices is hindered and made more costly. But then the caretaker-producer of the socialized means of production can no longer correctly establish the actual monetary costs involved in using the resources or in making any changes in the production structure. Nor can he compare these costs with his expected monetary income from sales. In not being permitted to take any offers from other private individuals who might see an alternative way of using some given means of production, or in being restricted from taking such offers, the caretaker simply does not know what he is missing, what the foregone opportunities are, and is not able to correctly assess the monetary costs of withholding the resources. He cannot discover whether his way of using them or changing their use is worth the result in terms of monetary returns, or whether the costs involved are actually higher than the returns and so cause an absolute drop in the value of the output of consumer goods. Nor can he establish whether his way of producing for consumer demand is indeed the most efficient way (as compared with conceivable alternative ways) of satisfying the most urgent consumer needs, or if less urgent needs are being satisfied at the expense of neglecting more urgent ones, thus causing at least a relative drop in the value of the goods produced. Without being able to resort unrestrictedly to the means of economic calculation, there is simply no way of knowing. Of course one could go ahead and try to do one's best. That might even be successful sometimes, though one would have no way of assuring oneself that it is. But, in any case, the larger the consumer market is which one has to serve, and the more the knowledge regarding preferences of different groups of consumers, special circumstances of historical time and geographical space, and possibilities of

technology is dispersed among different individuals, the more likely it is that one will go wrong. A misallocation of means of production, with wastes and shortages as the two sides of the same coin, must ensue. In hampering and of course even more so, in making it outright illegal for private entrepreneurs to bid away means of production from care-takers, a system of socialized production prevents opportunities for improvement from being taken up to the full extent they are perceived. Again, it hardly needs to be pointed out that this, too, contributes to impoverishment.⁹

第二，生产资料国有化导致生产资料的浪费，也就是，生产资料可能只用在不那么重要的地方，甚至更坏的结果是毫无用处，仅是徒增成本。¹变化总是无处不在，无时不在。消费者的需求也是一直在变化的，因此围绕消费者的需求的变化，技术知识、生产过程也会变化，就会需要对整个生产结构进行重组和洗牌，这是一种持续的、永无止境的过程。有些生产部门会萎缩，有的生产部门会产生或扩大，而旧的投资需要撤出、转移或与新的生产资料一起重新投入。而在社会主义之下，将集体的生产资料出售给私人要么是非法的，要么是极其困难的。这种重新组织生产结构的过程，即使不会完全停止，至少也会受到严重的阻碍。原因简单粗暴却极其重要。被“看守人”掌握的生产资料要么完全不能出售，要么在看守人和私人买家之间的交易很难达成，因此生产资料不存在市场价格，或者价格形成受阻，使得交易困难、成本很高。价格是市场中重要的信号，但前面我们说因为没有交易就没有价格，所以会带来混乱。国有化生产资料的看守者和生产者再也不能正确地计算使用资源的成本，不能计算改变生产结构所涉及的实际成本，且无法将这些成本与他预期的销售收入进行比较。由于不允许或限制接受任何其他私人的报价，那么看守者就不可能会看到使用某种特定生产资料的其他替代方法，也可能根本不会知道他失去了什么，失去了什么机会，也无法正确评估留存资源的货币成本。他无法从货币回报的角度来了解他使用这些生产资料的方式是否值得，或改变它们的使用方式是否值得，他甚至不知道这些生产资料在生产产品的过程中所涉及的成本是否实际上高于回报，从而导致消费品产出价值的绝对下降。他也不能确定他为满足消费者需求而生产的方式是不是真的是最有效的方式(与可

¹ On the following cf. also F. A. Hayek (ed.), *Collectivist Economic Planning*, London, 1935; *Journal of Libertarian Studies* 5, 1, 1981 (*An Economic Critique of Socialism*).

关于以下内容，另可参阅 F. A. 哈耶克(编)的《集体主义经济计划》，伦敦，1935年；以及《自由意志主义研究杂志》第5卷第1期，1981年(《对社会主义的经济批判》)。

想象的其他方式相比), 不能确定他们的生产是否是满足最紧迫的消费者需求, 或者是否以忽视更紧迫的需求为代价来满足较不紧迫的需求, 从而导致所生产商品的使用价值至少是相对下降了。只有能使用以价格为基础的经济计算手段, 才有办法知道上面这些复杂的线索, 包括: 生产的成本与放弃的机会, 成本与收益, 生产过程是否达到满足消费者的需求, 生产是否可持续, 如何应对市场上消费者偏好的变化。当然, 一个人总是可以努力, 尽最大努力, 他总是想成功, 当然不一定会成功。而当一个人必须服务的消费者市场越大, 他就越需要知道更多关于消费者的偏好、消费者偏好的时间空间变化、技术可能性等等知识, 而这些知识却都分散在不同的人身上, 那么你能指望少数甚至单一的“看守人”能掌握这么多知识做出决策, 不会出错呢? 当生产资料所有权的权属不当, 作为硬币的两面的浪费和短缺, 必然会随之而来。生产资料的国有化, 剥夺了私人企业家和普通人利用资源改善自身的机会, 因为在此制度下, 法律不允许私人企业家从看守人手里竞争使用生产资料。个人的努力不能和资源的利用结合起来, 资源不能被利用, 财富无法被创造出来, 几乎毫无疑问, 社会必然陷入普遍的贫困。¹

Thirdly, socializing the means of production causes relative impoverishment, i.e., a drop in the general standard of living, by leading to an over-utilization of the given factors of production. The reason for this, again, lies in the peculiar position of a caretaker as compared with that of a private owner. A private owner who has the right to sell the factors of production and keep the money receipts privately will, because of this, try to avoid any increase in production which occurs at the expense of the value of the capital employed. His objective is to maximize the value of the products produced plus that of the resources used in producing them because he owns both of them. Thus he will stop producing when the value of the marginal product produced is lower than the depreciation of the capital used to produce it. Accordingly, he will, for instance, reduce the depreciation costs involved in producing, and instead engage in increased conservation, if he anticipates future price rises for the products produced and vice versa. The situation of the caretaker, i.e., the incentive structure which he is facing, is quite different in this respect. Because he cannot sell the means

¹ On the free market as the necessary prerequisite for economic calculation and rational resource allocation cf. also Chapters 9, 10 below.

关于自由市场是经济核算与合理资源配置的必要前提, 另见下文第 9、10 章。

of production, his incentive to not produce, and thereby utilize the capital employed, at the expense of an excessive reduction in capital value is, if not completely gone, then at least relatively reduced. True, since the caretaker in a socialized economy also cannot privately appropriate the receipts from the sale of products, but must hand them over to the community of caretakers at large to be used at their discretion, his incentive to produce and sell products at all is relatively weakened as well. It is precisely this fact that explains the lower rate of capital formation. But as long as the care-taker works and produces at all, his interest in gaining an income evidently exists, even if it cannot be used for purposes of private capital formation, but only for private consumption and/or the creation of private, nonproductively used wealth. The caretaker's inability to sell the means of production, then, implies that the incentive to increase his private income at the expense of capital value is raised. Accordingly, to the extent that he sees his income dependent on the output of products produced (the salary paid to him by the community of caretakers might be dependent on this!), his incentive will be raised to increase this output at the expense of capital. Furthermore, since the actual caretaker, insofar as he is not identical with the community of caretakers, can never be completely and permanently supervised and thus can derive income from using the means of production for private purposes (i.e., the production of privately used, non- or black-marketed goods) he will be encouraged to increase this output at the expense of capital value to the extent that he sees his income dependent on such private production. In any case, capital consumption and overuse of existing capital will occur; and increased capital consumption once more implies relative impoverishment, since the production of future exchange goods will, as a consequence, be reduced.

第三，生产资料国有化导致贫困，即由于过度使用特定的生产要素而导致一般生活水平的下降。造成这种情况的原因依然在于，与私人所有者相比，看守人的地位特殊。生产要素的私人所有者，他有权出售生产要素，也有权出售产品，因此他能通过价格计算来判断，是该保持资本的价值，还是该生产产品。他的目标是资源价值的最大化，而他可以通过以价格为基础的经济计算做出判断。如果生产的边际产品的价值将低于用于生产该产品的资本的折旧损耗，他会停止生产。反之，如果他预计所生产产品的未来价格会上涨，即使生产资料的折旧存在，他也会选择生产而不是保留生产资料。生产资料国有化所有的看守者，他所面临的激励结构完全不同。因为他不能出售生产

资料，他也不判断价格。因为他不能出售产品，他也没有动力去判断是否该生产，是否生产。生产资料本可以用于更有利的地方，但是他什么也没有做，那么生产资料就没有用于最有用的地方，生产资料的价值就降低了，不完全消失就算不错了。诚然，由于国有化经济中的看守人也不能私人占有产品销售的收入，必须将其交给整个看守人群体，由他们来决定如何使用，因此他生产和销售产品的动力也相对减弱了。正是这一事实，解释了资本形成率较低的原因。看守者也是人，只要他还在工作和生产，那么他显然有获得收入的兴趣。在生产资料国有化的制度下，看守者不能将自己的兴趣聚焦于私人资本的积累，那他就必然聚焦于私人消费和私人财富，而他又管理生产资料和支配生产，那么他就有动机以他看守的公有资本为代价谋取私人的利益。如果看守人的收入依赖于产品的产出（或许他的工资与产量挂钩），他就有动机增加产出，即使过度消耗资本也不在乎。一个实际看守者，因为他与他那一帮看守人群体是难以清楚区分的，所以他也难以被完全并永久的监督。他有动机把这些公有的生产资料以某种名目用于私人生产，以此增加自己私人的收入，哪怕是把这些公有资本过度损耗，反正代价也不由自己承担。无论如何，在看守人的“看守”之下，资本都会被过度使用和过度消耗。资本消耗意味着未来能生产出的可用于交换的商品减少，以商品为标识的人们生活水平将下降，人们会越来越贫困。

While implied in this analysis of the threefold economic consequences of socializing the means of production—reduced investment, misallocation, and overutilization, all of which lead to reduced living standards—in order to reach a full understanding of Russian-type societies it is interesting and indeed important to point out specifically that the above analysis also applies to the productive factor of labor. With respect to labor, too, socialization implies lowered investment, misallocation, and overutilization. First, since the owners of labor factors can no longer [become self-employed](#), or since the opportunity to do so is restricted, on the whole there will be less investment in human capital. Second, since the owners of labor factors can no longer sell their labor services to the highest bidder (for to the extent to which the economy is socialized, separate bidders having independent control over specific complementary factors of production, including the money needed to pay labor, and who take up opportunities and risks independently, on their own account, are no longer allowed to exist!) the monetary cost of using a given labor factor, or of combining it with complementary factors, [can no longer be established](#), and hence all sorts of misallocations of labor will ensue. And third, since the owners of labor

factors in a socialized economy own at best only part of the proceeds from their labor while the remainder belongs to the community of caretakers, there will be an increased incentive for these caretakers to supplement their private income at the expense of losses in the capital value embodied in the laborers, so that an overutilization of labor will result.¹⁰

前面的分析已经让我们看到，生产资料国有化会带来三重经济后果——阻碍资本积累，引起生产资料的不当使用，导致贫困。为了全面了解俄罗斯式社会主义，我们还有必要进一步用这种方法来分析劳动力这个生产要素。这一分析会很有趣，同时确实也非常重要。对于劳动力这种生产要素，只要它被国有化，也同样意味着投资减少、支配不当和过度使用。首先，劳动者不能自由使用自己的劳动力，他们不能成为个体经营者，劳动的机会也减少，他们将会减少对人力资本的投资。第二，劳动力的错配和浪费必然存在。由于整个社会中不允许存在能自由和自主组织生产的人，也就缺乏自由购买劳动的人，也就没有劳动力的自由交易，因而没有劳动的价格。那么，使用劳动的成本将无法核算，劳动与其他互补要素的结合使用也无法核算，劳动的使用将被错配。更关键的是，劳动者不能把他的劳动卖给出价最高的人，也就是劳动没有用到最需要的地方，只能被动地用到不那么重要的地方，因此出现了浪费。第三，在生产资料国有化的经济中，劳动者的劳动收益只有部分属于自己，而其余部分属于看守人群体。看守人就会有动机去过度使用劳动力来增加自己的私人收入，才不会顾忌过度使用会导致劳动力资本的损耗。¹

¹ Incidentally, this proves that a socialized economy will be even less productive than a slave economy. In a slave economy, which of course also suffers from a relatively lower incentive to work on the part of the slaves, the slaveholder, who can sell the slave and capture his market value privately, [would not have a comparable interest in extracting from his slave an amount of work which reduces the slave's value below the value of his marginal product](#). For a caretaker of labor no such disincentive exists. Cf. also G. Reisman, *Government Against the Economy*, New York, 1979.

顺便说一句，这证明了社会主义化经济的生产力甚至会低于奴隶制经济。在奴隶制经济中，当然奴隶的工作积极性也相对较低，但奴隶主可以私下出售奴隶并获取其市场价值，所以奴隶主不会为了从奴隶身上榨取工作量，而使奴隶的价值降至其边际产品价值以下，因为这样做不符合他们的利益。但对于劳动力的管理者（在社会主义化经济中）而言，不存在这样的抑制因素。另见乔治·雷斯曼（G. Reisman）所著《政府与

Last, but certainly not least, a policy of the socialization of the means of production affects the character structure of society, the importance of which can hardly be exaggerated. As has been pointed out repeatedly, adopting Russian-type socialism instead of capitalism based on the natural theory of property implies giving a relative advantage to nonusers, nonproducers, and noncontractors as regards property titles of the means of production and the income that can be derived from using of these means. If people have an interest in stabilizing and, if possible, increasing their income and they can shift relatively easily from the role of a user-producer or contractor into that of a nonuser, nonproducer, or noncontractor—assumptions, to be sure, whose validity can hardly be disputed—then, responding to the shift in the incentive structure affected by socialization, people will increasingly engage in nonproductive and noncontractual activities and, as time goes on, their personalities will be changed. A former ability to perceive and to anticipate situations of scarcity, to take up productive opportunities, to be aware of technological possibilities, to anticipate changes in demand, to develop marketing strategies and to detect chances for mutually advantageous exchanges, in short: the ability to initiate, to work and to respond to other people's needs, will be diminished, if not completely extinguished. People will have become different persons, with different skills, who, should the policy suddenly be changed and capitalism reintroduced, could not go back to their former selves immediately and rekindle their old productive spirit, even if they wanted to. They will simply have forgotten how to do it and will have to relearn, slowly, with high psychic costs involved, just as it involved high costs for them to suppress their productive skills in the first place. But this is only half the picture of the social consequences of socialization. It can be completed by recalling the above findings regarding capitalism's and socialism's apparent differences. This will bring out the other side of the personality change caused by socializing, complementing the just mentioned loss in productive capacity. The fact must be recalled that socialism, too, must solve the problem of who is to control and coordinate various means of production. Contrary to capitalism's solution to this problem, though, in socialism the assignment of different positions in the production structure to different people is

a political matter, i.e., a matter accomplished irrespective of considerations of previous user-ownership and the existence of contractual, mutually agreeable exchange, but rather by superimposing one person's will upon that of another (disagreeing) one. Evidently, a person's position in the production structure has an immediate effect on his income, be it in terms of exchangeable goods, psychic income, status, and the like. Accordingly, as people want to improve their income and want to move into more highly evaluated positions in the hierarchy of caretakers, they increasingly have to use their political talents. It becomes irrelevant, or is at least of reduced importance, to be a more efficient producer or contractor in order to rise in the hierarchy of income recipients. Instead, it is increasingly important to have the peculiar skills of a politician, i.e., a person who through persuasion, demagoguery and intrigue, through promises, bribes, and threats, manages to assemble public support for his own position. Depending on the intensity of the desire for higher incomes, people will have to spend less time developing their productive skills and more time cultivating political talents. And since different people have differing degrees of productive and political talents, different people will rise to the top now, so that one finds increasing numbers of politicians everywhere in the hierarchical order of caretakers. All the way to the very top there will be people incompetent to do the job they are supposed to do. It is no hindrance in a caretaker's career for him to be dumb, indolent, inefficient, and uncaring, as long as he commands superior political skills, and accordingly people like this will be taking care of the means of production everywhere.¹¹

最后，生产资料国有化的政策将影响社会的结构性质，这一点很重要，无论如何夸大都不为过。正如我们一再指出的那样，一旦放弃以自然产权理论为基础的自由资本主义而采用俄罗斯式的社会主义，就意味着有一个“看守者”角色来支配生产资料和分配生产资料使用所获得的收入，而这个“看守者”就具有了在获得收入方面超过生产者的优势。那么，我们可以做以下几乎无可争议的推断。人人都是想

要稳定收入甚至增加收入，而一个人如果能从生产者或承包商那里通过转移来获取收入，而毋须自己去生产，他为什么拒绝呢？那么，在这个社会中，越来越多的人会更期望自己成为那个可以转移收入的看守人，而不是生产者。随着时间的推移，人们的性格会被这种社会激励结构改变，掠夺者越来越多而生产者越来越少。在自由市场经济的时代，人们需要的能力是感知和预测短缺情况、抓住生产机会、意识到技术可能性、预测需求变化、制定销售战略和发现互利的交换机会，简而言之，即捕捉、激发和响应他人需求的能力，归根到底就是满足他人的需求。但在苏联社会主义时代，人们逐渐丧失，或至少是削弱了这种能力。就算是政策发生改变，从新回到自由市场经济，这些人也难以立刻找回以前的自己，重新燃起他们曾经有过的生产精神。让他们重新回到学会满足他人需求，成为一个市场中的生产者，是需要付出高昂代价的，毕竟当初他们压抑自己的生产技能也是付出过代价的。通过前面的分析，我们看到生产资料国有化不仅导致了生产资料的低效和浪费，还看到了这个政策对社会中人的扭曲，愿意做生产者的人越来越少，不过这些都还是问题的一半，另一半是社会普遍的官僚化。自由市场经济中人的行为都是在自然产权之上的自愿契约，但在社会主义中并非如此。在社会主义中，人在生产结构中的身份是个政治问题，支配人的行为的不是考虑产权与契约，而是某个人意识到他的意志可以凌驾于别人的意志之上。在这样的社会结构中，一个人如果想得到高收入，并不是来自于在市场中为他人提供服务，而是在“看守者”的等级制度中获得较高的地位。在这样的政治体系中，人们需要获得、提高和利用自己的政治手腕，这些手腕包括善于说服、煽动和阴谋，然后通过承诺、贿赂和威胁，设法为自己的立场争

取民众的支持。对收入的渴望，使人们不再倾向于学会生产，而是倾向于学会政治钻营。那么在整个社会体系中，政治手腕越登峰造极的人，越能成为社会顶层。最后人们会发现，在管理者的等级秩序中，遍地都是大大小小的政客，又有多少人能胜任他的工作呢？在这个体系中，装聋作哑、好吃懒做、无能低下、漠不关心，都不会妨碍他的职业生涯，只要他掌握了高超的政治技巧，就会掌控和管理各地的生产资料。尸位素餐的体系会干出什么好事来？¹

A look at Russia and other Eastbloc countries in which a policy of socialization of means of production has been carried out to a considerable degree can help illustrate the truth of the above conclusions. Even a superficial acquaintance with these countries suffices to see the validity of the first and main conclusion. The general standard of living in the Eastbloc countries, though admittedly different from country to country (a difference that itself would have to be explained by the degree of strictness with which the socialization scheme was and presently is carried through in practice), is clearly much lower than that in the so-called capitalist countries of the West. (This is true even though the degree to which Western countries are socialized, though differing from country to country, is itself quite considerable and normally very much underestimated as will become clear in later chapters.) Though the theory does not and cannot make a precise prediction of how drastic the impoverishment effect of a socialization policy will be, except that it will be a noticeable one, it is certainly worth mentioning that when almost complete socialization was first put into effect in immediate post-World War I Russia, this experience cost literally millions of lives, and it required a marked change in policy, the New Economic Policy (NEP), merely a few years later in 1921,

¹ Cf. H. H. Hoppe, *Eigentum, Anarchie und Staat*, Opladen, 1987, esp. Chapter 5, 3.2.

参见汉斯·赫尔曼·霍普（H. H. Hoppe）所著《财产、无政府与国家》，奥普拉登，1987年，尤其第5章3.2节。

reintroducing elements of private ownership, to moderate these disastrous effects to levels that would prove tolerable. 12Indeed, repeated changes in policy made Russia go through a similar experience more than once. Similar, though somewhat less drastic, results from a policy of socialization were experienced in all of the East European countries after World War II. There, too, moderate privatization of small farming, the crafts, or small businesses had to be permitted repeatedly in order to prevent outright economic breakdowns. 13Nonetheless, in spite of such reforms, which incidentally prove the point that contrary to socialist propaganda it is private and not social ownership that improves economic performance, and in spite of the fact that moonlighting, illegal productive activities, bartering, and black market trade are ubiquitous phenomena in all of these countries, just as the theory would lead one to expect, and that this under-ground economy takes up part of the slack and helps to improve things, the standard of living in the East-bloc countries is lamentably low. All sorts of basic consumer goods are entirely lacking, in far too short supply or of extremely poor quality.¹⁴

看看俄罗斯和其他在相当程度上实行了生产资料国有化政策的东欧集团国家，可以帮助说明上述结论的真实性。即使对这些国家只有一个肤浅的了解，也足以看出第一个主要结论的正确性。东欧集团国家的一般生活水平，虽然各国之间确实存在差异(这种差异本身必须用国有化计划过去和现在在实践中执行的严格程度来解释)，但显然比所谓的西方资本主义国家要低得多。(这是真的，尽管西方国家的国有化程度，虽然各国不同，但其国有化本身就相当可观，通常被大大低估了，这一点在后面的章节中会表明得很清楚。)虽然这一理论没有也无法准确预测国有化政策的贫困效应会有多剧烈，但它肯定是一个引人注目的效应，值得一提的是，当几乎完全的国有化在第一次世界大战后的俄罗斯首次实施时，这一经历实际上付出了数百万人的生命代价，它需要政策上的显著改变，即新经济政策(NEP)，仅仅几年后的1921年，重新引入私有制元素，将这些灾难性的影响缓和到可以容忍的程度。¹事实上，政策的反复变化使俄罗斯不止

¹ To be sure, Russia was a poor country to begin with, with little accumulated capital to be drawn on and consumed in an "emergency." On the socio-economic history of Soviet Russia cf. B. Brutzkus, *Economic Planning in Soviet Russia*, London, 1935; also, e.g., A. Nove, *Economic History of the USSR*, Harmondsworth, 1969; also S. Wellisz, *The Economies of the Soviet Bloc*, New York, 1964.

诚然，俄罗斯一开始就是个贫穷的国家，几乎没有积累的资本可供在“紧急情况”下

一次地经历了类似的过程。第二次世界大战后，所有东欧国家都经历了国有化政策的相似后果，尽管没有那么剧烈。在那里，为了防止彻底的经济崩溃，小农场、手工业或小企业的适度私有化也不得不反复得到允许。¹然而，尽管进行了这些改革，顺便也证明了与社会主义宣传相反的一点，即提高经济绩效的是私有制而不是社会所有制，尽管事实上，兼职、非法生产活动、物物交换和黑市贸易在所有这些国家都是普遍存在的现象，正如这个理论向人们揭示的那样。这种地下经济利用了部分闲置资产且有助于改善状况，但东欧国家的生活水平依然低得可怜。各种基本消费品严重缺乏，要么供应严重不足，要么质量极差。²

The case of West and East Germany is particularly instructive. Here, history provides us with an example that comes as close to that of a controlled social experiment as one could probably hope to get. A quite homogeneous population, with very much the same history, culture, character structure, work ethics, divided after Hitler-

取用和消耗。关于苏联的社会经济史，可参阅 B. 布鲁茨库斯 (B. Brutzkus) 所著的《苏联的经济计划》，伦敦，1935 年；还有例如 A. 诺夫 (A. Nove) 所著的《苏联经济史》，哈蒙兹沃思，1969 年；以及 S. 韦利什 (S. Wellisz) 所著的《苏联集团的经济》，纽约，1964 年。

¹ On the economic system of the Soviet-dominated East bloc cf. T. Rakowska-Harmstone (ed.), *Communism in Eastern Europe*, Bloomington, 1984; H. H. Hohmann, M. Kaser, and K. Thalheim (eds.), *The New Economic Systems of Eastern Europe*, London, 1975; C.M. Cipolla (ed.), *Economic History of Europe. Contemporary Economies*, vol 2, Glasgow, 1976.

关于苏联主导的东欧集团的经济体制，可参阅：T. 拉科夫斯卡 - 哈姆斯通 (编)，《东欧的共产主义》，布卢明顿，1984 年；H. H. 霍曼、M. 卡泽尔和 K. 塔尔海姆 (编)，《东欧的新经济体制》，伦敦，1975 年；C.M. 奇波拉 (编)，《欧洲经济史：当代经济》第 2 卷，格拉斯哥，1976 年。

² On everyday life in Russia cf., e.g., H. Smith, *The Russians*, New York, 1983; D.K. Willis, *Klass. How Russians Really Live*, New York, 1985; S. Pejovich, *Life in the Soviet Union*, Dallas, 1979; M. Miller, *Rise of the Russian Consumer*, London, 1965.

关于俄罗斯的日常生活，例如可参阅：H. 史密斯所著《俄罗斯人》，纽约，1983 年；D.K. 威利斯所著《阶级：俄罗斯人的真实生活》，纽约，1985 年；S. 佩约维奇所著《苏联的生活》，达拉斯，1979 年；M. 米勒所著《俄罗斯消费者的崛起》，伦敦，1965 年。

Germany's defeat in World War II. In West Germany, more because of lucky circumstances than the pressure of public opinion, a remarkably free market economy was adopted, the previous system of all-around price controls abolished in one stroke, and almost complete freedom of movement, trade, and occupation introduced.¹⁵ In East Germany, on the other hand, under Soviet Russian dominance, socialization of the means of production, i.e., an expropriation of the previous private owners, was implemented. Two different institutional frameworks, two different incentive structures have thus been applied to the same population. The difference in the results is impressive.¹⁶ While both countries do well in their respective blocs, West Germany has the highest standard of living among the major West-European nations and East Germany prides itself in being the most well-off country in the East bloc, the standard of living in the West is so much higher and has become relatively more so over time, that despite the transfer of considerable amounts of money from West to East by government as well as private citizens and increasingly socialist policies in the West, the visitor going from West to East is simply stunned as he enters an almost completely different, impoverished world. As a matter of fact, while all of the East-European countries are plagued by the emigration problem of people wanting to leave for the more prosperous capitalist West with its increased opportunities, and while they all have gradually established tighter border controls, thus turning these countries into sort of gigantic prisoner camps in order to prevent this outflow, the case of Germany is a most striking one. With language differences, traditionally the most severe natural barrier for emigrants, nonexistent, the difference in living standards between the two Germanys proved to be so great and emigration from East to West took on such proportions, that in 1961 the socialist regime in East Germany, in a last desperate step, finally had to close its borders to the West completely. To keep the population in, it had to build a system the likes of which the world had never seen of walls, barbed wire, electrified fences, mine fields, automatic shooting devices, watchtowers, etc., almost 900 miles long, for the sole purpose of preventing its people from running away from the consequences of Russian-type socialism.

西德和东德的例子尤其具有启发性。在这里，历史为我们提供了一个最接近于可控社会实验的例子，这是人们可能希望得到的。相当同质的人口，有着非常相似的历史、文化、性格结构、职业道德，于希特勒-德国在第二次世界大战中战败后分裂。在西德，

更多的是由于幸运的环境条件，而不是民众舆论的压力，他们采用了非常自由的市场经济，一下子废除了以往的全面价格控制制度，并释放了几乎完全的行动、贸易和职业自由。¹另一方面，在苏联的统治下，东德实行了生产资料的国有化，没收以前的私人所有者。因此，两种不同的体制框架、两种不同的激励结构作用于同样的人口。不同的结果，令人印象深。²虽然两国在各自的领域表现出色，西德在西欧大国中有最高

¹ Cf. L. Erhard, the initiator and major political exponent of post-war economic policy, *Prosperity through Competition*, New York, 1958; and *The Economics of Success*, London, 1968. For theoreticians of the German "soziale Marktwirtschaft" cf. W. Eucken, *Grundsätze der Wirtschaftspolitik*, Hamburg, 1967; W. Roepke, *A Humane Economy*, Chicago, 1960; the same, *Economics of a Free Society*, Chicago, 1963. For a critique of the West German economic policy as insufficiently capital-ist and ridden with inconsistencies which would lead to increasingly socialist inter-ventions in the course of time cf. the prophetic observations by L. v. Mises, *Human Action*, Chicago, 1966, p.723.

可参见战后经济政策的发起者及主要政治倡导者 L. 艾哈德所著《大众福利源自竞争》（纽约，1958 年）以及《成功的经济学》（伦敦，1968 年）。关于德国“社会市场经济”的理论家，可参见 W. 欧肯所著《经济政策原理》（汉堡，1967 年）；W. 勒普克所著《人性化的经济》（芝加哥，1960 年）以及《自由社会的经济学》（芝加哥，1963 年）。L. 冯·米塞斯在《人的行动》（芝加哥，1966 年，第 723 页）中作出了具有前瞻性的评论，批评西德经济政策资本主义色彩不足且充满矛盾，假以时日，这些矛盾将导致更多社会主义性质的干预。

² For comparative studies on the two Germanys cf. E. Jesse (ed.), *BRD und DDR*, Berlin, 1982; H. v. Hamel (ed.), *BRD-DDR. Die Wirtschaftssysteme*, Muenchen, 1983; also K. Thalheim, *Die wirtschaftliche Entwicklung der beiden Staaten in Deutschland*, Opladen, 1978.

An honest but naive empirically minded comparative study which illustrates that at best, economic statistics has very little to do with reality as perceived by acting persons is P. R. Gregory and R.C. Stuart, *Comparative Economic Systems*, Boston, 1985, Chapter 13 (East and West Germany). For a valuable critique of economic statistics cf. O. Morgenstern, *National Income Statistics: A Critique of Macroeconomic Aggregation*, San Francisco, 1979. For an even more fundamental criticism cf. L. v. Mises, *Theory of Money and Credit*, Irvington, 1971, part II, Chapter 5.

关于两德的比较研究，可参阅：E. 杰西（编），《联邦德国与民主德国》，柏林，1982 年；H. 冯·哈梅尔（编），《联邦德国与民主德国：经济体制》，慕尼黑，1983 年；还有 K. 塔尔海姆，《德国两个国家的经济发展》，奥普拉登，1978 年。

P. R. 格雷戈里和 R. C. 斯图尔特所著《比较经济体制》（波士顿，1985 年）第 13 章

的生活水平，东德自豪于自己是东欧最富裕的国家。西德的生活标准明显高于东德，而且这之间的差异日益增大。虽然西德政府和私人的资金都在流入东德，而且西德也越来越社会主义化，但当一个西德人进入东德，他也会震惊于居然会有这样的贫穷景象。事实上，所有的东欧国家都被移民问题所困扰，人们想要离开，去更繁荣的资本主义西方，那里有更多的机会，这些国家都逐步建立了更严格的边境控制，从而把自己变成了一个巨大的囚犯集中营，以防止这种人口外流，其中，德国的情况尤其引人注目。语言不通是移民的天然障碍，但这个障碍在两个德国之间不存在，那么东德西德的生活水平差异如此之大，东德人想要移民到西德的就很多。东德的社会主义政府对于这种趋势无能为力，只能于绝望中在 1961 年关闭了东德与西德之间的移民通道。就这样，为了把人关住，他们建了一道前所未有的墙，一道复杂的系统性的墙，包括铁丝网、电栅栏、雷区、自动射击装置、瞭望塔等等，长度将近有 900 英里。这道墙的唯一目的，就是阻止人们逃避俄罗斯式社会主义的灾难。

Besides exemplifying the main point, the case of the two Germanys, because of its experimental-like character, proves particularly helpful in illustrating the truth of the rest of the theoretically derived conclusions. Looking at comparable social positions, almost nowhere in West Germany will one find people working as little, as slowly, or as negligently (while the working hours, higher in the East, are of course regulated!) as their East German counterparts. Not, to be sure, because of any alleged differences in mentality or work ethics, as those are very much the same historically, but because the incentive to work is considerably reduced by a policy scheme that effectively closes all or most outlets for private investment. Effective work in East Germany is most likely to be found in the underground economy. And in response to the various disincentives to work, and in particular to work in the “officially” controlled economy, there is also a tendency among East Germans to withdraw from public life and to stress the importance of privacy, the family, relatives, and personal friends

（东德与西德）是一项诚实但天真的实证比较研究，它表明经济统计数据充其量与行动人所感知的现实关联甚少。关于对经济统计数据的有价值批判，可参阅 O. 摩根斯坦所著《国民收入统计：对宏观经济总量的批判》，旧金山，1979 年。更具根本性的批判，可参阅 L. 冯·米塞斯所著《货币与信用理论》，欧文顿，1971 年，第二部分，第 5 章。

and connections, significantly exceeding what is seen in the West.¹

把两个德国作为案例，是一个近似于“社会实验”的案例，它不仅表现出资本主义和社会主义在经济水平上的明显差异，而且有助于帮助我们理解前面我们推导的主要观点。比较东德和西德工人的劳动，东德工人工作时间很长（当然这是被强制的），但工作做得又少，又慢，还粗心大意。我们不能用职业道德来看这个问题，因为他们以前是一起的，是相似的，那么只能这样来解释了——那就是东德几乎没有任何允许私人投资的政策，就没有人能够投资，就没有其他的工作机会，工人只能在官方的工厂工作，收入低且缺乏激励，严重缺乏工作的动力。不过在东德，在地下经济中却能找到有效的工作。同时，既然在“官方”控制的经济中，有各种工作的抑制因素，这使得东德人也有一种倾向，即退出公共生活。东德人强调隐私、家庭、亲戚、私人朋友和关系的重要性，这大大超过了在西方所看到的，东德人在这些关系里相互帮忙而不表现为货币回报。

There is also ample evidence of misallocation, just as the theory would lead one to expect. While the phenomenon of productive factors that are not used (at least not continuously) but are simply inactive because complementary factors are lacking can of course be observed in the West, in the East (and again, in the German case certainly not because of differences in organizational talents) it is observed everywhere as a permanent feature of life. *And while it is normally quite difficult in the West, and requires special entrepreneurial talent to point out changes in the use of certain means of production that would result in an over-all improvement in the output of consumer goods, this is relatively easy in the East-bloc countries.* Almost everyone working in East Germany knows many ways to put the means of production to more urgent uses than ones that are currently being used, where they are evidently wasted and cause shortages of other, more heavily demanded goods. But since they are not able to bid them away and must instead go through tedious political procedures to initiate any

¹ On life in East Germany cf. E. Windmoeller and T. Hoepker, *Leben in der DDR*, Hamburg, 1976.

关于东德的生活，可参阅 E. 温德莫勒和 T. 赫普克所著的《东德生活》，汉堡，1976年。

changes, nothing much can be or indeed is done.

正如该理论所预测的那样，在生产资料国有化的社会中，生产资料有明显的支配不当。由于缺乏互补要素，某些生产要素被或多或少闲置，这种情况东德西德都可以看到，但在东德这样的情况更为常见(在德国这种情况下，当然不是因为组织才能的差异)，它都成了东德经济的一个长期特征。几乎每个在东德工作的人都知道，当前那些生产资料的使用方式是被浪费了，因为它们其实有其他更为紧迫的使用方式，而这些紧迫的使用方式被放弃，就导致了需求更紧迫的商品生产不出来。东欧国家如果能让特殊的企业家天赋发挥作用，变换他们目前的生产手段，进而实现消费品产出的全面改善，这其实并不是太难。但是，东欧国家的生产资料的公有，和私人企业的不被允许，就没有企业家来竞争使用这些资源。寄希望于依靠繁琐的政治程序来启动改革，以期改善经济，其实什么也做不了。

Experience also corroborates what has been said about the other side of the coin: the overutilization of publicly owned means of production. In West Germany such public goods also exist, and as would be expected, they are in relatively bad shape. But in East Germany, and no differently or in fact even worse in the other Soviet-dominated countries, where all factors of production are socially owned, insufficiently maintained, deteriorating, unrepaired, rusting, even simply vandalized production factors, machinery, and buildings are truly rampant. Further, the ecology crisis is much more dramatic in the East, in spite of the relatively underdeveloped state of the general economy, than in the West—and all this is not, as the case of Germany proves clearly enough, because there are differences in people's "natural" inclination to care and to be careful.

经验也证明了硬币的另一面，对公有生产资料和公共商品的过度使用，在东德西德都存在，但在东德的状况更糟糕。在东德和其他的社会主义国家，这些国家都是被苏联主导的，他们的情况都很糟糕。在这些东欧国家，生产要素、机器和建筑都没有得到恰当的维护，反而任其恶化、生锈、摆烂甚至完全破坏，这些情况都很普遍。除了东欧经济不如西欧发达，东欧的生态危机也比西欧更严重，正如前面我们证明东德西德的劳动效率差异并不是道德水平不同导致的那样，东欧西欧的生态危机差异也不是人们环保情怀的不同导致的。

Finally, as regards the theoretically predicted changes in the social and personality structure, complaints about superiors are, of course, quite a common phenomenon

everywhere. But in the countries of Russian-type socialism, where the assignment of positions in the hierarchy of caretakers is and must be entirely a political affair, such complaints about downright incompetent, unqualified, and ridiculous superiors are, even if not more loudly voiced, most frequent, most severe, and [best-founded](#), and decent people are most often driven to despair or cynicism as a consequence. And since a few people from East Germany still go to West Germany at an age where they are still members of the labor force, some as escapees but more frequently because a sort of ransom has been paid for them, sufficient material also exists to illustrate the conclusion that in the long run a socialized economy will reduce people's productive capacities. Among those going to the West there is a significant number who led quite normal productive lives in the East but who, despite the absence of any linguistic and cultural barriers, prove to be incapable of, or have the greatest difficulties, adapting to Western society with its increased demand for productive and competitive skills and spirits.

最后，就理论预测的社会和人格结构的变化而言，抱怨上级当然是一种相当普遍的现象。但是在俄罗斯式的社会主义国家里，管理者在等级制度中的职务分配，是而且必须完全是一种政治事务。这种对完全不称职、不合格和荒谬的上级的抱怨，即使没有更大声地表达出来，也是最常见的。结果，最严格、最可靠、最正派的人往往会陷入绝望变得愤世嫉俗。由于有少数东德人，在他们仍然是壮劳力时去了西德，虽然有些人是逃亡者，但更多人的是因为有人为他们支付了赎金。足够多的材料来说明这样一个结论：从长远来看，国有化的经济将降低人们的生产能力。有些从东德移民到西德的人，尽管他们在东德时都能生活正常，而且东德西德之间也没有语言障碍，但事实证明，其中很多移民面对在西方社会生存所需的创造力和竞争力时，变得很难适应甚至无法适应。

第四章 社民主义风格的社会主义

Chapter 4 Socialism Social-democratic Style

In the last chapter I analyzed the orthodox Marxist version of socialism—socialism Russian-style, as it was called—and explained its effects on the process of production and the social moral structure. I went on to point out that the theoretically foreseen consequences of relative impoverishment proved to be so powerful that in fact a policy of socializing the means of production could never actually be carried through to its logical end the socialization of all production factors, without causing an immediate economic disaster. Indeed, sooner or later all actual realizations of Marxist socialism have had to reintroduce elements of private ownership in the means of production in order to overcome or prevent manifest bankruptcy. Even moderate “market” socialism, however, cannot prevent a relative impoverishment of the population, if the idea of socialized production is not abandoned entirely, once and for all.

在上一章中，我分析了正统的马克思主义版本的社会主义，即所谓的俄式社会主义。我解释了它对生产过程和社会道德结构的影响，从理论上预见到俄罗斯式社会主义的相对贫困的后果，并且以现实表现证实了我们的预见。我们还发现，事实上生产资料国有化的政策永远不能真正实施到其逻辑终点——所有生产资料国有化，而不引起立即的经济灾难。事实上，所有马克思主义社会主义的实际实现，迟早都不得不重新引入生产资料私有制的因素，以克服或防止明显的破产。然而，如果国有化生产的理念不被彻底放弃，即使是温和的“市场”社会主义，也无法阻止人口的相对贫困。

Much more so than any theoretical argument, it has been the disappointing experience with Russian-type socialism which has led to a constant decline in the popularity of orthodox Marxist socialism and has spurred the emergence and development of modern social-democratic socialism, which will be the concern of this chapter. Both types of socialism, to be sure, derive from the same ideological sources.¹ Both are egalitarian in motivation, at least in theory, ² and both have essentially the same ultimate goal: the abolishment of capitalism as a social system based on private ownership and the establishment of a new society, characterized by brotherly solidarity and the eradication of scarcity; a society in which everyone is paid “according to his needs.” From the very beginnings of the socialist movement in the mid-nineteenth

century, though, there have been conflicting ideas on the methods best suited for achieving these goals. While generally there was agreement on the necessity of socializing the means of production, there were always diverging opinions on how to proceed. On the one hand, within the socialist movement there were the advocates of a revolutionary course of action. They propagated the violent overthrow of the existing governments, the complete expropriation of all capitalists in one stroke, and the temporary (i.e., until scarcity would indeed, as promised, be eradicated) dictatorship of the proletariat, i.e., of those who were not capitalists but who had to sell their labor services, in order to stabilize the new order. On the other hand there were the reformists who advocated a gradualist approach. They reasoned that with the enlargement of the franchise, and ultimately with a system of universal suffrage, socialism's victory could be attained through democratic, parliamentary action. This would be so because capitalism, according to common socialist doctrine, would bring about a tendency towards the proletarianization of society, i.e., a tendency for fewer people to be self-employed and more to become employees instead. And in accordance with common socialist beliefs, this tendency would in turn produce an increasingly uniform proletarian class consciousness which then would lead to a swelling voter turnout for the socialist party. And, so they reasoned, as this strategy was much more in line with public opinion (more appealing to the mostly peacefully-minded workers and at the same time less frightening to the capitalists), by adopting it, socialism's ultimate success would only become more assured.

俄罗斯式社会主义令人失望的历史经验，导致正统马克思主义社会主义的人气不断下降，同时刺激了现代社会主义风格的社会主义的出现和发展，这将是本章所要讨论的。诚然，马克思式社会主义和社民主义社会主义，这两种类型的社会主义都来自相同的意识形态源头。¹ 两者在动机上都是平等主义的，至少在理论上是这样，² 两者的最终目标是完全相同的：废除私有制为基础的资本主义制度，建立一个以兄友弟恭和免于匮乏为特征的新社会；一个人人都“按需”分配的社会。然而，19世纪中叶，社会主义运动刚开始的时候，关于如何实现这些目标的最佳方法就存在着相互矛盾的观点。虽

¹ 可参考 L. 科拉科夫斯基所著的《马克思主义的主要流派》(三卷本, 牛津, 1978 年); 还有 W. 莱昂哈德所著的《今日苏联意识形态: 政治学说》(法兰克福, 1963 年)。

² 关于对略有不同的实践的评估, 见下文注释 49。

然人们对生产资料国有化的必要性的认识普遍是一致的，但在如何实现的问题上总是存在分歧。在社会主义运动的阵营内部，有一种主张是激进的革命运动。他们鼓吹用暴力推翻现有政府，一举全面剥夺所有资本家的财产，实行暂时的无产阶级专政(即，直到像承诺的那样，真正根除匮乏)，由那些不是资本家但不得不出卖劳动力的人来实行专政，以稳定新秩序。另一种主张是渐进的改革，这一派主张通过民主的手段实现社会主义。他们认为，随着选举权的扩大，最终通过普选制度，社会主义的胜利可以通过民主的议会制度来实现。这是因为根据一般的社会主义学说，资本主义会带来社会无产阶级化的趋势，也就是说，越来越少的人成为个体经营者，越来越多的人成为雇员。根据社会主义的共同信念，这种趋势反过来会产生越来越统一的无产阶级阶级意识，从而导致社会主义党的选民投票率不断上升。因此，他们推断，由于这一策略更符合民众舆论(对大多数爱好和平的工人更有吸引力，同时对资本家也不那么可怕)，通过采用它，社会主义的最终成功只会变得更有保证。

Both of these forces coexisted within the socialist movement, though their relationship was at times quite strained, until the Bolshevik Revolution of October, 1917 in Russia. In practice, the socialist movement generally took the reformist path, while in the field of ideological debate the revolutionaries dominated.³The Russian events changed this. With Lenin in the lead, for the first time the revolutionary socialists realized their program and the socialist movement as a whole had to take a stand vis à vis the Russian experiment. As a consequence, the socialist movement split into two branches with two separate parties: a communist party either more or less in favor of the Russian events, and a socialist or social-democratic party with reservations, or against them. Still, the split was not over the issue of socialization; both were in favor of that. It was an open split over the issue of revolutionary vs. democratic parliamentary change. Faced with the actual experience of the Russian revolution—the violence, the bloodshed, the practice of uncontrolled expropriation, the fact that thousands of new leaders, very often of questionable reputation or simply shady, inferior characters, were being swept to the political helm—the social democrats, in their attempt to gain public support, felt they had to abandon their revolutionary image and become, not only in practice but in theory as well, a decidedly reformist, democratic party. And even some of the communist parties of the West, dedicated as they were to a theory of revolutionary change, but just as much in need of public support, felt they had to find some fault, at least, with the peculiar Bolshevik way

of implementing the revolution. They, too, increasingly thought it necessary to play the reformist, democratic game, if only in practice.

尽管这两种派别的关系有时相当紧张，直到 1917 年俄国十月布尔什维克革命，它们一直共存于社会主义运动中。在实践中，社会主义运动总体上走改良主义道路，而在思想辩论领域，革命者占主导地位。¹ 俄罗斯事件（指十月革命，译者注）改变了这一点。在列宁领导下，采取激进革命的一派实现了他们推翻政权，剥夺资本家资产的纲领，而整个社会主义运动中的各种力量不得不在两种派别之间站队。结果，社会主义运动分裂成两个分支，形成两个分离的政党派别体系：一个或多或少支持俄罗斯事件的共产党群体，一个对事件持保留态度或反对态度的社会主义或社会民主党群体。两个派别的分歧不在于国有化问题，双方都赞成生产资料公有化，它们的分歧在于采取什么手段，是革命，还是议会民主的改革。俄国革命表现出的形象，暴力、流血、不受控制的剥夺行动，以及数以千计的新领导人（通常名声不佳或人品低劣）被推上政治掌舵位的事实，使得社会民主党派不得不面对。社会民主党派为了获得民众的支持，因此他们认为应该放弃“革命”的形象，要在理论上和实践上，都成为坚定的改革派民主政党。即使是西方的一些共产党，尽管他们致力于革命变革的理论，但也同样需要民众的支持，他们觉得他们必须表达他们对布尔什维克革命的错误方式的不赞成。他们也越来越认为有必要玩改革主义的民主游戏，哪怕只是在实践中。

However, this was only the first step in the transformation of the socialist movement effected by the experience of the Russian revolution. The next step, as indicated, was forced upon it by the dim experience with Soviet Russia's economic performance. Regardless of their differing views on the desirability of revolutionary changes and equally unfamiliar with or unable or unwilling to grasp abstract economic reasoning, socialists and communists alike could still, during a sort of honeymoon period which they felt the new experiment deserved, entertain the most illusory hopes about the economic achievements of a policy of socialization. But this period could not last forever, and the facts had to be faced and the results evaluated after some time had elapsed. For every decently neutral observer of things, and later for every alert visitor and

¹ 可参阅 E. 伯恩斯坦所著《社会主义的前提和社会民主党的任务》（波恩，1975 年），他是改良主义 - 修正主义路线的主要阐述者；还有 K. 考茨基所著《伯恩斯坦与社会民主党的纲领》（波恩，1976 年），考茨基是正统马克思主义的代表人物。

traveler, it became evident that socialism Russian-style did not mean more but rather less wealth and that it was a system above all, that in having to allow even small niches of private capital formation, had in fact already admitted its own economic inferiority, if only implicitly. As this experience became more widely known, and in particular when after World War II the Soviet experiment was repeated in the East European countries, producing the very same dim results and thus disproving the thesis that the Soviet mess was only due to a special Asian mentality of the people, in their race for public support the socialist, i.e., the social-democratic and communist, parties of the West were forced to modify their programs further. The communists now saw various flaws in the Russian implementation of the socialization program as well, and increasingly toyed with the idea of more decentralized planning and decision-making and of partial socialization, i.e., socialization only of major firms and industries, although they never entirely abandoned the idea of socialized production. 4The socialist or social-democratic parties, on the other hand, less sympathetic from the beginning towards the Russian model of socialism and through their decidedly reformist-democratic policy already inclined to accept compromises such as partial socialization, had to make a further adaptive move. These parties, in response to the Russian and East European experiences, increasingly gave up the notion of socialized production altogether and instead put more and more emphasis on the idea of income taxation and equalization, and, in another move, on equalization of opportunity, as being the true cornerstones of socialism.

俄国发生的十月革命，让社会主义运动中的社民主义派别进行了第一次转变。而十月革命之后，苏联经济的惨淡表现，迫使社民主义派别发生了第二次转变。尽管社会主义者和共产主义者对革命变革的可取性有不同的看法，他们也同样不熟悉、没有能力理解或不愿意掌握抽象的经济推理，但在一段他们认为新实验应有的蜜月期，他们仍然可以对生产资料国有化政策的经济成就抱有最虚幻的希望。但这一时期不可能永远持续下去，必须在一段时间后面对事实，评估结果。对于每一个正派的中立观察者、以及后来的每一个警惕的游客和旅行者来说，很明显，俄国式的社会主义并不意味着更多的财富，而是更少的财富。最重要的是，这个体系不得不允许哪怕是很小的私人资本形成，实际上已经承认了自己在经济上的劣势，哪怕只是含蓄地承认。随着这一经验越来越广为人知，特别是二战后，苏联的实验在东欧国家被重复，产生了同样不乐观的结果，从而证伪以下这个观点——苏联的失败仅仅是因为苏联人民特殊的亚洲

人心态。西方的社民主义党派和西方的共产党派别，要想争取民众的支持，他们就不得不修改自己的纲领。西方的共产党派别，现在也看到了苏联所实施的生产资料国有化的政策产生的各种缺陷，因此他们越来越多考虑一些更为分散的计划，以部分生产资料国有化来代替以前激进的全部生产资料国有化的想法，他们认为可以只对大公司和大工业进行生产资料国有化，当然他们本质上并没有放弃过生产资料国有化的观念。社会主义阵营中的另一个群体，西方的社会主义或社会民主党派，在方法上本来就不赞同俄罗斯的激进的社会主义行动，他们一直秉承坚定的通过民主道路实现社会主义的观点；而在目标上，他们也逐渐修改了目标，不再强调生产资料的国有化，而越来越强调所得税和收入平等这样的概念，同时进一步强调机会均等，把它们作为社会主义的真正基石。¹

While this shift from Russian-type socialism towards a social-democratic one took place, and still is taking place in all Western societies, it was not equally strong everywhere. Roughly speaking and only looking at Europe, the displacement of the old by the new kind of socialism has been more pronounced, [the more immediate and direct the experience with Russian-type socialism for the population in which the socialist and/or communist parties had to find supporters and voters](#). Of all the major countries, in West Germany, where the contact with this type of socialism is the most direct, where millions of people still have ample opportunities to see with their own eyes the mischief that has been done to the people in East Germany, this displacement was the most complete. Here, in 1959, the social democrats adopted (or rather were forced by public opinion to adopt) a new party program in which all obvious traces of a Marxist past were conspicuously absent, that rather explicitly mentioned the importance of private ownership and markets, that talked about socialization only as a mere possibility, and that instead heavily stressed the importance of redistributive measures. Here, the protagonists of a policy of socialization of the means of production within the social-democratic party have been considerably outnumbered ever since; and here the communist parties, even when they are only in favor of peaceful and partial socialization, have been reduced to insignificance.⁵ In countries further removed from

¹ 关于“市场社会主义”的理念，可参阅其主要代表人物之一O. 兰格所著《论社会主义经济理论》，收录于M.I. 戈德曼（编）的《比较经济体制》，纽约，1971年。

the iron curtain, like France, Italy, Spain, and also Great Britain, this change has been less dramatic. Nonetheless, it is safe to say that today only social-democratic socialism, as represented most typically by the German social-democrats, can claim widespread popularity in the West. As a matter of fact, due partly to the influence of the Socialist International—the association of socialist and social-democratic parties—social-democratic socialism can now be said to be one of the most widespread ideologies of our age, increasingly shaping the political programs and actual policies not only of explicitly socialist parties, and to a lesser degree those of the western communists, but also of groups and parties who would not even in their most farfetched dreams call themselves socialists, like the east coast “liberal” Democrats in the United States. 6And in the field of international politics the ideas of social-democratic socialism, in particular of a redistributive approach towards these-called North-South conflict, have almost become something like the official position among all “well-informed” and “well-intentioned” men; a consensus extending far beyond those who think of themselves as socialists.7

这些西方社会主义者的观念，从苏俄式的社会主义到社会民主主义的转变，以前发生过，现在仍然在发生，但在不同的地方这种转变的程度并不相同。就欧洲而言，大体上来说从旧式社会主义到新型社民主义的转变比较明显；但对于必须在民众中寻找支持者和选民的持有社会主义或共产主义理念的党派来说，清楚民众对俄罗斯式社会主义的体验更直接、更强烈。在所有国家中，西德的社会主义者向社民主义的转变更为彻底，数百万的西德人民仍然有充分的机会领略这种痛苦，因为东德人民蒙受的灾难近在咫尺。1959年在民众舆论的强迫下，西德的社会民主党采纳了新的政党纲领，他们几乎全部抹去了马克思主义的历史痕迹，并且相当明确地提到了私有制和市场的重要性。不过他们也着重强调了再分配的重要性，而把生产资料的国有化只是作为一种可能性提出来讨论。从那时起，社会民主党内部倡导生产资料国有化政策的人在数量上就大大衰落了；在这里，共产党，即使他们只支持和平的和部分的国有化，也早已被贬低到微不足道的尘埃里。¹ 在远离铁幕的国家，如法国、意大利、西班牙和英国，这种从社会主义到社民主义的变化反而没有那么剧烈。尽管如此，可以肯定地说，今

¹ 关于德国社会民主党人的意识形态，可参阅 T. 迈耶（编）的《民主社会主义》，慕尼黑，1980年；以及 G. 施万（编）的《工业社会的民主社会主义》，法兰克福，1979年。

天只有以德国社会民主党为代表的社会民主主义才能在西方广受欢迎。社会民主主义现在可以说是我们这个时代最广泛的意识形态之一，部分是由于社会主义国际(社会主义和社会民主主义政党的联盟)的影响。事实上，社会民主主义越来越多地影响着各种政党的政治纲领和实际政策，当然包括东方的社会主义政党和西方共产主义党派。社会民主主义观念也影响另外一些团体和政党，比如美国东海岸的“自由派”民主人，当然他们自己无论如何都不肯承认自己有社会主义色彩。¹ 在国际政治领域，尤其是政客们在讨论如何以再分配方法来解决南北冲突的时候，社会民主主义观念甚至成了潜规则式的“政治正确”，而认可这一政治正确观念的人群数量，远远超过了自认为是社会主义者的人群。²

What are the central features of socialism social-democratic-style? There are basically two characteristics. First, in positive contradistinction to the traditional Marxist-style socialism, social-democratic socialism does not outlaw private ownership in the means of production and it even accepts the idea of all means of production being privately owned—with the exception only of education, traffic and communication, central banking, and the police and courts. In principle, everyone has the right to privately appropriate and own means of production, to sell, buy, or newly produce them, to give them away as a present, or to rent them out to someone else under a contractual arrangement. But secondly, no owner of means of production rightfully owns all of the income that can be derived from the usage of his means of production and no owner is left to decide how much of the total income from production to allocate to consumption and investment. Instead, part of the income from production rightfully belongs to society, has to be handed over to it, and is then, according to ideas of egalitarianism or distributive justice, redistributed to its individual members.

¹ 社会主义运动的社会民主化的标志是，法国社会党的崛起和正统共产党的衰落；英国出现了一个社会民主党，作为更为正统的工党的竞争对手；意大利共产党作为西欧仅存的强大共产党，向日益社会民主主义的政策转变；在冈萨雷斯和苏亚雷斯的领导下，西班牙和葡萄牙的社会主义-社会民主党发展壮大，两者都与德国社民党关系密切。此外，斯堪的纳维亚的社会主义政党，传统上一直密切跟随德国的道路，后来在纳粹迫害期间为许多著名的社会主义者(最著名的是 W.勃兰特和 B.克瑞斯基)提供了避风港，长期以来一直怀抱修正主义的信仰。

² 关于社会民主党在南北冲突问题上的立场，可参阅《南北问题：生存纲领》，国际发展问题独立委员会（主席：W.勃兰特），1980年。

Furthermore, though the respective income-shares that go to the producer and to society might be fixed at any given point in time, the share that rightfully belongs to the producer is in principle flexible and the determination of its size, as well as that of society's share, is not up to the producer, but rightfully belongs to society.⁸

社会主义风格的社会主义的核心特征是什么?有两个基本特征。首先,社会民主主义并不禁止生产资料私有制,它甚至接受所有生产资料私有制的观点,这与传统的马克思主义式社会主义形成鲜明对比。不过,它也给生产资料私有制加上了限定词——除了教育、交通和通讯、中央银行、警察和法院。原则上,每个人都有私人占有和拥有生产资料的权利,有权出售、购买或重新生产这些生产资料,有权将这些生产资料作为礼物送人,或根据契约安排将这些生产资料出租给他人。其次,社会民主主义认为应有社会再分配机制。没有任何一个生产资料的所有者有权拥有使用其生产资料所产生的全部收入,也没有任何一个所有者有权决定将生产总收入的多少分配给消费和用来投资。也就,部分来自生产的收入理应属于社会,必须交给社会,然后,根据平等主义或分配正义的理念,再分配给社会的个人成员。此外,社会民主主义认为,在某个时间点上整个“社会收入”中属于生产者和社会其他成员的份额是固定的;这个份额的比例也是可以因时而异的,而这个比例的大小、变动不决定于生产者,而是理所当然地由“社会”决定。¹

Seen from the point of view of the natural theory of property—the theory underlying capitalism—the adoption of these rules implies that the rights of the natural owner have been aggressively invaded. According to this theory of property, it should be recalled, the user-owner of the means of production can do what-ever he wants with them; and whatever the outcome of his usage, it is his own private income, which he can use again as he pleases, as long as he does not change the physical integrity of someone else's property and exclusively relies on contractual exchanges. From the standpoint of the natural theory of property, there are not two separate processes—the production of income and then, after income is produced, its distribution. There is only one process: in producing income it is automatically distributed; the producer

¹ 需再次注意,这种对社会民主主义式社会主义的描述属于“理想类型”(参见第3章注释2)。它并非对任何实际政党的政策或意识形态的描述。相反,它应被理解为一种尝试,即重构现代社会民主主义风格的社会主义的本质。这种本质潜藏于各种名称各异的政党或运动的纲领及政策所构成的更为多样的现实之下,是其在意识形态上的统一核心。

is the owner. As compared with this, socialism social-democratic style advocates the partial expropriation of the natural owner by redistributing part of the income from production to people who, whatever their merits otherwise, definitely did not produce the income in question and definitely did not have any contractual claims to it, and who, in addition, have the right to determine unilaterally, i.e., without having to wait for the affected producer's consent, how far this partial expropriation can go.

然而，从自然产权理论，也就是资本主义的基础理论来看，关于“社会再分配”的规则，意味着严重侵犯了产权所有者的权利。根据自然产权理论，生产资料的所有者（使用者）可以用他所有的生产资料做任何事，无论结果如何（无论盈亏），都是他自己的事。而且，只要他不改变他人财产的物理完整性，他完全可以与他人依赖契约而进行交换，也可以按照自己的意愿再次使用。从自然产权理论的观点来看，没有两个独立的过程——收入的生产和收入产生后的分配。只有一个过程：在生产收入时，收入是自动分配的；生产者即是所有者。社民主义风格的社会主义主张对自然所有者进行部分剥夺，将部分生产收入重新分配给另一些人，而这些人并没有什么优点应该奖励，也没有在收入产生中有什么贡献，更没有任何凭契约而享有的要求权。问题在于，这些人却有权不征求生产者的同意，单方面决定剥夺的份额，而且这种单方面剥夺的限度到底在哪里也不可知。

It should be clear from this description that, contrary to the impression which socialism social-democratic style is intended to generate among the public, the difference between both types of socialism is not of a categorical nature. Rather, it is only a matter of degree. Certainly, the first mentioned rule seems to inaugurate a fundamental difference in that it allows private ownership. But then the second rule in principle allows the expropriation of all of the producer's income from production and thus reduces his ownership right to a purely nominal one. Of course, social-democratic socialism does not have to go as far as reducing private ownership to one in name only. And admittedly, as the income-share that the producer is forced to hand over to society can in fact be quite moderate, this, in practice, can make a tremendous difference as regards economic performance. But still, it must be realized that from the standpoint of the nonproducing fellowmen, the degree of expropriation of private producers' income is a matter of expediency, which suffices to reduce the

difference between both types of socialism—Russian and social-democratic style—once and for all to a difference only of degree. It should be apparent what this important fact implies for a producer. It means that however low the presently fixed degree of expropriation might be, his productive efforts take place under the ever-present threat that in the future the income-share which must be handed over to society will be raised unilaterally. It does not need much comment to see how this increases the risk, or the cost of producing, and hence lowers the rate of investment.

社会民主主义者好像刻意要树立与社会主义不同的民众印象，但从上面的分析我们可以看出，他们并没有根本的区别，而只不过是五十步与一百步的差别。社会民主主义明面上与社会主义划清了界限，声称他们允许私有制。但社会再分配这个机制，却原则上允许剥夺生产者的生产收入，使生产者的私有产权降低为纯粹名义上的所有权。当然，社民主义风格的社会主义并不一定要把私有制压缩到名存实亡的地步。诚然，由于生产者被迫交给社会的收入份额实际上可能相当适度，这在实践中可以对经济表现产生巨大的影响。我们必须认识到，允许不事生产者对私人生产者进行剥夺的政策，就算它只是权宜之计，也真实地让我们看到了它最根本的问题——俄罗斯式社会主义与社会民主主义，二者之间并无本质区别，有的只是程度的差别而已。社会再分配政策下，生产者所要面对的问题是显而易见的。这意味着，生产者注定要被征收，而且无论目前的征收程度如何，生产者在被征收份额提高这个问题上，完全没有话语权。对于生产者来说，这就是增加了生产成本和风险，生产者的储蓄积累会减慢，投资的意愿也降低，因而生产者的投资率会降低。

With this statement a first step in the analysis that follows has already been taken. What are the economic, in the colloquial sense of the term, consequences of adopting a system of social-democratic socialism? After what has just been said, it is probably no longer altogether surprising to hear that at least as regards the general direction of the effects, they are quite similar to those of traditional Marxist-type socialism. Still, to the extent that social-democratic socialism settles for partial expropriation and the redistribution of producer incomes, some of the impoverishment effects that result from a policy of fully socializing means of production can be circumvented. Since these resources can still be bought and sold, the problem most typical of a caretaker economy—that no market prices for means of production exist and hence neither monetary calculation nor accounting are possible, with ensuing misallocations and the waste of scarce resources in usages that are at best of only secondary importance—is

avoided. In addition, the problem of overutilization is at least reduced. Also, since private investment and capital formation is still possible to the extent that some portion of income from production is left with the producer to use at his discretion, under socialism social-democratic style there is a relatively higher incentive to work, to save, and to invest.

前面我们已经论证，社民主义和社会主义并无本质的不同，同样都妨碍了自由市场经济本应达到的繁荣。接下来的分析就已经迈出了第一步。采用社民主义风格的社会主义制度，会产生什么通俗意义上的经济后果？前面的分析已经告诉我们，至少就影响的一般方向而言，这与传统的马克思主义类型的社会主义非常相似，这已经不再令人惊讶了。社民主义风格的社会主义与生产资料国有化的社会主义相比，还是要好一些，避免了生产资料完全国有化所造成的一些贫困效应。生产资料国有化的看守型经济最大的问题是生产资料公有，不能交易，没有价格，不能以价格来评估生产资料的使用是否恰当，不能避免生产资料的浪费。而社民主义制度下，生产资料毕竟是私有的，可以买卖，有价格可以计算，可以更为合理的支配和使用，社民主义避免了看守经济的最大弊端。

Nonetheless, by no means can all impoverishment effects be avoided. Socialism social-democratic style, however good it might look in comparison with Russian-type socialism, still necessarily leads to a reduction in investment and thus in future wealth as compared with that under capitalism. 9By taking part of the income from production away from the owner-producer, however small that part may be, and giving it to people who did not produce the income in question, the costs of production (which are never zero, as producing, appropriating, contractings always imply at least the use of time, which could be used otherwise, for leisure, consumption, [or underground work, for instance](#)) rise, and, mutatis mutandis, the costs of nonproducing and/or underground production fall, however slightly. As a consequence there will be relatively less production and investment, even though, for reasons to be discussed shortly, the absolute level of production and wealth might still rise. There will be relatively more leisure, more consumption, and more moonlighting, and hence, all in all, relative impoverishment. And this tendency will be more pronounced the higher the income from production that is redistributed, and the more imminent the likelihood that it will be raised in the future by unilateral, noncontractual societal decision.

但是，社民主义风格的社会主义，即使与俄罗斯式社会主义相比要好很多，但与真正的自由资本主义相比，还是会阻碍投资的增加，从而导致未来的财富达不到该有的水平。本该有的繁荣被削弱，贫困程度会增加。¹ 国家从所有者-生产者那里拿走一部分生产收入，不管这部分收入有多小，把它分给那些没有生产出上述收入的人，生产成本(生产成本永远不会为零，因为生产、占有、缔结契约总是意味着成本，或至少需使用时间，而这些时间原本可以用于休闲、消费或兼职工作等)就会上升，而非生产和/或兼职生产的成本也会下降，不管下降有多微小。虽然随着时间推移财富水平也上升了，但社会再分配政策使自由资本主义下本应有的投资水平达不到，生产和财富的应有水平当然也达不到。人们本应有的更多的闲暇时间，更多的消费，更多的兼职机会，也湮灭了，总之，比该有的富足要贫困。国家从生产者手里拿走去再分配的收入比例越高，这种湮灭的比例就越大。而被再分配赡养的人越多，这种趋势也就越明显，未来通过单方面的、非契约的社会决策，“拿走”更多收入的可能性就越大。

For a long time by far the most popular idea for implementing the general policy goal of social-democratic socialism was to redistribute monetary income by means of income taxation or a general sales tax levied on producers. A look at this particular technique shall further clarify our point and avoid some frequently encountered misunderstandings and misconceptions about the general effect of relative impoverishment. What is the economic effect of introducing income or sales taxation where there has been none before, or of raising an existing level of taxation to a new height? In answering this, I will further ignore the complications that result from the different possible ways of redistributing tax money to different individuals or groups of individuals—these shall be discussed later in this chapter. Here we will only take into account the general fact, true by definition for all redistributive systems, that any redistribution of tax money is a transfer from monetary income producers and contractual money recipients to people in their capacity as nonproducers and nonrecipients of contractual money incomes. Introducing or raising taxation thus implies that monetary income flowing from production is reduced for the producer and increased for people in their roles as nonproducers and noncontractors. This changes the relative costs of production for monetary return versus nonproduction and

¹ 关于以下内容，参见路德维希·冯·米塞斯所著《社会主义》，印第安纳波利斯，1981年，尤其第五部分；《人的行动》，芝加哥，1966年，尤其第六部分。

production for non-monetary returns. Accordingly, insofar as this change is perceived by people, they will increasingly resort to leisurely consumption and/or production for the purpose of barter, simultaneously reducing their productive efforts undertaken for monetary rewards. In any case, the output of goods to be purchased with money will fall, which is to say the purchasing power of money decreases, and hence the general standard of living will decline.

在很长一段时间里，实现社会民主主义总体政策目标的最受欢迎的想法，是通过所得税或对生产者征收一般销售税来重新分配货币收入。对这种特殊方法的讨论将进一步阐明我们的观点，以避免一些经常遇到的关于相对贫困化的普遍影响的误解和错误的想法。有关进一步讨论通过将税款重新分配给不同的个人或人群体而导致的各种复杂情况，将在本章稍后部分。在这里我们只讨论此种情形：在以前没有所得税或销售税的地方征收所得税或销售税，或将现有的税收水平提高到一个新的高度，会产生什么经济影响？¹ 在这里，我们只考虑一个普遍的事实，根据所有再分配制度的定义，任何税收的再分配都是从货币收入的生产者和契约货币的接受者，向非生产者和非契约货币收入接受者转移。因此，引入或提高税收意味着，从生产中获得的货币收入对生产者来说减少了，而对非生产者和非承包商来说增加了。这改变了货币回报的生产相对于非生产和非货币回报生产的相对成本。（译者注：人们的生产如果是以货币作为回报就要交税，这样他们的生产成本就变高了。但如果生产的不用来出售，也就可以少交税或不交税，成本就要相对低一些。当然，啥也不干也就不交税。）这样，当人们觉察到这种变化，他们要么就选择更多的休闲，要么为了以物易物而生产，反正他们减少了为赚钱而进行的生产努力。在任何情况下，用货币购买的商品的产量都会下降，也就是说，货币的购买力会下降，因此一般的生活水平会下降。

Against this reasoning it is sometimes argued that it has been frequently observed empirically that a rise in the level of taxation was actually accompanied by a rise (not a fall) in the gross national product (GNP), and that the above reasoning, however plausible, must thus be considered empirically invalid. This alleged counter-argument exhibits a simple misunderstanding: a confusion between absolute and relative reduction. In the above analysis the conclusion is reached that the effect of higher taxes is a relative reduction in production for monetary returns; a reduction, that is, as

¹ 参见 M. N. 罗斯巴德所著《权力与市场》，堪萨斯城，1977 年。

compared with the level of production that would have been attained had the degree of taxation not been altered. It does not say or imply anything with respect to the absolute level of output produced. As a matter of fact, absolute growth of GNP is not only compatible with our analysis but can be seen as a perfectly normal phenomenon to the extent that advances in productivity are possible and actually take place. If it has become possible, through improvement in the technology of production, to produce a higher output with an identical input (in terms of costs), or a physically identical output with a reduced input, then the coincidence of increased taxation and increased output is anything but surprising. But, to be sure, this does not at all affect the validity of what has been stated about relative impoverishment resulting from taxation.

我们前面讨论过，税收会削弱人们投资和生产，但有人却认为我们这个观点是错误的，他的理由是税收水平的上升总是伴随着国民生产总值 GNP 的上升（而不是下降）。这个所谓的反驳表现出一种简单的误解：对“绝对的少”和“相对减少”之间的混淆。在上述分析中得出的结论是，高税收的影响是使货币回报为目的生产的相对减少；这个减少，是指与不增加税收程度所能达到的生产水平相比。这个推理中并没有说明或暗示什么是产出的绝对水平。国民生产总值总是要增长的，这完全是一种正常现象，因为即使投入比应该投入的少一点，总是在投入；生产力会进步的，而且总是在进步，这使得哪怕投入没有增加甚至减少，产出也可能增加；所以产出增加和税收增加同时出现也就不足为奇了。但是，可以肯定的是，这一点也不影响关于税收导致相对贫困的说法的正确性。

Another objection that enjoys some popularity is that raising taxes leads to a reduction in monetary income, and that this reduction raises the marginal utility of money as compared with other forms of income (like leisure) and thus, instead of lowering it, actually helps to increase the tendency to work for monetary return. This observation, to be sure, is perfectly true. But it is a misconception to believe that it does anything to invalidate the relative impoverishment thesis. First of all, in order to get the full picture it should be noted that through taxation, not only the monetary income for some people (the producers) is reduced but simultaneously monetary income for other people (nonproducers) is increased, and for these people the marginal utility of money and hence their inclination to work for monetary return would be reduced. But this is by no means all that need be said, as this might still leave the impression that taxation simply does not affect the output of exchangeable goods at all—since it will reduce the

marginal utility of money income for some and increase it for others, with both effects cancelling each other out. But this impression would be wrong. As a matter of fact, this would be a denial of what has been assumed at the outset: that a tax hike, i.e., a higher monetary contribution forced upon disapproving income producers, has actually taken place and has been perceived as such—and would hence involve a logical contradiction. Intuitively, the flaw in the belief that taxation is “neutral” as regards output becomes apparent as soon as the argument is carried to its ultimate extreme. It would then amount to the statement that even complete expropriation of all of the producers’ monetary income and the transfer of it to a group of nonproducers would not make any difference, since the increased laziness of the nonproducers resulting from this redistribution would be fully compensated by an increased workaholicism on the part of the producers (which is certainly absurd). What is overlooked in this sort of reasoning is that the introduction of taxation or the rise in any given level of taxation does not only imply favoring nonproducers at the expense of producers, it also simultaneously changes, for producers and nonproducers of monetary income alike, the cost attached to different methods of achieving an (increasing) monetary income. For it is now relatively less costly to attain additional monetary income through nonproductive means, i.e., not through actually producing more goods but by participating in the process of noncontractual acquisitions of goods already produced. [Even if producers are indeed more intent upon attaining additional money as a consequence of a higher tax, they will increasingly do so not by intensifying their productive efforts but rather through exploitative methods.](#) This explains why taxation is not, and never can be, neutral. With (increased) taxation a different legal incentive structure is institutionalized: one that changes the relative costs of production for monetary income versus nonproduction, including nonproduction for leisurely purposes and nonproduction for monetary return, and also versus production for nonmonetary return (barter). And if such a different incentive structure is applied to one and the same population, then, and necessarily so, a decrease in the output of goods produced for monetary return must result.¹¹

另一个颇受欢迎的反对意见是，提高税收会导致生产者的货币收入减少，而这种减少会提高货币相对于其他形式的收入（如休闲）的边际效用，因此，为了多获得货币收入，生产者会增加工作而不是减少工作。当然，这个观察结果是完全正确的。但如果

认为它能推翻相对贫困理论，那就大错特错了。首先，为了全面了解情况，应该注意到，通过税收，不仅一些人(生产者)的货币收入减少了，同时另一些人(非生产者)的货币收入增加了，对这些人来说，货币的边际效用减少了，因此他们为货币回报而工作的意愿也减少了。但这绝不是需要说的全部，因为这可能仍然会给人留下这样的印象，即税收根本不会影响可交换商品的产出——因为它会降低一些人的货币收入的边际效用，而增加另一些人的货币收入的边际效用，这两种效应相互抵消。相互抵消就以为税收对产出是中性的？这种印象是错误的。事实上，这否认了我们一开始的假设：增税实际上已经发生，即强迫不赞成增税的收入生产者缴纳更多的货币，而且已经被生产者认为是增税，这在逻辑上存在矛盾。即使从直觉上看，“税收对产出是中性的”这个观点，只要被推向极致，它的缺陷就显而易见。怎么推向极致呢？既然征税不会影响生产，那好吧，征税，征高额税，把所有生产者的收入都当成税收拿走，然后分配给那些好吃懒做的家伙。这时候生产者还愿意当工作狂去养那些好吃懒做的家伙吗？在这种推理中被忽视的是，税收的引入或任何给定税收水平的提高，不仅意味着以牺牲生产者作为代价来偏袒非生产者，而且，通过生产来换取货币和通过再分配来获得货币的人，他们获得货币收入所要付出的成本也被改变了。因为现在通过非生产手段获得额外的货币收入的成本相对较低，也就是说，不是通过实际生产更多的商品，而是通过参与侵占已生产的商品的非契约的过程。作为一个人，如果他做生产者挣钱很难，而拿到提高的税收提供的分配的钱容易，即使这个人原来是生产者，也会更加偏向于不当生产者而当剥削者来挣钱。这就解释了为什么税收不是，也永远不可能是中性的。随着(增加的)税收，一种不同的法律激励结构被制度化：它改变了以货币收入为目的的生产、以休闲为目的的非生产、以货币收入为目的的非生产，以非货币回报为目的的生产(物物交换)之间的相对成本。如果这种不同的激励结构作用于同一人群，那么，必然会导致为货币回报而生产的商品产出的减少。¹

While income and sales taxation are the most common techniques, they do not exhaust social-democratic socialism's repertoire of redistributive methods. No matter how the taxes are redistributed to the individuals composing a given society, no matter, for instance, to what extent monetary income is equalized, since these individuals can and do lead different lifestyles and since they allocate different portions of the

¹ 此外，不应忽视的是，即便征税促使被征税者增加工作，但更高层次的征税无论如何都会减少他们可支配的闲暇时间，进而降低他们的生活水平。参见 M.N. 罗斯巴德所著《权力与市场》，堪萨斯城，1977年，第95页及之后内容。

monetary income assigned to them to consumption or to the formation of nonproductively used private wealth, sooner or later significant differences between people will again emerge, if not with respect to their monetary income, then with respect to private wealth. And not surprisingly, these differences will steadily become more pronounced if a purely contractual inheritance law exists. Hence, social-democratic socialism, motivated as it is by egalitarian zeal, includes private wealth in its policy schemes and imposes a tax on it, too, and in particular imposes an inheritance tax in order to satisfy the popular outcry over “unearned riches” falling upon heirs.

虽然所得税和销售税是最常见的手段，但它们并没有穷尽社民主义风格的社会主义的再分配手段。税收并不会真的造成完全的收入平等，无论税收如何重新分配给一个社会的某些特定个人。无论货币收入在多大程度上是平等的，只要人可以选择不同的生活方式，不同的人就会把他们的收入以不同的方式消费，或者以不同的方式积累成私人财富，那么人与人之间就会产生差异，或者是货币收入的差异，或者是私人财富的差异。如果存在纯粹的契约式继承法，这些差异将逐渐变得更加明显，这样的结果顺理成章。那么，受平等主义狂热驱动的社民主义风格的社会主义者，就会意欲将私人财富纳入社民主义的政策计划，并对私人财富征税，特别是征收遗产税，以满足民众对遗产继承者获得“不劳而获的财富”的强烈抗议。

Economically, these measures immediately reduce the amount of private wealth formation. As the enjoyment of private wealth is made relatively more costly by the tax, less wealth will be newly created, increased consumption will ensue—including that of existing stocks of nonproductively used riches—and the overall standard of living, which of course also depends on the comforts derived from private wealth, will sink.

从经济上讲，征税，尤其是征所得税和销售税，立即减少了私人财富的形成数量。因为税收的存在，个人享受自己私人财富的成本相对变高，他们就会减少创造自己的新财富，而倾向于多消费，包括消费已经积累的财富，那么，建立在私人财富之上的舒适生活的整体水平将下降。

Similar conclusions about impoverishment effects are reached when the third major field of tax policies—that of “natural assets”—is analyzed. For reasons to be discussed below, this field, next to the two traditional fields of monetary income and private

wealth taxation, has gained more prominence over time under the heading of opportunity equalization. It did not take much to discover that a person's position in life does not depend exclusively on monetary income or the wealth of nonproductively used goods. There are other things that are important in life and which bring additional income, even though it may not be in the form of money or other exchange goods: a nice family, an education, health, good looks, etc. I will call these nonexchangeable goods from which (psychic) income can be derived "natural assets." Redistributive socialism, led by egalitarian ideals, is also irritated by existing differences in such assets, and tries, if not to eradicate, then at least to moderate them. But these assets, being nonexchangeable goods, cannot be easily expropriated and the proceeds then redistributed. It is also not very practical, to say the least, to achieve this goal by directly reducing the nonmonetary income from natural assets of higher income people to the level of lower income people by, for instance, ruining the health of the healthy and so making them equal to the sick, or by smashing the good-looking people's faces to make them look like their less fortunate bad-looking fellows.¹² Thus, the common method social-democratic socialism advocates in order to create "equality of opportunity" is taxation of natural assets. Those people who are thought to receive a relatively higher nonmonetary income from some asset, like health, are subject to an additional tax, to be paid in money. This tax is then redistributed to those people whose respective income is relatively low to help compensate them for this fact. An additional tax, for instance, is levied on the healthy to help the unhealthy pay their doctor bills, or on the good-looking to help the ugly pay for plastic surgery or to buy themselves a drink so that they can forget about their lot. The economic consequences of such redistributive schemes should be clear. Insofar as the psychic income, represented by health, for instance, requires some productive, time and cost-consuming effort, and as people can, in principle, shift from productive roles into nonproductive ones, or channel their productive efforts into different, non- or less heavily taxed lines of nonexchangeable or exchangeable goods production, they will do so because of the increased costs involved in the production of personal health. The overall production of the wealth in question will fall, the general standard of health, that is, will be reduced. And even with truly natural assets, like intelligence, about which people can admittedly do little or nothing, consequences of the same kind will result, though only with a time lag of one

generation. Realizing that it has become relatively more costly to be intelligent and less so to be nonintelligent, and wanting as much income (of all sorts) as possible for one's offspring, the incentive for intelligent people to produce offspring has been lowered and for nonintelligent ones raised. Given the laws of genetics, the result will be a population that is all in all less intelligent. And besides, in any case of taxation of natural assets, true for the example of health as well as for that of intelligence, because monetary income is taxed, a tendency similar to the one resulting from income taxation will set in, i.e., a tendency to reduce one's efforts for monetary return and instead increasingly engage in productive activity for nonmonetary return or in all sorts of nonproductive enterprises. And, of course, all this once again reduces the general standard of living.

当对税收政策的第三个主要领域——“自然资产”——进行分析时，也得出了类似的关于贫困效应的结论。由于下面将要讨论的原因，这个领域，紧随货币收入和私人财富税这两个传统领域，随着时间的推移，在机会均等的口号下得到越来越多的重视。应该说，一个人的生活地位也不完全取决于他的货币收入，以及他积累的非生产性财富。让我们感到社会地位差别的还有如幸福的家庭，教育、健康、外貌等，即使这些事物不会带来金钱或其他的可供交换的商品，而它们却可以给人的生活带来额外的心理收入。我将这些可以获得(精神)收入的不可交换物品称为“自然资产”。以平等主义理想为主导的再分配社会主义者，即使他们以为他们可以主导收入和财富的平均分配，他们也恼怒于他们主宰不了这些非金钱的不可交换的事物，他们也就想尽可能消除这种差别。但是，伤害别人的健康，他也不可能更健康；毁掉别人的容貌，他也照样还是又丑又龅；毁掉别人的幸福家庭，他也不可能就因此幸福。他可以均贫富去“再分配”别人的收入和财富，但他没办法去“征用”并“再分配”别人的“自然资产”。¹ 社民主义风格的社会主义者因而就倡导一种方法，以“机会平等”为由向那些拥有幸福、健康、美丽的“自然资产”的人征收货币形式的税，以补偿那些失意者——向健康的人征税来补偿不健康的人的医药费，向美丽的人征税用来给丑的人做整形手术，或者向幸福的人征税为那些不幸福的人买一杯咖啡，以安慰他们心理的不幸。这种再分配方案的经济后

¹ 库尔特·冯内古特 (K. Vonnegut) 在《哈里森·伯杰龙》(“Harrison Bergeron”) 一文中，虚构描述了在“美国残障事务总负责人手下特工的持续严密监视”下，这样一项政策的实施情况。该文收录于库尔特·冯内古特所著《欢迎来到猴舍》(Welcome to the Monkey House)，纽约，1970年。

果应该是显而易见的。健康能带来心理收入，健康本身也是有成本和用途的。要花费时间、生产力和一些成本才能获得健康，由于人们原则上可以在生产性角色和非生产性角色之间来回切换，一个人可以将健康这种非生产性的“自然资产”变成可生产性资源，也可以将他们的生产性努力转向不同的、没有或较少重税的不可交换或可交换的商品生产。如果向健康的人征税，那么一个人获得和维持健康的成本就上升了。如果社会中人的健康成本都上升了，社会总体的健康水平就会降低。即使拥有真正的自然资产，例如智力，人们即使能对智力做的事情很少，或者说就没法改变，但向智力高的人征税也会导致对社会整体的影响，即使这个影响具有滞后效应。聪明就要交税，而不聪明就不用交税，那聪明者的成本高，不聪明的成本低。聪明者更容易生出聪明的后代，但聪明者和他的后代都要交税，他们的成本高，所以他们生育后代的动机就减弱了。反过来，不聪明的人不用交税，生出来不聪明的后代也不用交税，那么他们的亲代和子代的成本就低了，获得额外的收入的机会也因得到别人的税收而增加了，因此他们倾向于多生孩子。考虑到遗传法则，聪明的人生出聪明的后代的概率更低，不聪明的人生出不聪明的人的后代的概率更高，随着时间的推移，社会群体的总体智力水平会降低。税收会影响人们的行为，前面我们所举对健康和智力征税的例子，都说明了这个问题。对任何“自然资产”征税，就会和所得税所带来的影响一样，都会影响人们行为，使人们因被征税而不愿做那些有货币报酬的生产活动，转而愿意做那些没有货币报酬的生产活动（如互相帮忙），或进入非生产活动的企业。由此，所有这些都进一步降低了总体的生活水平。

But this is still not all that has to be said about the consequences of socialism social-democratic-style, as it will also have remote yet nonetheless highly important effects on the social-moral structure of society, which will become visible when one considers the long-term effects of introducing redistributive policies. It probably no longer comes as a surprise that in this regard, too, the difference between Russian-type socialism and socialism social-democratic style, while highly interesting in some details, is not of a principal kind.

但这还不是社民主义风格的社会主义的全部后果，因为它还将对社会的社会道德结构产生深远且非常重要的影响，当人们考虑采用再分配政策的长期后果时，这种影响将变得显而易见。在这方面，俄罗斯式社会主义和社民主风格的社会主义之间的差异，虽然在某些细节非常有趣，却没有根本的区别，这可能不再令人惊讶。

As should be recalled, the effect of the former on the formation of personality types was twofold, reducing the incentive to develop productive skills, and favoring at the

same time the development of political talents. This precisely is also the overall consequence of social-democratic socialism. As social-democratic socialism favors nonproductive roles as well as productive ones that escape public notice and so cannot be reached by taxation, the character of the population changes accordingly. This process might be slow, but as long as the peculiar incentive structure established by redistributive policies lasts, it is constantly operative. Less investment in the development and improvement of one's productive skills will take place and, as a consequence, people will become increasingly unable to secure their income on their own, by producing or contracting. And as the degree of taxation rises and the circle of taxed income widens, people will increasingly develop personalities as inconspicuous, as uniform, and as mediocre as is possible—at least as far as public appearance is concerned. At the same time, as a person's income simultaneously becomes dependent on Politics, i.e., on society's decision on how to redistribute taxes (which is reached, to be sure, not by contracting, but rather by superimposing one person's will on another's recalcitrant one!), the more dependent it becomes, the more people will have to politicalize, i.e., the more time and energy they will have to invest in the development of their special talents for achieving personal advantages at the expense (i.e., in a noncontractual way) of others or of preventing such exploitation from occurring.

应该记得，俄罗斯式社会主义对人格类型形成的影响是双重的，减少了发展生产技能的动机，同时有利于政治才能的发展。而这也正是社民主义风格的社会主义的总体结果。由于社会民主主义社会既支持不引人注目的非生产性角色，也支持逃避民众注意的生产性角色，因此社民主义无法通过征税来实现，因此人口的特征会相应地发生变化。这个过程可能是缓慢的，但只要再分配政策建立的特殊激励结构持续存在，它就会不断发挥作用。人们在发展和提高自己的生产性技能方面的投资将会减少，人们也将越来越无法通过自己的努力，通过生产或契约来获得收入。随着税收水平的上升和被征税范围的扩大，人们将越来越发展出尽可能不引人注目、千篇一律和平庸的个性——至少在公共形象方面是这样，（译者注：被征税者失去了进取心甘于平庸，依赖税收生活的人隐藏于体制之下利用平庸）。社民主义社会中的人们也会越来越热衷于政治，因为很多人的收入依赖于税收的重新分配。税收和再分配这个行为，本就是将一些人的意志强加于另一些人的意志之上，而如何进行税收和再分配本就是一些“社会政策”。在这样的制度之下，人们越依赖于税收，就越会把更多的精力和时间投入到发展

自己的特殊才能，致力于如何剥夺他人（而不是生产和契约）以获取个人利益，致力于防止自己成为被剥夺者。

The difference between both types of socialism lies (only) in the following: under Russian-type socialism society's control over the means of production, and hence over the income produced with them, is complete, and so far there seems to be no more room to engage in political debate about the proper degree of politicalization of society. The issue is settled—just as it is settled at the other end of the spectrum, under pure capitalism, where there is no room for politics at all and all relations are exclusively contractual. Under social-democratic socialism, on the other hand, social control over income produced privately is actually only partial, and increased or full control exists only as society's not yet actualized right, making only for a potential threat hanging over the heads of private producers. But living with the threat of being fully taxed rather than actually being so taxed explains an interesting feature of social-democratic socialism as regards the general development toward increasingly politicalized characters. It explains why under a system of social-democratic socialism the sort of political-ization is different from that under Russian-type socialism. Under the latter, time and effort is spent nonproductively, discussing how to distribute the socially owned income; under the former, to be sure, this is also done, but time and effort are also used for political quarrels over the issue of how large or small the socially administered income-shares should actually be. Under a system of socialized means of production where this issue is settled once and for all, there is then relatively more withdrawal from public life, resignation, and cynicism to be observed. Social-democratic socialism, on the other hand, where the question is still open, and where producers and nonproducers alike can still entertain some hope of improving their position by decreasing or increasing taxation, has less of such privatization and, instead, more often has people actively engaged in political agitation either in favor of increasing society's control of privately produced incomes, or against it.¹³

在一条坐标轴的两个极端，俄罗斯式的社会主义和纯粹的资本主义，它们好像都不需要民众介入政治。俄罗斯式社会主义，由于社会（政府）完全控制生产资料以及由此而产生的收入，民众没有什么空间来参与政治和进行政治辩论。纯粹的资本主义之下，所有的一切都以生产和契约来解决，也根本没有政治本身存在的空间。但在社会主义的制度之下，社会（政府）可以控制私人的部分收入，而这个“部分”的增减直至“完全”

会指向未来，因此会给私人生产者带来不确定的威胁。那么社民主义之下会产生一个有趣的特征：民众日益普遍的政治化（热情参与政治）。其原因就是因为征税，甚至被完全征税的威胁。这解释了为什么在社民主义制度下，这种政治化与俄罗斯式社会主义制度下的政治化不同。俄罗斯式的社会主义制度下（如前面对东德的分析），人们需要训练出讨好上级的政治技能。人们的时间和精力也可以被用于政治争吵，争论的问题是社会管理的收入份额实际上应该是多大还是多小。而在生产资料国有化的制度下，一旦这个问题一劳永逸地解决了，就会出现相对较多的脱离公共生活、听之任之和玩世不恭的现象。而在社民主义制度下，人们参与政治的情形完全不同。在社民主义社会中，这个问题仍然是开放的，生产者和非生产者都希望通过减少或增加税收来改善他们的地位。社民主义社会中所有人都有动机参与政治争论，控制多一点还是少一点，税收多一点还是少一点。¹

With the general similarity as well as this specific difference between both types of socialism explained, the task remains of presenting a brief analysis of some modifying forces influencing the general development toward unproductive politicalized personalities. These are effected by differing approaches to the desirable pattern of income distribution. Russian and social-democratic socialism alike are faced with the question of how to distribute income that happens to be socially controlled. For Russian-type socialism it is a matter of what salaries to pay to individuals who have been assigned to various positions in the caretaker economy. For redistributive socialism it is the question of how much tax to allocate to whom. While there are in principle innumerable ways to do this, the egalitarian philosophy of both kinds of socialism effectively reduces the available options to three general types. 14The first one is the method of more or less equalizing everybody's monetary income (and possibly also private, nonproductively used wealth). Teachers, doctors, construction workers and miners, factory managers and cleaning ladies all earn pretty much the same salary, or the difference between them is at least considerably reduced.15 It does not need much comment to realize that this approach reduces the incentive to work most drastically, for it no longer makes much difference—salary-wise—if one

¹ 关于政治化现象，另可参见 K. S. 坦普尔顿（编），《社会的政治化》，印第安纳波利斯，1977 年。

works diligently all day or fools around most of the time. Hence, disutility of labor being a fact of life, people will increasingly fool around, with the average income that everyone seems to be guaranteed constantly falling, in relative terms. Thus, this approach relatively strengthens the tendency toward withdrawal, disillusionment, cynicism, and mutatis mutandis, contributes to a relative reduction in the general atmosphere of politicalization. The second approach has the more moderate aim of guaranteeing a minimum income which, though normally somehow linked to average income, falls well below it.¹⁶ This, too, reduces the incentive to work, since, to the extent that they are only marginal income producers with incomes from production only slightly above the minimum, people will now be more inclined to reduce or even stop their work, enjoy leisure instead, and settle for the minimum income. Thus more people than otherwise will fall below the minimum line, or more people than otherwise will keep or acquire those characteristics on whose existence payment of minimum salaries is bound, and as a consequence, again, the average income to which the minimum salary is linked will fall below the level that it otherwise would have reached. But, of course, the incentive to work is reduced to a smaller degree under the second than the first scheme. On the other hand, the second approach will lead to a relatively higher degree of active politicalization (and less of resigned withdrawal), because, unlike average income, which can be objectively ascertained, the level at which the minimum income is fixed is a completely subjective, arbitrary affair, which is thus particularly prone to becoming a permanent political issue.

前面我们已经分析了俄罗斯式社会主义和社民主义式社会主义的异同，接下来我们将分析两种社会中非生产性领域政治化人格的其他影响因素。社会主义就意味着控制或分配社会中的收入，而两种社会主义只是在收入分配中采取的手段不同。俄罗斯式社会主义生产资料是共有的，是被**看守者**掌控的，所以分配问题可以具体化为**看守者**把全部收入按照什么职务以什么样的比例来分配。而社民主义式社会主义，则是社会（政府）如何收税和如何分配税收的问题。都是分配收入问题，原则上可以有无数种方法可供选择，但平等主义哲学指导下的两种社会主义其实只有在三种类型中选一种。¹

¹ 关于正统社会主义和社会民主主义社会主义对平等的关注，可参见 S. 卢克斯所著《社会主义与平等》，收录于 L. 科拉科夫斯基和 S. 汉普希尔（编）的《社会主义理

方法一，或多或少货币收入或私人的非生产性使用的财富的平等化，也就是无论什么职业，教师、医生、建筑工人矿工、工厂经理、清洁女工等等，或者收入差不多，或者收入差距很小。¹ 这种方法不用说一定会减少人们工作的动力，因为无论勤奋还是懒惰，收入并没有明显的差别。劳动负效用是生活的一个事实，越勤奋越辛苦的人，劳动的负效用越高，所以勤奋努力的人选择无所事事也对自己最有利。懒人摆烂，勤快人也摆烂，社会中人的平均收入也会下降。人们的性格中也越来越多的退缩、幻灭感、犬儒主义和投机取巧，当然也会对政治不感兴趣。

方法二，保障低收入者的最低收入，这种方法比前一种方法温和。最低收入标准可以设置为远低于平均收入，却也与平均收入挂钩。² 保障低收入者最低收入的手段，也

念》，纽约，1974年；另见B. 威廉姆斯所著《平等的理念》，收录于P. 拉斯莱特和W. G. 朗西曼（编）的《哲学、政治与社会》第二辑，牛津，1962年。对社会主义平等概念的批判，可参见M.N. 罗斯巴德所著《自由、不平等、原始主义与劳动分工》，收录于K.S. 坦普尔顿（编）的《社会的政治化》，印第安纳波利斯，1977年；以及《平等主义：对自然的反抗》（标题文章），华盛顿，1974年；H. 朔克所著《嫉妒》，纽约，1966年；以及《功绩不体面？》，奥斯纳布吕克，1971年；A. 弗卢所著《普罗克汝斯忒斯之床的政治》，伦敦，1980年；以及《社会学、平等与教育》，纽约，1976年。

¹ 传统上，至少在理论上，正统马克思主义社会主义青睐这种方式，这与马克思在《哥达纲领批判》中的著名论断一致（卡尔·马克思，《选集》第2卷，伦敦，1942年，第566页）：“各尽所能，按需分配”。然而，经济现实迫使苏联模式的国家在实践中做出了重大让步。一般来说，确实努力让不同职业的（假定极易察觉的）货币收入趋于平等，但为了维持经济运转，又不得不引入（假定不那么容易察觉的）非货币奖励方面的显著差异（比如在出行、教育、住房、购物等方面的特殊待遇）。

审视相关文献，P. 格雷戈里和R. 斯图尔特（《比较经济体制》，波士顿，1985年）指出：“……东欧、南斯拉夫和苏联的收入分配比美国更为平等。就苏联而言，这似乎是一种相对较新的现象，因为直到1957年，苏联的收入不平等程度还高于美国。”然而，在苏联模式的国家，“……有相对更多的资源是通过非市场方式提供的……”（第502页）。总之：“在那些国家在再分配中作用相对较小的资本主义国家（美国、意大利、加拿大），收入分配更为不平等……然而，即使在国家在再分配中起主要作用的国家（英国、瑞典），收入分配似乎也比实行计划经济的社会主义国家（匈牙利、捷克斯洛伐克、保加利亚）略为不平等。1966年，苏联的收入分配平等程度似乎低于其东欧同行”（第504页）。另见F. 帕金所著《阶级不平等与政治秩序》，纽约，1971年，尤其是第6章。

² 这种方式传统上是社会民主主义社会主义最为典型的做法。近年来，它得到了来自经济学界和哲学界的大力宣扬与支持：在经济学界，米尔顿·弗里德曼（M. Friedman）提出“负所得税”方案（弗里德曼，《资本主义与自由》，芝加哥，1962年，第12章）；在哲学界，约翰·罗尔斯（J. Rawls）提出“差异原则”（罗尔斯，《正义论》，剑

一样会降低工作的积极性。因为在某种程度上，人们只是边际收入的生产者，其生产收入仅略高于最低标准时，人们会更倾向于减少或者甚至停止工作，转而享受休闲，结果就是满足于最低收入。因此，会有更多人的收入在最低水平之下，或者会有更多的人为了获得最低收入，而保持或获得与最低收入挂钩的那些特征，其结果是，平均收入将再次低于它本来可以达到的水平。但是，显然，在第二种方案下，工作动力减少的程度比第一种方案要小一些。另一方面，这种方法还会导致人们更高层次的参与政治。毕竟，“最低工资标准”的确定是主观的、武断的，与可以确定的平均收入不同，不存在客观标准，因而这个标准的指定就会是一个永久的政治话题，人们会在这个方面较多的发声而不是退出。

Undoubtedly, the highest degree of active politicalization is reached when the third distributional approach is chosen. Its goal, gaining more and more prominence for social democracy, is to achieve equality of opportunity.¹⁷ The idea is to create, through redistributive measures, a situation in which everyone's chance of achieving any possible (income) position in life is equal—very much as in a lottery where each ticket has the same chance of being a winner or a loser—and, in addition, to have a corrective mechanism which helps rectify situations of “undeserved bad luck” (whatever that may be) which might occur in the course of the ongoing game of chance. Taken literally, of course, this idea is absurd: there is no way of equalizing the opportunity of someone living in the Alps and someone residing at the seaside. In addition, it seems quite clear that the idea of a corrective mechanism is simply incompatible with the lottery idea. Yet it is precisely this high degree of vagueness and confusion which contributes to the popular appeal of this concept. What constitutes an opportunity, what makes an opportunity different or the same, worse or better, how much and what kind of compensation is needed to equalize opportunities which admittedly cannot be equalized in physical terms (as in the Alps/seaside example),

桥，1971年，第60、75页及以后、83页)。因此，这两位作者受到了社会民主党知识分子的广泛关注。一般来说，人们只是觉得弗里德曼“错”在不愿将最低收入设定得足够高——但话说回来，他反正也没有设定具体数值的原则性标准。而罗尔斯主张，一旦“最有利者”改善了自身处境，就要迫使他们让“最不利者”分享其财富，有时人们甚至觉得他的平等主义主张太过极端。参见G.施万(G. Schwan)所著《民主制度中的社会主义：一种连贯的社会民主主义政策理论》(*Sozialismus in der Demokratie. Theorie eine konsequent sozialdemokratischen Politik*)，斯图加特，1982年，第3.D章。

what is undeserved bad luck and what a rectification, are all completely subjective matters. They are dependent on subjective evaluations, changing as they do, and there is then—if one indeed applies the equality of opportunity concept—an unlimited reservoir of all sorts of distributional demands, for all sorts of reasons and for all sorts of people. This is so, in particular, because equalizing opportunity is compatible with demands for differences in monetary income or private wealth. A and B might have the same income and might both be equally rich, but A might be black, or a woman, or have bad eyesight, or be a resident of Texas, or may have ten children, or no husband, or be over 65, whereas B might be none of these but something else, and hence A might argue that his opportunities to attain everything possible in life are different, or rather worse, than B's, and that he should somehow be compensated for this, thus making their monetary incomes, which were the same before, now different. And B, of course, could argue in exactly the same way by simply reversing the implied evaluation of opportunities. As a consequence, an unheard of degree of politicalization will ensue. Everything seems fair now, and producers and nonproducers alike, the former for defensive and the latter for aggressive purposes, will be driven into spending more and more time in the role of raising, destroying, and countering distributional demands. And to be sure, this activity, like the engagement in leisurely activities, is not only non-productive but in clear contrast to the role of enjoying leisure, implies spending time for the very purpose of actually disrupting the undisturbed enjoyment of wealth produced, as well as its new production.

方法三，以实现机会平等为目标，这是社民主义最突出的特点，也导致最积极的政治化。¹ 这一方法的理念是通过再分配创造一种局面，在这局面下每个人在社会生活中都有平等的机会去获得收入，好比每个人买彩票都有中奖的概率。这一方法还设置了纠正机制，帮助那些就算是机会均等之下也不走运的人，不管是什么样的不走运。这一方法的荒谬之处在于，首先不可能有完全的机会均等，就像阿尔卑斯山区和海边居

¹ 社会民主主义倾向的关于机会平等（尤其是教育方面的机会平等）研究的一个典型例子是 C. 詹克斯等人所著的《不平等》（1973 年，伦敦）；机会均等理念日益受到重视，这也解释了自 20 世纪 60 年代末以来，大量关于“生活质量”和“社会指标”的社会学研究涌现的现象。例如，可参见 A. 萨拉伊和 F. 安德鲁斯（编）的《生活质量》（1980 年，伦敦）。

住的人不会有均等的机会（去看海）；其次，设置纠正机制要帮助“不走运”的人，与彩票凭运气的设计，根本就不相容。可是，大众就欢迎这种模糊不清并且自相矛盾的混乱。可他们根本搞不清楚，是什么构成了机会？造成机会相同或不同、更差或更好的原因是什么？需要多少补偿，什么样的补偿，来平衡机会的不均等？凭主观判断，什么样的坏运气该得到补偿？这系列问题的界定和解决，好像只依赖于主观评价。而“机会均等”这个模糊的辞藻，让我们在使用它的时候，感觉它好似一个混沌的池子，里面充斥着各种各样的人、各种各样的原因和无限多的分配需求。从逻辑上讲，好像机会均等与货币收入差异，与私人财富差异，是相容的。然而当我们假设有这样的两个人，A 和 B，他们可能有相同的收入，可能同样富有。但如果 A 是黑人，或是女人，或视力不好，或居住在德克萨斯州，或有十个孩子，或没有丈夫，或超过 65 岁；而 B 可能没有这些窘境，但有别的。就算是 A 和 B 的收入是相等的，但 A 仍然可以声称，他在生活中得到一切的机会仍然与 B 是不同，或者比 B 更糟。A 认为他应该以某种方式得到补偿，以货币收入的方式来补偿，以弥补他收入之外的其他差异。当然，B 也完全可以用相同的方式来论证，只要简单地颠倒对机会的隐含评估。A 和 B 的主张，都企图以参与政治活动来实现，因此他们就有热情卷入政治，社会因此前所未有的政治化。现在一切似乎都是公平的，生产者和非生产者一样，前者出于防御目的，后者出于侵犯目的，将被迫花费越来越多的时间来提高、破坏和抵制分配的要求。可以肯定的是，这种活动，就像从事休闲活动一样，不仅是非生产性的，而且完全不同于享受休闲的作用。它意味着花费时间的目的不是生产，而是破坏人们享受已经生产出来的财富，也破坏人们对还未生产出来的新产品的预期享受。

But not only is increased politicalization stimulated (above and beyond the level implied by socialism generally) by promoting the idea of equalizing opportunity. There is once more, and this is perhaps one of the most interesting features of new social-democratic-socialism as compared with its traditional Marxist form, a new and different character to the kind of politicalization implied by it. Under any policy of distribution, there must be people who support and promote it. And normally, though not exclusively so, this is done by those who profit most from it. Thus, under a system of income and wealth-equalization and also under that of a minimum income policy, it is mainly the “have-nots” who are the supporters of the politicalization of social life. Given the fact that on the average they happen to be those with relatively lower intellectual, in particular verbal capabilities, this makes for politics which appears to lack much intellectual sophistication, to say the least. Put more bluntly,

politics tends to be outright dull, dumb, and appalling, even to a considerable number of the have-nots themselves. On the other hand, in adopting the idea of equalizing opportunity, differences in monetary income and wealth are not only allowed to exist but even become quite pronounced, provided that this is justifiable by some underlying discrepancies in the opportunity structure for which the former differences help compensate. Now in this sort of politics the haves can participate, too. As a matter of fact, being the ones who on the average command superior verbal skills, and the task of defining opportunities as better or worse being essentially one of persuasive rhetorical powers, this is exactly their sort of game. Thus the haves will now become the dominant force in sustaining the process of politicalization. Increasingly it will be people from their ranks that move to the top of the socialist party organization, and accordingly the appearance and rhetoric of socialist politics will take on a different shape, becoming more and more intellectualized, changing its appeal and attracting a new class of supporters.

与传统的马克思主义社会主义相比，社民主义有了新的、不同的政治化特征，这也是社民主义最有趣的特征，也就是在机会均等的思想刺激下，人们被越来越深的卷入政治。任何分配政策的出台和存续，一定是有人在支持和促进它。那么，谁会支持和促进呢？促进者大多数是从政策中获利最多的人。对于收入和财富均等化制度或最低收入制度，“无产者”是政治生活中的主要支持者。而无产者的平均智力水平或语言能力都相对较低，他们参与政治活动就使得政治活动不可能太复杂，因此政治活动中就充满了各种语料——愚蠢、骇人听闻、空洞的，而穷人却比较愿意接受和相信。社会一方面呼吁要机会均等，一方面又允许货币收入和财富差异存在且允许扩大这种差异，同时又有人呼吁要让幸运者弥补失意者，这就是政治。但正是在这样的政治中，给了富人参与的动机和空间。在政治中的主导者是什么样的人？是有卓越语言技能的人，是能够定义机会是好是坏的人，是擅长修辞的人，是有强大说服力的人，而这样的人偏偏一般都是富人，因此正是富人主导了政治进化的历程。在社民主义政治中，越来越多的富人进入社民主义的政党，爬到政党高层，他们长袖善舞，改变了社会政治的面貌，吸引了更多的支持者。

With this I have reached the stage in the analysis of social-democratic socialism where only a few remarks and observations are needed which will help illustrate the validity of the above theoretical considerations. Though it does not at all affect the validity of the

conclusions reached above, depending as they do exclusively on the truth of the premises and the correctness of the deductions, there unfortunately exists no nearly perfect, quasiexperimental case to illustrate the workings of social-democratic socialism as compared with capitalism, as there was in the case of East and West Germany regarding Russian-type socialism. Illustrating the point would involve a comparison of manifestly different societies [where the ceteris are clearly not paribus](#), and thus it would no longer be possible to neatly match certain causes with certain effects. Often, experiments in social-democratic socialism simply have not lasted long enough, or have been interrupted repeatedly by policies that could not definitely be classified as social-democratic socialism. Or else from the very beginning, they have been mixed with such different—and even inconsistent—policies as a result of political compromising, that in reality different causes and effects are so entangled that no striking illustrative evidence can be produced for any thesis of some degree of specificity. The task of disentangling causes and effects then becomes a genuinely theoretical one again, lacking the peculiar persuasiveness that characterizes experimentally produced evidence.

至此，我已经完成对社民主义的分析了，在这里只需要再加上一些评论和观察，将有助于说明上述理论考虑的有效性。无论什么样的观察，都不影响上述结论的有效性，因为结论的有效性完全取决于前提的真实性和演绎的正确性。即使我们分析过东德接近俄罗斯式社会主义和西德接近资本主义的案例，不过在现实中，要找接近实验性质的实例，来完全符合资本主义与社民主义的运作方式的理论，还是不可能的。为了说明这一点，需要比较明显不同的社会，在这些社会中，其他条件显然是不同的，因此，将某些原因与某些结果一一对应已不再可能。通常，社民主义实验的时间或者不够长，或者政策并不是典型的社民主义，或者政策中断过。另外一种情形是，由于“政治”中参与的人群多，诉求复杂，使社会政策本就是一种混合物，是各方妥协的产物，所以都无法证明某个论点到底是不是社民主义的。在这种情形下，一方面理论难以真的解释因果关系，另外一方面理论也缺乏有说服力的实验证据。

Nonetheless some evidence exists, if only of a more dubious quality. First, on the level of highly global observations, the general thesis about relative impoverishment brought about by redistributive socialism is illustrated by the fact that the standard of living is relatively higher and has become more so over time in the United States of America than in Western Europe, or, more specifically, than in the countries of

the European Community (EC). Both regions are roughly comparable with respect to population size, ethnic and cultural diversity, tradition and heritage, and also with respect to natural endowments, but the United States is comparatively more capitalist and Europe more socialist. Every neutral observer will hardly fail to notice this point, as indicated also by such global measures as state expenditure as percent of GNP, which is roughly 35 percent in the United States as compared to about 50 percent or more in Western Europe. It also fits into the picture that the European countries (in particular Great Britain) exhibited more impressive rates of economic growth in the nineteenth century, which has been described repeatedly by historians as the period of classical liberalism, than in the twentieth, which, in contrast, has been termed that of socialism and statism. In the same way the validity of the theory is illustrated by the fact that Western Europe has been increasingly surpassed in rates of economic growth by some of the Pacific countries, such as Japan, Hong Kong, Singapore, and Malaysia; and that the latter, in adopting a relatively more capitalist course, have meanwhile achieved a much higher standard of living than socialistically inclined countries which started at about the same time with roughly the same basis of economic development, such as India.

尽管如此，我们还是可以找到一些证据来分析，不过有效性不敢保证。首先，我们站在全球范围的高度，来比较一下美国和欧洲，看看再分配式社会主义会不会带来贫困。美国和欧洲这两个地区在人口规模、种族和文化多样性、传统和遗产以及自然禀赋方面大致相当。从社会制度这个角度看，相对而言，美国更倾向于资本主义（更少管制和再分配），而欧洲更倾向于社会主义（更多管制和再分配）。一个中立的观察者从数据上来看，国家（政府）支出占国民生产总值的比例作为指标，美国为 35%，西欧为 50% 以上，这可以证实欧洲的社会主义程度要高于美国。而表现上来看，随着时间的推移，美国的生活水平相对提高，而且越来越高，已经超过西欧。同一个地区，管制和再分配在不同的时期表现出不同的水平，增长也表现出不同的速度。在欧洲国家（尤其是英国），19 世纪表现出令人印象深刻的经济增长速度，而这一时期也被历史学家反复描述为古典自由主义时期；20 世纪则增长缓慢，这个时期也被称为社会主义和国家主义时期。同样，这一理论的正确性也被以下事实所证明：西欧的经济增长率日益被一些太平洋国家，如日本、香港、新加坡和马来西亚所超越；这一时期，这些太平洋国家或地区采取了比西欧更具有资本主义性质的政策。与此同时，日本、新加坡、马来西亚等国家又不同于那些偏向于社会主义的国家如印度，即使从差不多的基础上

以差不多的时间开始发展，前者比后者的生活水平高很多。

Coming then to more specific observations, there are the recent experiences of Portugal, where in 1974 the autocratic Salazar regime of conservative socialism (on this type of socialism see the following chapter), which had kept Portugal one of the poorest countries in Europe, was supplanted in an upheaval by redistributive socialism (with elements of nationalization) and where since then the standard of living has fallen even further, literally turning the country into a third world region. There is also the socialist experiment of Mitterand's France, which produced an immediate deterioration of the economic situation, so noticeable—most conspicuous being a drastic rise in unemployment and repeated currency devaluations—that after less than two years, sharply reduced public support for the government forced a reversal in policy, which was almost comic in that it amounted to a complete denial of what only a few weeks before had been advocated as its dearest convictions.

接下来我们来看看两个具体的例子。近年来，葡萄牙保守社会主义(关于这种类型的社会主义见下一章)的萨拉查专制政权(Salazar)，使葡萄牙成为欧洲最贫穷的国家之一。而在1974年的一场剧变后，葡萄牙采取了再分配社会主义(且带有国有化的元素)政策，生活水平进一步下降。实际上，这些政策已经把葡萄牙变成了第三世界国家。在法国，米特朗政府也进行了“法国式社会主义”实验，而这立即导致经济形势恶化，表现为失业率急剧上升和货币反复贬值。法国民众对米特朗政府的支持急剧下降，迫使政府不得不出尔反尔改变政策，相当于完全否认了几周之前还在鼓吹珍视的信念，这真是滑天下之大稽。

The most instructive case, though, might again be provided by Germany and, this time, West Germany. 18From 1949 to 1966 a liberal-conservative government which showed a remarkable commitment to the principles of a market economy existed, even though from the very beginning there was a considerable degree of conservative-socialist elements mixed in and these elements gained more importance over time. In any case, of all the major European nations, during this period West Germany was, in relative terms, definitely the most capitalist country, and the result of this was that it became Europe's most prosperous society, with growth rates that surpassed those of all its neighbors. Until 1961, millions of German refugees, and afterwards millions of foreign workers from southern European countries became integrated into its expanding economy, and unemployment and inflation were almost unknown. Then,

after a brief transition period, from 1969 to 1982 (almost an equal time span) a social-democratically led socialist-liberal government took over. It raised taxes and social security contributions considerably, increased the number of public employees, poured additional tax funds into existing social programs and created new ones, and significantly increased spending on all sorts of so-called “public goods,” thereby allegedly equalizing opportunities and enhancing the overall “quality of life.” By resorting to a Keynesian policy of deficit spending and unanticipated inflation, the effects of raising the socially guaranteed minimum provisions for nonproducers at the expense of more heavily taxed producers could be delayed for a few years (the motto of the economic policy of former West German Chancellor Helmut Schmidt was “rather 5% inflation than 5% unemployment”). They were only to become more drastic somewhat later, however, as unanticipated inflation and credit expansion had created and prolonged the over- or rather malinvestment typical of a boom. As a result, not only was there much more than 5 percent inflation, but unemployment also rose steadily and approached 10 percent; the growth of GNP became slower and slower until it actually fell in absolute terms during the last few years of the period. Instead of being an expanding economy, the absolute number of people employed decreased; more and more pressure was generated on foreign workers to leave the country and the immigration barriers were simultaneously raised to ever higher levels. All of this happened while the importance of the underground economy grew steadily.

不过，最有启发性的案例可能还是来自德国，这次是西德。¹ 从 1949 年到 1966 年，出现一个自由-保守 (liberal-conservative) 的政府，它对市场经济原则的表现出了非凡的决心，尽管从一开始就有相当程度的保守社会主义因素混合在一起，而且这些社会主义因素随着时间的推移也变得越来越有分量。无论如何，在所有主要的欧洲国家中，在这一时期，相对而言，西德绝对是最资本主义的国家，结果它成为了欧洲最繁荣的社会，其增长率超过了所有邻国。直到 1961 年，数以百万计的德国难民，以及随后数以百万计来自南欧国家的外国工人融入了西德不断扩大的经济，失业率和通货膨胀却微乎其微。然后，经过一个短暂的过渡期后，从 1969 年到 1982 年(几乎相同的时

¹ 关于以下内容，另可参见 R. 默克莱因所著《把手伸进自己口袋》(1980 年，汉堡)以及《德国人越来越穷》(1982 年，汉堡)。

间跨度), 一个社会民主党领导的社会主义自由政府接管了政权。它大幅提高了税收和社会保障缴款, 增加了公务员人数, 向现有的社会福利计划注入了额外的税收资金, 并且创建了新的福利计划, 与此同时大幅增加了各种所谓的“公共商品”的支出, 从而实现所谓的机会均等, 提高整体的“生活质量”。前西德总理赫尔穆特·施密特(1974年5月年至1982年10月任联邦总理)的经济政策的座右铭是“宁可5%的通货膨胀, 也不要5%的失业率”——他们采取了凯恩斯主义的政策, 以财政赤字和向生产者征重税为手段, 提高了社会上对非生产者的最低生活标准的保障。这些手段虽然好像推迟了几年通胀的到来, 然而, 通胀虽然推后, 还是到来了, 而且超出预期的严重。延迟的通胀和错误的信贷扩张, 延长并加重了典型的繁荣期过度投资, 或者说是错误投资。结果事与愿违的是, 不仅通货膨胀率远远超过5%, 而且失业率也稳步上升到接近10%; 国民生产总值的增长变得越来越慢, 直到在这一时期的最后几年, 它的绝对值实际上下降了。经济非但没有扩张, 就业人口的绝对数量反而减少了; 迫使外国工人离开这个国家的压力越来越大, 与此同时, 移民壁垒被提高到前所未有的高度。在这种高通胀率高失业率的情况下, 同时也发生了地下经济稳步增长且变得越来越重要的情况。

But these were only the more evident effects of a narrowly defined economic kind. There were other effects of a different sort, which were actually of more lasting importance. With the new socialistliberal government the idea of equalizing opportunity came to the ideological forefront. And as has been predicted theoretically, it was in particular the official spreading of the idea mehr Demokratie wagen (“risk more Democracy”)—initially one of the most popular slogans of the new (Willy Brandt) era—that led to a degree of politicalization unheard of before. All sorts of demands were raised in the name of equality of opportunity; and there was hardly any sphere of life, from childhood to old age, from leisure to work conditions, that was not examined intensely for possible differences that it offered to different people with regard to opportunities defined as relevant. Not surprisingly, such opportunities and such differences were found constantly, and, accordingly, the realm of politics seemed to expand almost daily. “There is no question that is not a political one” could be heard more and more often. In order to stay ahead of this development the parties in power had to change, too. In particular the Social Democrats, traditionally a blue-collar workers’ party, had to develop a new image. With the idea of equalizing opportunity gaining ground, it increasingly became, as could be predicted, the party of the (verbal) intelligentsia, of social scientists and of teachers. And this “new” party,

almost as if to prove the point that a process of politicalization will be sustained mainly by those who can profit from its distributional schemes and that the job of defining opportunities is essentially arbitrary and a matter of rhetorical power, then made it one of its central concerns to channel the most diverse political energies set in motion into the field of equalizing, above all, educational opportunities. In particular, they “equalized” the opportunities for a high school and university education, by offering the respective services not only free of charge but by literally paying large groups of students to take advantage of them. This not only increased the demand for educators, teachers, and social scientists, whose payment naturally had to come from taxes. It also amounted, somewhat ironically for a socialist party which argued that equalizing educational opportunities would imply an income transfer from the rich to the poor, in effect to a subsidy paid to the more intelligent at the expense of a complementary income reduction for the less intelligent, and, to the extent that there are higher numbers of intelligent people among the middle and upper social classes than among the lower, a subsidy to the haves paid by the have-nots. As a result of this process of politicalization led by increased numbers of taxpaid educators gaining influence over increased numbers of students, there emerged (as could be predicted) a change in the mentality of the people. It was increasingly considered completely normal to satisfy all sorts of demands through political means, and to claim all sorts of alleged rights against other supposedly better-situated people and their property; and for a whole generation of people raised during this period, it became less and less natural to think of improving one’s lot by productive effort or by contracting. Thus, when the actual economic crisis, necessitated by the redistributionist policy, arose, the people were less equipped than ever to overcome it, because over time the same policy had weakened precisely those skills and talents which were now most urgently required. Revealingly enough, when the socialist-liberal government was ousted in 1982, mainly because of its obviously miserable economic performance, it was still the prevalent opinion that the crisis should be resolved not by eliminating the causes, i.e., [the swollen minimum provisions](#) for nonproducers or noncontractors, but rather by another redistributive measure: by forcibly equalizing the available work—time for employed and unemployed people. And in line with this spirit the new conservative-liberal government in fact did no more than slow down the rate of growth of taxation.

前面的讨论还只是狭义的经济领域的较为明显的影响，而其他领域的影响可能还有更为持久且重要。随着新的社民主义政府的出现，机会均等的理念站到了意识形态的前沿。有两种力量纠缠在一起，导致政治化。一方面，越来越多的人卷入政治。正如理论上所预测的，尤其是官方对“冒更多的民主风险”(mehr Democracy wagen)——最初是新时代（威利·勃兰特）最受欢迎的口号之一——的正式传播，导致了前所未有数量的民众卷入政治活动中。另一方面，越来越多的事成为政治。随着新的社民主义政府的推波助澜，机会均等的观念成为意识形态的前沿。政客们以机会平等的名义上提出了各种各样的要求——从童年到老年、从休闲到工作条件的所有领域，都受到了密切关注。他们还不断寻找不同的人群，不同的领域，去扩大更大范围的机会均等。如此，越来越多的人参与，覆盖越来越多的人群，牵涉越来越多的内容，政治领域几乎每天都在扩大。“没有不是政治问题的问题”，这种说法越来越常听到。执政党当然要走在前头，改变自己并引领改变。社会民主党本是一个传统的蓝领工人政党，也需要为自己塑造一个新形象。不出所料，随着机会均等理念的普及，社会民主党逐渐成为(贩卖文字的(verbal))知识分子、社会科学家和教师的政党。一个政治化的过程将主要由那些能够从其分配方案中获利的人来维持，而这个“新”的社会民主党的变化，几乎就是为了证明这个观点。而定义“机会均等”的工作本质上是主观武断的，是一种修辞能力的问题，而这一“定义”的主导者，能把多样化的政治能量引导到“平等”领域。在这些话题中，首要的就是教育机会，这是他们的核心关注点之一。社民主义的政党精英们提出，要将高中和大学教育的机会，平等地提供给所有人，免费地提供给所有人，甚至付钱给大量的学生来利用这些服务。看看，免费的教育一方面增加了对教育工作者、教师和社会科学家的需求，另一方面也有理由增加税收为这些人发工资。社民主义所倡导的“教育机会均等”，目标是教育机会从富人向穷人转移。但是，某种程度上，社会中上层的聪明人的比例比下层多，社会中上层的孩子上高中和大学的比例比社会下层的高，因此为穷人提供的教育补贴却主要补贴给了高智商的中上层。社会给穷人的补贴，变成了穷人对富人的补贴，这是不是对社民主义的讽刺？整个社会中越来越多接受免费教育的学生，这一方面意味着越来越多的税收，另一方面意味着那些受教育的学生，被教育到越来越多地关心政治。随着学校教育的普及，人们越来越觉得，通过政治手段谋取他人的财产来主张自己的权利是正常的。对于这一时期成长起来的整整一代人，他们已经认为通过政治来谋取利益是自然的，而通过努力生产或通过契约来改善自己的命运却变得越来越不自然了。因此，当由再分配政策造成的实际的经济危机出现时，人们比以往任何时候都没有能力克服它，因为随着时间的推移，同样的政策恰恰削弱了那些现在最迫切需要的技能和才能。显而易见是，社会主义自由主义政府在 1982 年被赶下台的主要是因为其明显糟糕的经济表现，但民众持有的普遍的观

点仍然却是，消除危机不应该是消除危机的原因，也就是不应该消除过高的最低生活保障金，而是通过另一项再分配措施——通过强制在就业者和失业者之间提供均等可用的工作。与这一精神相一致，企业因为增加雇佣而降低效率，原就业者工作任务不足降低收入，失业者被安排工作收入不高，所以整体税基无法增长，新的保守-自由主义政府实际上只是减缓了税收增长的速度。

第五章 保守主义的社会主义

Chapter 5 The Socialism of Conservatism

In the two preceding chapters the forms of socialism most commonly known and identified as such, and that are indeed derived from basically the same ideological sources were discussed: socialism Russian-style, as most conspicuously represented by the communist countries of the East bloc; and social-democratic socialism, with its most typical representatives in the socialist and social-democratic parties of Western Europe, and to a lesser extent in the “liberals” of the United States. The property rules underlying their policy schemes were analyzed, and the idea presented that one can apply the property principles of Russian or social-democratic socialism in varying degrees: one can socialize all means of production or just a few, and one can tax away and redistribute almost all income, and almost all types of income, or one can do this with just a small portion of only a few types of income. But, as was demonstrated by theoretical means and, less stringently, through some illustrative empirical evidence, as long as one adheres to these principles at all and does not once and for all abandon the notion of ownership rights belonging to nonproducers (nonusers) and noncontractors, relative impoverishment must be the result.

在前两章中，我们讨论了常见的社会主义形式，它们来自相同的意识形态源头。它们分别是①以俄罗斯式社会主义为代表的东欧共产主义国家的社会主义形式；②社民主义，以西欧的社会主义和社会民主党为代表，也包括美国的“自由主义者”这种程度较低的社民主义。我们还分析了这两种不同形式社会主义的政策计划背后的财产规则，我们提出了一种观点：人们可以在不同程度上接受俄罗斯式社会主义或社民主义的财产原则，也就是人们既可以接受生产资料部分或全部公有化，也可以接受征税和再分配——至于征税，既可以是对全部收入征税，也可以是对少数几种收入征税，或者对收入的一小部分征税。但是，我们前面既通过理论手段，也通过一些不够严密的经验证据，说明了一种可能——只要人们坚持社会主义的生产资料公有化或社民主义的税收再分配原则，或者只要坚持生产者和非契约人的所有权可以被侵犯，那么整个社会必然会相对贫困（译者注：指相对于私有化和保护产权本身能达到的富裕程度的贫困——译者注）。

This chapter will show that the same is true of conservatism, because it, too, is a

form of socialism. Conservatism also produces impoverishment, and all the more so, the more resolutely it is applied. But before going into a systematic and detailed economic analysis of the peculiar ways in which conservatism produces this effect, it would be appropriate to take a short look at history, in order to better understand why conservatism indeed is socialism, and how it is related to the two egalitarian forms of socialism discussed previously.

本章想说明的是，保守主义也会导致相对贫困，因为保守主义也是社会主义的一种形式。保守主义也会造成贫困，而且越是坚决地实行保守主义，贫困就越是严重。但是，在对保守主义产生这种影响的特殊方式进行系统和详细的经济分析之前，为了更好地理解为什么保守主义确实是社会主义，以及它与前面讨论的两种平等主义形式的社会主义有何关系，我们应该先简短地回顾一下历史。

Roughly speaking, before the eighteenth century in Europe and throughout the world, a social system of “feudalism” or “absolutism,” which was in fact feudalism on a grander scale, existed. In abstract terms, the social order of feudalism was characterized by a regional overlord who claimed ownership of some territory, including all of its resources and goods, and quite often also of all of the men placed upon it, without having originally appropriated them himself through use or work, and without having a contractual claim to them. On the contrary, the territory, or better, the various parts of it and the goods standing on it, had been actively occupied, used, and produced by different people before (the “natural owners”). The ownership claims of the feudal lords were thus derived from thin air. Hence, the practice, based on these alleged ownership rights, of renting land and other production factors out to the natural owners in return for goods and services unilaterally fixed by the overlord, had to be enforced against the will of these natural owners, by brutal force and armed violence, with the help of a noble caste of military men who were rewarded by the overlord for their services by being allowed to participate and share in his exploitative methods and proceeds. For the common man subject to this order, life meant tyranny, exploitation, economic stagnation, poverty, starvation, and despair.²

大致来说，在 18 世纪之前，欧洲乃至全世界都存在一种“封建主义”或“专制主义”

(实际上是规模更为宏大的封建主义)的社会制度。¹ 抽象地讲, 封建主义的社会秩序特点在于, 存在一位区域领主, 他宣称对某片领土拥有所有权, 包括领土上的所有资源和物产, 而且往往还包括生活在这片土地上的所有人, 尽管他并非最初通过自身使用或劳作获得这些, 也没有基于契约的权利主张。而这块土地上的那些“人”, 在区域领主声称之前, 就已经先占、使用和通过契约交易这些土地、资源和物产了。那么, 封建领主的所有权主张只是因他自己“声称”而凭空杜撰的。基于自己杜撰的“所有权”, 封建领主想把土地和生产要素“出租”给自然所有者(原本所有者), 规定对方单方面缴纳商品和服务。对此, 这些自然所有者肯定是不情愿的, 因此封建领主就会使用野蛮的武力和武装暴力, 在贵族军人的帮助下强制实行征缴。而这些军人对封建领主的服务肯定不是免费的, 所以他们必然参与分享这样的剥削。本来拥有自己的土地、资源和物产的所有者, 在被封建领主和军人剥削和掠夺之下, 生活意味着暴政、剥削、经济停滞、贫穷、饥饿和绝望。²

As might be expected, there was resistance to this system. Interestingly enough though (from a present-day perspective), it was not the peasant population who suffered most from the existing order, but [the merchants and traders](#) who became the leading opponents of the feudal system. Buying at a lower price in one place and traveling and selling at a higher price in a different place, as they did, made their subordination to any one feudal lord relatively weak. They were essentially a class of “international” men, crossing the borders of various feudal territories constantly. As such, in order to do business they required a stable, internationally valid legal system: a system of rules, valid regardless of time and place, defining property and contract, which would facilitate the evolution of the institutions of credit, banking and insurance essential to any large-scale trading business. Naturally, this caused friction between the merchants and the feudal lords as representatives of various arbitrary, regional, legal systems. The merchants became feudalism's outcasts, permanently threatened and harassed by the noble military caste attempting to bring them under their control.³

¹ 关于以下内容, 尤其可参阅 M. N. 罗斯巴德的精彩文章《左派与右派: 自由的前景》, 该文收录于同一部著作《平等主义: 对自然的反叛》(1974年, 华盛顿)。

² 关于封建主义的社会结构, 可参考马克·布洛赫所著《封建社会》(1961年, 芝加哥); 佩里·安德森所著《从古代到封建主义的过渡》(1974年, 伦敦); R. 希尔顿(编)《从封建主义到资本主义的过渡》(1978年, 伦敦)。

不出所料，这一制度遭到了抵制。然而，有趣的是(从现在的角度来看)，在现有秩序中受害最大的并不是农民，而是贸易商，他们成为封建制度的主要反对者。在一个地方以较低的价格购买，运输到另一个地方以较高的价格出售，就像他们所做的那样，使他们对任何一个封建领主的依附关系都相对较弱。他们本质上是一个国际阶级，不断地跨越各个封建领土的边界。因此，为了做生意，他们需要一个稳定的、在国际上有有效的法律制度：一个无论何时何地都有效的规则制度，界定财产和契约，这将促进信贷、银行和保险机构的发展，这些机构对任何大规模的贸易业务都是必不可少的。¹

In order to escape this threat the merchants were forced to organize themselves and help establish small fortified trading places at the very fringes of the centers of feudal power. As places of partial exterritoriality and at least partial freedom, they soon attracted growing numbers of the peasantry running away from feudal exploitation and economic misery, and they grew into small towns, fostering the development of crafts and productive enterprises which could not have emerged in the surroundings of exploitation and legal instability characteristic of the feudal order itself. This process was more pronounced where the feudal powers were relatively weak and where power was dispersed among a great number of often very minor, rival feudal lords. It was in the cities of northern Italy, the cities of the Hanseatic league, and those of Flanders that the spirit of capitalism first blossomed, and commerce and production reached their highest levels.⁴

为了逃避这种强制征缴的威胁，商人们被迫组织起来，并在封建权力中心的边缘，建立小型的设防贸易场所。作为封建领主鞭长莫及的治外法权之地，也是至少拥有部分自由的地方，它们很快吸引了越来越多的逃离封建剥削和经济穷困的农民，并发展成为小城镇，促进了手工业和生产企业的发展，这在封建秩序剥削和法律不稳定的环境中是不可能自我发展出来的。这一过程在封建势力相对弱小的地方更为明显，在这些地方，权力分散在许多通常非常小的、相互竞争的封建领主手中。正是在意大利北部的城市、汉萨同盟的城市和佛兰德斯的城市，资本主义精神第一次开花结果，商业和生产达到了它们的最高水平。²

¹ 参见 H. 皮雷纳所著《中世纪的城市：起源与贸易复兴》(1974 年，普林斯顿)，第 5 章，尤其第 126 页及之后内容；另参见 M.

² 值得强调的是，与各类民族主义历史学家所宣扬的观点相反，工商业的复兴是由于

But this partial emancipation from the restrictions and the stagnation of feudalism was only temporary, and was followed by reaction and decline. This was due in part to internal weaknesses in the movement of the new merchant class itself. Still too much ingrained in the minds of men was the feudal way of thinking in terms of different ranks assigned to people, of subordination and power, and of order having to be imposed upon men through coercion. Hence, in the newly emerging commercial centers a new set of noncontractual regulations and restrictions—now of “bourgeois” origin—was soon established, guilds that restrained free competition were formed, and a new merchant oligarchy arose. More important, though, for this reactionary process was yet another fact. In their endeavor to free themselves from the exploitative interventions of the various feudal lords, the merchants had to look for natural allies. Understandably enough, they found such allies among those from the class of feudal lords who, though comparatively more powerful than their noble fellows, had the centers of their power at a relatively greater distance from the commercial towns seeking assistance. In aligning themselves with the merchant class, they sought to extend their power beyond its present range at the expense of other, minor lords. In order to achieve this goal they first granted certain exemptions from the “normal” obligations falling upon the subjects of feudal rule to the rising urban centers, thus assuring their existence as places of partial freedom, and offered protection from the neighboring feudal powers. But as soon as the coalition had succeeded in its joint attempt to weaken the local lords and the merchant towns’ “foreign” feudal ally had thereby become established as a real power outside of its own traditional territory, it moved ahead and established itself as a feudal super power, i.e., as a monarchy, with a king who superimposed his own exploitative rules onto those of the already

中央政权的薄弱，以及封建制度本质上的无政府主义特征。J. 贝希勒在《资本主义的起源》（1976年，纽约），尤其是第7章中强调了这一观点。他写道：“市场在广度和深度上的持续扩张，是西欧缺乏统一政治秩序的结果。”（第73页）“资本主义的扩张源于政治无政府状态，且以此为存在的理由……集体主义和国家管控只在教科书里取得了成功（例如，看看他们对柯尔贝尔主义一贯的正面评价）。”（第77页）“所有权力都趋向于绝对。如果权力并非绝对，那是因为出现了某种限制……中央掌权者不断试图削弱这些限制。但他们从未成功，在我看来，这一原因也与国际体系相关：对外行动权力的限制以及来自外部攻击的持续威胁（多极体系的两个特征）意味着权力在国内也受到限制，必须依赖自主决策中心，因此只能谨慎使用这些中心。”（第78页）

existing feudal system. Absolutism had been born; and as this was nothing but feudalism on a larger scale, economic decline again set in, the towns disintegrated, and stagnation and misery returned.

但是，这种从封建主义的限制和停滞中得到的部分解放只是暂时的，随之而来的是反动与衰落。在一定程度上，这是由于新兴商人阶级自身的局限性。在他们的头脑中还存有根深蒂固的封建的思维方式，他们还是惯常于把人归属于不同的等级、从属关系和权力，还是惯常于强制人们进入以往的秩序。于是，在新兴的商业中心，资产阶级还是建立起了一套新的非契约性规定和限制，以行会来限制自由竞争，出现了新的商人寡头政治。¹ 然而，对于这一反动过程来说，更重要的是另一个事实。为了摆脱各种封建领主的剥削干预，商人们不得不寻找天然的盟友。可以理解的是，他们在封建领主阶级中找到了这样的盟友，这些封建领主虽然比他们的贵族同胞相对更强大，但他们的权力中心离寻求援助的商业城镇相对更远。在与商人阶级结盟的过程中，他们试图以牺牲其他小领主的利益为代价，将自己的权力扩展到现有范围之外。² 为了实现这一目标，首先，这些较大的封建领主在新兴的城市中心豁免封建统治下的臣民某些“正常的”义务，从而确保这些中心作为享有部分自由的地方而存在，并为邻近城镇的封建势力提供保护。但是，一旦大领主和城镇的联盟成功地削弱了地方领主的势力，商人城镇的“外国”封建盟友就在其传统领土之外确立了实权，它继续扩张并确立了自己作为封建超级大国的地位。于是，大领主建立起君主政体，自封为王，并把自己的剥削制度附加在已存的封建制度之上。这样，专制制度诞生了，然而，这只不过是更大规模和更多层级的封建主义，于是，封建制度再次占领了城镇，城镇的产权保证和市场自由开始衰退，城镇解体，停滞和苦难又卷土重来。

It was not until the late seventeenth and early eighteenth centuries, then, that feudalism came under truly heavy attack. This time the attack was more severe,

¹ 关于此，可参考 H. 皮雷纳在《中世纪的城市》（1974 年，普林斯顿）第 208 页及之后较为详尽的阐述。

² 关于这一联盟，可参见 H. 皮雷纳所著《中世纪的城市》（1974 年，普林斯顿）。“君主政体的明确利益在于支持高级封建主义的反对者。自然而然，只要有可能，就会给予帮助，同时又不向这些中产阶级承担义务，因为中产阶级在起来反抗他们的领主时，实际上是为了王室特权而战。对于冲突各方而言，接受国王作为争端的仲裁者，就意味着承认他的主权……王室不可能不考虑到这一点，并且会抓住一切机会向那些无意间为其效力、且成效显著的公社表达善意。”（第 179 - 180 页；另见第 227 页及以后）。

because it was no longer simply the attempt of practical men—the merchants—to secure spheres of relative freedom in order to do their practical business. It was increasingly an ideological battle fought against feudalism. Intellectual reflection on the causes of the rise and decline of commerce and industry that had been experienced, and a more intensive study of Roman and in particular of Natural Law, which had both been rediscovered in the course of the merchants' struggle to develop an international merchant law and justify it against the competing claims of feudal law, had led to a sounder understanding of the concept of liberty, and of liberty as a prerequisite to economic prosperity. As these ideas, culminating in such works as J. Locke's "Two Treatises on Government," 1688, and A. Smith's "Wealth of Nations," 1776, spread and occupied the minds of a steadily expanding circle of people, the old order lost its legitimacy. The old way of thinking in terms of feudal bonds gradually gave way to the idea of a contractual society. Finally, as outward expressions of this changed state of affairs in public opinion, the Glorious Revolution of 1688 in England, the American Revolution of 1776, and the French Revolution of 1789 came along; and nothing was the same after these revolutions had occurred. They proved, once and for all, that the old order was not invincible, and they sparked new hope for further progress on the road toward freedom and prosperity.

直到 17 世纪末和 18 世纪初，封建制度才受到真正严重的挑战。这一次的攻击更为猛烈，因为它不再仅仅是商人这种实用主义者的尝试，也不仅仅发生在为了做生意而争取相对自由的领域。反对封建主义日益成为意识形态领域的斗争。商人们在努力发展国际商法的过程中，重新对过往工商业兴衰历史进行理性反思，对罗马法尤其是对自然法进行更深入的研究。他们更为深刻地理解了自由的理念，也更为充分地理解了自由是经济繁荣的先决条件。这些思想在约翰洛克的《政府论》(1688)和亚当斯密的《国富论》(1776)等著作中达到顶峰，并在不断扩大的人群中传播并占据其思想，旧秩序丧失了其合法性。被封建束缚的旧思维方式逐渐让位于契约社会的观念。最后，作为这种变化了的社会观念的外在表现，1688 年的英国光荣革命、1776 年的美国革命和 1789 年的法国大革命相继发生；这些革命之后，一切都变了。它们一劳永逸地证明了旧秩序不是不可战胜的，它们在自由和繁荣的道路上点燃了进一步前进的新希望。

Liberalism, as the ideological movement that had brought about these earth-shattering events came to be called, emerged from these revolutions stronger than ever and became for some-what more than half a century the dominating ideological force in

Western Europe. It was the party of freedom and of private property acquired through occupation and contract, assigning to the state merely the role of enforcer of these natural rules. With remnants of the feudal system still in effect everywhere, however shaken in their ideological foundation, it was the party representing an increasingly liberalized, deregulated, contractualized society, internally and externally, i.e., regarding domestic as well as foreign affairs and relations. And as under the pressure of liberal ideas the European societies became increasingly free of feudal restrictions, it also became the party of the Industrial Revolution, which was caused and stimulated by this very process of liberalization. Economic development set in at a pace never before experienced by mankind. Industry and commerce flourished, and capital formation and accumulation reached new heights. While the standard of living did not rise immediately for everyone, it became possible to support a growing number of people—people, that is, who only a few years before, under feudalism, would have died of starvation because of the lack of economic wealth, and who could now survive. In addition, with population growth leveling off below the growth rate of capital, now everyone could realistically entertain the hope of rising living standards being just around the corner.⁷

自由主义，作为带来这些惊天动地的事件的意识形态运动，在这些革命中比以往任何时候都更加强大，并在半个多世纪的时间里成为西欧主导的意识形态力量。它是秉持自由的党派，是支持通过先占和契约获得的私有财产的党派，它仅将国家定位为这些自然规则的执行者。这个党在国内外，即在国内事务和外交关系方面，代表着一个日益自由化、消除管制和契约化的社会。在自由主义思想的推动下，欧洲社会逐渐摆脱了封建限制，自由主义的党派也成为了工业革命的党派，而工业革命正是由这一自由化进程引起和激发的。经济开始以人类前所未有的速度发展。工商业繁荣发展，资本形成和积累达到新高度。虽然每个人的生活水平并没有立即提高，但养活越来越多的人却成为可能——也就是说，在几年前的封建制度下，这些人可能会因为缺乏经济财富而饿死，而现在他们可以生存了。此外，随着人口增长趋缓低于资本增长率，现在每个人都可以合理地抱有生活水平会很快提高的希望。¹

It is against this background of history (somewhat streamlined, of course, as it has

¹ 参见 F. A. 哈耶克 (编), 《资本主义与历史学家》, 芝加哥, 1963 年。

just been presented) that the phenomenon of conservatism as a form of socialism and its relation to the two versions of socialism originating in Marxism must be seen and understood. All forms of socialism are ideological responses to the challenge posed by the advance of liberalism; but their stand taken against liberalism and feudalism—the old order that liberalism had helped to destroy—differs considerably. The advance of liberalism had stimulated social change at a pace, to an extent, and in variations unheard of before. The liberalization of society meant that increasingly only those people could keep a given social position once acquired who could do so by producing most efficiently for the most urgent wants of voluntary consumers with as little cost as possible, and by relying exclusively on contractual relationships with respect to the hiring of factors of production and, in particular, of labor. Empires upheld solely by force were crumbling under this pressure. And as consumer demand to which the production structure now increasingly had to adapt (and not vice versa) was changing constantly, and the upspring of new enterprises became increasingly less regulated (insofar as it was the result of original appropriation and/or contract), no one's relative position in the hierarchy of income and wealth was secure anymore. Instead, upward and downward social mobility increased significantly, for neither particular factor-owners nor owners of particular labor services were any longer immune to respective changes in demand. They were no longer guaranteed stable prices or a stable income.⁸

正是在这样的历史背景下(当然,正如刚才所介绍的那样,有些简化了),我们必须认识和理解保守主义作为社会主义的一种形式,及其与源自马克思主义的两种社会主义形式的关系。所有形式的社会主义都是对自由主义进步所带来挑战的意识形态回应;但是他们在反对自由主义和封建主义(自由主义曾帮助摧毁的旧秩序)的立场却大相径庭。自由主义的进步以前所未有的速度、程度和变化刺激了社会变革。社会的自由化越来越多的意味着,仅靠武力维持的帝国被社会的自由化动摇了根基,而靠封建制度和等级观念维持的那些社会地位将不复存在。只有那些人,他们自愿最有效地为消费者最迫切的需求进行生产,能够以尽可能低的成本,并且完全依靠契约关系购买或雇佣生产要素尤其是劳动力,只有这样的人,才能够保持他们既定的社会地位。在自由的市场中,消费者的需求不断变化,生产结构也越来越需要适应消费者的需求变化,新企业的涌现变得越来越不受规制(因为它只是先占和/或契约的结果),再也没有人在收入和财富的等级体系中保持相对稳固的位置。相反,上升和下降的社会流动性显著增加,因为无论是特定的要素所有者还是特定的劳动服务所有者,都必须面对需求的相

应变化，因此他们不再拥有稳定的价格或有保证的稳定收入了。¹

Old Marxist and new social-democratic socialism are the egalitarian, progressive answers to this challenge of change, uncertainty, and mobility. Like liberalism, they hail the destruction of feudalism and the advance of capitalism. They realize that it was capitalism that freed people from exploitative feudal bonds and produced enormous improvements in the economy; and they understand that capitalism, and the development of the productive forces brought about by it, was a necessary and positive evolutionary step on the way toward socialism. Socialism, as they conceive it, shares the same goals with liberalism: freedom and prosperity. But socialism supposedly improves on the achievements of liberalism by supplanting capitalism—the anarchy of production of private competitors which causes the just-mentioned change, mobility, uncertainty, and unrest in the social fabric—at its highest stage of development by a rationally planned and coordinated economy which prevents insecurities derived from this change from being felt at an individual level. Unfortunately, of course, as the last two chapters have sufficiently demonstrated, this is a rather confused idea. It is precisely by making individuals insensitive to change through redistributive measures that the incentive to adapt quickly to any future change is taken away, and hence the value, in terms of consumer evaluations, of the output produced will fall. And it is precisely because one plan is substituted for many seemingly uncoordinated ones that individual freedom is reduced and, *mutatis mutandis*, government by one man over another increased.

自由主义是一种挑战，意味着变化、不确定性和社会的流动性，而旧的马克思主义和新的社民主义，皆以平等主义、进步主义来应对这种挑战。马克思主义、社民主义和自由主义一样，他们也欢呼封建主义的毁灭和资本主义的发展。他们也认识到，是资本主义把人民从封建剥削的束缚中解放出来，使经济有了巨大的改善；他们同样认识到，资本主义及其带来的生产力发展，是走向社会主义的必要的和积极的演进步骤。在他们看来，社会主义与自由主义有着共同的目标：自由和繁荣。然而，社会主义者认为他们可以在自由主义成就的基础上通过理性的计划和协调的经济来取代资本主

¹ 关于资本主义的社会动态变化以及由此引发的不满情绪，可参考 D. 麦·C. 赖特所著的《民主与进步》（1948年，纽约）以及《资本主义》（1951年，纽约）

义。前面提到，自由资本主义不保证有不变的社会地位和收入，社会主义者认为资本主义是私人竞争的无政府状态，自由资本主义会导致社会结构的变化、流动性、不确定性和动荡，而社会主义的目标就是消除这些变化带来的不安全感。正如前文分析的那样，在资本主义之下要积极应对变化才能免于自己的动荡，而社会主义的再分配措施使个人不必积极应对变化，个人因此失去了积极应对的动力——所以用再分配来应对动荡是一个混乱的想法。换个角度，所有的产品在满足消费者效用的方面的价值都下降，消费者因此没得到他本该得到的消费。如此，用一个计划取代了许多看似不协调的计划（实际是市场自动协调的过程），个人的自由因此减少，而一些人通过政府统治另一些人却增加了。

Conservatism, on the other hand, is the anti-egalitarian, reactionary answer to the dynamic changes set in motion by a liberalized society: It is antiliberal and, rather than recognizing the achievements of liberalism, tends to idealize and glorify the old system of feudalism as orderly and stable.⁹ As a postrevolutionary phenomenon, it does not necessarily and outrightly advocate a return to the prerevolutionary status quo ante and accepts certain changes, however regretfully, as irreversible. But it is hardly ruffled when old feudal powers that had lost all or parts of their estates to the natural owners in the course of the liberalization process are restored to their old position, and it definitely and openly propagates the conservation of the status quo, i.e., the given highly unequal distribution of property, wealth, and income. Its idea is to stop or slow down the permanent changes and mobility processes brought about by liberalism and capitalism as completely as possible and, instead, to recreate an orderly and stable social system in which everyone remains securely in the position that the past had assigned to him.¹⁰

一方面，保守主义是反平等主义的，另一方面，保守主义也反对自由社会所带来的不稳定和不平等，它要反对的是自由社会本身。保守主义不承认自由社会的成就，而是美化自由社会之前的封建制度，美化它的有序和稳定。¹ 保守主义的出现，是在革命发生之后，算是一种后革命现象。保守主义虽然美化过去和传统，但他们也不一定主

¹ 尽管社会主义左派总体上持进步态度，但他们也并非完全摆脱了对封建过往的这种保守式美化。他们蔑视生产者与产品的“异化”，而这当然是任何基于劳动分工的市场体系的正常结果。在这种情绪下，他们常常将经济上自给自足的封建庄园描绘成一种舒适、健全的社会模式。例如，可参见卡尔·波兰尼所著的《大转型》（1944年，纽约）。

张完全回到革命以前的状态，他们抱着遗憾接受某些变化，承认现实的不可逆转。保守主义明确而公开地宣传他们会保护现状，保护目前财产、财富和收入的不平等分配，他们不支持封建旧势力的复辟要求。保守主义的主要理念是“慢下来”，是要尽可能彻底地阻止或减缓自由主义和资本主义所带来的变化和流动进程，是要重建有序和稳定的社会制度，让每个人都按照旧秩序各安其分。¹

In order to do so, conservatism must, and indeed does, advocate the legitimacy of noncontractual means in the acquisition and retention of property and income derived from it, since it was precisely the exclusive reliance on contractual relations that caused the very permanence of changes in the relative distribution of income and wealth. Just as feudalism allowed the acquisition and upholding of property and wealth by force, so conservatism ignores whether or not people have acquired or retain their given income-and wealth-position through original appropriation and contract. Instead, conservatism deems it appropriate and legitimate for a class of once-established owners to have the right to stop any social change that it considers a threat to their relative position in the social hierarchy of income and wealth, even if the various individual owner-users of various production factors did not contract into any such agreement. Conservatism, then, must be addressed as the ideological heir of feudalism. And as feudalism must be described as aristocratic socialism (which should be clear enough from its above characterization), so must conservatism be considered as the socialism of the bourgeois establishment. Liberalism, to which both the egalitarian and the conservative versions of socialism are ideological responses, reached the height of its influence around the mid-nineteenth century. Probably its very last glorious achievements were the repeal of the Corn Laws in England in 1846, accomplished by R. Cobden, J. Bright and the anticorn law league, and the 1848 revolutions of continental Europe. Then, because of internal weaknesses and inconsistencies in the ideology of liberalism, the diversions and the divisiveness which the various nation states' imperialist adventures had brought about, and last

¹ 参见 R. 尼斯比特所著《保守主义》，载于 R. 尼斯比特与 T. 博托莫尔合编的《社会学分析史》，1978 年，纽约；另见 G.K. 卡尔滕布伦纳（编），《保守主义的重建》，1978 年，伯尔尼；关于自由主义与保守主义之间的关系，可参见 F.A. 哈耶克所著《自由秩序原理》，1960 年，芝加哥（后记）。

but not least because of the appeal that the different versions of socialism with their various promises of security and stability had and still have for the public's widespread distaste for dynamic change and mobility, 12 liberalism's decline set in. Socialism increasingly supplanted it as a dominating ideological force, thereby reversing the process of liberalization and once again imposing more and more noncontractual elements on society.¹³ At different times and places, different types of socialism found support in public opinion to varying degrees, so that today traces of all of them can be found to coexist in different degrees everywhere and to compound their respective impoverishment effects on the process of production, the upkeep of wealth and the formation of character. But it is the influence of conservative socialism, in particular, that must be stressed, especially because it is very often overlooked or underestimated. If today the societies of Western Europe can be described as socialist, this is due much more to the influence of the socialism of conservatism than to that of egalitarian ideas. It is the peculiar way in which conservatism exerts its influence, though, that explains why this is often not recognized. Conservatism not only shapes the social structure by enacting policy; especially in societies like the European ones where the feudal past has never been completely shaken off but where a great number of feudal remnants survived even the peak of liberalism. An ideology such as conservatism also exerts its influence, very inconspicuously, by simply maintaining the status quo and letting things continue to be done according to age-old traditions. What then are the specifically conservative elements in present-day societies, and how do they produce relative impoverishment?. With this question, we turn to the systematic analysis of conservatism and its economic and socio-economic effects. An abstract characterization of the property rules underlying conservatism and a description of these rules in terms of the natural theory of property shall again be the starting point. There are two such rules. First, conservative socialism, like social-democratic socialism, does not outlaw private property. Quite to the contrary: everything—all factors of production and all of the non-productively used wealth—can in principle be privately owned, sold, bought, rented out, with the exception again only of such areas as education, traffic and communication, central banking, and security production. But then secondly, no owner owns all of his property and all of the income that can be derived from its utilization. Rather, part of this belongs to the society of present owners and income recipients, and society has the right to allocate present

and future produced income and wealth to its individual members in such a way that the old, relative distribution of income and wealth is preserved. And it is also society's right to determine how large or small the income and wealth-share that is so administered should be, and what exactly is needed to preserve a given income and wealth-distribution.¹⁴

前面我们已经讨论过，财产和收入的合法性本应完全依赖先占与契约。封建制度下，封建领主靠武力和暴力实现的凭空杜撰的权利主张，使得收入并非依赖先占和契约，而自由主义和资本主义永久性地改变了这一状况，它再次实现了收入和财富的分配来自对先占和契约的完全依赖。保守主义支持封建制度，支持非契约手段在获取和保留财产以及由此产生的收入方面的合法性。正如封建主义允许通过武力获得和维护财产和财富一样，保守主义也忽略了人们是否通过最初的占有和契约获得或保留了他们的既定收入和财富地位。相反，保守主义认为，一个曾经建立起来的所有者阶级有权阻止任何社会变革，只要他们认为这些变革威胁到了他们在收入和财富的社会等级中的相对地位，即使各种生产要素的个人所有者-使用者没有签订任何这样的契约，这些做法依然是适当的也是合法的。因此，保守主义必须被视为封建主义的意识形态继承人。正如封建主义必须被描述为贵族社会主义(从上面的描述中应该可以清楚地看出这一点)一样，保守主义也必须被视为资产阶级建制的社会主义。(译者注：社会主义的本质，无论是公有生产资料，还是通过税收从一部分人身上收取税收去补贴领一部分人，都是一种社会再分配。封建制度下，是封建领主和他们的军人，从民众身上收取税收去补贴自己。保守主义者，是在资本主义社会中的部分资产阶级，为自己和代理人设置特权，他们可以限制自由贸易，也可以收取税收补贴自己。从本质上来看，都是特权者从别人身上收取税收去补贴自己和一些入，也是社会再分配，这就是社会主义的本质。)自由主义在19世纪中叶左右达到了其影响力的巅峰，平等主义和保守主义形态的社会主义，都是对自由主义的意识形态回应。自由主义最后的辉煌成就，可能就是，1846年，R. Cobden、J. Bright和反玉米法联盟在英国废除了《谷物法》，以及1848年欧洲大陆的革命。19世纪，各个民族国家的帝国主义冒险再次将武力和暴力强加于民众，而自由主义的意识形态也具有内在的弱点和不一致性，¹社会再次动荡。最后但并非不重要，由于民众对动态变化和流动性的普遍反感，而不同版本的社会主义

¹ 关于自由主义的矛盾之处，参见第10章注释21。

义又宣扬和承诺各种安全与稳定，¹ 这正中民众下怀，自由主义由此开始衰落。社会主义日益取代自由主义，成为占主导地位意识形态力量，从而扭转了自由化进程，并再次将越来越多的非契约因素强加于社会。² 在不同的时代、不同的地方，不同类型的社会主义在社会舆论中得到了不同程度的支持，今天在世界各地都能找到它们不同程度共存的痕迹，并对生产过程、财富的维持和性格的形成产生了各自的贫困效应。但是，必须特别强调保守社会主义的影响，尤其是因为它经常被忽视或低估。如果今天的西欧社会可以被描述为社会主义，这更多是由于保守主义社会主义的影响，而不是平等主义思想的影响。然而，正是由于保守主义施加影响的特殊方式，解释了为什么这一点往往没有被认识到。保守主义不仅通过制定政策来塑造社会结构，特别是像欧洲这样的社会，从未完全摆脱过封建的过去，即使在自由主义的鼎盛时期，仍然存在大量的封建残余。像保守主义这样的意识形态也会通过简单地维持现状和让事情继续按照古老的传统，不易察觉地发挥它的影响。那么，在当今社会中具体的保守因素是什么？它们又是如何造成相对贫困的？带着这个问题，我们转向对保守主义及其经济和社会经济影响的系统分析。对保守主义背后的财产规则的抽象描述，以及根据财产的自然理论对这些规则的说明，将再次成为起点。保守主义有这样的两条规则。首先，保守主义社会主义与社民主义一样，不禁止私人财产。恰恰相反：原则上一切——生产要素和所有非生产性使用的财富——都可以私人拥有、买卖、租借，唯一的例外是教育、交通和通信、中央银行以及安全生产等领域。其次，（和社会主义一样）保守主义不允许一个所有者拥有他的全部财产，以及从财产的利用中获得的全部收入。他们认为，社会有权获得这些收入中的一部分；社会有权将已经产生的和未来可能要产生的财富分配给某些社会成员；社会还有权确定由此管理的收入和财富份额的大小；社会还有权确定，以什么方式来维持这种“拿来”和分配的条件。保守主义在再分配方面

¹ 通常情况下，人们对变革的态度是矛盾的：一方面，作为消费者，人们将变革视为一种积极现象，因为它带来了更多样化的选择。另一方面，作为生产者，人们倾向于拥护稳定的理念，因为这能让他们无需不断调整生产活动以适应变化的环境。因此，很大程度上正是以生产者的身份，人们支持各种社会主义的稳定计划和承诺，结果却损害了自己作为消费者的利益。D. 麦·C. 赖特在 1948 年纽约出版的《民主与进步》第 81 页写道：“自由与科学带来了快速增长与变革。快速增长与变革带来了不安全感。不安全感引发了各种诉求，而这些诉求终结了增长与变革。增长与变革的终结又导致科学与自由的终结。”

² 关于自由主义、其衰落以及社会主义的兴起，可参考 A. V. 戴西所著《十九世纪英国法律与舆论的关系演讲集》（1914 年，伦敦）；W. H. 格林利夫所著《英国政治传统》（两卷本，1983 年，伦敦）。

的特点是，要按照旧有的分配方式来分配。¹

From the perspective of the natural theory of property, the property arrangement of conservatism again implies an aggression against the rights of natural owners. Natural owners of things can do whatever they wish with them, as long as they do not uninvitedly change the physical integrity of someone else's property. This implies, in particular, their right to change their property or to put it to different uses in order to adapt to anticipated changes in demand and so preserve or possibly enhance its value; and it also gives them the right to reap privately the benefits of increased property values that stem from unanticipated changes in demand—from changes, that is, that were lucky for them, but which they did not foresee or effectuate. But at the same time, since according to the principles of the natural theory of property every natural owner is only protected against physical invasion and the noncontractual acquisition and transfer of property titles, it also implies that everyone constantly and permanently runs the risk that through changes in demand or actions which other owners perform with their property, property values will fall below their given level. According to this theory, however, no one owns the value of his property and hence no one, at any time, has the right to preserve and restore his property values. As compared with this, conservatism aims precisely at such a preservation or restoration of values and their relative distribution. But this is only possible, of course, if a redistribution in the

¹ 我可能需要再次提及，对保守主义的描述同样属于理想类型（参见第 3 章，注释 2；第 4 章，注释 8）。这是一种尝试，旨在重构人们在支持或反对某些社会政策或运动时，有意或无意接受或摒弃的那些理念。此处及下文所描述的保守主义政策理念，也可以说是对欧洲被称为“保守主义”背后潜在、统一的意识形态力量的合理重构。然而，“保守主义者”一词在美国的用法有所不同。在美国，通常任何非左翼自由派（社会）民主主义者都会被贴上保守主义者的标签。与这种术语用法相比，我们对“保守主义者”一词的使用范围要窄得多，但也更符合意识形态的实际情况。将所有非“自由派”（美国意义上）的事物都称为“保守主义”，掩盖了根本的意识形态差异。尽管在反对“自由主义”方面存在部分共识，但在美国，自由意志主义者（倡导基于自然财产理论的纯粹资本主义秩序）与真正的保守主义者之间存在分歧。从 W. 巴克利到 I. 克里斯托尔，这些真正的保守主义者名义上拥护私有财产制度，但每当为保护既定的经济和政治权力在和平竞争过程中不被削弱而被认为有必要时，他们就会无视私有财产所有者的权利。在外交事务领域，他们通过倡导激进的干涉主义政策，同样表现出对私有财产权的漠视。关于自由意志主义与保守主义之间的极端差异，可参见 G.W. 凯里（编）的《自由与美德：保守主义者/自由意志主义者的辩论》，1984 年，兰哈姆。

assignment of property titles takes place. Since no one's property values depend exclusively on one's own actions performed with one's own property, but also, and inescapably so, on other peoples' actions performed with scarce means under their own control (and beyond that of another's), in order to preserve given property values some-one—some single person or some group of persons—would have to rightfully own all scarce means (far beyond those that are actually controlled or used by this person or group of persons). Further-more, this group must literally own all persons' bodies, since the use that a person makes of his body can also influence (increase or decrease) existing property values. Thus, in order to realize the goal of conservatism, a redistribution of property titles must occur away from people as user-owners of scarce resources onto people who, whatever their merits as past producers, did not presently use or contractually acquire those things whose utilization had led to the change in the given distribution of values.

我们需要比较一下自然产权理论之下和保守主义之下，人们对于财产的行为，才会看到保守主义对私有产权的破坏。在自然产权理论之下，人们完全拥有自己的财产，完全能处置和使用自己的财产，完全要为自己财产的价值负责，也完全要自己对财产的收益和风险负责。因此，人们会十分在意自己的财产，在意它的价值是升高还是降低。在消费者需求发生变化的时候，产权所有人会随时注意这种变化，随时调整自己对财产的使用和处置。就算是冒着风险，产权所有人仍然努力保持和提高自己财产的价值。但在保守主义之下，由于有“社会”来规定或指定产权所有人交出他部分是财产权或者收益，而且这个“社会”是变动的，也就是产权所有人会面临着不定量和不定期的剥夺。产权所有人就不会像在自然产权理论之下那样敏感、警觉、进取地对待自己的财产。财产对于市场中需求者的主观价值就不能实现最大化，因此财产的价值也就低于了本来该有的水平。通过前面的分析，我们明白，一个人只有真正拥有自己身体的支配权，他才有机会去支配自己的财产。而保守主义之下，有些人可以从自然产权拥有者手上“拿走”稀缺的资源（不是通过契约）分配给另一些人，这些人不是资源的使用者更没有契约获得这些资源的使用权，这种被拿走的资源也包括别人的身体使用权，这导致了应有的财富和收入格局的进一步扭曲。

With this understood, the first conclusion regarding the general economic effect of conservatism lies at hand: with the natural owners of things fully or partially expropriated to the advantage of nonusers, nonproducers and noncontractors, conservatism eliminates or reduces the former's incentive to do something about the

value of existing property and to adapt to changes in demand. The incentives to be aware of and to anticipate changes in demand, to quickly adjust existing property and to use it in a manner consistent with such changed circumstances, to increase productive efforts, and to save and invest are reduced, as the possible gains from such behavior can no longer be privately appropriated but will be socialized. *Mutatis mutandis*, the incentive is increased to do nothing in order to avoid the permanent risk of one's property values falling below their present level, as the possible losses from such behavior no longer have to be privately appropriated, but will also be socialized. Thus, since all these activities—the avoidance of risk, awareness, adaptability, work, and saving—are costly and require the use of time and possibly other scarce resources which at the same time could be used in alternative ways (for leisure and consumption, for instance), there will be fewer of the former activities and more of the latter, and as a consequence the general standard of living will fall. Hence, one would have to conclude that the conservative goal of preserving existing values and existing distributions of values among different individuals can only be accomplished at the expense of a general, relative drop in the overall value of newly produced and old, maintained goods, i.e., reduced social wealth.

了解了这一点，关于保守主义的一般经济后果的第一个结论无疑就会呈现出来——由于物品的自然所有者的所有权或收益全部或部分被剥夺，而非使用者、非生产者和非契约方却从这剥夺中受益。保守主义消除或减少了自然所有者对现有财产采取的保护和提高价值的行动的动机，也减少了自然所有者根据市场需求变化而采取适应性行动的动机。关注和预测需求变化，迅速调整现有财产并以符合这种变化的方式使用它，同时提高产能以及储蓄和投资，这些自然所有者应采取的主动行为的动机都减少了，因为他们从这种行动中可能获得的收益不再只是私人占有，而是部分被社会拿走了。由于“社会”凌驾于自然产权所有人之上，财产价值增加的收益不归自然产权所有人所有，财产价值降低的损失也不由自然产权所有人承担，自然产权所有人采取的行动可能更倾向于——不行动。所有对财产采取的行动，包括规避风险、警觉性、适应性、工作和储蓄等等，都是有成本的，都需要用到时间和其他稀缺资源。自然产权所有人既然不能拥有收益，他们又何必在此浪费投入？时间的投入如果没有回报，干嘛不用来休闲和消费？既没有资本的保值增值和恰当使用，也没有更多的人力投入，生产出来的产品将会少于本应达到的产量，总体生活水平也会低于本应达到的水平。保守主义的目标是保持财富和收入在不同个体之间以既有的方式分配，但它必然带来这样的

后果——新生产的和旧的、保存下来的商品的总体价值将普遍地相对下降，社会财富将会减少。这就是我们的结论。

It has probably become apparent by now that from the point of view of economic analysis, there is a striking similarity between the socialism of conservatism and social-democratic socialism. Both forms of socialism involve a redistribution of property titles away from producers/contractors onto nonproducers/noncontractors, and both thereby separate the processes of producing and contracting from that of the actual acquisition of income and wealth. In doing this, both make the acquisition of income and wealth a political affair—an affair, that is, in the course of which one (group of) person(s) imposes its will regarding the use of scarce means onto the will of other, recalcitrant people; both versions of socialism, though in principle claiming full ownership of all of the income and wealth produced on behalf of nonproducers, allow their programs to be implemented in a gradual fashion and carried through to varying degrees; and both, as a consequence of all this, must, to the extent that the respective policy is indeed enacted, lead to relative impoverishment.

通过前面的分析，我们已经发现了社民主义形态的社会主义，和保守主义形态的社会主义，从经济的角度来看，有惊人的相似。两种形式的社会主义都涉及财产所有权的再分配，从生产者/契约人到非生产者/非契约人的转移，因此，两者都将生产和契约的过程与实际获得收入和财富的过程分开。在这样做的过程中，两者都使收入和财富的获取成为一种政治事务，也就是通过政治过程，一个人或一群人将意志强加于其他不愿意的人身上，以决定稀缺资源的使用方式。社民主义和保守主义，这两种形式的社会主义，虽然名义上都承认生产者拥有他们自己的所有收入和财富，都声称他们只是有限度地、渐进地实施再分配，但是这两种社会主义对生产者和社会财富所产生的影响都是相似的。那么，长期执行这些政策的结果，必然是社会上的人们的普遍贫困（相比他们在自由主义之下应该达到的富裕程度而言）。

The difference between conservatism and what has been termed social-democratic socialism lies exclusively in the fact that they appeal to different people or to different sentiments in the same people in that they prefer a different way in which the income and wealth extracted noncontractually from producers is then redistributed to nonproducers. Redistributive socialism assigns income and wealth to nonproducers regardless of their past achievements as owners of wealth and income recipients, or even tries to eradicate existing differences. Conservatism, on the other hand,

allocates income to nonproducers in accordance with their past, unequal income and wealth position and aims at stabilizing the existing income distribution and existing income differentials.¹⁵ The difference is thus merely one of social-psychology: in favoring different patterns of distribution, they grant privileges to different groups of nonproducers. Redistributive socialism particularly favors the have-nots among nonproducers, and especially disadvantages the haves among the producers; and, accordingly, it tends to find its supporters mostly among the former and its enemies among the latter. Conservatism grants special advantages to the haves among the group of nonproducers and particularly damages the interests of the have-nots among productive people; and so it tends to find its supporters mainly in the ranks of the former and spreads despair, hopelessness, and resentment among the latter group of people.

保守主义与所谓的社会民主社会主义之间的区别仅在于，它们吸引不同的人，或者在同一人身上唤起不同的情感，因为它们倾向于以不同方式，将通过非契约手段从生产者那里获取的收入和财富，重新分配给非生产者。再分配型社会主义将收入和财富分配给非生产者，而不考虑他们过去作为财富所有者和收入接受者的成就，甚至试图消除现有的差异。另一方面，保守主义则根据非生产者过去不平等的收入和财富状况来分配收入，旨在稳定现有的收入分配和收入差距。¹ 因此，这种差异仅仅是社会心理学层面的：通过支持不同的分配模式，它们向不同的非生产者群体赋予特权。再分配型社会主义尤其偏袒非生产者中的贫困者，特别不利于生产者中的富裕者；相应地，它的支持者往往主要来自前者，而敌人则多为后者。保守主义给予非生产者群体中的富裕者特殊优势，尤其损害生产者群体中的贫困者的利益；所以，它的支持者往往主要来自前者，而在后者群体中引发绝望、无助和怨恨情绪。

But although it is true that both systems of socialism are very much alike from an

¹ D. 麦·C. 赖特（《资本主义》，1951年，纽约，第198页）正确地指出，无论是左翼自由主义，更确切地说是社会民主主义，还是保守主义，都意味着对生产者/契约方的部分剥夺。不过，当他将两者的差异解读为在这种剥夺应达到何种程度这一问题上的分歧时，他就误解了。事实上，社会民主主义者和保守主义者在这方面确实存在分歧。这两个群体都有各自的“激进派”和“温和派”。使他们成为社会民主主义者或保守主义者的，是他们在应以牺牲哪些群体为代价来偏袒哪些群体这一问题有着不同的理念。

economic point of view, the difference between them with respect to their socio-psychological basis still has an impact on their respective economics. To be sure, this impact does not affect the general impoverishment effects resulting from the expropriation of producers (as explained above), which they both have in common. Instead, it influences the choices that social-democratic socialism on the one hand and conservatism on the other make among the specific instruments or techniques available for reaching their respective distributional goals. Social-democratic socialism's favorite technique is that of taxation, as described and analyzed in the preceding chapter. Conservatism can use this instrument, too, of course; and indeed it must make use of it to some extent, if only to finance the enforcement of its policies. But taxation is not its preferred technique, and the explanation for this is to be found in the social-psychology of conservatism. Dedicated to the preservation of a status quo of unequal positions of income, wealth, and status, taxation is simply too progressive an instrument for reaching conservative goals. To resort to taxation means that one lets changes in the distribution of wealth and income happen first, and only then, after they have come into existence, does one rectify things again and restore the old order. However, to proceed in this way not only causes bad feelings, particularly among those who through their own efforts have actually improved their relative position first and are then cut back again. But also, by letting progress occur and then trying to undo it, conservatism weakens its own justification, i.e., its reasoning that a given distribution of income and wealth is legitimate because it is the one which has always been in effect. Hence, conservatism prefers that changes do not occur in the first place, and it prefers to use policy measures that promise to do just this, or rather, promise to help make such changes less apparent.

虽然从经济角度看，这两种社会主义系统非常相似，但它们在社会心理学基础上的差异仍然严重地影响了它们各自的经济体系。这两种社会主义，都剥夺生产者，都产生贫困效应，这是它们的共同点。社民主义和保守主义的主导者，他们的差异只在于为达到再分配目标时选择了不同的工具或方法。正如前一章所描述和分析的那样，社民主义最喜欢的方法是税收。税收不是保守主义的首选方法，虽然保守主义也使用税收，至少通过税收为保守主义政策的实施提供资金。保守主义不以税收为首选方法的原因主要有三点。第一，保守主义的目标是维持旧秩序，维持收入、财富和地位不平等的现状，而税收的累进性太强，与保守主义的目标不一致。第二，诉诸税收意味着首先

要改变财富和收入，等到这些变化产生以后，然后再加以整顿，恢复旧秩序。保守主义如果“允许一部分人通过自己的努力先富起来”，然后用税收去压榨这些先富起来的人来补贴另一些人，会引起这些被压榨的人的反感。第三，保守主义不好意思出尔反尔来削弱自己的正当性。如果让进步发生，那就认为致富是正当的。如果又以征税来剥夺那些致富的人，那就认为致富是不正当的。保守主义为了避免这样的自我冲突，那就倾向于首先不要发生变化，或者倾向于使用一些政策措施使变化不那么明显，当然这就是“保守”。

There are three such general types of policy measures: price-controls, regulations, and behavior controls, all of which, to be sure, are socialistic measures, as is taxation, but all of which, interestingly enough, have generally been as neglected in attempts to assess the overall degree of socialism in different societies, as the importance of taxation in this regard has been overrated.¹⁶ I will discuss these specific conservative policy schemes in turn.

一般的政策措施有这样三种：价格控制、管制和行动管控，所有这些，当然，都是社会主义措施，税收也是，但有趣的是，在试图评估不同社会的社会主义总体程度时，所有这些因素通常都被忽视了，同时，税收在这方面的重要性被高估了一样。¹ 我将依次讨论这些具体的保守政策方案。

Any change in (relative) prices evidently causes changes in the relative position of the people supplying the respective goods or services. Hence, in order to fix their position

¹ 请注意，我们对社会主义政策的社会学分类，与 M. N. 罗斯巴德所提出的市场干预逻辑分类之间存在着有趣的关联。罗斯巴德在《权力与市场》（1977 年，堪萨斯城，第 10 页及以后）中，区分了“自我中心型干预”，即“干预者可能命令个体主体做或不做某些事情，当这些行为直接仅涉及该个体的人身或财产……（也就是说）当不涉及交换时”；“二元干预”，即“干预者可能强制个体主体与自己进行交换”；以及“三角干预”，即“干预者可能强制或禁止两个主体之间的交换”（第 10 页）。从这种区分来看，保守主义的典型特征在于它偏好“三角干预”，并且正如本章稍后将看到的，还偏好“自我中心型干预”，因为自我中心型行为对个体间交换模式也会产生自然影响，因为根据保守主义的社会心理学，这类干预特别适合帮助“冻结”既定的社会交换模式。与此相比，平等主义的社会主义，与其所描述的“进步”心理相一致，表现出对“二元干预”（征税）的偏好。然而，需要注意的是，社会主义政党和社会民主党实际的政策并不总是与我们对社会民主主义风格社会主义的理想类型描述完全吻合。虽然总体上相符，但社会主义政党，尤其是在工会的影响下，在一定程度上也采取了典型的保守主义政策，绝非完全反对任何形式的三角干预。

it would seem that all that need be done is fix prices—this is the conservative rationale for introducing price controls. To check the validity of this conclusion the economic effects of price-fixings need to be examined. To begin with, it is assumed that a selective price control for one product or one group of products has been enacted and that the current market price has been decreed as the price above or below which the product may not to be sold. Now, as long as the fixed price is identical to the market price, the price control will simply be ineffective. The peculiar effects of price-fixing can only come about once this identity no longer exists. And as any price-fixing does not eliminate the causes that would have brought about price changes, but simply decrees that no attention be paid to them, this occurs as soon as there are any changes in demand, for whatever reason, for the product in question. If the demand increases (and prices, not being controlled, would go up as well) then the fixed price turns into an effective maximum price, i.e., a price above which it is illegal to sell. If the demand decreases (and prices, without controls, would fall), then the fixed price becomes an effective minimum price, i.e., a price below which it becomes illegal to sell.¹⁷

无论哪种商品或服务的相对价格变化，都会引起与之相关之人的相对地位的变化。因此，为了固定他们的地位，似乎所有需要做的就是固定价格——这是引入价格控制的保守主义理由。为了检验这一结论的有效性，需要考察价格操纵的经济影响。首先，假设对一种产品或一组产品实施了选择性价格控制，并规定，市场上的该产品不得以高于或低于该指定价格销售。那么，当市场上本身形成的价格与指定价格相同时，价格控制就是没有意义的。只有当这种相同价格不再存在时，价格控制的特殊影响才会出现。无论出于何种原因，对某一产品的需求有任何变化，价格就会发生变化。而价格控制的手段并不能消除导致价格变化的原因，而是简单地下令忽略这些原因。如果需求增加(不受控制的价格也会上涨)，那么固定价格就会变成有效的最高价格，也就是说，超过这个价格销售就是非法的。如果需求减少(如果没有控制，价格就会下降)，那么固定价格就会成为有效的最低价格，也就是说，低于这个价格销售就违法了。¹

The consequence of imposing of a maximum price is an excess demand for the goods

¹ 为了稳定社会地位，需要冻结价格，而价格冻结可能导致设定最高或最低价格。保守派明显倾向于最低价格管制，因为人们普遍认为，防止个人绝对财富地位（而非相对财富地位）受到侵蚀更为紧迫。

supplied. Not everyone willing to buy at the fixed price can do so. And this shortage will last as long as prices are not allowed to rise with the increased demand, and hence, no possibility exists for the producers (who assumedly had already been producing up to the point at which marginal costs, i.e., the cost of producing the last unit of the product concerned, equaled marginal revenue) to direct additional resources into the specific line of production, thus increasing output without incurring losses. Queues, rationing, favoritism, under-the-table payments, and black markets will become permanent features of life. And the shortages and other side effects which they bring along will even increase, as excess demand for the price-controlled goods will spill over to all other noncontrolled goods (in particular, of course, to substitutes), increase their (relative) prices, and thereby create an additional incentive to shift resources from controlled into non-controlled lines of production.

实施最高价格限制，会造成对该商品的过度需求。从需求端角度看，在市场自然的价格水平上本来有如此数量的人在需求该商品。而实施的最高限价如果低于市场水平，就会有太多购买者不能如愿买到商品，消费者需求的商品数量大于此时市场上实际供给的数量。从生产端看，只要不允许价格随着需求的增加而上涨，制造商没有将额外资源投入到特定的生产线中的可能性（假定他们已经生产到边际成本等于边际收益的程度，边际成本和边际收益分别指生产相关产品的最后一单位的成本和收益）。因此，一方面是需求增加，一方面是供给不增加，那么这种短缺就会持续下去。最高价格限制带来持续的短缺，这之下排队、配给、走后门、私下交易和黑市将成为生活的永久特征。它最高价格限制带来的短缺和副作用还会增加，管制的手段就会越来越泛滥。因为对某种商品的最高限价的价格管制，会导致其他的非管制商品（尤其是替代商品）的涨价，这会激励制造商将资源用到非价格管制的商品的生产线上。

Imposing a minimum price, i.e., a price above the potential market price below which sales become illegal, *mutatis mutandis* produces an excess of supply over demand. There will be a surplus of goods produced that simply cannot find buyers. And again: this surplus will continue as long as prices are not allowed to drop along with the reduced demand for the product in question. Milk and wine lakes, butter and grain mountains, to cite just a few examples, will develop and grow; and as the storage bins fill up it will become necessary to repeatedly destroy the surplus production (or, as an alternative, to pay the producers not to produce the surplus anymore). Surplus

production will even become aggravated as the artificially high price attracts an even higher investment of resources in this particular field, which then will be lacking in other production lines where there is actually a greater need for them (in terms of consumer demand), and where, as a consequence, product prices will rise.

如果法律规定某种商品的销售价格不得低于某一价格，也就是实行最低限价，而如果这个最低限价高于市场的潜在价格，就会导致供过于求。将会有过剩的产品生产出来，却根本找不到买家。而且，只要不允许价格随着相关产品需求的减少而下降，这种过剩就会继续存在。过剩的商品泛滥，牛奶和酒可以堰塞成湖，黄油和谷物可以堆积成山，这时候，要么去销毁过剩的商品，要么去补贴生产者以求他们不要再生。由于在这一领域设置了人为的高价格，吸引了更多的资源投资，过剩的生产变得越发严重。另一方面，本来消费者相对需要的商品却得不到该有的资源，就会变得相对缺乏，因此这些商品的价格就会高于原本该有的水平。

Maximum or minimum prices—in either case price controls will result in relative impoverishment. In any event they will lead to a situation in which there are too many (in terms of consumer demand) resources bound up in production lines of reduced importance and not enough are available in lines of increased relevance. Production factors can no longer be allocated so that the most urgent wants are satisfied first, the next urgent ones second, etc., or, more precisely, so that the production of any one product is not extended above (or reduced below) the level at which the utility of the marginal product falls below (or remains above) the marginal utility of any other product. Rather, the imposition of price controls means that less urgent wants are satisfied at the expense of reduced satisfaction of more urgent wants. And this is to say nothing else than that the standard of living will be reduced. That people waste their time scrambling for goods because they are in artificially low supply or that goods are thrown away because they are held in artificially high supply are only the two most conspicuous symptoms of this reduced social wealth.

最高或最低价格——无论哪种情况，价格控制都会导致相对贫困。无论如何，它们将导致一种情况，即在相关需求降低的生产线上有太多的资源(就消费者需求而言)，而在相关需求增加的生产线上却没有足够的资源。自由市场的情况下，本应是最迫切的需要最先得到满足，次迫切的需要其后得到满足，以此类推。也就是说，在正常情况下，如果一种产品的价格高于了某个价位，使得消费者在购买这个产品所得到的边际效用低于了购买其他产品的边际效用，消费者就会舍弃购买这个产品而购买其他产品，反

之亦然。但价格管制扭曲了应有的配置。更确切的说，实行价格管制意味着，较不紧迫的需求得到了满足，代价是较紧迫需求的满足减少了。这只是说生活水平将会降低。人们浪费时间争抢商品是因为人为的低供给，或者商品因为人为的高供给而被扔掉，这仅仅只是社会财富减少的两个最明显的症状。

But this is not all. The preceding analysis also reveals that conservatism cannot even reach its goal of distributional stability by means of partial price control. With only partially controlled prices, disruptions in the existing income and wealth position still must occur, as producers in uncontrolled lines of production, or in lines of production with minimum product prices are favored at the expense of those in controlled lines, or lines with maximum product prices. Hence there will continue to be an incentive for individual producers to shift from one line of production into a different, more profitable one, with the consequence that differences in the entrepreneurial alertness and ability to foresee and implement such profitable shifts will arise and result in disruptions of the established order. Conservatism then, if it is indeed uncompromising in its commitment to the preservation of the status quo, is driven to constantly enlarging the circle of goods subject to price controls and actually cannot stop short of complete price controls or price-freezing. 18

但这还不是全部。前面的分析还表明，保守主义并不能通过部分价格控制来实现其分配稳定的目标，而且即使控制部分商品的价格这个手段本身还会对既有的收入和财富状况造成混乱和扭曲。因为，规定了价格上限的产品的生产线，生产者受到抑制；规定了价格下限的产品的生产线，生产者受到错误的激励；没有规定价格上限或下限的产品的生产者，也会受到间接的影响。自由市场情形下，个别生产者有动力调整他的要素，投入到更有利可图的生产线。但在保守主义实行价格控制之下，企业家的警觉性、预见性和应变能力都出现了偏差，调整要素实施这种“有利可图”的转变能力被严重误导，结果就是同样会导致现有秩序的破坏。因此，保守主义的确毫不妥协地致力于维持现状，当然它会不断扩大价格控制的商品范围，最终蔓延到对市场全面的价格控制或价格冻结。¹

¹ 诚然，保守派实际上并非总是愿意走得这么极端。但他们却屡屡如此——在美国，最近一次是在尼克松总统任期内。此外，保守派或多或少一直公然赞赏战时经济所带来的强大的社会凝聚力，而战时经济的典型特征恰恰就是全面的价格管制。

Only if the prices of all goods and services, of capital and of consumer goods alike, are frozen at some given level, and the production process is thus completely separated from demand—instead of disconnecting production and demand at only a few points or sectors as under partial price control—does it seem possible to preserve an existing distributional order in full. Not surprisingly, though, the price that has to be paid for such full-blown conservatism is even higher than that of only partial price controls.¹⁹ With all-around price control, private ownership of means of production is in fact abolished. There can still be private owners in name, but the right to determine the use of their property and to engage in any contractual exchange that is deemed beneficial is lost completely. The immediate consequence of this silent expropriation of producers then will be a reduction in saving and investing and, *mutatis mutandis*, an increase in consumption. As one can no longer charge for the fruits of one's labor what the market will bear, there is simply less of a reason to work. And in addition, as prices are fixed—*independent of the value that consumers attach to the products in question*—there is also less of a reason to be concerned about the quality of the particular type of work or product that one still happens to perform or produce, and hence the quality of each and every product will fall.

保守主义意图控制分配的秩序，为此目的他们主张的是控制部分商品，主张在某几个领域内实现生产和需求的分离；但他们最后做到的却是对所有商品和服务价格的冻结，使所有的生产过程和需求完全分离，当然也可能就做到了对分配秩序的控制。当然，毫不奇怪，为这种全面的保守主义付出的代价，甚至比只有部分价格控制的代价还要高。¹ 在全面的价格管制下，生产资料私有制实际上被废除了。名义上仍然可以有私人所有者，但决定其财产使用的权利和从事任何被认为有收益的契约交换的权利却完全丧失了。这种对生产者的无声剥夺的直接后果将是储蓄和投资的减少，以及在必要时消费的增加。由于人们不能再对自己的劳动成果收取市场所能承受的价格，人们工作的理由就更少了。此外，由于价格是固定的，与消费者对相关产品的评价无关，人们也就没有理由去关注自己所从事或生产的特定类型的工作或产品的质量，因此每件产品的质量都会下降。

But even more important than this is the impoverishment that results from the

¹ 参见 G. 赖斯曼所著《政府与经济对抗》，1979 年，纽约。有关为价格管制辩护的论述，可参见 J. K. 加尔布雷雷斯所著《价格管制理论》，1952 年，剑桥。

allocational chaos created by universal price controls. While all product prices, including those of all cost factors and, in particular, of labor are frozen, the demand for the various products still changes constantly. Without price controls, prices would follow the direction of this change and thereby create an incentive to constantly move out of less valued lines of production into more valued ones. Under universal price controls this mechanism is completely destroyed. Should the demand for a product increase, a shortage will develop as prices are not allowed to rise, and hence, because the profitability of producing the particular product has not been altered, no additional production factors will be attracted. As a consequence, excess demand, left unsatisfied, will spill over to other products, increasing the demand for them above the level that otherwise would have been established. But here again, prices are not allowed to rise with the increased demand, and again a shortage will develop. And so the process of shifting demand from most urgently wanted products to products of secondary importance, and from there to products of still lesser relevance, since again not everyone's attempt to buy at the controlled price can be satisfied, must go on and on. Finally, since there are no alternatives available and the paper money that people still have to spend has a lower intrinsic value than even the least valuable product available for sale, excess demand will spill over to products for which demand had originally declined. Hence, even in those lines of production where a surplus had emerged as the consequence of declining demand but where prices had not been allowed to fall accordingly, sales again will pick up as a consequence of unsatisfied demand elsewhere in the economy; in spite of the artificially high fixed price surpluses will become saleable; and, with profitability thus restored, an outflow of capital will be prevented even here.

但比这更重要的是普遍价格管制造成的分配混乱所导致的贫困。虽然所有产品的价格, 包括所有成本因素的价格, 特别是劳动力的价格都是固定的, 但对各种产品的需求仍在不断变化。如果没有价格控制, 价格就会跟随这种变化的方向, 从而产生一种激励, 促使人们不断地从价值较低的生产线转移到价值较高的生产线。在普遍价格管制下, 这一机制被全面破坏了。如果对一种产品的需求增加, 由于不允许价格上涨, 就会出现短缺, 由于生产这种特定产品的盈利能力没有改变, 因此就不会吸引额外的生产要素。其结果是, 如果没有得到满足, 过剩需求就会溢出到其他产品上, 使得对这些产品的需求增加, 高于它本应达到的水平。但在这里, 价格不允许随着需求的增加

而上涨，短缺将再次出现。因此，需求从最迫切需要的产品转移到次要的产品，再从次要的产品转移到更加不那么重要的产品，既然不是每个人都以控制价格购买还都能得到满足，这一过程必定会一直持续下去。

The imposition of all-around price controls means that the system of production has become completely independent of the preferences of consumers for whose satisfaction production is actually undertaken. The producers can produce anything and the consumers have no choice but to buy it, whatever it is. Accordingly, any change in the production structure that is made or ordered to be made without the help offered by freely floating prices is nothing but a groping in the dark, replacing one arbitrary array of goods offered by another equally arbitrary one. There is simply no connection anymore between the production structure and the structure of demand. On the level of consumer experience this means, as has been described by G. Reisman, "... flooding people with shirts, while making them go barefoot, or inundating them with shoes while making them go shirtless; of giving them enormous quantities of writing paper, but no pens or ink, or vice versa; ... indeed of giving them any absurd combination of goods." But, of course, "... merely giving consumers unbalanced combinations of goods is itself equivalent to a major decline in production, for it represents just as much of a loss in human well-being." The standard of living does not simply depend on some total physical output of production; it depends much more on the proper distribution or proportioning of the various specific production factors in producing a well-balanced composition of a variety of consumer goods. Universal price controls, as the 'ultima ratio' of conservatism, prevent such a well-proportioned composition from being brought about. Order and stability are only seemingly created; in truth they are a means of creating allocational chaos and arbitrariness, and thereby drastically reduce the general standard of living.

生产的目的是为了让消费者满意，而且全面的价格管制意味着生产系统根本不在乎消费者的偏好。生产者可以生产任何东西，消费者别无选择，只能购买，不管是什么。因此，没有自由浮动价格的帮助，生产结构的任何变化都只不过是在黑暗中摸索，只用彼种同样任意的商品取代此种任意的商品。生产结构和需求结构之间不再有任何联系。在消费者体验的层面上意味着，正如 G. 赖斯曼所描述的那样，"……衬衣淹没了人们，却让他们光着脚，鞋子淹没了人们，却让他们光着膀子；给他们大量的信纸，却没有笔和墨水，反之亦然；……实际上，只是给他们荒谬的商品组合。"但是，当然，

“……仅仅给消费者不平衡的商品组合本身就相当于生产的重大下降，因为它代表了人类福祉的损失。”生活水平不仅仅取决于某种产品的总产量，更多取决于各种消费品的均衡组成，以及回溯的各种特定生产要素的恰当分配或比例。普遍的价格管制，作为保守主义的“终极比例”，阻止了这种比例均衡的构成的实现。秩序和稳定只是表面上创造出来的；实际上，它们是制造分配混乱和武断的手段，从而大大降低了一般生活水平。

In addition, and this leads to the discussion of the second specifically conservative policy instrument, i.e., regulations, even if prices are controlled all-around this can only safeguard an existing order of income and wealth distribution if it is unrealistically assumed that products as well as their producers are “stationary.” Changes in the existing order cannot be ruled out, though, if there are new and different products produced, new technologies for producing products are developed, or additional producers spring up. All of this would lead to disruptions in the existing order, as the old products, technologies, and producers, subject as they are to price controls, would then have to compete with new and different products and services (which, since they are new, cannot have been price-controlled), and they would probably lose some of their established income-share to the newcomers in the course of this competition. To compensate for such disruptions, conservatism could once again make use of the instrument of taxation, and indeed to some extent it does. But to let innovations occur first without hindrance and to then tax the gains away from the innovators and restore the old order is, as was explained, too progressive an instrument for a policy of conservatism. Conservatism prefers *regulations* as a means of preventing or slowing down innovations and the social changes that they bring about.

此外，这导致了对保守主义的第二种特别的政策工具的讨论，即管制。即使全面控制价格，也只有在不实际地幻想产品及其生产者是“静止不动”的情况下，才能保障现有的收入和财富分配秩序。因为，控制价格，也只能控制“既有”的价格。然而当不同的新产品、新技术、新生产者涌现出来，它们就不受原有的秩序所控制，能被控制的只是旧产品、旧技术和旧生产商。还没有受到价格控制的新来者会在竞争中分走整个市场的份额，也会动摇保守主义可以保护的旧秩序。为了弥补这种破坏，保守主义可以再次利用税收工具，而且在某种程度上也确实如此。但是，让创新首先不受阻碍地发生，然后对创新者征收税收，正如前面解释的那样，对于保守主义政策来说，恢复旧

秩序是一种过于激进的手段。保守主义倾向于将管制作为止或减缓创新及其带来的社会变革的手段。

The most drastic way of regulating the system of production would be simply to outlaw any innovation. Such a policy, it should be noted, has its adherents among those who complain about others' consumerism, i.e., about the fact that today there are already "all too many" goods and services on the market, and who wish to freeze or even reduce this present diversity; and also, for slightly different reasons, among those who want to freeze present production technology out of the fear that technological innovations, as labor-saving devices, would "destroy" (existing) jobs. Nonetheless, an outright prohibition of all innovative change has hardly ever been seriously attempted—perhaps with the recent exception of the Pol Pot regime—because of a lack of support in public opinion which could not be convinced that such a policy would not be extremely costly in terms of welfare losses. Quite popular, though, has been an only slightly more moderate approach: While no change is ruled out in principle, any innovation must be officially approved (approved, that is, by people other than the innovator himself) before it can be implemented. This way, conservatism argues, it is assured that innovations are indeed socially acceptable, that progress is gradual, that it can be introduced simultaneously by all producers, and that everyone can share in its advantages. Compulsory, i.e., government-enforced, cartels are the most popular means for achieving this effect. By requiring all producers, or all producers of one industry, to become members of one supervisory organization—the cartel—it becomes possible to avoid the all-too-visible excess supply brought about by minimum price controls—through the imposition of production quotas. Moreover, the disruptions caused by any innovative measure can then be centrally monitored and moderated. But while this approach has been gaining ground constantly in Europe and to a somewhat lesser degree in the United States, and while certain sectors of the economy are indeed already subject to very similar controls, the most popular and most frequently used conservative-socialist regulatory instrument is still that of establishing predefined standards for predefined categories of products or producers to which all innovations must conform. These regulations lay down the kind of qualifications a person must fulfill (other than the "normal" ones of being the rightful owner of things and of not damaging the physical integrity of other peoples' property

through one's own actions) in order to have the right to establish himself as a producer of some sort; or they stipulate the kinds of tests (as regards, for instance, materials, appearance, or measurements) a product of a given type must undergo before being newly allowed on the market; or they prescribe definite checks that any technological improvement must pass in order to become a newly approbated method of production. With such regulatory means innovations can neither be completely ruled out, nor can it be altogether avoided that some changes might even be quite surprising. But as the predefined standards to which changes have to conform must of necessity be "conservative," i.e., formulated in terms of existing products, producers, or technologies, they serve the purpose of conservatism in that they will indeed at least slow down the speed of innovative changes and the range of possible surprises.

对生产体系的管制，最激进的手段是宣布“任何创新都是非法的”。社会生活中总有一些人，抱怨别人是消费主义，抱怨市场上有太多可供选择的商品和服务，希望选择少一点而不是多一点。还有一些人，他们鼓吹新技术如果会节省劳动力就会减少就业机会。就算是有这些言论存在，也没有什么政府认真尝试过完全杜绝创新，因为民众并不相信彻底禁止创新的政策会毫无代价，所以不会支持这样的政策。当然，也有些奇葩政府干过这样的事，比如波尔布特政府。稍微温和一点的手段，会得到民众更多的认可——原则上不排除任何改变，但任何创新必须在实施之前都需要得到批准（除创新者本人之外的其他人批准）。保守主义认为，这样的许可代表了社会的接受，同时也放慢了进步，等待其他生产者的加入和共享。在欧洲，由政府主导组织起来的行业卡特尔，是这种“许可”执行的主体。某一行业的主要生产者或所有生产者组成一个管制组织，也就是行业卡特尔，在组织内通过实行生产配额，来实现产量控制从而避免最低价格限制所带来的显而易见的供应过剩。保守主义认为，卡特尔的管制也缓和了创新造成的破坏。但是，尽管这种方法在欧洲不断取得进展，在美国的普及程度却相对稍低，虽然某些经济部门确实已经受到非常类似的控制。与欧洲的以组织来管制的方式不同，美国的保守主义更多的是采取“标准”来管制，他们为各种产品类别或生产者建立预先确定的标准，所有创新都必须符合这些标准。美国保守主义采取的标准包括：生产者的标准，规定了一个人有权成为生产者必须满足的条件（除了“正常”的条件，即成为物品的合法所有者和不通过自己的行动损害他人财产的物理完整性）；产品类型标准，规定了某种特定类型的产品在被允许进入市场之前必须经过的各种测试（例如，关于材料、外观或尺寸）；技术的审查标准，规定了明确的检查，任何技术改进都必须通过这些检查，才能成为一种新的被认可的生产方法。在这样的管制之下，并没有排

除创新，也不会杜绝有可能引起巨大变化的创新。但是，由于变革遵循的预定义标准必须是“保守的”，根据现有产品、生产者或技术制定的标准，它们服务于保守的目的，因此它们至少也确实会降低创新变革的速度和减少可能出现的意外惊喜的范围。

In any case, all these types of regulations, the first mentioned ones more and the latter less, will lead to a reduction in the general standard of living.²⁰ An innovation, to be sure, can only be successful, and thus allow the innovator to disrupt the existing order of income and wealth distribution, if it is indeed more highly valued by the consumers than the competing old products. The imposition of regulations, however, implies a redistribution of property titles away from the innovators and onto the established producers, products, and technologies. Hence, in fully or partially socializing possible income and wealth gains stemming from innovative changes in the process of production and mutatis mutandis by fully or partially socializing the possible losses from not innovating, the process of innovation will be slowed down, there will be fewer innovators and innovations, and instead, a strengthened tendency will emerge to settle for the way things are. This means nothing else than that the process of increasing consumer satisfaction by producing more highly evaluated goods and services in more efficient, cost-saving ways is brought to a standstill, or is at least hampered. Thus, even if in a somewhat different way than price controls, regulations will make the production structure fall out of line with demand, too. And while this might help safeguard an existing distribution of wealth, it must once again be paid for by a general decline in the overall wealth that is incorporated in this very same production structure.

无论如何，所有这些类型的管制，前一种提到的多，后一种提到的少，将导致总体的生活水平，达不到在自由市场条件下原本可以达到的水平。¹ 可以肯定的是，只有当一项创新确实比与之竞争的旧产品更受消费者的重视时，它才能取得成功，创新者才会破坏现有的收入和财富分配秩序。然而，管制的实施意味着财产所有权的重新分配，会从创新者重新转移到现有的生产者、产品和技术。也就是，管制将创新者创新产生

¹ 关于监管的政治与经济问题，可参考 G. 施蒂格勒所著《公民与国家：监管论文集》（1975 年，芝加哥）；M. N. 罗斯巴德所著《权力与市场》（1977 年，堪萨斯城），第 3.3 章；关于许可证问题，还可参考 M. 弗里德曼所著《资本主义与自由》（1962 年，芝加哥），第 9 章。

的收入或财富部分或全部转移给“社会”，当然创新可能造成的损失必要时也可以转移给“社会”。这样，创新者和创新都会减少，创新的进程会放缓，取而代之的是一种安于现状的趋势会增强。这只不过意味着，以更有效、更节约成本的方式生产评价更高的商品和服务，从而提高消费者满意度的进程陷入停滞，或至少受到阻碍。因此，即使与价格管制的方式有所不同，管制（regulations）也会使生产结构与需求脱节。虽然这可能有助于维护现有的财富分配，但它必须再次以同样的生产结构中包含的总财富的普遍下降为代价。

Finally, the third specifically conservative policy instrument is behavioral controls. Price controls and regulations freeze the supply side of an economic system and thereby separate it from demand. But this does not preclude changes in demand from coming into existence; it only makes the supply side irresponsive to it. And so it can still happen that discrepancies not only emerge, but that they also become appallingly apparent as such. Behavioral controls are policy measures designed to control the demand side. They aim at the prevention or retardation of changes in demand in order to make the irresponsiveness of the supply side less visible, thereby completing the task of conservatism: the preservation of an existing order from disruptive changes of any kind.

最后，保守主义第三个特别的政策工具是行动控制。价格控制和管制冻结了经济体系的供给面，从而将其与需求分开。但这并不排除需求变化的存在；它只会让供给侧对需求变化反应迟钝。因此，差异不仅会出现，而且还会变得非常明显。行动控制是旨在控制需求方的政策措施。它们的目的是防止或延缓需求的变化，以使供应方面的无反应不那么明显，从而完成保守主义的任务：保护现有秩序不受任何形式的破坏性变化的影响。

Price controls and regulations on one side, and behavioral controls on the other are thus the two complementary parts of a conservative policy. And of these two complementary sides of conservatism, it might well be argued that it is the side of behavioral controls that is the most distinctive feature of a conservative policy. Though the different forms of socialism favor different categories of nonproductive and noninnovative people at the expense of different categories of potential producers and innovators, just as much as any other variant of socialism conservatism tends to produce less productive, less innovative people, forcing them to increase consumption or channel their productive and innovative energies into black markets.

But of all the forms of socialism, it is only conservatism which as part of its program interferes directly with consumption and noncommercial exchanges. (All other forms, to be sure, have their effect on consumption, too, insofar as they lead to a reduction in the standard of living; but unlike conservatism, they leave the consumer pretty much alone with whatever is left for him to consume.) Conservatism not only cripples the development of one's productive talents; under the name "paternalism" it also wants to freeze the behavior of people in their roles as isolated consumers or as exchange partners in noncommercial forms of exchanges, thereby stifling or suppressing one's talent to develop a consumer lifestyle that best satisfies one's recreational needs, too.

因此，一方面是价格控制和管制，另一方面是行动控制，这是保守政策的两个互补部分。在保守主义的这两个互补的方面中，可以肯定地说，行动控制的这一面是保守主义政策最显著的特征。尽管不同形式的社会主义以牺牲不同类别的潜在生产者和创新者为代价，有利于不同类别的非生产性和非创新性的人，但正如任何其他形式的社会主义一样，保守主义倾向于培养生产效率较低、创新能力较弱的人，迫使他们增加消费，或将他们的生产能力和创新能力引入黑市。但是，在所有形式的社会主义中，只有保守主义将直接干预消费和非商业交换作为其纲领的一部分。(当然，所有其他形式的社会主义也会对消费产生影响，因为它们会导致生活水平的降低；但与保守主义不同的是，它们几乎让消费者独自消费剩下的东西。)保守主义不仅削弱了一个人的生产才能的发展；在“家长式主义”的名义下，它还想冻结人们作为独立的消费者角色的行动或者作为非商业形式的交换伙伴的行动，从而扼杀或压制人们发展一种消费生活方式的才能，这种生活方式原本可以最好地满足人们的娱乐需求。

Any change in the pattern of consumer behavior has its economic side effects. (If I let my hair grow longer this affects the barbers and the scissors industry; if more people divorce this affects lawyers and the housing market; if I start smoking marijuana this has consequences not only for the use of agricultural land but also for the ice cream industry, etc.; and above all, all such behavior disequilibrates the existing value system of whoever happens to feel affected by it.) Any change could thus appear to be a disruptive element vis à vis conservative production structure, conservatism, in principle, would have to consider all actions—the whole lifestyle of people in their roles as individual consumers or noncommercial exchangers as proper objects of behavioral controls. Full-blown conservatism would amount to the establishment of a

social system in which everything except the traditional way of behaving (which is explicitly allowed) is outlawed. In practice, conservatism could never go quite this far, as there are costs connected with controls and as it would normally have to reckon with rising resistance in the public opinion. "Normal" conservatism, then, is characterized instead by smaller or greater numbers of specific laws and prohibitions which outlaw and punish various forms of nonaggressive behavior of isolated consumers, or of people engaging in non-commercial exchanges—of actions, that is to say, which if indeed performed, would neither change the physical integrity of anyone else's property, nor violate anyone's right to refuse any exchange that does not seem advantageous, but which would rather (only) disrupt the established "paternal" order of social values.

消费者行动模式的任何变化都有其经济副作用。(如果我让头发长得更长, 这就会影响理发师和剪刀业; 如果更多的人离婚, 这就会影响律师和房地产市场; 如果我开始吸大麻, 这不仅会对农业用地的使用产生影响, 还会对冰淇淋业产生影响, 等等; 最重要的是, 所有这些行动都会使碰巧受到影响的人的现有价值体系失衡。)对于保守的生产结构而言, 任何变化都可能被视为破坏性因素, 因此, 保守主义原则上必须考虑所有行动——作为个体消费者或非商业交换者角色的人们的整个生活方式, 都是行动控制的适当对象。全面的保守主义将意味着建立一种社会制度, 在这种制度中, 除了传统的行动方式(这是明确允许的)之外, 一切都是非法的。在实践中, 保守主义永远不可能走得这么远, 因为控制是有成本的, 而且它通常还必须考虑到民众舆论日益强烈的抵制。因此, "正常的"保守主义的特点是, 制定或多或少的具体法律和禁令, 这些法律和禁令禁止和惩罚一个人作为消费者的自我安排权利, 和作为普通人的非商业和平互动权利(非攻击性的行为)。换句话说, 就算这些行动发生, 既不会侵犯他人财产的物理完整性, 也不会侵犯他人拒绝似乎无利可图的交换的权利, 但照样要遭到禁止, 因为这些行为破坏了父权社会既有的"规矩"与"秩序"。

Once again the effect of such a policy of behavioral controls is, in any case, relative impoverishment. Through the imposition of such controls not only is one group of people hurt by the fact that they are no longer allowed to perform certain nonaggressive forms of behavior but another group benefits from these controls in that they no longer have to tolerate such disliked forms of behavior. More specifically, the losers in this redistribution of property rights are the user-producers of the things

whose consumption is now hampered, and those who gain are nonusers/nonproducers of the consumer goods in question. Thus, a new and different incentive structure regarding production or nonproduction is established and applied to a given population. The production of consumer goods has been made more costly since their value has fallen as a consequence of the imposition of controls regarding their use, and, mutatis mutandis, the acquisition of consumer satisfaction through nonproductive, noncontractual means has been made relatively less costly. As a consequence, there will be less production, less saving and investing, and a greater tendency instead to gain satisfaction at the expense of others through political, i.e., aggressive, methods. And, in particular, insofar as the restrictions imposed by behavioral controls concern the use that a person can make of his own body, the consequence will be a lowered value attached to it and, accordingly, a reduced investment in human capital.

再次，这种行为管控政策的效果在任何情况下都是相对贫困。通过实施这些控制，一方面，有一群人的利益受损，因为他们的一些和平互动的权利受到了限制；另一方面，有一群人受益，因为他们不必再忍受自己不喜欢的他人他事。具体而言，在某项管控政策所带来的产权再分配中，那些相关领域的生产者和消费者都受损，而与之无关的消费者或其他非生产者获利。管制政策形成了与非管制政策下不同的激励结构，并影响着某些确定的人。一个人如果是某种产品的消费者，如果管制是限制该种消费品的使用，他来自于这些消费品的主观价值降低且成本变高；而由于管制的存在，他所需要的满足，会来自于那些非生产、非契约的手段，且这种手段的成本降低了。其结果是，（由于对商品的需求被遏制），（社会中）生产、储蓄和投资都减少，人们更倾向于通过政治手段，即侵犯手段，以牺牲他人作为代价来满足自己。特别是，如果那些行为管制限制到一个人对自己身体的使用，那么他自己的身体的价值也降低，他会减少对自己的人力资本投资。

With this we have reached the end of the theoretical analysis of conservatism as a special form of socialism. Once again, in order to round out the discussion a few remarks which might help illustrate the validity of the above conclusions shall be made. As in the discussion of social-democratic socialism, these illustrative observations should be read with some precautions: first, the validity of the conclusions reached in this chapter has been, can, and must be established independent of experience. And second, as far as experience and empirical evidence are concerned, there are

unfortunately no examples of societies that could be studied for the effects of conservatism as compared to the other variants of socialism and capitalism. There is no quasi-experimental case study which alone could provide one with what is normally considered "striking" evidence. Reality is rather such that all sorts of policy measures—conservative, social-democratic, Marxist-socialist, and also capitalist-liberal—are so mixed and combined, that their respective effects cannot usually be neatly matched with definite causes, but must be disentangled and matched once more by purely theoretical means.

至此，关于保守主义作为社会主义的一种特殊形式的理论分析就告一段落了。为了使讨论圆满，我将再一次提出一些可能有助于说明上述结论有效性的意见。正如对民主社会主义的讨论一样，在阅读这些说明性的观察时应该有一些注意事项：首先，本章得出的结论的有效性已经、能够而且必定是独立于经验而确立的。其次，就经验和实证的证据而言，不幸的是，没有社会的例子可以研究保守主义与社会主义和资本主义的其他变体的影响。没有任何准实验案例研究可以单独提供通常被认为是“惊人的”证据。现实情况是，各种各样的政策措施——保守主义的、社会主义的、马克思主义-社会主义的，还有资本主义-自由主义的——是如此混杂并且纠缠结合在一起，以至于它们各自的效果通常不能与明确的原因完全匹配，而必须通过纯粹的理论手段加以厘清和匹配。

With this in mind, though, something might well be said about the actual performance of conservatism in history. Once more, the difference in the living standards between the United States and the countries of Western Europe (taken together) permits an observation that fits the theoretical picture. Surely, as mentioned in the previous chapter, Europe has more redistributive socialism—as indicated roughly by the overall degree of taxation—than the United States, and is poorer because of this. But more striking still is the difference that exists between the two with respect to the degree of conservatism. Europe has a feudal past that is noticeable to this very day, in particular in the form of numerous regulations that restrict trade and hamper entry and prohibitions of nonaggressive actions, whereas the United States is remarkably free of this past. Connected with this is the fact that for long periods during the nineteenth and twentieth centuries, Europe had been shaped by policies of more or less explicitly conservative parties rather than by any other political ideology,

whereas a genuinely conservative party never existed in the United States. Indeed, even the socialist parties of Western Europe were infected to a notable extent by conservatism, in particular under the influence of the labor unions, and imposed numerous conservative-socialist elements (regulations and price controls, that is) on the European societies during their periods of influence (while they admittedly helped abolish some of the conservative behavioral controls). In any case then, given that Europe is more socialist than the United States and its living standards are relatively lower, this is due less to the greater influence of social-democratic socialism in Europe and more to the influence of the socialism of conservatism—as indicated not so much by its higher overall degrees of taxation, but rather by the significantly higher numbers of price controls, regulations, and behavioral controls in Europe. I should hasten to add that the United States is not richer than it actually is and no longer exhibits its nineteenth century economic vigor not only because they adopted more and more of redistributive socialism's policies over time, but more so because they, too, increasingly fell prey to the conservative ideology of wanting to protect a status quo of income and wealth distribution from competition, and in particular the position of the haves among existing producers, by means of regulations and price controls.²¹

然而，考虑到这一点，我们或许可以对保守主义在历史上的实际表现说些什么。再一次，美国和西欧国家之间生活水平的差异(总体来看)使我们能够观察到符合理论图景的现象。当然，正如前一章所提到的，欧洲比美国有更多的再分配社会主义——从总体的税收程度大致可以看出——因此也更贫穷。但更引人注目的是两者在保守主义的程度上的差异。欧洲的封建历史至今仍引人注目，特别是有许多限制贸易、妨碍入境和禁止非侵犯行动的管制，而美国则明显没有这种历史。与此相关的事实是，在 19 世纪和 20 世纪的很长一段时间里，欧洲或多或少是由明确的保守政党的政策塑造的，而不是由任何其他政治意识形态塑造的，而真正的保守党在美国从未存在过。事实上，即使是西欧的社会主义政党也在很大程度上受到保守主义的影响，特别是受工会的影响，并在其影响时期对欧洲社会施加了许多保守社会主义的因素(即管制和价格控制)(当然工会也帮助废除了一些保守的行动控制，这无可否认)。无论如何，鉴于欧洲比美国更社会主义，其生活水平也相对较低，这与其说是由于社民主义在欧洲的更大影响，不如说是由于保守主义社会主义的影响——这并不是因为欧洲整体税收水平较高，而是因为欧洲的价格管制、管制和行动管制数量明显较高。我要抓紧补充一点，美国并不比实际富裕，也不再显示出 19 世纪的经济活力，这不仅是因为他们随着时

间的推移越来越多地采用了再分配社会主义的政策，更重要的是因为，他们也越来越多地成为保守意识形态的牺牲品，这种意识形态通过采用管控和价格管制的手段，想要保护收入和财富分配的现状，使其不受竞争的影响，尤其是不受现有生产者中富人地位的影响。¹

On even a more global level, another observation fits the theoretically derived picture of conservatism causing impoverishment. For outside the so-called Western world, the only countries that match the miserable economic performance of the outrightly Marxist-socialist regimes are precisely those societies in Latin America and Asia that have never seriously broken with their feudal past. In these societies, vast parts of the economy are even now almost completely exempt from the sphere and the pressure of freedom and competition and are instead locked in their traditional position by regulatory means, enforced, as it were, by out-right aggression.

在一个更加全球化的层面上，另一种观察结果符合保守主义导致贫困的理论推导。因为在所谓的西方世界之外，唯一能与彻底的马克思主义社会主义政权的悲惨经济表现相媲美的国家，恰恰是拉丁美洲和亚洲那些从未与封建历史彻底决裂的社会。直至今日，在这些社会中，它们的经济都尽力避免外部的自由竞争的影响，政府通过彻头彻尾的侵犯手段的全面管制，将这些国家的经济锁死在传统的枷锁中。

On the level of more specific observations the data also clearly indicate what the theory would lead one to expect. Returning to Western Europe, there can be little doubt that of the major European countries, Italy and France are the most conservative, especially if compared with the northern nations which, as far as socialism is concerned, have been leaning more toward its redistributive version.²² While the level of taxation in Italy and France (state expenditure as part of GNP) is not higher than elsewhere in Europe, these two countries clearly exhibit more conservative-socialist elements than can be found anywhere else. Both Italy and France are studded with literally thousands of price controls and regulations, making it highly doubtful that there is any sector in their economies that can be called "free" with some justification. As a consequence (and as could have been predicted), the standard of living in both countries is

¹ 关于此，可参考 R. 拉多什和 M. N. 罗斯巴德（编）的《利维坦新史》，1972 年，纽约。

significantly lower than that of northern Europe, as anyone who is not traveling exclusively in resort towns cannot fail to notice. In both countries, to be sure, one objective of conservatism seems to have been reached: the differences between the haves and the have-nots have been well-preserved—one will hardly find as extreme income and wealth differentials in West Germany or the United States as in Italy or France—but the price is a relative drop in social wealth. As a matter of fact, this drop is so significant that the standard of living for the lower and lower-middle class in both countries is at best only a bit higher than that in the more liberalized countries of the East bloc. And the southern provinces of Italy, in particular, where even more regulations have been piled on top of those valid everywhere in the country, have just barely left the camp of the third world nations.

从更具体的观察层面来看，数据也清晰地表明了理论引导人们所预期的情况。回到西欧，毫无疑问，在欧洲主要国家中，意大利和法国最为保守，尤其是与北欧国家相比，北欧国家就社会主义而言，更倾向于再分配类型的社会主义。¹ 尽管意大利和法国的税收水平（政府支出占国民生产总值的比例）并不高于欧洲其他地方，但这两个国家明显比其他任何地方都展现出更多保守社会主义的元素。它们有多如牛毛的价格控制和管制措施，这些措施多到以至于没有哪个部门有理由被称为“自由”。不出所料，法国和意大利的生活水平明显地低于北欧。当然，这两个国家求仁得仁，它们的目标是维持穷人和富人之间的差异水平不至过大，它们也的确做到了它们的收入差距没有美国和西德的大；不过它们的代价也大，那就是社会财富的相对下降。法国和意大利的社会财富的下降如此显著，以至于这两个国家的中下层和下层中产阶级的生活水平只能略高于东欧国家中稍微自由一点的国家。在意大利南部省份，这里除了全国通用的管制之外，还有更多的地方管制，当然意大利南部也更穷，他们只是勉强算脱离了第三世界国家这个圈子。

Finally, as a last example that illustrates the impoverishment caused by conservative policies, the experience with national-socialism in Germany and to a lesser degree with Italian fascism should be mentioned. It is often not understood that both were conservative-socialist movements.²³ It is as such, i.e., as movements directed against the change and [the social disruptions](#) brought about by the dynamic forces of a free economy, that they—other than Marxist-socialist movements—could find support

¹ 参见巴迪和比恩鲍姆所著《国家社会学》，1983年，芝加哥。

among the class of established proprietors, shop owners, farmers and entrepreneurs. But to derive from this the conclusion that it must have been a pro-capitalist movement or even the highest stage in the development of capitalism before its final demise, as Marxists normally do, is entirely wrong. Indeed, fascism's and Nazism's most fervently abhorred enemy was not socialism as such, but liberalism. Of course, both also despised the socialism of the Marxists and Bolsheviks, because at least ideologically they were internationalists and pacifists (relying on the forces of history that would lead to a destruction of capitalism from within), while fascism and Nazism were nationalist movements devoted to war and conquest; and, probably even more important regarding its public support, because Marxism implied that the haves would be expropriated by the have-nots and the social order thus would be turned upside-down, while fascism and Nazism promised to preserve the given order. ²⁴But, and this is decisive for their classification as socialist (rather than capitalist) movements, to pursue this goal implies—as has been explained in detail above—just as much a denial of the rights of the individual user-owner of things to do with them whatever seems best (provided one does not physically damage another's property or engage in noncontractual exchanges), and just as much an expropriation of natural owners by "society" (that is, by people who neither produced nor contractually acquired the things in question) as does the policy of Marxism. And indeed, in order to reach this goal [both fascism and Nazism did exactly what their classification as conservative-socialist would have led one to expect](#): they established highly controlled and regulated economies in which private ownership was still existent in name, but had in fact become meaningless, since the right to determine the use of the things owned had been almost completely lost to political institutions. The Nazis, in particular, imposed a system of almost complete price controls (including wage controls), devised the institution of four-year plans (almost like in Russia, where the plans spanned the period of five years) and established economic planning and supervising boards which had to approve all significant changes in the production structure. An "owner" could no longer decide what to produce or how to produce it, from whom to buy or to whom to sell, what prices to pay or to charge, or how to implement any changes. All this, to be sure, created a feeling of security. Everyone was assigned a fixed position, and wage-earners as well as owners of capital received a guaranteed,

and in nominal terms, stable or even growing income. In addition, giant forced labor programs, the reintroduction of conscription, and finally the implementation of a war economy strengthened the illusion of economic expansion and prosperity. 25 But as would have to be expected from an economic system that destroys a producer's incentive to adjust to demand and avoid not adjusting to it, and that thereby separates demand from production, this feeling of prosperity proved to be nothing but an illusion. In reality, in terms of the goods that people could buy for their money the standard of living fell, not only in relative but even in absolute terms.²⁶ And in any case, even disregarding here all of the destruction that was caused by the war, Germany and to a lesser extent Italy were severely impoverished after the defeat of the Nazis and fascists.

最后，作为说明保守政策导致贫困化的最后一个例子，应该提及德国国家社会主义以及程度稍轻的意大利法西斯主义的经历。人们常常没有认识到，这两者都是保守社会主义运动。¹ 正是如此，即作为抵制自由经济动态力量所带来的变革与社会动荡的运动，它们（与马克思主义社会主义运动不同）能够在既定的有产者、店主、农民和企业主阶层中找到支持。但像马克思主义者通常所做的那样，由此得出结论，认为这必然是一场亲资本主义运动，甚至是资本主义最终灭亡前发展的最高阶段，那就大错特错了。事实上，法西斯主义和纳粹主义最痛恨的敌人并非社会主义本身，而是自由主义。当然，它们也鄙视马克思主义者和布尔什维克的社会主义，因为至少在意识形态上，马克思主义者和布尔什维克是国际主义者与和平主义者（依靠历史力量从内部摧毁资本主义），而法西斯主义和纳粹主义是致力于战争与征服的民族主义运动；而且，就其获得的民众支持而言，可能更重要的是，因为马克思主义意味着有产者将被无产者剥夺，社会秩序将因此颠倒，而法西斯主义和纳粹主义则承诺维护既定秩序。² 但是，关键在于，将它们归类为社会主义（而非资本主义）运动，是因为追求这一目标——正如上文详细阐释的那样——与马克思主义政策一样，都意味着否定物品个体使用所有者按其认为最佳方式处置物品的权利（前提是不实际损害他人财产或进行非契约性交换），同样也意味着“社会”（即既未生产也未通过契约获取相关物品的人）对

¹ 参见 L. v. 米塞斯所著《全能政府》，1944 年，纽黑文；F. A. 哈耶克所著《通往奴役之路》，1956 年，芝加哥；W. 霍克所著《德国的反资本主义》，1960 年，美国河畔法兰克福。

² 可参考德国“历史学派”的主要代表人物之一、“讲坛社会主义者”及纳粹辩护者：W. 桑巴特，《德国社会主义》，1934 年，柏林。

自然所有者的剥夺。事实上，为了实现这一目标，法西斯主义和纳粹主义的所作所为正如将它们归类为保守社会主义所预示的那样：它们建立了高度管控和规制的经济体系，私有制虽仍名义上存在，但实际上已毫无意义，因为决定所拥有物品用途的权利几乎完全丧失给了政治机构。特别是纳粹，实施了几乎全面的价格管制体系（包括工资管制），制定了四年计划制度（几乎与苏联的五年计划类似），并设立了经济规划和监督委员会，生产结构的所有重大变革都必须得到该委员会的批准。“所有者”再也无法决定生产什么、如何生产、向谁购买、向谁销售、支付或收取什么价格，以及如何实施任何变革。当然，这一切营造出了一种安全感。每个人都被赋予了一个固定的位置，工薪阶层和资本所有者都获得了有保障的收入，从名义上看，收入稳定甚至有所增长。此外，大规模强制劳动计划、重新实行征兵制，以及最终实施战时经济，强化了经济扩张与繁荣的错觉。¹ 但正如人们预料的那样，这种经济体系破坏了生产者根据需求做出调整以及避免盲目生产的积极性，从而导致需求与生产脱节，这种繁荣感不过是一种错觉。实际上，就人们用货币所能买到的商品而言，生活水平不仅相对下降，甚至出现了绝对下降。² 无论如何，即使不考虑战争造成的破坏，德国和意大利也会变得极度贫困，只是战败使贫困变得雪上加霜并掩盖了贫困的真正原因。

¹ 参见 W. 菲舍尔所著《1918 - 1945 年德国经济政策》，1961 年，汉诺威；W. 特罗伊所著《近代经济史》第 2 卷，1973 年，斯图加特；R. A. 布雷迪所著《第三帝国的现代化官房主义：以国家工业集团为例》，载于 M. I. 戈德曼（编）《比较经济体制》，1971 年，纽约。

² The average gross income of employed persons in Germany in 1938 (last figure available) was (in absolute terms, i.e., not taking inflation into account!) still lower than that of 1927. Hitler then started the war and resources were increasingly shifted from civilian to non-civilian uses, so that it can safely be assumed that the standard of living decreased even further and more drastically from 1939 on. Cf. Statistisches Jahrbuch fuer die BRD, 1960, p.542; cf. also V. Trivanovitch, Economic Development of Germany Under National Socialism, New York, 1937, p.44.

1938 年（可获取的最后数据），德国就业人员的平均总收入（按绝对数值计算，即不考虑通货膨胀因素！）仍低于 1927 年。随后希特勒发动战争，资源越来越多地从民用领域转向非民用领域，因此可以肯定地认为，自 1939 年起，民众生活水平进一步急剧下降。参见《德意志联邦共和国统计年鉴（1960 年）》，第 542 页；另见 V. 特里瓦诺维奇所著《国家社会主义统治下德国的经济发展》，1937 年，纽约，第 44 页。

第六章 社会工程学的社会主义和经济分析的基础

Chapter 6 The Socialism of Social Engineering and The Foundations of Economic Analysis

In light of the theoretical arguments presented in the preceding chapters it appears that there is no economic justification for socialism. Socialism promised to bring more economic prosperity to the people than capitalism, and much of its popularity is based on this promise. The arguments brought forward, though, have proved that the opposite is true. It has been shown that Russian-type socialism, characterized by nationalized or socialized means of production, necessarily involves economic waste since no prices for factors of production would exist (because means of production would not be allowed to be bought or sold), and hence no cost-accounting (which is the means for directing scarce resources with alternative uses into the most value-productive lines of production) could be accomplished. And as regards social-democratic and conservative socialism, it has been demonstrated that in any event, both imply a rise in the costs of production and, *mutatis mutandis*, a decline in the costs of its alternative, i.e., non-production or black-market production, and so would lead to a relative reduction in the production of wealth, since both versions of socialism establish an incentive structure that (compared to a capitalist system) relatively favors nonproducers and noncontractors over producers and contractors of goods, products and services.

根据前面章节提出的理论论证，社会主义没有经济上的正当性与合理性。社会主义承诺给人民带来比资本主义更多的经济繁荣，它的受欢迎程度很大程度上是基于这一承诺。然而，之前的论证表明事实恰恰相反。事实表明，以生产资料国有化或社会主义化为特征的俄式社会主义必然涉及经济浪费，因为不存在生产要素价格(因为生产资料不允许买卖)，因此不可能实现成本核算(将具有替代性用途的稀缺资源引用到最有价值的生产线)。至于社民主义和保守主义社会主义，已经被证明，无论如何两者都意味着通过商品来满足消费者这一途径的成本增加，而人们通过非生产类活动或黑市来满足自己的需求的成本下降，结果就是导致财富生产的相对减少。因为社民主义与保守主义，这两种版本的社会主义都建立了与资本主义截然不同的激励结构。在资本主义制度下人们投入生产与契约活动，从而实现产品、消费和服务；而在这两种社会主义制度下，人们更倾向于非生产、非契约活动来获得满足。

Experience, too, supports this. By and large, living standards in the East European countries are significantly lower than in Western Europe, where the degree to which the socialization of means of production that has taken place, though certainly remarkable, is relatively much lower. Also, wherever one extends the degree of redistributive measures and the proportion of produced wealth that is redistributed is increased, as, for instance, in West Germany during the 1970s under social-democratic liberal government coalitions, there is a retardation in the social production of wealth or even an absolute reduction in the general standard of living. And wherever a society wants to preserve the status quo, that is, a given income and wealth distribution, by means of price controls, regulations, and behavioral controls—as, for instance, in Hitler's Germany or present-day Italy and France—the living standards will constantly fall further behind those of more liberal (capitalist) societies.

经验现实也支持我们前面的推理。总的来说，东欧的生活水平比西欧低得多，虽然西欧的生产资料社会主义化也比较显著，但比起东欧来说还是没那么严重。此外，无论在哪里，只要增加再分配措施的程度，并增加财富中再分配所占的比例，社会财富的生产就会减缓，甚至普遍生活水平会绝对降低，例如 1970 年代的社民主义自由派政府联盟统治下的西德。而无论在哪个社会，如果要通过价格控制、规章制度和行为管制来维护现状，维持既有比例的财富分配，生活水平将不断落后于更自由（资本主义）的社会，例如希特勒时的德国，现今的意大利和法国。

Nonetheless, socialism is very much alive and well, even in the West where social-democratic socialism and conservatism have remained powerful ideologies. How could this come about? One important factor is that its adherents abandoned the original idea of socialism's economic superiority and instead, resorted to a completely different argument: that socialism might not be economically superior but is morally preferable. This claim will be considered in Chapter 7. But that is certainly not the end of the story. Socialism has even regained strength in the field of economics. This became possible because socialism combined its forces with the ideology of empiricism, which traditionally has been strong in the Anglo-Saxon world and which, in particular through the influence of the so-called Vienna-circle of positivist philosophers, became the dominant philosophy-epistemology-methodology of the twentieth century, not

only in the field of the natural sciences but also in the social sciences and economics. This applies not only to the philosophers and methodologists of these sciences (who, incidentally, have since freed themselves from the spell of empiricism and positivism) but probably even more so to the practitioners (who are still very much under its influence). Combining its force with empiricism or positivism, which includes for our purposes the so-called critical rationalism of K. R. Popper and his followers, socialism developed into what will henceforth be called the "socialism of social engineering."¹ It is a form of socialism very different in its style of reasoning from traditional Marxism, which was much more rationalistic and deductive—one that Marx had adopted from the classical economist D. Ricardo, the most important source for Marx's own economic writings. But it seems to be precisely because of this difference in style that the socialism of social-engineering has been able to win more and more support from the traditional camps of social-democratic and conservative socialists. In West Germany, for instance, the ideology of "piecemeal social engineering," as K. R. Popper has called his social philosophy,² has now become something like the common ground of "moderates" in all political parties, and only doctrinaires, so it seems, of either side do not subscribe to it. The former SPD-chancellor Helmut Schmidt even publicly endorsed Popperianism as his own philosophy.³ However, it is in the United States that this philosophy is probably more deeply rooted, as it is almost custom-tailored to the American way of thinking in terms of practical problems and pragmatic methods and solutions.

尽管如此，社会主义依然充满活力，即便在西方，社会民主主义的社会主义和保守主义仍然是颇具影响力的意识形态。这是如何发生的呢？一个重要因素是，其追随者摒弃了社会主义在经济上具有优越性的最初理念，转而诉诸一种截然不同的论点：社会主义或许在经济上并不占优，但在道德上更可取。这一主张将在第七章探讨。但故事肯定并未就此结束。社会主义甚至在经济领域重获力量。这之所以成为可能，是因为社会主义与经验主义意识形态相结合。经验主义在盎格鲁 - 撒克逊世界向来影响力强大，尤其是通过所谓维也纳学派实证主义哲学家的影响，它不仅在自然科学领域，而且在社会科学和经济学领域，都成为了 20 世纪占主导地位的哲学、认识论和方法论。这不仅适用于这些学科的哲学家和方法论学者（顺便说一句，他们此后已摆脱了经验主义和实证主义的魔咒），可能更适用于实际从业者（他们仍深受其影响）。社会主义与经验主义或实证主义（就我们的目的而言，其中包括 K. R. 波普尔及其追随者

所谓的批判理性主义)相结合,发展成为了此后将被称为**社会工程的社会主义**。¹这是一种社会主义形式,其推理风格与传统马克思主义大相径庭。传统马克思主义更倾向于理性主义和演绎法,马克思从古典经济学家大卫·李嘉图那里借鉴了这种方法,李嘉图也是马克思经济著作最重要的思想来源。但似乎正是由于这种风格上的差异,社会工程式社会主义才得以从社会民主主义和保守社会主义的传统阵营中赢得越来越多的支持。例如,在德国,K. R. 波普尔将自己的社会哲学称为“渐进式社会工程”理念,²如今这一理念已成为各政党“温和派”的某种共识,似乎只有各方的教条主义者才不认同。前德国社会民主党总理赫尔穆特·施密特甚至公开认可波普尔哲学为自己的哲学。³然而,这种哲学很可能在美国根基更深,因为它几乎是按照美国人思考实际问题、采用实用方法及解决方案的思维方式量身定制的。

How could empiricism-positivism help save socialism? On a highly abstract level the answer should be clear. Empiricism-positivism must be able to provide reasons why all the arguments given so far have failed to be decisive; it must try to prove how one can avoid drawing the conclusions that I have drawn and still claim to be rational and to operate in accordance with the rules of scientific inquiry. But how, in detail, can this be accomplished? On this the philosophy of empiricism and positivism offers two seemingly plausible arguments. The first and indeed the most central of its tenets is this: knowledge regarding reality, which is called empirical knowledge, must be verifiable or at least falsifiable by experience; and experience is always of such a type that it could, in principle, have been other than it actually was so that no one could ever know in advance, i.e., before actually having had some particular experience,

¹ 关于经典实证主义立场,可参见 A. J. 艾耶尔《语言、真理与逻辑》,1950年,纽约;关于批判理性主义,可参考 K. R. 波普尔《科学发现的逻辑》,1959年,伦敦;《猜想与反驳》,1969年,伦敦;以及《客观知识》,1973年,牛津。关于将经验主义-实证主义作为经济学恰当方法论的代表性论述,例如可参见 M. 布劳格《经济学方法论》,1980年,剑桥;T. W. 哈奇森《经济理论的意义与基本假设》,1938年,伦敦;《实证经济学与政策目标》,1964年,伦敦;以及《经济学的政治与哲学》,1981年,纽约;还有 M. 弗里德曼《实证经济学的方法论》,载于 M. 弗里德曼《实证经济学论文集》,1953年,芝加哥;H. 阿尔伯特《市场社会学与决策逻辑》,1967年,诺伊维德。

² 关于渐进式社会工程,可参见 K. R. 波普尔所著《历史主义的贫困》,1957年,伦敦。

³ 参见 G. 吕尔斯(编),《批判理性主义与社会民主主义》,两卷本,1975-1976年,波恩。

if the outcome would be one way or another. If, *mutatis mutandis*, knowledge is not verifiable or falsifiable by experience, then it is not knowledge about anything real—empirical knowledge, that is—but simply knowledge about words, about the use of terms, about signs and transformational rules for them—or analytical knowledge. And it is highly doubtful that analytical knowledge should be ranked as “knowledge” at all.

经验主义-实证主义怎样才能拯救社会主义呢?在一个高度抽象的层面上, 答案应该是清晰的。我们前面从理论上推导出的结论是, 社会主义在经济上是不会成功的。经验主义如果要推翻我们这个推论, 必须否定我们推论的正确性, 同时它还要证明自己能推导出与我相反的结论, 而且还要证明它自己的论证是理性的、科学的。但是, 具体如何才能做到这一点呢?在这一点上, 经验主义和实证主义哲学提供了两个看似合理的论点。第一个, 也是经验主义最核心的命题是: 知识具有可证伪性, 被经验证实的才是知识, 不能被证实或证伪的不被认为是知识。¹ 有关现实的知识, 即所谓的经验知识, 必须是可验证或至少可通过经验证伪的; 知识的表述可能与实际相符或者不相符, 因此在实际获得某些特定经验验证之前, 没有人能够预先知道知识是真是伪。如果某种被称为知识的东西却不是经验的知识, 也就是不可验证或不可通过经验证伪, 那么它就不是关于任何真实事物的知识。经验主义认为, 不是经验性的知识, 而只是关于词语、术语的、符号及其转换规则的知识, 或者叫做分析知识。经验主义认为, 将分析知识列为“知识”是非常值得怀疑的。

If one assumes this position, as I will do for the moment, it is not difficult to see how the above arguments could be severely rebuffed. The arguments regarding the impossibility of economic calculation and the cost-raising character of social-democratic or conservative measures necessarily leading to a decline in the production of goods and services and hence to reduced standards of living evidently claimed to be valid *a priori*, i.e., not falsifiable by any kind of experience, but rather known to be true prior to any later experiences. Now if this were indeed true, then according to the first and central tenet of empiricism-positivism, this argument could not contain any information about reality, but instead would have to be considered idle verbal quibbling—an exercise in tautological transformations of words such as “cost, ”

¹ 关于以下内容, 参见 M. 霍利斯和 E. 内尔所著《理性经济人》, 1975 年, 剑桥, 第 3 页起

“production, ” “output of production, ” “consumption”—which do not say anything about reality. Hence, empiricism concludes that insofar as reality, i.e., the real consequences of real socialism, is concerned, the arguments presented thus far carry no weight whatsoever. Rather, in order to say anything convincing about socialism, experience and experience alone would have to be the decisive thing to consider.

如果有人持有这种观点, 那么, 就让我们来比较和驳斥一下上述观点。我们的观点是: 生产资料公有制下不能进行经济计算; 社会主义和保守主义之下会导致成本增加与商品和服务生产的下降, 这两者都导致生活水平的下降。我们的推论认为, 这些都是先验的知识, 在获得经验验证之前就是正确的, 是先天有效的。现在, 看看经验实证主义如何驳斥我们的。经验实证主义认为, 我们观点中的那些言辞(如“成本”“生产”“生产产出”“消费”等), 只不过是套套逻辑, 是同义反复的文字游戏, 并不包含任何现实的信息。经验实证主义因此得出了这样的结论, 认为我们讨论社会主义的真正后果时, 都拿不出经验性的证实, 是我们缺乏经验这个决定性的因素, 因此我们的论点是毫无意义的。相反, 要想对社会主义作出令人信服的论述, 就必须考虑到经验, 而且也只有经验才是要考虑的决定性因素。

If this were indeed true (as I will still assume), it would at once dispose of all of the economic arguments against socialism which I have presented as being of a categorical nature. There simply could not be anything categorical about reality. But even then, wouldn't empiricism-positivism still have to face up to the real experiences with real socialism and wouldn't the result of this be just as decisive? In the preceding chapters, much more emphasis was placed on logical, principle, categorical (all used synonymously here) reasons directed against socialism's claims of offering a more promising way to economic prosperity than through capitalism; and experience was cited only loosely in order to illustrate a thesis whose validity could ultimately have been known independent of illustrative experience. Nonetheless, wouldn't even the somewhat unsystematically cited experience be sufficient to make a case against socialism?

经验主义还会反驳我们, 说我们对社会主义的经济后果的推测是绝对化的, 而现实中根本不会有绝对的东西。我们姑且认为经验主义批评我们推论的绝对化的说法是正确的。经验主义-实证主义如果要用真实的经验来证实社会主义比资本主义更优越, 那他们也需要找到真实的社会主义国家和真实的社会主义经验, 这不也需要绝对化吗? 再

者，在前面的章节中，我们在驳斥社会主义声称他们比资本主义更有经济繁荣的前景时，我们的推导是逻辑、原则和范畴性（这里所有术语均可视为同义词）的。就算我们引用了经验来说明，也仅仅是只鳞片爪地引用，拿来说明一个论点，就算没有引用这些经验也不影响我们推导的完整性。尽管如此，即使是这些零散引用的经验，是否足以否定社会主义呢？

The answer to these questions is a decisive “no.” The second tenet of empiricism-positivism explains why. It formulates the extension or rather the application of the first tenet to the problem of causality and causal explanation or prediction. To causally explain or predict a real phenomenon is to formulate a statement of either the type “if A, then B” or, should the variables allow quantitative measurement, “if an increase (or decrease) of A, then an increase (or decrease) of B.” As a statement referring to reality (with A and B being real phenomena), its validity can never be established with certainty, i.e., by examination of the proposition alone or of any other proposition from which the one in question could in turn be logically deduced, but will always be and remain hypothetical, depending on the outcome of future experiences which cannot be known in advance. Should experience confirm a hypothetical causal explanation, i.e., should one observe an instance where B indeed followed A, as predicted, this would not prove that the hypothesis is true, since A and B are general, abstract terms (“universals,” as opposed to “proper names”) which refer to events or processes of which there are (or, at least might, in principle, be) an indefinite number of instances, and hence later experiences could still possibly falsify it. And if an experience falsified a hypothesis, i.e., if one observed an instance of A that was not followed by B, this would not be decisive either, as it would still be possible that the hypothetically related phenomena were indeed causally linked and that some other previously neglected and uncontrolled circumstance (“variable”) had simply prevented the hypothesized relationship from being actually observed. A falsification would only prove that the particular hypothesis under investigation was not completely correct as it stood, but rather needed some refinement, i.e., some specification of additional variables which one would have to watch out for and control in order to be able to observe the hypothesized relationship between A and B. But to be sure, a falsification would never prove once and for all that a relationship between some given phenomena did not exist.

答案毫无疑问当然是不能，但这是经验主义的不能。前面我们说过，经验主义-实证主义的第一个原则，也是它最核心的命题是：知识具有可证伪性。经验主义-实证主义的第二条原则是在因果关系、因果解释或预测问题时对第一条原则的延伸和应用。当我们在因果上解释或预测一个真实现象的时候，我们一般会表达为“如果有原因 a，那么会有结果 B”。如果这个变量是定量的，则应表述为“如果有原因 $a+A$ (或 $a-A$)，那么会有结果 $b+B$ (或 $b-B$)”。但用经验主义的论证，这样表述的因果关系的有效性永远无法被确定。即使观察到某种因果关系，也不能确保这种关系是绝对真实的，因为这种关系是基于对未来经验的假设。(译者注：例如，经验主义者观察到一只天鹅是白色的，因此可以推论天鹅可能是白色的；观察到一千只天鹅是白色的，也可以推论天鹅可能是白色的。但经验主义不敢确定天鹅必定是白色的，因为不知道第一万只天鹅是不是白色的。)即使某个假设的因果解释被验证了，也不能完全证明这个假设是正确的。因为因果解释涉及到一般的、抽象的术语，而不是特定的、个别的实例，未来的经验仍然可能推翻这种解释。同样，即使某个假设被证伪了，也不能彻底否定其中的因果关系。证伪只能表明某个特定假设可能需要改进，以考虑和控制其他未被考虑的变量，但它并不能永久地排除某种关系的存在。被经验证实的因果关系并不绝对正确，被经验证伪的因果关系也并不绝对错误。

Given that this empiricist-positivist position on causal explanation is correct, it is easy to see how socialism could be rescued from empirically justified criticism. Of course, a socialist-empiricist would not deny the facts. He would not argue that there indeed is a lower standard of living in Eastern than in Western Europe, and that increased taxation or a conservative policy of regulations and controls have indeed been found to correlate with a retardation or shrinking in the production of economic wealth. But within the boundaries of his methodology he could perfectly well deny that based on such experiences a principled case against socialism and its claim of offering a more promising path toward prosperity could be formulated. He could, that is to say, play down the (seemingly) falsifying experiences, and any other that might be cited, as merely accidental; as experiences that had been produced by some unfortunately neglected and uncontrolled circumstances which would disappear and indeed turn into its very opposite, revealing the true relationship between socialism and an increased production of social wealth, as soon as these circumstances had been controlled. Even the striking differences in the standard of living between East and West Germany—the example that I stressed so heavily because it most closely resembles that of a controlled

social experiment—could thus be explained away: in arguing, for instance, that the higher living standards in the West must be explained not by its more capitalist mode of production, but by the fact that Marshall aid had streamed into West Germany while East Germany had to pay reparations to the Soviet Union; or by the fact that from the very beginning, East Germany encompassed Germany's less developed, rural, agricultural provinces and so had never had the same starting point; or that in the eastern provinces the tradition of serfdom had been discarded much later than in the western ones and so the mentality of the people was indeed different in both East and West Germany, etc.

当我们明白了经验主义-实证主义的因果解释，就会明白社会主义是如何从经验主义的逻辑中为自己找到合理性的。持有经验主义认识论的社会主义者不会否认事实，如东欧的生活水平是否比西欧低。在增税和管制是否会阻碍财富增长这样的问题上，他们也不会去争辩。但是，他们有他们自己的解释方式，他们认为东欧这些社会主义国家与西欧那些资本主义国家的生活水平差异具有偶然性，只是这些国家和那些国家的差异。他们认为这些差异并非由社会主义和资本主义本身造成的，而是由其他因素导致的，如马歇尔计划向西欧注入资金，而东德却要向苏联赔款。他们甚至也强调历史背景的差异，如东德原先就是较不发达的农业州，与西德就不在一个起点上；或者东欧的农奴制废除得比西欧晚，或者东德人民的心态不同等等。总之，经验主义者可以筛选经验，为他们解释东德西德、东欧西欧之间的差异找到他们自我合理化的解释，强调不是社会主义不好，而是这些其他因素不好。他们因此会得出这样的结论—在同样条件下，社会主义更是通往繁荣之路。

In fact, whatever empirical evidence one brings forward against socialism, as soon as one adopts the empiricist-positivist philosophy, i.e., as soon as the idea of formulating a principled case either in favor of or against socialism is dropped as in vain and illconceived, and it is instead only admitted that one can, of course, err with respect to the details of some socialist policy plan but would then be flexible enough to amend certain points in one's policy whenever the outcome was not satisfactory, socialism is made immune to any decisive criticism, because any failure can always be ascribed to some as yet uncontrolled intervening variable. Not even the most perfectly conducted, controlled experiment, it should be noted, could change this situation a bit. It would never be possible to control all variables that might conceivably have some influence on the variable to be explained—for the practical reason that this would

involve controlling literally all of the universe, and for the theoretical reason that no one at any point in time could possibly know what all the variables are which make up this universe. This is a question whose answer must permanently remain open to newly discovered and discerned experiences. Hence, the above characterized immunization strategy would work without exception and unfailingly. And since, as we know from the writings of the empiricists themselves, and in particular those of D. Hume, there exists no “band” that one could observe to connect visibly certain variables as causes and effects, it should be noted that there would be no way whatsoever to exclude any variable as a possible disturbing influence from the outset without indeed trying it out and controlling it. Not even the seemingly most absurd and ridiculous variables, such as, for instance, differences in weather, or a fly passing by in one case but not in the other, could be ruled out in advance; all that could be done would be to point to experience again. (“Flies passing or not passing by never made a difference for the outcome of an experiment.”) But according to the empiricist doctrine itself, this experience, referring as it does only to past instances, would once again not help decide the matter definitively, and a reference to it would only amount to a begging of the question.

事实上，无论拿出何种经验证据来反对社会主义，一旦秉持经验主义-实证主义哲学，也就是说，一旦放弃从原则层面支持或反对社会主义的想法，认为此举徒劳且构思不当，转而只承认在某些社会主义政策规划的细节上可能犯错，然后在结果不尽人意时足够灵活地修正政策中的某些要点，那么社会主义就能免受任何决定性的批判，因为任何失败总能归咎于某个尚未得到控制的干扰变量。需要注意的是，即便开展最为完美的对照实验，也丝毫无法改变这种局面。永远不可能控制所有可能对有待解释的变量产生影响的变量，原因有二：从实际操作层面看，这意味着要对整个宇宙进行控制；从理论层面讲，任何时候都没人能确切知晓构成宇宙的所有变量是什么。这是一个其答案必须永远向新发现和新认知的经验敞开的问题。因此，上述那种使社会主义免受批判的策略会毫无例外地、始终如一地发挥作用。而且，正如我们从经验主义者自身的著作，尤其是大卫·休谟的著作中所知，不存在一条能让人观察到的“纽带”，将某些变量直观地联系为因果关系。¹ 应当注意的是，若不实际尝试并加以控制，从一开始

¹ 参见 D. 休谟所著《人性论》及《人类理解研究》，收录于塞尔比-比格（编）《休谟

就根本无法排除任何变量成为潜在干扰因素的可能性。哪怕看似最为荒谬可笑的变量，比如天气差异，或者一次实验中有苍蝇飞过而另一次没有，都无法预先排除；所能做的就只有再次诉诸经验（“苍蝇飞过与否从未对实验结果产生过影响”）。但根据经验主义学说本身，这种仅涉及过往事例的经验，同样无法最终决定事情走向，提及它不过是在回避问题实质。

No matter what the charges brought against socialism are, then, as long as they are based on empirical evidence the empiricist-socialist could argue that there is no way of knowing in advance what the results of a certain policy scheme will be without actually enacting it and letting experience speak for itself. And whatever the observable results are, the original socialist idea—the “hard-core” of one’s “research programme” as the neo-Popperian philosopher Lakatos would have called it⁶—can always be rescued easily by pointing out some previously neglected, more or less plausible variable, whose noncontrol is hypothesized to be responsible for the negative result, with the newly revised hypothesis again needing to be tried out indefinitely, ad infinitum. Experience only tells us that a particular socialist policy scheme did not reach the goal of producing more wealth; but it can never tell us if a slightly different one will produce any different results, or if it is possible to reach the goal of improving the production of wealth by any socialist policy at all.

因此，无论社会主义面临何种指责，经验主义的社会主义者都可以辩称，某项政策方案的结果是事先无法确定，只有通过实施并让经验来验证。如果观察到的结果不尽如人意，最初的社会主义思想——新波普主义哲学家拉卡托斯称之为**研究计划的核心**¹——都可以通过指出先前未考虑或未充分考虑的合理变量来解释与拯救，认为可能是这些未加控制的变量导致了负面结果。² 经验只能告诉我们，某种社会主义政策方案并没有达到创造更多财富的目的，但它永远不能告诉我们，一种稍微不同的政策方案是

哲学研究》，1970年，牛津；另见H.H. 霍普所著《行动与认知》，1976年，伯尔尼。

¹ 参见I. 拉卡托斯，《证伪与科学研究纲领方法论》，载于拉卡托斯与马斯格雷夫（编），《批判与知识的增长》，1970年，剑桥。

² 所有这些都已让波普尔主义有所领悟，主要得益于托马斯·S·库恩所著《科学革命的结构》（1964年，芝加哥）。随后，保罗·费耶阿本德得出了最为激进的结论：完全摒弃科学对理性的主张，打着“怎么都行”的旗号信奉虚无主义（保罗·费耶阿本德，《反对方法》，1978年，伦敦；《自由社会中的科学》，1978年，伦敦）。关于对这一毫无根据的结论的批判，可参见下文注释105。

否会产生不同的结果，或者任何一种社会主义政策是否有可能达到改善财富生产的目标。

I have now reached the point in my argument where I shall challenge the validity of these two central tenets of empiricism-positivism. What is wrong with them, and why cannot even empiricism help save socialism? The answer will be given in three stages. First, I will demonstrate that the empiricist position proves to be self-defeating at closer analysis because it itself must at least implicitly assume and presuppose the existence of non-empirical knowledge as knowledge about reality. This being mainly a destructive task, I will then have to address the question of how it is possible to have or conceive of knowledge that informs about reality, but which is not itself subject to confirmation or falsification by experience. And thirdly, I will show that such knowledge not only is conceivable and must be presupposed but that there are positive instances of it which serve as the firm epistemological foundation on which the economic case against socialism can be and indeed all along has been built.

现在我将挑战经验主义-实证主义的两个核心论点的有效性，揭示它们存在的问题，以及为何即使是经验主义也无法拯救社会主义。我的论证将分为三个步骤。首先，我将证明经验主义立场在更深入的分析中显现出自我矛盾之处，因为它本身至少必须隐含着假设和预设需要有先验性知识来认识现实。第二，由于这是一项破坏性的任务，我将不得不回答一个问题，即如何可能拥有或构思关于现实的知识，而又不受经验的证实或证伪。第三，我将展示这种知识不仅可以被想象出来，而且必须被预先假定，并且存在正面的实例，这些实例构成了反对社会主义的经济论据的坚实认识论基础，这一点事实上一直如此。

In spite of the apparent plausibility of empiricism's central ideas, it might be noted at the very outset that even on the level of intuition things do not seem to be exactly the way empiricism would want them to be. **It certainly is not evident** that logic, mathematics, geometry, and also certain statements of pure economics, like the law of supply and demand or the quantity theory of money, because they do not allow any falsification by experience, or rather because their validity is independent of experience, do not give us any information about reality but are merely verbal quibble. The opposite seems much more plausible: that the propositions advanced by these disciplines—for instance, a statement of geometry such as “If a straight line

S and a circle C have more than one point in common then S has exactly two points in common with C, ” or a statement more closely related to the field of action with which I am concerned here, such as “One cannot have his cake and eat it, too”—do in fact inform about reality and inform about what cannot possibly be different in reality at pain of contradiction. If I had a cake and ate it, it can be concluded that I do not have it anymore—and this clearly is a conclusion that informs about reality without being falsifiable by experience.

尽管经验主义的核心观点表面上看似合理，但一开始就值得注意的是，即便从直觉层面来看，事情似乎也并非完全如经验主义所期望的那样。显然，逻辑、数学、几何学，以及纯经济学的某些论断，比如供求定律或货币数量论，并不会因为它们无法被经验证伪，或者更确切地说，因为它们的有效性独立于经验，就不向我们传达任何关于现实的信息，而仅仅是文字上的狡辩。相反的观点似乎更有道理：这些学科所提出的命题——例如，几何学中的一个命题，如“如果一条直线 S 与一个圆 C 有不止一个公共点，那么 S 与 C 恰好有两个公共点”，或者一个与我在此关注的行动领域更密切相关的命题，如“一个人不能既拥有蛋糕又吃掉它”——实际上确实传达了关于现实的信息，而且传达的是现实中不可能出现矛盾情况的信息。¹ 如果我有一块蛋糕并把它吃了，那么可以得出结论：我不再拥有这块蛋糕了。这显然是一个关于现实的结论，且无法被经验证伪。

But much more important than intuition, of course, is reflexive analysis, and this will prove the empiricist position to be simply self-defeating. If it were true that empirical knowledge must be falsifiable by experience and that analytical knowledge, which is not so falsifiable, thus cannot contain any empirical knowledge, then what kind of statement is this fundamental statement of empiricism itself? It must again be either analytical or empirical. If analytical, then according to its own doctrine this proposition is nothing but some scribbling on paper, hot air, entirely void of any meaningful content. It is only because the terms used in the statement such as “knowledge, ” “experience, ” “falsifiable, ” etc., have already been given some meaningful interpretation that this might at first be overlooked. But the entire

¹ 关于此内容及后续内容，可参见 A. 帕普所著《语义学与必然真理》，1958 年，纽黑文；M. 霍利斯和 E. 内尔所著《理性经济人》，1975 年，剑桥；B. 布兰沙德所著《理性与分析》，1964 年，拉萨尔。

meaninglessness of analytical statements follows conclusively from the empiricist-positivist ideology. Of course, and this is the first self-defeating trap, if this were true, then empiricism could not even say and mean what it seems to say and mean; it would be no more than a rustling of leaves in the wind. To mean anything at all, an interpretation must be given to the terms used, and an interpretation of terms, to be sure, is always (as long as one expression cannot be explained in terms of another one) a practical affair; an affair, that is, in which the usage of a term is practiced and learned with real instances of the concept designated by the term, and by which a term is thus tied to reality. However, not just any arbitrary interpretation would do: "falsifiable," for instance, does not mean what one means by "red" or "green." In order to say what empiricism-positivism evidently wants to say when formulating its basic tenets, the terms must be given the meaning that they actually have for the empiricist as well as for those whom he wants to convince of the appropriateness of his methodology. But if the statement indeed means what we thought it did all along, then it evidently contains information about reality. As a matter of fact it informs us about the fundamental structure of reality: that there is nothing in it that can be known to be true in advance of future confirming or falsifying experiences. And if this proposition now is taken to be analytical, i.e., as a statement that does not allow falsification but whose truth can be established by an analysis of the meanings of the terms used alone, as has been assumed for the moment, then one has no less than a glaring contradiction at hand and empiricism once again proves to be self-defeating.⁹

但当然，比直觉重要得多的是反身性分析，而这将证明经验主义的立场完全是自相矛盾的。如果经验知识必须能被经验证伪，而不能如此证伪的分析性知识因而不能包含任何经验知识这一说法为真，那么经验主义的这一基本论断本身又属于何种陈述呢？它必然要么是分析性的，要么是经验性的。如果是分析性的，那么根据其自身学说，这个命题不过是纸上涂鸦、夸夸其谈，完全没有任何有意义的内容。只是因为该陈述中使用的诸如“知识”“经验”“可证伪”等术语已经被赋予了某种有意义的解释，这一点起初才可能被忽视。但从经验主义-实证主义的意识形态来看，分析性陈述完全无意义是必然的结论。当然，这就是第一个自相矛盾的陷阱，如果这是真的，那么经验主义甚至无法说出或表达出它似乎要说和要表达的东西；它不过就像风中树叶的沙沙声。要想表达任何意义，就必须对所使用的术语进行解释，而对术语的解释（只要一个表达不能用另一个表达来解释），肯定总是一种实践性事务；也就是说，是在实际事例中

练习和学习一个术语的用法，通过这些实际事例，该术语所指概念得以明确，进而使术语与现实建立联系。然而，并非任何随意的解释都行得通：例如，“可证伪”的意思就不同于“红色”或“绿色”的意思。为了说出经验主义-实证主义在阐述其基本信条时显然想要表达的内容，就必须赋予这些术语它们对于经验主义者以及那些他想说服其相信该方法论恰当性的人所实际具有的含义。但是，如果这个陈述确实就是我们一直认为它所表达的意思，那么它显然包含了关于现实的信息。事实上，它向我们揭示了现实的基本结构：现实中不存在任何能在未来证实或证伪的经验之前就被确认为真的东西。如果现在把这个命题视为分析性的，即作为一个不允许证伪、但其真实性仅通过对所使用术语含义的分析就能确立的陈述（就像我们此刻所假定的那样），那么我们就面临着一个明显的矛盾，经验主义再次证明是自相矛盾的。¹

Hence, it seems that empiricism-positivism would have to choose the other available option and declare its central creed itself to be an empirical statement. But then, clearly, the empiricist position would no longer carry any weight whatsoever: after all, the fundamental proposition of empiricism serving as the basis from which all sorts of rules of correct scientific inquiry are derived could be wrong, and no one could ever be sure if it was or was not so. One could equally well claim the exact opposite and within the confines of empiricism there would be no way of deciding which position was right or wrong. Indeed, if its central tenet were declared an empirical proposition, empiricism would cease to be a methodology—a logic of science—altogether, and would be no more than a completely arbitrary verbal convention for calling certain (arbitrary) ways of dealing with certain statements certain (arbitrary) names. It would be a position void of any justification of why it, rather than any other one, should be adopted.¹⁰

因此，经验-实证主义似乎只能选择另一种可行的办法，即宣称其核心信条本身是一个经验性陈述。但那样一来，显然经验主义的立场就不再有任何说服力了：毕竟，作为推导出各类正确科学探究规则之基础的经验主义基本命题可能是错误的，而且没人能

¹ 参见路德维希·冯·米塞斯所著《经济科学的终极基础》，堪萨斯城，1978年，第5页：“逻辑实证主义的本质在于，通过指出所有先验命题都仅仅是分析性的，来否定先验知识的认知价值。它们并未提供新信息，而仅仅是文字表述或同义反复……只有经验才能得出综合性命题。针对这一学说存在一个明显的反对意见，即：该命题本身就是一个——在本文作者看来是错误的——先验综合命题，因为显然它无法通过经验来确立。”

确定它到底对错与否。人们同样可以提出完全相反的主张，而在经验主义的范畴内，根本无法判定哪种立场是对是错。事实上，如果其核心信条被宣称为一个经验性命题，经验主义就不再是一种方法论——一种科学逻辑——而完全沦为一种随意的语言约定，只不过是给处理某些陈述的特定（随意的）方式冠以特定（随意的）名称罢了。这将是缺乏任何正当理由的立场，无法说明为何要采用它，而不是其他立场。¹

However, this is not all that can be mustered against empiricism, even if the second available alternative is chosen. Upon closer inspection this escape route leads to another trap of self-defeat. Even if this route were chosen, it can be shown that the empiricist-positivist position must tacitly presuppose the existence of nonempirical knowledge as “real” knowledge. In order to realize this, let it be assumed that a causal explanation relating two or more events has been found to fit one particular instance of experiences regarding such events, and is then applied to a second instance, presumably to undergo some further empirical testing. Now, one should ask oneself what is the presupposition which must be made in order to relate the second instance of experience to the first as either confirming or falsifying it? At first it might seem almost self-evident that if in the second instance of experience the observations of the first were repeated, this would be a confirmation, and if not, a falsification—and clearly, the empiricist methodology assumes this to be evident, too, and does not require further explanation. But this is not true. Experience, it should be noted, only reveals that two or more observations regarding the temporal sequence of two or more types of events can be “neutrally” classified as “repetition” or “nonrepetition.” A neutral repetition only becomes a “positive” confirmation and a nonrepetition a “negative” falsification if, independent of what can actually be discovered by experience, it is assumed that there are constant causes which operate in time-invariant ways. If, contrary to this, it is assumed that causes in the course of time might operate sometimes this way and sometimes that way, then these repetitive or

¹ M. 霍利斯和 E. 内尔评论道：“对实证主义者而言，既然每一个有意义的陈述要么是分析性的，要么是综合性的，且二者不能兼具，我们便可以要求进行分类…… 我们不知道有哪位实证主义者试图为（此类）陈述提供经验证据。我们也不知道该如何去做，除非辩称这是一个关于人们如何使用术语的事实问题…… 而这只会让我们简单地问一句‘那又怎样’？”（M. 霍利斯、E. 内尔，《理性经济人》，剑桥，1975年，第110页）。

nonrepetitive occurrences simply are and remain neutrally registered experiences, completely independent of one another, and are not in any way logically related to each other as confirming or falsifying one another. There is one experience and then there is another, they are the same or they are different, but that is all there is to it; nothing else follows.

然而，即便选择了第二种可行方案，对经验主义的批判也不止于此。仔细审视就会发现，这条退路会让人陷入另一个自相矛盾的陷阱。即便选了这条路，也能证明经验主义 - 实证主义立场必定在暗中预设了非经验知识作为“真实”知识的存在。为了理解这一点，假设已经找到一个因果解释，它适用于关于两个或多个事件的某一特定经验实例，随后将其应用于第二个实例，大概是要进行进一步的经验检验。此时，人们应该问问自己，要将第二个经验实例与第一个联系起来，无论是确证还是证伪，必须做出什么预设呢？起初，似乎不言而喻的是，如果在第二个经验实例中重复了第一个实例中的观察结果，这就是一种确证，如果没有重复，就是一种证伪——显然，经验主义方法论也认为这是不言而喻的，无需进一步解释。但事实并非如此。¹ 需要注意的是，经验仅表明，对于两个或更多类型事件的时间顺序的两次或更多次观察，可被“中立地”归类为“重复”或“非重复”。只有在假定存在以不随时间变化的方式起作用的恒定原因时（这一假定独立于经验实际所能揭示的内容），中立的重复才会成为“正面的”确证，非重复才会成为“负面的”证伪。反之，如果假定原因在时间进程中有时以这种方式起作用，有时以那种方式起作用，那么这些重复或非重复的事件仅仅是且始终是被中立记录的经验，彼此完全独立，不存在任何逻辑上的相互确证或证伪关系。有一次经验，然后又有另一次经验，它们相同或不同，但仅此而已；除此之外别无其他。

Thus, the prerequisite of being able to say “falsify” or “confirm” is the constancy principle: the conviction that observable phenomena are in principle determined by causes that are constant and time-invariant in the way they operate, and that in principle contingency plays no part in the way causes operate. Only if the constancy principle is assumed to be valid does it follow from any failure to reproduce a result that there is something wrong with an original hypothesis; and only then can a successful reproduction indeed be interpreted as a confirmation. For only if two (or

¹ 关于此内容，可参见 H. H. 霍普所著《对因果科学的社会研究的批判》，奥普拉登，1983 年；以及《社会科学中基于因果科学原理的研究是否可行》，载于《理性》，第 25 卷，第 1 期，1983 年。

more) events are indeed cause and effect and causes operate in a time-invariant way must it be concluded that the functional relationship to be observed between causally related variables must be the same in all actual instances, and that if this is not indeed the case, something must be at fault with the particular specification of causes.

因此，能够说“证伪”或“证实”的先决条件是恒常性原则：即坚信可观测现象原则上是由在运作方式上恒定且非时变的原因所决定的，并且原则上偶然性在原因的运作方式中不起作用。只有假定恒常性原则有效，才会从任何无法重现结果的情况中推断出最初的假设存在问题；只有在那时，一次成功的重现才能真正被解释为一次证实。因为只有当两个（或更多）事件确实存在因果关系，且原因以非时变的方式运作时，才必然得出这样的结论：在因果相关变量之间观测到的函数关系在所有实际情况中都必须相同的，并且如果实际并非如此，那么对原因的具体设定肯定存在某些错误。

Obviously now, this constancy principle is not itself based on or derived from experience. There is not only no observable link connecting events. Even if such a link existed, experience could not reveal whether or not it was time-invariant. The principle cannot be disproved by experience either, since any event which might appear to disprove it (such as a failure to duplicate some experience) could be interpreted from the outset as if experience had shown here that merely one particular type of event was not the cause of another (otherwise the experience would have been successfully repeated). However, to the extent that experience cannot exclude the possibility that another set of events might actually be found which would turn out to be time-invariant in its way of operating, the validity of the constancy principle cannot be disproved.

显然，这一恒常性原则本身并非基于经验或从经验推导而来。不仅不存在可观察到的将事件相互连接的关联。即便存在这样的关联，经验也无法揭示其是否是非时变的。这一原则也无法被经验证伪，因为任何看似可能证伪它的事件（比如无法重复某种经验），从一开始就可以被解释为：经验在此表明，仅仅是某一特定类型的事件并非另一事件的原因（否则该经验本应能成功重现）。然而，鉴于经验无法排除这样一种可能性，即实际上可能会发现另一组事件，其运作方式最终证明是非时变的，所以恒常性原则的有效性无法被证伪。

Nonetheless, although neither derived from nor disprovable by experience, the constancy principle is nothing less than the logically necessary presupposition for there

being experiences which can be regarded as either confirming or falsifying each other (in contrast to isolated, logically unconnected experiences). And hence, since empiricism-positivism assumes the existence of such logically related experiences, it must be concluded that it also implicitly assumes the existence of nonempirical knowledge about reality. It must assume that there are indeed time-invariantly operating causes, and it must assume that this is the case although experience could never possibly prove nor disprove it. Once again, then, empiricism turns out to be an inconsistent, contradictory philosophy.

然而，尽管恒常性原则既非源自经验，也无法为经验所证伪，但它却是使经验能够被视为相互证实或证伪（与孤立的、逻辑上毫无关联的经验形成对比）的逻辑必要前提。因此，鉴于经验主义 - 实证主义假定存在这种逻辑关联的经验，必然得出结论：它也隐含地假定了关于现实的非经验知识的存在。它必须假定确实存在以非时变方式运作的原因，而且必须假定情况就是如此，尽管经验永远不可能证明或证伪这一点。那么，经验主义再次被证明是一种前后不一致、自相矛盾的哲学。

By now it should be sufficiently clear that aprioristic knowledge must exist, or at least, that empiricism-positivism—the philosophy which is the most skeptical about its possibility—must in fact presuppose its existence. Admittedly, though, the very idea of knowledge as knowledge about real things whose validity can be ascertained independent of experience is a difficult one to grasp—otherwise the overwhelming success of the philosophy of empiricism-positivism in the scientific community and in the opinion of the “educated public” could hardly be explained. Hence, before proceeding to the more concrete task of elucidating the specific aprioristic foundations on which the economic case against socialism rests, it would seem appropriate to make a few rather general comments which should help make it more plausible that there is indeed something like aprioristic knowledge.

到目前为止，先验知识必定存在这一点，或者至少经验主义 - 实证主义（这种对先验知识的可能性最为怀疑的哲学）事实上必定预设了先验知识的存在，这一点应该已经足够清楚了。诚然，认为知识是关于真实事物且其有效性无需借助经验就能确定的知识，这个观念本身确实难以理解——不然的话，就很难解释为什么经验主义 - 实证主义哲学在科学界以及“受过教育的民众”的观念中会取得如此巨大的成功。因此，在着手更具体地阐明反对社会主义的经济学说所基于的特定先验基础之前，似乎有必要做一些较为一般性的评论，这些评论应有助于使“确实存在类似先验知识的东西”

这一观点更具说服力。

It seems to be of great importance to first rid oneself of the notion that aprioristic knowledge has anything to do with “innate ideas” or with “intuitive” knowledge which would not have to be discovered somehow or learned. Innate or not, intuitive or not: these are questions that concern the psychology of knowledge. In comparison, epistemology is concerned exclusively with the question of the validity of knowledge and of how to ascertain validity—and, to be sure, the problem of aprioristic knowledge is solely an epistemological one. Aprioristic knowledge can be, and in fact quite often is, very similar to empirical knowledge from a psychological point of view, in that both types of knowledge must be acquired, discovered, learned. The process of discovering aprioristic knowledge might and very often indeed seems to be even more difficult and painstaking than that of acquiring empirical knowledge, which frequently enough simply seems to press itself onto us without our having done much about it; and also, it might well be the case genetically that the acquisition of aprioristic knowledge requires one's having previously had some sort of experience. But all this, it should be repeated, does not affect the question of the validation of knowledge, and it is precisely and exclusively in this regard that aprioristic and empirical knowledge differ categorically.¹²

“先验知识”并不等同于“与生俱来的知识”或“直觉的知识”，因为“直觉的知识”不需要通过某种方式发现与习得。是否是天生的、直觉的，这些只是关于知识心理学的问题。与此相反，认识论只关心知识的有效性，以及如何确定有效性的问题，而“先验的知识”是属于认识论的问题。从心理学的角度来看，我们之所以会认为“先验的知识”与“经验的知识”相似，就是因为它们都不是“直觉的知识”，都需要人们的后天发现、认识和习得。先验的知识需要被“发现”，而先验知识的“发现”常常显得比获得经验知识更困难，更艰辛。经验知识的获得，常常并不伴随着我们的主观努力和求知。另外，从遗传学的角度来讲，当一个人要“明白某种先验知识”，却需要有某种相关经验。但我们一定要分清楚，就算是没有某种经验，也不影响这些先验知识的正确性——先验的知识与经验的知识，正是在这一点上截然不同。¹

¹ 参见伊曼努尔·康德，《纯粹理性批判》，载于《康德著作集》（魏舍德尔编），威斯巴登，1956年，第二卷，第45页。

On the positive side, the most important notion for understanding the possibility of a priori knowledge, I submit, is that there are not only nature-given things which one has to learn about through experience, but that there are also artificial, man-made things which may require the existence or use of natural materials, but which to the very extent that they are constructs can nonetheless not only be fully understood in terms of their structure and implications, but which also can be analyzed for the question of whether or not their method of construction can conceivably be altered.¹³

从积极方面看，我认为，要理解先验知识存在的可能性，最重要的概念是，世间不仅存在人们必须通过经验去认识的自然赋予的事物，还存在人为创造的事物。这些人造事物可能需要借助天然材料才能存在或被使用，但就其作为构造物而言，人们不仅可以充分理解其结构及内在意义，还能分析其构造方法是否有可能被设想性地改变。¹

There are three major fields of constructs: language and thought, actions, and fabricated objects, all of which are man-made things. We shall not deal here with fabricated objects but will only mention in passing that Euclidean geometry, for instance, can be conceived of as ideal norms we cannot avoid using in constructing measurement instruments that make empirical measurements of space possible. (In so far, then, Euclidean geometry cannot be said to have been falsified by the theory of relativity; rather, this theory presupposes its validity through the use of its instruments of measuring.)¹⁴ The field of action, as our area of main concern, will be analyzed when the aprioristic foundations of economics are discussed. The first explanation of aprioristic knowledge, then, as knowledge of rules of construction which cannot conceivably be altered, shall be given using the example of language and thought. This is chosen as the starting point, because it is language and thought which one uses in doing what is being done here, that is, in communicating, discussing, and arguing.

这就是我们接下来要讨论的三个人造的领域：语言与思想、行动、人造物体。我们在这里不处理人造物体，而只是顺便提一下，例如，欧氏几何可以被看作是我们在制造测量仪器时不可避免要使用的理想规范，这些测量仪器使空间的经验测量成为可能。

¹ 当然，这是康德的观点，在康德的名言“理性只能理解它自己按照自己的设计所产生的东西”中表达出来(见《理性的批判》，见：康德：《哲学》，魏斯切德尔主编，威斯巴登，1956年，第二卷，第23页)。

（因此，到目前为止，还不能说欧氏几何已被相对论证伪；相反，相对论通过使用它的测量工具，预设了它的有效性。¹）作为我们主要关注的领域，行动领域将在讨论经济学的先验基础时加以分析。因此，对于先验知识的第一个解释，即关于不可改变的构造规则的知识，应以语言和思维为例加以说明。之所以选此作为起点，是因为在这里所做的事情，即在交流、讨论和辩论中，使用的是语言和思想。

As empiricists see it, language is a conventionally accepted system of signs and sign-combinations, which, again by convention, are given some meaning, ultimately by means of ostensive definitions. According to this view, it may seem that although language is an artificial, man-made product, nothing can be known about it a priori. And indeed, there are lots of different languages, all using different signs, and the meaning of the terms used can be assigned and changed arbitrarily, so that everything there is to know about language must, or so it seems, be learned from experience. But this view is incorrect, or at best is only half of the truth. True, any language is a conventional sign system, but what is a convention? Evidently, it cannot be suggested that “convention” in turn be defined conventionally, as that would simply be begging the question. Everything can be called a convention (and, for that matter, a language), but surely not everything that can be called one is in fact a conventional agreement. Saying and being understood in saying “convention is used in such and such a way” presupposes that one already knows what a convention is, as this statement would already have to make use of language as a means of communication. Hence, one is forced to conclude that language is a conventional sign system and as such knowledge about it can only be empirical knowledge. But in order for there to be such a system it must be assumed that every speaker of a language already knows what a convention is, and he must know this not simply in the way he knows that “dog” means dog, but he must know the real, true meaning of convention. As such his knowledge of what a language is must be considered a priori. This insight can be repeated for more

¹ 关于此内容，可参见 P. 洛伦岑，《物理学中的客观性如何可能》；《作为空间秩序科学的几何学的基础问题》，载于《方法论思考》，美国河畔法兰克福，1968 年；以及《规范逻辑与伦理学》，曼海姆，1969 年；F. 坎巴特尔，《经验与结构》，美国河畔法兰克福，1968 年，第 3 章；还有 H. 丁格勒，《对现实的把握》，慕尼黑，1955 年；P. 亚尼希，《时间的原物理学》，曼海姆，1969 年。

particular levels. There are all sorts of specific statements that can be made in a language, and surely experience plays a role here. However, knowing what it means to make a proposition can definitely not be learned from experience, but rather must be presupposed of any speaker of a language. What a proposition is cannot be explained to a speaker by just another statement unless he already knows how to interpret this as a proposition. And the same is true with definitions: it would not do to define “definition” ostensively by pointing to someone who is just pointing out some definition, because just as in the case in which the word “dog” is defined by pointing to a dog, an understanding of the meaning of ostensive definitions must already be presupposed when it is understood that pointing to a dog, accompanied by the sound [dog] means that “dog” means dog, so in the case of “definition.” To define definition ostensively would be entirely meaningless, unless one already knew that the particular sound made was supposed to signify something whose identification should be assisted by pointing, and how then to identify particular objects as instances of general, abstract properties. In short, in order to define any term by convention, a speaker must be assumed to have a priori knowledge of the real meaning—the real definition—of “definition.”¹⁵

在经验主义者看来，语言是一个被约定俗成接受的符号及符号组合系统，这些符号和组契约样依据约定被赋予某种意义，最终是通过实指定义来实现。按照这种观点，尽管语言是一种人为创造的产物，但似乎关于语言没有什么是可以先验知晓的。的确，存在许多不同的语言，它们都使用不同的符号，而且所使用术语的意义可以被随意指定和改变，所以关于语言的一切知识，似乎都必须从经验中学习。但这种观点是不正确的，或者充其量只是部分正确。诚然，任何语言都是一个约定俗成的符号系统，但什么是约定呢？显然，不能说“约定”反过来又通过约定来定义，因为这只是在回避问题。任何事物都可以被称为约定（就此而言，也可以被称为一种语言），但肯定不是所有能被这样称呼的事物实际上都是一种约定俗成的共识。说出“约定是这样那样使用的”并让人理解这句话，就预设了人们已经知道约定是什么，因为这个陈述本身就on须把语言作为一种交流手段来使用。因此，人们不得不得出结论，语言是一个约定俗成的符号系统，因此关于它的知识只能是经验知识。但是，为了有这样一个系统，必须假定每种语言的使用者都已经知道约定是什么，而且他知道这一点的方式，肯定不同于知道“狗”这个词代表狗这种方式，他必须知道约定的真正、真实的含义。因此，他关于语言是什么的知识必须被视为先验的。这种见解在更具体的层面上也同样

适用。在一种语言中可以做出各种各样的特定陈述，经验在这里肯定发挥着作用。然而，知道做出一个命题意味着什么，绝对不是从经验中习得的，而必须是每种语言使用者都预先假定知晓的。除非一个语言使用者已经知道如何将另一个陈述解读为一个命题，否则无法通过这个陈述向他解释什么是命题。定义的情况也是如此：通过指着一个正在指出某个定义的人来实指定义“定义”这个词是行不通的，因为就像用指着一只狗的方式来定义“狗”这个词一样，当理解指着一只狗并同时发出“狗”这个声音意味着“狗”这个词代表狗时，就已经预先假定了对实指定义意义的理解，“定义”的情况也是如此。通过实指来定义“定义”完全没有意义，除非一个人已经知道发出的特定声音应该表示某物，并且通过指认来辅助对该物的识别，以及知道如何将特定对象识别为一般抽象属性的实例。简而言之，为了通过约定来定义任何术语，必须假定一个语言使用者先验地知道“定义”的真正含义——真正的定义。¹

The knowledge about language, then, that must be considered a priori in that it must be presupposed of any speaker speaking any language, is that of how to make real conventions, how to make a proposition by making a statement (i.e., how to mean something by saying something) and how to make a real definition and identify particular instances of general properties. Any denial of this would be self-refuting, as it would have to be made in a language, making propositions and using definitions. And as any experience is conceptual experience, i.e., experience in terms of some language—and to say that this is not so and mean it would only prove the point as it would have to be cast in a language, too—by knowing this to be true of a language a priori, one would also know an a priori truth about reality: that it is made of particular objects that have abstract properties, i.e., properties of which it is possible to find other instances; that any one object either does or does not have some definite

¹ 关于真实定义与约定定义或规定定义的问题，可参见 M. 霍利斯和 E. 内尔所著《理性经济人》（剑桥，1975 年）第 177 页及之后内容。“从经验主义者的角度来看，正当的定义有两类，即词典定义和规定定义。”（第 177 页）但是，“当涉及为（这种）观点辩护时，我们大概会看到一个关于‘定义’的定义。无论这个关于定义的定义……属于哪一类定义，我们都无需承认它具有任何认识论价值。事实上，除非它既不是词典定义也不是规定定义，否则它甚至不可能成为一个认识论命题。这种观点既麻烦又自相矛盾。一种有着悠久传统的相反观点认为，存在‘真实’定义，它抓住了被定义事物的本质”（第 178 页）；另见 B. 布兰沙德所著《理性与分析》（拉萨尔，1964 年）第 268 页及之后内容。

property and so there are facts that can be said to be the case, true or wrong; and also that it cannot be known a priori what all the facts are, except that they indeed also must be facts, i.e., instances of particular abstract properties. And once again, one does not know all this from experience, as experience is only what can appear in the forms just described.¹⁶

因此，关于语言的知识必须被视为先验的，因为它必定是任何说话者说任何语言的前提。这种语言中的先验知识包括如何制定真正的约定，如何通过做出陈述来提出命题（即，如何通过说出某些内容来表达某些含义），以及如何制定真正的定义，如何识别一般属性的特定实例。对“语言的知识是先验的”这个命题的任何否定都将自相矛盾，因为它必须用一种语言来进行，都需要提出命题并使用定义。任何经验都是概念性经验，也就是说，经验也要用某种语言的术语来表达和理解——如果我们说事实并非如此，那就意味着这证明了这一点，因为它也必须用一种语言来表达——如果我们知道一种语言是先验正确的，那么我们就知道了关于实在的先验真理：它是由具有抽象属性的特定对象构成的，也就是说，这些性质是可以找到其他实例的，任何一个对象要么具有，要么不具有某种确定的属性，因此，存在一些事实，可以被认为是真实的，或者是错误的；虽然我们不能先验地知道所有的事实，但“所有事实都必须是特定抽象属性的实例”这个命题是先验的。再次强调，所有这些知识并不是来自经验，因为经验只是可以呈现为刚才描述的形式。¹

With this in mind we can turn to the field of action in order to prove the specific point that one also has positive, aprioristic knowledge of actions and consequences of actions because actions, too, are man-made constructs which can be fully understood regarding their rules of construction; and that empiricism-positivism cannot—at pain of contradiction—possibly be thought to be weakening or even seriously challenging the economic case against socialism, as this case ultimately rests on such foundations, whereas the empiricist philosophy stands in contradiction to it.

牢记这一点，我们可以转向行动领域，以证明这一特定观点：人们对于行动以及行动后果也拥有确切的先验知识，因为行动同样是人造产物，就其构建规则而言是能够被完全理解的；而且经验主义 - 实证主义不可能（否则就会自相矛盾）削弱，甚至严重质疑基于这些先验基础构建起来的反对社会主义的经济学说，因为经验主义哲学本身

¹ 参见 A. 范·梅尔森所著《自然哲学》，匹兹堡，1953年，尤其第1、4章。

就与这些基础相矛盾。

In the first argumentative step I shall demonstrate that the empiricist methodology, contrary to its own claim, cannot possibly apply to actions and thereby reveal a first, albeit rather negative, instance of aprioristic knowledge about actions. Empiricism claims that actions, just as any other phenomenon, can and must be explained by means of causal hypotheses which can be confirmed or refuted by experience. Now if this were the case, then empiricism would be forced to assume (contrary to its own doctrine that there is no a priori knowledge as knowledge about reality) that time-invariantly operating causes with respect to actions exist. One would not know in advance which particular event might be the cause of a particular action—experience would have to reveal this. But in order to proceed the way that empiricism wants us to proceed—to relate different experiences regarding sequences of events as either confirming or falsifying each other, and if falsifying, then responding with a reformulation of the original causal hypothesis—a constancy over time in the operation of causes must be pre-supposed. However, if this were true, and actions could indeed be conceived as governed by time-invariantly operating causes, what about explaining the explainers, i.e., the persons who carry on the very process of hypothesis creation, of verification and falsification; —all of us, that is, who act the way the empiricists tell us to act? Evidently, to do all this—to assimilate confirming or falsifying experiences, to replace old hypotheses with new ones—one must assumedly be able to learn. However, if one is able to learn from experience, and the empiricist is compelled to admit this, then one cannot know at any given time what one will know at later time and how one will act on the basis of this knowledge. Rather, one can only reconstruct the causes of one's actions after the event, as one can only explain one's knowledge after one already possesses it. Thus, the empiricist methodology applied to the field of knowledge and action, which contains knowledge as its necessary ingredient, is simply contradictory—a logical absurdity.¹⁷ The constancy principle may be correctly assumed within the sphere of natural objects and as such the methodology of empiricism may be applicable there, but with respect to actions, any attempt at causal empirical explanation is logically impossible, and this, which is definitely knowledge about something real, can be known with certainty. Nothing can be known a priori about any particular action; but a priori knowledge

exists regarding actions insofar as they are actions at all. It can be known a priori that no action can be conceived of as predictable on the basis of constantly operating causes.

在第一步论证中，我将证明，经验主义方法论与它自身的主张相悖，根本无法应用于行动领域，由此揭示出关于行动的先验知识的第一个实例，尽管这是一个相当负面的实例。经验主义宣称，行动如同任何其他现象一样，可以而且必须通过因果假设来解释，这些假设能够由经验证实或证伪。现在，如果真是这样，那么经验主义就不得不假定（这与它自身“不存在关于现实的先验知识”这一学说相悖），存在对行动而言非时变运作的原因。人们事先不会知道哪个特定事件可能是某个特定行动的原因，这得由经验来揭示。但是，为了按照经验主义期望我们的方式推进研究——将关于事件序列的不同经验相互关联，视为相互证实或证伪，并且如果是证伪，就重新表述原有的因果假设——就必须预先假定原因的运作在时间上具有恒常性。然而，如果这是真的，且行动确实可被设想为由非时变运作的原因所支配，那么又该如何解释这些进行解释的人呢？也就是那些从事假设创造、验证与证伪整个过程的人——即我们所有人，按照经验主义者告诉我们的方式行事的人。显然，要做到所有这些——吸收证实或证伪的经验，用新假设替代旧假设——人们想必必须有学习能力。然而，如果人们能够从经验中学习，而经验主义者又不得不承认这一点，那么在任何给定时间，人们都无法知道自己在未来某个时间会知道什么，以及基于这些知识将如何行动。相反，人们只能在事后重构自身行动的原因，就像只有在已经掌握知识之后才能解释自己的知识一样。因此，将经验主义方法论应用于知识与行动领域（行动包含知识作为其必要要素），完全是自相矛盾的——在逻辑上荒谬至极。¹ 恒常性原则在自然对象领域内的假设或许是正确的，因此经验主义的方法论在该领域可能适用。但就行动而言，任何试图从

¹ 另见 H. H. 霍普所著《对因果科学的社会研究的批判》，奥普拉登，1983 年；以及《社会科学中基于因果科学原理的研究是否可行》，载于《理性》第 25 卷，第 1 期，1983 年。

在此，论证总结如下（第 37 页）：“（1）我以及——作为论证中可能的对手——其他人都有学习能力。（若不隐含承认这一陈述正确，就无法对其提出质疑。最重要的是，任何从事因果研究的人都必须假定这一点。就此而言，命题（1）是先验有效的。）（2）如果有可能学习，那么在任何给定时间，人都无法知道自己在未来任何时间会知道什么，以及将如何基于这些知识行动。（如果在任何给定时间，人都知道自己在未来某个时间会学到什么，那就永远不可能学到任何东西——但关于这一点可参考命题（1）。）

（3）声称能够预测自己和 / 或他人未来的知识状态以及体现该知识的相应行动（即找到可被解释为原因的变量），这包含一个矛盾。如果处于特定知识状态或实施意向性行为的主体能够学习，那么就不存在导致这种情况的原因；然而，如果存在原因，那么主体就无法学习——但再次参考命题（1）。”

因果关系角度进行实证解释的尝试在逻辑上都是不可能的，而这无疑是关于真实事物的知识，且是可以确切知晓的。对于任何特定行动，不存在可以先验知晓的内容；但只要行动是行动，就存在关于行动的先验知识。可以先验得知，无法设想任何行动能基于持续起作用的原因而被预测。

The second insight regarding action is of the same type. I will demonstrate that while actions themselves cannot be conceived of as caused, anything that is an action must presuppose the existence of causality in the physical world in which actions are performed. Causality—which the empiricist-positivist philosophy somehow had to assume existed in order to make its own methodological procedures logically feasible, even though its assumption definitely could not be said to be derived from experience and justified in terms of it—is a category of action, i.e., it is produced or constructed by us in following some procedural rule; and this rule, as it turns out, proves to be necessary in order to act at all. In other words, this rule is such that it cannot conceivably be falsified, as even the attempt to falsify it would have to presuppose it.

关于行动的第二个洞见也是同样的类型。我将证明，虽然行动本身不能被认为是原因，但是，任何行动都必须以行动发生的物理世界中存在因果关系为前提。因果关系——经验主义-实证主义哲学在某种程度上不得不假设它存在，以便使它自己的方法论程序在逻辑上可行，即使它的假设绝对不能说是来自经验，也不能用经验来证明——是一种行动范畴，也就是说，它是由我们在遵循某些程序规则的情况下产生或构建的；事实证明，为了采取行动，这条规则是必要的。换句话说，这个规则是不能被证伪的，因为即使试图证伪它也必须以它为前提。

After what has been said about causality, it should indeed be easy to see that it is a produced rather than a given feature of reality. One does not experience and learn that there are causes which always operate in the same way and on the basis of which predictions about the future can be made. Rather, one establishes that phenomena have such causes by following a particular type of investigative procedure, by refusing on principle to allow any exceptions, i.e., instances of inconstancy, and by being prepared to deal with them by producing a new causal hypothesis each time any such an apparent inconstancy occurs. But what makes this way of proceeding necessary? Why does one have to act this way? Because behaving this way is what performing intentional actions is; and as long as one acts intentionally, presupposing constantly

operating causes is precisely what one does. Intentional acts are characterized by the fact that an actor interferes in his environment and changes certain things, or prevents them from changing, and so diverts the “natural” course of events in order to achieve a preferred result or state of affairs; or should an active interference prove impossible, that he prepares himself for a result he cannot do anything about except anticipate in time, by watching out for temporally prior events which indicate the later result. In any case, in order to produce a result that otherwise would not have happened, or to be able to adapt to an inevitable result that otherwise would have come as a complete surprise, the actor must presuppose constantly operating causes. He would not interfere if he did not assume this would help bring about the desired result; and he would not prepare for and adjust to anything unless he thought the events on whose basis he began his preparations were indeed the constantly operating causal forces that would produce the result in question, and the preparation taken would indeed lead to the goal desired. Of course, an actor could go wrong with respect to his particular assumptions of cause-and-effect relations and a desired result might not come about in spite of the interference, or an anticipated event for which preparations had been made might fail to occur. But no matter what happens in this respect, whether or not the results conform to the expectations, whether or not actions regarding some given result or event are upheld for the future, any action, changed or unchanged, presupposes that there are constantly operating causes even if no particular cause for a particular event can be pre-known to any actor at any time. In fact, disproving that any natural phenomenon is governed by time-invariantly operating causes would require one to show that given phenomenon cannot be anticipated or produced on the basis of antecedent variables. But clearly, trying to prove this would again necessarily presuppose that the occurrence or non-occurrence of the phenomenon under scrutiny could be effected by taking appropriate action and that the phenomenon must thus assumedly be embedded in a network of constantly operating causes. Hence, one is forced to conclude that the validity of the constancy principle cannot be falsified by any action as any action would have to presuppose it. 18(There is only one way in which it might be said that “experience” could “falsify” the constancy principle: if the physical world were indeed so chaotic that one could no longer act at all, then of course it would not make much sense to speak of a world with constantly operating causes. But then human beings, whose essential characteristic is to act intentionally, would also

no longer be the ones who experience this inconstancy. As long as one survives as a human being—and this is what the argument in effect says—the constancy principle must be assumed to be valid a priori, as any action must presuppose it and no experience that anyone could actually have could possibly disprove this.)¹⁹

关于因果关系，我们已经说了那么多，就不难看出，因果关系是一种思考的产物，而不是实在的规定。一个人没有意识到和明白某些原因，但是这些原因总是以同样的方式运作，并在此基础上对未来进行预测。更确切的说，人们通过遵循一种特殊的研究程序，原则上拒绝任何例外，即拒绝不恒定的实例，并通过每次出现任何这种明显的不恒定时产生新的因果假设来处理它们，从而确定现象有这样的原因。但是，是什么使这种程序成为必要呢？为什么一定要这样做呢？因为这样的行动就是有意的行动；只要一个人有意地行动，他所做的就是假定存在不断发生作用的原因。有意行动的特点是，行动人干预他的环境，改变某些事物，或阻止它们改变，从而改变事件的“自然”进程，以达到一个理想的结果或事态；或者，如果主动干预被证明是不可能的，他就为一个结果做准备，除了及时预测之外，他什么也做不了，方法就是注意那些预示着后来结果的短暂的先前事件。在任何情况下，为了产生一个本来不会发生的结果，或者为了能够适应一个本来会完全出乎意料的不可避免的结果，行动人必须预先假定存在不断起作用的原因。如果他不假设这原因将有助于实现期望的结果，他就不会干预；他不会为任何事情做准备，也不会调整任何事情，除非他认识到，他开始准备所依的凭据，确实是不断发挥作用的因果力量，会产生预期的结果，并且为此所做的准备工作确实能达致所期望的目标。当然，一个行动人可能因为他对因果关系的特定假设上出错，尽管有干预，期望的结果可能不会出现，或者已经做好准备的预期事件可能不会发生。但无论在这方面发生了什么，无论结果是否符合预期，无论关于某个给定结果或事件的行动是否为未来所坚持，任何改变或不改变的行动，都预设存在持续发生作用的原因，即使任何行动人在任何时候都无法预先知道特定事件的特定原因。事实上，要证明任何自然现象都是由非时变的运行原因控制的，就需要证明，给定的现象不能在先决变量的基础上被预测或产生。

但是，很明显，试图证明这一点将再次必须假设，被审视的现象，其发生或不发生可以通过采取适当的行动来影响，因此，这种现象必须被假定，是被嵌在一个不断运作的因果网络中。我们因此可以得出结论，恒常原则的有效性不能被任何行动所证伪，

因为任何行动都必须以恒常原则为前提。¹（只有一种方式可以说，“经验”可以“证伪”恒常原理：如果物理世界确实如此混乱，以至于人们根本无法再行动，那么当然，谈论一个具有不断运作的原因的世界就没有多大意义了。但是人类，其本质特征是有意识地行动，也将不再是经历这种无常的人。只要一个人作为人类而存在(这就是论证实际上所说的)，恒常性原则就必须被假定为先天有效，因为任何行动都必须以它为前提，实际上任何人所拥有的任何经验都不可能反驳这一点。)²

¹ 那么，因果关系并非物理现实的偶然特征，而是行动的一个范畴，因此也是物理世界在逻辑上的必要特征。这一事实解释了为什么尽管如上文所述，有可能通过设定新的非受控变量来使任何假设免受可能的反驳，但这并不意味着因果科学研究就会得出虚无主义的结论（另见上文注释7）。因为如果明白自然科学并非一项纯粹沉思性的事业，而是最终服务于行动的一种工具（关于这一点，另见J. 哈贝马斯所著《知识与人类旨趣》，波士顿，1971年，尤其是第6章），那么无论是假设可以被加以维护这一事实，还是在相互竞争的理论之间进行选择并非总是可行（因为不可否认，理论并非完全由数据决定）这一点，都不会影响“工具性成功”这一理性标准的永恒存在。无论是维护假设，还是提及范式差异，都无法让人摆脱这一标准的约束，从这一标准来看，所有理论最终都具有可比性。正是“工具性成功”这一理性标准的必然性，解释了为什么尽管有库恩、费耶阿本德等人的观点，自然科学的发展仍能带来最终不可否认的、持续的技术进步。

另一方面，在人类行动领域，如上文所证，因果科学研究是不可能的，预测性知识永远无法达到可经实证检验的科学假设的地位，而只能是有见地的、无法系统传授的预见，并且原则上“工具性成功”这一标准在此并不适用。如果人们认真对待经验主义的方法论准则，虚无主义的幽灵似乎确实会成为现实。然而，这些准则不仅不适用于作为实证科学的社会科学（关于这一点，见H. H. 霍普所著《对因果科学的社会研究的批判》，奥普拉登，1983年，尤其是第2章）；而且如我在此所表明的，与经验主义学说认为一切都必须先尝试才能知晓结果相反，存在关于行动的先验知识，并且基于这种先验知识，可以对社会世界做出确凿无误的真实预测。正是这一点证明了所有虚无主义的诱惑都是毫无根据的。

² 因此，因果关系并非物理现实的偶然特征，而是行动的一个范畴，正因如此，它是物理世界在逻辑上的必要特性。这一事实解释了为何尽管如上文所述，通过设定新的非受控变量，有可能让任何假设免受可能的反驳，但因果科学研究并不会因此产生虚无主义的后果（参见上文注释7）。因为如果我们明白自然科学并非一项纯粹思辨性的事业，而是最终服务于行动的工具（关于此点，也可参见J. 哈贝马斯所著《知识与人类旨趣》，1971年于波士顿出版，特别是第6章），那么，无论是假设可以得到维护这一事实，还是在相互竞争的理论间进行选择并非总是可行（因为不可否认，理论并非完全由数据决定）这一情况，都不会影响“工具性成功”这一理性标准的永恒存在。无论是维护假设，还是提及范式差异，都无法让人摆脱这一标准的约束，从这一标准来看，所有理论最终都具有可比性。正是“工具性成功”这一理性标准的必然性，解释了为什么尽管有库恩、费耶阿本德等人的观点，自然科学的发展仍能带来最终无可否认的、持续的技术进步。

Implied in the category of causality is that of time. Whenever one produces or prepares for a certain result and thereby categorizes events as causes and effects, one also distinguishes between earlier and later events. And to be sure, this categorization is not simply derived from experience, i.e., the mere observance of things and events. The sequence of experiences as it appears in the temporal order of one's observations is quite a different thing from the real sequence of events in real time. As a matter of fact, one can observe things in an order that is exactly the opposite of the real temporal order in which they stand to each other. That one knows how to interpret observations in a way that might deviate from and correct on the temporal order in which they were made and can even locate events in objective time requires that the observer be an actor and know what it means to produce or prepare for some result. Only because one is an actor, and experiences are those of an acting person, can events be interpreted as occurring earlier and later. And, one cannot know from experience that experiences must be interpreted with reference to actions, as the performance of any action already presupposes the possession of experiences interpreted this way. No person who did not know what it means to act could ever experience events placed in real time, and hence the meaning of time must be assumed to be known a priori to any actor because of the fact that he is an actor.

因果关系的范畴也包含着时间的范畴。每当一个人产生或准备某种结果，从而将事件分类为原因和结果时，他也会区分早前和晚后的事件。当然，这种分类不是简单地从经验中得来的，也就是说，不仅仅是通过对事物和事件的观察得来的。在一个人观察的时间顺序中出现的经验序列与实时事件的真实序列是完全不同的。事实上，人们观察事物的顺序，与事物彼此之间真实的发展时序，可能是完全相反的。一个人知道如

另一方面，在上文已表明，人类行为领域无法开展因果科学研究。在此领域，预测性知识永远无法达到可经实证检验的科学假设的高度，而仅能是基于见闻、却无法系统传授的预见。从原则上讲，工具性成功的标准在此也并不适用。倘若认真对待经验主义的方法论准则，虚无主义的阴影似乎确实会成为现实。然而，这些准则不仅不适用于作为实证科学的社会科学（关于此，可参见 H. H. 霍普所著《对因果科学的社会研究的批判》，1983 年于奥普拉登出版，尤其是第 2 章）；而且正如我在此所阐述的，与经验主义主张凡事都必须先尝试才能知晓结果不同，关于行为的先验知识是存在的，并且基于这种先验知识，能够对社会现象做出确凿无误的预测。正是这一点，证明了所有虚无主义的诱惑都是毫无根据的。

何用一种可能偏离并纠正观察结果产生的时间顺序的方式来解释观察结果，甚至可以将事件定位在客观时间中，这要求观察者是一个行动人，知道产生或准备一些结果意味着什么。只有因为一个人是行动人，经验是一个行动人的经验，事件才能被解释为何为先何为后。而且，人们不能从经验中知道，经验必须参照行动来解释，因为任何行动的执行都已经以拥有以这种方式解释的经验为前提。如果一个人不知道行动意味着什么，他就不可能对发生在真实时间里的事件产生经验，因此，作为行动人，时间的意义必须被假定为先验地为任何一个行动人所知。

Furthermore, actions not only presuppose causality and an objective time order, they also require values. Values, too, are not known to us through experience; rather, the opposite is true. One only experiences things because they are things on which positive or negative value can be placed in the course of action. Only by an actor, that is to say, can things be experienced as value-laden and, even more generally, only because one is an actor does one have conscious experiences at all, as they inform about things which might be valuable for an acting person to know. More precisely: with every action an actor pursues a goal.²⁰ He wants to produce a definite result or be prepared for a result that he cannot prevent from happening. Whatever the goal of his action (which, of course, one could only know from experience), the fact that it is pursued by an actor reveals that he places value on it. As a matter of fact, it reveals that at the very start of his action he places a relatively higher value on it than on any other goal of action he could think of, otherwise he would have acted differently. Furthermore, since in order to achieve his most highly valued goal any actor must interfere at an earlier point in time or must watch out for an earlier event in order to start preparations for some later occurrence, every action must also employ means (at least those of the actor's own body and the time absorbed by the interference or the preparations) to produce the desired end. And as these means are assumed to be causally necessary for achieving the valued goal, otherwise the actor would not employ them, value must also be placed on them. Not only the goals, then, have value for an actor, but the means do, too—a value that is derived from that of the desired end, as one could not reach an end without employing some means. In addition, as actions can only be performed sequentially by an actor, every action involves making a choice. It involves taking up that course of action which at the moment of acting promises the most highly valued result to the actor and hence is

given preference by him; at the same time it involves excluding other possible actions with expected results of a lesser value. As a consequence of having to choose whenever one acts — of not being able to realize all valued goals simultaneously — the performance of each and every action implies the incurrance of costs. The cost of an action is the price that must be paid for having to prefer one course of action over another, and it amounts to the value attached to the most highly valued goal that cannot be realized or whose realization must now be deferred, because the means necessary to produce it are bound up in the production of another, even more highly valued end. And while this implies that at its starting point every action must be considered to be worth more than its costs and able to secure a profit to the actor, i.e., a result whose value is ranked higher than the costs, every action is also threatened by the possibility of a loss. Such a loss would occur if in retrospect an actor found that—contrary to his own previous expectation—the result in fact had a lower value than that of the relinquished alternative. And just as every action necessarily aims at a profit, the possibility of a loss, too, is a necessary accompaniment to any action. For an actor can always go wrong regarding his causal-technological knowledge, and the results aimed for cannot be produced successfully or the events for which they were produced do not occur; or he can go wrong because every action takes time to complete and the value attached to different goals can change in the meantime, making things less valuable now that earlier appeared to be highly valuable.

此外，行动不仅以因果关系和客观时间顺序为前提，而且还需要价值偏好。价值也不是我们通过经验所知道的；事实上，情况正好恰恰相反。价值来源于行动人，是他赋予了事物的正面或负面价值，才会有行动。也就是说，只有行动人才能赋予事物以价值，甚至更一般地说，只因一个人是行动人，他才会有意识的体验，才会告诉我们事物对他的价值。更准确地说：行动人的每一个行动都是为了达致一个目标。¹ 他想要产生一个明确的结果，或者为一个他无法阻止的结果做好准备。无论他的行动目标是什么（当然，人们只能从经验中知道），行动人追求这个目标的事实表明，他重视这个目标。事实上，行动揭示了在他行动的一开始，他对这一目标的重视程度要高于他能想到的

¹ 另见路德维希·冯·米塞斯所著《人的行动》（芝加哥，1966年）、《经济学的认识论问题》（纽约，1981年）以及《经济科学的最终基础》（堪萨斯城，1978年）。

任何其他行动目标, 否则他就会有不同的行动。此外, 由于为了实现其最重要的目标, 任何行动人都必须在较早的时间点进行干预, 或者必须注意较早的事件, 以便开始为稍后的事件做准备, 每个行动都必须使用手段(至少是行动人自己的身体和被干预或准备所占用的时间)来产生期望的结果。由于行动人的目的有价值, 且他认为某种手段与他想要达成的目的之间有因果关系, 因此他使用该手段, 而正是因为此目的对于他有价值, 因此该手段也被赋予了价值。因此, 对于行动人来说, 目的有价值, 因而实现目的的手段也衍生出价值——如果不使用该手段就达不成他的目的。此外, 行动人只能按照一定的顺序执行他的行动, 而行动的每一步都包含选择。对于行动人来说, 最有利于达到他想要的目的的那个行动被他采纳, 而预判结果稍差的行动会被放弃。由于行动必须择时——不可能同时实现所有有价值的目标——每个行动的实施都意味着成本的产生。选择一个首要目的, 就意味着放弃一个次要目的。选择首要目的的价值, 就意味着放弃了次要目的的价值。必要的手段被安排给了首要目的, 次要目的就可能无法实现或推迟实现。人在选择的时候, 意味着一开始他就是主动选择了更高价值的目的, 放弃了价值稍低的目的, 在他心里就已经肯定结果的价值高于(机会)成本。但, 每个行动也都会有因失败而损失的可能性。行动人在行动之后回顾发现, 与他想要达到的预期相反, 他最想要的目的没有实现, 实际结果甚至比他放弃的次要目的的价值还低, 亏损产生。正如每一项行动都必定以盈利为目标一样, 任何行动也必然伴随着损失的可能性。事与愿违的原因很多, 一个行动人会在因果关系的认知上出现错误, 因此无法成功实现他想要的结果, 或者预期产生这些结果的事件并未发生; 或者因为每个行动都需要时间来完成, 不同目标的价值可能会在此期间发生变化, 这使得之前看起来非常有价值的东西现在变得不那么有价值了。

All of these categories—values, ends, means, choice, preference, cost, profit and loss—are implied in the concept of action. None of them is derived from experience. Rather, that one is able to interpret experiences in the above categories requires that one already know what it means to act. No one who is not an actor could understand them as they are not “given, ” ready to be experienced, but experience is cast in these terms as it is constructed by an actor according to the rules necessary for acting. And to be sure, as actions are real things and one cannot not act—as even the attempt to do so would itself be an action aimed at a goal, requiring means, excluding other courses of action, incurring costs, subjecting the actor to the possibility of not achieving the desired goal and so suffering a loss—the knowledge of what it means to act must be considered knowledge about reality which is a priori. The very possession

of it could not be undone or disproved, since this would already presuppose its very existence. As a matter of fact, a situation in which these categories of action would cease to have a real existence could not itself ever be observed, as making an observation is itself an action.²¹

所有这些范畴——价值、目的、手段、选择、偏好、成本、利润与亏损——都隐含在行动这一概念之中。它们无一源自经验。相反，一个人要能够依据上述范畴来解读经验，就必须已然知晓行动意味着什么。非行动者无从理解这些范畴，因为它们并非“现成的”、可直接体验的东西，而是由行动者根据行动所需的规则，将经验用这些范畴加以塑造。可以肯定的是，由于行动是真实发生的事情，而且人无法不行动——因为即便试图不行动，其本身也是一种旨在达成某个目标的行动，需要手段，排除其他行动方案，产生成本，使行动者面临无法实现预期目标从而遭受损失的可能性——所以关于行动意味着什么的知识，必须被视为关于现实的先验知识。人对这种知识的掌握既无法消除，也无法证伪，因为这本身就已经预设了这种知识的存在。事实上，行动的这些范畴不再真实存在的情形，本身永远无法被观察到，因为进行观察本身就是一种行动。¹

Economic analysis, and the economic analysis of socialism in particular, has as its foundation this a priori knowledge of the meaning of action as well as its logical constituents. Essentially, economic analysis consists of: (1) an understanding of the categories of action and an understanding of the meaning of a change in values, costs, technological knowledge, etc.; (2) a description of a situation in which these categories assume concrete meaning, where definite people are identified as actors with definite objects specified as their means of action, with definite goals identified as values and definite things specified as costs; and (3) a deduction of the consequences that result

¹ 行动概念具有先验性质，也就是说，“人会行动，且行动涉及上述范畴”这一命题不可能被证伪，因为即便试图证伪它本身就是一种行动。在认识论领域，与之相对应的是矛盾律，以及否定矛盾律的不可想象性。关于矛盾律，B. 布兰沙德写道：“否定矛盾律意味着说它是假而非真，即它为假就排除了它为真的可能性。但这恰恰是本应被否定的内容。人在否定矛盾律时，在否定行为中就已经预设了它的有效性。”（B. 布兰沙德，《理性与分析》，拉萨尔，1964年，第276页）。

事实上，正如路德维希·冯·米塞斯所指出的，矛盾律隐含在认识论上更为根本的“行动公理”之中。（路德维希·冯·米塞斯，《经济科学的最终基础》，堪萨斯城，1978年，第35页）。关于行动学与认识论之间的关系，另见第7章注释5。

from the performance of some specified action in this situation, or of the consequences that result for an actor if this situation is changed in a specified way. And this deduction must yield a priorivalid conclusions, provided there is no flaw in the very process of deduction and the situation and the change introduced into it being given, and a priorivalid conclusions about reality if the situation and situation—change, as described, can themselves be identified as real, because then their validity would ultimately go back to the indisputable validity of the categories of action.

经济分析，特别是对社会主义的经济分析，其基础是对行动的意义及其逻辑成分的先验知识。从本质上讲，经济分析包括：(1)对行动范畴的理解，以及对价值、成本、技术知识等变化的含义的理解；(2)对一种情况的描述，在这种情况下，这些范畴有具体的含义，确定的人被认定为是行动人，确定的对象被认定是其行动的手段，确定的目标被认定是其价值，确定的事物被认定为是其成本；(3)在这种情况下执行某种特定行为所产生的后果的演绎推论，或者如果这种情况以一种特定的方式改变，对行为者产生的后果的演绎推论。只要在演绎的过程中没有任何瑕疵，而且在演绎过程中引入的条件和变化都是给定的，那么这种演绎必然会得出先验有效的结论；如果所描述的情况和情况变化本身可以被认为是真实的，那么这种演绎必然会得出先验有效的结论，因为它们的有效性最终会回归到行动范畴无可争议的有效性。

It is along this methodological path that in the preceding discussion of socialism the conclusion was derived, for instance, that if the labor expended by an actor was not itself his goal of action, but rather only his means of reaching the goal of producing income and if this income then is reduced against his consent—by taxation—then for him the cost of expending labor has been increased, as the value of other, alternative goals that can be pursued by means of his body and time has gone up in relative terms, and hence a reduced incentive to work must result. Along this path, too, the conclusion—as an a priori conclusion—was reached that, for instance, if the actual users of means of production do not have the right to sell them to the highest bidder, then no one can establish the monetary costs involved in producing what is actually produced with them (the monetary value, that is, of the opportunities foregone by not using them differently), and no one can assure any longer that these means are indeed employed in the production of those goods considered to be the most highly valued ones by the actors at the beginning of their productive efforts. Hence a reduced output in terms of purchasing power must ensue.

在前面关于社会主义的讨论中，正是沿着这种方法论的路径得出了这样的结论。假如，一个行动人以他的生产收入为目的，目的的价值是他的偏好；他花费劳动来进行这个生产，这些劳动用于其他目的的价值是他的成本。如果对他的此项生产收入征税，他的生产目的的主观价值会降低。由于他的劳动本可以用在其他目的，而这其他目的是不征税或少征税的，因此这个其他目的的价值就相对升高，他从事原定这项生产的成本就会增加。那么，对于他来说，从事原定这项生产的工作动机就会减少。沿着同样的思路，我们将得出另一个先验的结论。一个生产资料的实际使用者在所有生产资料购买者中出价最高，是因为他有可能生产出对消费者最有用的因而价格最高的商品。假如限制了生产资料的拥有者，使他没有权利把它卖给出价最高的人，只能卖给其他人。而这个其他人出价并不高，是因为他不能生产出对消费者最有用的因而价格最高的商品。两类产出商品的价格会不同，被管制出售生产资料情况下，以购买力计算的产出低于未管制时的状态。从生产资料的角度来看，是放弃了最好的用途，放弃了生产出最具有价值的商品的机会。

After this rather lengthy digression into the field of epistemology, let us now return to the discussion of the socialism of social engineering. This digression was necessary in order to refute the claim of empiricism-positivism, which if true would have saved socialism, that nothing categorical can be said against any policy-scheme, as only experience can reveal the real consequences of certain policies. Against this I have pointed out that empiricism clearly seems to contradict intuition. According to intuition, logic is more fundamental than experience and it is also knowledge about real things. Furthermore, empiricism-positivism turns out to be self-contradictory, as it itself must presuppose the existence of a priori knowledge as real knowledge. There indeed exists a stock of positive a priori knowledge which must be presupposed of every experiencing and acting person, because he knows what it means to act, and which cannot possibly be refuted by experience, as the very attempt to do so would itself presuppose the validity of what had been disputed.

结束这个认识论领域的相当长的题外话之后，现在让我们回到社会工程的社会主义的讨论上来。为了反驳经验实证主义的主张，这个题外话是必要的。如果经验主义-实证主义的主张是正确的，就可以拯救社会主义。按照经验主义-实证主义的主张，政策的真实后果只有经验才能验证，那么就没有什么绝对的东西可以反对任何政策方案。对此问题，我前面已经指出，经验主义与直觉相矛盾。根据直觉，逻辑比经验更为基础，

它也是对真实事物的认知。此外，经验主义-实证主义事实上表现出自相矛盾，因为它本身必须假设有先验知识作为真实知识的存在。对于每一个有经验和有行动的人来说，的确存在一种绝对的先验知识，这些先验知识让这个人明白行动的含义，而且不可能被经验所驳倒，因为试图这样做的行为本身就会预设被质疑的东西的有效性。

The discussion has led us to a conclusion which can be summed up as follows: "Experience does not beat logic, but rather the opposite is true." Logic improves upon and corrects experience and tells us what kind of experiences we can possibly have and which ones are instead due to a muddled mind, and so would be better labeled "dreams" or "fantasies" rather than as experiences regarding "reality." With this reassurance about the solidity of the foundations on which the economic case against socialism has been built, a straightforward criticism of the socialism of social engineering is now possible; a criticism which is again a logical one, drawing on a priori knowledge, and demonstrating that the goals pursued by the socialism of social engineering can never be reached by its proposed means, since this would stand in contradiction to such knowledge. The following critique can now be brief, as the ideology of social engineering, apart from its empiricist-positivist methodology which has been proven faulty, is really no different from the other versions of socialism. Hence, the analyses provided in the preceding chapters regarding Marxist, social-democratic and conservative socialism find application here, too.

前面关于经验和逻辑的讨论，我们可以下一个概括性的结论——经验无法打败逻辑，事实恰恰相反，是逻辑改进并修正了经验。逻辑可以帮助我们甄别我们所拥有的经验类型中，哪些是由于心智混乱而产生的，因此最好把它们标记为“梦想”或“幻想”，而不必当成关于“现实”的经验。通过前面的两个方面的分析，我们认为已经足够用来批评社会主义。从先验知识出发，用逻辑的推理，证明社会工程的社会主义不可能用他声称的手段达到它允诺的目标。而且，社会工程的社会主义这种意识形态，它所依赖的经验主义-实证主义方法论是错误的，与其他版本的社会主义并无不同。我们这一章分析的是“社会工程的社会主义”，而前面几章关于俄罗斯式社会主义、社民主义、保守主义社会主义的分析方法，拿到这一章也完全适用。

This becomes clear once the property rules of the socialism of social engineering are stated. First, the user-owners of scarce resources can do whatever they want with them. But secondly, whenever the outcome of this process is not liked by the community of social engineers (people, that is, who are not the user-owners of the

things in question and who do not have a contractually acquired title to them), it has the right to interfere with the practices of the actual user-owners and determine the uses of these means, thereby restricting their property rights. Further, the community of social engineers has the right to determine unilaterally what is or is not a preferred outcome, and can thus restrict the property rights of natural owners whenever, wherever, and to the extent that it thinks necessary in order to produce a preferred outcome.

只要我们清晰梳理出社会工程的社会主义的财产观，我们就不难判别它也是社会主义。稀缺资源的拥有者本应可以按照自己的意愿任意使用资源。但那些既非原本拥有稀缺资源也没通过契约获取稀缺资源的社会工程师们，只要他们不喜欢别人生产的结果，就干涉资源拥有者和使用者的行动，使用手中的权力限制别人的财产权。此外，社会工程师群体有权单方面决定社会中的人必须接受他们的首选结果，因此可以在他们认为必要的时间、地点和程度上限制自然所有者的财产权，以产生他们代替大家首选的结果。

Regarding these property rules, one realizes at once that although socialism of social engineering allows for a gradual implementation of its goals with only a moderate degree of intervention in the property rights of natural owners, since the degree to which their rights can be curtailed is to be determined by society (the social engineers), private ownership is in principle abolished and peoples' productive enterprises take place under the threat of an ever-increasing or even total expropriation of private owners. In these respects there is no difference whatsoever between social-democratic and conservative socialism and socialism's socially engineered version. The difference again is reduced to one of social psychology. While Marxist, redistributive, and conservative socialism all want to achieve a general goal determined in advance—a goal of *égalité* or of the preservation of a given order—the socialism of social engineering does not have any such design. Its idea is one of punctuated, unprincipled intervention; flexible, piecemeal engineering. The engineering socialist is thus seemingly much more open to criticism, changing responses, new ideas—and this attitude certainly appeals to a lot of people who would not willingly subscribe to any of the other forms of socialism. On the other hand, though, and this should be kept in mind as well, there is almost nothing, including even the most ridiculous thing,

that some social engineers would not like to try out on their fellowmen, whom they regard as bundles of variables to be technically manipulated like pawns on a chessboard by setting the right stimuli.

只要明白了对财产权的干预，人们就会立刻意识到自己受到的威胁。社会工程的社会主义说他们只是逐步实现目标，只是有限度的干预财产权，但是这种干预的限度却是由社会（社会工程师）决定的。由此可见，私有产权在原则上已经被废除，生产性企业的生产过程被加诸了不断增加的剥夺，甚至被全部剥夺。都会干预财产权，都会剥夺生产者，就是这样的本质——社民主义、保守主义的社会主义、社会工程的社会主义，根本就是一路货色。若说它们之间有什么差异，只不过是社会心理学的差异。马克思主义、再分配社会主义、保守主义的社会主义都预先设定了一个总体目标——平等，或者维持既定秩序，而社会工程的社会主义连个目标都没真的设计过。正因为没有理论没有目标，社会工程的社会主义者们的理念就是断断续续的、无原则的干预，他们的主张是多变的，只不过都是零敲碎打的工程。也因为没有清楚的目标，社会工程的社会主义者似乎对批评、变化的反应和新思想更加开放——这种态度当然吸引了许多不愿意赞同任何其他形式的社会主义的人。另一方面，我们也应该记住，社会工程的社会主义者可以在同胞身上进行各种试验，无论这种试验多么荒谬。在他们眼里，同胞就是一堆可以用刺激来操纵的变量，是一群被他们按照他们的“正确方法”任意摆布的棋子。

In any case, since the socialism of social engineering does not differ in principle from any of the other versions of socialism, in that it implies a redistribution of property titles away from the users and contractors of scarce resources and onto nonusers and noncontractors, it, too, raises the cost of production and so leads to a reduction in the production of wealth; and this is necessarily so and no one need try it out first to reach this conclusion. This general conclusion is true regardless of the specific course social engineering might take. Let us say that the community of social engineers does not approve of some people having a low income and so decides to fix minimum wages above the current market level.²² Logic tells one that this implies a restriction of the property rights of the employers as well as the employees who are no longer allowed to strike certain kinds of mutually beneficial bargains. The consequence is and must be unemployment. Instead of getting paid at a lower market wage, some people now will not get paid at all, as some employers cannot pay the additional costs or hire as many people as they would be willing to hire at lower costs. The employers will be hurt

as they can only employ fewer people and the output of production hence will be lower, in relative terms; and the employees will be hurt, as instead of some income, albeit low, they now have no income. It cannot be stated a priori who of the employees and the employers will suffer most from this, except that it will be those of the former whose specific labor services have a relatively low value on the market, and those of the latter who specifically hire precisely this type of labor. However, knowing from experience, for instance, that low-skilled labor services are particularly frequent among the young, among blacks, among women, among older people who want to reenter the labor force after a longer period of household-work, etc., it can be predicted with certainty that these will be the groups hit the hardest by unemployment. And to be sure, the very fact that the problem which intervention was originally supposed to cure (the low income of some people) is now even worse than before could have been known a priori, independent of any experience! To think that, misled by faulty empiricist methodology, all this first has to be tried out as it otherwise could not have been known is not only scientific humbug; like all acting based on illconceived intellectual foundations, it is extremely costly as well.

社会工程的社会主义和其他不同版本的社会主义并无本质的不同，它同样意味着财产所有权的重新分配，从原本持有和使用稀缺资源的人手中，通过非契约的方式拿走财产；它还使资源没用到最有用处的地方，提高了生产成本，削弱了财富的生产。只需要逻辑推理就能证明这是必然的结果，用不着去尝试一次才会得出结论。无论社会工程会采取何种具体措施，这个总的结论都是正确的。假设社会工程师团体不赞成某些人的收入过低，因此决定将最低工资固定在当前市场水平之上。¹从逻辑上讲，这意味着对雇主和雇员的财产权的限制，他们不再被允许进行某些互惠的交易。其后果是，而且必然是失业。有些人现在根本拿不到工资，而不是以较低的市场工资获得报酬，因为一些雇主无法支付额外的成本，或者无法以较低的成本雇佣尽可能多的人。雇主会受到伤害，因为他们只能雇佣更少的人，因此相对而言，产出会降低；雇员也会受到伤害，因为他们现在没有收入，而不是一些收入，尽管很低。我们不能先验地说，雇员和雇主中谁将受到最大的影响，除了前者的特定劳务在市场上的价值相对较低，

¹ 关于最低工资的影响，另可参阅 Y. 布罗曾和 M. 弗里德曼所著的《最低工资：谁来买单？》，华盛顿，1966 年。

后者专门雇佣的正是这种类型的劳动力。然而，从经验中得知，例如，低技能的劳动服务在年轻人、黑人、妇女、和从事较长时间的家务劳动后希望重新进入劳动力市场的老年人等群体中尤为常见，因此可以肯定地预测，这些群体将是受失业打击最严重的群体。可以肯定的是，干预原本应该解决的问题(某些人的低收入)现在比以前更糟，这一结论完全可以先验地、独立于任何经验而知道!认为在错误的经验主义方法论的误导下，所有这些首先都必须进行试验，否则就不可能知道，这种想法不仅仅只是科学上的骗局；就像所有基于错误知识的行动一样，这种想法的代价也极其昂贵。

To look at yet another example, the community of social engineers does not like the fact that rents for houses or apartments are as high as they are, and hence some people are not able to live as comfortably as they think they should. Accordingly, rent-control legislation is passed, establishing maximum rents for certain apartments.²³ This is the situation, for instance, in New York City, or on a much grander scale, in all of Italy. Again, without having to wait for the consequences to become real one knows what they will be. The construction of new apartments will decrease, as the returns from investment are now lower. And with respect to old apartments, immediate shortages will appear, as the demand for them, their prices being lower, will rise. Some older apartments might not even be rented out anymore, if the fixed rents are so low that the rent would not even cover the cost of the deterioration that occurs by just living in and using the apartment. Then there would be a tremendous shortage of housing next to thousands of empty apartments (and New York City and Italy provide us with perfect illustrations of this). And there would be no way out of this, as it still would not pay to construct new apartments. In addition, the increased shortages would result in very costly inflexibilities, as people who had happily gotten into one of the low-priced apartments would be increasingly unwilling to move out again, in spite of the fact that, for instance, the family size normally changes during the life cycle and so different needs as regards housing emerge, and in spite of the fact that different job opportunities might appear at different places. And so a huge waste of rental space occurs, because old people, for example, who occupy large apartments that were just the right size when the children were still living at home but are much too big now, still will not move into smaller apartments as there are none available; and young families who are in need of larger premises cannot find those either, precisely because such places will not be vacated. Waste also occurs because people

do not move to the places where there is the greatest demand for their specific labor services, or they spend large amounts of time commuting to rather distant places, merely because they cannot find a place to live where there is work for them, or they can only find accommodations at a much higher price than their presently fixed low rent. Clearly, the problem that the social engineers wanted to solve by means of introducing rent control legislation is much worse than before and the general standard of living, in relative terms, has declined. Once again, all of this could have been known a priori. For the social engineer, however, misled by an empiricist-positivist methodology which tells him that there is no way of knowing results unless things are actually tried out, this experience will probably only set the stage for the next intervention. Perhaps the results were not exactly as expected because one had forgotten to control some other important variable, and one should now go ahead and find out. But as this chapter has demonstrated, there is a way of knowing in advance that neither the first nor any subsequent acts of intervention will ever reach their goal, as they all imply an interference with the rights of the natural owners of things by nonusers and noncontractors.²⁴

再看另一个例子，社会规划者群体不满意房屋或公寓租金过高这一现状，认为这导致一些人无法过上他们认为应有的舒适生活。于是，政府出台租金管制法规，为某些公寓设定了最高租金。¹ 他们就这么干的，在纽约市，或者在更大的范围内，甚至整个意大利。不必花时间等待结果出现，我们能够推理出结果会是什么。投资公寓的人不能把他们的房子按照市场上供需决定的价格出租，他们投资公寓的回报率下降，所以他们将减少对新公寓的投资。而那些旧公寓，由于租金被限制到较低，所以对旧公寓的需求将上升，因而出现短缺。还有些旧公寓，由于租金太低，低到不足以支付居住和使用公寓所产生的折旧成本，这些旧公寓甚至可能就不再出租了。看看，一边是成千上万的旧公寓被闲置，一边是严重的住房短缺（纽约市和意大利就是这样一个完美的标本），此难题无解，因为这法案之下没人愿意支付建造新公寓。住房短缺还造成了人们生活的不灵活性，生活代价高昂。以前那些愉快地住进了低价公寓的人越来越不愿意搬出去，哪怕他需要调整住房。家庭规模周期性变化，孩子们还在家里时需要大

¹ 关于租金管制的影响，另可参阅 C. 贝尔德所著《租金管制：永恒的蠢事》，旧金山，1980年；F. A. 哈耶克等人所著《租金管制：一个流行的悖论》，温哥华，1975年。

房子，孩子们长大离家后父母就不需要太大的房子了，但他们找不到可以替代的小一点的房子。年轻人成家立业生孩子需要大一点的房子，他们也找不到，因为没房子腾出来。当人们换个其他地方的工作，可能需要在其他地方居住，但已经租到的房子也不会退回而造成巨大的浪费。还有一个巨大的浪费，是人们的生活和工作机会。他们住的地方可能没有很大的劳动服务需求，或者他们劳动的地方找不到合适的住房，或者就算是在劳动的地方能找到住房但租金远高于原来的住房，所以他们会把大量的时间和精力花费在通勤上。显然，社会工程师希望通过引入租金管制立法来解决的问题比以前更严重了，相对而言，一般生活水平已经下降。同样，所有这些都是可以先验地知道的。然而，对于社会工程师来说，被经验主义-实证主义的方法论所误导，这种方法论告诉他，除非实际试验，否则无法知道结果，这种经验可能只会为下一次干预埋下伏笔。也许结果并不完全像预期的那样，因为人们忘记了控制其他一些重要的变量，现在人们应该继续寻找。但正如本章所展示的那样，有一个结论可以提前知道，无论是第一次干预还是随后的任何干预行为都不会达到他们的目标，因为这些干预都意味着非使用者和非契约人对事物的自然所有者权利的干预。¹

In order to understand this, it is only necessary to return to sound economic reasoning; to realize the unique epistemological nature of economics as an aprioristic science of human action that rests on foundations whose very denial must presuppose their validity; and to recognize, in turn, that a science of action grounded in an empiricist-positivist methodology is as ill-founded as the statement that "one can have his cake and eat it, too."

为了理解这一点，我们只需要回到健全的经济推理；认识到经济学作为一门人类行为的先验科学的独特的认识论本质，它建立在这些基础之上，否定这些基础必须以承认其有效性为前提；反过来，要认识到，建立在经验主义-实证主义方法论基础上的行动科学，就像“你不能既把蛋糕拿在手里又把它吃了”这样的陈述一样，毫无根据。

¹ 另见路德维希·冯·米塞斯（L. v. Mises）所著《干预主义批判》，新罗谢尔，1977年。

第七章 资本主义的伦理正当性及社会主义为何在道德上站不住脚

Chapter 7 The Ethical Justification of Capitalism and Why Socialism Is Morally Indefensible

The last four chapters have provided systematic reasons and empirical evidence for the thesis that socialism as a social system that is not thoroughly based on the “natural theory of property” (the first-use-first-own rule) which characterizes capitalism must necessarily be, and in fact is, an inferior system with respect to the production of wealth and the average standard of living. This may satisfy the person who believes that economic wealth and living standards are the most important criteria in judging a society—and there can be no doubt that for many, one’s standard of living is a matter of utmost importance—and because of this it is certainly necessary to keep all of the above economic reasoning in mind. Yet there are people who do not attach much importance to economic wealth and who rank other values even higher—happily, one might say, for socialism, because it can thus quietly forget its original claim of being able to bring more prosperity to mankind, and instead resort to the altogether different but even more inspiring claim that whereas socialism might not be the key to prosperity, it would mean justice, fairness, and morality (all terms used synonymously here). And it can argue that a trade-off between efficiency and justice, an exchange of “less wealth” for “more justice” is justified, since justice and fairness, are fundamentally more valuable than economic wealth.

最后四章为以下论点提供了系统性的理由和经验证据:资本主义是基于“自然财产理论”(先占先得原则)的社会制度;社会主义这种社会制度背离了资本主义的基本原则;社会主义是一种劣等的社会制度,它实际上肯定达不到它所宣称的财富生产和生活水平。这可能会满足那些认为经济财富和生活水平是判断一个社会最重要的标准的人——毫无疑问,对许多人来说,个人的生活水平是最重要的——正因为如此,把上述所有的经济推理牢记在心当然是必要的。然而,有些人不太重视经济财富,反而把其他价值排在更高的位置,有人可能会说,比如社会主义的幸福,因为这样,它就可以神不知鬼不觉地忘记它最初的主张,即能够给人类带来更多的繁荣,转而诉诸于一个完

全不同但却更鼓舞人心的主张，即尽管社会主义可能不是繁荣的关键，但它意味着正义、公平和道德(所有这些术语在这里都是同义的)。他们在有意混淆或者中庸，他们称他们是在效率和正义之间寻求平衡，合理化他们“用更少的财富换区更多的正义”主张，他们还可以号称正义、公平从根本上来说比经济财富更有价值。

This claim will be examined in some detail in this chapter. In so doing, two separate but related claims will be analyzed: (1) the claim made in particular by socialists of the Marxist and the social-democratic camp, and to a lesser degree also by the conservatives, that a principled case in favor of socialism can be made because of the moral value of its principles and, *mutatis mutandis*, that capitalism cannot be defended morally; and (2) the claim of empiricist socialism that normative statements (“should” or “ought” statements)—since they neither solely relate to facts, nor simply state a verbal definition, and thus are neither empirical nor analytical statements—are not really statements at all, at least not statements that one could call “cognitive” in the widest of all senses, but rather mere “verbal expressions” used to express or arouse feelings (such as “Wow” or “grrrrr”).¹

本章将详细审视这一主张。在此过程中，我们将分析两个既相互独立又彼此关联的主张：(1) 尤其是马克思主义和社会民主阵营的社会主义者所提出的主张，保守派也在较小程度上持有这一观点，即基于社会主义原则的道德价值，可以从原则上为社会主义辩护，同理，资本主义在道德层面无法得到辩护；(2) 经验主义社会主义的主张，即规范性陈述（“应该”或“应当”陈述）——由于它们既不单纯关乎事实，也不只是给出词语定义，因而既非实证陈述，也非分析性陈述——根本算不上真正的陈述，至少不是那种在最宽泛意义上可称为“认知性”的陈述，而仅仅是用于表达或唤起情感的“言语表达”（比如“哇”或“哼”）。^{1 2}

The second, empiricist or, as its position applied to the field of morals is called, “emotivist” claim will be dealt with first, as in a way it is more farreaching.² The

¹ 关于这一立场，可参见 A. J. 艾耶尔所著《语言、真理与逻辑》，纽约，1950 年。

² 译者注：规范性陈述是指表达对于某些行为、态度或价值观的规范或规则的陈述。这些陈述涉及应该或不应该做某事的言论，而不仅仅是描述已经发生或现实中存在的情况。规范性陈述通常包含道德、伦理、法律或社会规范方面的内容，旨在引导人们的行为或价值取向。与描述性陈述不同，规范性陈述关注的是应该怎样做，而不是什么是事实。

emotivist position is derived by accepting the central empiricist-positivist claim that the dichotomous distinction between empirical and analytical statements is of an allinclusive nature; that is, that any statement whatsoever must be empirical or analytical and never can be both. This position, it will be seen, turns out to be self-defeating on closer inspection, just as empiricism in general turned out to be self-defeating. 3If emotivism is a valid position, then its basic proposition regarding normative statements must itself be analytical or empirical, or else it must be an expression of emotions. If it is taken to be analytical, then it is mere verbal quibble, saying nothing about anything real, but rather only defining one sound by another, and emotivism would thus be a void doctrine. If, instead, it is empirical, then the doctrine would not carry any weight, as its central proposition could well be wrong. In any case, right or wrong, it would only be a proposition stating a historical fact, i.e., how certain expressions have been used in the past, which in itself would not provide any reason whatsoever why this would have to be the case in the future, too, and hence why one should or rather should not look for normative statements that are more than expressions of emotions in that they are meant to be justifiable. And the emotivist doctrine would also lose all its weight if it adopted the third alternative and declared its central tenet itself a “wow” statement, too. For if this were the case, then it would not contain any reason why one should relate to and interpret certain statements in certain ways, and so if one’s own instincts or feelings did not happen to coincide with somebody else’s “wowing,” there would be nothing that could stop one from following one’s own feelings instead. Just as a normative statement would be no more than the barking of a dog, so the emotivist position then is no more than a barking comment on barking.

第二种，经验主义，因为它在道德领域的应用，也就被称为“情感主义”主张，首先值得拿出来讨论，因为它的影响更为深远。¹ 任何陈述，不管在哪个领域，都可以采用这种二分法——要么是经验性的，要么是分析性的，没有二者兼得的可能。情感主义的

¹ 关于情感主义立场，可参见 C. L. 史蒂文森所著《事实与价值》（纽黑文，1963 年）以及《伦理学与语言》（伦敦，1945 年）；另可参考 G. 哈曼在《道德的本质》（纽约，1977 年）中的启发性论述；“理性是且只可能是激情的奴隶”这一观点的经典阐述，可在 D. 休谟所著《人性论》（塞尔比 - 比格编）（牛津，1970 年）中找到。

立场来自于经验主义-实证主义的核心主张，那么它就一定不来自分析性知识。经过仔细的考察，我们就不难发现，情感主义是自相矛盾的，正如经验主义的自相矛盾。¹ 如果情感主义是一个有效的立场，那么关于规范性陈述的基本命题本身，要么是分析性的，要么是经验性的。假如我们定义情感主义为分析性的，也就是从一个命题推导出另一个命题，那么它就是文字的争论而没有任何现实事物的相关意义，仅仅是用一种声音来定义另一种声音，情感主义因此将被视为空洞的学说。相反，如果它是经验性的，那么该学说就不会有任何分量，因为它的核心命题很可能是错误的。在任何情况下，对或错，它只是一个陈述历史事实的命题，也就是说，某些表达在过去是如何被使用的，这本身并不能提供任何理由，为什么未来也必须如此，因此，为什么人们应该或不应该寻找规范性陈述，而不仅仅是情感的表达，因为它们是正确的。如果情感主义学说采纳了第三种选择，并宣布其核心原则本身也是一个“哇”的陈述，那么它也会失去所有的分量。因为如果是这样的话，那么它就没有任何理由，为什么一个人应该以某种方式联系和解释某些陈述，因此，如果一个人的本能或感觉没有碰巧与别人的“惊叹”相一致，那么就没有什么可以阻止一个人跟随自己的感觉。就像一个规范的陈述只不过是狗的吠叫一样，情感主义者的立场也不过是对吠叫的吠叫评论。(译者注：1.情感主义的主张毫无理由，原因是：(1) 情感主义的主张如果是来自于分析的命题，那么这个分析的命题没有出发点没有逻辑，就是一串词汇，毫无意义。(2) 情感主义的主张如果是来自于经验的命题，但经验是一串关于过去事件的描述，它只是“是什么”，而不是“为什么”，没有因果关系，也就没有了主张的来源。2.情感主义的主张于是不要理由，只有主张，而且还是一个带着情感的“你该做什么”的主张。既然你可以没有理由的主张这样，别人也可以没有理由的主张那样。秉持情感主义的那些人，他们之间也尿不到一个壶里去。)

On the other hand, if the central statement of empiricism-emotivism, i.e., that normative statements have no cognitive meaning but are simply expressions of feelings, is itself regarded as a meaningful statement communicating that one should conceive of all statements that are not analytical or empirical as mere expressive symbols, then the emotivist position becomes outrightly contradictory. This position must then assume, at least implicitly, that certain insights, i.e., those relating to normative statements, cannot simply be understood and meaningful, but can also be given justification as statements with specific meanings. Hence, one must conclude that

¹ 另见上文第6章。

emotivism falters, because if it were true, then it could not even say and mean what it says—it simply would not exist as a position that could be discussed and evaluated with regard to its validity. But if it is a meaningful position which can be discussed, then this fact belies its very own basic premise. Moreover, the fact that it is indeed such a meaningful position, it should be noted, cannot even be disputed, as one cannot communicate and argue that one cannot communicate and argue. Rather, it must be presupposed of any intellectual position, that it is meaningful and can be argued with regard to its cognitive value, simply because it is presented in a language and communicated. To argue otherwise would already implicitly admit its validity. One is forced, then, to accept a rationalist approach towards ethics for the very same reason that one was forced to adopt a rationalist instead of an empiricist epistemology.⁴ Yet with emotivism so rebuffed, I am still far away, or so it seems, from my set goal, which I share with the Marxist and conservative socialists, of demonstrating that a principled case in favor of or against socialism or capitalism can be made. What I have reached so far is the conclusion that the question of whether or not normative statements are cognitive ones is itself a cognitive problem. However, it still seems to be a far cry from there to the proof that actual norm proposals can indeed be shown to be either valid or invalid.

另一方面，如果将经验主义-情感主义的核心观点，即规范性陈述没有认知意义，仅仅是情感的表达，本身视为一个有意义的陈述，意在传达我们应将所有非分析性或非经验性的陈述都视为单纯的表达性符号，那么情感主义的立场就会变得完全自相矛盾。这种立场必然至少隐含地假定，某些见解，即那些与规范性陈述相关的见解，不仅能够被理解且有意义，而且还能作为具有特定意义的陈述得到论证。因此，我们必须得出结论，情感主义存在缺陷，因为如果它是正确的，那它甚至无法表述并传达其自身所言——它根本不会作为一种可供讨论和评估其有效性的立场而存在。但如果它是一个有意义且可讨论的立场，那么这一事实就与它自身的基本前提相悖。此外，需要注意的是，它确实是这样一个有意义的立场，这一点甚至无法被质疑，因为人们无法在进行交流和论证时声称自己无法交流和论证。确切地说，对于任何一种学术立场，都必须预设它是有意义的，且其认知价值是可以进行论证的，仅仅因为它是以语言形式呈现并得以传达的。若要持相反观点，就已经隐含地承认了其有效性。因此，出于与被迫采用理性主义而非经验主义认识论相同的原因，我们不得不接受一种理性主义的

伦理学方法。¹ 然而，尽管情感主义遭到了驳斥，但我似乎仍与自己 and 马克思主义及保守派社会主义者共有的既定目标相去甚远，这个目标就是要从原则上论证支持或反对社会主义或资本主义的理由。到目前为止，我得出的结论是，规范性陈述是否属于认知性陈述这个问题本身就是一个认知问题。然而，要证明实际的规范提议确实可以被判定为有效或无效，似乎还有很长的路要走。

Fortunately, this impression is wrong and there is already much more won here than might be suspected. The above argument shows us that any truth claim—the claim connected with any proposition that it is true, objective, or valid (all terms used synonymously here)—is and must be raised and decided upon in the course of an argumentation. And since it cannot be disputed that this is so (one cannot communicate and argue that one cannot communicate and argue), and it must be assumed that everyone knows what it means to claim something to be true (one cannot deny this statement without claiming its negation to be true), this has been aptly called “the a priori of communication and argumentation.”⁵

所幸，这种印象是错误的，实际上我们已经取得的成果比预想的要多。上述论证表明，任何真理主张，即与任何命题相关联的关于该命题为真、客观或有效的主张（此处这些术语同义），都是且必须在论证过程中提出并加以判定。既然这一点无可争议（人们无法在交流和论证时称自己无法交流和论证），而且必须假定每个人都明白宣称某事为真意味着什么（若否定这一陈述，就必然要宣称其否定形式为真），这一点便被恰如其分地称作“交流与论证的先验性”。²

¹ 关于伦理学的各种“认知主义”方法，可参见：K. 拜尔，《道德的视角》，伊萨卡，1958年；M. 辛格，《伦理学中的普遍化》，伦敦，1963年；P. 洛伦岑，《规范逻辑与伦理学》，曼海姆，1969年；S. 图尔敏，《理性在伦理学中的地位》，剑桥，1970年；F. 坎巴特尔（编），《实践哲学与建构性科学理论》，法兰克福，1974年；A. 格沃思，《理性与道德》，芝加哥，1978年。

另一个认知主义传统由各种“自然权利”理论家所代表。参见：J. 怀尔德，《柏拉图的现代敌人与自然法理论》，芝加哥，1953年；H. 维奇，《理性之人：亚里士多德伦理学的现代解读》，布卢明顿，1962年；《寻求道德本体论：对当代伦理理论的批判》，埃文斯顿，1968年；以及《人权：事实还是幻想？》，巴吞鲁日，1985年；L. 施特劳斯，《自然权利与历史》，芝加哥，1970年。

² 参见 K.O. 阿佩尔《哲学的转变》第2卷，美国河畔法兰克福，1973年，尤其是《交往共同体的先验性与伦理学的基础》这篇文章；另见 J. 哈贝马斯《真理理论》，载于 H. 法伦巴赫编《现实与反思》，普富林根，1974年；《交往行为理论》第1卷，美国

Now, arguing never just consists of free-floating propositions claiming to be true. Rather, argumentation is always an activity, too. But given that truth claims are raised and decided upon in argumentation and that argumentation, aside from whatever is said in its course, is a practical affair, it follows that intersubjectively meaningful norms must exist—precisely those which make some action an argumentation—which have special cognitive status in that they are the practical preconditions of objectivity and truth.

如今，论证绝非仅仅由那些宣称是真实的、游离的命题构成。相反，论证始终也是一种活动。鉴于真理主张是在论证过程中提出并加以判定的，而且论证，除了在中所表达的内容之外，是一项实践性事务，因此必然存在主体间有意义的规范——确切地说，就是那些使某种行为成为论证的规范——这些规范具有特殊的认知地位，因为它们是客观性和真理的实践前提。

Hence, one reaches the conclusion that norms must indeed be assumed to be justifiable as valid. It is simply impossible to argue otherwise, because the ability to argue so would in fact pre-suppose the validity of those norms which underlie any argumentation whatsoever. ⁶The answer, then, to the question of which ends can or cannot be justified is to be derived from the concept of argumentation. And with this, the peculiar role of reason in determining the contents of ethics is given a precise description, too. In contrast to the role of reason in establishing empirical laws of nature,

河畔法兰克福，1981年，第44页及以下；以及《道德意识与交往行为》，美因河畔法兰克福，1983年。

请注意“论证的先验性”与“行动的先验性”在结构上的相似之处，即如上文第6章所解释的，无法反驳“每个人都知道行动意味着什么”这一陈述，因为试图反驳这一陈述就预先假定了反驳者知道如何进行某些活动。实际上，关于有效性主张含义的知识与关于行动含义的知识，二者的无可争议性紧密相关。一方面，行动比论证更基础，随着论证的出现才产生了有效性的概念，因为论证显然只是行动的一个子类。另一方面，要阐述刚刚提到的关于行动与论证及其相互关系的观点，本身就需要论证，因此从这个意义上讲——即在认识论层面——论证必须被视为比非论证性的行动更基础。但是，正是认识论揭示了这样一种洞见：尽管在任何论证之前可能并未意识到这一点，但实际上论证的发展以行动为前提，因为只有当参与论证的人已经知道行动中所蕴含的知识意味着什么时，有效性主张才能在论证中得到明确讨论。所以，一般意义上的行动含义，尤其是论证的含义，都必须被看作是先验知识中在逻辑上必然相互交织的线索。

reason can claim to yield results in determining moral laws which can be shown to be valid a priori. It only makes explicit what is already implied in the concept of argumentation itself; and in analyzing any actual norm proposal, its task is merely confined to analyzing whether or not it is logically consistent with the very ethics which the proponent must presuppose as valid insofar as he is able to make his proposal at all.⁷

因此，我们得出结论，规范确实必须被假定为可证明其有效性的。否则就根本无法进行论证，因为能够进行论证这一事实，实际上就预设了任何论证所依据的那些规范的有效性。¹ 那么，对于哪些目的能够或不能够被证明合理这一问题的答案，将从论证的概念中推导得出。由此，理性在确定伦理内容方面的独特作用也得到了精确的阐述。与理性在确立自然经验法则中的作用不同，理性在确定道德法则方面能够宣称得出可被证明为先验有效的结果。它只是将已经隐含在论证概念本身中的东西明确化；而在分析任何实际的规范提议时，其任务仅仅局限于分析该提议是否与提议者只要能够提出提议就必须预设为有效的那种伦理在逻辑上保持一致。²

¹ 在方法论上，我们的方法与 A. 格沃思所描述的“辩证必然方法”极为相似（《理性与道德》，芝加哥，1978 年，第 42 - 47 页）——这是一种基于康德先验演绎理念的先验推理方法。然而，遗憾的是，在他的重要研究中，格沃思为其分析选择了错误的起点。他试图从行动概念而非论证概念推导出一种伦理体系。但这肯定行不通，因为尽管确实如他所说，在行动中，行动者必然要预设某些价值或物品的存在，但这并不意味着这些物品就具有普遍性，因而其他人就应当理所当然地将其视为该行动者的物品并予以尊重。（关于规范性陈述需具有普遍性的要求，详见下文论述。）确切地说，真理的概念，或者就道德层面而言，普遍适用的权利或物品的概念，只是随着作为行动特殊子类的论证的出现才产生，并非随着行动本身出现。格沃思在试图让我们相信其伦理体系必然为真时，所从事的并非单纯的行动，而更具体地说是论证，这一事实就清楚地表明了这一点。然而，一旦认识到论证是辩证必然方法唯一恰当的起点，就会得出一种资本主义（即非格沃思式的）伦理，这一点我们将在后文看到。关于格沃思从行动概念推导普遍适用权利这一尝试的错误之处，还可参考 M. 麦金太尔在《追寻美德》（圣母大学，1981 年，第 64 - 65 页）、J. 哈贝马斯在《道德意识与交往行为》（美国河畔法兰克福，1983 年，第 110 - 111 页）以及 H. 维奇在《人权》（巴吞鲁日，1985 年，第 159 - 160 页）中的深刻评论。

² 现在，也可以详细阐述一下我们的方法与“自然权利”方法之间的关系。哲学思想中的自然法或自然权利传统认为，借助理性，能够洞悉基于人类本质的普遍有效规范。即便在持赞同态度的读者看来，这一立场也一直备受争议，因为“人性的概念太过宽泛且多样，无法为自然法提供一套确定的内容”（A. 格沃思，《法律、行动与道德》，载于《乔治城伦理学研讨会：纪念 H. 维奇论文集》（R. 波雷科编），纽约，1984 年，第 73 页）。此外，该传统对理性的描述同样模糊不清，似乎没有区分理性在确立自然

But what is the ethics implied in argumentation whose validity cannot be disputed, as disputing it would implicitly have to presuppose it? Quite commonly it has been observed that argumentation implies that a proposition claims universal acceptability, or, should it be a norm proposal, that it is “universalizable.” Applied to norm proposals, this is the idea, as formulated in the Golden Rule of ethics or in the Kantian Categorical Imperative, that only those norms can be justified that can be formulated as general principles which are valid for everyone without exception. 8Indeed, as argumentation implies that everyone who can understand an argument must in principle be able to be convinced of it simply because of its argumentative force, the universalization principle of ethics can now be understood and explained as grounded in the wider “a priori of communication and argumentation.” Yet the universalization principle only provides a purely formal criterion for morality. To be sure, checked against this criterion all proposals for valid norms which would specify different rules for different classes of people could be shown to have no legitimate claim of being universally acceptable as fair norms, unless the distinction between different classes of people were such that it implied no discrimination, but could instead be accepted as founded in the nature of things again by everyone. But while some norms might not pass the test of universalization, if enough attention were paid to their formulation, the most ridiculous norms, and what is of course even more relevant, even openly incompatible norms could easily and equally well pass it. For example, “everybody must get drunk on Sundays or be fined” or “anyone who drinks alcohol will be punished” are both rules that do not allow discrimination among groups of people and thus could both claim to

经验法则与人类行为规范法则这两方面的不同作用。(例如,可参考 H. 维奇在《人权》(巴吞鲁日, 1985 年, 第 62 - 67 页)中的论述。)

我们的方法认识到, 应将更狭义的论证概念(而非更宽泛的人性概念)作为推导一种伦理的必要起点, 并且将道德推理归为一种先验推理, 这与理性在实证研究中所发挥的作用截然不同。我们的方法不仅声称从一开始就能避免这些难题, 还宣称因此更加直截了当且严谨。不过, 我与自然权利传统保持距离, 并非表示我不同意它对当代大多数伦理理论的批判性评估; 实际上, 我认同 H. 维奇对所有欲望(目的论、功利主义)伦理学以及所有义务(道义论)伦理学的补充性驳斥(见《人权》, 巴吞鲁日, 1985 年, 第 1 章)。我也并非宣称绝不可能将我的方法解读为终究属于一种“正确构想的”自然权利传统。然而, 我所主张的是, 以下方法显然与自然权利方法的实际发展方向不符, 并且它与现存的这一传统毫无关联。

satisfy the condition of universalization.

但是，论证中隐含的伦理学是什么呢？它的有效性是无可质疑的，因为质疑它就隐含地预设了它。我们通常观察到，论证意味着一个命题具有普遍可接受性，或者，如果它是一个规范建议，那么它是“普遍可接受的”。应用于规范建议，这是一种观念，正如伦理学的黄金法则或康德的绝对命令中所阐述的那样，只有那些规范可以被证明是合理的，可以被表述为对所有人都有效的一般原则，且无一例外。¹ 的确，由于论证意味着每一个能理解论证的人，在原则上都必须仅仅因为它的论证力而能够被说服，伦理学的普遍化原则现在可以被理解和解释为，是建立在更广泛的“交流和论证的先验性”基础之上的。然而，普遍化原则只是为道德提供了一个纯粹的形式标准。诚然，与这一标准相对照，为不同阶层的人设定不同规则的有效规范的所有建议，都不能被证明是被普遍接受为公平规范的合法主张，除非不同阶层的人之间的差别是这样的，即它不意味着歧视，而是可以被所有人重新接受，作为事物本质的基础。但是，虽然有些规范可能无法通过普遍化的测试，但如果对它们的表述给予足够的重视，那么最荒谬的规范，当然还有更相关的，甚至是公开不相容的规范，可以很容易地同样很好地通过普遍化的测试。例如，“每个人都必须在星期天喝醉，否则将被罚款”或“任何人喝酒都会受到惩罚”都是不允许歧视人群的规则，因此都可以声称满足普遍化的条件。

Clearly then, the universalization principle alone would not provide one with any positive set of norms that could be demonstrated to be justified. However, there are other positive norms implied in argumentation aside from the universalization principle. In order to recognize them, it is only necessary to call three interrelated facts to attention. First, that argumentation is not only a cognitive but also a practical affair. Second, that argumentation, as a form of action, implies the use of the scarce resource of one's body. And third, that argumentation is a conflict-free way of interacting. Not in the sense that there is always agreement on the things said, but in the sense that as long as argumentation is in progress it is always possible to agree at least on the fact that there is disagreement about the validity of what has been said. And this is to say nothing else than that a mutual recognition of each person's exclusive control over his own body must be presupposed as long as there is argumentation

¹ 在所有认知主义道德理论中，普遍化原则确实占据显著地位。经典阐述可参见伊曼努尔·康德所著《道德形而上学奠基》以及《实践理性批判》，收录于《康德著作集》（魏舍德尔编），第四卷，威斯巴登，1956年。

(note again, that it is impossible to deny this and claim this denial to be true without implicitly having to admit its truth).

显然，普遍化原则是证明规范性命题的必要条件，却不是充分条件。然而，除了普遍化原则之外，论证中还隐含着其他绝对规则。为了认识它们，只需要注意三个相互关联的事实。首先，论证不仅是一种认知，也是一种实践。第二，论证作为一种行动形式，意味着对身体这一稀缺资源的使用。第三，这种论证是一种没有冲突的互动方式。即使人们对所说的事情的观点不一致，但是只要人们之间在进行辩论，就说明人们是可以辩论的，也就是辩论的人承认一个共同的前提下产生的分歧。这就是说，只要有论证，就必须以相互承认每个人对自己身体的排他性控制为前提(再次注意，如果不隐舍地承认它的真实性，就不可能否认这一点，也不可能声称这种否认是真实的)。

Hence, one would have to conclude that the norm implied in argumentation is that everybody has the right of exclusive control over his own body as his instrument of action and cognition. Only if there is at least an implicit recognition of each individual's property right in his own body can argumentation take place.⁹ Only as long as this right is recognized is it possible for someone to agree to what has been said in an argument and hence can what has been said be validated, or is it possible to say "no" and to agree only on the fact that there is disagreement. Indeed, anyone who would try to justify any norm would already have to presuppose the property right in his body as a valid norm, simply in order to say, "This is what I claim to be true and objective." Any person who would try to dispute the property right in his own body would become caught up in a contradiction, as arguing in this way and claiming his argument to be true, would already implicitly accept precisely this norm as being valid.

因此，我们必须得出结论，论证本身隐含着一条不证自明的规则——我们每个人都对自己的身体有独占的控制权，我们可以把自己的身体作为行动和认知的工具。也就是，只有当每个人对自己身体的财产权至少有一种隐含的承认，论证才会发生。¹ 只有承

¹ 在此需指出，正是因为存在稀缺性，才会有制定道德法则的问题；只要物品极为充裕（“免费”物品），就不可能出现物品使用方面的冲突，也无需进行行动协调。因此，任何正确构想的伦理，都必然要表述为一种财产理论，即关于对稀缺资源排他性控制权分配的理论。唯有如此，才有可能避免那些否则就无法避免且无法解决的冲突。不幸的是，道德哲学家们大多对经济学一无所知，几乎从未充分清晰地认识到这一点。比如，他们像 H. 维奇（《人权》，巴吞鲁日，1985 年，第 170 页）一样，似乎认为即

认了每个人对自己身体的独占控制权，每个人才可以参与争论，然后才可以在争论中说“是”或“不”——也就是可以参与共同的争论发表不同的意见。事实上，任何试图证明任何规范的人，都必须预设他对身体的财产权是有效的规范，这个前提下他才能说“这就是我所说的真实与客观”。任何试图对自己身体的财产权提出异议的人都会陷入矛盾，因为以这种方式争论并声称他的论点是正确的，已经隐含他恰恰接受了这个规范的有效性。

Thus it can be stated that whenever a person claims that some statement can be justified, he at least implicitly assumes the following norm to be justified: “Nobody has the right to uninvitedly aggress against the body of any other person and thus delimit or restrict anyone's control over his own body.” This rule is implied in the concept of justification as argumentative justification. Justifying means justifying without having to rely on coercion. In fact, if one formulates the opposite of this rule, i.e., “everybody has the right to uninvitedly aggress against other people” (a rule, by the way, that would pass the formal test of the universalization principle!), then it is easy to see that this rule is not, and never could be, defended in argumentation. To do so would in fact have to presuppose the validity of precisely its opposite, i.e., the aforementioned principle of nonaggression.

因此，可以这样说，每当一个人声称某些陈述可以被证明是正当的，他至少隐含地假设以下规范是合理的：“没有人有权不请自来地侵犯任何其他人的身体，从而划定或限制任何人对自己身体的控制。”这一规则隐含在论证正当性的概念中。论证是指不依赖于强制的论证。事实上，如果有人提出这条规则的对立面，即“每个人都有权不受邀请地侵犯他人”(顺便说一句，这条规则将通过普遍性原则的形式检验!)，那么很容易看出，这条规则在论证中没有、也永远不可能得到辩护。要做到这一点，实际上必须以恰恰相反的原则，即上述的互不侵犯原则的有效性为前提。

With this justification of a property norm regarding a person's body it may seem that not much is won, as conflicts over bodies, for whose possible avoidance the nonaggression principle formulates a universally justifiable solution, make up only a small portion of all possible conflicts. However, this impression is not correct. To be

便没有对财产和财产权的精确界定也无妨，结果必然陷入模糊不清与随意拼凑的困境。关于人权即财产权的观点，还可参见 M. N. 罗斯巴德所著《自由的伦理》，大西洋高地，1982年，第15章。

sure, people do not live on air and love alone. They need a smaller or greater number of other things as well, simply to survive—and of course only he who survives can sustain an argumentation, let alone lead a comfortable life. With respect to all of these other things norms are needed, too, as it could come to conflicting evaluations regarding their use. But in fact, any other norm must be logically compatible with the nonaggression principle in order to be justified itself, and, *mutatis mutandis*, every norm that could be shown to be incompatible with this principle would have to be considered invalid. In addition, as the things with respect to which norms have to be formulated are scarce goods—just as a person's body is a scarce good—and as it is only necessary to formulate norms at all because goods are scarce and not because they are particular kinds of scarce goods, the specifications of the nonaggression principle, conceived of as a special property norm referring to a specific kind of good, must in fact already contain those of a general theory of property.

有了这个关于人的身体的财产规范的理由，似乎并没有赢得多少，因为关于身体的冲突，虽然互不侵犯原则为其可能的避免提供了一个普遍合理的解决方案，但只占所有可能冲突的一小部分。然而，这种想法是不正确的。可以肯定的是，人不仅仅是靠空气和爱生活的。仅仅是为了生存，他们也需要或多或少的其他事物——当然，只有生存下来的人才能维持一场辩论，更不用说过上舒适的生活了。对于所有这些其他的事物，同样也需要规范，因为对于这些事物的使用可能会产生相互冲突的评价。在这些社会领域中，任何其他规则都必须与互不侵犯原则相容才能自证其合理性，而与互不侵犯原则相矛盾的规则则应被视为无效。此外，由于需要制定规范的物品都是稀缺物品——就像人的身体是稀缺物品一样——而且需要制定规范完全是因为物品是稀缺的，而不是因为它们特定种类的稀缺物品，因此，被视为涉及特定种类物品的特殊财产规范的互不侵犯原则的规范，实际上必须已经包含一般财产理论的规范。

I will first state this general theory of property as a set of rules applicable to all goods with the purpose of helping one to avoid all possible conflicts by means of uniform principles, and will then demonstrate how this general theory is implied in the non-aggression principle. Since according to the nonaggression principle a person can do with his body whatever he wants as long as he does not thereby aggress against another person's body, that person could also make use of other scarce means, just as one makes use of one's own body, provided these other things have not already

been appropriated by someone else but are still in a natural, unowned state. As soon as scarce resources are visibly appropriated—as soon as someone “mixes his labor,” as John Locke phrased it, with them and there are objective traces of this—then property, i.e., the right of exclusive control, can only be acquired by a contractual transfer of property titles from a previous to a later owner, and any attempt to unilaterally delimit this exclusive control of previous owners or any unsolicited transformation of the physical characteristics of the scarce means in question is, in strict analogy with aggressions against other people’s bodies, an unjustifiable action.¹¹

我将首先阐述有关财产的一般理论，作为一套适用于所有事物的规则，目的是帮助人们通过统一的原则来避免所有可能的冲突，然后我将证明这个一般理论是如何隐含在互不侵犯原则中的。根据互不侵犯原则，一个人只要不侵犯他人的身体，就可以随心所欲地使用自己的身体。以同样的互不侵犯原则，只要其他稀缺资源尚未被他人占有而仍处于自然未占有状态，就像利用自己的身体一样，他也可以利用其他稀缺资源。一旦稀缺资源被明显占用——一旦某人“混合了他的劳动”，正如约翰·洛克所说，¹有了它们，就有了这种财产的客观痕迹，即排他性控制权，只能通过将财产所有权从前一个所有者转让给后一个所有者的契约转让来获得，任何单方面占据前一个所有者的排他性控制权的企图，或任何未经所有者同意的对稀缺资源的物理特性的改变，和前面所述的对他人身体排他性使用权的侵犯一样，都是不正当行为。²

The compatibility of this principle with that of nonaggression can be demonstrated by means of an argumentum a contrario. First, it should be noted that if no one had the right to acquire and control anything except his own body (a rule that would pass the formal universalization test), then we would all cease to exist and the problem of the justification of normative statements (or, for that matter, any other problem that is of concern in this treatise) simply would not exist. The existence of this problem is only possible because we are alive, and our existence is due to the fact that we do not, indeed cannot, accept a norm outlawing property in other scarce goods next and in

¹ 参见约翰·洛克《政府论两篇》(P. 拉斯莱特编)，剑桥，1970年，尤其是第二篇第五章。

² 关于互不侵犯原则和先占原则，另可参见 M.N. 罗斯巴德所著《为了新自由》(纽约，1978年，第2章)以及《自由的伦理》(大西洋高地，1982年，第6-8章)。

addition to that of one's physical body. Hence, the right to acquire such goods must be assumed to exist. Now, if this is so, and if one does not have the right to acquire such rights of exclusive control over unused, nature-given things through one's own work, i.e., by doing something with things with which no one else had ever done anything before, and if other people had the right to disregard one's ownership claim with respect to such things which they had not worked on or put to some particular use before, then this would only be possible if one could acquire property titles not through labor, i.e., by establishing some objective, intersubjectively controllable link between a particular person and a particular scarce resource, but simply by verbal declaration; by decree.¹² However, acquiring property titles through declaration is incompatible with the above justified nonaggression principle regarding bodies. For one thing, if one could indeed appropriate property by decree, then this would imply that it would also be possible for one to simply declare another person's body to be one's own. Yet this, clearly enough, would conflict with the ruling of the nonaggression principle which makes a sharp distinction between one's own body and the body of another person. And this distinction can only be made in such a clear-cut and unambiguous way because for bodies, as for anything else, the separation between "mine" and "yours" is not based on verbal declarations but on action. (Incidentally, a decision between rival declarative claims could not be made unless there were some objective criterion other than declaration.) The separation is based on the observation that some particular scarce resource had in fact—for everyone to see and verify, as objective indicators for this would exist—been made an expression or materialization of one's own will, or, as the case may be, of someone else's will. Moreover, and more importantly, to say that property is acquired not through action but through a declaration involves an open practical contradiction, because nobody could say and declare so unless in spite of what was actually said his right of exclusive control over his body as his own instrument of saying anything was in fact already presupposed.

财产权的先占与契约转让原则与身体权的互不侵犯原则的兼容性，可以用反证法来证明。首先，应该指出的是，如果没有人有权获得和控制除了他自己的身体之外的任何东西(这一规则将通过正式的普遍化检验)，那么我们都将不复存在，规范性陈述的正当性问题(或者就此而言，本文所关注的任何其他问题)也将不复存在。这个问题的存在只可能是因为我们还活着，而我们的存在是由于我们不会，也确实不能接受这样一种规

范，即除了自己的身体之外，其他稀缺物品的所有权都是非法的。因此，必须假定取得这种事物的权利是存在的。如果是这样，现在，假如一个人没有权利通过自己的劳动获得这种对未使用的、自然给予的事物的排他性控制权，也就是说，通过对这些事物做一些事情，一些没有人曾经做过的事情，来获取控制权。如果其他人有权无视某人对他们之前没有使用过或没有过特定用处的东西的所有权主张，那么这只有在一个人可以不通过劳动而获得财产所有权的情况下才有可能，也就是说，通过在一个特定的人与特定的稀缺资源之间建立一些客观的，主体间可控的联系，仅仅只需口头声明或者一纸法令。¹ 然而，通过声明取得财产所有权与上述正当的关于身体的互不侵犯原则是不相容的。首先，如果一个人确实可以通过法令占有财产，那么这就意味着一个人也可以单方面宣称自己拥有另一个人的身体。然而，很明显，这将与互不侵犯原则的规定相冲突，该原则对自己的身体和另一个人的身体做出了明确的区分。这种区分只能以如此清晰和明确的方式进行，因为对身体来说，就像对其他任何事物一样，“我的”和“你的”之间的区分不是基于口头声明，而是基于行动。（顺便说一句，各种声明之间也有可能是相互对立的，如果不在声明之外找到客观的标准，那怎判断该执行哪条声明呢？）这种区分是基于这样一种观察，即某些特定的稀缺资源——每个人都可以看到和证实，作为这种资源存在的客观指标——已经成为自己意志的表达或具化，或者，视情况而定，是他人意志的表达或具化。而且，更重要的是，说财产不是通过行动而是通过声明获得，这包含了一个公开的现实矛盾，因为没有人能够这样说和这样声明，除非不管他实际上说了什么，他对自己身体的排他性控制的权，作为他自己说话的工具，实际上已经被预先假定了。

It has now been demonstrated that the right of original appropriation through actions is compatible with and implied in the nonaggression principle as the logically necessary presupposition of argumentation. Indirectly, of course, it has also been demonstrated that any rule specifying different rights, such as a socialist property theory, cannot be justified. Before entering a more detailed analysis, though, of why any socialist

¹ 例如，这就是让-雅克·卢梭所持的立场。他呼吁我们抵制诸如通过圈地等方式将自然赋予的资源据为私有的行为。他有一句名言：“要警惕听信这个骗子；要是你一旦忘记大地上的果实归我们大家所有，而大地本身不属于任何人，那你就完了。”（见让-雅克·卢梭《论人类不平等的起源和基础》，收录于《社会契约论及其他论文》（G. 科尔编），纽约，1950年，第235页）。然而，只有在假定财产主张可以通过政令来正当化的情况下，才有可能提出这样的观点。因为，若不是财产主张仅仅基于政令，“所有人”（即便是那些从未对相关资源采取任何行动的人）或“任何人都不”（即便是实际利用了这些资源的人也不包括在内）又怎么能拥有某物呢？！

ethic is indefensible—a discussion which should throw some additional light on the importance of some of the stipulations of the “natural, ” capitalist theory of property—a few remarks about what is or is not implied by classifying these latter norms as justified seem to be in order.

现在已经证明，作为论证的必要逻辑前提，通过行动取得先占的权利与互不侵犯原则是相容的，并且隐含在互不侵犯原则中。当然，也间接地证明，任何规定不同权利的规则，如社会主义财产理论，都是不正当的。然而，在更详细地分析，为什么任何社会主义伦理都是站不住脚之前——这一讨论应该会对“自然的”资本主义财产理论的一些规定的重要性有一些额外的启示——把后一种规范归类为正当的，对其意味着什么或不意味着什么进行一些评论似乎是有必要的。

In making this assertion, one need not claim to have derived an “ought” from an “is.” In fact, one can readily subscribe to the almost generally accepted view that the gulf between “ought” and “is” is logically unbridgeable.¹³ Rather, classifying the rulings of the natural theory of property in this way is a purely cognitive matter. It no more follows from the classification of the principle underlying capitalism as “fair” or “just” that one ought to act according to it, than it follows from the concept of validity or truth that one should always strive for it. To say that this principle is just also does not preclude the possibility of people proposing or even enforcing rules that are incompatible with it. As a matter of fact, with respect to norms the situation is very similar to that in other disciplines of scientific inquiry. The fact, for instance, that certain empirical statements are justified or justifiable and others are not does not imply that everyone only defends objective, valid statements. Rather, people can be wrong, even intentionally. But the distinction between objective and subjective, between true and false, does not lose any of its significance because of this. Rather, people who are wrong would have to be classified as either uninformed or intentionally lying. The case is similar with respect to norms. Of course there are many people who do not propagate or enforce norms which can be classified as valid according to the meaning of justification which I have given above. But the distinction between justifiable and nonjustifiable norms does not dissolve because of this, just as that between objective and subjective statements does not crumble because of the existence of uninformed or lying people. Rather, and accordingly, those people who would propagate and

enforce such different, invalid norms would again have to be classified as uninformed or dishonest, insofar as one had explained to them and indeed made it clear that their alternative norm proposals or enforcements could not and never would be justifiable in argumentation. And there would be even more justification for doing so in the moral case than in the empirical one, since the validity of the nonaggression principle and that of the principle of original appropriation through action as its logically necessary corollary must be considered to be even more basic than any kind of valid or true statements. For what is valid or true has to be defined as that upon which everyone acting according to this principle can possibly agree. As a matter of fact, as has just been shown, at least the implicit acceptance of these rules is the necessary prerequisite to being able to live and to argue at all.¹⁴

在作出这种断言时，人们不必声称从“是”推导出了“应该”。事实上，人们很容易同意这个几乎被普遍接受的观点，即“应该”和“是”之间的鸿沟在逻辑上是无法逾越的。¹相反，以这种方式对自然产权理论的裁决进行分类是一个纯粹的认知问题。把资本主义的基本原则归类为“公平”或“公正”，并不意味着人们应该按照这一原则行事，就像有效性或真理的概念并不意味着人们应该始终为之奋斗一样。说这一原则是公正的，也不排除人们提出甚至执行与之不相容的规则的可能性。事实上，就规范而言，情况与科学探究的其他学科非常相似。例如，某些经验性陈述是合理的或正当的，而另一些则不是，这一事实并不意味着每个人都只捍卫客观、有效的陈述。相反，人们可能会犯错，甚至是故意犯错。但是，客观与主观、真实与虚假之间的区别并不因此而失去任何意义。相反，犯错的人必须被归类为无知的或故意撒谎。规范方面的情形也是相似的。当然，有许多人不宣传或执行规范，根据我上面给出的理由的含义，这些规范可以被归类为有效的。但正当规范和不正当规范之间的区别不会因此而消失，就像客观陈述和主观陈述之间的区别不会因为无知或说谎的人的存在而消失一样。相反，相应地，那些宣传和执行这些不同的、无效规范的人将再次被归类为无知或不诚实的人，只要有人向他们解释并明确表示，他们的替代规范建议或实施不能也永远不会在论辩中是合理的。在道德的情况下比在经验的情况下更有理由这样做，因为不侵犯原则的有效性以及通过行动获得先占的原则作为其逻辑上必要的推论，必须被认为比任何有

¹ 关于能否从“是”的陈述推导出“应当”的问题，可参见 W.D. 哈德森（编）《“是”与“应当”的问题》，伦敦，1969 年；认为事实 - 价值二分法是一个构思不当的观点，可参见上文注释 115 中引用的自然权利相关文献。

效或真实的陈述更基本。因为有效或真实的东西必须被定义为每个根据这一原则行动的人都可能同意的东西。事实上，正如刚才所表明的那样，至少对这些规则的含蓄接受是能够生活和论辩的必要先决条件。¹

Why is it, then, precisely, that socialist property theories of any kind fail to be justifiable as valid? First, it should be noted that all of the actually practiced versions of socialism and most of its theoretically proposed models as well would not even pass the first formal universalization test, and would fail for this fact alone! These versions all contain norms within their framework of legal rules which have the form “some people do, and some people do not.” However, such rules, which specify different rights or obligations for different classes of people, have no chance of being accepted as fair by every potential participant in an argumentation for simply formal reasons. Unless the distinction made between different classes of people happens to be such that it is acceptable to both sides as grounded in the nature of things, such rules would not be acceptable because they would imply that one group is awarded legal privileges [at the expense of complementary discriminations](#) against another group. Some people, either those who are allowed to do something or those who are not, therefore could not agree that these were fair rules.¹⁵ Since most kinds of socialism, as practiced or preached, have to rely on the enforcement of rules such as “some people have the obligation to pay taxes, and others have the right to consume them” or “some people know what is good for you and are allowed to help you get these alleged blessings even if you do not want them, but you are not allowed to know what is good for them and help them accordingly” or “some people have the right to determine who has too much of something and who too little, and others have the obligation to comply” or even more plainly, “the computer industry must pay to subsidize the farmers, ” “the employed for the unemployed, ” “the ones without kids

¹ M. N. 罗斯巴德在 1982 年于大西洋高地出版的《自由的伦理》第 32 页写道：“如今，任何参与任何类型讨论（包括关于价值的讨论）的人，正因为参与其中，都是活着并肯定生命的。因为如果他真的反对生命，他就不该参与这样的讨论，事实上，他也不该继续活下去。因此，所谓反对生命的人，在讨论过程中实际上是在肯定生命，所以，维护和促进个人生命就具有了无可争议的公理地位。”另见 D. 奥斯特费尔德发表于《自由意志主义研究杂志》1983 年第 7 卷第 1 期第 106 页及之后的文章《自然权利之争》。

for those with kids, ” etc., or vice versa, they all can be discarded easily as serious contenders to the claim of being part of a valid theory of norms qua property norms, because they all indicate by their very formulation that they are not universalizable.

那么,确切地说,为什么任何形式的社会主义财产理论都不能被证明是正当的呢?首先,应该指出的是,所有实际实践的社会主义版本及其大多数理论提出的模式甚至都无法通过第一个正式的普遍性测试,并且仅凭这一事实就会失败!这些版本都包含在其法律规则框架内的规范,其形式是“有些人做,有些人不做”。然而,这些规定为不同阶层的人规定了不同的权利或义务,不可能被每一个潜在的辩论参与者仅仅因为形式上的原因而认为是公平的。除非在不同阶层的人之间所做的区分恰好是双方都能接受的,因为这是基于事物的本质,否则这种规则是不能被接受的,因为它们意味着一个群体以对另一个群体的歧视为代价获得法律特权。因此,有些人,无论是那些被允许做某事的人还是那些不被允许做某事的人,都不能同意这些规则是公平的。¹ 因为大多数种类的社会主义,作为实践或者仅仅鼓吹,都不得不依靠规则的执行,比如“有些人有纳税的义务,有些人有消费税款的权利”或“有些人知道什么对你是有好处的,可以帮助你获得这些所谓的祝福,即使你不想要它们,但你不能知道什么是对他们有益同时相应地帮助他们”或“有些人有权决定谁拥有太多,谁拥有太少,而其他人则有义务遵守”,或者更直白地说,“计算机行业必须支付补贴农民的费用”,“就业人员补偿失业人员”,“没有孩子的人补偿有孩子的人”,等等,反之亦然,作为财产规范的有效理论的一部分的有力竞争者,以上种种主张都可以很容易地被抛弃,因为它们的表述都表明它们不具有普适性。

But what is wrong with the socialist property theories if this is taken care of and there is indeed a theory formulated that contains exclusively universalizable norms of the type “nobody is allowed to” or “everybody can”? Even then—and this, more ambitiously, is what has been demonstrated indirectly above and shall be argued directly——socialism could never hope to prove its validity, no longer because of formal reasons, but because of its material specifications. Indeed, while those forms of socialism that can easily be refuted regarding their claim to moral validity on simple formal grounds can at least be practiced, the application of those more sophisticated versions that would pass the universalization test prove, for material reasons, to be fatal: even

¹ 参见 M. N. 罗斯巴德:《自由的伦理》,大西洋高地,1982年,第45页

if we tried, they simply could never be put into effect.

但是，如果解决了这一问题，并且确实制定了一种理论，其中完全包含“任何人都不允许”或“每个人都可以”这类可普遍化的规范，那么社会主义财产理论又有什么问题呢？即使是这样——更大胆地说，这一点是上面间接论证过的，接下来将直接论证——社会主义永远无法证明自己的正当性，并不是因为形式原因，而是因为它的实质性的规范。事实上，尽管那些在简单的形式基础上就可以轻易驳斥其道德有效性的社会主义形式至少在理论是可以实践的，但由于实质性原因，那些能够通过普遍性检验的更复杂版本的应用证明是致命的：即使我们尝试，它们也根本无法付诸实施。。

There are two related specifications in the norms of the natural theory of property with at least one of which a socialist property theory comes into conflict. The first such specification is that according to the capitalistic ethic, aggression is defined as an invasion of the physical integrity of another person's property.¹⁶ Socialism, instead, would define aggression as an invasion of the value or psychic integrity of another person's property. Conservative socialism, it should be recalled, aimed at preserving a given distribution of wealth and values, and attempted to bring those forces which could change the status quo under control by means of price controls, regulations, and behavioral controls. Clearly, in order to do so, property rights to the value of things must be assumed to be justifiable, and an invasion of values, *mutatis mutandis*, must be classified as unjustifiable aggression. Yet not only conservatism uses this idea of property and aggression. Social-democratic socialism does, too. Property rights to values must be assumed to be legitimate when social-democratic socialism allows me, for instance, to demand compensation from people whose chances or opportunities negatively affect mine. And the same is true when compensation for committing psychological or “structural violence”—a particularly dear term in the leftist political science literature—is permitted.¹⁷ In order to be able to ask for such compensation, what was done—affecting my opportunities, my psychic integrity, my feeling of what is owed to me—would have to be classified as an aggressive act.

在自然财产理论的规范中有两个相关的规范，其中至少有一个与社会主义财产理论相冲突。第一个规范是，根据资本主义伦理，侵犯被定义为对他人财产的物理完整性的

侵犯。¹ 相反，社会主义将侵犯定义为侵犯他人财产的价值或精神完整性。必须回顾一下，保守的社会主义旨在保持财富和价值的既定分配，并试图通过价格控制、管制和行为控制来控制那些可能改变现状的力量。显然，为了做到这一点，必须假定对事物价值的财产权是正当的，而对价值的侵犯，经过必要的修改，必须归类为不正当的侵犯。然而，并不是只有保守主义才使用这种财产和侵犯的概念。民主社会主义也是如此。例如，当民主社会主义允许我向那些有机会或有机遇对我产生负面影响的人要求赔偿时，价值的财产权必须被认为是合法的。如果允许对犯下心理暴力或“结构性暴力”(左派政治科学文献中特别受欢迎的一个术语)的行为进行补偿，情况也是如此。² 为了能够要求这样的补偿，所做的事情——影响我的机会，我的精神完整性，我对别人欠我什么的感觉——必须被归类为侵犯性行为。

Why is this idea of protecting the value of property unjustifiable? First, while every person, at least in principle, can have full control over whether or not his actions cause the physical characteristics of something to change, and hence also can have full control over whether or not those actions are justifiable, control over whether or

¹ 关于将侵犯定义为身体侵犯的重要性，另可参见 M.N. 罗斯巴德所著《自由的伦理》(1982 年，大西洋高地) 第 8 - 9 章；以及同一作者发表于《卡托杂志》1982 年春季刊的《法律、财产权与污染》，尤其是第 60 - 63 页。

² 关于结构性暴力这一不同于身体暴力的概念，可参见 D. 森哈斯(编)的《帝国主义与结构性暴力》(美国河畔法兰克福，1972 年)。

将侵犯定义为对财产价值的侵犯这一观点，也是 J. 罗尔斯和 R. 诺齐克正义理论的基础，尽管在许多评论者看来，这两位作者的理论似乎大相径庭。不然的话，罗尔斯怎么会认为他所谓的差异原则——“社会和经济的不平等应这样安排，使它们……合理地期望适合于每一个人的利益，包括最不利者的利益”(J. 罗尔斯，《正义论》，剑桥，1971 年，第 60 - 83 页；另见第 75 页及以后)——是合理的呢？除非罗尔斯认为，仅仅因为一个更幸运的人增加了自己的相对财富，就是实施了侵犯行为，而一个不太幸运的人因此对更幸运的人拥有有效的诉求，仅仅是因为前者在价值层面的相对地位下降了！诺齐克又怎么会声称，一个“占主导地位的保护机构”取缔竞争对手是合理的，而不管这些竞争对手的行为如何(R. 诺齐克，《无政府、国家与乌托邦》，纽约，1974 年，第 55 页及以后)？或者，他怎么会认为取缔所谓的非生产性交换——即一方如果另一方根本不存在，或者至少与之毫无关系时会过得更好的交换(例如勒索者与被勒索者的情况)——在道德上是正确的，而不管这种交换是否涉及任何形式的身体侵犯(同上，第 83 - 86 页)，除非他认为存在维护个人财产价值(而非其物理完整性)的权利呢？特别是对诺齐克理论的深刻批判，可参见 M.N. 罗斯巴德的《自由的伦理》(大西洋高地，1982 年) 第 29 章；关于罗尔斯和诺齐克都使用的无差异曲线分析的错误运用，可参见同一作者的《迈向效用与福利经济学的重构》(自由意志主义研究中心，不定期论文第 3 号，纽约，1977 年)。

not one's actions affect the value of someone else's property does not rest with the acting person, but rather with other people and their subjective evaluations. Thus no one could determine *ex ante* if his actions would be classified as justifiable or unjustifiable. One would first have to interrogate the whole population to make sure that one's planned actions would not change another person's evaluations regarding his own property. And even then nobody could act until universal agreement was reached on who is supposed to do what with what, and at which point in time. Clearly, for all the practical problems involved, one would be long dead and nobody would argue anything any longer long before this was ever accomplished. 18But more decisively still, the socialist position regarding property and aggression could not even be effectively argued, because arguing in favor of any norm, socialist or not, implies that there is conflict over the use of some scarce resource, otherwise there would simply be no need for discussion. However, in order to argue that there is a way out of such conflicts, it must be presupposed that actions must be allowed to be performed prior to any actual agreement or disagreement, because if they were not, one could not even argue so. Yet if one can do this—and socialism too must assume that one can, insofar as it exists as an argued intellectual position—then this is only possible because the existence of objective borders of property *i.e.*, borders which every person can recognize as such on his own, without having to agree first with anyone else with respect to one's system of values and evaluations. Socialism, too, then, in spite of what it says, must in fact presuppose the existence of objective property borders, rather than of borders determined by subjective evaluations, if only in order to have any surviving socialist who can make his moral proposals.

为什么这种保护财产价值的观念是不正当的?首先,每个人,至少在原则上,都可以完全控制他的行为是否会导致某物的物理特征发生变化,因此也可以完全控制这些行为是否正当,但一个人的行动是否会影响他人的财产价值,控制权并不取决于行动人,而是取决于其他人和他们的主观评价。因此,没有人能够事先确定他的行动是否正当。一个人首先必须询问整个人群,以确保自己计划的行动不会改变另一个人对自己财产的评价。即便如此,也没有人能采取行动,直到达成普遍协议,决定谁应该在什么时候用什么方法做什么。显然,对于所有涉及到的现实问题完成之前,这个人早就死了,

早就没有人会再争论什么了。¹ 但更决定性的是，社会主义关于财产和侵犯的观点甚至无法有效地争论，因为争论支持任何规范，不管是不是社会主义，都意味着在使用某些稀缺资源方面存在冲突，否则根本就没有必要讨论。然而，为了证明存在解决这些冲突的方法，必须预先假定，在达成任何实际的协议或分歧之前，必须允许采取行动，因为如果不允许这样做，人们甚至无法这样争论。然而，如果一个人能够做到这一点——社会主义也必须假定一个人能够做到这一点，只要它作为一种有争议的学术观点存在——那么，这是唯一可能的，因为存在客观的财产边界，即每个人都可以自己认识到的边界，而不必首先与他人就自己的价值和评价体系达成一致。那么，社会主义，不管它怎么说，只要有一个幸存的社会主义者能够提出他的伦理主张，那么它实际上就必须预设存在客观的财产边界，而不是由主观评价决定的边界。

The socialist idea of protecting value instead of physical integrity also fails for a second, related reason. Evidently, the value of a person, for example, on the labor or marriage market, can be and indeed is affected by other people's physical integrity or degree of physical integrity. Thus, if one wanted property values to be protected, one would have to allow physical aggression against people. However, it is only because of the very fact that a person's borders—that is, the borders of a person's property in his body as his domain of exclusive control with which another person is not allowed to interfere unless he wishes to become an aggressor—are physical borders (intersubjectively ascertainable, and not just subjectively fancied borders) that everyone can agree on anything independently (and, of course, agreement means agreement of independent decision-making units!). Only because the protected borders of property are objective then, i.e., fixed and recognizable as fixed prior to any conventional agreement, can there at all be argumentation, and possibly agreement, between independent decision-making units. There simply could not be anyone arguing anything unless his existence as an independent physical unit was first recognized. No one could argue in favor of a property system defining borders of property in subjective, evaluative terms—as does socialism—because simply to be able to say so presupposes that, contrary to what the theory says, one must in fact be a physically independent unit saying it.

保护价值而不是物理完整性的社会主义理念也因为第二个相关原因而失败。显然，一

¹ 参见 M. N. 罗斯巴德:《自由的伦理》，大西洋高地，1982年，第46页。

个人的价值，例如在劳动市场或婚姻市场上的价值，可以而且确实受到其他人的身体健全或身体健全程度的影响。因此，如果一个人想要保护财产价值，他就必须允许对人进行人身侵犯。然而，正是因为一个人的边界——也就是说，一个人的身体财产的边界，作为他排他性控制的领域，除非他想成为侵犯者，否则其他人无权干涉——是物理边界(主体间可确定的，而不仅仅是主观想象的边界)，所以每个人都可以独立地就任何事情达成一致(当然，一致意味着独立决策单位的一致!)。只有受保护的财产边界是客观的，即在任何常规协议之前是确定的，并且可识别为是确定的，才能在独立的决策单位之间进行辩论，并可能达成协议。除非他作为一个独立的物理单位的存在首先被承认，否则任何人都不可能就任何事情进行争论。没有人能够像社会主义那样，支持用主观评价术语定义财产边界的财产制度，因为能够这样说的前提条件是，与理论所说的相反，一个人必须是一个物理上独立的单位才能这样说。

The situation is no less dire for socialism when one turns to the second essential specification of the rulings of the natural theory of property. The basic norms of capitalism were characterized not only by the fact that property and aggression were defined in physical terms; it was of no less importance that in addition property was defined as private, individualized property and that the meaning of original appropriation, which evidently implies making a distinction between prior and later, had been specified. It is with this additional specification as well that socialism comes into conflict. Instead of recognizing the vital importance of the prior/later distinction in deciding between conflicting property claims, socialism proposes norms which in effect state that priority is irrelevant in making such a decision and that late-comers have as much of a right to ownership as first-comers. Clearly, this idea is involved when social-democratic socialism, for instance, makes the natural owners of wealth and/or their heirs pay a tax so that the unfortunate latecomers might be able to participate in its consumption. And this idea is also involved, for instance, when the owner of a natural resource is forced to reduce (or increase) its present exploitation in the interest of posterity. Both times it only makes sense to do so when it is assumed that the person accumulating wealth first, or using the natural resource first, thereby commits an aggression against some late-comers. If they have done nothing wrong, then the late-comers could have no such claim against them.¹⁹

当我们转向自然财产理论的第二个基本规范时，社会主义的情况也同样糟糕。资本主

义的基本规范的特点不仅在于财产和侵犯是用物质标准来定义的；同样重要的是，另外财产被定义为私有的、个性化的财产，并且明确了先占的含义，这显然意味着对先来和后到的占有加以区分。社会主义也恰恰与这一附加规范发生冲突。社会主义并没有认识到在决定相互冲突的财产主张时孰先孰后的区别是至关重要的，相反，它提出的规范实际上表明，在做出这样的决定时，优先顺序是无关紧要的，而且后来者和先入者拥有同样多的所有权。显然，当民主社会主义要求财富的自然所有者和/或其继承人纳税，以便不幸的后来者能够参与其消费时，就涉及到这种思想。例如，当自然资源的所有者为了子孙后代的利益而被迫减少(或增加)目前对其的开采时，也会涉及到这一观点。在这两种情况下，只有假设先积累财富的人，或先使用自然资源的人对后来者构成了侵犯，这样做才有意义。如果他们并没有做错什么，那么后来者就没有这样的权利要求他们。¹

What is wrong with this idea of dropping the prior-later distinction as morally irrelevant? First, if the late-comers, i.e., those who did not in fact do something with some scarce goods, had indeed as much of a right to them as the first-comers, i.e., those who did do something with the scarce goods, then literally no one would be allowed to do anything with anything, as one would have to have all of the late-comers' consent prior to doing whatever one wanted to do. Indeed, as posterity would include one's children's children—people, that is, who come so late that one could never possibly ask them—advocating a legal system that does not make use of the prior-later distinction as part of its underlying property theory is simply absurd in that it implies advocating death but must presuppose life to advocate anything. Neither we, our forefathers, nor our progeny could, do, or will survive and say or argue anything if one were to follow this rule. In order for any person—past, present, or future—to argue anything it must be possible to survive now. Nobody can wait and suspend acting until everyone of an indeterminate class of late-comers happens to appear and agree to what one wants to do. Rather, insofar as a person finds himself alone, he must be able to act, to use, produce, consume goods straightaway, prior to any agreement with people who are simply not around yet (and perhaps never will be). And insofar as

¹ 关于为“后来者伦理”进行辩护的蹩脚哲学尝试，可参见 J. 罗尔斯所著《正义论》，剑桥，1971 年，第 284 页及后续内容；J. 斯特巴所著《正义的要求》，圣母大学，1980 年，尤其是第 58 页及后续内容、第 137 页及后续内容。有关这种伦理的荒谬之处，可参见 M. N. 罗斯巴德所著《人、经济与国家》，洛杉矶，1972 年，第 427 页。

a person finds himself in the company of others and there is conflict over how to use a given scarce resource, he must be able to resolve the problem at a definite point in time with a definite number of people instead of having to wait unspecified periods of time for unspecified numbers of people. Simply in order to survive, then, which is a prerequisite to arguing in favor of or against anything, property rights cannot be conceived of as being timeless and non-specific regarding the number of people concerned. Rather, they must necessarily be thought of as originating through acting at definite points in time for definite acting individuals.²⁰

放弃先来-后来者的区分, 认为这与道德无关, 这种想法会有什么问题? 首先, 如果后来者, 也就是那些没有使用稀缺物品的人, 和先来者, 也就是那些使用稀缺物品的人一样有权利, 那么任何人都不能用任何东西做任何事, 因为一个人在做任何事之前都必须得到所有后来者的同意。事实上, 就像子孙后代——也就是说, 那些出生太晚的人, 人们永远不可能去询问他们——提倡一种不把先来后到的区别作为其基本财产理论一部分的法律体系, 这是荒谬的, 因为它意味着提倡死亡, 但人必须以生命为前提来提倡任何东西。如果遵循了这个不区分先来后到的财产规则, 我们、我们的祖先、以及我们的后代都不能做什么, 也无法存活, 无法说任何话或争论任何事。为了让任何人——过去、现在或未来——争论任何事情, 现在必须有可能生存下去。没有人能暂停行动, 直到一个不确定的迟到者群体中的每一个人都碰巧出现并同意他想做的事情时再采取行动。相反, 只要一个人发现自己是独立的, 他就必须能够立即行动, 使用, 生产, 消费商品, 而不是与那些还没有出现的人(也许永远不会出现)达成任何协议。当一个人发现自己和其他人在一起, 并且在如何使用给定的稀缺资源方面存在冲突时, 他必须能够在确定的时间和确定的人数一起解决问题, 而不是为了不确定的人数且等待不确定的时间。仅仅是为了生存, 这是支持或反对任何事情的先决条件, 财产权不能被认为与时间无关的, 也不能被认为与所涉及的具体人数无关。更确切地说, 财产权必须被认为是由特定的个体在特定的时间点内的特定的行动而产生的。¹

Furthermore, the idea of abandoning the prior-later distinction, which socialism

¹ 在此也应指出, 只有将产权概念化为源于特定时间的私有产权, 才有可能订立契约。显而易见, 契约是可数的、在物理上相互独立的个体之间的协议, 它基于每个契约方对彼此在协议订立前获取之物的私有所有权主张的相互认可, 然后涉及将特定物品的产权从某一特定的先有所有者转移给某一特定的后有所有者。在“后来者伦理”的框架内, 难以想象会存在契约这种东西!

finds so attractive, would again simply be incompatible with the nonaggression principle as the practical foundation of argumentation. To argue and possibly agree with someone (if only on the fact that there is disagreement) means to recognize each other's prior right of exclusive control over his own body. Otherwise, it would be impossible for anyone to first say anything at a definite point in time and for someone else to then be able to reply, or vice versa, as neither the first nor the second speaker would be independent physical decision-making units anymore, at any time. Eliminating the prior-later distinction then, as socialism attempts to do, is tantamount to eliminating the possibility of arguing and reaching agreement. However, as one cannot argue that there is no possibility for discussion without the prior control of every person over his own body being recognized and accepted as fair, a late-comer ethic that does not wish to make this difference could never be agreed upon by anyone. Simply saying that it could implies a contradiction, as one's being able to say so would presuppose one's existence as an independent decision-making unit at a definite point in time.

此外，社会主义极为青睐的摒弃先后之分的理念，同样与作为论证实践基础的互不侵犯原则相悖。与他人进行论证并有可能达成共识（哪怕只是就存在分歧这一事实达成共识），意味着承认彼此对自身身体的在先排他控制权。否则，任何人都不可能在一确定时间首先发言，而其他人随后也无法回应，反之亦然，因为无论是先发言者还是后发言者，在任何时候都不再是独立的、有自主决策能力的个体。那么，正如社会主义试图做的那样，消除先后之分，就等同于消除论证与达成共识的可能性。然而，由于若不承认并认可每个人对自身身体的在先控制权是公平的，就无法论证讨论的可能性，所以，任何不承认这种区别的“后来者伦理”，永远无法得到任何人的认同。仅仅声称它可以得到认同，就意味着自相矛盾，因为一个人能够这样说，就预设了其在某一确定时间作为独立决策个体的存在。

Hence, one is forced to conclude that the socialist ethic is a complete failure. In all of its practical versions, it is no better than a rule such as "I can hit you, but you cannot hit me," which even fails to pass the universalization test. And if it did adopt universalizable rules, which would basically amount to saying "everybody can hit everybody else," such rulings could not conceivably be said to be universally acceptable on account of their very material specification. Simply to say and argue so must presuppose a person's property right over his own body. Thus, only the first-

come-first-own ethic of capitalism can be defended effectively as it is implied in argumentation. And no other ethic could be so justified, as justifying something in the course of argumentation implies presupposing the validity of precisely this ethic of the natural theory of property.

因此，我们不得不判定，社会主义伦理是彻底失败的。在其所有实际版本中，它并不比“我可以打你，但你不能打我”这样的规则好到哪里去，甚至都通不过普遍化检验。而要是它采用可普遍化的规则，基本上就相当于说“每个人都可以打其他人”，鉴于这些规则的具体内容，很难想象它们能被普遍接受。仅仅说出并论证这些规则，就必须预设一个人对自己身体的财产权。因此，只有资本主义的先到先得伦理能够得到有效辩护，因为它隐含在论证过程之中。没有其他伦理能够得到如此正当的辩护，因为在论证过程中为某事辩护，恰恰意味着预设了这种自然财产理论伦理的有效性。

第八章 社会主义的社会心理学基础或国家理论

Chapter 8 The Socio-psychological Foundations of Socialism or The Theory of The State

In the preceding chapters it has been demonstrated that socialism as a social system implying a redistribution of property titles away from user-owners and contractors to nonuser-owners and noncontractors necessarily involves a reduction in the production of wealth, since the use and contracting of resources are costly activities whose performance is made even more costly as compared with alternatives available to actors. Secondly, such a system cannot be defended as a fair or just social order from a moral point of view because to argue so, in fact to argue at all, in favor or against anything, be it a moral, nonmoral, empirical, or logico-analytical position, necessarily presupposes the validity of the first-use-first-own rule of the natural theory of property and capitalism, as otherwise no one could survive and then say, or possibly agree on, anything as an independent physical unit.

在前面的章节中我已经证明，社会主义作为一种社会制度，意味着财产所有权的重新分配，从用户所有者和契约人转移分配到非用户所有者和非契约人，必然会导致财富生产的减少，因为资源的使用和契约转让是代价高昂的活动，其执行比行动人可获得的替代方案成本更高。其次，从道德的角度来看，这样的制度无法被辩护为公平或公正的社会秩序，因为要这样论证，事实上要论证赞成或反对任何东西，无论是道德的还是非道德的，经验的还是逻辑分析的立场，都必须以财产和资本主义自然理论的先用先得规则的有效性为前提，否则，没有人能够作为一个独立的物理单位存活下来，然后说什么，或者可能就什么达成一致意见。

If neither an economic nor a moral case for socialism can be made, then socialism is reduced to an affair of merely social-psychological significance. What, then, are the socio-psychological foundations on which socialism rests? Or, since socialism has been defined as an institutionalized policy of redistribution of property titles away from user-owners and contractors, how is an institution that implements a more or less total expropriation of natural owners possible?

如果既不能从经济上也不能从伦理上为社会主义辩护，那么社会主义就会沦为仅仅具有社会心理学意义的事物。那么，社会主义赖以存在的社会心理学基础是什么呢？

或者，既然社会主义被定义为一种将财产所有权从使用者和契约人手中重新分配的制度化政策，那么对自然所有者实行或多或少完全剥夺的制度何以可能呢？

If an institution exists that is allowed to appropriate property titles other than through original appropriation or contract, it must assumedly damage some people who consider themselves to be the natural owners of these things. By securing and possibly increasing its monetary and/or non-monetary income it reduces that of other people—something categorically different from the situation that exists when there is a contractual relationship among people in which no one gains at the expense of anyone else but everyone profits, as otherwise there simply would not be any exchange. In this case one can expect resistance to the execution of such a policy. This inclination to resist can, of course, be more or less intensive, and it can change over time and become either more or less pronounced and pose a greater or smaller threat to the institution carrying out the policy of redistribution. But as long as it exists at all, the institution must reckon with it. In particular, it must reckon with it if one assumes that the people representing this institution are ordinary people who, like everyone else, have an interest not only in stabilizing their current income which they are able to secure for themselves in their roles as representatives of this institution but also in increasing this income as much as possible. How, and this is precisely the problem, can they stabilize and possibly increase their income from noncontractual exchanges, even though this necessarily creates victims—and, over time, increasing numbers of victims, or victims who are increasingly hurt?

如果某个制度，允许有人既 not 通过先占，也不通过契约转让，就可以获得已有产权人的财产的所有权，那么那些原来的产权所有者的利益就受到了损害。这种制度通过确保并可能增加其货币和/或非货币收入，它减少了其他人的收入——这与人们之间存在契约关系时的情况完全不同，在这种关系中，没有人以牺牲其他人为代价获得收益，而是每个人都获利，否则就不会有任何交换。在这种情况下，我们可以预料到人们对执行这种政策的抵制。当然，这种抵制的强烈程度会有不同，且也许会随着时间的推移而变得强烈，从而会在某种程度上威胁这种再分配制度的存在。这种制度的受益者（剥夺者），不可能看不见这种抵制，必须正视它。假如代表这种制度的是普通人，他也一样会致力于确保甚至增加通过这种方式而获得的收入。随着时间的推移，这种制度的被剥夺者会越来越多，他们受到的伤害也越来越大。这正是问题的关键所在——

这些剥夺者如何才能稳定并可能增加他们不通过契约交易而获得的收入呢？

The answer can be broken down into three parts which will be discussed in turn: (1) by aggressive violence; (2) by corrupting the public through letting them or rather parts of them share in the enjoyment of the receipts coercively extracted from natural owners of things; and (3) by corrupting the public through letting them or parts of them participate in the specific policy of expropriation to be enacted.

剥夺者可以采取的路径有三条，我们将依次讨论：（1）使用侵犯性暴力；（2）让民众中的更多人成为剥夺者，分享从自然所有者处强制攫取的利益来腐蚀他们；（3）让民众中的一些人参与新的剥夺政策的制定，从而拉拢他们。

To assure its very existence, any institution that enforces a socialist theory of property must rely on the continual threat of violence. Any such institution threatens people who are unwilling to accept its noncontractual appropriations of their natural property with physical assault, imprisonment, enslavement, or even death, and it must carry out such threats if necessary, in order to stay “trust-worthy” as the kind of institution that it is. Since one is dealing with an institution—an organization, that is, which performs these actions on a regular basis—it is almost self-explanatory that it refuses to call its own practice of doing things “aggression,” and instead adopts a different name for it, with neutral or possibly even positive connotations. In fact, its representatives might not even think that they themselves are aggressors when acting in the name of this organization. However, it is not names or terms that matter here or elsewhere, but what they really mean.¹ Regarding the content of its actions, violence is the cornerstone of socialism's existence as an institution. And to leave no room for misunderstanding here, the violence on which socialism rests is not the kind of violence that a natural owner of things would use or threaten to use against aggressive intruders of his property. It is not the defensive threat toward a prospective murderer of, let us say, subjecting him to capital punishment, should he in fact murder someone. Rather, it is aggressive violence directed at innocent victims. An institution carrying out socialism literally rests on the threat posed by a prospective murderer against innocent people (i.e., people who have not done any physical harm whatsoever to anyone) to kill them should they not comply with his demands, or even to kill them just for the “fun” of killing.

为确保自身存续，任何推行社会主义财产理论的机构都必须持续以暴力相威胁。对于

不愿接受其非契约方式侵占自身自然财产的人，这类机构会以人身攻击、监禁、奴役甚至死亡相威胁，而且如有必要，就必须实施这些威胁，以便维持自身作为此类机构的“可信度”。鉴于这是一个机构，即一个定期实施这些行为的组织，几乎不言而喻的是，它不会将自己的行事方式称作“侵犯”，而是会采用另一个名称，这个名称带有中立甚至可能积极的含义。事实上，以这个组织名义行事时，其代表们甚至可能不认为自己是侵犯者。然而，在这里以及其他地方，重要的并非名称或术语，而是它们的真正含义。¹ 就其行为内容而言，暴力是社会主义作为一种制度存在的基石。为避免在此产生误解，需明确社会主义所依赖的暴力，并非物品的自然所有者会对侵犯其财产的闯入者使用或威胁使用的那种暴力。这并非是针对潜在杀人犯的防御性威胁，比如威胁若他真的杀人，就对其处以死刑。相反，这是针对无辜受害者的攻击性暴力。一个践行社会主义的机构，从字面上看，是建立在潜在杀人犯对无辜民众（即那些从未对任何人造成任何身体伤害的人）的威胁之上，若这些民众不服从其要求，就将其杀害，甚至仅仅为了杀人的“乐趣”就将其杀害。

It is not at all difficult to recognize the truth of this. In order to do so, it is only necessary to assume a boycott of any exchange-relation with the representatives of socialism because such an exchange, for whatever reasons, no longer seems profitable. It should be clear that in a social system based on the natural theory of property—under

¹ 关于作为社会主义具体化身的国家所实施的制度性侵犯与普通犯罪行为之间的区别，可参见 L. 斯普纳所著《无叛国罪》（科罗拉多斯普林斯，1973 年，第 19 - 20 页）：“……政府就像拦路抢劫的强盗，对一个人说：‘要钱还是要命。’而且，即便不是大多数，也有许多税款是在这种威胁的逼迫下缴纳的。诚然，政府不会在偏僻之地伏击一个人，不会从路边突然窜出，用手枪指着他的头，然后翻他的口袋。但这抢劫行为并不会因此就不是抢劫；而且这种行为更加卑鄙可耻。拦路强盗独自承担其行为的责任、风险和罪行。他不会假装对您的钱财有任何正当的索取权，也不会假装要将其用于您的利益。他不会伪装自己，就承认自己是个强盗。他还没有厚颜无耻到声称自己仅仅是个‘保护者’，说自己违背人们的意愿拿走他们的钱，仅仅是为了能够‘保护’那些自认为完全有能力自我保护，或者不认可他那套独特保护体系的痴迷旅者。他是个明智之人，不会做出这样的伪称。此外，拿走您的钱后，他就会按您希望的那样离开您。他不会违背您的意愿，继续在路上跟着您；不会因为他给予您的‘保护’，就自认为是您合法的‘君主’。他不会通过命令您向他鞠躬并为他服务，要求您做这做那、禁止您做这做那，只要觉得符合自己的利益或乐趣就再次抢走您更多的钱，以及如果您质疑他的权威或拒绝他的要求，就污蔑您是叛逆者、叛国者和国家的敌人并无情地将您击毙等方式，来持续‘保护’您。他还算是个有绅士风度的人，不会犯下这些欺诈、侮辱和恶行。简而言之，除了抢劫您，他不会试图让您成为他的受骗者或奴隶。那些自称‘政府’的强盗和杀人犯的行径，与这‘单个拦路强盗’的行径恰恰相反。”

capitalism—anyone would have the right to boycott at any time,as long as he was indeed the person who appropriated the things concerned by using them before anyone else did or by acquiring them contractually from a previous owner. However much a person or institution might be affected by such a boycott,it would have to tolerate it and suffer silently,or else try to persuade the boycotter to give up his position by making a more lucrative offer to him. But it is not so with an institution that puts socialist ideas regarding property into effect. Try,for instance,to stop paying taxes or to make your future payments of taxes dependent on certain changes or improvements in the services that the institution offers in return for the taxes — it would fine,assault,imprison you,or perhaps do even worse things to you. Or to use another example,try to ignore this institution's regulations or controls imposed on your property. Try,that is to say,to make the point that you did not consent to these limitations regarding the use of your property and that you would not invade the physical integrity of anyone else's property by ignoring such impositions,and hence,that you have the right to secede from its jurisdiction,to “cancel your membership” so to speak,and from then on deal with it on equal footing,from one privileged institution to another. Again,assumedly without having aggressed against anyone through your secession,this institution would come and invade you and your property,and it would not hesitate to end your independence. As a matter of fact,if it did not do so,it would stop being what it is. It would abdicate and become a regular private property owner or a contractual association of such owners. Only because it does not so abdicate is there socialism at all. Indeed,and this is why the title of this chapter suggested that the question regarding the sociopsy-chological foundations of socialism is identical to that of the foundations of a state,if there were no institution enforcing socialistic ideas of property,there would be no room for a state,as a state is nothing else than an institution built on taxation and unsolicited,noncontractual interference with the use that private people can make of their natural property. There can be no socialism without a state,and as long as there is a state there is socialism. The state,then,is the very institution that puts socialism into action; and as socialism rests on aggressive violence directed against innocent victims,aggressive violence is the nature of any state.2

认识到必然会使用暴力，这并不难。在资本主义体系下，任何个人在任何时候都有权选择拒绝交易，只要他自己是这些物品的产权人，无论他的产权来自于先占先得还是

契约转让。如果他认为和社会主义的代理人之间的交换关系不再有利可图，他也应该可以抵制与这些代理人之间的交易。无论一个人或一种制度受到这种抵制的影响有多大，他们要么默默忍受抵制，要么改变条件让这些抵制者有利可图从而放弃抵制。但对于一个将有关财产的社会主义思想付诸实施的机构来说，情况并非如此。如果尝试拒绝纳税，或尝试改革制度以使政府的税收与政府提供的服务挂钩，这些行为都将受到惩罚，包括罚款、攻击、监禁甚至更糟糕的事情。如果你试着忽略这个制度对你的财产施加的监管和控制，或者表明你不同意他们对你使用自己财产的限制，或者你试着脱离它的管辖，或者放弃你在这个体制内的资格，或者你试着脱离这个特权制度到另一个制度，就算你在这个脱离过程中没有侵犯任何人，都没有用，因为它会毫不犹豫地侵犯你以及你的财产，阻止你的脱离。当然它会尽其所能阻止你脱离——如果它不这样做，它将不是现在这个样子，它会失去权力，成为日常的私产所有者或者这类所有者构成的契约化协会。就是因为它的不让位，它才是社会主义。本章标题表示，社会主义和国家主义，它们的心理学基础是相同的。如果没有制度来执行社会主义的财产观念，就不会有国家存在的空间。国家只不过是一个建立在税收和对私人自然财产使用的未经请求的、非契约性干预之上的制度。没有国家就没有社会主义，有国家就有社会主义。因此，国家正是使社会主义付诸实施的制度；由于社会主义建立在针对无辜受害者的侵犯性暴力之上，侵犯性暴力是任何国家的本质。¹

But socialism, or the state as the incorporation of socialist ideas, does not rest exclusively on aggression. The representatives of the state do not engage solely in aggressive acts in order to stabilize their incomes, though without it there would not be any state! As long as the relationship between the state and private property owners is exclusively a parasitic one, and the activities of the representatives of the state consist entirely of

¹ 关于国家理论，可参见 M. N. 罗斯巴德的《剖析国家》，收录于其著作《平等主义：对自然的反抗》（华盛顿，1974年）；《为了新自由》（纽约，1978年）；以及《自由的伦理》（大西洋高地，1982年）；H. H. 霍普的《财产、无政府与国家》（奥普拉登，1987年）；另可参见 A. 赫伯特的《国家强制的是非曲直》（E. 麦克编，印第安纳波利斯，1978年）；H. 斯宾塞的《社会静力学》（伦敦，1851年）；F. 奥本海默的《国家》（纽约，1926年）；A. J. 诺克的《我们的敌人——国家》（德莱万，1983年）；还可参考 J. 熊彼特针对当时（如今同样）盛行的观点（尤其是在经济学家中）所发表的评论，即“将税收类比为俱乐部会费，或类比为购买医生服务之类的理论，只能证明社会科学的这一部分与科学思维习惯相距有多远”（J. 熊彼特，《资本主义、社会主义与民主》，纽约，1942年，第198页）。

unsolicited interferences with other people's property rights, designed to increase the income of the former at the expense of a corresponding reduction in income of the latter, and these agents of socialism then do nothing else with their income than consume it for their own private purposes, then the chances for the state's growth and the spread of socialism are at least very limited and narrow. Certainly, one man, or one group of men, possessed with sufficient aggressive energies can inspire enough fear in one and possibly even in a few others, or in another more numerous group of men who, for whatever reason, lack such characteristics, and can establish a stable relationship of exploitation. But it is impossible to explain the fact, characteristic of all states and each and every socialist social system, that the group of men representing the state can hold people ten, a hundred, or even a thousand times more numerous than they themselves in submission, and extract from them the incredibly large amounts of income that they in fact do, only by instilling fear in them.

但是，社会主义，或者说作为社会主义思想结晶的国家，并不完全建基于侵犯。国家的代理人并不只是为了稳定收入而从事侵犯行为，尽管没有侵犯就没有国家！只要国家与私有财产所有者之间的关系完全是一种寄生关系，只要国家代理人的活动完全是主动干涉他人的财产权，其目的是以相应减少后者的收入为代价来增加前者的收入，而这些社会主义代理人除了为自己的私人目的消费其收入外不做任何其他事情，那么，国家的发展和社会主义的传播机会至少是非常有限和狭隘的。当然，一个人或一群人，拥有了足够的攻击性，能使缺乏攻击性的另一个人或几个人甚至一群人产生足够的恐惧，就能建立持续稳定的剥削关系。但是，这仍然不足以解释所有国家和社会主义制度的特点，即人数上的巨大差异。仅仅只需向被剥夺者灌输恐惧，代表国家的一群人，就能操纵十倍、百倍甚至千倍于己的被剥夺者们，让他们臣服，并从他们那里榨取实际拥有的令人难以置信的大量财富收入。

It might be thought that an increase in the degree of exploitation could explain the size of income. But from the economic reasoning of previous chapters we know that a higher degree of exploitation of natural owners necessarily reduces their incentive to work and produce, and so there is a narrow limit to the degree to which one person (or group of persons) can lead a comfortable life on the income coercively extracted from another person (or a roughly equally sized group of persons) who would have to support this lifestyle through his (their) work. Hence, in order for the agents of socialism to be able to lead a comfortable life and prosper as they do, it is essential that the

number of exploited subjects be considerably larger and grow over-proportionally as compared with those of the representatives of the state itself. With this, however, we are back to the question of how the few can rule the many.

人们可能会认为，剥夺程度的增加可以解释剥夺收入的大小。但从前几章的经济推理中，我们知道，对自然产权所有者的剥夺会打击他们的生产和工作动机，剥夺程度越高这种打击就越严重，直至他们也不生产不工作。因此，一个人或一群人靠强制剥夺另一个人或另一群人的程度是有限的，限度就是这些被剥夺者还愿意生产和工作。如果社会主义代理人想要持续过上舒适富裕的生活，必须要有数量足够多且不断增长的从事生产与工作的被剥夺者群体。看看，是不是很荒唐？我们又回到了“少数人统治多数人”这个问题上。

There would also be no convincing way around this explanatory task by arguing that the state could simply solve this problem by improving its weaponry; by threatening with atomic bombs instead of with guns and rifles, so to speak, thereby increasing the number of its subjects. Since realistically one must assume that the technological knowhow of such improved weaponry can hardly be kept secret, especially if it is in fact applied, then with the state's improved instruments for instilling fear, *mutatis mutandis* the victims' ways and means of resisting improve as well, and hence, such advances can hardly be thought of as explaining what has to be explained. ³ One must conclude, then, that the problem of explaining how the few can rule the many is indeed real, and that socialism and the state as the incorporation of socialism must rest in addition to aggression on some sort of active support among the public.

也不存在令人信服的方式来绕过这一解释任务，比如辩称国家只需通过改进武器装备就能解决这一问题；可以说，就是用原子弹威胁而非枪支步枪，从而增加服从它的人数。因为从现实角度看，必须假定这种先进武器装备的技术诀窍很难保密，尤其是在实际使用的情况下。那么，随着国家用来制造恐惧的手段升级，相应地，受害者的抵抗方式和手段也会改进。因此，很难认为这些进步能解释需要解释的问题。¹ 由此必须得出结论，解释少数人如何统治多数人这个问题确实存在，而且社会主义以及作为

¹ 此外，对国民使用至少某些武器装备（比如原子弹）是不可行的，因为统治者几乎无法避免自己也因此受到伤害或死亡。

社会主义化身的国家，除了依靠侵犯，还必须依赖民众的某种积极支持。

David Hume is one of the classic expositors of this insight. In his essay on “The first principles of government” he argues:

Nothing appears more surprising to those who consider human affairs with a philosophical eye, than the easiness with which the many are governed by the few, and the implicit submission, with which men resign their own sentiments and passions to those of their rulers. When we inquire by what means this wonder is effected we shall find, that as Force is always on the side of the governed, the governors have nothing to support them but opinion. It is, therefore, on opinion only that government is founded, and this maxim extends to the most despotic and most military governments, as well as to the most free and most popular. The soldan of Egypt, or the emperor of Rome, might drive his harmless subjects, like brute beasts, against their sentiments and inclination. But he must, at least, have led his mamalukes or praetorian bands, like men, by their opinion.⁴

大卫·休谟是这一观点的经典阐释者之一。在他的文章《论政府的首要原则》中，他写到：

对于那些用哲学的眼光看待人类事务的人来说，没有什么比下列事实更令人惊讶的了：多数人居然轻易地受少数人统治，而且人们竟能压抑自己的感情和爱好，无条件地屈从于统治者的喜好。当我们询问这种奇迹是通过什么方式实现的时候，我们会发现，由于力量总是站在被统治者一边，统治者除了公众信念之外没有任何支持他们的东西。因此，政府只能建立在民意的基础上，这条准则既适用于最专制、最军事的政府，也适用于最自由、最受欢迎的政府。埃及的苏丹或罗马的皇帝可能会像对待牲畜一样对待他驯服的臣民，违背他们的感情和意愿，任意驱使他们。但是，至少在率领自己的马穆鲁克或禁卫军时，必须像对待人一样，尊重他们的意见。¹

How indeed is this support brought about? One important component in the process of generating it is ideology. The state spends much time and effort persuading the public that it is not really what it is and that the consequences of its actions are positive rather than negative. Such ideologies, spread to stabilize a state's existence and increase its income, claim that socialism offers a superior economic system or a social order that

¹ D. 休谟，《道德、政治与文学论文集》，牛津，1971年，第19页；另见E. 德·拉博埃西，《服从的政治：论自愿为奴》，纽约，1975年。

is more just than capitalism, or claim that there is no such thing as justice at all prior to the state's stepping in and simply declaring certain norms to be just.⁵ And such ideologies, too, less attractive now, but once extremely powerful, are those, for example, of the state being sanctified by religion, or of the rulers not being ordinary people but instead godlike superhumans, who must be obeyed because of their natural superiority. I have gone to great lengths in previous chapters to demonstrate that such ideas are false and unjustified, and I will return to the task of analyzing and unmasking another fashionable ideology in the final chapter of this treatise. But regardless of the falsity of these ideologies, it must be recognized that they certainly do have some effect on people, and that they do contribute—some more so than others—to their submission to a policy of aggressive invasion of the property rights of natural owners.

这种支持究竟是如何实现的？意识形态是它产生过程中的一个重要组成部分。政府用了大量的时间和精力来说服公众，让公众相信政府不是他人口中的政府，政府会带来积极的后果，而不是消极的后果。这些意识形态的传播是为了稳定一个国家的存在并增加其收入，它们声称社会主义提供了比资本主义更优越的经济制度或社会秩序，或宣称在国家介入并明确宣布某些规范是公正的之前，根本就没有所谓的正义。¹ 现如今这些意识形态已经日薄西山，但曾经却非常强大，比如，国家被宗教神圣化，或者统治者不是普通人，而是像上帝一样的超人，我们必须服从他们，因为他们天生优越。在前面的章节中，我已经花费很大的篇幅来证明这些想法是错误的和不合理的，在本书的最后一章，我将分析和揭露另一种流行的意识形态。但是，不管这些意识形态的虚假性如何，我们必须认识到，它们确实对大众产生了一定的影响，而且也确实促成了人们屈从于一种侵犯自然所有者财产权的政策——有些人受到的影响比其他人更大。

¹ 认为在“自然状态”下无法区分“正义”与“非正义”，只有国家才能创造正义，这一观点的经典阐述见于托马斯·霍布斯所著的《利维坦》（牛津，1946年）。上文第7章已含蓄地表明这种“实证主义”法律理论站不住脚。此外，应当注意的是，该理论甚至未能成功达成其预期目的：为国家的存在提供正当理由。因为从自然状态向国家体制的转变，当然只有在存在自然（前国家主义状态的）规范作为这一转变的正当基础时，才能被称作是正当的（而非专断的）。

关于现代实在法学派，可参见 G. 耶利内克所著《一般国家学》（巴特洪堡，1966年）；H. 凯尔森所著《纯粹法学》（维也纳，1976年）；关于对法律实证主义的批判，可参见 F. A. 哈耶克所著《法律、立法与自由》（3卷本，芝加哥，1973 - 1979年）。

Yet there is another more important component contributing to public support and this is not verbal propaganda, but rather actions with a clear-cut, tangible impact. Instead of being a mere parasitic consumer of goods that other people have produced, the state, in order to stabilize itself and increase its income as much as possible, adds some positive ingredients to its policy, designed to be of use to some people outside the circle of its own personnel. Either it is engaged as an agent of income transfer, i.e., as an organization that hands out monetary or nonmonetary income to B that it has previously taken away from A without A's consent—naturally after subtracting a handling charge for the never costless act of such a transfer—or it engages in the production of goods or services, using the means expropriated earlier from natural owners, and thus contributes something of value to the users/buyers/consumers of these goods. Either way, the state generates support for its role. The recipients of transferred incomes as well as the users/consumers of state-produced goods and services become dependent to varying degrees on the continuation of a given state policy for their current incomes, and their inclination to resist the socialism embodied in state rule is reduced accordingly.

然而，还有一个更重要的因素有助于获得公众的支持，这不是口头宣传，而是具有明确、切实影响的行动。国家为了稳定自身并尽可能地增加收入，在其政策中加入了一些积极的成分，旨在为其自身人员圈子之外的一些人提供帮助，而不是仅作为为其他人生产的商品的寄生消费者。国家要么作为收入转移的代理人，即作为一个组织，将其之前未经甲同意从甲那里拿走的货币或非货币收入分配给乙——自然是在扣除了这种转移行为的手续费之后——要么利用之前从自然所有人那里征用的生产手段，从事商品或服务的生产，从而为这些商品的使用者/购买者/消费者贡献一些有价值的东西。无论哪种方式，国家都为自己的角色获得了支持。转移收入的接受者以及国家生产的商品和服务的使用者/消费者，在不同程度上依赖于决定他们当前收入的既定国家政策的延续，他们抵制国家统治所体现的社会主义的意愿也相应降低。

But this is only half of the picture. The positive achievements of the state are not undertaken simply to do something nice for some people, as, for instance, when someone gives somebody else a present. Nor are they done simply to gain as high an income as possible from the exchange for the organization doing them, as when an ordinary, profit-oriented institution engages in trade. Rather, they are undertaken in order to secure the existence and contribute to the growth of an institution that is built on

aggressive violence. As such, the positive contributions emanating from the state must serve a strategic purpose. They must be designed to break up resistance to or add support for the continued existence of an aggressor as an aggressor. Of course, the state can err in this task, as can any ordinary business, because its decisions about what measures best serves its strategic purposes have to be made in anticipation of certain expected results. And if it errs with respect to the responses following its policy decisions, instead of rising its income can fall, jeopardizing its very existence, just as a profit-oriented institution can make losses or even go bankrupt if the public is not willing to deliberately buy what it was expected to buy. But only if the peculiar strategic purpose of state transfers and state production as compared with private transfers or production is understood does it become possible to explain typical, recurring structural patterns of a state's actions, and to explain why states generally and uniformly prefer to go into certain lines of activities rather than others.

但这只是问题的一半。国家的积极成就并不是简单地为某些人做些好事，例如，就像某人送另一人礼物。它们也不像一个普通的、以利润为导向的机构从事商业那样，仅仅是为了从交易中获得尽可能高的收入。相反，采取这些行动是为了确保一个建立在侵犯性暴力基础上的制度的存在并促进其发展。因此，来自国家的积极贡献必须服务于其战略目的。这些行动的设计，其目的是为了软化被侵犯者的抵抗强度，或者加持侵犯者的侵犯行为。当然，就像任何普通企业一样，国家在这项任务中也会犯错，因为决定采取什么措施最能满足其战略目的，必须在预测某些预期结果的基础上做出。如果它在政策决定之后的反应上犯了错误，它的收入就会不升反降，且危及它的存在，就像一个以利润为导向的机构，如果公众不愿意购买它所期望购买的东西，那么它就会亏损甚至破产。与私人生产（满足消费者）与私人转移（满足自己的目的）不同，国家转移与国家生产有特殊的战略目的，而只有了解了这个目的，才有可能解释一个国家行为的典型的、反复出现的模式，才可能解释为什么国家（政府）会普遍的、一致地倾向于从事某些活动而不是其他活动。

As regards the first problem: it does not make sense for a state to exploit every individual to the same extent, since this would bring everyone against it, strengthen the solidarity among the victims, and in any case, it would not be a policy that would find many new friends. It also does not make sense for a state to grant its favors equally and indiscriminately to everybody. For if it did, the victims would still be victims, although

perhaps to a lesser degree. However, there would then be less income left to be distributed to people who would truly profiteer from state action, and whose increased support could help compensate for the lack of support from victimized persons. Rather, state policy must be and indeed is guided by the motto "divide et impera": treat people differently, play them against each other, exploit one possibly smaller group and favor another possibly larger group at the former's expense, and so counterbalance increased resentment or resistance of some by increased support of others. Politics, as politics of a state, is not "the art of doing the possible," as statesmen prefer to describe their business. It is the art, building on an equilibrium of terror, of helping to stabilize state income on as high a level as possible by means of popular discrimination and a popular, discriminatory scheme of distributional favors. To be sure, a profit-oriented institution can also engage in discriminatory business policies, but to do so and to follow a discriminatory employment policy or not to sell indiscriminately to anyone who is willing to pay the price set for a given service or product is costly, and so an economic incentive to avoid such action exists. For the state, on the other hand, there is every incentive in the world to engage in such discriminatory practices.⁶

至于第一个问题：国家对每个个体进行同等程度的剥削是不明智的，因为这会招致所有人的反对，增强受害者之间的团结，而且无论如何，这种政策不会赢得许多新的支持者。国家平等且不加区分地向所有人施惠也毫无意义。因为即便如此，受害者依然是受害者，尽管程度或许会轻一些。然而，这样一来，留给那些能从国家行为中真正获利的人的可支配收入就会减少，而这些人增加的支持本可弥补受害者支持的缺失。相反，国家政策必须且实际上确实遵循“分而治之”的原则：区别对待民众，让他们相互对抗，剥削一个可能规模较小的群体，以牺牲前者为代价偏袒另一个可能规模较大的群体，从而用一部分人增加的支持来抵消另一部分人增强的怨恨或抵抗。作为国家政治，它并非如政治家们喜欢描述的那样，是“尽一切可能的艺术”。它是一种基于平衡恐怖的艺术，即通过区别对待民众以及实施带有歧视性的利益分配方案，来尽可能将国家收入稳定在较高水平。诚然，以盈利为导向的机构也可能采取歧视性的商业政策，但这么做，以及采取歧视性的雇佣政策，或者不向任何愿意为某项服务或产品支付既定价格的人无差别销售，都是有成本的，所以存在避免此类行为的经济动机。而另一方面，国家却有十足的动机来实施这种歧视性做法。¹

¹ 关于这种政治观点的经典阐述，可参见尼可罗·马基雅维利所著《君主论》（哈蒙兹

Regarding the kinds of services preferably offered by the state: clearly, the state cannot produce everything, or at least not everything to the same extent, for if it tried to do so its income would actually fall—as the state can only appropriate what has in fact been produced earlier by natural owners, and the incentive to produce anything in the future would be almost completely gone in a system of all-around socialization. It is of utmost importance in trying to implement socialism, then, that a state engage in and concentrate on the production and provision of such goods and services (and, *mutatis mutandis*, drive private competitors out of competition in such lines of productive activities, thereby monopolizing their provision) which are strategically relevant for preventing or suppressing any actual revolt, rebellion, or revolution.⁷

至于国家倾向于提供的服务类型：显然，国家无法生产所有东西，或者至少无法在所有方面都做到同等程度的生产，因为如果它试图这么做，其收入实际上会下降——因为国家只能占有自然所有者此前实际生产出来的东西，而在全面社会主义化的体系中，未来生产任何东西的激励几乎会完全消失。因此，在试图推行社会主义的过程中，至关重要的是，国家要参与并专注于生产和提供这类商品与服务（相应地，将私人竞争者挤出这些生产活动领域，从而垄断其供应），这些商品和服务在预防或镇压任何实际的反抗、叛乱或革命方面具有战略意义。¹

Thus, all states—some more extensively than others, but every state to a considerable degree—have felt the need to take the system of education, for one thing, into their own hands. It either directly operates the educational institutions, or indirectly controls such institutions by making their private operation dependent on the granting of a state license, thus insuring that they operate within a predefined framework of guidelines provided by the state. Together with a steadily extended period of compulsory schooling, this gives the state a tremendous head start in the competition among different ideologies for the minds of the people. Ideological competition which might pose a serious threat to state rule can thereby be eliminated or its impact considerably reduced, especially if the state as the incorporation of socialism succeeds in

沃思，1961年）；另可参见昆廷·斯金纳所著《现代政治思想的基础》（剑桥，1978年）。

¹ 关于此点及后续内容，参见 M. N. 罗斯巴德所著《权力与市场》（堪萨斯城，1977年，第182页及后页）。

monopolizing the job market for intellectuals by making a state license the prerequisite for any sort of systematic teaching activity.⁸

因此，所有的国家——有些国家范围更广，但每个国家都在相当程度上——都意识到有必要将教育体系掌握在自己手中，这是国之大事。政府要么直接经营教育机构，要么间接控制教育机构，让这些私人经营的教育机构不得不依赖于政府颁发的许可证，以将所有的教育活动都限制在政府预先确定的框架之中。各种意识形态都在争夺人民的思想，而不断延长的义务教育期限，使得政府在不同的意识形态之间争夺人民思想的斗志中占有巨大的优势。政府意识到其他的意识形态竞争可能严重威胁到他们的统治，所以他们必须尽可能减少或消除异见者的影响。而在这个领域里最惯用的方法，就是通过许可证垄断知识分子的就业市场，迫使（筛选）知识分子按照政府需要的意识形态从事教育活动。¹

The direct or indirect control of traffic and communication is of similar strategic importance for a state. Indeed, all states have gone to great pains to control rivers, coasts and seaways, streets and railroads, and especially, mail, radio, television, and telecommunication systems. Every prospective dissident is decisively restrained in his means of moving around and coordinating the actions of individuals if these things are in the hand or under the supervision of the state. The fact, well known from military history, that traffic and communication systems are the very first command posts to be occupied by any state attacking another vividly underlines their central strategic significance in imposing state rule on a society.

对交通和通信的直接或间接控制对一个国家具有同样重要的战略意义。的确，所有的国家都煞费苦心地控制河流、海岸和航道、街道和铁路，特别是控制邮件、广播、电视和电信系统。由于国家（政府）掌握或控制了这些信息渠道，他们可以把所有人都置于监督之下。任何一个潜在的异见者，他们的个人行动和与他人的协调行动都受到了严格的限制。军事史上众所周知的事实是，交通和通信系统在任何国家攻击另一个国家时首先占领的目标，这生动地强调了它们在将国家统治强加给一个社会时的核心

¹ 关于知识分子和教师作为社会主义与国家主义鼓吹者所扮演的角色，可参见 B. 德·儒弗内尔的《欧洲大陆知识分子对资本主义的态度》，收录于 F. A. 哈耶克编著的《资本主义与历史学家》（芝加哥，1954 年）；以及 L. 冯·米塞斯的《反资本主义的心境》（南荷兰，1972 年）。

战略意义。

A third central concern of strategic relevance for any state is the control and possible monopolization of money. If the state succeeds in this task and, as is the case now all over the world, supplants a system of free banking and metal-based currency—most commonly the gold standard—with a monetary system characterized by a state-operated central bank and paper-money backed by nothing but paper and ink, a great victory has indeed been reached. In its permanent struggle for higher income, the state is no longer dependent on the equally unpopular means of increased taxation or currency depreciation (coin-clipping), which at all times has been unmasked quickly as fraudulent. Rather, it can now increase its own revenue and decrease its own debt almost at will by printing more money, as long as the additional money is brought into circulation before the inflationary consequences of this practice have taken effect or have been anticipated by the market.⁹

第三个对任何国家都具有战略意义的核心问题，就是对货币的控制和尽可能的垄断。如果国家成功地完成了这项任务，正如现在世界各地的情况一样，用一种以国家运作的中央银行和纸币为特征的货币体系取代自由银行体系和金属货币体系(最常见的是金本位)，那就真的取得了巨大的胜利。在争取更高收入的长期斗争中，国家不再依赖同样不受欢迎的增税或货币贬值(硬币夹)手段，这些手段总是很快被揭穿为欺诈。相反，它现在可以通过印更多的钱来增加自己的收入，减少自己的债务，只要这些超发的货币，在这种做法的通胀后果产生影响或被市场预期之前进入流通。¹

Fourth and last, there is the area of the production of security, of police, defense, and judicial courts.

第四个也是最后一个，安保、警察、国防和司法这些领域的生产。

Of all the state-provided or controlled goods or services this is certainly the area of foremost strategic importance. In fact, it is of such great significance for any state to gain control of these things, to outlaw competitors, and to monopolize these

¹ 关于自由市场货币体系和政府干预对这一体系的影响，参见 R. Paul 和 L. Lehrman, 《黄金的理由》，旧金山，1983年，第2、3章；M. N. Rothbard, 《政府对我们的货币做了什么？》，Novato, 1973。

activities,that “state” and “producer of law and order” have frequently been considered synonyms. Wrongly so,of course,as the state must be correctly described as an institution of organized aggression attempting only to appear as an ordinary producer in order to continue aggressing against innocent natural owners. But the fact that this confusion exists and is widely shared can be explained with reference to the observation that all states must monopolize the production of security because of its central strategic importance,and hence,these two terms,different as they are with respect to their intentional meaning,indeed have the same extensional meaning.

在所有国家提供或控制的商品或服务中，这无疑是最具战略重要性的领域。事实上，对于任何一个国家来说，控制这些事物、取缔竞争对手、垄断这些活动都是非常重要的，以至于“国家”和“法律与秩序的生产者”经常被当做同义词而混为一谈。当然这种理解有误，因为国家（政府）归根到底也只是一个有组织的侵犯机构，它只是试图表现得像是这些服务的一个普通生产者，以便继续侵犯无辜的自然产权所有者。现在普遍流行一种事实与解释：普遍的事实是所有国家都垄断安保的生产，普遍的解释是因为安保的生产具有核心的战略重要性——正是这两种普遍性被有意引用来混淆视听，引起对“国家才能提供安保的生产”这个观点的广泛认同。在这种混淆之下，国家和安保这两个含义完全不同的词，却实际上具有相同的外延含义。

It is not difficult to see why in order to stabilize its existence,a state cannot,under any circumstances,leave the production of security in the hands of a market of private property owners. 10Since the state ultimately rests on coercion,it requires armed forces. Unfortunately (for any given state,that is),other armed states exist which implies that there is a check on a state's desire to expend its reign over other people and thereby increase its revenue appropriated through exploitation. It is unfortunate for a given state,too,that such a system of competing states also implies that each individual state is somewhat limited regarding the degree to which it can exploit its own subjects,as their support might dwindle if its own rule is perceived as more oppressive than that of competing states. For then the likelihood of a state's subjects collaborating with a competitor in its desire to “take over,” or that of voting with their feet (leaving one's own country and going to a different one) might increase. It is even more important,then,for each individual state to avoid any such unpleasant competition from other potentially dangerous armed organizations at least within the very territory it happens to control. The mere existence of a private protection agency,armed as it

would have to be to do its job of protecting people from aggression and employing people trained in the use of such arms,would constitute a potential threat to a state's ongoing policy of invading private people's property rights. Hence,such organizations, which would surely spring upon the market as the desire to be protected against aggressors is a genuine one,are eagerly outlawed,and the state arrogates this job to itself and its monopolistic control. As a matter of fact,states everywhere are highly intent on outlawing or at least controlling even the mere possession of arms by private citizens—and most states have indeed succeeded in this task—as an armed man is clearly more of a threat to any aggressor than an unarmed man. It bears much less risk for the state to keep things peaceful while its own aggression continues,if rifles with which the taxman could be shot are out of the reach of everyone except the taxman himself!

根据以上的推理，我们不难看出，政府首先要稳定自身之存在，因此他们在任何时候都不会把安保的生产交到市场中的私有财产所有者手中。¹ 由于国家最终依赖于强制，强制依赖于武力。不幸的是(对于任何既存的国家来说)，其他武装国家的存在意味着，一个国家想要扩大对其他人民的统治，从而通过剥削增加获得的收入的愿望受到了制约。对于一个特定的国家来说同样不幸的是，这样一个相互竞争的国家体系也意味着，每个单独的国家在剥削其国民的程度多少是有限的，因为如果它自己的统治被认为比竞争国家的统治更具压迫性，他们的支持可能会减少。因为这样一来，一个国家的臣民与竞争者合作以求“接管”，或者用脚投票(离开自己的国家去另一个国家)的可能性也会增加。因此，更重要的是，每个国家都要避免来自其他潜在危险武装组织的这种不愉快的竞争，至少在它碰巧控制的领土内是这样。仅仅是一个私人保护机构的存在，就会对一个国家侵犯私人财产权利的现行政策构成潜在威胁，因为它必须武装起来，同时雇用受过这种武器使用训练的人，以履行保护委托人不受侵犯的职责。因此，只要有人想要免受侵犯者的侵犯，只要有这样的愿望存在，那么就有这样的市场需求，就有组织来提供这样的服务。这样的需求和服务，都是真实存在的。当然，政府也会急切的宣扬这样的组织为非法，从而将“安保”这个“黄袍”垄断性地披在自己身上。事实上，各国政府都高度重视禁止或至少控制公民私人拥有武器，而且大多数国家也的确成功地禁止公民私人拥有武器——拥有武器的人，显然比一个手无寸铁的人对任何侵

¹ 关于自由市场生产法律和秩序的问题，参见下文第 10 章。

犯者的威胁都更大。如果用来射击税吏的枪支只有税吏可以获取，而其他人无法获取，那么对政府来说，保持事态平静而继续自身的侵犯行为，风险要小得多！

With respect to the judicial system matters are quite similar. If the state did not monopolize the provision of judicial services,it would be unavoidable that,sooner or later (and most likely sooner),the state would come to be regarded as the unjust institution it in fact is. Yet no unjust organization has any interest in being recognized as such. For one thing,if the state did not see to it that only judges appointed and employed by the state itself administered the law,it is evident that public law (those norms regulating the relationship between the state and private individuals or associations of such individuals) would have no chance of being accepted by the public,but instead would be unveiled immediately as a system of legalized aggression,existing in violation of almost everyone's sense of justice. And secondly,if the state did not also monopolize the administration of private law (those norms regulating the relationships among private citizens) but left this task to competing courts and judges,dependent on the public's deliberate financial support,it is doubtful that norms implying an asymmetrical distribution of rights or obligations between different persons or classes of persons would have even the slightest chance of becoming generally accepted as valid laws. Courts and judges who laid down such rules would immediately go bankrupt due to a lack of continued financial assistance. 11However,since the state is dependent on a policy of divide et impera to maintain its power,it must stop the emergence of a competitive system of private law courts at all costs.

在司法制度方面，情况十分相似。如果国家不垄断司法服务，公众将很快认识到国家的不公正性，当然它就是不公正。然而，任何一个不公正的组织，都是不想被别人识破的。首先，如果国家不确保只有由国家自己任命和雇用的法官才能执行法律，那么很明显，公法(规范国家与私人或私人组织之间关系的规范)将没有机会被公众接受，相反它会立即被揭露为是一种合法的侵犯制度，这种侵犯制度几乎违背了所有人的正义感。其次，如果国家不垄断管理私法（那些规范私人公民之间关系的规范），而是将这些私法领域的任务交给依赖公众有意识的财政支持的竞争性法院和法官，那么，暗示不同个人或阶级之间权利或义务不对称分配的规范，极可能根本无法成为普遍接受的

有效法律。制定这些规则的法院和法官将会因缺乏持续的财政支持而立即破产。¹ 正是因为国家依赖“分而治之”的政策来维护其权力，因此必须不惜一切代价阻止竞争性私法法院系统的出现。

Without a doubt,all of these state-provided services — education,traffic and communication,money and banking,and,most importantly,security and the administration of justice—are of vital importance to any society whatsoever. All of them would certainly have to be provided,and would,in fact,be produced by the market if the state did not take these things into its own hands. But this does not mean that the state is simply a substitute for the market. The state engages in these activities for an entirely different reason than any private business would—not simply because there is a demand for them,but rather because these areas of activities are of essential strategic importance in assuring the state's continued existence as a privileged institution built on aggressive violence. And this different strategic intent is responsible for a peculiar kind of product. Since the educators,employees of traffic and communication systems,those of central banks,the police and judges,are all paid by taxes,the kind of products or services provided by a state,though certainly of some positive value to some people,can never be of such quality that everyone would deliberately spend his own money on them. Rather,these services all share the characteristic that they contribute to letting the state increase its own coercively extracted income by means of benefiting some while harming others.¹²

毫无疑问，所有这些国家提供的服务——教育、交通和通讯、货币和银行，以及最重要的安保和司法——对任何社会都至关重要。如果国家不把这些东西掌握在自己手中，所有这些东西肯定都必须由市场来提供，事实上，它们也都将由市场生产。但这并不意味着政府只是市场的替代品。国家从事这些活动的原因与任何私人企业都完全不同——不仅仅是因为有对它们的需求，而是因为这些活动领域对于确保国家作为一个建立在侵犯性暴力基础上的特权机构的继续存在，具有至关重要的战略意义。这种不同的战略意图导致了一种特殊的产品。由于教育工作者、交通和通信系统的雇员、中央银行的雇员、警察和法官都是靠税收来支付的，国家提供的那种产品或服务，虽然对某些人来说肯定有一些正面的价值，但它的质量永远不会高到每个人都愿意为之花钱

¹ 关于这一点，也参见下文第 10 章。

的程度。更确切地说，这些服务都有一个共同的特点，它们有助于让国家通过损此益彼的方式，来增加自己榨取财富的能力。¹

But there is even more to the socio-psychological foundations of the state as an institution of continued aggression against natural owners than the popular redistribution of strategically important goods and services. Equally important for the state's stability and growth is the decision-making structure which it adopts for itself: its constitution. An ordinary profit-oriented business would try to adopt a decision-making structure best suited to its goal of maximizing income through the perception and implementation of entrepreneurial opportunities, i.e., differences in production costs and anticipated product demand. The state, in comparison, faces the entirely different task of adopting a decision-making structure which allows it to increase maximally its coercively appropriated income—given its power to threaten and bribe persons into supporting it by granting them special favors.

国家（政府）的根本目标是对自然产权所有者的侵犯，它所采取的手段包括对商品和服务的普遍再分配，强化民众的国家主义观念的社会心理基础，而后者比前者更为重要。对国家的稳定和发展同样重要的是它自己采用的决策机制：它的宪法。一个普通的以利润为导向的企业，会试图采用一种最适合的方式，即通过洞察和实施创业机会（即生产成本和产品的预期需求之间的差异）实现收入最大化。相比之下，国家面临着完全不同的任务，它会采用另一种决策机制，使其能够最大限度地增加其强制占有的收入

¹ F. 奥本海默，《社会学体系》第二卷《国家》，斯图加特，1964年。奥本海默以如下方式总结了国家所提供物品的独特、歧视性特征，尤其是其在法律与秩序构建方面的特征（第322 - 323页）：“国家的基本准则是权力。也就是说，从其起源来看：暴力转化为强权。暴力是塑造社会的最强大力量之一，但它本身并非一种社会互动形式。它必须成为这个词积极意义上的法律，也就是说，从社会学角度讲，它必须允许发展出一种‘主观互惠’体系：而这只有通过暴力使用进行自我限制，并承担某些义务以换取其僭取的权利才能实现。通过这种方式，暴力转化为强权，一种统治关系便出现了，这种关系不仅为统治者所接受，而且在压迫不太严重的情况下，也会被其臣民所接受，因为它体现了一种‘公正的互惠’。从这个基本准则中，又衍生出二级和三级准则：私法、继承法、刑法、债法和宪法准则，所有这些都带有权力与统治这一基本准则的印记，并且所有这些准则的制定都是为了以一种方式影响国家结构，从而在与合法规范的统治得以延续相符的情况下，将经济剥削提升到最高水平。”一个基本的认识是，“法律源自两个本质上不同的根源（……）：一方面，源自平等者联合之法，即便它并非‘自然权利’，也可称之为‘自然权利’；另一方面，源自暴力转化为受规范的强权之法，即不平等者之法。”

——因为它有能力威胁和贿赂民众，通过给予他们特殊的待遇来获取支持。

I submit that the best decision-making structure for doing so is a democratic constitution, i.e., the adoption of majority rule. [In order to realize the validity of this thesis](#), only the following assumption need be made. Not only the persons actually representing the state have the desire (which they, incidentally, are always permitted to satisfy) to increase their income at the expense of a corresponding income reduction of natural owners, producers, and contractors; this lust for power and the desire to rule others also exists among the people governed. Not everyone has this desire to the same extent; indeed some people might never have it. But most people have it quite normally on recurring occasions. If this is so (and experience informs us that this is indeed the case), then the state must reckon with resistance from two analytically distinct sources. On the one hand there is resistance by the victims which any state policy creates. The state can try to break this up by making supportive friends; and indeed it will succeed in doing so to the extent that people can be corrupted through bribery. On the other hand, if lust for power exists among the victims and/or the persons favored by a given state policy, then there must also be resistance or at least discontent originating from the fact that any given policy of expropriation and discriminatory distribution automatically excludes any other such policy with its advocates in the state-ruled population, and hence must frustrate their particular plan of how power should be used. By definition, no change in the expropriation-redistribution policy of the state can eliminate this sort of discontent, as any change would necessarily exclude a different policy. Thus, if the state wants to do something to reduce the resistance (stemming from the frustration of one's lust for power) that any one particular policy implies, it can only do so by adopting a decision-making structure which minimizes the disappointment of potential power wielders: by opening up a popular scheme of participation in decision making, so that everyone lusting for his particular power policy can hope to have a shot at it in the future.

为了获得尽可能多的民众支持，我认为最佳的决策机制是民主宪法，即采用多数决原则。为了认识到本文的正确性，我们只要做如下的假设。不仅实际代表国家的人有增加收入的愿望（顺便说一句，他们总是被允许满足），以牺牲自然产权所有者、生产者和契约方的相应收入来满足自己，这种对权力的渴望和统治他人的欲望也普遍存在于

被统治的人民之中。当然，不是每个人都有同等程度的这种欲望，有些人可能永远没有这种欲望，但大多数人都会反复出现这种欲望。如果是这样(经验告诉我们确实如此)，那么国家必须考虑到来自两个逻辑分析上不同来源的阻力。一方面，任何国家政策都会引起受害者的抵制。国家可以通过结交支持自己的朋友来打破这种局面；事实上，它会成功地做到这一点，在某种程度上，人们可以通过贿赂来腐化、拉拢。另一方面，如果受害者和/或受到国家政策偏袒的人群中存在权力欲望，那么也必然会存在抵抗或至少是不满。只要征收和分配政策是歧视性的，那么就会有与此矛盾的另一一些政策。一些人是一种政策的支持者，那么另一些人就会是另一种政策的支持者。实施一种政策，就排除了另一种政策的支持者，他们当然会不满，会阻挠这些政策的实施。根据定义，国家征收-再分配政策的任何改变都无法消除这种不满，因为任何改变都必然会排斥另一种政策。因此，为了减少来自特定政策所引起的抵抗，国家只能通过采取一种决策机制，来最小化那些潜在的渴望掌握权力之人的失望，即开放一种广泛的大众决策参与方案，让每个渴望权力的人都有希望在未来参与政治决策和权力分肥。

This,precisely,is the function of a democracy. Since it is based on a respect for the majority,it is by definition a popular constitution for decision making. And as it indeed opens up the chance for everyone to lobby for his own specific plan of wielding power at regular intervals,it maximally reduces current frustrated lust for power through the prospect of a better future. Contrary to popular myth,the adoption of a democratic constitution has nothing to do with freedom or justice.¹³Certainly,as the state restrains itself in its use of aggressive violence when engaging in the provision of some positively valued goods and services,so it accepts additional constraints when the incumbent rulers subject themselves to the control of the majority of those being ruled. Despite the fact,though,that this constraint fulfills the positive function of satisfying certain desires of certain people by reducing the intensity of the frustrated lust for power,it by no means implies the state's forsaking its privileged position as an institution of legalized aggression. Rather,democratizing the state is an organizational measure undertaken for the strategic purpose of rationalizing the execution of power,thereby increasing the amount of income to be aggressively appropriated from natural owners. The form of power is hanged,but majority rule is aggression,too. In a system based on the natural theory of property—under capitalism—majority rule does not and cannot play any role (apart from the fact,of course,that if accepted,anyone could join an association adopting majority rule,such as a sports club or an association of animal

lovers,whose jurisdiction is deliberately accepted by members as binding for the duration of one's membership). In such a system,only the rules of original appropriation of goods through use or contractual acquisition from previous owners are valid. Appropriation by decree or without a previous user-owner's consent regardless of whether it was carried out by an autocrat,a minority,against a majority,or by a majority against a minority is without exception an act of aggressive violence. What distinguishes a democracy from an autocracy,monarchy,or oligarchy is not that the former means freedom,whereas the others mean aggression. The difference between them lies solely in the techniques used to manage,transform,and channel popular resistance fed by the frustrated lust for power. The autocrat does not allow the population to influence policy in any regular,formalized way,even though he,too,must pay close attention to public opinion in order to stabilize his existence. Thus,an autocracy is characterized by the lack of an institutionalized outlet for potential power wielders. A democracy,on the other hand,has precisely such an institution. It allows majorities,formed according to certain formalized rules,to influence policy changes regularly. Accordingly,if disappointed lust for power becomes more tolerable when there is a regular outlet for it,then there must be less resistance to democratic rule than to autocratic power. This important socio-psychological difference between autocratic and democratic regimes has been described masterfully by B. de Jouvenel:

From the twelfth to the eighteenth century governmental authority grew continuously. The process was understood by all who saw it happening; it stirred them to incessant protest and to violent reaction.—In later times its growth has continued at an accelerated pace,and its extension has brought a corresponding extension of war. And now we no longer understand the process,we no longer protest,we no longer react. This quiescence of ours is a new thing,for which Power has to thank the smoke-screen in which it has wrapped itself. Formerly it could be seen,manifest in the person of the king,who did not disclaim being the master he was,and in whom human passions were discernible. Now,masked in anonymity,it claims to have no existence of its own,and to be but the impersonal and passionless instrument of the general will.—But that is clearly a fiction.—… Today as always Power is in the hands of a group of men who control the power house … . All that has changed is that it has now been made easy for the ruled to change the personnel of the leading wielders of Power. Viewed from one angle,this

weakens Power, because the wills which control a society's life can, at the society's pleasure, be replaced by other wills, in which it feels more confidence.—But by opening the prospect of Power to all the ambitious talents, this arrangement makes the extension of Power much easier. Under the “ancien regime,” society's moving spirits, who had, as they knew, no chance of a share in Power, were quick to denounce its smallest encroachment. Now, on the other hand, when everyone is potentially a minister, no one is concerned to cut down an office to which he aspires one day himself, or to put sand in a machine which he means to use himself when his turn comes. Hence, it is that there is in the political circles of a modern society a wide complicity in the extension of Power.¹⁴

Given an identical population and an identical state policy of the discriminatory provision of goods and services, a democratic state has more opportunities for increasing its own aggressively appropriated income. And *mutatis mutandis*, an autocracy must settle for a relative lower income. In terms of the classics of political thought, it must rule more wisely, i.e., rule less. Since it does not allow any will other than that of the autocrat, and perhaps his immediate advisors, to gain power or influence policy on a regular basis, its execution of power appears less tolerable to those ruled. Thus, its stability can only be secured if the overall degree of exploitation enacted by the state is relatively reduced.

这恰恰是民主的功能。因为它是建立在尊重多数人的基础之上，所以从定义上讲，它是一种受欢迎的决策宪法。而且，由于它确实为每个人提供了机会，让每个人都能定期为自己的行使权力的具体计划进行游说，它通过对更美好未来的展望，最大限度地减少了当前受挫的权力欲望。

与流行的神话相反，民主宪法的采用与自由或正义无关。¹ 当然，正如国家在提供一

¹ 只有民主在现代政治中已成为不容置疑的信条这一事实，才能解释为何多数统治理念充满内在矛盾这一点几乎普遍被忽视：首先，且这一点具有决定性意义，如果人们认为民主是正当合理的，那么也必须接受通过民主方式废除民主，并用独裁统治或自由资本主义取而代之——这表明民主本身不能被视为一种道德价值。同样，如果多数人决定消灭少数人，直至最后只剩下两个人，即最后的多数，由于逻辑和算术原因，此时多数统治无法再适用，这种情况也必须被认为是合理的。这将再次证明民主本身不能被视为具有正当性。或者，如果人们不想接受这些后果，而是采用立宪制有限自由民主的理念，那么同时就必须承认，这些限制所依据的原则在逻辑上必然比多数统治更为根本——这也表明民主本身并无特别的道德价值。其次，接受多数统治，并不

些有积极价值的商品和服务时限制自己使用侵犯性暴力一样，当现任统治者将自己置于被统治的大多数人的控制之下时，它也会接受额外的约束。尽管事实上，民主宪法使权力欲受挫的人感受没那么强烈，也使得某些人满足了他们的积极欲望，但这绝不意味着国家放弃了其作为合法侵犯制度的特权地位。更确切地说，国家民主化是一种组织措施，其战略目的是使权力的执行合理化，从而增加从自然所有者那里强行占有的收入数额。权力的形式被悬置，但多数决原则依然也是一种侵略。在一个以自然财产理论为基础的制度中，在资本主义制度下，多数决原则没有也不可能发挥任何作用（当然，除了这样一个事实：如果被接受，任何人都可以加入一个采用多数决原则的协会，比如一个体育俱乐部或一个动物爱好者协会，其管辖权被会员有意地接受，在其会员任期内具有约束力）。在资本主义制度下，通过使用而占有财物或通过契约转让从前所有者处取得财物，只有这样的规则才是有效的。无论是独裁者、少数人反对多数人，还是多数人反对少数人，通过法令或未经先前产权所有者同意而进行的占有，无一例外都是侵犯性暴力行为。民主意味着自由而专制意味着侵犯？寡头政治意味着自由而君主制意味着侵犯？不，绝不是。失意者的权力欲助长了民众的反抗，而民主、专制、君主或寡头，这些政治形式只不过是技术不同，用不同的技术来管理、转化和疏导民众的反抗。独裁与专制的特点是，独裁者虽然也关心民意以稳定自身权力的存在，但他们既不让民众有任何正规、正式的渠道反映呼声从而影响政策，也不给对权力拥有潜在欲望的人一个制度化的出口。与独裁和专制相反，民主制度恰恰提供了这样一套正式规则，使得渴望权力的多数人能够定期影响政策的变化。正因为这种期望的存在，受挫的权力欲望有了固定的出口，这些人就会对现行的制度更加容忍。与独裁相比，民主制度所遇到的抵制要弱小得多。专制政体和民主政体之间这一重要的社

意味着就自动明确了该原则应适用于哪部分人群。（由哪部分人群的多数来做决定？）这里恰好有三种可能性。要么针对这个问题再次应用民主原则，决定选择更大的多数应始终优先于较小的多数这一理念——但这样一来，国家或地区民主的概念肯定就无法成立了，因为必须将全球总人口作为参照群体。要么，认为确定人群范围是一件任意为之的事——但在这种情况下，就必须接受越来越小的少数群体从较大群体中分离出去的可能性，而每个人作为自行决定的多数，将成为这种分离过程的逻辑终点——这又再次证明民主本身缺乏正当性。第三，可以采用这样的理念，即选择多数原则适用的人群，既非通过民主方式，也不是任意为之，而是以其他某种方式——但这样一来，又必须承认，无论为这一决定提供正当理由的其他原则是什么，它都必然比多数统治本身更为根本，而多数统治本身必然被归类为完全任意的。关于这一点，可参见 M. N. 罗斯巴德所著《权力与市场》（堪萨斯城，1977 年，第 189 页及之后内容），H. H. 霍普所著《财产、无政府与国家》（奥普拉登，1987 年，第 5 章）。

会心理差异被德·儒弗内尔 (B. de Jouvenel) 入木三分地刻画:

从 12 世纪到 18 世纪，政府权力不断扩大。所有目睹这一切发生的人都明白这一过程；它激起了他们不断的抗议和暴力反抗。在后来的时代，它继续加速增长，它的扩大相应地带来了战争的扩大。现在，我们不再理解这个过程，我们不再抗议，我们也不再反抗。我们的这种沉默是一种新事物，为此，权力必须感谢把它笼罩的烟幕。从前，它可以从国王身上看到，他不否认自己是主人，从他身上可以看出人类的激情。如今，在匿名的面具之下，它声称自己不存在，而只是非个人的、没有感情的公器。但这显然是虚构的。今天，一如既往，权力掌握在一群人手中，他们控制着权力的中心……所发生的唯一变化是，被统治者现在可以很容易地更换主要的掌权者。从某种角度来看，这削弱了权力，因为控制社会生活的意志，可以根据社会的意愿，被它感到更有信心的其他意志所取代。但是，通过向所有雄心勃勃的人开放权力的矿藏，这种安排使权力的扩大变得更加容易。在“旧制度”下，社会上的有识之士，他们清楚，自己是没有什么机会分享权力的，哪怕只是极小的侵犯，他们也会迅速谴责这种制度。现在，另一方面，当每个人都有可能成为部长时，没有人会关心消灭一个他有朝一日渴望得到的职位，也没有人打算在轮到自己使用机器时在里面放沙子。因此，在现代社会的政治圈子，存在着权力扩张的广泛共谋。¹

在相同的人口和相同的歧视性提供商品和服务的国家政策下，一个民主国家有更多的机会来增加自己的侵占性收入。同等条件下，一个专制国家必须接受相对较低的收入。根据政治思想的经典阐述，后者必须统治得更明智，也就是说，参与统治的人数必须更小。除独裁者和他的直接顾问之外，它不允许任何其他意志定期获得权力或影响政策，对被统治者来说，它对权力的行使似乎更难以容忍。因此，专制国家只有在总体剥削程度相对降低的情况下，才能确保其政权的稳定性。

The situation over the last two centuries vividly illustrates the validity of this thesis. During this time we have experienced an almost universal substitution of relatively democratic regimes for relatively autocratic-monarchical systems.¹⁵(Even Soviet Russia is notably more democratic than czarist Russia ever was.) Hand in hand with this change has gone a process never experienced before regarding its speed and extent: a permanent and seemingly uncontrollable growth of the state. In the competition of

¹ B. 德·儒弗内尔，《论权力》，纽约，1949年，第9-10页；关于民主的社会心理学，另见其著作《论主权》，剑桥，1957年；G. 莫斯卡，《统治阶级》，纽约，1939年；H.A. 门肯，《民主笔记》，纽约，1926年；关于民主统治“退化”为寡头统治的趋势，可参见 R. 米歇尔斯，《现代民主政党制度的社会学》，斯图加特，1957年。

different states for exploitable populations, and in these states' attempts to come to grips with internal resistance, the democratic state has tended to win outright over the autocratic one as the superior power-variant. Ceteris paribus, it is the democratic state—and the democratic socialism incorporated in it—which commands the higher income and so proves to be superior in wars with other states. And ceteris paribus, it is this state, too, that succeeds better in the management of internal resistance: it is, and historically this has been shown repeatedly, easier to save the power of a state by democratizing it than by doing the opposite and autocratizing its decision-making structure.

过去两个世纪的情况生动地说明了这一论点的正确性。在此期间，我们经历了一个几乎普遍的相对民主政体取代相对专制君主制的过程。¹ (即使是苏俄也比沙皇俄国民主得多。) 与这种变化携手并进的是一个前所未有的速度和范围的过程：国家的永久和似乎无法控制的扩张。在各个国家争夺可剥削人口的竞争中，在这些国家试图对付内部抵抗的过程中，民主国家往往会彻底战胜专制国家，成为更强大的权力变体。在其他条件不变的情况下，民主国家和民主社会主义结合在一起，政府获得了更高的收入，因此在与其他国家的战争中被证明具有优势。在其他条件不变的情况下，也正是这样的国家，在消解内部抵抗方面取得了更好的成功：这已经在历史上反复得到证明，通过民主化来保有一个国家的权力，比相反的做法和独裁的决策结构更容易。

Here, then, we have the socio-psychological foundations of the state as the very institution enacting socialism. Any state rests on the monopolization or the monopolistic control of strategically important goods and services which it discriminately provides to favored groups of people, thereby breaking down resistance to a policy of aggression against natural owners. Furthermore, it rests on a policy of reducing the frustrated lust for power by creating outlets for public participation in future changes in a policy of exploration. Naturally, every historical description of a state and its specific socialist policy and policy changes will have to give a more detailed account of what made it possible for socialism to become established and to grow. But if any such description is supposedly complete and is not to fall prey to ideological deception, then all measures taken by the state must be described as embedded in this

¹ 关于这一过程，可参见 R. 本迪克斯所著《国王或人民》（伯克利，1978年）。

very institutional framework of violence,divide et impera,and democratization.

在这里，我们分析了国家作为实施社会主义制度的社会心理学基础。任何国家都依赖于垄断，对具有战略意义的重要商品和服务实行垄断控制，它有区别地向受青睐的人群提供这些商品和服务，从而打破来自受侵犯的自然所有者对政策的抵抗。同时，它还创造并依赖这样一项政策——让公众参与未来政策的制定，使政策未来变化的方向容纳更多对权力有欲望的人，从而减少公众对政策的抵抗。当然，对一个国家及其具体的社会主义政策和政策变化的每一次历史描述，都必须更详细地说明是什么使社会主义得以建立和发展。但是，如果任何这样的描述都被认为是完整的，并且不会成为意识形态骗术的牺牲品，那么国家采取的所有手段，都必须被描述为是嵌在暴力、分而治之和民主化共同编织的制度框架之中的。

Whatever any given state does in terms of positively evaluated contributions to society,and however great or small the extent of such contributions might be; whether the state provides help for working mothers with dependent children or gives medical care,engages in road or airport construction; whether it grants favors to farmers or students,devotes itself to the production of educational services,society ' s infrastructure,money,steel or peace; or even if it does all of these things and more,it would be completely fallacious to enumerate all of this and leave it at that. What must be said in addition is that the state can do nothing without the previous non-contractual expropriation of natural owners. Its contributions to welfare are never an ordinary present,even if they are given away free of charge,because something is handed out that the state does not rightfully own in the first place. If it sells its services at cost,or even at a profit,the means of production employed in providing them still must have been appropriated by force. And if it sells them at a subsidized price,aggression must continue in order to uphold the current level of production.

你可以列举政府为社会做出积极贡献的方面做了什么，这些贡献的程度有多大或多小；为有职业的母亲提供帮助；提供医疗保健；进行道路或机场建设；给予农民或学生特权；致力于生产教育服务、社会基础设施、货币、钢铁或和平；或者即使它做了所有这些事情以及更多，等等。但是，为政府职能列举清单的这个做法，根本就是错误的。必须说的是，没有事先对自然产权所有者的非契约性的征用，政府什么也做不了。政府提供的福利从来不是一种普通的礼物，即使它们是免费提供的，因为它分配的东西并不是政府合法拥有的，而是剥夺而来的。就算政府提供服务，无论是以成本价提供还是政府也盈利了，提供这些服务所使用的生产手段仍然必须是通过强制手段征用的。

如果政府要以补贴价格出售这些服务，那么为了维持当前的生产水平，政府必然继续剥夺他人。

The situation is similar with respect to a state's decision-making structure. Whether a state is organized autocratically or democratically, has a centralized or decentralized decision-making structure, a single or multi stage representational structure; whether it is organized as a system of parties or as a corporate state, it would be delusory to describe it in these terms and leave it at that. In order to be exhaustive, what must be added is that first and foremost, the constitution of a state is an organizational device for promoting its existence as an institution of aggression. And insofar as its stability rests on constitutionally guaranteed rights to participate in the inauguration of policy changes, it must be stressed that the state rests on an institutionalized appeal to motivational energies that people in their private lives would regard as criminal and accordingly would do everything to suppress. An ordinary business enterprise has a decision-making structure that must adapt to the purpose of enabling it to secure as high a profit as possible from sales to deliberately supportive customers. A state's constitution has nothing in common with this, and only superficial socio-logical "studies in organization" would engage in investigations of structural similarities or differences between the two.¹⁶

国家决策结构的情况也类似。无论一个国家是独裁式还是民主式组织，拥有集中式还是分散式决策结构，单一阶段还是多阶段代表结构；无论是以政党体系还是法团主义国家形式组织，仅用这些术语来描述它并就此打住，都是自欺欺人。要做到详尽无遗，首先必须补充的是，国家的宪法是一种组织手段，旨在促进其作为侵犯性机构的存续。就其稳定性基于宪法保障的参与政策变更启动的权利而言，必须强调的是，国家建立在对人们在私人生活中会视为犯罪、并会竭尽全力压制的动机能量的制度化利用之上。普通商业企业的决策结构必须适应这样一个目的，即让企业能够从向有意支持的客户销售产品中获取尽可能高的利润。国家宪法与这一点毫无共同之处，只有肤浅的社会学“组织研究”才会去探究二者在结构上的异同。¹

Only if this is thoroughly understood can the nature of the state and socialism be fully

¹ 关于私营商业组织与国家之间的根本差异，可参见 L. 冯·米塞斯所著《官僚体制》（纽黑文，1944年）。

grasped. And only then can there be a complete understanding of the other side of the same problem: what it takes to overcome socialism. The state cannot be fought by simply boycotting it, as a private business could, because an aggressor does not respect the negative judgment revealed by boycotts. But it also cannot simply be fought by countering its aggression with defensive violence, because the state's aggression is supported by public opinion.¹⁷ Thus, everything depends on a change in public opinion. More specifically, everything depends on two assumptions and the change that can be achieved regarding their status as realistic or unrealistic. One such assumption was implied when it was argued above that the state can generate support for its role by providing certain goods and services to favored groups of people. There, evidently, the assumption involved was that people can be corrupted into supporting an aggressor if they receive a share, however small, of the benefits. And, since states exist everywhere, this assumption, happily for the state, must indeed be said to be realistic everywhere, today. But then, there is no such thing as a law of nature stating that this must be so forever. In order for the state to fail in reaching its objective, no more and no less than a change in general public opinion must take place: state-supportive action must come to be regarded and branded as immoral because it is support given to an organization of institutionalized crime. Socialism would be at its end if only people stopped letting themselves be corrupted by the state's bribes, but would, let us say, if offered, take their share of the wealth in order to reduce the state's bribing power, while continuing to regard and treat it as an aggressor to be resisted, ignored, and ridiculed, at any time and in any place.

只有深刻地理解了政府是一个侵犯性组织的本质，才能充分把握国家（政府）和社会主义的实质，才能根据这个最根本的认识，明白战胜社会主义需要什么。不能像对待私营企业那样，仅仅通过抵制来对抗国家，因为侵犯者不尊重抵制所表达的负面判断。但也不能简单地用防御性暴力来对抗政府的侵犯，因为它的侵犯得到了公众舆论的支持。¹ 因此，一切都取决于公共舆论的变化。更具体地说，一切都取决于两个假设及

¹ L. 斯普纳将国家的支持者分为两类：“1. 无赖之徒，这是人数众多且活跃的一类人，他们把政府视为一种工具，可用来扩大自身权势或敛财。2. 受骗者——无疑也是庞大的一类人。这类人中的每一个，只因在决定自己如何处置自身及财产的问题上，能在数百万人中拥有一票，且在掠夺、奴役和杀害他人时被赋予与他人掠夺、奴役和杀害自己时相同的发言权，就愚蠢地幻想自己是个‘自由人’‘君主’，幻想这是‘自由政

其在现实与非现实之间的改变。其中一个假设是在上面的论证中隐含的，即国家可以通过向受惠的群体提供某些商品和服务来获得支持。假设这些商品和服务是人们想要的，无论这些东西是多还是少，都足以收买腐蚀公众以支持侵犯者。而且国家（政府）无处不在，人们都习以为常，因此这个假设在今天的任何地方都是现实的，国家（政府）当然乐见其成。但是，没有什么自然法则说一定永远如此。为了使国家无法实现其目标，公众舆论必须发生变化：国家支持的行动必须被视为是不道德的，并且打上不道德的烙印，因为这些行动是对制度化犯罪组织的支持。只要人们不再任由国家的贿赂腐蚀自己，而是，让我们说，只要有可能，为了减少国家的贿赂权力而拿走自己的那份财富，同时继续把国家视为侵犯者，在任何时候、任何地方都要加以抵制、忽视和嘲笑，那么社会主义也就走到尽头。

The second assumption involved was that people indeed lust for power and hence can be corrupted into state-supportive action if given a chance to satisfy this lust. Looking at the facts, there can hardly be any doubt that today this assumption, too, is realistic. But once again, it is not realistic because of natural laws, for at least in principle, it can deliberately be made unrealistic. 18 In order to bring about the end of statism and socialism, no more and no less must be accomplished than a change in public opinion which would lead people away from using the institutional outlets for policy participation for the satisfaction of power lust, but instead make them suppress any such desire and turn this very organizational weapon of the state against it and push uncompromisingly for an end to taxation and regulation of natural owners wherever and whenever there is a chance of influencing policy. 19

第二个假设是人们确实渴望权力，因此如果给予机会满足这种渴望，他们就可能被腐蚀成支持国家的拥趸。从事实来看，今天这个假设也几乎毫无疑问是现实的。但再次强调，这并不是因为自然法则，因为至少原则上，这个“现实”的基础是可以推翻的。¹

府’‘世上最好的政府’之类的荒谬之事”（L. 斯普纳，《无叛国罪：宪法无权威》，科罗拉多斯普林斯，1973年，第18页）。

¹ E. 德·拉博埃西写道（《服从的政治：论自愿为奴》，纽约，1975年，第52-53页）：“统治你的人……实际上除了你赋予他用以毁灭你的权力外，别无他物……下定决心不再侍奉他，你即刻就能获得自由。我并非要求你动手推翻暴君，而只是让你不再支持他；届时你会看到，他就像一座巨大的雕像，基座一旦被抽走，便会因自身重量轰然倒塌，摔得粉碎。”

为了终结国家主义和社会主义，必须改变公众舆论，引导人们不再利用制度渠道参与政策，以满足权力欲，而是让他们压制任何这样的愿望，并利用国家这一组织武器来反对这种愿望，无论何时何地，只要有机会影响政策，就毫不妥协地推动结束对自然所有者的征税和管控。¹

¹ 关于自由战略，尤其是自由意志主义运动对于实现这些目标的重要性，可参见 M.N. 罗斯巴德所著《为了新自由》（纽约，1978 年，第 15 章）；以及《自由的伦理》（大西洋高地，1982 年，第 5 部分）

第九章 垄断问题与资本主义生产

Chapter9 Capitalist Production and The Problem of Monopoly

The previous chapters have demonstrated that neither an economic nor a moral case for socialism can be made. Socialism is economically and morally inferior to capitalism. The last chapter examined why socialism is none the less a viable social system, and analyzed the socio-psychological characteristics of the state — the institution embodying socialism. Its existence, stability, and growth rest on aggression and on public support of this aggression which the state manages to effect. This it does, for one thing, through a policy of popular discrimination; a policy, that is, of bribing some people into tolerating and supporting the continual exploitation of others by granting them favors; and secondly, through a policy of popular participation in the making of policy, i.e., by corrupting the public and persuading it to play the game of aggression by giving prospective power wielders the consoling opportunity to enact their particular exploitative schemes at one of the subsequent policy changes.

前面几章已表明，无论是从经济角度还是道德层面，都无法为社会主义找到合理依据。社会主义在经济和道德方面都不及资本主义。上一章探讨了为何社会主义仍是一种可行的社会制度，并分析了国家这一体现社会主义的机构所具有的社会心理特征。国家的存在、稳定与发展，依赖于侵犯行为以及国家设法实现的公众对这种侵犯行为的支持。一方面，国家通过推行区别对待民众的政策来达成这一点，即采取贿赂手段，给予部分人好处，使其容忍并支持对他人的持续剥削；另一方面，国家通过让民众参与政策制定来实现，也就是腐蚀公众，说服他们参与侵犯游戏，给予未来的权力行使者一种安慰，让他们有机会在后续的政策变动中制定自己的特定剥削方案。

We shall now return to economics, and analyze the workings of a capitalist system of production—a market economy—as the alternative to socialism, thereby constructively bringing my argument against socialism full circle. While the final chapter will be devoted to the question of how capitalism solves the problem of the production of so-called “public goods,” this chapter will explain what might be termed the normal functioning of capitalist production and contrast it with the normal working of a system of state or social production. We will then turn to what is generally believed to be a

special problem allegedly showing a peculiar economic deficiency in a pure capitalist production system: the so-called problem of monopolistic production.

现在我们将回到经济学上来，分析资本主义生产体系——市场经济——作为社会主义的替代品，从而建设性地把我反对社会主义的论点画上一个完整的句号。虽然最后一章将专门讨论资本主义如何解决所谓“公共商品”的生产问题，但这一章将解释资本主义生产的正常运作，并将其与国家或社会生产体系的正常运作进行对比。然后，我们将转向通常被认为是一个特殊的问题，据称显示了纯粹资本主义生产体系中一个特殊的经济缺陷：所谓的垄断生产问题。

Ignoring for the moment the special problems of monopolistic and public goods production,we will demonstrate why capitalism is economically superior as compared to its alternative for three structural reasons. First,only capitalism can rationally,i.e.,in terms of consumer evaluations,allocate means of production; second,only capitalism can ensure that,with the quality of the people and the allocation of resources being given,the quality of the output produced reaches its optimal level as judged again in terms of consumer evaluations; and third,assuming a given allocation of production factors and quality of output,and judged again in terms of consumer evaluations,only a market system can guarantee that the value of production factors is efficiently conserved over time.¹

暂时忽略垄断和公共商品生产的特殊问题，我们将证明为什么资本主义在经济上优于其他选择，有三个结构性的原因。第一，只有资本主义才能合理地，即根据消费者的评价来配置生产资料；第二，只有资本主义才能保证，在人员素质和资源配置给定的情况下，生产的产品的质量达到消费者评价的最佳水平；第三，假设生产要素的配置和产品的质量给定，再根据消费者的评价进行判断，只有市场体系才能保证生产要素的价值长期有效地保存下来。¹

As long as it produces for a market,i.e.,for exchange with other people or businesses,and subject as it is to the rule of nonaggression against the property of natural owners,every ordinary business will use its resources for the production of such goods and such amounts of these goods which,in anticipation,promise a return from sales that surpasses as far as possible the costs which are involved in using these

¹ Cf. on this also Chapter 3 above and Chapter 10 below.

resources. If this were not so, a business would use its resources for the production of different amounts of such goods or of different goods altogether. And every such business has to decide repeatedly whether a given allocation or use of its means of production should be upheld and reproduced, or if, due to a change in demand or the anticipation of such a change, a reallocation to different uses is in order. The question of whether or not resources have been used in the most value-productive (the most profitable) way, or if a given reallocation was the most economic one, can, of course, only be decided in a more or less distant future under any conceivable economic or social system, because invariably time is needed to produce a product and bring it onto the market. However, and this is decisive, for every business there is an objective criterion for deciding the extent to which its previous allocational decisions were right or wrong. Bookkeeping informs us—and in principle anyone who wanted to do so could check and verify this information—whether or not and to what extent a given allocation of factors of production was economically rational, not only for the business in total but for each of its subunits, insofar as market prices exist for the production factors used in it. Since the profit-loss criterion is an ex post criterion, and must necessarily be so under any production system because of the time factor involved in production, it cannot be of any help when deciding on future ex ante allocations. Nevertheless, from the consumers' point of view it is possible to conceive of the process of resource allocation and reallocation as rational, because every allocational decision is constantly tested against the profit-loss criterion. Every business that fails to meet this criterion is in the short or long run doomed to shrink in size or be driven out of the market entirely, and only those enterprises that successfully manage to meet the profit-loss criterion can stay in operation or possibly grow and prosper. To be sure, then, the institutionalization of this criterion does not insure (and no other criterion ever could) that all individual business decisions will always turn out to be rational in terms of consumer evaluations. However, by eliminating bad fore-casters and strengthening the position of consistently successful ones, it does insure that the structural changes of the whole production system which take place overtime can be described as constant movements toward a more rational use of resources and as a never-ending process of directing and redirecting factors of production out of less value-productive lines of production into lines which are valued more highly by the consumer.²

只要它为市场而生产，即与其他人或企业进行交换，并遵守不侵犯自然所有者财产的规则，每个普通企业都会将其资源用于生产这些商品和这些商品的一定总量，预计这些商品的销售回报，将尽可能超过使用这些资源所涉及的成本。如果不是这样，企业就会将资源用于生产不同数量的此类商品，或者生产完全不同的商品。每一个这样的企业都必须反复决定，是否应该维持和再生产其生产资料的某种分配或使用，或者，由于需求的变化或对这种变化的预期，是否应该将其重新分配到不同的用途。资源是否以最有价值(最有利可图)的方式被使用，或者给定的重新分配是否最经济的方式，这些问题当然只能在任何可以想象的经济或社会制度下，在或多或少遥远的未来才能决定，因为生产产品并将其推向市场总是需要时间的。然而，这是决定性的，对于每个企业来说，都有一个客观的标准来决定其之前的分配决策在多大程度上是正确的或错误的。簿记告诉我们——原则上，任何想要这样做的人都可以检查和验证这一信息——生产要素的分配是否合理，以及在多大程度上是经济合理的，不仅对整个企业而言，而且对每个子单位而言，只要其中使用的生产要素存在市场价格。利润标准是事后标准，而且由于生产中涉及的时间因素，在任何生产制度下都必定是事后标准，因此在决定未来的事前分配时，它没有任何帮助。然而，从消费者的角度来看，可以认为资源配置和再分配的过程是合理的，因为每一个配置决策都是不断地根据损益标准进行检验的。任何不能达到这一标准的企业，无论从短期还是长期来看，都注定要缩小规模或被完全逐出市场，只有那些成功地达到盈亏标准的企业才能继续经营下去，甚至有可能发展壮大。

可以肯定的是，这一标准的制度化并不能保证(也没有其他标准能保证)所有的个人商业决策在消费者评估方面总是合理的。然而，通过消除糟糕的预测者，加强一贯成功的预测者的地位，它确实确保了整个生产系统的结构变化，随着时间的推移，可以被描述为朝着更合理地利用资源的持续运动，以及将生产要素从价值较低的生产线，引导和重新定向到消费者评价更高的生产线，这样一个永无止境的过程。¹

The situation is entirely different and arbitrariness from the point of view of the consumer (for whom, it should be recalled, production is undertaken) replaces rationality as soon as the state enters the picture. Because it is different from ordinary businesses in that it is allowed to acquire income by noncontractual means, the state is not forced

¹ On the function of profit and loss cf. L. v. Mises, *Human Action*, Chicago, 1966, Chapter 15; and "Profit and Loss," in: the same, *Planning for Freedom*, South Holland, 1974; M. N. Rothbard, *Man, Economy and State*, Los Angeles, 1970, Chapter 8.

to avoid losses if it wants to stay in business as are all other producers. Rather, since it is allowed to impose taxes and/or regulations on people, the state is in a position to determine unilaterally whether or not, to what extent, and for what length of time to subsidize its own productive operations. It can also unilaterally choose which prospective competitor is allowed to compete with the state or possibly outcompete it. Essentially this means that the state becomes independent of cost-profit considerations. But if it is no longer forced to test continually any of its various uses of resources against this criterion, i.e., if it no longer needs to successfully adjust its resource allocations to the changes in demand of consumers in order to survive as a producer, then the sequence of allocational decisions as a whole must be regarded as an arbitrary, irrational process of decision making. A mechanism of selection forcing those allocational "mutations" which consistently ignore or exhibit a maladjustment to consumer demand out of operation simply no longer exists.³ To say that the process of resource allocation becomes arbitrary in the absence of the effective functioning of the profit-loss criterion does not mean that the decisions which somehow have to be made are not subject to any kind of constraint and hence are pure whim. They are not, and any such decision faces certain constraints imposed on the decision maker. If, for instance, the allocation of production factors is decided democratically, then it evidently must appeal to the majority. But if a decision is constrained in this way or if it is made autocratically, respecting the state of public opinion as seen by the autocrat, then it is still arbitrary from the point of view of voluntarily buying or not-buying consumers.⁴ Hence, the allocation of resources, whatever it is and however it changes over time, embodies a wasteful use of scarce means. Freed from the necessity of making profits in order to survive as a consumer-serving institution, the state necessarily substitutes allocational chaos for rationality. M. Rothbard nicely summarizes the problem as follows:

How can it (i.e. the government, the state) know whether to build road A or road B, whether to invest in a road or in a school—in fact, how much to spend for all its activities? There is no rational way that it can allocate funds or even decide how much to have. When there is a shortage of teachers or schoolrooms or police or streets, the government and its supporters have only one answer: more money. Why is this answer never offered on the free market? The reason is that money must be withdrawn from some other uses

in consumption or investment ... and this withdrawal must be justified. This justification is provided by the test of profit and loss: the indication that the most urgent wants of the consumers are being satisfied. If an enterprise or product is earning high profits for its owners and these profits are expected to continue, more money will be forthcoming; if not, and losses are being incurred, money will flow out of the industry. The profit-and-loss-test serves as the critical guide for directing the flow of productive services. No such guide exists for the government, which has no rational way to decide how much money to spend, either in total, or in each specific line. The more money it spends, the more service it can supply—but where to stop?⁵

情况完全不同了，从消费者的角度来看(应该提醒一下，生产是为消费者进行的)，一旦国家介入，独断性就取代了理性。因为它不同于普通的企业，它可以通过非契约方式获得收入，如果国家想要像所有其他生产者一样继续经营下去，它不必被迫避免损失。相反，由于政府被允许对人民征税和(或)制定法规，国家就可以单方面决定是否、在多大程度上、在多长时间补贴自己的生产活动。它还可以单方面选择允许哪个潜在竞争者与国家竞争或可能超越它。从本质上讲，这意味着国家变得独立于成本-利润的考虑。但是，如果它不再被迫根据这一标准不断地检验其对资源的各种使用，也就是说，如果它不再需要成功地调整其资源配置以适应消费者需求的变化，以便作为生产者生存下去，那么，整个分配决策的序列必须被视为一个武断的、非理性的决策过程。迫使那些一贯忽视或表现出对消费者需求失调的配置“突变”失效，这样的一种选择机制将不再存在。¹ 如果说，在没有利润标准有效发挥作用的情况下，资源配置过程变得武断，并不意味着必须以某种方式做出的决定不受任何约束，因此纯粹是一时兴起。它们不是，任何这样的决策都面临强加于决策者的某些约束。例如，如果生产要素的分配是民主决定的，那么它显然必须吸引大多数人。但是，如果一个决定以这种方式受到约束，或者如果它是专制的，遵循独裁者所看到的公众舆论状态，那么从自愿购买或不购买的消费者的角度来看，它仍然是武断的。² 因此，资源的分配，无论它是

¹ 《论政府经济学》，参见 M. N. 罗斯巴德，《权力与市场》，1977 年，第 5 章。

² 至于民主控制下的资源分配，各种缺陷已十分明显。例如，J. 布坎南和 R. 瓦格纳写道（《凯恩斯先生的遗产》，伦敦，1978 年，第 19 页），“市场竞争是持续不断的；在每次购买时，买家都能在相互竞争的卖家之间做出选择。政治竞争则是间歇性的；一项决策通常在固定的若干年内具有约束力。市场竞争允许多个竞争者同时生存……政治竞争导致非胜即败的结果……在市场竞争中，买家能够合理确定自己从购买行为中将会得到什么。在政治竞争中，买家实际上是在购买代理人的服务，却无法对其加以约束……此外，由于政治家需要获得多数同僚的合作，对某位政治家投出的选票，其意义不如对私人企业投出的‘选票’那般明确。”（关于此点，另见 J. 布坎南所著《投

什么，无论它随着时间的推移如何变化，都体现了对稀缺手段的浪费。作为一个为消费者服务的机构，国家从盈利的必要性中解脱出来，必然用混乱的分配来代替理性。罗斯巴德很好地总结了这个问题：

它(即政府，国家)如何知道是修建 A 路还是 B 路，是投资一条路还是投资一所学校——实际上，它的所有行动要花多少钱呢？它没有合理的方式来分配资金，甚至决定拥有多少资金。当教师、教室、警察或街道短缺时，政府及其支持者只有一个答案：更多的钱。为什么这个答案从来没有出现在自由市场上？原因是钱必须从消费或投资的其他用途中撤出...撤出必须是正当的。这种理由是由损益检验提供的：表明消费者最迫切的需求正在得到满足。如果一个企业或产品为其所有者赚取了高额利润，并且这些利润有望持续下去，那么就会有更多的资金流入；如果不是这样，并且正在发生亏损，那么资金就会流出这个行业。损益检验是指导生产性服务的流动的关键指南。政府没有这样的指南，它没有合理的方法来决定花多少钱，无论是在总额上，还是在每一个特定的领域。政府花的钱越多，能提供的服务也就越多——但到哪里为止呢？¹

Besides the misallocation of factors of production that results from the decision to grant the state the special right to appropriate revenue in a noncontractual way, state production implies a reduction in the quality of the output of whatever it decides to produce. Again, an ordinary profit-oriented business can only maintain a given size or possibly grow if it can sell its products at a price and in such quantity that allow it to recover at least the costs involved in production and is hopefully higher. Since the demand for the goods or services produced depends either on their relative quality or

票与市场中的个人选择》，收录于其《财政理论与政治经济学》，查珀尔希尔，1962年；关于该问题更全面的论述，见 J. 布坎南和 G. 塔洛克所著《同意的计算》，安阿伯，1962年。）

然而，人们普遍忽视了——尤其是那些试图把民主赋予每个人平等投票权（而消费者主权允许不平等的“投票”）当作一种优点的人忽视了——一个最为重要的缺陷：在消费者主权体系下，人们的“投票”权或许不平等，但无论如何，他们只对通过初始占有或契约获得的物品行使控制权，因此不得不合乎道德地行事。在生产民主制下，每个人都被认为有权对并非以这种方式获得的物品发表意见，因此，这不仅会持续引发法律的不稳定，对资本形成过程产生负面影响，而且还会导致人们做出不道德的行为。关于此点，另见 L. 冯·米塞斯所著《社会主义》，印第安纳波利斯，1981年，第31章；另见上文第8章。

¹ M. N. Rothbard, Power and Market, Kansas City, 1977, p. 176.

on their price—this being one of many criteria of quality—as perceived by potential buyers, the producers must constantly be concerned about “perceived product quality” or “cheapness of product.” A firm is dependent exclusively on voluntary consumer purchases for its continued existence, so there is no arbitrarily defined standard of quality for a capitalist enterprise (including so-called scientific or technological standards of quality) set by an alleged expert or committee of experts. For it there is only the quality as perceived and judged by the consumers. Once again, this criterion does not guarantee that there are no low-quality or overpriced products or services offered on the market because production takes time and the sales test comes only after the products have appeared on the market. And this would have to be so under any system of goods production. Nonetheless, the fact that every capitalist enterprise must undergo this sales test and pass it to avoid being eliminated from the market guarantees a sovereign position to the consumers and their evaluations. Only if product quality is constantly improved and adjusted to consumer tastes can a business stay in operation and prosper.

除了生产要素的不合理配置(这是由于政府决定以非契约的方式赋予政府获得适当收入的特殊权利)之外, 国家生产还意味着它决定生产的任何产品的质量都会下降。同样, 一个普通的以利润为导向的企业只能维持一定的规模, 或可能增长, 如果它能够以一定的价格和数量销售其产品, 使其至少能够收回生产成本, 并且有望更高。由于对所生产的商品或服务的需求要么取决于它们的相对质量, 要么取决于它们的价格——这是潜在购买者所认为的许多质量标准之一, 因此生产者必须经常关注“被认可的品质”或“产品的廉价性”。企业的持续存活完全依赖于消费者的自愿购买, 因此, 资本主义企业不存在由所谓的专家或专家委员会设定的武断的质量标准(包括所谓的科学或技术质量标准)。因为只有被消费者认可和评判的质量。同样, 这一标准并不能保证市场上没有低质量或高价的产品或服务, 因为生产需要时间, 销售检验只有在产品上市之后才会进行。这在任何商品生产制度下都是必然的。然而, 每一个资本主义企业都必须经过这个销售检验, 并通过它以避免被市场淘汰, 这一事实保证了消费者及其评价的主权地位。只有不断提高产品质量, 并根据消费者的口味进行调整, 企业才能持续经营, 繁荣发展。

The story is quite different as soon as the production of goods is undertaken by the state. Once future revenue becomes [independent of cost covering sales](#)—as is typically the case when the state produces a good—there is no longer a reason for such a

producer to be concerned about product quality in the same way that a sales-dependent institution would have to be. If the producer's future income can be secured, regardless of whether according to consumer evaluations the products or services produced are worth their money, why undertake special efforts to improve anything? More precisely, even if one assumes that the employees of the state as a productive enterprise with the right to impose taxes and to regulate unilaterally the competitiveness of its potential rivals are, on the average, just as much interested or uninterested in work as those working in a profit-dependent enterprise,⁶ and if one further assumes that both groups of employees and workers are on the average equally interested or uninterested in an increase or decrease in their income, then the quality of products, measured in terms of consumer demand and revealed in actual purchases, must be lower in a state enterprise than in private business, because the income of the state employees would be far less dependent on product quality. Accordingly, they would tend to devote relatively less effort to producing quality products and more of their time and effort would go into doing what they, but not necessarily the consumer, happen to like.⁷ Only if the people working for the state were superhumans or angels, while everyone else was simply an ordinary, inferior human being, could the result be any different. Yet the same result, i.e., the inferiority of product quality of any state-produced goods, would again ensue if the human race in the aggregate would somehow improve: if they were working in a state enterprise even angels would produce a lower quality output than their angel-colleagues in private business, if work implied even the slightest disutility for them.

一旦商品生产由国家承担，情况就大不相同了。一旦未来的收入独立于成本、覆盖销售——当国家生产一种商品时，这是典型的情况——这样的生产商就没有理由再像依赖销售的机构那样关注产品质量了。如果生产者未来的收入是有保障的，毋须根据消费者的评价，检验所生产的产品或服务是否物有所值，为什么还要花特别的精力去改进呢？更确切地说，即使假设国家作为一个有权利征税和单方面调节其潜在竞争对手的竞争力的生产性企业的雇员，平均而言，对工作感兴趣或不感兴趣的程度和那些在营利性企业工作的人一样，¹ 如果我们进一步假设，雇员和工人对收入的增加或减

¹ 可以肯定，这是一种极为宽容的假设，因为相当确定的是，所谓的公共生产部门从

少的平均兴趣是相等的，那么，以消费者需求衡量，并在实际购买中体现出来的产品质量，国有企业肯定比民营企业要低，因为国有企业雇员的收入对产品质量的依赖程度要小得多。因此，他们倾向于在生产高质量产品上投入相对较少的精力，而将更多的时间和精力投入到他们(而不一定是消费者)碰巧喜欢的事情上。¹ 只有当为国家工作的人是超人或天使，而其他只是普通的、劣等的人类时，结果才会有所不同。然而，即使人类总体上有所改善，同样的结果，即任何国家生产的商品，其质量低劣，这种情况依然还会再次出现：如果他们在国有企业工作，即使天使也会比他们在私营企业的天使同事生产出质量更低的产品，如果工作对他们来说意味着哪怕是最轻微的负效用。

Finally, in addition to the facts that only a market system can ensure a rational allocation of scarce resources, and that only capitalist enterprises can guarantee an output of products that can be said to be of optimal quality, there is a third structural reason for the economic superiority, indeed unsurpassability of a capitalist system of production. Only through the operation of market forces is it possible to utilize resources efficiently over time in any given allocation, i.e., to avoid overutilization as well as underutilization. This problem has already been addressed with reference to Russian style socialism in Chapter 3. What are the institutional constraints on an ordinary profit-oriented enterprise in its decisions about the degree of exploitation or conservation of its resources in the particular line of production in which they happen to be used? Evidently, the owner of such an enterprise would own the production factors or resources as well as the products produced with them. Thus, his income (used here in a wide sense of the term) consists of two parts: the income that is received from the sales of the products produced after various operating costs have been subtracted; and the value that is embodied in the factors of production which could be translated into current income should the owner decide to sell them. Institutionalizing a capitalist system—a social order based on private property—thus implies establishing an

一开始就吸引了不同类型的人，而且其中效率低下、懒惰和不称职的人数多得异乎寻常。

¹ 参见 L. 冯·米塞斯所著《官僚体制》(纽黑文, 1944 年); 罗斯巴德所著《权力与市场》(堪萨斯城, 1977 年, 第 172 页及之后内容); 以及《为了新自由》(纽约, 1978 年, 第 10 章); 还有米尔顿·弗里德曼和罗斯·弗里德曼所著《现状的暴政》(纽约, 1984 年, 第 35 - 51 页)。

incentive structure under which people would try to maximize their income in both of these dimensions. What exactly does this mean? Every act of production evidently affects both mentioned income dimensions. On one hand, production is undertaken to reach an income return from sales. On the other hand, as long as the factors of production are exhaustible, i.e., as long as they are scarce and not free goods, every production act implies a deterioration of the value of the production factors. Assuming that private ownership exists, this produces a situation in which every business constantly tries not to let the marginal costs of production (i.e., the drop in value of the resources that results from their usage) to become greater than the marginal revenue product, and where with the help of book-keeping an instrument for checking the success or failure of these attempts exists. If a producer were not to succeed in this task and the drop in the value of capital were higher than the increase in the income returns from sales, the owner's total income (in the wider sense of the term) would be reduced. Thus, private ownership is an institutional device for safeguarding an existing stock of capital from being overexploited or if it is, for punishing an owner for letting this happen through losses in income. This helps make it possible for values produced to be higher than values destroyed during production. In particular, private ownership is an institution in which an incentive is established to efficiently adjust the degree of conserving or consuming a given stock of capital in a particular line of production to anticipated price changes. If, for instance, the future price of oil were expected to rise above its current level, then the value of the capital bound up in oil production would immediately rise as would the marginal cost involved in producing the marginal product. Hence, the enterprise would immediately be impelled to reduce production and increase conservation accordingly, because the marginal revenue product on the present market was still at the unchanged lower level. On the other hand, if in the future oil prices were expected to fall below their present level, this would result in an immediate drop in the respective capital values and in marginal costs, and hence the enterprise would immediately begin to utilize its capital stock more intensively since prices on the present market would still be relatively higher. And to be sure, both of these reactions are exactly what is desirable from the point of view of the consumers.

最后，只有市场体系才能确保稀缺资源的合理配置，只有资本主义企业才能保证产出可被称为最优质量的产品，除了这一事实之外，资本主义生产体系的经济优势，实际

上是不可超越的，还有第三个结构性原因。只有通过市场力量的作用，才有可能在任何给定的分配中长期有效地利用资源，避免过度利用和利用不足。这一问题已在第三章中以俄式社会主义为例加以论述。一个普通的以利润为导向的企业，在碰巧使用了某些资源的特定生产线上，在哪个程度上开发或保护这些资源，有什么制度上的限制？显然，这种企业的所有者不仅拥有生产要素或资源，也拥有用这些生产要素或资源生产的产品。因此，他的收入(这里指广义上的收入)由两部分组成：一是减去各种经营成本后销售产品所获得的收入；二是体现在生产要素中的价值，如果所有者决定出售这些生产要素，这些生产要素可以转化为当期收入。因此，将资本主义制度化——一种基于私有财产的社会秩序——意味着建立一种激励结构，在这种结构下，人们会试图在这两个方面最大化他们的收入。这到底是什么意思呢？¹ 每一种生产行为都明显影响上述的两个收入维度。一方面，生产是为了从销售中获得收入回报。另一方面，只要生产要素是可耗尽的，也就是说，只要它们是稀缺的，不是免费商品，每一个生产行为都意味着生产要素价值的下降。假设私有制存在，就会产生这样一种情况，即每个企业都在不断努力不让边际生产成本(即，由于使用资源而导致的资源价值下降)大于边际产出，并且在簿记的帮助下，存在一种工具来检查这些尝试是成功还是失败。如果一个生产者不能成功地完成这项任务，并且资本价值的下降高于销售收入回报的增长，那么所有者的总收入(在更广泛的意义上)就会减少。因此，私有制是一种制度手段，可以保护现有的资本存量不被过度开发，如果这种情况，也可以通过收入损失来惩罚放任这种情况发生的所有者。这有助于使产出的价值可能高于在生产过程中被破坏的价值。特别是，私有制是一种制度，在这种制度中，建立了一种激励机制，以便根据预期的价格变化，有效地调整某一特定生产线中某一特定资本存量的保存或消费程度。例如，如果预计未来的石油价格将高于目前的水平，那么与石油生产有关的资本价值将立即上升，生产边际产品所涉及的边际成本也将上升。因此，由于当前市场上的边际收益产品仍然处于不变的较低水平，企业将立即被迫减少生产并相应增加节约。相反，如果预计未来的石油价格会低于目前的水平，这将导致相关的资本价值和边际成本立即下降，因此企业将立即开始更密集地利用其资本存量，因为当前市场的价格仍然相对较高。可以肯定的是，从消费者的角度来看，这两种反应都是可取的。

If the way in which a capitalist production system works is compared with the situation

¹ 关于以下内容，可参见 L. 冯·米塞斯所著《人的行动》(1966 年，芝加哥)第 23.6 章；M. N. 罗斯巴德所著《人、经济与国家》(1970 年，洛杉矶)第 7 章，特别是第 7.4 - 7.6 节；《自由市场中的资源保护》，收录于《平等主义：对自然的反抗》(1974 年，华盛顿)；以及《为了新自由》(1978 年，纽约)第 13 章。

that becomes institutionalized whenever the state takes care of the means of production, striking differences emerge. This is true especially when the state is a modern parliamentary democracy. In this case, the managers of an enterprise may have the right to receive the returns from sales (after subtracting operation costs), but, and this is decisive, they do not have the right to appropriate privately the receipts from a possible sale of the production factors. Under this constellation, the incentive to use a given stock of capital economically over time is drastically reduced. Why? Because if one has the right to privately appropriate the income return from product sales but does not have the right to appropriate the gains or losses in capital value that result from a given degree of usage of this capital, then there is an incentive structure institutionalized not of maximizing total income—i.e., total social wealth in terms of consumer evaluations—but rather of maximizing income returns from sales at the expense of losses in capital value. Why, for instance, should a government official reduce the degree of exploitation of a given stock of capital and resort to a policy of conservation when prices for the goods produced are expected to rise in the future? Evidently, the advantage of such a conservationist policy (the higher capital value resulting from it) could not be reaped privately. On the other hand, by resorting to such a policy one's income returns from sales would be reduced, whereas they would not be reduced if one forgot about conserving. In short, to conserve would mean to have none of the advantages and all of the disadvantages. Hence, if the state managers are not super-humans but ordinary people concerned with their own advantages, one must conclude that it is an absolutely necessary consequence of any state production that a given stock of capital will be overutilized and the living standards of consumers impaired in comparison to the situation under capitalism.

如果将资本主义生产体系的运作方式与国家管理生产资料的制度化情况进行比较，就会出现显著的差异。当国家是一个现代议会民主国家时尤其如此。在这种情况下，企业的管理者可能有权获得销售收益(减去运营成本后)，但是，这是决定性的一点，他们无权私吞可能销售生产要素的收益。在这种情况下，随着时间的推移，经济地使用给定资本存量的动机大大降低。为什么？因为如果一个人有权私占从产品销售中获得的收入回报，但无权占有该资本在一定程度上使用所产生的资本价值的损益，那么就存在一种制度化的激励结构，不是总收入最大化——以消费者评价为依据的社会总财富——而不是以资本价值损失为代价的最大化的销售收入回报。例如，当所生产的商品的

价格预计在未来会上涨时，政府官员为什么要减少对某一特定资本存量的利用程度，并采取节约政策？显然，这种保护政策的好处(由此产生的更高的资本价值)不可能由私人获取。另一方面，通过采取这样的政策，一个人的销售收入回报会减少，而如果一个人忘了节约，收入却不会减少。简而言之，节约意味着没有任何优点却有所有的缺点。因此，如果国家管理者不是超人，而是关心自己利益的普通人，那么我们必须得出结论，任何国家生产的绝对必然结果是，与资本主义制度下的情况相比，一定的资本存量将被过度使用，同时消费者的生活水平将会下降。

Now it is fairly certain that someone will argue that while one would not doubt what has been stated so far, things would in fact be different and the deficiency of a pure market system would come to light as soon as one paid attention to the special case of monopolistic production. And by necessity, monopolistic production would have to arise under capitalism, at least in the long run. Not only Marxist critics but orthodox economic theorists as well make much of this alleged counter-argument.⁹ In answer to this challenge four points will be made in turn. First, available historical evidence shows that contrary to these critics' thesis, there is no tendency toward increased monopoly under an unhampered market system. In addition, there are theoretical reasons that would lead one to doubt that such a tendency could ever prevail on a free market. Third, even if such a process of increasing monopolization should come to bear, for whatever reason, it would be harmless from the point of view of consumers provided that free entry into the market were indeed ensured. And fourth, the concept of monopoly prices as distinguished from and contrasted to competitive prices is illusory in a capitalist economy.

现在可以相当肯定的是，有人会争辩说，虽然人们不会怀疑到目前为止所陈述的内容，但事情实际上是不同的，只要人们注意到垄断生产的特殊情况，纯粹市场制度的缺陷就会暴露出来。垄断生产必然会在资本主义制度下出现，至少从长远来看是这样。不仅马克思主义批评家，就连正统的经济理论家也充分利用了这种所谓的反驳观点。¹ 为了回应这一挑战，将依次提出四点。首先，现有的历史证据表明，与这些批评者的论点相反，在一个不受阻碍的市场体系下，没有增加垄断的趋势。此外，还有一些理论上的原因会让人怀疑这种趋势是否会在自由市场上盛行。第三，即使这种增加垄断的过程发生了，无论出于什么原因，只要市场的自由进入确实得到了保证，从消费者的

¹ On this and the following cf. L. v. Mises, *Socialism*, Indianapolis, 1981, part 3.2.

角度来看，它也是无害的。第四，在资本主义经济中，与竞争价格相区别的垄断价格概念是虚幻的。

Regarding historical evidence,if the thesis of the critics of capitalism were true,then one would have to expect a more pronounced tendency toward monopolization under relatively freer,unhampered,unregulated laissez-faire capitalism than under a relatively more heavily regulated system of “welfare” or “social” capitalism. However,history provides evidence of precisely the opposite result. There is general agreement regarding the assessment of the historical period from 1867 to World War I as being a relatively more capitalist period in history of the United States,and of the subsequent period being one of comparatively more and increasing business regulations and welfare legislation. However,if one looks into the matter one finds that there was not only less development toward monopolization and concentration of business taking place in the first period than in the second but also that during the first period a constant trend towards more severe competition with continually falling prices for almost all goods could be observed.¹⁰ And this tendency was only brought to a halt and reversed when in the course of time the market system became more and more obstructed and destroyed by state intervention. Increasing monopolization only set in when leading businessmen became more successful at persuading the government to interfere with this fierce system of competition and pass regulatory legislation,imposing a system of “orderly” competition to protect existing large firms from the so-called cutthroat competition continually springing up around them. ¹¹G. Kolko,a left-winger and thus certainly a trust-worthy witness,at least for the critics from the left,sums up his research into this question as follows:

There was during this [first] period a dominant trend toward growing competition. Competition was unacceptable to many key business and financial leaders,and the merger movement was to a large extent a reflection of voluntary,unsuccessful business effects to bring irresistible trends under control ... As new competitors sprang up,and as economic power was diffused throughout an expanding nation,it became apparent to many important businessmen that only the national government could [control and stabilize] the economy ... Ironically,contrary to the consensus of historians,it was not the existence of monopoly which caused the government to intervene in the economy,but the lack of it.¹²

就历史证据而言，如果批判资本主义的论点是正确的，那么人们就不得不预期，在相对更自由、不受阻碍、不受管制的自由放任资本主义下，垄断倾向会比在相对更严格管制的“福利”或“社会”资本主义制度下更为明显。然而，历史提供的证据却恰恰相反。人们普遍认为，从 1867 年到第一次世界大战这段历史时期，是美国历史上资本主义程度相对较高的时期，而随后的时期则是商业管制和福利立法相对增多的时期。然而，如果仔细研究这个问题，就会发现，在第一个时期，不仅垄断和商业集中的发展比第二个时期要少，而且在第一个时期，几乎所有商品的价格伴随越来越激烈的竞争而都在不断下降。¹ 随着时间的推移，市场体系越来越受到国家干预的阻碍和破坏，这种趋势才得以停止和逆转。只有当主要的商人更成功地说服政府干预这种激烈的竞争制度，并通过监管立法，强加一种“有序”竞争制度，以保护现有的大公司免受不断涌现的所谓残酷竞争的影响时，垄断才会加剧。² G. 科尔科 (G. Kolko) 是一名左翼人士，因此肯定是一个值得信赖的证人，至少对于左翼的批评者来说是如此，他对这个问题的研究总结如下：

在这(第一个)时期，竞争日益激烈是主导趋势。竞争对许多重要的商业和金融领导人来说是不可接受的，兼并运动在很大程度上反映了自愿的、不成功的商业效应使不可抗拒的趋势得到了控制……随着新的竞争者的涌现，随着经济力量在一个不断扩张的国家中扩散，对许多重要的商人来说，很明显只有国家政府才能[控制和稳定]经济……具有讽刺意味的是，与历史学家的共识相反，不是垄断的存在导致政府干预经济，而是因为缺乏垄断才导致政府干预经济。³

In addition, these findings, which stand in clear contradiction to much of the common wisdom on the matter, are backed by theoretical considerations.¹³ Monopolization means that some specific factor of production is withdrawn from the market sphere.

¹ J. W. 麦奎尔在《商业与社会》(1963 年，纽约，第 38 - 39 页)中指出：“1865 年至 1897 年，物价连年下跌，这让商人们难以规划未来。在许多地区，新的铁路线路促成了密西西比河以东市场的全国化，即便小镇上的小公司，也不得不与远方其他规模往更大的企业竞争。与此同时，技术和生产力取得了显著进步。简而言之，这对消费者而言是美好的时代，但对生产者来说却是可怕的时代，尤其是随着竞争日益激烈。”

² 关于此点，可参见 G. 科尔科所著《保守主义的胜利》(芝加哥，1967 年)；《铁路与监管》(普林斯顿，1965 年)；J. 温斯坦所著《自由国家中的企业理想》(波士顿，1968 年)；M. N. 罗斯巴德和 R. 拉多什(编)《利维坦新史》(纽约，1972 年)。

³ G. 科尔科，《保守主义的胜利》，芝加哥，1967 年，第 4-5 页；也参考 M. 奥尔森的调查，《集体行动的逻辑》，剑桥，1965 年，结论是群众组织(特别是工会)也不是市场现象，而是立法行动的结果。

There is no trading of the factor, but there is only [the owner of this factor engaging in restraint of trade](#). Now if this is so, then no market price exists for this monopolized production factor. But if there is no market price for it, then the owner of the factor can also no longer assess the monetary costs involved in withholding it from the market and in using it as he happens to use it. In other words, he can no longer calculate his profits and make sure, even if only ex post facto, that he is indeed earning the highest possible profits from his investments. Thus, provided that the entrepreneur is really interested in making the highest possible profit (something, to be sure, which is always assumed by his critics), he would have to offer the monopolized production factors on the market continually to be sure that he was indeed using them in the most profitable way and that there was no other more lucrative way to use them, so as to make it more profitable for him to sell the factor than keep it. Hence, it seems, one would reach the paradoxical result that in order to maximize his profits, the monopolist must have a permanent interest in discontinuing his position as the owner of a production factor withheld from the market and, instead, desire its inclusion in the market sphere.

此外，这些发现虽然与许多关于这个问题的普遍看法明显矛盾，但却得到了理论分析的支持。¹ 垄断是指某种特定的生产要素从市场领域撤出。不存在该要素的交易，只有该要素的所有者在进行限制使用。如果是这样，那么这个垄断的生产要素就不存在市场价格。但是，如果它没有市场价格，那么要素的所有者也就不能再评估，在市场中保留它和在使用它所涉及的货币成本。换句话说，他不能再计算自己的利润，也不能再确保自己确实从投资中获得了尽可能高的利润，即使只是事后确认。因此，如果企业家真的有兴趣获得尽可能高的利润（当然，他的批评者总是假设这一点），他就必须不断地向市场提供垄断的生产要素，以确保他确实是以最有利可图的方式使用它们，并且没有其他更有利可图的方式使用它们，从而使他出售这些要素比保留这些要素更有利可图。因此，人们似乎会得出一个矛盾的结果：为了使他的利润最大化，垄断者必

¹ 关于以下内容，可参见路德维希·冯·米塞斯（L. v. Mises）所著《社会主义》（印第安纳波利斯，1981年，第3部分第2节）；以及《人的行动》（芝加哥，1966年，第25 - 26章）；M. N. 罗斯巴德（M. N. Rothbard）所著《人、经济与国家》（洛杉矶，1970年，第544页及之后、第585页及之后）；还有《路德维希·冯·米塞斯与社会主义下的经济计算》，收录于L. 莫斯（L. Moss）编著的《路德维希·冯·米塞斯的经济学》（堪萨斯城，1976年，第75 - 76页）。

须有一个永久的利益，放弃他作为一个生产要素的所有者的地位，不是将这种生产要素排除在市场之外，相反，他希望将其纳入市场领域。

Furthermore,with every additional act of monopolization the problem for the owner of monopolized production factors—i.e.,that because of the impossibility of economic calculation,he can no longer make sure that those factors are indeed used in the most profitable way—becomes ever more acute. This is so,in particular,because realistically one must assume that the monopolist is not only not omniscient but that his knowledge regarding future competing goods and services by the consumers in future markets becomes more and more limited as the process of monopolization advances. As production factors are withdrawn from the market,and as the circle of consumers served by the goods produced with these factors widens,it will be less likely that the monopolist,unable to make use of economic calculation,can remain in command of all the relevant information needed to detect the most profitable uses for his production factors. Instead,it becomes more likely in the course of such a process of monopolization,that other people or groups of people,given their desire to make profits by engaging in production,will perceive more lucrative ways of employing the monopolized factors. 14Not necessarily because they are better entrepreneurs,but simply because they occupy different positions in space and time and thus become increasingly aware of entrepreneurial opportunities which become more and more difficult and costly for the monopolist to detect with every new step toward monopolization. Hence,the likelihood that the monopolist will be persuaded to sell his monopolized factors to other producers—not a bene: for the purpose of thereby increasing his profits—increases with every additional step toward monopolization.15

此外，随着每一个额外的垄断行为，垄断生产要素的所有者面临的问题——即：由于经济计算的不可能性，他再也不能确保这些因素确实以最有利可图的方式使用——这个问题变得越来越尖锐。之所以如此，是因为实际上，人们必须假设垄断者不仅不是全知的，而且随着垄断进程的推进，他对消费者未来市场中竞争的商品和服务的了解也会变得越来越有限。随着生产要素退出市场，以及由这些要素生产的商品所服务的消费者范围的扩大，无法利用经济计算的垄断者将不太可能继续掌握所有相关信息，以发现其生产要素最有利可图的用途。相反，在这种垄断过程中，更有可能的是，其他个人或群体，考虑到他们希望通过从事生产来获利，会发现使用垄断要素的更有利可

图的方式。¹ 不一定是因为他们是更好的企业家，而仅仅是因为他们在空间和时间上占据了不同的位置，从而越来越能发现创业机会，而随着垄断者向垄断迈出的每一步，这一点变得越来越困难和昂贵。因此，垄断者被说服将其垄断的要素出售给其他生产者的可能性——请注意：为了增加他的利润——随着向垄断的进一步发展而增加。²

Now, let us assume that what historical evidence as well as theory proves to be unlikely happens anyway, for whatever reason. And let us assume straightaway the most extreme case conceivable: there is only one single business, one super-monopolist so to speak, that provides all the goods and services available on the market, and that is the sole employer of everyone. What does this state of affairs imply regarding consumer satisfaction, provided, of course, as assumed, that the super-monopolist has acquired his position and upholds it without the use of aggression? For one thing, it evidently means that no one has any valid claims against the owner of this firm; his enterprise is indeed fully and legitimately his own. And for another thing it means that there is no infringement on anyone's right to boycott any possible exchange. No one is forced to work for the monopolist or buy anything from him, and everyone can do with his earnings from labor services whatever he wants. He can consume or save them, use them for productive or nonproductive purposes, or associate with others and combine their funds for any sort of joint venture. But if this were so, then the existence of a monopoly would only allow one to say this: the monopolist clearly could not see any chance of improving his income by selling all or part of his means of production, otherwise he would do so. And no one else could see any chance of

¹ 参见 F. A. 哈耶克所著《个人主义与经济秩序》，芝加哥，1948年，尤其是第9章；I. 柯兹纳所著《竞争与企业家精神》，芝加哥，1973年。

² 关于大规模所有权，特别是土地的大规模所有权，米塞斯指出，它通常仅由非市场力量促成并维持：靠强制暴力以及国家实施的、将土地买卖定为非法或加以限制的法律制度。“无论何时何地，土地的大规模所有权都不是通过市场中的经济力量形成的。它靠暴力建立，也仅靠暴力维持。一旦大庄园被纳入市场交易范畴，它们就开始瓦解，直至最终完全消失……如今在市场经济中，即便想维持大庄园都很困难，这从人们试图设立诸如‘信托遗赠’之类的立法制度以及英国‘限定继承’等相关法律制度便可看出……生产资料的所有权从未像普林尼时代那样高度集中，当时非洲行省一半的土地归六个人所有；也从未像墨洛温王朝时期那样集中，当时教会占有法国大部分土地。而在世界任何地方，大规模土地所有权都没有资本主义的北美地区那么少。”（《社会主义》，印第安纳波利斯，1981年，第325 - 326页）。

improving his income by bidding away factors from the monopolist or by becoming a capitalist producer himself through original saving,through transforming existing nonproductively used private wealth into productive capital,or through combining funds with others,otherwise it would be done. But then,[if no one saw any chance of improving his income without resorting to aggression](#),it would evidently be absurd to see anything wrong with such a super-monopoly. Should it indeed ever come into existence within the framework of a market economy,it would only prove that this self-same super-monopolist was indeed providing consumers with the most urgently wanted goods and services in the most efficient way.

现在, 让我们假设, 无论出于何种原因, 历史证据和理论证明都不太可能发生的事情, 无论如何都发生了。让我们直接假设一个能够想象到的最极端的情况: 只有一家企业, 可以说是一家超级垄断者, 提供市场上所有的商品和服务, 而且是所有人的唯一雇主。当然, 假设超级垄断者已经获得了自己的地位, 并在不使用侵犯手段的情况下维持了自己的地位, 那么这种情况对消费者满意度意味着什么? 首先, 这显然意味着没有人对这家公司的所有者有任何正当的主张; 他的企业确实完全合法地属于他自己。另一方面, 这意味着, 这并没有侵犯任何人抵制任何可能的交换的权利。没有人被迫为垄断者工作或被迫从他那里购买任何东西, 每个人都可以随心所欲地使用他从劳动服务中获得的收入。他可以消费或储蓄, 将其用于生产或非生产目的, 或与他人联合并将他们的资金用于任何形式的合资企业。但如果是这样的话, 那么垄断的存在只会让人们这样说: 垄断者显然看不到通过出售全部或部分生产资料来增加收入的任何机会, 否则他会这样做。其他人也看不到任何机会, 通过竞价从垄断者手中抢走要素, 或者通过原始储蓄, 通过将现有的非生产性使用的私人财富转化为生产性资本, 或者通过将资金与他人结合, 使自己成为资本主义的生产者来提高自己的收入, 否则他就会这样做。但是, 假如没有人能在不诉诸侵犯的情况下提高收入, 那么认为这种超级垄断有什么不妥, 显然是荒谬的。如果它真的在市场经济的框架内出现, 它只会证明, 这个超级垄断者确实以最有效的方式向消费者提供了最迫切需要的商品和服务。

Yet the question of monopoly prices remains.¹⁶ Doesn't a monopoly price imply a suboptimal supply of goods to consumers,and isn't there then an important exception from the generally superior economic working of capitalism to be found here? In a way this question has already been answered by the above explanation that even a super-monopolist establishing itself in the market cannot be considered harmful for consumers. But in any case,the theory that monopoly prices are (allegedly) categorically

different from competitive prices has been presented in different, technical language and hence deserves special treatment. The result of this analysis, which is hardly surprising now, only reinforces what has already been discovered: monopoly does not constitute a special problem forcing anyone to make qualifying amendments to the general rule of a market economy being necessarily more efficient than any socialist or statist system. What is the definition of “monopoly price” and, in contrast to it, of “competitive price” according to economic orthodoxy (which in the matter under investigation includes the so-called Austrian school of economics as represented by L. v. Mises)? The following definition is typical:

Monopoly is a prerequisite for the emergence of monopoly prices, but it is not the only prerequisite. There is a further condition required, namely a certain shape of the demand curve. The mere existence of monopoly does not mean anything in this regard. The publisher of a copyrighted book is a monopolist. But he may not be able to sell a single copy, no matter how low the price he asks. Not every price at which a monopolist sells a monopolized commodity is a monopoly price. Monopoly prices are only prices at which it is more advantageous for the monopolist to restrict the total amount to be sold than to expand its sales to the limit which a competitive market would allow.¹⁷

然而，垄断价格的问题依然存在。¹ 垄断价格是否意味着向消费者提供的商品不是最优的？那么，在资本主义普遍优越的经济运作中，这里是否存在一个重要的例外？在某种程度上，上述解释已经回答了这个问题，即使是在市场上站稳脚跟的超级垄断者也不能被认为对消费者有害。但无论如何，垄断价格(据称)比之竞争价格，是用不同的技术语言提出的绝对不同的理论，因此值得特别对待。这一分析的结果(现在并不令人惊讶)只是强化了已经发现的事实:垄断并不构成一个特殊问题，此问题会迫使任何人对市场经济必然比任何社会主义或国家主义制度更有效这一普遍规律，进行有条件的修正。“垄断价格”的定义是什么，与之相反，根据正统经济学(在此的研究也包括以米塞斯为代表的所谓奥地利经济学派)，“竞争价格”的定义是什么？下面的定义是典型的:

垄断是垄断价格出现的先决条件，但不是唯一的先决条件。还需要一个进一步的条件，即需求曲线的某种形状。在这方面，垄断的存在并不意味着什么。

¹ 关于以下内容，可参见 M. N. 罗斯巴德所著《人、经济与国家》(1970 年，洛杉矶)第 10 章，尤其是第 586 页及后续内容；另见 W. 布洛克发表于《自由意志主义研究期刊》1977 年刊的《奥地利垄断理论：一项批判》。

出版受版权保护的书籍的出版商是垄断者。但不管他要价多低，他可能连一本都卖不出去。垄断者出售垄断商品的价格并非都是垄断价格。垄断价格只是在这样的价格，对垄断者来说，限制销售总量比将销售扩大到竞争市场所允许的限度更有利。¹

However plausible this distinction might seem, it will be argued that neither the producer himself nor any neutral outside observer could ever decide if the prices actually obtained on the market were monopoly or competitive prices, based on the criterion "restricted versus unrestricted supply" as offered in the above definition. In order to understand this, suppose a monopolist producer in the sense of "a sole producer of a given good" exists. The question of whether or not a given good is different from or homogeneous to other goods produced by other firms is not one that can be decided based on a comparative analysis of such goods in physical or chemical terms *ex ante*, but will always have to be decided *ex post facto*, on future markets, by the different or equal treatment and evaluations that these goods receive from the buying public. Thus every producer, no matter what his product is, can be considered a potential monopolist in this sense of the term, at the point of decision making. What, then, is the decision with which he and every producer is faced? He must decide how much of the good in question to produce in order to maximize his monetary income (with other, nonmonetary income considerations assumed to be given). To be able to do this he must decide how the demand curve for the product concerned will be shaped when the products reach the market, and he must take into consideration the various production costs of producing various amounts of the good to be produced. This done, he will establish the amount to be produced at that point where returns from sales, *i.e.*, the amount of goods sold times price, minus production costs involved in producing that amount, will reach a maximum. Let us assume this happens and the monopolist also happens to be correct in his evaluation of the future demand curve in that the price he seeks for his products indeed clears the market. Now the question is, is this market price a monopoly or a competitive price? As M. Rothbard realized in his path-breaking but much neglected analysis of the monopoly problem, there is no way of knowing. Was the amount of the good produced "restricted" in order to take

¹ 米塞斯，《人的行动》，芝加哥，1966年，第359页；另可参考任意当代教科书，比如P. 萨缪尔森所著《经济学》，纽约，1976年，第500页。

advantage of inelastic demand and was a monopoly price thus reaped, or was the price reached a competitive one established in order to sell an amount of goods that was expanded "to the limit that a competitive market would allow"? There is no way to decide the matter.¹⁸ Clearly, every producer will always try to set the quantity produced at a level above which demand would become elastic and would hence yield lower total returns to him because of reduced prices paid. He thus engages in restrictive practices. At the same time, based on his estimate of the shape of future demand curves, every producer will always try to expand his production of any good up to the point at which the marginal cost of production (that is, the opportunity cost of not producing a unit of an alternative good with the help of scarce production factors now bound up in the process of producing another unit of x) equals the price per unit of x that one expects to be able to charge at the respective level of supply. Both restriction and expansion are part of profit-maximizing and market-price formation, and neither of these two aspects can be separated from the other to make a valid distinction between monopolistic and competitive action.

无论这种区别看起来多么可信，我们都会认为，无论是生产者本人还是任何中立的外部观察者，都无法根据上述定义中提供的“限制与无限制供应”的标准，来决定市场上实际获得的价格是垄断价格还是竞争价格。为了理解这一点，假设存在一个垄断性生产者，即“某一特定商品的唯一生产者”。某一商品与其他公司生产的其他商品是否不同或同质的问题，不能根据事先对这些商品进行物理或化学方面的比较分析来决定，而总是必须在事后，在未来市场上，根据这些商品从购买公众那里得到的不同或平等的待遇和评价来决定。因此，每一个生产者，无论他的产品是什么，在这个意义上都可以被认为是一个潜在的垄断者，在决策的时候。那么，他和每一位生产者面临的决定是什么呢？他必须决定生产多少商品才能使他的货币收入最大化（假定考虑了其他非货币收入因素）。为了能够做到这一点，他必须决定当有关产品进入市场时，该产品的需求曲线将如何形成，并且他必须考虑生产不同数量的将要生产的商品的各种生产成本。这样做后，他将确定在销售回报（即售出的货物数量乘以价格，减去生产该数量所涉及的生产成本）达到最大值时的生产数量。让我们假设这种情况发生了，垄断者对未来需求曲线的评估碰巧也是正确的，因为他为他的产品寻求的价格确实出清了市场。现在的问题是，这个市场价格是垄断价格还是竞争价格？正如罗斯巴德在他对很多被忽视的垄断问题的开创性分析中所认识到的那样，没有办法知道答案。是为了利用非弹性需求而“限制”生产商品的数量，从而获得垄断价格，还是为了销售扩大到“竞争市场

允许的极限”的商品数量时确定的价格达到了竞争价格?没有办法判定这件事。¹显然,每个生产者总是试图把产量定在一个水平上,在这个水平上,需求会变得有弹性,因此由于支付的价格降低,他的总回报会降低。因此,他选择限制性的实践。同时,根据他对未来需求曲线形状的估计,每个生产者总是试图扩大任何商品的生产,直到边际生产成本(即,在生产另一单位 x 的过程中,在稀缺生产要素的帮助下,不生产一单位替代商品的机会成本)等于在各自的供给水平上期望能够获得的每单位 x 的价格。限制和扩张都是利润最大化和市场价格形成的一部分,这两个方面都不能分开来有效区分垄断行为和竞争行为。

Now,suppose that at the next point of decision making the monopolist decides to reduce the output of the good produced from a previously higher to a new lower level,and assume that he indeed succeeds in securing higher total returns now than at the earlier point in time. Wouldn't this be a clear instance of a monopoly price? Again,the answer must be no. And this time the reason would be the indistinguishability of this reallocational "restriction" from a "normal" reallocation that takes account of changes in demand. Every event that can be interpreted in one way can also be interpreted in the other,and no means for deciding the matter exist,for once again both are essentially two aspects of one and the same thing: of action,of choosing. The same result,i.e.,a restriction in supply coupled not only with higher prices but with prices high enough to increase total revenue from sales,would be brought about if the monopolist who,for example,produces a unique kind of apples faces an increase in the demand for his apples (an upward shift in the demand curve) and simultaneously an even higher increase in demand (an even more drastic upward shift of the demand curve) for oranges. In this situation he would reap greater returns from a reduced output of apples,too,because the previous market price for his apples would have become a subcompetitive price in the meantime. And if he indeed wanted to maximize his profits,instead of simply expanding apple production according to the increased demand,he now would have to use some of the factors previously used for the production of apples for the production of oranges,because in the meantime changes in the system of relative prices would have occurred. However,what if the monopolist

¹ 参见 M. N. 罗斯巴德所著《人、经济与国家》(1970年,洛杉矶)第10章,特别是第604 - 614页。

who restricts apple production does not engage in producing oranges with the now available factors, but instead does nothing with them? Again, all that this would indicate is that besides the increase in demand for apples, in the meantime an even greater increase in the demand for yet another good—leisure (more precisely, the demand for leisure by the monopolist who is also a consumer)—had taken place. The explanation for the restricted apple supply is thus found in the relative price changes of leisure (instead of oranges) as compared with other goods.

现在，假设在下一个决策点，垄断者决定将产品的产量从先前较高的水平降低到一个新的较低的水平，并假设他确实成功地获得了比先前更高的总回报。这难道不是垄断价格的一个明显例子吗？同样，答案肯定是否定的。而这一次的原因将是，这种再分配“限制”与考虑需求变化的“正常”再分配难以区分。每一个可以用一种方式解释的事件也可以用另一种方式解释，并且不存在决定事物的方法，因为两者本质上是同一事物的两个方面：行动的两个方面，选择的两个方面。如果垄断者(例如，生产一种独特的苹果)面临苹果需求的增加(需求曲线向上移动)，同时橙子需求的更大增长(需求曲线向上移动更剧烈)，就会产生同样的结果，即供给限制不仅与更高的价格相结合，而且价格高到足以增加销售总收入。在这种情况下，他也会从减少的苹果产量中获得更大的回报，因为他的苹果之前的市场价格在此期间会变成一个次竞争性价格。如果他真的想最大化利润，而不是简单地根据增加的需求扩大苹果的产量，他现在就必须使用以前用于生产苹果的一些要素来生产橙子，因为与此同时，相对价格体系已经发生变化。然而，如果限制苹果生产的垄断者不利用现有的生产要素生产橙子，而是做什么也不做呢？这再次表明，除了对苹果的需求增加之外，与此同时，对另一种商品的需求也出现了更大的增长——休闲(更准确地说，是垄断者同时也是消费者对休闲的需求)。因此，对苹果供应受限的解释可以从休闲(而不是橘子)与其他商品的相对价格变化中找到。

Neither from the perspective of the monopolist himself nor from that of any outside observer could restrictive action then be distinguished conceptually from normal reallocations which simply follow anticipated changes in demand. Whenever the monopolist engages in restrictive activities which are followed by higher prices, by definition he must use the released factors for another more highly valued purpose, thereby indicating that he adjusts to changes in relative demand. As M. Rothbard sums up,

We cannot use “restriction of production” as the test of monopoly vs.

competitive price. A movement from a subcompetitive to a competitive price also involves a restriction of production of this good, coupled, of course, with an expansion of production in other lines by the released factors. There is no way whatever to distinguish such a restriction and corollary expansion from the alleged “monopoly price” situation. If the restriction is accompanied by increased leisure for the owner of the labor factor rather than increased production of some other good on the market, it is still the expansion of the yield of a consumer good—leisure. There is still no way of determining whether the “restriction” resulted in a “monopoly” or a “competitive” price or to what extent the motive of increased leisure was involved. To define a monopoly price as a price attained by selling a smaller quantity of a product at a higher price is therefore meaningless, since the same definition applies to the “competitive” price as compared with a subcompetitive price.¹⁹

无论是从垄断者自己的角度还是从任何外部观察者的角度来看，限制性行动都无法在概念上与仅仅遵循预期需求变化的正常再分配区分开来。只要垄断者从事限制性活动，随后价格就会上涨，根据定义，他必须将释放出来的要素用于另一个更有价值的目的，从而表明他适应了相对需求的变化。正如罗斯巴德总结的那样：

我们不能用“限制生产”作为垄断与竞争价格的检验标准。从次竞争性价格到竞争性价格的转变也会限制这种商品的生产，当然，由于释放的要素，其他生产线的生产也会扩大。无论如何也无法将这种限制和必然的扩张与所谓的**垄断价格**情况区分开来。如果这种限制伴随着劳动要素所有者闲暇时间的增加，而不是市场上其他某种商品产量的增加，那么它仍然是一种消费品——闲暇时间产量的扩大。仍然没有办法确定**限制**是否导致了“垄断”或“竞争性”价格，也没有办法确定增加闲暇时间的动机涉及到何种程度。因此，将垄断价格定义为以较高价格销售较少数量的产品所获得的价格是没有意义的，因为与次竞争性价格相比，同样的定义也适用于“竞争性”价格。¹

The analysis of the monopoly question, then, provides no reason whatsoever to modify the description given above of the way a pure market economy normally works and its superiority over any sort of socialist or statist system of production. Not only is a process of monopolization highly unlikely to occur, empirically as well as theoretically, but even if it did, from the point of view of the consumers it would be harmless. Within the framework of a market system a restrictive monopolistic price could not be distinguished from a normal price hike stemming from higher demand and changes in

¹ M. N. Rothbard, *Man, Economy and State*, Los Angeles, 1970, p. 607.

relative prices. And as every restrictive action is simultaneously expansionary, to say that the curtailment of production in one production line coupled with an increase in total revenue implies a misallocation of production factors and an exploitation of consumers is simply nonsense. The misunderstanding involved in such reasoning has been accurately revealed in the following passage from one of L. v. Mises' later works in which he implicitly refutes his own above-cited orthodox position regarding the monopoly-price problem. He states:

An entrepreneur at whose disposal are 100 units of capital employs, for instance, 50 units for the production of p and 50 units for the production of q. If both lines are profitable, it is odd to blame him for not having employed more, e.g., 75 units, for the production of p. He could increase the production of p only by curtailing correspondingly the production of q. But with regard to q the same fault could be found with the grumblers. If one blames the entrepreneur for not having produced more p, one must blame him also for not having produced more q. This means: one blames the entrepreneur for the fact that there is scarcity of factors of production and that the earth is not a land of Cockaigne.²⁰

因此，对垄断问题的分析，并没有提供任何理由来修改上述对纯粹市场经济正常运作方式的描述，以及它相对于任何一种社会主义或国家主义生产制度的优越性。不仅从经验和理论上，垄断过程极不可能发生，而且即使发生了，从消费者的角度来看，它也是无害的。在市场体系的框架内，限制性垄断价格与由于需求增加和相对价格变化而引起的正常价格上涨是无法区分的。由于每一项限制行动都同时具有扩张性，所以说一条生产线的减产加上总收入的增加意味着生产要素的错配和对消费者的剥削，这完全是无稽之谈。这种推理所涉及的误解，在米塞斯后期的一篇文章中被准确地揭示出来，他在这篇文章中含蓄地驳斥了自己在垄断价格问题上的上述正统立场。他这样论述：

例如，一个拥有 100 单位资本的企业家，在生产 p 时使用了 50 单位资本，在生产 q 时使用了 50 单位资本。如果两条生产线都是盈利的，那么责怪他没有在生产 p 时使用更多的资本，比如 75 单位资本，就很奇怪了。只有相应地减少 q 的生产，他才能增加 p 的生产。但在 q 的问题上，抱怨者也有同样的错误。如果有人责怪企业家没有生产更多的 p，那么他也必须责怪企业家没有生产更多的 q。这意味着：人们将生产要素稀缺的事实归咎于企业家，认为地

球不是一个柯凯因 (Cockaigne.) 的国度。¹

The monopoly problem as a special problem of markets requiring state action to be resolved does not exist.²¹ In fact, only when the state enters the scene does a real, nonillusory problem of monopoly and monopoly prices emerge. The state is the only enterprise whose prices and business practices can be conceptually distinguished from all other prices and practices, and whose prices and practices can be called "too high" or "exploitative" in a completely objective, nonarbitrary way. These are prices and practices which consumers are not voluntarily willing to pay and accept, but which instead are forced upon them through threats of violence. And only for so privileged an institution as the state is it also normal to expect and to find a permanent process of increasing monopolization and concentration. As compared to all other enterprises, which are subject to the control of voluntarily buying or not-buying consumers, the enterprise "state" is an organization that can tax people and need not wait until they accept the tax, and can impose regulations on the use people make of their property without gaining their consent for doing so. This evidently gives the state, as compared to all other institutions, a tremendous advantage in the competition for scarce resources. If one only assumes that the representatives of the state are as equally driven by the profit motive as anyone else, it follows from this privileged position that the organization "state" must have a relatively more pronounced tendency toward growth than any other organization. And indeed, while there was no evidence for the thesis that a market system would bring about a tendency toward monopolistic growth, the thesis that a statist system would do so is amply supported by historical experience.

垄断问题，作为需要国家行动来解决的市场的一个特殊问题，并不存在。²事实上，只有当国家介入时，一个真实的、非虚幻的垄断和垄断价格问题才会出现。国家是唯一的企业，它的价格和商业行为可以在概念上区别于所有其他的价格和行为，它的价格和行为可以以完全客观的、非任意的方式被称为“过高”或“剥削”。这些价格和做法是消费者不愿意自愿支付和接受的，而是通过暴力威胁强加给他们的。只有对像国家这

¹ 米塞斯，《利润与损失》，载于《计划自由》，南荷兰，1974年，第116页。

² 事实上，从历史上看，政府的反垄断政策几乎完全是在为那些不太成功的竞争者提供所需法律工具，以阻碍其更成功竞争对手的运营。若想查阅大量能证明这一点的案例研究，可参考D. 阿门塔诺所著的《反垄断与垄断》(1982年，纽约)；还有Y. 布罗曾所著的《政府是垄断的根源吗？及其他论文》(1980年，旧金山)。

样享有特权的机构来说，期待和发现一个不断增加的垄断和集中的永久过程才是正常的。与其他所有受消费者自愿购买或不购买控制的企业相比，企业“国家”是一个可以向人们征税的组织，不需要等到他们接受税收，并且可以不征得人们的同意，就对其财产的使用进行管制。这显然使国家在争夺稀缺资源方面比其他所有机构都具有巨大的优势。如果一个人仅仅假设，国家的代表和其他人一样同样受利润动机的驱使，那么从这种特权地位可以得出，“国家”这个组织必然比任何其他组织具有相对更明显的增长趋势。事实上，虽然没有证据证明市场体系会导致垄断增长的趋势，但历史经验充分支持了国家主义体系会导致垄断增长的论点。

第十章 资本主义生产与公共商品问题

Chapter10 Capitalist Production and the Problem of Public Goods

We have tried to demolish socialism on the economic as well as moral fronts. Having reduced it to a phenomenon of exclusively socio-psychological significance, i.e., a phenomenon for whose existence neither good economic nor good moral reasons can be found, its roots were explained in terms of aggression and the corruptive influence that a policy of divide et impera exercises on public opinion. The last chapter returned to economics in order to give the final blows to socialism by engaging in the constructive task of explaining the workings of a capitalist social order as socialism's economically superior rival, ready for adoption at any time. In terms of consumer evaluations, capitalism was indicated as being superior with respect to the allocation of production factors, the quality of the output of goods produced, and the preservation of values embodied in capital over time. The so-called monopoly problem allegedly associated with a pure market system was in fact demonstrated not to constitute any special problem at all. Rather, everything said about the normally more efficient functioning of capitalism is true also with respect to monopolistic producers, as long as they are indeed subject to the control of voluntary purchases or voluntary abstentions from purchases by consumers.

我们试图从经济和道德两个方面摧毁社会主义。在将其归结为一种纯粹具有社会心理意义的现象（一种既找不到良好的经济理由也找不到良好的道德理由的现象）之后，我们又从侵犯和“分而治之”政策对公众舆论的腐蚀性影响的角度来解释其根源。最后一章回到经济学，以建设性的方式解释资本主义社会秩序的运作，将其视为社会主义在经济上更优越的对手，随时可以被采用，从而给社会主义最后一击。就消费者的评价而言，资本主义在生产要素的分配、所生产产品的质量以及资本所体现的价值的长期保存方面都比社会主义更胜一筹。据称与纯粹市场体系相关的所谓垄断问题实际上并不构成任何特殊问题。相反，只要垄断生产者确实受到消费者自愿购买或自愿放弃购买的控制，关于资本主义通常更有效运作的一切说法对于垄断生产者来说也是正确的。

This final chapter will analyze an even more frequently cited special case which allegedly requires one to make qualifying amendments regarding the thesis of the economic

superiority of capitalism: the case of the production of so-called public goods. Considered in particular will be the production of security.

最后一章将分析一个更常被引用的特例，据称它要求我们对资本主义经济优越性的论点进行限定性修正：即所谓公共商品的生产。我们将特别讨论安保的生产。

If what has been stated in the foregoing chapter regarding the working of a market economy is true, and if monopolies are completely harmless to consumers as long as the consumers have the right to boycott them and freely enter the market of competing producers themselves, then one must draw the conclusion that for economic as well as moral reasons, the production of all goods and services should be left in private hands. And in particular it follows that even the production of law and order, justice and peace—those things that one has come to think of as being the most likely candidates for state-provided goods for reasons explained in Chapter 8—should be provided privately, by a competitive market. This indeed is the conclusion that G. de Molinari, a renowned Belgian economist, formulated as early as 1849—at a time when classical liberalism was still the dominant ideological force, and “economist” and “socialist” were generally (and rightly so) considered to be antonyms:

如果上一章关于市场经济运作的论述是正确的，只要消费者有权抵制垄断并自由进入竞争厂商的市场，垄断对消费者就是完全无害的，那么我们就必定得出结论，无论从道德的角度还是出于经济的原因，所有商品和服务的生产都应该留在私人手中。特别是，即使是法律与秩序、正义与和平的生产——由于第 8 章中解释的原因，人们认为这些东西最有可能由国家提供——也应该由竞争性市场私人提供。这的确是著名的比利时经济学家莫利纳里（G. de Molinari）早在 1849 年就提出的结论，当时古典自由主义仍然是占主导地位的意识形态力量，“经济学家”和“社会主义者”通常被认为是反义词（这是正确的）：

If there is one well established truth in political economy, it is this: That in all cases, for all commodities that serve to provide for the tangible or intangible need of the consumer, it is in the consumer's best interest that labor and trade remain free, because the freedom of labor and trade have as their necessary and permanent result the maximum reduction of price. And this: That the interests of the consumer of any commodity whatsoever should always prevail over the interests of the producer. Now, in

pursuing these principles,one arrives at this rigorous conclusion: That the production of security should,in the interest of consumers of this intangible commodity,remain subject to the law of free competition. Whence it follows: That no government should have the right to prevent another government from going into competition with it,or require consumers of security to come exclusively to it for this commodity.¹

如果说政治经济学中有一条公认的真理的话，那就是：在任何情况下，对于满足消费者有形或无形需求的所有商品而言，劳动和贸易保持自由状态符合消费者的最大利益，因为劳动自由和贸易自由的必然和永久结果就是最大限度地降低价格。还有一点：无论什么商品，消费者的利益都应始终高于生产者的利益。根据这些原则，现在我们得出了这样一个严谨的结论：为了这种无形商品的消费者的利益，安保的生产应该继续服从自由竞争的法则。由此可见：任何政府都无权阻止另一个政府与之竞争，也无权要求安保的消费者只向其购买这种商品。¹

And he comments on this argument by saying: "Either this is logical and true,or else the principles on which economic science is based are invalid."

他对这一论点的评论是：“要么这是合乎逻辑的，正确的，要么经济科学所依据的原则是无效的。”

There is apparently only one way out of this unpleasant (for all socialists,that is) conclusion: to argue that there are particular goods to which for some special reasons the above economic reasoning does not apply. It is this that the so-called public goods theorists are determined to prove.² However,we will demonstrate that in fact no such special goods or special reasons exist,and that the production of security in particular does not pose any problem different from that of the production of any other good or service,be it houses,cheese,or insurance. In spite of its many followers,the whole public goods theory is faulty,flashy reasoning,ridden with internal inconsistencies,nonsequiturs,appealing to and playing on popular prejudices and assumed beliefs,but with no scientific merit whatsoever.³

显然，要摆脱这一令人不快的(对所有社会主义者来说)结论，显然只有一个办法：那就是论证存在着一些特殊的商品，由于某些特殊原因，上述经济学推理并不适用于这些

¹ G. 德·莫利纳里，《安保的生产》，自由意志主义研究中心，不定期论文第 2 号，纽约，1977 年，第 3 页。

商品。所谓的公共商品理论家决心要证明的正是这一点。¹然而，我们将证明，事实上不存在这样的特殊商品或特殊原因，特别是安保的生产不会有别于任何其他商品或服务的生产，无论是房屋、奶酪还是保险。公共商品理论有许多追随者，但该理论整体都是错误的。它用那些浮华的推理、自我矛盾的陈述、不合逻辑的演绎、富有吸引力的偏见、肤浅流行的信念——哗众取宠，却谬误百出，毫无科学价值。²

What, then, does the "escape route" that socialist economists have found in order to avoid drawing Molinari's conclusion look like? Since Molinari's time it has become increasingly common to answer the question of whether there are goods to which different sorts of economic analyses apply in the affirmative. As a matter of fact, nowadays it is almost impossible to find a single economic text-book that does not make and stress the vital importance of the distinction between private goods, for which the truth of the economic superiority of a capitalist order of production is generally admitted, and public goods, for which it is generally denied. 4 Certain goods or services, and among them, security, are said to have the special characteristic that their enjoyment cannot be restricted to those persons who have actually financed their production. Rather, people who have not participated in their financing can draw benefits from them, too. Such goods are called public goods or services (as opposed to private goods or services, which exclusively benefit those people who actually paid for them). And it is due to this special feature of public goods, it is argued, that markets cannot produce them, or at least not in sufficient quantity or quality, and hence compensatory state action is required. 5 The examples given by different authors for alleged public goods vary widely. Authors often classify the same good or services differently, leaving almost no classification of a particular good undisputed. 6 This clearly

¹ 关于公共商品理论家的各种理论方法，可参见：J. 布坎南和 G. 塔洛克所著《同意的计算》（安阿伯，1962年）；J. 布坎南所著《公共财政》（霍姆伍德，1970年）以及《自由的限度》（芝加哥，1975年）；G. 塔洛克所著《私人欲望，公共手段》（纽约，1970年）；M. 奥尔森所著《集体行动的逻辑》（纽约，1965年）；W. 鲍莫尔所著《福利经济学与国家理论》（剑桥，1952年）。

² 关于以下内容，可参见 M. N. 罗斯巴德所著《人、经济与国家》（1970年，洛杉矶，第883页及后续内容）；以及发表于《卡托杂志》1981年刊的《中性税收的神话》；W. 布洛克发表于《自由意志主义研究期刊》1979年刊的《自由市场交通：道路去国有化》；还有发表于《自由意志主义研究期刊》1983年刊的《公共商品与外部性：以道路为例》。

foreshadows the illusory character of the whole distinction. None-theless, some examples that enjoy particularly popular status as public goods are the fire brigade that stops a neighbor's house from catching fire, thereby letting him profit from my fire brigade, even though he did not contribute anything to financing it; or the police that by walking around my property scare away potential burglars from my neighbor's property as well, even if he did not help finance the patrols; or the lighthouse, a particularly dear example to economists,⁷ that helps ships find their way, even though they did not contribute a penny to its construction or upkeep.

那么，社会主义经济学家为避免得出莫利纳里的结论而找到的“逃避之路”是什么样的呢？自莫里纳里时代以来，人们越来越普遍地对“是否存在适用于不同经济分析的商品”这一问题作出肯定的回答。事实上，现在几乎很难找到一本经济学教科书不强调区分私人商品和公共商品的极端重要性。人们普遍承认资本主义生产体系在经济上的优越性，而在公共商品上，则普遍否认这一点。¹ 某些商品或服务，其中包括安保，据说具有特殊性，即它们的享受不能局限于那些实际为其生产提供资金的人。相反，没有参与出资的人也可以从中受益。这些商品被称为公共商品或服务（与私人商品或服务相反，后者只惠及那些实际为其付费的人）。有人认为，正是由于公共商品的这种特殊性，市场无法生产它们，或者至少不能以足够的数量或质量生产它们，因此需要国家采取补偿行动。至于所谓的公共商品到底包括些什么，莫衷一是。² 公共商品的主

¹ 例如，可参考 W. 鲍莫尔与 A. 布林德所著的《经济学：原理与政策》（1979 年，纽约）第 31 章。

² 公共商品的另一个常用标准是“非竞争性消费”。一般来说，这两个标准似乎是一致的：当无法排除搭便车者时，非竞争性消费就有可能实现；而当能够排除搭便车者时，消费就具有竞争性，至少看起来是这样。然而，正如公共商品理论家所主张的，这种一致性并非绝对。他们认为，可以想象这样一种情况：虽然有可能排除搭便车者，但让他们加入可能不会产生任何额外成本（也就是说，允许搭便车者使用的边际成本为零），而且新加入的搭便车者对该产品的消费不一定会导致其他人可消费的产品数量减少。这样的产品也属于公共商品。由于在自由市场上会实行排除措施，该产品无法供所有人进行非竞争性消费——尽管这并不需要额外成本——按照国家社会主义者的逻辑，这就证明了市场失灵，即消费处于次优水平。因此，国家必须接管此类产品的供应。（例如，一家电影院可能只坐了一半的人，所以免费让更多观众入场可能“没有成本”，而且他们观看电影也可能不会影响付费观众；因此，电影可被视为公共商品。然而，由于影院老板会采取排除措施，而不是让搭便车者免费观看“无成本”的演出，所以电影院就具备了国有化的条件。）关于用非竞争性消费来定义公共商品所涉及的诸多谬误，可参见下文注释 12 和 16。

张者经常会把同一种商品划分到不同的分类栏目之下，¹ 而每一种划分都是争议不断。很魔幻吧？连怎么分类和分成什么类型都没法达成一致，这显然预示了整个区别的虚幻性质。尽管如此，有一些“公共商品”好像特别受欢迎，比如我为消防队付费，消防队去扑灭邻居家的房屋火灾，即使邻居没付费；再如我付费的警察在我房产周围巡逻，吓走了邻居家潜在的入室行窃者，即使他没有为巡逻付费；还有灯塔，这可是经济学家特别喜欢的一个例子，它帮助船只找到航道，即使那些船主没有为灯塔建造或维护出一分钱。²

Before continuing with the presentation and critical examination of the theory of public goods let us investigate how useful the distinction between private and public goods is in helping decide what should be produced privately and what by the state or with state help. Even the most superficial analysis could not fail to point out that using this alleged criterion, rather than presenting a sensible solution, would get one into deep trouble. While at least at first glance it seems that some of the state-provided goods and services might indeed qualify as public goods, it certainly is not obvious how many of the goods and services that are actually produced by states could come under the heading of public goods. Railroads, postal services, telephone, streets, and the like seem to be goods whose usage can be restricted to the persons who actually finance them, and hence appear to be private goods. And the same seems to be the case regarding many aspects of the multidimensional good “security”: everything for which insurance could be taken out would have to qualify as a private good. Yet this does not suffice. Just as a lot of state-provided goods appear to be private goods, so many privately produced goods seem to fit in the category of a public good. Clearly my neighbors would profit from my well-kept rose garden—they could enjoy the sight of it without ever helping me garden. The same is true of all kinds of improvements that I could make on my property that would enhance the value of neighboring property as well. Even those people who do not throw money in his hat could profit from a street musician’s performance. Those fellow travellers on the bus who did not help me buy it

¹ 关于此点，可参考 W. 布洛克发表于《自由意志主义研究期刊》1983 年刊的《公共商品与外部性》。

² 例如，可参考 J. 布坎南所著《公共财政》（1970 年，霍姆伍德），第 23 页；P. 萨缪尔森所著《经济学》（1976 年，纽约），第 160 页。

profit from my deodorant. And everyone who ever comes into contact with me would profit from my efforts,undertaken without their financial support,to turn myself into a most lovable person. Now,do all these goods — rose gardens,property improvements,street music,deodorants,personality improvements—since they clearly seem to possess the characteristics of public goods,then have to be provided by the state or with state assistance?

在继续对公共商品理论进行介绍和批判性研究之前，让我们先来探讨一下私人产品和公共商品之间的区别，这些区别在帮助决定哪些产品应由私人生产，哪些产品应由国家生产或在国家扶持下生产有多大作用。即使是最肤浅的分析也不得不指出，使用这一所谓的标准，非但不会提出合理的解决方案，反而会让人陷入深深的麻烦之中。好像乍一看，一些国家提供的商品和服务可能确实符合公共商品的条件。但实际上，到底有哪些由国家生产的商品和服务应归类入“公共商品”，这一界限却并不明确。铁路、邮政、电话、街道等似乎都是商品，只能由实际为其提供资金的人使用，因此似乎是私人商品。多维物品“安保”的许多方面似乎也是如此：可以购买保险的一切物品都必须符合私人商品的条件。然而，这还不够。正如许多国家提供的产品似乎是私人产品一样，许多私人生产的产品似乎也属于公共商品的范畴。很明显，我的邻居们会从我精心打理的玫瑰花园中获益——他们可以享受花园的美景，而不必帮我打理花园。同样的道理也适用于我对自己的房产所做的各种改进，这些改进也会提高相邻房产的价值。即使那些不向街头音乐家的帽子里投钱的人也能从他的表演中受益。公车上那些没帮我买体香剂的乘客，也从中受益。每个和我接触的人都会从我的努力中获益，在没有他们经济支持的情况下，我努力把自己变成一个最可爱的人。那么，所有这些东西——玫瑰花园、房产改善、街头音乐、体香剂、个性改善——既然它们明显地具有公共商品的特征，那么是否必须由国家提供或在国家的帮助下提供？

As these latter examples of privately produced public goods indicate,there is something seriously wrong with the thesis of public goods theorists that these goods cannot be produced privately but instead require state intervention. Clearly they can be provided by markets. Furthermore,historical evidence shows us that all of the alleged public goods which states now provide had at some time in the past actually been provided by private entrepreneurs or even today are so provided in one country or another. For example,the postal service was once private almost everywhere; streets were privately financed and still are sometimes; even the beloved lighthouses were originally the result of private enterprise; 8 private police forces,detectives,and arbitrators exist; and

help for the sick,the poor,the elderly,orphans,and widows has been a traditional field for private charity organizations. To say,then,that such things cannot be produced by a pure market system is falsified by experience one hundredfold.

正如后面列举的这些私人生产公共商品的例子所表明的那样，公共商品理论家的论点存在严重错误，他们认为这些产品不能私人生产，而是需要国家干预。显然，它们可以由市场提供。此外，历史证据告诉我们，国家现在提供的所有所谓的公共商品，在过去的某个时期实际上是由私人企业家提供的，甚至今天在某些国家也是如此。例如，几乎所有地方的邮政服务曾经都是私营的；街道是私人出资的，现在有些地方仍然是这样；甚至人们喜爱的灯塔最初也是私营企业的产物；¹ 私人警察部队、私家侦探和私人仲裁员古已有之；帮助病人、穷人、老人、孤儿和寡妇一直是私人慈善组织的传统领域。因此，说纯粹的市场体系不能产生这些东西，是被经验千百次地证伪了的。

Apart from this,other difficulties arise when the public-private goods distinction is used to decide what to leave to the market and what not. What,for instance,if the production of so-called public goods did not have positive but negative consequences for other people,or if the consequences were positive for some and negative for others? What if the neighbor whose house was saved from burning by my fire brigade had wished (perhaps because he was overinsured) that it had burned down,or my neighbors hate roses,or my fellow travellers find the scent of my deodorant disgusting? In addition,changes in the technology can change the character of a given good. For example,with the development of cable TV,a good that was formerly (seemingly) public has become private. And changes in the laws of property—of the appropriation of property—can have the very same effect of changing the public-private character of a good. The lighthouse,for instance,is a public good only insofar as the sea is publicly (not privately) owned. But if it were permitted to acquire pieces of the ocean as private property,as it would be in a purely capitalist social order,then as the light-house only shines over a limited territory,it would clearly become possible to exclude nonpayers from the enjoyment of its services.

除此之外，当有人主张以“公共商品—私人商品”的区别来划清界限，决定什么事情可

¹ 参见 R. 科斯发表于《法律与经济学杂志》1974 年刊的《经济学中的灯塔》

以留给市场，什么事情不留给市场时，他会遇到更多的其他困难。例如，如果所谓的公共商品的生产对其他人没有积极的而是消极的后果，或者如果对一些人是积极的而对另一些人是消极，那么是该留给市场呢？还是不该留给市场呢？如果被我的消防队从大火中救出来的邻居(也许是因为他超额投保)希望房子被烧毁，或者我的邻居讨厌玫瑰，或者我的同伴发现我的体香剂气味令人作呕，那该怎么办？此外，技术的变化可以改变特定商品的特性。例如，随着有线电视的发展，以前（看似）公共的物品变成了私人商品。（译者注：以前的电视是无线信号，不付钱也可以收看，而现在变成有线电视就要付费了，公共商品变成了私人产品）。财产法——财产占有法——的变化也会改变物品的公私性质。例如，灯塔是一种公共商品，但前提是海域为公有（而非私有）。但是，如果允许灯塔像在纯粹的资本主义社会秩序中那样，获得海洋的一部分作为私有财产，那么由于灯塔只能照亮有限的区域，显然就有可能将非付费者排除在享受灯塔服务之外。

Leaving this somewhat sketchy level of discussion and looking into the distinction between private and public goods more thoroughly, it turns out to be a completely illusory distinction. A clear-cut dichotomy between private and public goods does not exist, and this is essentially why there can be so many disagreements on how to classify given goods. All goods are more or less private or public and can—and constantly do—change with respect to their degree of privateness/publicness with people's changing values and evaluations, and with changes in the composition of the population. They never fall, once and for all, into either one or the other category. In order to recognize this, one must only recall what makes something a good. For something to be a good it must be realized and treated as scarce by someone. Something is not a good-as-such, that is to say, but goods are goods only in the eyes of the beholder. Nothing is a good without at least one person subjectively evaluating it as such. But then, since goods are never goods—as-such—since no physico-chemical analysis can identify something as an economic good—there is clearly no fixed, objective criterion for classifying goods as either private or public. They can never be private or public goods as such. Their private or public character depends on how few or how many people consider them to be goods, with the degree to which they are private or public changing as these evaluations change, and ranging from one to infinity. Even seemingly completely private things like the interior of my apartment or the color of my underwear thus can become public goods as soon as somebody else starts caring about

them.⁹And seemingly public goods,like the exterior of my house or the color of my overalls,can become extremely private goods as soon as other people stop caring about them. Moreover,every good can change its characteristics again and again; it can even turn from a public or private good to a public or private bad and vice versa,depending solely on the changes in this caring or uncaring. However,if this is so,no decision whatsoever can be based on the classification of goods as private or public. ¹⁰In fact,to do so it would not only become necessary to ask virtually every individual person with respect to every single good whether or not he happened to care about it,positively or negatively and perhaps to what extent,in order to determine who might profit from what and should hence participate in its financing. (And how could one know if they were telling the truth?) It would also become necessary to monitor all changes in such evaluations continually,with the result that no definite decision could ever be made regarding the production of anything,and as a consequence of a nonsensical theory all of us would be long dead.¹¹

抛开这种较为粗略的讨论层面，更深入地探究私人商品与公共商品之间的区别，就会发现这一区别完全是虚幻的。私人商品与公共商品之间并不存在明确的二分法，这本质上就是为何在如何对特定商品进行分类的问题上会存在如此多分歧的原因。所有商品或多或少都兼具私有或公共属性，并且会随着人们价值观与评价的变化，以及人口构成的改变，在私有/公有程度方面不断发生变化。商品永远不会一劳永逸地归属于某一类。要认识到这一点，只需回想一下是什么让某物成为商品。要使某物成为商品，必须有人意识到它是稀缺的并将其视为稀缺之物。也就是说，不存在**纯粹的商品**，商品只是在观察者眼中才成为商品。如果没有至少一个人主观地将其评价为商品，那就不成其为商品。但是，由于商品从来都不是**纯粹的商品**——因为没有任何物理化学分析能够将某物确定为经济商品——显然也就不存在固定、客观的标准来将商品划分为私人商品或公共商品。商品本身绝非私人商品或公共商品。其私有或公共属性取决于有多少人（或多少人认为它们是商品），随着这些评价的变化，其私有或公共程度也会发生变化，范围从一人到无数人不等。因此，即使看似完全私密的事物，比如我公寓的内部布置或我内衣的颜色，一旦有其他人开始在意，就可能成为公共商品。¹ 而

¹ 例如，具有讽刺意味的是，w·布洛克在1983年《自由意志主义研究杂志》上发表的“公共商品和外部性”一文中说，袜子是公共商品。

看似公共商品的东西，比如我房子的外观或者我工作服的颜色，一旦其他人不再在意，就可能变成极其私人的商品。此外，每一种商品的特性都可能反复变化；它甚至可以从公共商品或私人商品变成公共坏事或私人坏事，反之亦然，这完全取决于人们在意或不在意的态度变化。然而，如果情况确实如此，那就没有任何决策能够基于商品是私人的还是公共的这种分类来做出。¹事实上，要做到这一点，不仅几乎有必要针对每一样商品去询问每一个人，问他是否碰巧在意这件商品，是持肯定还是否定态度，或许还要问在意到什么程度，以便确定谁可能从什么中获益，进而确定谁应该参与其资金筹集。（而且又怎么能知道他们说的是不是实话呢？）还必须持续监测这些评价的所有变化，结果就是，关于任何事物的生产都永远无法做出明确的决策，而由于这样一种荒谬的理论，我们所有人早就已成冢中枯骨。²

But even if one were to ignore all these difficulties, and were willing to admit for the sake of argument that the private-public good distinction did hold water, even then the argument would not prove what it is supposed to. It neither provides conclusive reasons why public goods—assuming that they exist as a separate category of goods—should be produced at all, nor why the state rather than private enterprises should produce them. This is what the theory of public goods essentially says, having introduced the above-mentioned conceptual distinction: The positive effects of public goods for people who do not contribute anything to their production or financing proves that

¹ 为了避免误解，每一个单独的生产者和每一个联合决策的生产者协会都可以在任何时候根据对商品的隐私性或公共性的评估来决定是否生产一种商品。事实上，是否私人生产公共商品的决定一直是在市场经济的框架内做出的。不可能的是，根据对一种商品的隐私程度或公开程度的评估，来决定是否忽视自由市场运作的结果。

² 因此，事实上，引入私人产品和公共商品之间的区别是回到前主观主义时代的经济学。从主观主义经济学的观点来看，不存在可以客观地划分为私人或公共的好。这基本上就是为什么提议的关于公共商品的第二个标准，即允许非竞争性消费（见上文附注6）也失效的原因。因为任何一个外部的观察者怎么能确定一个额外的免费搭便车者的准入是否真的会导致其他人对一种商品的享受减少呢？显然，他不可能客观地做到这一点。事实上，如果允许更多的人进入电影院或上路，很可能会大大降低一个人看电影或在路上开车的乐趣。再一次，要弄清楚情况是否如此，我们必须询问每个人——并不是每个人都同意。（什么？）此外，由于即使是允许非竞争性消费的商品也不是免费商品，因此，由于允许额外的搭便车者“拥挤”最终会发生，因此每个人都必须被问及适当的“边际”。此外，我的消费可能会受到影响，也可能不会，这取决于谁是免费入场的，所以我也必须被问及这个问题。最后，随着时间的推移，每个人都可能改变对所有这些问题的看法。因此，以同样的方式，不可能根据非竞争性消费标准和非排他性标准来决定一种商品是否适合国家（而不是私人）生产。（另参看下文脚注16）。

these goods are desirable. But evidently,they would not be produced,or at least not in sufficient quantity and quality,in a free,competitive market,since not all of those who would profit from their production would also contribute financially to make the production possible. So in order to produce these goods (which are evidently desirable,but would not be produced otherwise),the state must jump in and assist in their production. This sort of reasoning,which can be found in almost every textbook on economics (Nobel laureates not excluded) is completely fallacious,and fallacious on two counts.

但即便有人愿意忽略所有这些难题，且为便于讨论而承认公私商品的区分站得住脚，即便如此，该论点也无法证明其想要证明的内容。它既没有给出确凿理由，说明为何公共商品（假设它们作为一类独立的商品存在）就一定要被生产出来，也没有说明为何应由国家而非私人企业来生产这些商品。这就是公共商品理论在引入上述概念区分后本质上所表达的观点：对于那些未对公共商品的生产或融资做出任何贡献的人而言，公共商品所产生的积极影响，证明了这些商品是人们所需要的。但显然，在自由竞争的市场中，这些商品不会被生产出来，或者至少不会以足够的数量和质量被生产出来，因为并非所有能从其生产中获利的人都会在资金上助力生产。所以，为了生产这些商品（显然是人们所需要的，否则就不会被生产出来），国家必须介入并助力其生产。这种推理几乎在每一本经济学教材中都能找到（诺贝尔奖得主所著教材也不例外¹），但它完全是错误的，且错在两个方面。

For one thing,to come to the conclusion that the state has to provide public goods that otherwise would not be produced,one must smuggle a norm into one's chain of reasoning. Otherwise,from the statement that because of some special characteristics of theirs certain goods would not be produced,one could never reach the conclusion that these goods should be produced. But with a norm required to justify their conclusion,the public goods theorists clearly have left the bounds of economics as a positive,wertfrei science. Instead they have transgressed into the field of morals or ethics,and hence one would expect to be offered a theory of ethics as a cognitive

¹ 参见 P. 萨缪尔森发表于《经济学与统计学评论》1954 年刊的《公共支出的纯理论》，以及他所著《经济学》（1976 年，纽约）第 8 章；M. 弗里德曼所著《资本主义与自由》（芝加哥）。

discipline in order for them to legitimately do what they are doing and to justifiably derive the conclusion that they actually derive. But it can hardly be stressed enough that nowhere in the public goods theory literature can there be found anything that even faintly resembles such a cognitive theory of ethics. ¹³ Thus it must be stated at the outset, that the public goods theorists are misusing whatever prestige they might have as positive economists for pronouncements on matters on which, as their own writings indicate, they have no authority whatsoever. Perhaps, though, they have stumbled on something correct by accident, without supporting it with an elaborate moral theory? It becomes apparent that nothing could be further from the truth as soon as one explicitly formulates the norm that would be needed to arrive at the above-mentioned conclusion about the state's having to assist in the provision of public goods. The norm required to reach the above conclusion is this: whenever it can somehow be proven that the production of a particular good or service has a positive effect on someone but would not be produced at all, or would not be produced in a definite quantity or quality unless others participated in its financing, then the use of aggressive violence against these persons is allowed, either directly or indirectly with the help of the state, and these persons may be forced to share in the necessary financial burden. It does not need much comment to show that chaos would result from implementing this rule, as it amounts to saying that everyone can aggress against everyone else whenever he feels like it. Moreover, it should be sufficiently clear from the discussion of the problem of the justification of normative statements (Chapter 7) that this norm could never be justified as a fair norm. For to argue in that way and to seek agreement for this argument must presuppose, contrary to what the norm says, that everyone's integrity as a physically independent decision-making unit is assured.

一方面，要得出国家必须提供那些否则就不会被生产出来的公共商品这一结论，就必须在推理过程中暗自引入一种规范。否则，仅从某些商品因其具有特殊属性就不会被生产这一陈述出发，永远无法得出这些商品应该被生产的结论。但是，由于需要一种规范来证明其结论的合理性，公共商品理论家们显然已经超出了经济学作为一门实证的、价值中立的科学的范畴。相反，他们已经涉足道德或伦理领域，因此，人们会期望他们提供一种作为认知学科的伦理学理论，以便他们能合理地去正在做的事情，并合理地得出他们实际得出的结论。然而，怎么强调都不为过的是，在公共商品理论

文献中，找不到任何哪怕是稍有类似这种认知伦理学理论的内容。¹ 因此，必须一开始就表明，公共商品理论家们滥用了他们身为实证经济学家可能享有的任何声望，就某些问题发表见解，然而，正如他们自己的著述所显示的，他们在这些问题上毫无权威可言。或许，他们无意间偶然发现了某些正确的观点，只是未能以详尽的道德理论加以支撑？但一旦明确阐述得出上述有关国家必须协助提供公共商品这一结论所需的规范，就会清晰地认识到事实并非如此。得出上述结论所需的规范如下：只要能以某种方式证明，生产某种特定商品或服务对某些人具有积极影响，但除非其他人参与融资，否则该商品或服务根本不会被生产，或者不会以特定的数量或质量进行生产，那么就允许直接或借助国家间接对这些人使用暴力胁迫手段，并且可以强迫这些人分担必要的经济负担。无需过多阐释就能明白，实施这条规则将会引发混乱，因为这等

¹ 近年来，经济学家，特别是所谓的芝加哥学派的经济学家，越来越关注对产权的分析(参见:H.德姆塞茨,《产权的交换与执行》,载于《法律与经济学杂志》,1964年;《走向产权理论》,载于《美国经济评论》,1967年;R.科斯,《社会成本问题》,载于:A.阿尔奇安:《起作用的经济力量》,印第安纳波利斯,1977年,第2部分;R.波斯纳:《法律的经济分析》,波士顿,1977年)。然而,这样的分析与伦理无关。相反,它们代表了用经济效率考虑取代建立正当伦理原则的尝试(关于对这种努力的批评,参见M. N.罗斯巴德,《自由伦理学》,大西洋高地1982年,第26章;W.布洛克,《科斯和德姆塞茨论私有财产权》,载于《自由意志主义研究杂志》,1977年;R.德沃金,《财富是一种价值吗》,载于《法律研究杂志》,1980年;M. N.罗斯巴德,《效率的神话》,载于:M. Rizzo(编),《时间、不确定性和不平衡》,列克星敦,1979年)。最终,所有关于效率的争论都是无关紧要的,因为根本不存在非任意的方法来衡量、权衡和汇总某些特定产权分配所产生的个人效用或负面效用。因此,任何试图根据所谓的“社会福利”最大化来推荐某种特定的产权分配制度的尝试都是伪科学的骗局(特别是,M. N.罗斯巴德,“走向效用和福利经济学的重建”,自由主义研究中心,偶尔论文第3期,纽约,1977年;还有,L.罗宾斯,“经济学和政治经济学”,《美国经济评论》,1981年)。

布坎南(J. Buchanan)和图洛克(G. Tullock)继维克塞尔(K. Wick-sell)(《金融理论》,耶拿,1896)之后,多次提出作为经济政策指南的“一致原则”也不应与伦理原则相混淆。根据这一原则,只有能够获得一致同意的政策变化才应该颁布——这当然听起来很有吸引力;但是,经过必要修改后,它还决定,如果对任何改革建议没有达成一致意见,就应保持现状——这听起来远没有吸引力,因为它意味着任何给定的、关于产权分配的现状必须是合法的,或者作为起点,或者作为未来的状态。然而,公共选择理论家并没有为这一大胆的主张提供规范的产权理论依据。因此,一致原则最终是没有伦理基础的。事实上,因为它将使任何可能的现状合法化,布坎南主义者最赞成的原则作为道德标准是完全荒谬的(参见M. N.罗斯巴德,《自由伦理》,大西洋高地,1982年,第26章;以及《中性税收的神话》,《卡托杂志》,1981年,第549f页)。

布坎南和图洛克再次追随维克塞尔的领导,在一致同意原则下留下了什么,然后通过将其简化为“相对”或“准”一致同意原则而放弃了。

同于宣称，只要任何人乐意，就可以对他人实施侵犯。此外，从有关规范陈述正当性问题的讨论（第7章）中应足以明确，这条规范绝无可能作为公平的规范获得正当性证明。因为以这种方式进行论证并寻求他人对该论证的认同，必然与该规范的内容相悖，预先假定了每个人作为物理上独立的决策主体的完整性是有保障的。

But the public goods theory breaks down not just because of the faulty moral reasoning implied in it. Even the utilitarian, economic reasoning contained in the above argument is blatantly wrong. As the public goods theory states, it might well be that it would be better to have the public goods than not to have them, though it should not be forgotten that no a priori reason exists that this must be so of necessity (which would then end the public goods theorists' reasoning right here). For it is clearly possible, and indeed known to be a fact, that anarchists exist who so greatly abhor state action that they would prefer not having the so-called public goods at all to having them provided by the state!¹⁴ In any case, even if the argument is conceded so far, to leap from the statement that the public goods are desirable to the statement that they should therefore be provided by the state is anything but conclusive, as this is by no means the choice with which one is confronted. Since money or other resources must be withdrawn from possible alternative uses to finance the supposedly desirable public goods, the only relevant and appropriate question is whether or not these alternative uses to which the money could be put (that is, the private goods which could have been acquired but now cannot be bought because the money is being spent on public goods instead) are more valuable—more urgent—than the public goods. And the answer to this question is perfectly clear. In terms of consumer evaluations, however high its absolute level might be, the value of the public goods is relatively lower than that of the competing private goods, because if one had left the choice to the consumers (and had not forced one alternative upon them), they evidently would have preferred spending their money differently (otherwise no force would have been necessary). This proves beyond any doubt that the resources used for the provision of public goods are wasted, as they provide consumers with goods or services which at best are only of secondary importance. In short, even if one assumed that public goods which can be distinguished clearly from private goods existed, and even if it were granted that a given public good might be useful, public goods would still compete with private goods. And there is only one method for finding out whether or not they are more urgently desired

and to what extent,or,mutatis mutandis,if,and to what extent,their production would take place at the expense of the nonproduction or reduced production of more urgently needed private goods: by having everything provided by freely competing private enterprises. Hence,contrary to the conclusion arrived at by the public goods theorists,logic forces one to accept the result that only a pure market system can safeguard the rationality,from the point of view of the consumers,of a decision to produce a public good. And only under a pure capitalist order could it be ensured that the decision about how much of a public good to produce (provided it should be produced at all) is rational as well. 15No less than a semantic revolution of truly Orwellian dimensions would be required to come up with a different result. Only if one were willing to interpret someone's "no" as really meaning "yes," the "non-buying of something" as meaning that it is really "preferred over that which the nonbuying person does instead of non-buying," of "force" really meaning "freedom," of "noncontracting" really meaning "making a contract" and so on,could the public goods theorists' point be "proven."16 But then,how could we be sure that they really mean what they seem to mean when they say what they say,and do not rather mean the exact opposite,or don't mean anything with a definite content at all,but are simply babbling? We could not! M. Rothbard is thus completely right when he comments on the endeavors of the public goods ideologues to prove the existence of so-called market failures due to the nonproduction or a quantitatively or qualitatively "deficient" production of public goods. He writes,"... such a view completely misconceives the way in which economic science asserts that free-market action is ever optimal. It is optimal,not from the standpoint of the personal ethical views of an economist,but from the standpoint of free,voluntary actions of all participants and in satisfying the freely expressed needs of the consumers. Government interference,therefore,will necessarily and always move away from such an optimum."17

但公共商品理论站不住脚，不仅是因为其中隐含的道德推理存在缺陷。即便上述论点中包含的功利主义经济推理，也明显有误。正如公共商品理论所言，拥有公共商品或许确实比没有要好，不过不应忘记，并没有先验的理由表明必然如此（若有，公共商品理论家的推理至此便可结束）。因为显然有可能，而且事实上也确有这样的情况，即存在一些无政府主义者，他们极其厌恶国家行为，以至于比起由国家来提供所谓的公

共商品，他们宁愿根本不要这些商品！¹ 无论如何，即便暂且认可这一论证至此的观点，从“公共商品可取”的表述直接跳跃到“因此公共商品应由国家提供”的表述，绝不是确凿无疑的，因为这绝非人们面临的唯一选择。由于必须从其他可能的用途中抽离资金或其他资源，来为所谓可取的公共商品提供资金支持，唯一相关且恰当的问题是，这些资金原本可投入的其他用途（即本可购置但因资金用于公共商品而无法购买的私人物品），是否比公共商品更有价值——更为紧迫。而这个问题的答案十分明确。从消费者评估的角度来看，无论公共商品的绝对价值有多高，其相对价值都低于与之竞争的私人物品，因为倘若将选择权留给消费者（而非将一种选择强加于他们），显然他们会倾向于以不同方式支配自己的金钱（否则就无需施加外力）。这无疑证明，用于提供公共商品的资源被浪费了，因为它们为消费者提供的商品或服务充其量仅具有次要重要性。简而言之，即便假定存在能与私人物品明确区分的公共商品，并且即便承认某一特定公共商品可能有用，公共商品仍会与私人物品竞争。而只有一种方法能确定它们是否更受迫切需求以及需求程度如何，或者相应地，确定其生产是否会以牺牲更急需的私人物品的不生产或减产为代价以及牺牲程度如何：即让所有商品都由自由竞争的私人企业来提供。因此，与公共商品理论家得出的结论相反，逻辑迫使我们接受这样一个结果：从消费者的角度来看，只有纯粹的市场体系才能保障生产公共商品这一决策的合理性。并且只有在纯粹的资本主义秩序下，才能确保关于生产多少公共商品（假设确实应该生产）的决策也是合理的。² 要得出不同的结果，无异于需要一场真

¹ 参见 M.N. 罗斯巴德：《中性税收的神话》，《卡托杂志》，1981 年，第 533 页。顺便说一句，一个无政府主义者的存在也使所有将帕累托最优作为经济上合法的国家行为标准的参考无效。

² 从本质上讲，导致人们拒绝以非排他性标准定义的公共商品的所谓独特性为基础的社会主义国家主义理论，同样适用于以非竞争性消费标准来定义这些产品的情况（参见上文注释 6 和 12）。一方面，为了从允许非竞争性消费的商品不会在自由市场上提供给尽可能多的消费者这一事实的陈述中推导出它们应该如此提供的规范性陈述，这一理论将面临要求合理伦理的完全相同的问题。此外，功利主义的推理也是明显错误的。正如公共商品理论家所做的那样，将搭便车者排除在以零边际成本允许非竞争性消费的商品享受之外的自由市场实践，将表明社会福利的次优水平，因此需要补偿性国家行动，这在两个相关方面是错误的。首先，成本是一个主观范畴，任何外部观察者都无法客观地衡量成本。因此，说可以免费接纳更多的搭便车者是完全不能接受的。事实上，如果免费接纳更多消费者的主观成本确实为零，那么上述商品的私人所有者兼生产者就会这么做。如果他不这样做，这表明相反，他的成本不是零。这样做的原因可能是他认为这样做会降低其他消费者的满意度，从而倾向于降低他的产品的价格；或者可能仅仅是他不喜欢不请自来的搭便车者，例如，当我反对把我那不足的客厅让给各种各样的自我邀请的客人进行非竞争性消费时。无论如何，既然无论出于何种原因，成本都不能假定为零，那么，当某些商品没有免费发放时，谈论市场失灵是错误的。

正具有奥威尔式规模的语义革命。只有当人们愿意将某人的“不”理解为实际上是“是”，将“不购买某物”理解为实际上是“相对于不购买者所做的其他事情，更偏好此物”，将“强制”理解为实际上是“自由”，将“不订立契约”理解为实际上是“订立契约”等等，公共商品理论家的观点才可能被“证明”。¹ 但这样一来，我们又怎能确定他们所说的话，其真正意图就如表面所呈现的那样，而不是恰恰相反，或者根本没有任何确切含义，只是在胡言乱语呢？我们无法确定！因此，M. 罗斯巴德在评论公共商品理论家试图证明因公共商品不生产或在数量、质量上“不足”的生产而导致所谓市场失灵的努力时，完全正确。他写道：“…… 这种观点完全误解了经济科学所主张的自由市场行为始终最优的方式。这种最优并非从经济学家个人的伦理观点出发，而是从所有参与者的自由、自愿

另一方面，如果人们接受公共商品理论家的建议，即让国家免费提供那些据称允许非竞争性消费的商品，那么福利损失确实是不可避免的。除了决定什么符合这一标准这一难以克服的任务之外，独立于消费者自愿购买的国家，首先将面临同样无法解决的问题，即理性地决定应该提供多少公共利益。显然，即使是公共商品也不是免费产品，而是在某种使用水平上受到“拥挤”的影响，因此国家没有停止点，因为在任何供应水平上，仍然会有一些用户必须被排除在外，而那些拥有更大供应的用户可以享受免费乘车。但是，即使这个问题可以奇迹般地解决，在任何情况下，免费分配给非竞争性消费的公共商品的生产和运营成本(必然被夸大)都必须由税收来支付。而这一点，也就是说，消费者会被迫享受免费乘车的事实，再次毫无疑问地证明，从消费者的角度来看，这些公共商品的价值也低于他们现在再也无法获得的竞争私人产品。

¹ 现代最杰出的奥威尔式双关语拥护者是 J. 布坎南和 G. 塔洛克(参见上面注释 3 中引用的他们的作品)。他们声称，政府是由一个“宪法契约”建立的，在这个契约中，每个人都“在概念上同意”服从政府的强制权力，并理解其他人也要服从政府的强制权力。因此，政府只是表面上的强制，实际上是自愿的。对于这个奇怪的论点，有几个明显的反对意见。首先，没有任何经验证据证明任何宪法曾经被所有有关的人自愿接受。更糟的是，所有的人都自愿强迫自己的观念本身是不可想象的，正如否认矛盾法则是不可想象的一样。因为如果自愿接受的强制是自愿的，那么就必须要有可能撤销对宪法的服从，而国家就只不过是一个自愿加入的俱乐部。然而，如果一个人没有“无视国家的权利”——当然，一个人没有这种权利是国家与俱乐部相比的特征标志——那么，声称一个人接受国家强制是自愿的，在逻辑上是不可接受的。此外，即使这一切都是可能的，宪法契约仍然不能声称约束除了宪法的原始签署人之外的任何人。布坎南和塔洛克怎么会提出如此荒谬的观点呢？靠的是语义把戏。在正常语境里“难以想象”和“无法达成共识”的情况，在他们那里就成了“概念上有可能”和“概念上达成共识”。若想见识这类极为典型的跳跃式推理，可参见 J. 布坎南发表于《宪政契约中的自由》(大学城, 1977 年)的《契约主义视角下的无政府状态》一文。在此文中我们了解到(第 17 页)，就连对每小时 55 英里限速的接受都有可能是自愿的(布坎南也不太确定)，因为这最终基于我们所有人在概念上对宪法的认同；还了解到布坎南其实并非国家主义者，实际上是个无政府主义者(第 11 页)。

行为以及满足消费者自由表达的需求的角度出发。因此，政府干预必然且始终会偏离这种最优状态。”¹

Indeed, the arguments supposedly proving market failures are nothing short of being patently absurd. Stripped of their disguise of technical jargon all they prove is this: a market is not perfect, as it is characterized by the nonaggression principle imposed on conditions marked by scarcity, and so certain goods or services which could only be produced and provided if aggression were allowed will not be produced. True enough. But no market theorist would ever dare deny this. Yet, and this is decisive, this “imperfection” of the market can be defended, morally as well as economically, whereas the supposed “perfections” of markets propagated by the public goods theorists cannot.¹⁸ It is true enough, too, that a termination of the state's current practice of providing public goods would imply some change in the existing social structure and the distribution of wealth. And such a reshuffling would certainly imply hardship for some people. As a matter of fact, this is precisely why there is widespread public resistance to a policy of privatizing state functions, even though in the long run overall social wealth would be enhanced by this very policy. Surely, however, this fact cannot be accepted as a valid argument demonstrating the failure of markets. If a man had been allowed to hit other people on the head and is now not permitted to continue with this practice, he is certainly hurt. But one would hardly accept that as a valid excuse for upholding the old (hitting) rules. He is harmed, but harming him means substituting a social order in which every consumer has an equal right to determine what and how much of anything is produced, for a system in which some consumers have the right to determine in what respect other consumers are not allowed to buy voluntarily what they want with the means justly acquired by them and at their disposal. And certainly, such a substitution would be preferable from the point of view of all consumers as voluntary consumers.

事实上，那些所谓证明市场失灵的论点简直荒谬至极。抛开专业术语的伪装，它们所证明的仅仅是：市场并不完美，因为市场以在稀缺条件下遵循互不侵犯原则为特征，所以某些只有在允许侵犯行为的情况下才能生产和提供的商品或服务将不会被生产出来。确实如此。但没有一个市场理论家会胆敢否认这一点。然而，关键在于，市场

¹ M. N. Rothbard, *Man, Economy and State*, Los Angeles, 1970, p. 887.

的这种“不完美”在道德和经济层面都能得到辩护，而公共商品理论家所宣扬的市场的所谓“完美”却无法自圆其说。¹ 诚然，终止国家目前提供公共产品的做法，意味着现有社会结构和财富分配会发生一些变化。这种重新洗牌肯定会给一些人带来困难。事实上，这正是公众普遍抵制将国家职能私有化政策的原因，尽管从长远来看，这一政策会增加社会总体财富。然而，这一事实显然不能被视为证明市场失灵的有效论据。如果一个人过去被允许击打他人头部，而现在不被允许继续这种行为，他肯定会感到难受。但人们很难接受将这作为维持旧有（击打他人）规则的正当借口。他受到了“伤害”，但“伤害”意味着用一种每个消费者都有平等权利决定生产什么以及生产多少的社会秩序，取代一种部分消费者有权决定其他消费者在哪些方面不被允许用自己合法获取并可支配的手段自愿购买所需商品的制度。当然，从所有作为自愿消费者的角度来看，这样的替代更为可取。

By force of logical reasoning, then, one must accept Molinari's above-cited conclusion that for the sake of consumers, all goods and services be provided by markets. 19 It is not only false that clearly distinguishable categories of goods exist, which would render special amendments to the general thesis of capitalism's economic superiority necessary; even if they did exist, no special reason could be found why these supposedly special public goods should not also be produced by private enterprises since they invariably stand in competition with private goods. In fact, in spite of all the propaganda from the side of the public goods theorists, the greater efficiency of markets as compared with the state has been realized with respect to more and more of the alleged public goods. Confronted daily with experience, hardly anyone seriously studying these matters could deny that nowadays markets could produce postal services, railroads, electricity, telephone, education, money, roads and so on more effectively, i.e., more to the liking of the consumers, than the state. Yet people generally shy away from accepting in one particular sector what logic forces upon them: in the field of the production of security. Hence, the rest of this chapter will explain the superior

¹ 首先，每当我们评估诸如 J.M. 凯恩斯（见《自由放任主义的终结》，收录于《J.M. 凯恩斯文集》，1972 年伦敦出版，第 9 卷，第 291 页）提出的这类国家干预主义观点的合理性时，都应牢记这一点。凯恩斯称：“国家最重要的事务，并非关乎私人个体已在履行的那些活动，而是关乎那些超出个体范畴的职能，关乎若国家不做就无人去做的决策。对政府而言，重要的并非去做个体已在做的事，把它们做得略好或略差，而是去做压根没人做的事。”这种推理不仅看似虚假，实则就是如此。

functioning of a capitalist economy in this particular area—a superiority whose logical case has already been made, but which shall be rendered more persuasive once some empirical material is added to the analysis and it is studied as a problem in its own right.²⁰

那么，通过逻辑推理，人们必须接受莫利纳里上面引用的结论，即为了消费者的利益，所有商品和服务都应由市场提供。¹ 不仅那种认为存在明显可区分的商品类别的观点是错误的，这种观点本就需要对资本主义在经济上具有优越性这一普遍论点进行特殊修正；即便这类商品确实存在，也找不到特殊理由来解释为什么这些所谓特殊的公共商品不也应由私人企业来生产，因为它们始终与私人商品存在竞争。事实上，尽管公共商品理论家们进行了种种宣传，但就越来越多所谓的公共商品而言，市场相较于国家的更高效率已得到验证。每天面对实际情况，认真研究这些问题的人几乎没人会否认，如今市场在提供邮政服务、铁路运输、电力、电话、教育、货币、道路等方面，能比国家更高效地满足消费者的需求，即更符合消费者的心意。然而，人们通常不愿在一个特定领域接受逻辑推导得出的结论：在安全保障生产领域。因此，本章余下部分将阐释资本主义经济在这一特定领域的卓越运作——其逻辑上的优越性已得到论证，但在分析中加入一些实证材料，并将其作为一个独立问题进行研究后，会使这一优越性更具说服力。²

¹ 一些自由意志主义的小政府主义者反对称，市场的存在以对一套共同法律的认可与执行为前提，因此需要一个政府作为垄断性的裁决和执行机构。（例如，可参见 J. 霍斯普斯所著《自由意志主义》，1971 年洛杉矶出版；T. 马钱所著《人权与人类自由》，1975 年芝加哥出版。）诚然，市场的确对那些构成其运行基础的规则的认可与执行为前提。但据此并不能得出，这项任务必须委托给一个垄断性机构。实际上，市场同样以一种共同语言或符号系统为前提；但要是因此得出政府必须确保语言规则得到遵守的结论，几乎不会有人觉得有说服力。就像语言系统一样，市场行为规则也是自发形成的，并且可以由利己心这只“看不见的手”来执行。如果不遵守共同的语言规则，人们就无法获得交流带来的益处；而如果不遵守共同的行为规则，人们就无法享受基于劳动分工的交换经济所带来的更高生产效率的好处。此外，正如我在第 7 章所论证的，即便没有任何政府，市场规则也能从先验角度被论证为公正的。再者，正如我将在本章结尾所主张的，恰恰是一个竞争性的法律管理与执行体系，才会产生最大的压力，促使人们精心制定并颁布那些能体现最大程度共识的行为规则。当然，那些能做到这一点的规则，正是先验推理所确立的、作为论证及论证性共识在逻辑上的必要前提的规则。

² 顺便说一句，同样的逻辑会迫使一个人接受由私营企业生产安全的想法，作为消费者满意问题的经济最佳解决方案，也会迫使一个人，就道德-意识形态立场而言，放弃古典自由主义的政治理论，并采取(从那里)小但却决定性的一步，走向自由意志主义理

How would a system of nonmonopolistic, competing producers of security work? It should be clear from the outset that in answering this question one is leaving the realm of purely logical analysis and hence the answers must necessarily lack the certainty, the apodictic character of pronouncements on the validity of the public goods theory. The problem faced is precisely analogous to that of asking how a market would solve the problem of hamburger production, especially if up to this point hamburgers had been produced exclusively by the state, and hence no one could draw on past experience. Only tentative answers could be formulated. No one could possibly know the exact structure of the hamburger industry—how many competing companies would come into existence, what importance this industry might have compared to others, what the hamburgers would look like, how many different sorts of hamburgers would appear on the market and perhaps disappear again because of a lack of demand, and so on. No one could know all of the circumstances and the changes which would influence the very structure of the hamburger industry that would take place over time—changes in demand of various consumer groups, changes in technology, changes in the prices of various goods that affect the industry directly or indirectly, and so on.

一个由非垄断、相互竞争的安保服务提供商构成的体系会如何运作呢？从一开始就应该明确，在回答这个问题时，我们离开了纯粹逻辑分析的范畴，因此答案必然缺乏那

论，或私有财产无政府主义。以米塞斯为本世纪最重要代表的古典自由主义，主张建立在财产自然理论基本规则基础上的社会制度。这些也是自由意志主义所提倡的规则。但是，古典自由主义希望这些法律由一个垄断机构(政府、国家)来执行，也就是说，这个组织不完全依赖于消费者对其各自服务的自愿、契约支持，而是有权单方面决定自己的收入，即，为了在安全生产领域发挥作用，向消费者征收的税收。现在，无论这听起来多么可信，它应该清楚地是不一致的。要么自然财产理论的原则是有效的，在这种情况下，国家作为特权垄断者是不道德的，要么建立在侵略基础上的商业是有效的——使用武力和非契约手段获取资源——在这种情况下，人们必须抛弃第一种理论。当然，除非一个人能够提出一个比财产的自然理论和国家使用侵略性暴力的权利更根本的原则，并且两者在各自的有效领域的限制下，都可以从逻辑上推导出来，否则不可能维持这两种论点而不相互矛盾。然而，自由主义从来没有提供任何这样的原则，它也永远不会提供这样的原则，因为正如我在第七章中所证明的那样，支持任何事情都是以一个人不受侵略的权利为前提的。如果不舍蓄地承认其有效性，自然财产理论的原则就不能作为道德上有效的原则进行争论，那么，通过逻辑的力量，人们就会致力于放弃自由主义，转而接受它更激进的产物：自由意志主义，即纯粹资本主义的哲学，它要求安全的生产也由私营企业承担。

种论证公共商品理论有效性时所具有的确定性和无可置疑性。面临的问题与询问市场将如何解决汉堡生产问题极为相似，尤其是在汉堡迄今为止一直完全由国家生产的情况下，这样一来，就没有人能借鉴以往经验。只能给出试探性的答案。没人可能确切知晓汉堡行业的具体结构——会出现多少相互竞争的公司，与其他行业相比这个行业的重要性如何，汉堡会是什么样子，市场上会出现多少种不同的汉堡，又或许会因为缺乏需求而消失多少种，等等。没人能知晓所有会影响汉堡行业结构随时间发生变化的情况和改变——不同消费群体需求的变化、技术的变化、直接或间接影响该行业的各类商品价格的变化，等等。

It must be stressed that all this is no different when it comes to the question of the private production of security. But this by no means implies that nothing definitive can be said on the matter. Assuming certain general conditions of demand for security services which are known to be more or less realistic by looking at the world as it presently is, what can and will be said is how different social orders of security production, characterized by different structural constraints under which they have to operate, will respond differently.²¹ Let us first analyze the specifics of monopolistic, state-run security production, as at least in this case one can draw on ample evidence regarding the validity of the conclusions reached, and then turn to comparing this with what could be expected if such a system were replaced by a nonmonopolistic one.

必须强调的是，在安保服务的私人生产问题上，情况并无不同。但这绝不意味着对此无法给出确切说法。通过观察当今世界的现状，我们可以假定对安保服务存在一定的普遍需求条件，这些条件或多或少符合现实情况。基于此，我们能够且将会阐述的是，不同的安保生产社会秩序，由于其运行所面临的结构约束不同，会有怎样不同的应对方式。¹ 我们首先分析由国家垄断经营的安保生产的具体情况，因为至少在这种情况下，我们可以依据大量证据来验证所得出结论的有效性，然后再将其与非垄断体系取代该体系后的预期情况进行对比。

¹ 关于竞争性安保服务生产的问题，可参见：G. 德·莫利纳里所著《安保服务的生产》，自由意志主义研究中心，不定期论文第2号，1977年纽约出版；M.N. 罗斯巴德所著《权力与市场》，1977年堪萨斯城出版，第1章；以及《为了新自由》，1978年纽约出版，第12章；另外还有：W.C. 伍尔德里奇所著《垄断者山姆大叔》，1970年新罗谢尔出版，第5-6章；M. 和 L. 坦内希尔所著《自由市场》，1984年纽约出版，第2部分。

Even if security is considered to be a public good, in the allocation of scarce resources it must compete with other goods. What is spent on security can no longer be spent on other goods that also might increase consumer satisfaction. Moreover, security is not a single, homogeneous good, but rather consists of numerous components and aspects. There is not only prevention, detection, and enforcement but there is also security from robbers, rapists, polluters, natural disasters, and so on. Moreover, security is not produced in a "lump," but can be supplied in marginal units. In addition, different people attach different importance to security as a whole and also to different aspects of the whole thing, depending on their personal characteristics, their past experiences with various factors of insecurity, and the time and place in which they happen to live. Now, and here we return to the fundamental economic problem of allocating scarce resources to competing uses, how can the state—an organization which is not financed exclusively by voluntary contributions and the sales of its products, but rather partially or even wholly by taxes—decide how much security to produce, how much of each of its countless aspects, to whom and where to provide how much of what? The answer is that it has no rational way to decide this question. From the point of view of the consumers its response to their security demands must thus be considered arbitrary. Do we need one policeman and one judge, or 100,000 of each? Should they be paid \$100 a month, or \$10,000? Should the policemen, however many we might have, spend more time patrolling the streets, chasing robbers, recovering stolen loot, or spying on participants in victimless crimes such as prostitution, drug use, or smuggling? And should the judges spend more time and energy hearing divorce cases, traffic violations, cases of shoplifting, murder, or antitrust cases? Clearly, all of these questions must be answered somehow because as long as there is scarcity and we do not live in the Garden of Eden, the time and money spent on one thing cannot be spent on another. The state must answer these questions, too, but whatever it does, it does it without being subject to the profit-and-loss criterion. Hence, its action is arbitrary and thus necessarily involves countless wasteful misallocations from the consumer's viewpoint.²² Independent to a large degree of consumer wants, the state-employed security producers instead do, as everyone knows, what they like. They hang around instead of doing anything, and if they do work they prefer doing what is easiest or work where they can wield power rather than serve consumers. Police officers drive around a lot in

cars, hassle petty traffic violators, and spend huge amounts of money investigating victimless crimes which a lot of people (i.e., nonparticipants) do not like, but which few would be willing to spend their money on to fight, as they are not immediately affected by it. Yet with respect to the one thing that consumers want most urgently—the prevention of hard-core crime (i.e., crimes with victims), the detection and effective punishment of hard-core criminals, the recovery of loot, and the securing of compensation to victims of crimes from the aggressors—they are notoriously inefficient, in spite of ever higher budget allocations.

即便安保被视为一种公共商品，在稀缺资源的分配中，它也必须与其他产品竞争。花在安保上的资源，就无法再用于其他或许也能提升消费者满意度的产品。此外，安保并非单一、同质的产品，而是由众多要素和方面构成。其中不仅包括预防、侦查和执法，还涉及防范抢劫者、强奸犯、污染者、自然灾害等方面的安全保障。而且，安保并非一次性“批量”生产出来的，而是可以以边际单位的形式提供。另外，不同的人对安保整体以及安保各个不同方面的重视程度各不相同，这取决于他们的个人特质、过往与各种不安全因素打交道的经历，以及他们所处的时间和地点。现在，我们回到将稀缺资源分配到相互竞争的用途这一基本经济问题上，国家作为一个并非完全依靠自愿捐款和产品销售来筹集资金，而是部分甚至全部依赖税收的组织，要如何决定生产多少安保产品，在其无数个方面中每个方面各生产多少，向谁、在何处提供多少何种安保服务呢？答案是，国家没有合理的方式来决定这些问题。从消费者的角度来看，国家对他们安保需求的回应必然被视为随意的。我们需要一名警察和一名法官，还是各需 10 万名呢？他们的月薪应该是 100 美元，还是 1 万美元呢？无论我们有多少警察，他们应该把更多时间花在街头巡逻、追捕抢劫犯、追回被盗财物上，还是用于监视诸如卖淫、吸毒或走私等无受害者犯罪的参与者呢？法官又应该把更多时间和精力花在审理离婚案件、交通违规案件、商店盗窃案件、谋杀案件，还是反垄断案件上呢？显然，所有这些问题都必须得到某种解答，因为只要存在资源稀缺，只要我们并非生活在伊甸园，花在一件事上的时间和金钱就无法再用于其他事。国家也必须回答这些问题，但无论它怎么做，都不受盈亏标准的约束。因此，国家的行动是随意的，从消费者的角度来看，这必然会导致无数浪费性的错误分配。¹ 在很大程度上，国家雇佣的安保服务提供商并不理会消费者的需求，而是如大家所知，随心所欲地行事。他们无所事事地闲逛，即便工作，也更倾向于做最轻松的事，或者选择能施展权力而非服

¹ 关于民主控制下的分配决策的缺陷，参见上文第 9 章注释 4。

务消费者的工作。警察常常驾车四处转悠，为难轻微交通违规者，还投入大量资金去调查那些许多人（即非参与者）反感的无受害者犯罪行为，然而，由于这些行为不会直接影响到他们，所以几乎没人愿意掏钱来打击此类犯罪。然而，对于消费者最迫切需要的事情——预防重大犯罪（即有受害者的犯罪）、侦查并有效惩处重大犯罪分子、追回赃物以及确保犯罪受害者从侵害者那里获得赔偿——尽管预算拨款不断增加，警察的效率却一直很低。

Further, and here I return to the problem of a lowered quality of output (with given allocations), whatever state-employed police or judges happen to do (arbitrary as it must be), since their income is more or less independent of the consumers' evaluations of their respective services, they will tend to do poorly. Thus one observes police arbitrariness and brutality and the slowness in the judicial process. Moreover, it is remarkable that neither the police nor the judicial system offers consumers anything even faintly resembling a service contract in which it is laid down in unambiguous terms what procedure the consumer can expect to be set in motion in a specific situation. Rather, both operate in a contractual void which over time allows them to change their rules of procedure arbitrarily, and which explains the truly ridiculous fact that the settlement of disputes between police and judges on the one hand and private citizens on the other is not assigned to an independent third party, but to another police or judge who shares employers with one party—the government—in the dispute.

再者，这里我要回到产出质量下降（在既定资源分配情况下）的问题上。无论国家雇佣的警察或法官做什么（其行为必然是任意、武断的），由于他们的收入或多或少与消费者对其服务的评价无关，他们往往会敷衍了事。因此，人们会看到警察的专横与跋扈，以及司法程序的拖沓。此外，值得注意的是，警察和司法系统都没有为消费者提供哪怕稍有类似服务契约的东西，在契约中明确规定消费者在特定情况下可以期待启动何种程序。相反，两者都在一种契约缺失的状态下运作，久而久之，这使得他们能够随意更改程序规则。这就解释了一个极其荒谬的现象：警察和法官与普通公民之间的纠纷，并非交由独立的第三方来解决，而是由另一名警察或法官处理，而后者与纠纷中的一方——政府——是同一雇主。

Third, anyone who has seen state-run police stations and courts, not to mention prisons, knows how true it is that the factors of production used to provide us with such security are overused, badly maintained, and filthy. There is no reason for them to satisfy

the consumers who provide their income. And if, in an exceptional case, this happens not to be so, then it has only been possible at costs that are comparatively much higher than those of any similar private business.²³

第三，任何见识过国营警察局、法院（更别提监狱了）的人都清楚，用于为我们提供这类安保服务的生产要素被过度使用、维护不善且脏乱不堪，这千真万确。相关人员没有动力去满足为他们提供收入的消费者。而且，即便在个别情况下并非如此，那其成本也往往比任何类似私营企业的成本高出许多。¹

Without a doubt, all of these problems inherent in a system of monopolistic security production would be solved relatively quickly once a given demand for security services was met by a competitive market with its entirely different incentive structure for producers. This is not to say that a “perfect” solution to the problem of security would be found. There would still be robberies and murders; and not all loot would be recovered nor all murderers caught. But in terms of consumer evaluations the situation would improve to the extent that the nature of man would allow this. First, as long as there is a competitive system, i.e., as long as the producers of security services depend on voluntary purchases, most of which probably take the form of service and insurance contracts agreed to in advance of any actual “occurrence” of insecurity or aggression, no producer could increase its income without improving services or quality of product as perceived by the consumers. Furthermore, all security producers taken together could not bolster the importance of their particular industry unless, for whatever reason, consumers indeed started evaluating security more highly than other goods, thus ensuring that the production of security would never and nowhere take place at the expense of the non- or reduced production of, let us say, cheese, as a competing private good. In addition, the producers of security services would have to diversify their offerings to a considerable degree because a highly diversified demand for security products among millions and millions of consumers exists. Directly dependent on voluntary consumer support, they would immediately be hurt financially

¹ 莫利纳里总结道（《安保的生产》，自由意志主义研究中心，不定期论文第 2 号，1977 年纽约出版，第 13 - 14 页）：“如果……消费者不能自由地在任何他乐意的地方购买安保服务，你很快就会看到一个充斥着专断和管理不善的庞大行业出现。司法变得迟缓且昂贵，警察惹人厌烦，个人自由不再受到尊重，安保价格被肆意抬高，且根据不同消费者群体的权力和影响力不公平地分摊。”

if they did not appropriately respond to the consumers' various wants or changes in wants. Thus, every consumer would have a direct influence, albeit small, on the output of goods appearing on or disappearing from the security market. Instead of offering a uniform "security packet" to everyone, as is characteristic of state production policy, a multitude of service packages would appear on the market. They would be tailored to the different security needs of different people, taking account of different occupations, different risk-taking behavior, different things to be protected and insured, and different geographical locations and time constraints.

毫无疑问，一旦安保服务的特定需求由竞争市场来满足，由于生产者面临着截然不同的激励机制，垄断性安保生产体系中固有的所有这些问题都会相对迅速地得到解决。这并不是说就能找到解决安保问题的“完美”方案。抢劫和谋杀仍会发生；并非所有赃物都能追回，也并非所有凶手都能落网。但从消费者评价的角度来看，在人性所允许的范围内，情况会有所改善。首先，只要存在竞争体系，也就是说，只要安保服务的生产者依赖自愿购买（其中大部分可能采取在任何实际的不安全或侵害“事件”发生之前就达成的服务和保险契约的形式），那么任何生产者若不提升消费者所感知到的服务或产品质量，就无法增加收入。此外，所有安保生产者加在一起，也无法提升其所在行业的重要性，除非出于某种原因，消费者确实开始比重视其他商品更重视安保，这样就能确保安保生产永远不会、也不会 anywhere 以牺牲（比如）奶酪这种与之竞争的私人商品的生产或减少其产量为代价。另外，安保服务的生产者必须在很大程度上使其产品多样化，因为数以百万计的消费者对安保产品有着高度多样化的需求。由于直接依赖消费者的自愿支持，如果他们不能恰当地回应消费者的各种需求或需求变化，就会立即在经济上受损。因此，每个消费者都会对安保市场上出现或消失的商品产出产生直接影响，尽管这种影响可能很小。与国家生产政策的特点即向所有人提供统一的“安保套餐”不同，市场上会出现大量的服务套餐。这些套餐将根据不同人的不同安保需求量身定制，同时考虑到不同的职业、不同的冒险行为、不同的受保护和投保物品，以及不同的地理位置和时间限制。

But that is far from all. Besides diversification, the content and quality of the products would improve, too. Not only would the treatment of consumers by the employees of security enterprises improve immediately, the "I could care less" attitude, the arbitrariness and even brutality, the negligence and tardiness of the present police and judicial systems would ultimately disappear. Since they then would be dependent on

voluntary consumer support, any maltreatment, impoliteness, or ineptitude could cost them their jobs. Further, the above-mentioned peculiarity—that the settlement of disputes between a client and his service provider is invariably entrusted to the latter's judgment—would almost certainly disappear from the books, and conflict arbitration by independent parties would become the standard deal offered by producers of security. Most importantly though, in order to attract and retain customers the producers of such services would have to offer contracts which would allow the consumer to know what he was buying and enable him to raise a valid, intersubjectively ascertainable complaint if the actual performance of the security producer did not live up to its obligations. And more specifically, insofar as they are not individualized service contracts where payment is made by the customers for covering their own risks exclusively, but rather insurance contracts proper which involve pooling one's own risks with those of other people, contrary to the present statist practice, these contracts most certainly would no longer contain any deliberately built-in redistributive scheme favoring one group of people at the expense of another. Otherwise, if anyone had the feeling that the contract offered to him involved his paying for other people's peculiar needs and risks—factors of possible insecurity, that is, that he did not perceive as applicable to his own case—he would simply reject signing it or discontinue his payments.

但这还远远不止。除了产品多样化，产品的内容和质量也会提升。安保企业员工对消费者的态度不仅会立即改善，当前警察和司法系统那种“漠不关心”的态度、专横乃至粗暴的行为、玩忽职守和拖沓迟缓的作风最终都将消失。因为届时他们将依赖消费者的自愿支持，任何虐待、无礼或无能的行为都可能让他们丢掉工作。再者，上述那种奇特现象——客户与服务提供商之间的纠纷解决总是交由后者裁决——几乎肯定会从业务流程中消失，由独立第三方进行冲突仲裁将成为安保服务提供商的标准做法。不过，最重要的是，为了吸引并留住客户，这些服务提供商必须提供契约，让消费者清楚自己购买的是什么，并且在安保服务提供商的实际表现未履行其义务时，消费者能够提出有效且可客观判定的投诉。更具体地说，由于这些契约并非客户仅为自身风险买单的个性化服务契约，而是将自身风险与他人风险统筹的真正保险契约，与当前国家主导的做法不同，这些契约肯定不会再包含任何蓄意设置的、以牺牲一部分人为代价偏袒另一部分人的再分配方案。否则，如果有人觉得提供给他契约涉及自己要为他人的特殊需求和风险（即他认为不适用于自己情况的潜在不安全因素）买单，他就会直接拒绝签订契约或停止付费。

Yet when all this is said,the question will inevitably surface,“Wouldn't a competitive system of security production still necessarily result in permanent social conflict,in chaos and anarchy?” There are several points to be made regarding this alleged criticism. First,it should be noted that such an impression would by no means be in accordance with historical,empirical evidence.

然而，话虽如此，一个问题必然会浮现：“竞争性的安保生产体系难道不会必然导致社会冲突不断、陷入混乱与无政府状态吗？”针对这一所谓的批评，有几点需要说明。首先，应当指出，这种印象与历史及实证证据完全不符。

Systems of competing courts have existed at various places,such as in ancient Ireland or at the time of the Hanseatic league,before the arrival of the modern nation state,and as far as we know they worked well. 24Judged by the then existent crime rate (crime per capita),the private police in the Wild West (which incidentally was not as wild as some movies insinuate) was relatively more successful than today's state-supported police. 25And turning to contemporary experience and examples,millions and millions of international contacts exist even now—contacts of trade and travel—and it certainly seems to be an exaggeration to say,for instance,that there is more fraud,more crime,more breach of contract there than in domestic relations. And this is so,it should be noted,without there being one big monopolistic security producer and law-maker. Finally it is not to be forgotten that even now in a great number of countries there are various private security producers alongside to the state: private investigators,insurance detectives,and private arbitrators. Regarding their work,the impression seems to confirm the thesis that they are more,not less,successful in resolving social conflicts than their public counterparts.

在现代民族国家出现之前，相互竞争的法院体系曾在不同地方存在过，比如在古代爱尔兰或汉萨同盟时期。据我们所知，这些体系运行良好。¹从当时的犯罪率（人均犯罪数）来看，狂野西部的私人警察（顺便说一句，那里并不像一些电影暗示的那样混

¹ 参考上述注释 21 中引用的文献;也可参考:B. Leoni,《自由与法律》,普林斯顿大学,1961年;J. Peden,《凯尔特爱尔兰法律中的财产权》,载于《自由主义研究杂志》,1977年。

乱无序) 相对而言比如今国家支持的警察更为成功。¹ 再看看当代的经验和例子, 即便在当下, 数以百万计的国际交往——贸易往来和旅行等——大量存在。例如, 要说这些国际交往中欺诈、犯罪、违约行为比国内交往更多, 这显然是夸大其词。应当注意的是, 即便没有一个庞大的垄断性安保提供者和法律制定者, 情况依然如此。最后, 不应忘记, 即便在当今许多国家, 除了国家层面的力量, 还有各类私人安保服务提供者: 私家侦探、保险调查员以及私人仲裁者。就他们的工作而言, 相关印象似乎证实了这样一种观点, 即相较于公共部门的同行, 他们在解决社会冲突方面更为成功, 而非相反。

However, this historical evidence is greatly subject to dispute, in particular regarding whether any general information can be derived from it. Yet there are systematic reasons, too, why the fear expressed in the above criticism is not well-founded. Paradoxical as it may seem at first, this is because establishing a competitive system of security producers implies erecting an institutionalized incentive structure to produce an order of law and law-enforcement that embodies the highest possible degree of consensus regarding the question of conflict resolution, and hence will tend to generate less rather than more social unrest and conflict than under monopolistic auspices!²⁶ In order to understand this it is necessary to take a closer look at the only typical situation that concerns the skeptic and allows him to believe in the superior virtue of a monopolistically organized order of security production. This is the situation when a conflict arises between A and B, both are insured by different companies and the companies cannot come to an immediate agreement regarding the validity of the conflicting claims brought forward by their respective clients. (No problem would exist if such an agreement were reached, or if both clients were insured by one and the same company—at least the problem then would not be different in any way from that emerging under a statist monopoly!) Wouldn't such a situation always result in an armed confrontation? This is highly unlikely. First, any violent battle between companies would be costly and risky, in particular if these companies had reached a respectable size which would be important for them to have in order to appear as effective guarantors of security to their prospective clients in the first place. More importantly

¹ Cf. T. Anderson and P. J. Hill, "The American Experiment in Anarcho-Capitalism: The Not So Wild, Wild West," in: *Journal of Libertarian Studies*, 1980.

though,under a competitive system with each company dependent on the continuation of voluntary consumer payments,any battle would have to be deliberately supported by each and every client of both companies. If there were only one person who withdrew his payments because he was not convinced the battle was necessary in the particular conflict at hand,there would be immediate economic pressure on the company to look for a peaceful solution to the conflict.²⁷ Hence,any competitive producer of security would be extremely cautious about his dedication to engaging in violent measures in order to resolve conflicts. Instead,to the extent that it is peaceful conflict-resolution that consumers want,each and every security producer would go to great lengths to provide such measures to its clients and to establish in advance,for everyone to know,to what arbitration process it would be willing to submit itself and its clients in case of a disagreement over the evaluation of conflicting claims. And as such a scheme could only appear to the clients of different firms to be really working if there were agreement among them regarding such arbitrational measures,a system of law governing relations between companies which would be universally acceptable to the clients of all of the competing security producers would naturally evolve. Moreover,the economic pressure to generate rules representing consensus on how conflicts should be handled is even more far-reaching. Under a competitive system the independent arbitrators who would be entrusted with the task of finding peaceful solutions to conflicts would be dependent on the continued support of the two disagreeing companies insofar as they could and would select different judges if either one of them were sufficiently dissatisfied with the outcome of their arbitration work. Thus,these judges would be under pressure to find solutions to the problems handed over to them which,this time not with respect to the procedural aspects of law,but its content,would be acceptable to all of the clients of the firms involved in a given case as a fair and just solution. ²⁸Otherwise one or all of the companies might lose some of their customers,thus inducing those firms to turn to a different arbitrator the next time they were in need of one.²⁹

然而，这一历史证据颇具争议，尤其是关于能否从中得出具有普遍性的信息。不过，也有系统性的原因表明，上述批评中所表达的担忧并无充分依据。乍看之下或许有些矛盾，这是因为建立一个由相互竞争的安保服务提供商构成的体系，意味着构建一种制度化的激励机制，以形成一套法律与执法秩序，这套秩序在解决冲突的问题上体现

出尽可能高的共识度，因此，相较于在垄断体制下，它往往会引发更少而非更多的社会动荡与冲突！¹ 为理解这一点，有必要仔细审视唯一一种会引发怀疑论者担忧，并让他们认为垄断性安保生产秩序具有优越性的典型情形。即当 A 和 B 之间产生冲突，两人分别由不同公司承保，且两家公司对于各自客户提出的相互冲突的索赔主张的有效性无法即刻达成一致时的情形。（如果能达成一致，或者两位客户由同一家公司承保，那就不存在问题——至少这种情况下的问题与国家垄断体制下出现的问题并无二致！）这样的情形难道不会总是导致武装对抗吗？这种可能性极小。首先，安保公司之间的任何暴力冲突都代价高昂且风险巨大，尤其是当这些公司发展达到一定规模时更是如此，毕竟公司规模对于它们向潜在客户展现自身作为有效安保保障者的形象至关重要。然而更重要的是，在竞争体系下，每家公司都依赖客户自愿持续付费，任何冲突都必须得到两家公司每一位客户的有意支持。如果仅有一人因不相信在当前特定冲突中有必要采取武力而停止付费，公司就会立即面临经济压力，促使其寻求和平解决冲突的方式。² 因此，任何一家参与竞争的安保服务提供商在决定采取暴力手段解决冲突时都会极其谨慎。相反，鉴于消费者希望和平解决冲突，每家安保服务提供商都会不遗余力地为客户提供此类解决方案，并预先确定，且让所有人都知晓，在对相互冲突的索赔主张的评估出现分歧时，自己及其客户愿意接受何种仲裁程序。而且，只有不同公司的客户就此类仲裁措施达成一致，这样的方案才会在他们看来切实可行，于是，一套适用于各安保公司之间关系的法律体系便会自然形成，且这套体系能为所有相互竞争的安保服务提供商的客户普遍接受。此外，形成关于如何处理冲突的共识性规则所面临的经济压力影响更为深远。在竞争体系下，负责和平解决冲突的独立仲裁者依赖于两家存在分歧的公司的持续支持，因为如果其中任何一方对仲裁工作的结果极为不满，它们能够且将会选择不同的仲裁者。因此，这些仲裁者会面临压力，必须找到能解决交付给他们的问题的方案，这一次不是在法律程序方面，而是在法律内容方面，这些方案必须作为公平公正的解决方案，为卷入特定案件的各公司的所有客户所接受。³ 否则，其中一家或所有公司可能会流失部分客户，从而促使这些公司下次

¹ 参见 H. H. Hoppe, 《无政府主义与国家》，1987 年，奥普拉登，第 5 章。

² 与此形成对比的是，国家的政策是在没有得到每个人的刻意支持的情况下进行战争，因为它有权向人民征税；每个人都扪心自问，如果一个人一旦感觉到国家对外交事务的处理不符合自己的喜好，就有权停止纳税，那么战争的风险会降低还是更高？

³ 这里需要再次指出的是，包含尽可能高的程度的共识的规范，当然是那些被论证预设的规范，接受这些规范，就有可能在任何事情上达成共识，如第 7 章所示。

需要仲裁时另选他人。¹

But wouldn't it be possible under a competitive system for a security-producing firm to become an outlaw company—a firm, that is, which, supported by its own clients, started to aggress against others? There is certainly no way to deny that this might be possible, though again it must be emphasized that here one is in the realm of empirical social science and no one could know such a thing with certainty. And yet the tacit insinuation that the possibility of a security firm becoming an outlaw company would somehow indicate a severe deficiency in the philosophy and economics of a pure capitalist social order is fallacious. ³⁰First, it should be recalled that any social system, a statist-socialist order no less than a pure market economy, is dependent for its continued existence on public opinion, and that a given state of public opinion at all times delimits what can or cannot occur, or what is more or less likely to occur in a given society. The current state of public opinion in West Germany, for instance, makes it highly unlikely or even impossible that a statist-socialist system of the present-day Russian type could be imposed on the West German public. The lack of public support for such a system would doom it to failure and make it collapse. And it would be even more unlikely that any such attempt to impose a Russian-type order could ever hope to succeed among Americans, given American public opinion. Hence, in order to see the problem of outlaw companies correctly, the above question should be phrased as follows: How likely is it that any such event would occur in a given society with its specific state of public opinion? Formulated in this way, it is clear that the answer would have to be different for different societies. For some, characterized by socialist ideas deeply entrenched in the public, there would be a greater likelihood of the reemergence of aggressor companies, and for other societies there would be a much smaller chance of this happening. But then, would the prospect of a competitive system of security production in any given case be better or worse than that of the continuation of a statist

¹ 再一次，与此形成对比的是，国家雇佣的法官，因为他们的工资来自税收，所以相对独立于消费者满意度，可以做出显然不是每个人都认为公平的判决；问问你自己，如果你觉得某一天，可能不得不面对自己的案件做出裁决的法官，他们在收集和判断案件事实时不够谨慎，或者只是一个彻头彻尾的骗子，此时你有可能施加经济压力，那么在特定案件中，找不到真相的风险会更低还是更高？

system? Let us look, for instance, at the present-day United States. Assume that by a legislative act the state had abolished its right to provide security with tax funds, and a competitive system of security production were introduced. Given the state of public opinion, how likely would it then be that outlaw producers would spring up, and what if they did? Evidently, the answer would depend on the reactions of the public to this changed situation. Thus, the first reply to those challenging the idea of a private market for security would have to be: what about you? What would your reaction be? Does your fear of outlaw companies mean that you would then go out and engage in trade with a security producer that aggressed against other people and their property, and would you continue supporting it if it did? Certainly the critic would be much muted by this counterattack. But more important than this is the systematic challenge implied in this personal counterattack. Evidently, the described change in the situation would imply a change in the cost-benefit structure that everyone would face once he had to make his decisions. Before the introduction of a competitive system of security production it had been legal to participate in and support (state) aggression. Now such an activity would be an illegal activity. Hence, given one's conscience, which makes each of one's own decisions appear more or less costly, i.e., more or less in harmony with one's own principles of correct behavior, support for a firm engaging in the exploitation of people unwilling to deliberately support its actions would be more costly now than before. Given this fact, it must be assumed that the number of people—among them even those who otherwise would have readily lent their support to the state—who would now spend their money to support a firm committed to honest business would rise, and would rise everywhere this social experiment was tried. In contrast, the number of people still committed to a policy of exploitation, of gaining at the expense of others, would fall. How drastic this effect would be would, of course, depend on the state of public opinion. In the example at hand—the United States, where the natural theory of property is extremely widespread and accepted as a private ethic, the libertarian philosophy being essentially the ideology on which the country was founded and that let it develop to the height it reached³¹—the above-mentioned effect would naturally be particularly pronounced. Accordingly, security-producing firms committed to the philosophy of protecting and enforcing libertarian law would attract the greatest bulk of public support and financial assistance. And while it may be true that some people, and among them especially those who had profited from the old order, might

continue their support of a policy of aggression, it is very unlikely that they would be sufficient in number and financial strength to succeed in doing so. Rather, the likely outcome would be that the honest companies would develop the strength needed—alone or in a combined effort and supported in this effort by their own voluntary customers—to check any such emergence of outlaw producers and destroy them wherever and whenever they came into existence. ³² And if against all odds the honest security producers should lose their fight to retain a free market in the production of security and an outlaw monopoly reemerged, one would simply have a state again. ³³

但是，在竞争体系下，安保服务公司有没有可能变成一家非法公司呢？也就是说，这样一家公司在其客户的支持下，开始侵犯他人权益。当然，无法否认这种可能性，不过必须再次强调，这里我们处于实证社会科学的范畴，没人能确切知晓这种事是否会发生。然而，那种暗示安保公司有可能变成非法公司就表明纯粹资本主义社会秩序在理念和经济层面存在严重缺陷的观点是错误的。¹ 首先，应该记住，任何社会制度，无论是国家社会主义秩序还是纯粹市场经济，其持续存在都依赖于公众舆论，而且在任何时候，特定的公众舆论状况都限定了在给定社会中什么能发生、什么不能发生，或者什么更有可能发生、什么不太可能发生。例如，当前西德的公众舆论状况使得现今俄罗斯式的国家社会主义制度极不可能甚至无法强加给西德民众。民众对这种制度缺乏支持会使其注定失败并崩溃。鉴于美国的公众舆论，任何试图强加俄罗斯式秩序的尝试在美国成功的可能性就更小了。因此，为了正确看待非法公司的问题，上述问题应该这样表述：在具有特定公众舆论状况的给定社会中，这类事件发生的可能性有多大？这样表述后就很清楚，不同社会的答案必然不同。对于一些公众深受社会主义思想影响的社会，出现侵犯他人权益的公司的可能性会更大，而对其他社会来说，这种情况发生的几率则要小得多。但是，在任何给定情况下，竞争性安保生产体系的前景，相较于国家垄断体系持续存在的前景，到底是更好还是更差呢？例如，看看当今的美国。假设通过一项立法法案，国家废除了用税收资金提供安保服务的权利，并引入了竞争性的安保生产体系。鉴于公众舆论状况，非法安保服务提供商出现的可能性有多大呢？如果出现了会怎样呢？显然，答案将取决于公众对这种变化情况的反应。因此，对于那些质疑安保服务私人市场理念的人，第一个回应必然是：你呢？你会作何反应？你对非法公司的担忧，是否意味着你会去与侵犯他人及其财产的安保服务提

¹ 罗斯巴德：《为了新自由》，纽约，1978年，第233页。

供商进行交易，并且如果它这样做了你还会继续支持它吗？当然，这种反击会让批评者哑口无言。但比这更重要的是这种针对个人的反击所蕴含的系统性挑战。显然，情况的变化意味着每个人在做决策时面临的成本效益结构发生了变化。在引入竞争性安保生产体系之前，参与并支持（国家的）侵犯行为是合法的。而现在，这样的活动将是非法的。因此，鉴于个人的良知，它会让个人的每一个决策或多或少都要付出代价，也就是说，或多或少与个人正确行为的原则相一致，现在支持一家对不愿主动支持其行为的人进行剥削的公司，要比以前付出更高的代价。鉴于这一事实，必须假定，愿意花钱支持一家诚信经营公司的人数会增加，而且在任何尝试这种社会实验的地方都会增加，其中甚至包括那些原本会轻易支持国家的人。相比之下，仍然致力于剥削政策、以牺牲他人利益为代价获利的人数会减少。这种影响的剧烈程度当然取决于公众舆论状况。以所举的例子——美国来说，财产自然权利理论在美国极为普遍并被接受为一种私人道德准则，自由意志主义哲学本质上就是这个国家建立并发展到如今高度所基于的意识形态¹——上述影响自然会尤为显著。相应地，秉持保护和执行自由意志主义法律理念的安保服务公司将获得大量的公众支持和资金援助。虽然可能确实有一些人，尤其是那些从旧秩序中获益的人，可能会继续支持侵犯政策，但他们的人数和财力不太可能足以成功推行这种政策。相反，可能的结果是，诚信的公司将发展出所需的力量——单独或联合行动，并在自愿客户的支持下——遏制任何非法安保服务提供商的出现，并在其出现的任何时间和地点将其消灭。² 如果尽管困难重重，诚信

¹ 参见 B. 贝林所著《美国革命的意识形态起源》，1967 年剑桥出版；J.T. 梅因所著《反联邦党人：宪法的批评者》，1961 年查珀尔希尔出版；M.N. 罗斯巴德所著《自由的构想》，4 卷本，1975 - 1979 年新罗谢尔出版。

² 当然，保险公司将在遏制非法公司的出现方面发挥特别重要的作用。坦尼希尔夫妇指出：“保险公司是任何完全自由经济的一个非常重要的部门，它们会有一种特殊的动机与任何侵略者撇清关系，此外，还会利用它们所有可观的商业影响力来对付他。”攻击性暴力造成价值损失，而在大多数价值损失中，保险行业将承担主要成本。一个不受约束的侵略者是一种行走的责任，没有一家保险公司，无论与他最初的侵略行为有多么遥远的距离，愿意承受他下一次可能攻击自己客户的风险。此外，攻击者和那些与他们有联系的人更有可能卷入暴力局势，因此是不良保险风险。保险公司可能会出于一种有远见的愿望，拒绝为这些人投保，以尽量减少他们的侵略可能造成的任何未来损失。但是，即使公司不是出于这种远见，它仍然会被迫大幅提高他们的保费或完全取消他们的保险，以避免承担因他们倾向于暴力而带来的额外风险。在一个竞争的经济中，没有一家保险公司能够继续为侵犯者和那些与侵犯者有交易的人提供保险，并简单地将费用转嫁给诚实的客户；这些客户很快就会被信誉更好的公司抢走，因为这些公司的保险费用更低。

在自由经济中，失去保险意味着什么？即使[侵犯者]能够产生足够的力量来保护自己免受任何因素或多种因素对其造成的任何侵犯或报复性武力，它仍然必定完全没有几种

的安保服务提供商在维护安保生产自由市场的斗争中失败，非法垄断再次出现，那不过是又回到了国家垄断的状态。¹

In any case,implementing a pure capitalist social system with private producers of security—a system permitting freedom of choice—would necessarily be better than what one has now. Even if such an order should then collapse because too many people were still committed to a policy of aggression against and exploitation of others,mankind would at least have experienced a glorious interlude. And should this order survive,which would seem to be the more likely outcome,it would be the beginning of a system of justice and unheard-of economic prosperity.

无论如何，实施一种由私人提供安保服务的纯粹资本主义社会制度——一种允许自由选择的制度——必然优于当下的状况。即便这样一种秩序因仍有太多人执意推行侵犯和剥削他人的政策而最终崩溃，人类至少也经历过一段辉煌的插曲。而如果这种秩序能够存续下去（这似乎更有可能），那将开启一个正义与空前经济繁荣的新时代。

经济必需品。它不能购买针对汽车事故、自然灾害或契约纠纷的保险。对于因其财产发生事故而提起的损害诉讼，它将没有任何保护。它甚至很有可能没有灭火公司的服务，因为这些公司是火灾保险业务的自然产物。

除了因其咄咄逼人的行为而自然受到的商业排斥所施加的可怕惩罚外，(它)还会遇到员工的麻烦... (因为)如果一名国防服务代理人执行了一项涉及故意使用武力的命令，那么该代理人和给他命令的企业家或经理，以及任何其他知情的雇员，都将对造成的任何损害负责”(M. and L. Tannehill,the Market For Liberty,New York,1984,pp.110-111)。

¹ 一家非法公司发展成为一个国家的过程会更加复杂，因为它必须重新获得“意识形态合法性”，而这种合法性是现有国家存在的标志，现有国家历经数百年不间断的宣传才树立起这种合法性。一旦通过纯粹自由市场体系的实践，这种合法性丧失了，很难想象它如何能轻易恢复。

参考

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