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Education in the Marketplace

An Intellectual History of
Pro-Market Libertarian
Visions for Education in
Twentieth Century America

Kevin Currie-Knight

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Libertarian Visions for Education
in Twentieth Century America

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Palgrave Studies in Classical Liberalism

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1

Introduction

In his 1973 book *For a New Liberty*, libertarian economist Murray Rothbard describes a thought experiment. He analogized the American system of public education with a hypothetical American system of government news.

What then would we think of a proposal for the government, federal or state, to use the taxpayers' money to set up a nationwide chain of public magazines or newspapers, and then to compel all people, or all children, to read them? Further, what would we think of the government outlawing all other newspapers and magazines, or at the very least outlawing all newspapers or magazines that do not come up to certain "standards" of what a government commission thinks children ought to read?¹

Rothbard used this thought experiment to argue a point: that a government institution retaining a monopoly over the press not only would likely invoke a public outcry about individual liberty and freedom of the press. It would also let the government control the dissemination of infor-

¹Murray Rothbard, *For a New Liberty* (Auburn, AL: Ludwig von Mises Institute, 1973), 157.

mation in dangerous ways. Yet the structure of his thought experiment, he argued, is virtually the same as the structure of American public schooling, where governments create their own tax-funded schools to which all students must go unless their family can pay private tuition to one of the few private schools the government certifies as meeting its own regulatory standards. “In fact,” argued Rothbard, “the suppression of free schooling should be regarded with even greater horror than the suppression of a free press, since here the tender and unformed minds of children are more directly involved.”²

Perhaps we can see, in Rothbard’s analogy, a larger point: while the government’s quasi-monopoly over the schooling of the young *should* be seen as a more serious blow to individual liberty than its establishment of a news monopoly, the very real school system doesn’t seem to evoke as much outcry as the hypothetical (yet similar) “public news system.” In other words, Rothbard’s thought experiment denaturalizes the rules of the American (and most other) school system(s) by applying those rules to a very different situation, in order to take a fresh look at familiar issues. *If the fictitious scenario of a monopolistic government news service seems objectionable, why don’t the same concerns apply to the monopolistic public school system objectionable?*

Of course, to Rothbard, this would have been a purely rhetorical question. A government quasi-monopoly on news would violate the same individual liberty by denying individual choice, and invite the same abuse by the monopolists as our quasi-monopolistic system of public education does.

What was the preferred alternative? What would restore individual liberty to the people (by giving them choice) and reduce or eliminate the potential for abuse and inefficiency that monopolies carry? Like all of the libertarian subjects in this work, Rothbard supported free markets in education services (the possible exception being Albert Jay Nock, who was skeptical of both government-provided and market-provided education). Like the current system of news delivery, where people can choose the private news service that best suits their needs within a competitive market, Rothbard argued that people should be able to choose the schooling

²Rothbard, *For a New Liberty*, 157.

they thought best for their children and that schools should compete for business the same way news services do.

This is a history of pro-market arguments about American education—the idea that we should reject the current public education system and replace it with a market in educational services that allows producers to offer competing schooling options and consumers to choose those that work best for them. The intellectuals I profile in this history vary in their opinions of the roles the government should play in this market; Rothbard, an anarchist, left no room for government in education markets, where Milton Friedman and Myron Lieberman (the subjects of the final two chapters) wanted governments to provide people with vouchers with which to purchase schooling and possibly set some minimal standards. Despite these differences (and others, such as the differing rationale each had for supporting markets in education), each intellectual profiled in these pages argued that the then-current public education system (for various reasons) was dangerous and markets in education were a potential solution.

The subjects in this book are what I will call *market libertarians*. I use the term *market libertarian* in reference to those who hold a political position that goods and services should be bought and sold in free markets as opposed to being provided by governments. Libertarian philosopher Jason Brennan describes the basics of the libertarian position this way: “Libertarians believe respect for individual liberty is the central requirement of justice. They believe human relationships should be based on mutual consent. Libertarians advocate a free society of cooperation, tolerance, and mutual respect.”³ Because of this respect for individual liberty—defined in its “negative” sense where people have liberty to the extent that others are not coercing them⁴—libertarians believe that government should be constrained only to functions that cannot arise in other, voluntary, ways.⁵ In seeking to minimize government authority, libertarians look to markets

³Jason Brennan, *Libertarianism: What Everyone Needs to Know* (New York: Oxford University Press, 2012), 17.

⁴Isaiah Berlin, “Two Concepts of Liberty,” in *The Proper Study of Mankind*, ed. Henry Hardy (New York: Farrar, Strauss & Giroux, 1997), 191–242.

⁵Some libertarians, like anarchist Murray Rothbard, argued that government was not necessary at all, and that all important social functions could be provided by private initiative. More commonly, libertarians like Ayn Rand and Milton Friedman argued that such things as national defense and a

of buyers and sellers as a more effective way to allocate goods and services between people, largely because markets are voluntary and allow individuals to make choices about their own lives. “Libertarians,” says Brennan, “believe economic freedom is necessary if people are to be authors of their own lives.”⁶

While libertarians vary in degree, libertarians agree that governments should leave markets as free *as possible*, avoiding regulations on production and consumption and redistribution of wealth within markets. Libertarians are also concerned that governments do not usurp markets by producing goods and services the market can provide. Schooling is one such area of concern for many libertarians. Libertarians, as we will see, have consistently argued that education is essentially a private affair and that, for various reasons and in various ways, markets of private producers will do a much better job than governments at producing education in a way that is responsive to “consumer” demand.

Given that school choice has been advocated at various times by those of various political stripes—libertarians being only one—why write a history focusing primarily on market libertarian arguments? There are several reasons. First, in today’s political climate, “school choice” has become more and more associated with a conservative position and, according to its opponents, to a segregationist position. In a recent op-ed, the President of the American Federation of Teachers Randi Weingarten was able to admonish us to recognize the segregationist history of school choice: “make no mistake: The real ‘pioneers’ of private school choice were the white politicians who resisted school integration.”⁷ Similarly, historian of education Diane Ravitch writes that:

During the 1950’s and 1960’s, the term “school choice” was stigmatized as a dodge, invented to permit white students to escape to all-white public schools or to all-white segregated academies. For someone like me, raised in the south and opposed to racism and segregation, the word “choice” and

legal system were legitimate government functions that are necessary for a functioning society but could not be performed solely by private action.

⁶Brennan, *Libertarianism*, 96.

⁷Randi Weingarten, “School Choice—Past and Present,” American Federation of Teachers, July 22, 2017, <https://www.aft.org/column/school-choice-past-and-present>.

the phrase “freedom of choice,” became tainted. We knew they were being used as a conscious strategy to maintain state-sponsored segregation.⁸

Likewise, legal scholar James Forman (who has written a history school choice’s roots in progressive politics) complains that “choice is associated with free-market economist Milton Friedman, attempts to defy *Brown vs. Board of Education* wealthy conservative philanthropists, and the attacks on the public school bureaucracy by Ronald Reagan and George W. Bush.”⁹

To be sure, school choice—specifically in the form of vouchers families can use to attend the school of their choice—played a significant part in segregationist attempts to obviate *Brown vs. Board* and the forced integration of public schools. Several Southern states and counties sought to close public schools and replace them with vouchers parents can use to attend (segregated, it was hoped) private schools.¹⁰

One reason, then, to focus this history specifically on market libertarian arguments for school choice is that libertarian advocacy of school choice predates these massive resistance and segregationist plans, and are generally quite devoid of appeals to racism and segregation. Instead, they appeal to philosophical and economic arguments about the superiority of a market system to a public system. One could, of course, suggest that racism or segregation might have covertly motivated these libertarian arguments, but neither the arguments nor the history of their authors, as we shall see, supports such an uncharitable reading. Looking at these market libertarian arguments for school choice, then, should complicate the arguably dominant cultural story that school choice has its roots bound up in segregationists’ desire to avoid public school integration.

Another reason to examine these market libertarian arguments for school choice is that while libertarians have always been a political minority in the United States, they have arguably had a larger impact than their numbers suggest. Several libertarian figures in this book, for

⁸Diane Ravitch, *The Death and Life of the Great American School System: How Testing and Choice Are Undermining Education* (New York: Basic Books, 2010).

⁹James Forman, “The Secret History of School Choice: How Progressives Got There First,” *Georgetown Law Journal* 93, no. 4 (2005): 1287–1319.

¹⁰Jim Carl, *Freedom of Choice: Vouchers in American Education* (Santa Barbara, CA: Praeger, 2011).

instance—from perhaps the most famous school choice advocate Milton Friedman to economists James Buchanan and Friedrich Hayek—have won Nobel prizes in economics. (Ludwig von Mises, the libertarian economist who influenced Frank Chodorov—the subject of one of our chapters—never won a Nobel, but is consistently seen as an important figure in the history of economics.) While libertarians have never been a major force in American politics—the Libertarian Party was started only in 1971 and has never successfully placed a candidate into national office—based on polling data, philosopher Jason Brennan suggests that in 2012, “Somewhere between one-tenth and one-third of Americans are libertarian.”¹¹ (This estimate is based not on the labels with which people self-identify, but a survey of their general policy stances “such as whether we should have more or less government control of the economy or whether we should be more or less tolerant of others with different lifestyles and moral beliefs.”¹²) Libertarianism, while a minority position, is worth taking seriously.

Lastly, in my own judgment, the libertarian arguments (and plans) for school choice are worth grappling with for their sheer strength. Even if one ultimately disagrees with market libertarians’ philosophical and economic objections to markets being kept out of K–12 educational spaces, the arguments themselves offer serious challenges to the culturally dominant idea that unlike most other areas of goods and services, education should be delivered primarily by governments rather than markets. These market libertarians remind us that government-run public education entails the coercion of some to support others, takes away the arguably natural rights of families to control the education of their children, suffers from all of the inefficiencies that plague other state monopolies, and other potential problems. Even those who ultimately disagree with the libertarian position on markets in education will arguably benefit from considering the arguments of the libertarians who saw things very differently.

In this book, I am especially interested in how market libertarian arguments against government provision of education have changed over time, from a socially conservative defense of private education in a *laissez-faire* economy to current voucher proposals that see government’s role as pro-

¹¹Brennan, *Libertarianism*, 172.

¹²Brennan, *Libertarianism*, 172.

viding citizens funding for education, while keeping the provision of education private. In other words, I want to explore how and why libertarian arguments regarding education have changed over the twentieth century. To do this, I will spend each chapter exploring the thought of a prominent market libertarian intellectual, analyzing their educational writings. I will focus on how each intellectual crafted his or her argument against state education, for markets in education, and how each imagined the proper role (if any) for governments and private actors in markets in schooling. The intellectuals I will examine are:

1. **Albert Jay Nock** (1870–1945): Nock was a news magazine writer and social critic who wrote, among other things, a book called *Theory of Education in the United States*. For Nock, an anarchist who favored laissez-faire capitalism in the vein of philosopher Herbert Spencer, state education was an impermissible intrusion on individual liberty less suited to true education than to training good workers. Unlike other figures in this book, while Nock entertained private schools providing education through markets, he was ultimately skeptical that markets could provide quality education, largely because he feared that consumer sovereignty would lead people to prefer inferior and easy educational experiences.
2. **Frank Chodorov** (1887–1966): Chodorov was also a news magazine writer and editor. A professed protégé of Nock's, Chodorov's libertarian political philosophy resembled Nock's in every area except Chodorov's optimism toward markets in education. This difference, I argue, was likely due to his familiarity with economists unfamiliar to Nock who stressed the importance of consumer sovereignty and hesitated to infuse their analysis of what consumers prefer with a philosophical discussion of what consumers *should* prefer. Chodorov ideally preferred no role for government in education, but compromised to support the minimal government function of giving individuals tax deductions/credits for money spent purchasing private education.
3. **Ayn Rand** (1905–1982): Rand was a successful novelist, social critic, and philosopher. An immigrant to America from Soviet Russia, Rand produced several successful libertarian-themed novels and created a philosophy called Objectivism, which placed primacy on the use of human reason as well as individual liberty, achieved through laissez-faire

capitalism. Her educational writings stressed that, as a state enterprise, public education was ill-equipped to teach the kind of individualism and rational thinking on which a free society depends. Private markets in education were preferred, among other reasons, because they were thought more likely to equip individuals for a market-driven society. For similar reasons as Chodorov, Rand supported a role for government in education limited to giving tax credits to individuals for the purchase of education.

4. **Murray Rothbard** (1926–1995): Rothbard was an anarchist economist who believed the market could replace *all* social functions currently supplied by governments, including law and security. Rothbard viewed the state as an agency that sought to obtain and retain power over citizens; state education was an instrument toward this goal. He argued that markets in educational services were justified because markets avoided coercion against individuals as well as forced standardization of instruction for all. Rothbard believed there was no role the state should play in education.
5. **Milton Friedman** (1912–2006): Friedman was an economist who wrote well-known defenses of markets like *Capitalism and Freedom* and *Free to Choose* (with his wife, Rose). His defense of markets was largely consequentialist; markets, he argued, were justified because (and insofar as) they produce more desirable consequences (namely, increases in human well-being) than state intervention. While Friedman believed that there were “public goods” reasons why the state-funded education, state provision of education was unnecessary and produced schools that were inflexible and unresponsive to consumer demand. He preferred a voucher system where the state provides educational funding to families but did not maintain schools (even though his voucher plans allowed for the existence of public schools as options in education markets).
6. **Myron Lieberman** (1919–2013): Lieberman was a public school teacher and teachers’ union negotiator turned professor of education. Like Friedman, Lieberman lamented the inflexibility and bureaucracy of the public school system, which, he believed, stemmed from the public school bureaucracy’s operation outside of competitive markets and market pressures. Lieberman argued not only that models of school choice (whether vouchers or charters) could alleviate this situation but

also that good school-choice plans should allow and encourage for-profit schools to compete in the educational marketplace.

7. **Assorted advocates for choice from non-libertarian positions:** In this chapter, for purposes of contrast, I review in some detail arguments for school choice made from decidedly non-market-libertarian positions, with focus on advocates on the political left. As James Forman notes, the conventional account that school choice is primarily a right wing issue is “incomplete,” and, by Forman’s appraisal, leaves out “the left’s substantial ... contribution to the development of school choice.”¹³ This chapter will not be so much a survey of that contribution as an in-depth exploration of three particular arguments for and visions of school choice from advocates on the political left. TheodoreSizer (1932–2009) advocated for school choice as a way to potentially assuage persisting racial and economic inequities that seemed to persist in a non-competitive system where most students are residentially zoned into public schools as well as for reasons of pedagogical pluralism. John “Jack” Coons (1929–) and Stephen Sugarman (1942–) were, like Sizer, primarily concerned with school choice as a vehicle to combat racial and economic inequity in the way schools are financed. In the wake of several California Supreme Court decisions finding that funding public schools primarily through local property taxes unconstitutional, Sugarman and Coons thought a voucher plan where the state distributed money directly to families a more equitable solution. Lastly, John Holt (1923–1985), who considered himself a “small ‘l’ libertarian,” objected to the cultural dominance of formal schooling, finding it a largely ineffective way for most children to learn. He supported school choice largely as a way to attack this cultural dominance and introduce educational pluralism (as choice would extend not just to competing schools, but the choice to learn without school). Not being market libertarians, none of these choice advocates had aversions to introducing government interventions into the market, such as allowing different levels of funding to go to different students to encourage more equitable outcomes, a large role in accreditation of schools in the market,

¹³Forman, “The Secret History of School Choice,” 1288.

or a government role in collecting and distributing information about schools to parents to aid their ability to choose.

My criteria for the scope of this project necessarily and unfortunately means that I must leave out some very worthy figures. In limiting myself to figures who favored markets in education over state education, I am excluding some familiar libertarian thinkers who were critical of state education but did not argue for markets in education like children's rights advocate Paul Goodman and "unschooling" advocate John Holt.¹⁴ In limiting myself to American market libertarians, I must exclude British market libertarians who focused on education like E.G. West and James Tooley.¹⁵ Lastly, as the focus of this work is market libertarians who wrote at least a fair amount in defense of markets in education, many prominent defenders of market libertarianism as a broad political theory (but not applied to education) like Robert Nozick and James Buchanan will be excluded.

Also, while several of my choices may seem obvious given my criteria, I should elaborate on two that may not appear obvious: Albert Jay Nock and Myron Lieberman. Albert Jay Nock did not necessarily defend markets in education; although he entertained them as an alternative to state education, he was unconvinced that private schools would be less flawed than state schools. So, why choose Nock for the first chapter of a history chronicling libertarian defenses of markets in education? In all honesty, I originally chose Nock in error: having read many of Nock's work defending markets and several essays of his criticizing state education, I *assumed* from these that his solution to the ills of state education would be markets in education. Further research revealed Nock to be as much a skeptic of markets in education as a critic of state education. Yet this itself makes for an interesting reason to start a project like this with an exploration of Albert Jay Nock. Particularly as Nock's libertarian thought was such an influence on Frank Chodorov—the second intellectual I examine—there

¹⁴Paul Goodman, *Compulsory Mis-Education, and the Community of Scholars* (New York: Vintage Books, 1964); John C. Holt, *Escape from Childhood* (Cambridge, MA: Holt Associates, 2013), Kindle ebook ed.

¹⁵E. G. West, *Education and the State: A Study in Political Economy* (Indianapolis: Liberty Fund, 1994); James Tooley, *Education Without the State* (London: Institute of Economic Affairs, 1998).

is an interesting story to tell about why, for all his libertarianism, Nock did not support markets in education the same way as in other areas, while Chodorov did.

Next, it could be argued that Myron Lieberman is one of several recent libertarian defenders of markets I could have chosen. Others might have chosen Terry Moe or John Chubb, authors of several high-profile defenses of markets in education and critiques of public education.¹⁶ Chubb or Moe (or both) would have been worthwhile candidates for inclusion. My interest in Lieberman has to do with the philosophical coherence of his analysis over time that is well suited for an intellectual history like this one. Not only does Lieberman use a particular economic methodology (public choice economics) to analyze the shortcomings of public education and private alternatives, but he also offers an interesting argument specifically for the allowance (and potential superiority) of for-profit schools in markets for education.

While historical stories are never perfectly linear, there is an overall “shape” to the gradual change in how markets in education have been defended over time. Broadly, the trend has been from defending something like a pure *laissez-faire* model (where the state has little or no role in education) to something of a “mixed-economy” model of vouchers (where government distributes funding for education, but schooling is produced by private actors). Earlier market libertarians—in order, Frank Chodorov, Ayn Rand, and Murray Rothbard—envisioned either government’s educational role relegated to providing tax credits to individuals for the purchase of private education (Chodorov, Rand) or no role for government at all (Rothbard). The remaining two intellectuals—Milton Friedman and Myron Lieberman—saw valid reason for governments to play a relatively strong role in redistributing tax funds for people’s purchase of education and even something of a role in regulating/accrediting to determine what schools were eligible to receive vouchers. Yet both still criticized government administration of schooling, largely on grounds that

¹⁶John E. Chubb and Terry M. Moe, *Politics Markets and Americas Schools* (Washington, DC: Brookings Institution Press, 1990); Terry M. Moe, *Schools, Vouchers, and the American Public*, 1st ed. (Washington, DC: Brookings Institution Press, 2001); Terry M. Moe and John E. Chubb, *Liberating Learning: Technology, Politics, and the Future of American Education* (San Francisco: Jossey-Bass, 2009); and Terry M. Moe, *Special Interest: Teachers Unions and America’s Public Schools* (Washington, DC: Brookings Institution Press, 2011).

monopolies, and especially government monopolies, were inefficient and unresponsive to consumer preference.

Some Notes on Terminology

I use the term *market libertarian* rather than simply *libertarian* because the latter term can be used in at least two other ways, from which my usage differs. Particularly outside the United States, the term *libertarian* has often been used to refer to political positions that seek to liberate individuals not only from dependence on the state but also from dependence on market forces and their possible consequences.¹⁷ Moreover, in the field of education, *libertarian* is often a word describing any system of education where the child has maximum freedom to direct her educational trajectory and experience (as opposed to a system where the teacher or school leads the student).¹⁸

In contrast to these latter two uses, I analyze the educational arguments of “market libertarians,” rather than “left-libertarians” or “educational libertarians.” While the market libertarians I will study all put forward slightly different arguments, they are united in opposition to government production of education and favor private provision of education via market competition.

One last note on my use of terminology: while I use the term *libertarian* (and specifically *market libertarian*) to label the subjects in this history, it should be noted that not all of those “libertarians” profiled used the term to classify their own thought. Murray Rothbard, Milton Friedman, and Frank Chodorov used the term to describe their social views (though the latter two used the term with a bit of reservation, Chodorov preferring the term *individualism* and Friedman preferring the term *liberalism* in its “clas-

¹⁷For an example of this usage, see David Goodway, *Anarchist Seeds Beneath the Snow: Left-Libertarian Thought and British Writers from William Morris to Colin Ward* (Liverpool, UK: Liverpool University Press, 2006).

¹⁸For an example, see Michael P. Smith, *The Libertarians in Education* (Boston: Allen & Unwin, 1983).

sical” sense¹⁹). Albert Jay Nock did not use the term to describe his own positions, likely because the term hadn’t come into vogue yet to describe pro-market positions. Ayn Rand disavowed the “libertarian” label largely because, while her belief in individual liberty and support for markets over state action accorded nicely with libertarians like Rothbard, she believed that libertarians were often nihilistic regarding moral theory in a way that conflicted with her own normative philosophy of “Objectivism.”²⁰ Lastly, while Myron Lieberman frequently wrote for the libertarian CATO Institute think-tank and clearly preferred free-market policies in education, there is no evidence that he referred to his own thought as libertarian (though this may be because Lieberman’s work focuses exclusively on the economics and politics of education, rather than advocating any particular political viewpoint).

For my purposes, it is less important whether the figures chosen for this history used the *libertarian* moniker to describe their own thought than whether their thought (particularly regarding the structure of education in society) fits with an overall market libertarian position. Each of the figures in this book (save for the final chapter of non-market-libertarian advocates of choice) fits that criterion, as they all argue against a state quasi-monopoly on education and for a free market in education services as a viable alternative.

Setting the Historical Stage

As our first chapter will start with Albert Jay Nock in the 1930s, we might briefly survey the history he and others were responding to—the rise of (and controversy around) state-administered public schooling in

¹⁹Frank Chodorov, “About Me: An Editorial,” *The Freeman*, July 1954; Brian Doherty, “Best of Both Worlds,” *Reason Magazine*, June 1996, 3, <http://reason.com/archives/1995/06/01/best-of-both-worlds>.

²⁰For an example of an “Objectivist” take on libertarianism, see Peter Schwartz, “Libertarianism: The Perversion of Liberty,” in *The Voice of Reason: Essays in Objectivist Thought*, ed. Leonard Peikoff (New York: New America Library, 1988), 311–33. While the essay is written by Peter Schwartz, Schwartz was a student of Ayn Rand’s, and the essay appears as a supplement in a collection of essays written by Ayn Rand, presumably because it approximates Rand’s own thought on the differences between Objectivism and libertarianism.