



## From African Socialism to Libertarianism

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*When I asked myself, “Am I truly free?” I began slowly to understand the nature of man and man’s situation on this planet. I understood at last that every human being is free; that I am endowed by the Creator with inalienable liberty—Rose Wilder Lane, *Give Me Liberty* (Caxton Printers, 1954)*

I live in Devonshire, where the colloquial “tis what tis” is often used to express the idea that reality is not simply a figment of our imagination, nor is it a mere social construct that may be whimsically re-engineered at will. This common-sense wisdom coheres with my understanding of libertarianism.

Libertarianism to me is a philosophy of liberty, a set of principles according to which each individual can live a meaningful and happy life. Libertarianism in that sense is more than a party-political programme, more than a way to understand economic and monetary systems, indispensable though these are to peaceful coexistence. The essence of libertarianism lies in the principle that every human being is born free and remains so throughout the course of his life.

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I was born in New Jersey. My father was then a student at the Princeton Theological Seminary. Our box set of *Little House on the Prairie* books was a gift from my parents' American friends, which may partly explain why Rose Wilder Lane's philosophy appeals to me on a very personal level. She recounts events that I know to be true. In the end, this desire to live according to principles one knows to be true goes a long way in explaining why anybody follows one philosophical path rather than another.

Following my father's graduation from Princeton, our family returned to Kenya. I was raised in a bookish home with a wide range of fiction from African writers (Ngugi wa Thiong'o, Chinua Achebe) to Ayn Rand. Perhaps it is this, more than any other single factor, that explains why I was never beguiled by the socialist orthodoxies which nowadays dominate the liberal universe. When I first read *Atlas Shrugged* I regarded it as nothing more than an engaging work of fiction with tales of heroism and valour, but that may have been enough to make me in due course alert to the wiles of statist schemers and meddlers. That, and the failed "African socialism" experiments which we studied in school were instrumental in my intellectual odyssey. There was a faint air of "socialism doesn't work, but it has never really been tried, so if we add Africanism to it, it's sure to work." It was socialism with what were said to be redemptive African features, such as Julius Nyerere's "ujamaa" which promoted the collective interest of tribe or village above individualism.

Thence began my journey to discover why some countries are rich and others are poor, and specifically the role of property rights in economic growth. We were taught that the essential evil of colonialism lay in imposing private property rights onto a pre-capitalist society. Lenin's writings were prescribed reading in my property law classes at the University of Nairobi. Later, as a research student at Cambridge, the liberal progressive "proprietary stakeholder theory" seemed to me a more robust and theoretically sound exposition of the conceptual foundations of property rights than the Marxist ideas underpinning African socialism. My doctoral project, published in my first book titled *Property in Work* (Ashgate, 2007) was based on the idea of "stakeholders as owners." As I wrote in the preface to that book, the title reflects jurisprudential debates about the property as a "bundle of rights" in which workers have proprietary claims as corporate stakeholders. The book considers John Locke's ideas only in passing, and that was about as far outside the socialist worldview as I ever strayed in those years.

My early career was spent teaching and writing about employment rights and labour relations at various law schools including Oxford, LSE, and Queen's University in Kingston, Ontario. My publications from those years explore the themes of subordinate labour which dominate the academic analysis of the contract of employment. My work was motivated by an attempt, albeit tentative, to resolve the contradiction between my instinctive commitment to freedom of contract and my desire to remain within the parameters of orthodox discourse on labour market regulation. Colouring within the lines. I floundered in a sea of utilitarianism and the so-called "market correcting" function of legislation.

To this day I might still be mired in that futile and impotent endeavour had I not been rescued by my Queen's colleague, Bruce Parry. Bruce was kind enough not only to read my work but also to ask the crucial questions which exposed the progressive fallacies I had superficially assumed to be true simply by never troubling to question them. "Economic inequality is a problem," said I. "Why?" asked Bruce. It is not always easy to question principles regarded by most people as self-evident, but once questioned false principles melt away like freezies in the sun. Progressivist ideology does not withstand serious intellectual scrutiny.

At about that time, I started writing a blog exploring "thoughts on law and economic development." I was primarily interested in exploring ideas freely without the need to mollify peer reviewers or "progressivize" my opinions to make them palatable for an academic audience. I sought freedom from the strictures of what progressives call "reasonableness" which really just means "stick to the narrative or perish." This led in turn to the idea for my next book, *Economic Freedom and Social Justice* (Palgrave Macmillan, 2021).

While writing that book I stumbled upon Murray Rothbard's *Egalitarianism as a Revolt Against Nature* (Ludwig von Mises Institute, 2000). That was something of a road to Damascus moment. I was, of course, familiar with Friedrich Hayek's ideas on law and liberty which are widely influential in academic discourse, but was not familiar with Rothbard, or others in the Austrian school. It is impossible to overstate the impact Rothbard's *Egalitarianism* had on me, especially the realization that ideas I had assumed to be amorphous and peripheral to my inquiry (*Atlas Shrugged* is just fiction, right?) were in truth central to resolving the identity-politics debates of our time. I realized that it was not only possible but in fact deeply necessary and urgent, to question the ethical

foundations of egalitarianism. I was particularly struck by the force of Rothbard's unflinching words:

Since their methodology and their goals deny the very structure of humanity and of the universe, the egalitarians are profoundly antihuman; and, therefore, their ideology and their activities may be set down as profoundly evil as well. Egalitarians do not have ethics on their side unless one can maintain that the destruction of civilization, and even of the human race itself, may be crowned with the laurel wreath of a high and laudable morality. (*Egalitarianism as a Revolt Against Nature*, p. 20)

In evaluating contemporary racial equality debates from that perspective, I drew heavily on David Gordon's three-volume *Austro-Libertarian Essays* (Ludwig von Mises Institute, 2017) and particularly David's argument that a natural-rights libertarian need not concede the moral debate to Rawlsian liberals just because they dominate the academy; instead, we must continue to defend the basic principles of justice (life, liberty, and property) as best we can—an argument which runs like a golden thread through David's *Essays*.

I was delighted that David agreed to write a foreword for this second book of mine. He was also generous enough to read the book in draft and to offer suggestions that transformed it from a tentative set of gentle questions about equality legislation to a more penetrating theoretical and philosophical analysis. As countless others have said, David knows where all the good ideas are buried, and has a mind more powerful than a google search engine in navigating the paths to libertarian enlightenment and avoiding the many perils and pitfalls along the way.

David and I are now working on a study of self-ownership and property rights in the context of contemporary reparations debates. Reparations for slavery and colonialism are thought to be necessary for “restorative justice,” a conceptualization of justice which wrongly supposes that justice can be achieved by dismantling property rights. We draw upon post-colonial historical and economic developments to highlight the role of free markets in advancing liberty, prosperity, and global justice. I strongly feel that it is essential for libertarian perspectives to be heard in these debates.