

## The dignity of the individual

April 09, 2015

*Editor's note: May we suggest, via way of warning, that you read this article when you have time to finish it (it is long) and to reflect on its application to modern day America.*

David Boaz, writing for the *Cato Institute* explains libertarianism in a clear and compelling treatise:

*For libertarians, the basic unit of social analysis is the individual. It's hard to imagine how it could be anything else. Individuals are, in all cases, the source and foundation of creativity, activity, and society. Only individuals can think, love, pursue projects, act. Groups don't have plans or intentions. Only individuals are capable of choice, in the sense of anticipating the outcomes of alternative courses of action and weighing the consequences. Individuals, of course, often create and deliberate in groups, but it is the individual mind that ultimately makes choices. Most important, only individuals can take responsibility for their actions. As Thomas Aquinas wrote in *On the Unity of the Intellect*, the concept of a group mind or will would mean that an individual would "not be the master of his act, nor will any act of his be praiseworthy or blameworthy." Every individual is responsible for his actions; that's what gives him rights and obligates him to respect the rights of others.*

*But what about society? Doesn't society have rights? Isn't society responsible for lots of problems? Society is vitally important to individuals. It is to achieve the benefits of interaction with others, as Locke and Hume explained, that individuals enter into society and establish a system of rights. But at the conceptual level, we must understand that society is composed of individuals. It has no independent existence. If 10 people form a society, there are still 10 people, not 11. It's also hard to define the boundaries of a society; where does one society end and another begin? By contrast, it's easy to see where one individual ends and another begins — an important advantage for social analysis and for allocating rights and duties.*

*We cannot escape responsibility for our actions by blaming society. Others cannot impose obligations on us by appealing to the alleged rights of society, or of the community. In a free society we have our natural rights and our general obligation to*

*respect the rights of other individuals. Our other obligations are those we choose to assume by contract.*

### **THE NEED FOR COOPERATION**

*Yet none of this is to defend the sort of "atomistic individualism" that philosophers and professors like to deride. We do live together and work in groups. How one could be an atomistic individual in our complex modern society is not clear: Would that mean eating only what you grow, wearing what you make, living in a house you build for yourself, restricting yourself to natural medicines you extract from plants? Some critics of capitalism or advocates of "back to nature" might endorse such a plan, but few libertarians would want to move to a desert island and renounce the benefits of what Adam Smith called the Great Society, the complex and productive society made possible by social interaction.*

*Libertarians agree with George Soros that "cooperation is as much a part of the system as competition." In fact, we consider cooperation so essential to human flourishing that we don't just want to talk about it; we want to create social institutions that make it possible. That is what property rights, limited government, and the rule of law are all about.*

*It might be nice if love could bring about all the complex tasks of cooperation and competition by which we achieve our purposes, without all the emphasis on selfinterest and individual rights, and many opponents of liberalism have offered an appealing vision of society based on universal benevolence. But as Adam Smith pointed out, "in civilized society [man] stands at all times in need of the cooperation and assistance of great multitudes," yet in his whole life he could never befriend a small fraction of the number of people whose cooperation he needs. If we depended entirely on benevolence to produce cooperation, we simply couldn't undertake complex tasks. Reliance on other people's self-interest, in a system of well-defined property rights and free exchange, is the only way to organize a society more complicated than a small village.*

*The human need for cooperation has helped to create vast and complex networks of trust, credit, and exchange. For such networks to function, we need several things: a willingness on the part of most people to cooperate with others and to keep their promises, the freedom to refuse to do business with those who refuse to live up to their commitments, a legal system that enforces the fulfillment of contracts, and a market economy that allows us to produce and exchange goods and services on the basis of secure property rights and individual consent.*

*If we were a species for whom cooperation was not more productive than isolated work,*

*or if we were unable to discern the benefits of cooperation, then we would not only remain isolated and atomistic, but, as Ludwig von Mises explains, "Each man would have been forced to view all other men as his enemies; his craving for the satisfaction of his own appetites would have brought him into an implacable conflict with all his neighbors." Without the possibility of mutual benefit from cooperation and the division of labor, neither feelings of sympathy and friendship nor the market order itself could arise. Those who say that humans "are made for cooperation, not competition" fail to recognize that the market is cooperation. (Indeed, it is people competing to cooperate better!)*

*President Obama defends his vision of expansive government by saying, "Imagine if everybody had their own fire service. That would be a hard way to organize fighting fires" and "No single person can ... build the roads and networks and research labs that will bring new jobs." Well, of course not. No one thinks a single person could. It takes many people, working together. But in most cases it takes businesses, coordinated by prices and markets, to meet our needs and generate progress. We are fed, clothed, sheltered, informed, and entertained by individuals, working together with other individuals, mostly in corporations, with their activities coordinated by the market process. Obama offers a stark vision of a world in which lone individuals have no way to cooperate with others except through the state. Life would indeed be nasty, brutish, and short if it were solitary.*

### **SLAVERY AND RACISM**

*Of course, as late as Jefferson's time and beyond, the concept of the individual with full rights did not include all people. Astute observers noted that problem at the time and began to apply the ringing phrases of Locke's *Second Treatise of Government* and the *Declaration of Independence* more fully. The equality and individualism that underlay the emergence of capitalism and republican government naturally led people to start thinking about the rights of women and of slaves, especially African American slaves in the United States. It's no accident that feminism and abolitionism emerged out of the ferment of the Industrial Revolution and the American and French revolutions.*

*The abolitionist movement grew logically out of the Lockean libertarianism of the American Revolution. How could Americans proclaim that "all men are created equal ... endowed by their Creator with certain unalienable rights," without noticing that they themselves were holding other men and women in bondage? They could not, of course, and had they tried: they would have been reminded by people such as the great English scholar Samuel Johnson, who wrote in 1775, "How is it that we hear the loudest yelps for liberty among the drivers of Negroes?" The world's first anti-slavery society was founded in Philadelphia that same year. Thomas Jefferson himself owned slaves, yet he included a*

*passionate condemnation of slavery in his draft of the Declaration of Independence: "[King George] has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him." The Continental Congress deleted that passage, but Americans lived uneasily with the obvious contradiction between their commitment to individual rights and the institution of slavery.*

*The abolitionist movement was naturally led by libertarians. Leading abolitionists called slavery "man stealing," in that it sought to deny self-ownership and steal a man's very self. Their arguments paralleled those of the Levellers and John Locke. William Lloyd Garrison wrote that his goal was not just the abolition of slavery but "the emancipation of our whole race from the dominion of man, from the thralldom of self, from the government of brute force." Frederick Douglass likewise made his arguments for abolition in the terms of classical liberalism: self-ownership and natural rights.*

*Racism is an age-old problem, but it clearly clashes with the universal ethics of libertarianism and the equal natural rights of all men and women. As Ayn Rand pointed out in her 1963 essay "Racism":*

*Racism is the lowest, most crudely primitive form of collectivism. It is the notion of ascribing moral, social or political significance to a man's genetic lineage ... which means, in practice, that a man is to be judged, not by his own character and actions, but by the characters and actions of a collective of ancestors.*

*In her works Rand emphasized the importance of individual productive achievement to a sense of efficacy and happiness. She argued, "Like every other form of collectivism, racism is a quest for the unearned. It is a quest for automatic knowledge — for an automatic evaluation of men's characters that bypasses the responsibility of exercising rational or moral judgment — and, above all, a quest for an automatic self-esteem (or pseudo-self-esteem)." That is, some people want to feel good about themselves because they have the same skin color as Leonardo da Vinci or Thomas Edison, rather than because of their individual achievements; and some want to dismiss the achievements of people who are smarter, more productive, more accomplished than themselves, just by uttering a racist epithet.*

## **FEMINISM**

*The liberal writer Mary Wollstonecraft responded to Edmund Burke's *Reflections on the Revolution in France* by writing *A Vindication of the Rights of Men*, in which she argued that "the birthright of man ... is such a degree of liberty, civil and religious, as is*

*compatible with the liberty of every other individual with whom he is united in a social compact." Just two years later she published *A Vindication of the Rights of Woman*, which asked "whether, when men contend for their freedom ... it be not inconsistent and unjust to subjugate women?"*

*Women involved in the abolitionist movement also took up the feminist banner, grounding their arguments in both cases in the idea of self-ownership, the fundamental right of property in one's own person.*

*The Declaration of Sentiments adopted at the historic Seneca Falls Convention in 1848 consciously echoed both the form and the Lockean natural-rights liberalism of the Declaration of Independence, expanding its claims to declare that "all men and women are created equal," endowed with the inalienable rights of life, liberty, and the pursuit of happiness. The document notes that women are denied moral responsibility by their lack of legal standing and concludes that women have been "deprived of their most sacred rights" by "unjust laws." That classically liberal, individualist strain of feminist thought continued into the 20th century, as feminists fought not just for the vote but for sexual freedom, access to birth control, and the right to own property and enter into contracts.*

*A libertarian must necessarily be a feminist, in the sense of being an advocate of equality under the law for all men and women, though unfortunately many contemporary feminists are far from being libertarians. Libertarianism is a political philosophy, not a complete guide to life. A libertarian man and woman might decide to enter into a traditional working-husband/nonworking-wife marriage, but that would be their voluntary agreement. The only thing libertarianism tells us is that they are political equals with full rights to choose the living arrangement they prefer. In their book *Gender Justice*, David L. Kirp, Mark G. Yudof, and Marlene Strong Franks endorsed this libertarian concept of feminism: "It is neither equality as sameness nor equality as differentness that adequately comprehends the issue, but instead the very different concept of equal liberty under the law, rooted in the idea of individual autonomy."*

## **SEXUAL ORIENTATION**

*Much of the progress of liberty in the United States has involved extending the promises of the Declaration of Independence — life, liberty, and the pursuit of happiness — to more and more people. The emphasis on the individual mind in the Enlightenment, the individualist nature of market capitalism, and the demand for individual rights that inspired the American Revolution naturally led people to think more carefully about the nature of the individual and gradually to recognize that the dignity of individual rights should be extended to all rational individuals. As noted, those intellectual trends quickly*

*led to feminist and abolitionist sentiments. It took longer for people to take seriously the idea of homosexual activity as a matter of personal freedom and to recognize homosexuals as a group of people with rights.*

*Of course it was classical liberals who first came to that recognition. The pioneering criminologist and reformer Cesare Beccaria in his 1764 book *Of Crimes and Punishments* argued against legal punishment for sodomy. Montesquieu and Voltaire criticized such criminalization, and Adam Smith said that "sodomy was a thing in itself indifferent." The first gay journal in the world, *Der Eigene*, was launched in 1896 by the individualist anarchist Adolf Brand and was published until it was shut down by the Nazis in 1933. Hayek condemned "the treatment of homosexuality" in *The Constitution of Liberty*, published in 1960, writing that "private practice among adults, however abhorrent it may be to the majority, is not a proper subject for coercive action for a state whose object is to minimize coercion." The Libertarian Party was the first American political party to endorse gay rights, with its first platform in 1972.*

*Historians have often noted the general danger to minorities of a powerful and expansive government. In his book *Christianity, Social Tolerance, and Homosexuality* the Yale historian John Boswell wrote that "gay people were actually safer under the [Roman] Republic, before the state had the authority or means to control aspects of the citizenry's personal lives." In *Intimate Matters: A History of Sexuality in America*, John D'Emilio and Estelle Freedman note the rise of liberalism in the late 18th century, which brought about in America "an overall decline in state regulation of morality and a shift in concerns from private to public moral transgressions."*

*Today libertarians believe, as John Stuart Mill famously wrote, that "Over himself, over his own body and mind, the individual is sovereign." That applies to gay people and to everyone else. Thus libertarians oppose laws criminalizing any consensual sexual activity among adults, in the United States and elsewhere. Many libertarians argue for the complete privatization of marriage, making marriage a matter of individual contract and for some people a religious ceremony, thus removing any need for state recognition of marriages. As long as marriage is licensed by government, however, same-sex couples are entitled to equal legal rights. Libertarians would like to get government out of most areas, but as long as government is involved, it must treat citizens equally.*

## *INDIVIDUALISM TODAY*

*How fares the individual in America today? Conservatives, liberals, and communitarians all complain at times about "excessive individualism," generally meaning that Americans seem more interested in their own jobs and families than in the schemes of social*

*planners, pundits, and Washington interest groups. However, the real problem in America today is not an excess of individual freedom but the myriad ways in which government infringes on the rights and dignity of individuals.*

*We're constantly exhorted to look at public policy in terms of its effect on groups, not whether it treats individuals according to the principle of equal rights. Interest groups from the American Association of Retired Persons to the National Organization for Women to the Veterans of Foreign Wars to the American Federation of Government Employees encourage us to think of ourselves as members of groups, not as individuals.*

*While campaigning for president, Barack Obama declared that "our individual salvation depends on collective salvation," while his Republican opponent John McCain denounced "self-indulgence" and insisted that Americans serve "a national purpose that is greater than our individual interests." Obama and Senator Elizabeth Warren disparage the idea of individual achievement, asserting that a benevolent government is behind every successful business. New York Times columnists Charles Blow and Ross Douthat deplore the "individualism" of the millennial generation, which they equate not so much with self-reliance and skepticism about institutions as with "selfies." Fellow columnist David Brooks ups the ante to "hyperindividualism." Today's Establishment just doesn't like the idea that people might make their own choices without central direction.*

*Libertarians sometimes say, "Conservatives want to be your daddy, telling you what to do and what not to do. Liberals want to be your mommy, feeding you, tucking you in, and wiping your nose. Libertarians want to treat you as an adult." Libertarianism is the kind of individualism that is appropriate to a free society: treating adults as adults, letting them make their own decisions even when they make mistakes, trusting them to find the best solutions for their own lives.*

*David Boaz is executive vice president of the Cato Institute. He is the author, most recently, of *The Libertarian Mind: A Manifesto for Freedom* (Simon & Schuster, 2015), from which this article is adapted.*

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