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FREE MINDS AND FREE MARKETS

What Does It Mean To Be a Libertarian?

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Don't Hurt People and Don't Take Their Stuff

Matt Kibbe

Vector Tradition SMWe libertarians have always preferred to use esoteric arguments, specialized language, and other secret handshakes usually invoking the furthest reaches of Austrian praxeology. Like exclusive membership in any tribe, this can all be great fun. But it can also be politically debilitating in an era where one tweet from the president is capable of changing the course of international relations.

Joanna AndreassonWith all due respect to Adam Smith and Ayn Rand and Ludwig von Mises, why not make it simple? *Don't hurt people and don't take their stuff*—that's libertarianism in a nutshell. It's even short enough to work on old 140-character Twitter, before founder Jack Dorsey ruined it. If this sounds like what your mom taught you when she caught you whaling on your little brother, that's because I stole it from her. But she stole it from *her* mom, as have many generations of moms before. Everyone seems to agree on these rules, save homicidal psychos and politicians.

It's particularly important that we make this commonsense case for libertarianism today, because so much of our public debate has devolved into tribal identitarianism—conservative vs. liberal, red vs. blue, us vs. them. But these tribes, mostly motivated by what they don't like about the other side's personal choices, are getting smaller and smaller. The rest of the population is left feeling alienated by the fighting. Can't we all just get along? Most folks want to be left alone to live their lives, raise their families, make a living, maybe take a few risks or practice their faith, and simply pursue happiness as they see fit. They are good people, meaning that they'll do good by you, as long as you don't hurt them or take their stuff.

The nice thing about libertarianism is that you don't really need permission from someone else's cultural or political tribe to adopt it. Of course, the mutual respect, or at least tolerance, that comes with not hurting people and not taking their stuff is the basis for all sorts of prosocial behavior. Binding institutions, accepted rules of conduct, peaceful cooperation, mutually

beneficial economic transactions, and yes, helping a neighbor in trouble are all the unplanned results of our time-tested, mom-approved rules.

At lightning speed, technology has allowed us to abandon many of the top-down institutions that used to tell us what to think and know and do. We crowdsource all of these answers for our own selves now. The result is mostly beautiful chaos. But political powerbrokers are doing what they have always done in order to cling to power: They gain by dividing us by our class, or color, or income, or sexual identity, or religion, or which side of the border our parents were born on. It may feel like it's working, but I think this is just a passing phase, a transition to something more democratized and wonderful.

If we libertarians could reach that massive searching middle with a simple story—a prospect that gets ever easier in the new world of democratized storytelling—the good folks who just want to get on with their lives might just join up with us. We can help rebuild an awesomely messy community of people, the crazy quilt we call America. As long as we don't hurt people or take their stuff.

Libertarianism: Defined by Ends, Not Means

David Friedman

Vector Tradition SMA libertarian is someone who has concluded, for whatever reason, that he prefers a society with a high level of individual freedom and little interference with individual rights. That leaves open the question of what those rights are. Simply put, we believe in negative rights, not positive rights; the right not to be killed, not the right to live; the right of each person to control his own life, but not at the expense of unwilling others.

"Libertarian" is not a binary variable—there is no bright line separating those just libertarian enough to qualify from those not quite libertarian enough. A socialist who believes in government control of heavy industry but private markets for everything else or one who supports a Yugoslavian-style system where workers' co-ops interact with each other through the market may not be very libertarian, but he is more libertarian than a socialist who believes in running everything from the center. Someone who wants to replace the public-school system with education vouchers is probably more libertarian than the vast majority of the population—but less libertarian than someone willing to go all the way to a completely private system.

Not all disagreements can be ordered that neatly. A person who believes in a woman's right to have an abortion is not clearly more or less libertarian than one who believes in the right of a fetus not to be killed. Likewise for the disagreement between those who see copyrights as the least justifiable form of private property and those who see it as the most justifiable. Going further afield, it is possible to construct a libertarian argument along Georgist lines for a government funded by taxes on the site value of land, on the theory that the holder owes compensation to all those deprived of access to his parcel, which, not having been produced by human effort, ought properly to be a commons. It is equally possible to construct a libertarian case in opposition, based either on a Lockean claim of just ownership or on the consequentialist argument—which goes all the way back to economist David Ricardo's rejection of Adam Smith's case for land taxes—about how a real-world government can be expected, in practice, to implement such a tax.

As the final point suggests, many of the disagreements among libertarians depend on the practical implications of alternative institutions. Those who believe, as I do, that private institutions in a stateless society can be expected to do a better job of rights enforcement than a minimal state will conclude that the shift to anarchy would reduce total rights violation. Hence, we see anarchism as more libertarian than minarchism. Those who believe a minimal state provides a large reduction in rights violation by private individuals at the cost of a small amount of rights violation by public actors will reach the opposite conclusion. Both are libertarians.

Love Liberty? Love God.

Deirdre Nansen McCloskey

Vector Tradition SMI've been a libertarian since about age 25, just barely satisfying the old formula that someone who is not a socialist by age 16 has no heart but that someone who is still a socialist at age 25 has no brain. (Listen up, Bernie.) Reading Robert Nozick's *Anarchy, State, and Utopia* when it came out in 1974 eradicated the last remnants of my youthful Marxism. What remains is that these days I'm a "bleeding-heart libertarian"—or perhaps a "humane liberal," as I am always on the quest to reclaim the less geeky *L* word. I also call myself a Christian liberal/libertarian, which gets nearly everyone angry. I must be doing something right.

I've only been a Christian since age 56. Religion is not the Baltimore catechism with the nuns to enforce it. It's not a series of propositions. The former nun and religious writer Karen Armstrong points out in her many excellent books about religious history that until the unhappy attachment of faith to physics, with the development of "natural religion" circa 1700, religion was a practice, not a set of dogmas. Judaism has it right. The word *belief* comes from the Germanic *love* or *loyalty*, while *religion* comes from the Latin for *connect*. It's not a list of commandments (even the pesky seventh) but a loving commitment to a path.

Maybe someday I will discover some terrible inconsistency between libertarianism and progressive Episcopalianism. If so, I will have to abandon one of them. But I doubt it. The core of Christian theology is free will. God does not want us to be pets but autonomous individuals, able to choose evil as well as good. We must live, therefore, in a real world in which the Lisbon earthquake of 1755 can happen. If we lived in Eden, we would not suffer such calamities. But we would not be free.

The central notion in Austrian School economics—"human action"—entails precisely the same point. As against the Marxism I espoused at 16, or the Chicago School economics I taught 10 years later, an active choice is involved both in a Christian life and in the markets. By contrast, orthodox economics nowadays views people as entirely reactive, like grass seeking optimal light and water. No. God made us in Her image. (A side note: My Anglican God is a black lesbian middle-aged overweight single mother with three children who lives in Leeds and works at the Tesco. Get ready.)

Libertarians are commonly atheists. Probably that is because the independent-minded teenager who denies both left and right politically is also likely to have rebelled against all the silly stuff his parents told him about God at an even younger age. My preachment to my libertarian friends is not to rest at any arguments, commitments, or ways of life just because they seemed cool to a 14-year-old boy. (The girls, I find, are less dogmatic.) When I beg them to read a serious book about religion at age 30 or 50 they echo the New Atheists such as Richard Dawkins, Daniel

Dennett, Christopher Hitchens, and Sam Harris: "No, why would I do that? I already know it's rubbish. I decided it was at 14." Please, read and reflect as grown-ups.

A Political System Rooted in Truths About Human Nature

John Allison

Vector Tradition SMLibertarians are a big umbrella group whose primary agreement is that the state should interfere minimally in the lives of individuals. During my time as head of the Cato Institute, I would tell people that our mission is to create a free and prosperous society based on the principles of individual liberty, free markets, limited government, and peace. Unlike many on both left and right, we think the state should stay out of your pocketbook and we also think the state should stay out of your bedroom.

Libertarians believe government has one important, but limited, purpose: to protect individual rights. Its job is to keep me from using force or fraud to take what you have earned and to keep you from using force or fraud to take what I have earned. In this context, it has three legitimate practical functions: national defense to protect us from foreign invasions, police to protect us from criminals, and an effective court system so that when you and I have a dispute, we can resolve it without recourse to force.

The reason government power must be limited is that governments have a unique authority to initiate the use of force. Walmart can offer you low prices and special deals; it can beg you to buy its products, but it cannot make you. The state can make you. It can take your property, lock you up, or kill you. And in fact, governments *have* killed hundreds of millions of people throughout history.

Our life experiences tell us that agreements based on mutual consent are more effective than those based on force. Yet government is only necessary if force is necessary. When thinking about a proposed piece of legislation, even if you agree with its goal, ask yourself whether you would personally be willing to use a gun to make someone who disagrees with the legislation obey it. If not, you should oppose turning it into a law.

I'm also an Objectivist, so I strongly believe that politics must be rooted in a proper understanding of metaphysics and epistemology. In other words, I think the contours of a good political system are derived from the laws of nature and human nature.

Nature—the reality of the world around us—is a given. But so is human nature. Everything that is alive has a means of survival. A lion has claws to hunt. Deer have speed to avoid predators. Our means of survival is the capacity to think—to reason objectively from facts.

Because of Mother Nature and our nature, certain principles are necessary for us to survive and prosper *qua* mankind. In order to achieve happiness, in the Aristotelian context of a life well lived, one must have a sense of purpose and exhibit certain virtues—rationality, independent thinking, productivity, honesty, integrity, pride, justice—in the pursuit of one's long-term self-interest. The only political system that allows individuals to live out these virtues is a system based on liberty.

Different libertarians defend limited government from different perspectives. Unfortunately, we sometimes lose arguments because we are not clear on the above premises, which form the foundation for defending liberty. Still, since we are so outnumbered, whatever our

disagreements, it is critically important for those of us who are rational defenders of a free society to work together to protect our freedom.

Civil Libertarianism and the Commitment to Equal Justice

Nadine Strossen

The core principle of civil libertarianism is that all human beings are equally entitled to fundamental freedoms. We all have inherent human rights, and it is government's responsibility to protect those rights.

Moreover, all of our rights are indivisible, so civil libertarians must neutrally resist any rights violation. To cite some current examples, we must secure fundamental due process rights for both those who are gunned down by police officers and the police officers, and for both sexual assault victims and those they accuse. As Martin Luther King Jr. famously phrased it, "injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality."

To be sure, we civil libertarians recognize that no right (beyond the purely internal freedom of thought) is absolute. However, we insist that government not restrict any right *unless* it can show that the restriction is necessary to promote a countervailing goal of great importance, such as public safety. While authorities can easily assert that rights-restricting measures are designed to promote such important goals, it is much harder to show that a measure is necessary. If the state could promote its goal through an alternative measure—one that's less restrictive of individual freedom—it must do so.

These core civil liberties principles are well illustrated by the First Amendment cases that bar government from shutting down speech solely because its message is hated, feared, or distressing. Censorship efforts are often struck down because the potential adverse impact of such speech can be countered in other ways, such as through protests and editorials denouncing the problematic view.

Yes, government may regulate speech when necessary to avert certain specific, immediate, serious harms, for example when the speech constitutes a genuine threat or intentional incitement of imminent violence. Short of such an emergency, though—when speech poses only an indirect, speculative danger of potential harm—then the remedy is more speech, "counterspeech," not enforced silence.

Much evidence demonstrates that "hate speech," which conveys discriminatory ideas, can be countered more effectively through education and persuasion than through suppression. Indeed, censoring such speech can well be counterproductive for many reasons, including by increasing attention and sympathy for the hatemongers.

While it has been fashionable in recent decades to distinguish civil liberties from civil rights and freedom from equality, in fact these are all mutually reinforcing concepts. It is difficult even to draw a meaningful distinction between liberty and equality, let alone to regard them as inalterably oppositional. How could we possibly claim to have secured individual liberty if some individuals are denied their rights for discriminatory reasons? Conversely, how could we possibly claim to have secured meaningful equality if it does not encompass the exercise of individual freedom?

As the University of California, Los Angeles constitutional law professor Kenneth Karst has noted, egalitarian movements have long recognized the symbiotic relationship between liberty and equality. Accordingly, the 1960s civil rights movement "marched under the banner of 'Freedom,' even though its chief objective was equal access—[including] to the vote [and] to education," he wrote. Likewise, "liberation" has been the watchword for movements for equal rights for both women and LGBT people.

The Declaration of Independence's famous proclamation that we're all created equal aspired to equality in terms of our "unalienable rights." Abraham Lincoln rightly exhorted us to strive ceaselessly to bridge the gap between this civil libertarian ideal and the actual lived reality of everyone in the U.S., stating that the goal "should be...constantly labored for...thereby constantly spreading and deepening its influence...augmenting the happiness and value of life to all people of all colors everywhere."

The Presumption of Liberty

David Boaz

Vector Tradition SMLibertarianism is the philosophy of freedom. More specifically, it's the political philosophy that rests on the presumption of liberty: Like the presumption of innocence, this places the burden of proof on those who would restrict liberty, not those who would exercise it. Alternatively, it can be understood as the philosophy that seeks to minimize the use of coercion in ordering social relations, with the burden of proof resting on those who would exercise coercion, not on those on whom it is exercised. Liberty is realized through well-defined and legally secure equal rights, on the basis of which people can create voluntary associations and engage in mutually beneficial exchanges.

We believe each person has the right to live his life in any way he chooses so long as he respects the equal rights of others. Accordingly, no one may initiate aggression against the person or property of anyone else. Libertarians defend each person's right to life, liberty, and property—rights that people possess naturally, before governments are instituted, as laid out in the Declaration of Independence. In the libertarian view, all human relationships should be voluntary; the only actions that should be forbidden by law are those that involve the initiation of force against those who have not themselves used force—actions such as murder, rape, robbery, kidnapping, and fraud.

Most people believe in and live by that code of ethics. We don't hit people, break down their doors, take their money by force, or imprison them if they live peacefully in ways that we don't like. Libertarians believe this code should be applied consistently—and specifically, that it should be applied to actions by governments as well as by individuals. Governments should exist to safeguard rights—to protect us from others who might use force against us. That generally means police to prevent crime and arrest criminals, courts to settle disputes and punish wrongdoers, and national defense against external threats.

Few people, of course, think in terms of such strict and abstract definitions. When I talk to popular audiences, I say that libertarianism is the idea that adult individuals have the right and the responsibility to make the important decisions about their own lives.

Many people share the broad libertarian principles of personal and economic freedom, which in U.S. politics are sometimes described as "fiscally conservative and socially liberal." When the

political researcher David Kirby and I study the "libertarian vote," we find that about 15 percent of Americans answer survey questions in a way that cuts across contemporary liberal and conservative axes in a libertarian direction. In the past few decades, as the word *liberal* has come (at least in the United States) to mean an advocate of expansive government power, *libertarian* has increasingly been applied to scholars and political leaders who share "classical liberal" values such as support for individual rights, freer markets, and peace. Thus, Ludwig von Mises, F.A. Hayek, Milton Friedman, and the editors of *The Economist* are libertarians in contemporary American parlance. Around the globe—in China, South Africa, the Muslim world, South America, and more—people with those ideas are still generally called liberals, although the more ideologically committed sometimes describe themselves as libertarians.

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