



## ‘Freedom in the 50 States’ Survey

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The Cato Institute today released its report on “Freedom in the 50 States” (previously published by the Mercatus Center at George Mason University). Virginia was ranked 21st overall, an improvement of three rankings since 2012.

“Freedom,” as the Cato report uses it, is based in a

conception of freedom on an individual rights framework. In our view, individuals should be allowed to dispose of their lives, liberties, and property as they see fit, so long as they do not infringe on the rights of others. This understanding of freedom follows from the natural-rights liberal thought of John Locke, Immanuel Kant, and Robert Nozick, but it is also consistent with the rights-generating rule-utilitarianism of Herbert Spencer and others.

The report explains that Virginia’s ranking is buoyed by its better fiscal condition than other states, even though growth since 2006 has lagged behind previous growth rates. On economic categories, Virginia ranks 15th. This includes fiscal (rank 12) and regulatory (a disappointing 23rd) policies. Somewhat good news: Virginia’s economic conditions are still better than Maryland, which is ranked 46th overall and in economic categories.

In the area of personal freedoms, however, Virginia does poorly. It ranks 34th in a category that “includes a variety of categories including victimless crimes, guns, tobacco, and education.” Some specifics are campaign finance (8th), travel (29th), incarceration (47th), cannabis (47th), guns (11th), tobacco (3rd), gambling (29th), alcohol (39th), and victimless crimes (28th).

The report’s authors, William Ruger and Jason Sorens, summarize their findings on personal freedoms in Virginia:

Virginia’s criminal justice policies are worsening. It now has one of the highest incarceration rates in the country, even controlling for crime rates. Victimless crime arrest rates are about average. Asset forfeiture is virtually unreformed, and local police frequently circumvent it anyway with equitable sharing. The state’s approach to cannabis producers and consumers is draconian. Even low-level cultivation carries a yearlong mandatory minimum sentence, and life imprisonment is possible for a single marijuana offense not involving minors. Virginia is one of the best states for gun rights and has improved over time. Alcohol freedom is subpar but improved in the early 2000s as some

regulations were withdrawn. State liquor store markups are still huge. Virginia has little legal gambling. Educational freedom grew substantially in 2011–12 with a new tax credit scholarship law. Tobacco freedom is better than average, with comparatively low cigarette taxes and respect for the property rights of private workplaces. The state was forced to legalize same-sex marriage in 2014, which also overturned the state's oppressive super-DOMA banning all relationship-style contracts between two gay people.

By comparison, the top-five ranked states for economic freedom are South Dakota (1st), Idaho, Tennessee, Oklahoma, and New Hampshire. The bottom five for economic freedom are New York (50th), California, Hawaii, New Jersey, and Maryland.

The top-five ranked states for personal freedom are New Mexico (1st), Colorado, Nevada, Maine, and Washington. The bottom five in personal freedom are Kentucky (50th), Texas, Alabama, Mississippi, and South Dakota.

In terms of overall rankings (combining economic and personal freedom), the top-five ranked states are New Hampshire (1st), Alaska, Oklahoma, Indiana, and South Dakota. The bottom-five overall are New York (50th), California, Hawaii, New Jersey, and Maryland.