

Freedom, America, and Robert Nozick

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It has now been 50 years since Robert Nozick published *Anarchy, State, and Utopia*. The book made a big splash, both in philosophy and politics. It helped inspire a whole generation of libertarians, giving them a wealth of intellectual firepower to challenge the socialist political thought that, at the time, in 1974, was preeminently present in the public domain.

With translations into multiple languages, the book reached all corners of the world and was even declared one of the 100 most influential books in philosophy and religion.

In 21st century American political parlance, Nozick made libertarianism great again. But it did more than that: it broadened and deepened the debate over the values upon which the United States of America was founded. Many books have been written in appreciation of those values, but in terms of connecting the philosophical eternity of the American experiment with the political practice of that experiment, Nozick's book has few rivals.

The closest and most compelling conservative contribution would be *Conscience of a Conservative* by Barry Goldwater; a comparison of the two books makes for a compelling journey through America's rich and perennially inspiring value foundation. However, of more importance in the year when Nozick's book celebrates its half-centennial is its interpretation of the concept of freedom that has stood as a hallmark of America through a quarter of a millennium.

In 1974, when *Anarchy, State and Utopia* made a splash in the world of political philosophy, there was already a libertarian movement. However, it was fledgling and still searching for its footing in a political world dominated by socialists of varying flavors. Without taking anything away from the contributions of John Hospers, his book *Libertarianism: A Political Philosophy for Tomorrow* of 1971 did not make the foundational contribution that Nozick's book did.

Hospers did found the Libertarian Party, and although it has never gained much influence, it tagged along the outskirts of the libertarian movement that sprawled and thrived for about 15 years, from the mid-70s through the 1980s, after Nozick's book came out. A whole generation of libertarians worked their way into politics, public policy, and academia. They participated in the economic-freedom revolution under President Reagan, and they contributed significantly to the uniquely American think tank industry. The Cato Institute, the Reason Foundation, and the

Mercatus Center are the best known among the institutions born from the libertarian movement of the 1970s.

Nozick has not been given enough credit for having given this movement the intellectual firepower it needed to formulate a coherent vision. In its original form, that vision was politically compatible with the vision that so-called Goldwater conservatives had: a government with enumerated powers, a free-market based economy, and an unwavering system of justice that preserved peace and liberty.

Over time, though, the libertarian movement lost touch with the foundation that Nozick had provided them with. Today's libertarians lack the energy, the momentum, and the influence that their peers had back in the late 20th century. A good part of the reason for this is that 21st century libertarians seem to have forgotten to read Nozick's book.

As a conservative and an American, I have mixed feelings about today's self-proclaimed heirs to Nozick's legacy. On the one hand, modern libertarians do not contribute much to the political and intellectual battle for American values. On the other hand, it remains an indisputable fact that they carry, within their movement, an outstanding potential to do just that. Robert Nozick contributed one of the most forceful defenses of individual freedom that the world of political philosophy has ever seen—and that individual freedom is an essential part of the American experiment.

We conservatives need Nozick's support. In a day and age when individual freedom is being attacked by the combination of freedom-encroaching governments, even in supposedly free Western countries, and an exceptionally well-funded and aggressive socialist movement, the defense of individual freedom must be firmly planted on a bedrock of freedom theory. While we are perfectly capable of providing exceptional arguments for freedom based on conservative ideology, it remains a fact that Nozick built a bulwark for liberty that, from a theoretical viewpoint, has withstood the test of time. He formulated a maximum point for individual freedom, the departure from which requires arguments of the same high quality as the one he presented.

America was founded precisely on this idea: we are all free to the fullest extent of that term, and we are so because our rights and liberties are endowed upon us by our Creator. The U.S. Constitution was written because we, in order to function in a free, civilized society, need a common rule book, but the role of that rule book is to rein in secular power, not to argue the case for or against our God-given freedom.

The one point where Nozick fell short, and where conservatives have excelled beyond libertarian contributions, is in understanding the full extent of the Constitution as a rule book. Its codified limitations on the secular power preserve a maximum of individual freedom; what is strongly implied but never formally spelled out in America's founding documents is that, in order to function, the American experiment—dare I call it the uniquely American civilization—requires a Christian value foundation as strong and present in our daily lives as the Constitution.

Conservatives, before, contemporary with, and after Barry Goldwater, have been superior in formulating and defending this value foundation. Libertarians were strong on the front of secular power; together, conservatives and libertarians as they stood in the Reagan era made great strides in reinvigorating the American civilization.

Again, Robert Nozick's book provides outstanding clues as to how the secular power is to be limited but not forgotten. His argument for the minimal state, which is strong in its monopoly on the use of force and as an arbiter of civil disputes among private citizens, is as much a refutation of anarchism as it is a rejection of the socialist welfare state.

An oft-forgotten aspect of the minimal state is its reliance on citizens as active participants in its affairs. America has a well-working jury system for its judicial branch and a widespread system of local self governance where citizens are expected to be active participants.

It is here, in the intersection of the individual's rights and his responsibilities, that Robert Nozick meets Barry Goldwater. Freedom is a two-way street: for every right we have, there is a reciprocal obligation.

Libertarians in the 21st century seem unable to appreciate, let alone formulate the obligational side of the freedom equation. Ours is a time when libertarians are more concerned with making it legal for people to destroy themselves on cocaine and fentanyl than they are with preserving the societal institutions that perpetuate our liberty. They have separated rights from obligations: the man who succumbs to his own drug addiction is unable to participate in the defense and preservation of the minimal state that guaranteed him his freedom in the first place.

Conservatives have never fallen for the temptation to separate rights from obligations. We believe firmly that in order to maintain our freedoms in America, we need to participate fully and responsibly in the affairs of government. Our problem is that, while libertarians have lost the understanding of obligations following rights, we sometimes fail to fully appreciate the opposite direction of that relationship.

We firmly believe in the Christian values that, again, were strongly present but never formally codified in America's founding documents. We firmly believe that a society without a common value foundation, centered around family, community, and freedom, cannot sustain itself over time. The decline of Western societies over the past few decades is evidence that we have been right all along.

With that said, ever since Goldwater's days, we have struggled with transforming our superior case for a nation's value foundation into practical policy solutions. There are exceptions: we have made great strides in defending the freedom of the unborn, and we maintain the right to school our children based on our values. However, we also struggle with keeping the secular power out of our economic life.

Nozick is unwavering when it comes to the economic role of the state: there is none. A conservative defense of Christian values in this realm is not nearly as firm, in part but not entirely for good reasons. We can argue for a welfare state that uses tax revenue to provide a

dignified but basic social-benefits system. We can also argue for a public school system, provided that it is based on American values—not uncivilized progressivism.

The problem we have yet to address is that a person who has the right to provide for himself and for those for whom he is responsible has the obligation to make the effort necessary to materialize the provisions needed. It is no other person's obligation to do so. If we expand state-provided entitlements far enough, the provider's obligation is gradually severed from his right.

Again, we can make fair and reasonable arguments for a benefits system for basic social protection: it preserves the individual's dignity in times of hardship, which in turn helps him protect and preserve his family. At the same time, if we are willing to weaken the relationship between the provider's right and obligation, how are we going to argue against the libertarian who wants to sever the ties between the addict's right to use drugs and his obligations to contribute to the defense of freedom?

In both cases, the obligations fall on the shoulders of others.

America was founded firmly on the idea of reciprocity between rights and obligations. In practice, we have never been able to elevate that reciprocity to perfection, but the American constitutional republic brought the idea of that reciprocity as close to real-life perfection as any human society has done.

In the past 30 years, both conservatives and libertarians have lost sight of this reciprocity. Libertarians have advanced the idea that individuals have only rights and no obligations; conservatives have emphasized our obligations to keep society together, but they have been less emphatic about bringing along rights. This has left the right-of-center movement weakened in its ability to withstand the unending pressure from the Left, whose ideology is antithetical to both libertarianism and conservatism.

I cannot speak for libertarians, but I can encourage my fellow conservatives to revisit the philosophical roots of individual freedom as seen by Robert Nozick. We will not agree with him all the way; over the years, I have myself drifted away from his compelling libertarian case. But in terms of the defense of individual freedom, no other book has stood the test of time like *Anarchy, State, and Utopia*. In recognition of its half-centennial celebration, we should all take a closer look at it, and what it can tell us about the foundations of the American experiment.