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Driving the Conversation:

Why do so many fierce opponents of government regulation so ardently support government regulation when it comes to (trial) lawyers and their clients?

12:30 POLITICO-Brookings livechat, [defense and technology](#)

Oct. 7, 2009

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Roger Pilon, Vice President for Legal Affairs, Cato Institute:

As several other contributors today have noted, there's no necessary contradiction between opposing (much) government regulation and supporting regulation of trial lawyers and their clients. Lawyers are officers of the court – hence, part of the legal system. The administration of justice is not a voluntary, free-market affair, even if there are many choices to be made by parties acting under the legal system's regulations.

Nor do opponents of much of the government regulation we have today favor eliminating all regulations. Indeed, liberty requires regulation, if only to clarify the contours of liberty, especially where there is inherent uncertainty. (How much noise can I make before your right to quiet is violated?) What libertarians oppose is not that regulation which facilitates liberty but that which violates it or is otherwise inefficient. The examples today are legion.

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