
UNIT 17 LIBERTARIANISM

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17.1 INTRODUCTION

With the rise of liberalism as a theory of welfare state in the twentieth century, its functions increased manifold. It was during this transformation that the state acquired its present all-pervasive form. However, the fight for classical liberalism was not given up. After the Second World War, an **important** contribution to the theory of liberalism was made by theorists whose allegiance lay with early classical liberalism. This new movement which became popular in the USA and England in the 1960s is known by the name, Libertarianism. Many libertarian texts have been written by people who only know North American political culture and society. They claim universal application for libertarianism, but it remains culture bound. The libertarian movement received large scale academic attention with the appearance in 1974 of a book *Anarchy, State and Utopia* by the Harvard philosopher Robert Nozick. The work achieved great acclaim for its brilliance of argument and was frequently bracketed with Rawls's *A Theory of Justice*. It influenced the Thatcher/Reagan administrations of the 1980s. Etymologically, libertarianism means free will or free advocacy of liberty. It is the most radical form of individualism and advocates pure capitalist economy, as the surest expression and defence of individuality. In political theory, it answers once again the **fundamental** question i.e. **what** are the legitimate functions of the state – in a radical way. Holding the liberty of the individual as sacrosanct, libertarianism asserts that welfare measures can lead to a collectivist state. Here one can ask: if the liberal principles have been rooted in American and English political culture, then why has this new term come into use. According to Martin Masse, this is because liberalism since the end of the 19th century has taken up a new meaning, which is not at all compatible with the defence of individual freedom. While in the U.K., the so-called liberal parties are only a little more moderate than the socialist parties in their inclination to use state power, in the United States, a liberal was considered a left winger who advocated wealth redistribution and supported a big government that interferes everywhere in peoples' lives; a **government that** tries to solve all real and **imaginary** problems by taxing and spending and creating bureaucratic programmes for each good cause. In short, today's liberalism aims at creating a tyrannical state that does not hesitate to trample on individual freedom in the

name of an **unattainable** collectivist utopia. This type of **liberalism** has nothing to do with classical liberalism. Libertarianism, on the other hand, is inspired by former periods of liberal progress but after one century during which collectivist and totalitarian ideologies have dominated, they realized that classical liberalism was not strong or principled enough to stem the rising tide of statism. They are more coherent or some may say radical than traditional liberals in their defence of personal liberty and market economy and in their **opposition** to state power. Libertarian scholars have shown that it is the **decentralized** action of the individuals who pursue their own ends in a free market which makes it possible to create and maintain this **spontaneous** order to bring prosperity and to support the complex civilization in which we live.

17.2 WHAT IS LIBERTARIANISM?

Much political and moral **philosophy** over the past three centuries has concerned itself with human liberty. The philosophical outlook on politics known as **libertarianism** takes this idea to its extreme, proposing to make liberty, the only interest that a state may properly have with respect to its citizen:.

The libertarian **philosophy** has been propounded by a number of scholars, prominent among them are F.A. Hayek, Karl Popper, Talmon, Milton Friedman, I. Berlin, M. Rothbard, Robert Nozick, Ayn Rand. Taking liberty as the ultimate value, it asserts that in order to protect liberty, a society must have strong private property rights, a free market and minimal government. Some writers have termed **libertarianism** as 'freedom'. The best way to understand the various terms is to know what libertarians believe in. In a few words, libertarianism believes that individual freedom is the fundamental value that must underlie all social relations, economic exchanges and the political system. Essentially libertarians preach freedom in all fields including the right to do what one wants with one's **own** body insofar as one does not infringe on the property and equal freedom of others. They believe that **voluntary** cooperation between individuals in a free market is always preferable to coercion exerted by the state. They believe that the role of the state is not to pursue goals in the name of the community. The state is not there to redistribute wealth, 'promote' culture, 'support' the agriculture sector or 'help' small firms, but should limit itself to the protection of individual rights and let citizens pursue their own goals in a peaceful way. **Libertarianism** supports the formal equality of each and all before the law, but it worries little about the inequalities between the rich and the poor, inequalities which are inevitable and can be reduced only by encroaching on personal freedom and by reducing overall prosperity. For them the best way to fight poverty is to guarantee a system of free enterprise and free trade and to let private charity initiatives which are more effective and better justified morally than state programmes of wealth transfer, come to the rescue of those in need. Libertarians believe that the only way to ensure the maintenance of personal freedom is to guarantee the inviolability of private property and to limit as much as possible the size of the government and the scope of its interventions. They do not trust the state in protecting individual liberty.

Libertarianism is opposed to collectivist ideologies of all types, be it of the left or of the right which stress the primacy of the group, nation, social class, sexual or ethnic group, religious or language community etc. They oppose all whose purpose is to regiment individuals in the pursuit of collective goals. They do not deny the relevance of these collective identities, but claim that it is up to the individuals themselves to determine which group they wish to belong

and contribute to. It is not for the state or for institutions that derive their power from the state to impose their own objectives in a bureaucratic and coercive manner.

Thus, libertarianism rejects the main political developments of the 20th century; that is, the sustained growth in the size of the state and the range of its interventions in the private lives of the citizens. It is the only one that demands and works for radical change, a drastic reduction of the size and role of the state, they are the only ones who value individual freedom, above all else. More and more people realize that libertarianism constitutes the only alternative. The libertarian movement hardly existed in the 1960s but really took off in the United States in the early 1970s. Whereas collectivist philosophies and Keynesian economics used to dominate academic life, recently there has been a revival of interest in classical liberalism and free market economy throughout the world. After a century of eclipse, classical liberalism in its libertarian offspring is becoming an influential philosophical doctrine and movement in the 21st century.

Like all philosophical movements, libertarianism is varied, containing several schools and sub-groups and one will find no unanimity about its theoretical justifications, its goals or the strategy that should be adopted to reach them. Mainly, there are two types of libertarianism and each has its own answers to the queries. One group, the anarchists or also known as 'anarcho-capitalists' advocate the complete disappearance of the state and privatisation of even the basic functions mentioned above. This goal may appear extreme or ridiculous at first sight, but it is based on a theoretically plausible argument. It is for example, easy to imagine that one could replace provincial state or municipal police forces (with the corruption, abuses of power, the incompetence and favouritism which usually characterize them all and often with impunity) with private security agencies. These would make profits only in so far as they really protect citizens and fight real criminals. Anarcho-capitalists use the same type of arguments to support the privatisation of the army and the courts which would leave nothing for a state to do. Private firms would then provide all the services that individuals might need in a pure free market. In a context where public spending now accounts for almost half of all that is produced, where governments continue to adopt law after law so as to increase their control over our life, a more realistic libertarian goal is simply to reverse this trend and fight for any practical advance of freedom and any concrete reduction in state tyranny. The other branch is known as 'miniarchists' who maintain that government may appropriately engage in police protection, enforcement of contracts and national defence, foreign relations, justice, the protection of private property and individual rights. All remaining functions should be privatised. In the context of a very decentralized federal state, libertarians accept, however, that local authorities can intervene in other fields and offer various types of social and economic arrangements in so far as dissatisfied citizens can easily move to other jurisdictions. Definitely not included, according to miniarchists, is the power to tax, even to secure money for the functions just mentioned,

The question arises: why the libertarians endorse these views so sharply at variance with most political theory? Firstly, libertarians hold an extremely strong doctrine of individual rights, particularly the right of individuals to acquire and hold property. Their concept of property rights and freedom of contract excludes welfare rights, since claims to these rights require in the libertarian view compulsory labour of some on behalf of other. Secondly, libertarians believe that the operation of an unrestricted system of *laissez faire* capitalism is the most desirable social system. People unfettered by state compulsions would be likely to establish this sort of economic system and it is all for the best that they do. We shall study all these aspects in detail in the next section.

17.3 POLITICAL THEORY OF LIBERTARIANISM

It is claimed that the key concepts of the political theory of libertarianism have developed over many centuries. The first inklings of them can be found in ancient China, Greece and Israel; they began to be developed into something resembling modern libertarian philosophy in the work of such seventeenth and eighteenth century thinkers as John Locke, David Hume, Adam Smith, Thomas Jefferson and Thomas Paine. In the twentieth century, they were reinvented by neo-liberal thinkers such as Michael Oakeshott, F.A. Hayek, Milton Friedman, Robert Nozick etc. While these scholars have given a new intellectual impetus to the libertarian movement, a growing concern for personal autonomy has provided personal ground for the sowing of the idea. Some of the important concepts of libertarian theory are as follows:

17.3.1 Individualism

While the libertarian ideal of individualism has certain family resemblance with the neo-classical defence of capitalism, anarcho-individualism and classical liberalism, it is reducible to none of these. Libertarianism can only be understood against the backdrop of the emergence of totalitarianism and the modern welfare state since the 1930s. Libertarians see the individual as the basic unit of social analysis. Only individuals make choices and are responsible for their actions. Libertarian thought emphasizes the dignity of the individual, which entails both rights and responsibility. The progressive extension of dignity to more people – to women, to people of different religions and different races – is one of the great libertarian triumphs of the western world.

Libertarianism represents the most radical form of individualism, short of outright anarchism. Along with it, it exalts the pure capitalist economy as the surest expression and defence of individuality. Nevertheless, the near anarchism of some libertarian doctrines have prompted the expression 'anarcho-capitalism'. However, the libertarian defence of capitalism would legitimise a degree of economic inequality that true anarchists could not abide. The works of Ayn Rand are a leading expression of the libertarian ideal of individualism, even if it sometimes takes an extreme and occasionally unrepresentative form. A brilliant novelist, she developed the libertarian ideal both in fictional works and polemical essays. Utterly rejecting any theological notions or ideas that rank the community over the individual, she held that the individual is the basic unit of society, the prime focus of moral concern and the sole source of human creativity. According to her, the root cause of our modern troubles is the philosophy of altruism, a moral position that effectively destroys the supreme value of individuality. Altruism - the notion that man should place the welfare of others above his own - is the root of all evils and not money. Indeed, money is cherished as the just reward and fair estimation of the individual's inherent excellence. For Rand, altruism is a vice and selfishness is a virtue, though selfishness does not mean a petty snivelling self-indulgence but accepting full personal responsibility for one's life and fate. Altruism is the villain of the piece because it plays upon the morbid guilt feelings of the donor and keeps the recipient in a state of childish subservience. Neither party can develop a mature confident outlook on life which should culminate in a fair and equitable and truly voluntary exchange of goods and services. The ethics of altruism is always gratuitous; it preaches that someone has a prescriptive right to a free ride on someone else's back. According to this theory, the notion that one person should sacrifice himself for the sake of another is radically evil. It is an affront to human dignity and an open invitation to prefer death over life.

17.3.2 Individual Rights and Liberty

Central to libertarianism is the claim that the individual should be free from the interference of others. Personal liberty is the supreme moral good. Hence, one's liberty can justifiably be restricted only if he consents to the restriction. Any other restriction, including taxing incomes for the purpose of redistribution is unjust. In other words, the libertarians couch their theory in the language of rights. Each individual has natural negative rights - to at least life, liberty and property. No one can justifiably harm him, restrict his freedom, or take his property, i.e., no one can violate his rights without his consent. Moreover, these are general rights; they apply, so to speak, against the whole world. And since rights invariably have correlative duties, all the people in the world have the duty not to interfere with the rightholder's life, liberty and property. Each person possesses these rights simply by virtue of his humanity - he does not have to do anything to obtain this moral protection. The possession of rights does not depend upon the consent of others. They are essential moral constituents of personhood. They are not granted by the government or by the society; they are inherent in the nature of human beings. It is intuitively right that individuals enjoy the security of such rights; the burden of explanation should lie with those who would take these rights away. Libertarian theorists often move back and forth between talk of negative rights and talk of liberty. This, according to Hugh La Follette, is because they ultimately see rights and liberty as equivalent or because they hold a theory of rights which is grounded in personal liberty. There are no circumstances in which the negative general rights can be justifiably overridden in which one's liberty can be justifiably limited without his consent. For example, A's right to property (or life or liberty) can never be overridden for the benefit of others (to satisfy the alleged positive rights of others). 'A' can choose to charitably give his property to someone or he can voluntarily give someone a positive right to his property. Nevertheless, morally he cannot be forced - either by legal sanctions or moral rules - to give up his life, liberty or property. This moral/legal prohibition insures that an individual's liberty cannot be restricted in any way without his consent.

In the context of rights, what is important to note is that libertarians make a distinction between negative and positive rights. For example, take the general right to life; in its negative version, it says that only others must not kill (or take the life of) the rightholder but in its positive version, it would also require that others do something to help save the rightholder's life if it is possible for them to do so. The importance of this distinction is that the libertarian holds that people have no basic positive rights - that all positive obligations have to be in some way assured or undertaken by the obligated individual i.e. by promising that he will perform the indicated action.

Thus, we see two important features of libertarianism. First the primary purpose of negative general rights is the protection of individual liberty, to ensure that no one's life is restricted without his consent. Or as Nozick puts it: 'side constraints (which are equivalent to negative general rights) upon action reflect the underlying Kantian principle that individuals are ends and not merely means; they cannot be sacrificed or used for the achieving of other ends without their consent...(these constraints reflect the fact of our separate existences)'. They reflect the fact that no more balancing act can take place among us. Secondly, the libertarian holds that a sufficient reason to reject any alleged moral rule or principle of distributive justice is that such a rule or principle restricts someone's freedom without his consent. Hayek, for example, argues that we should reject plans to expand governmental roles since such expansion necessarily undermines individual liberty. And Nozick's primary objection to Rawls is that Rawls's two principles restrict individual liberty without consent.

As mentioned above, much political and moral philosophy over the centuries has concerned itself with human liberty. However, the philosophical outlook on politics known as libertarianism, takes this idea to its extreme, proposing to make liberty the only interest that a state may properly have with respect to its citizens. Libertarianism takes liberty as our sole right (this is also called 'deontological libertarianism') against considering liberty as *the sole* value to be promoted by the government and the individual. The point of making liberty a general right is to prevent the government from forcing people to do things. According to it, our sole fundamental right is the right to liberty, all other rights are subordinate to that – they are either special cases of that one or derived from it directly or indirectly.

Just like the concept of negative rights, libertarianism also emphasizes the negative aspect of liberty i.e., liberty as absence of imposition by other people, specifically those impositions that are caused by their intentional actions. In this version, each person is to be entitled to do as that person likes, or judges best, except only when his or her action would impose on others – would interfere with the intended desired courses of action of someone else or (if this is different) damage that person, in the sense of doing what that person did not want to be done with or to his or her body or mind. It is as Hobbes called it 'absence of external impediments' or 'seeking peace'; that is, of not 'making war' on others; or as Locke termed it 'not harming them in respect of life, health, liberty or property'; or Kant's version of 'acting only on maxims that can coexist along with the freedom of the will of each and all'. These have been echoed in the contemporary American philosopher John Rawls' formulation of a liberty principle that 'each person participating in a practice, or affected by it, has an equal right to the most extensive basic liberty compatible with a similar liberty for others'. What is important in all these versions is that the emphasis is on the negative liberty; people encounter each other and in doing so they are to refrain from actions that would cause the other person harm, danger, disease and the like. Any other actions are permissible whether or not they have the effect of 'maximising' something. Again coercion is also thought to collide with liberty. Libertarians also take liberty as the 'absence of coercion' and they condemn it along with overt force. Liberty is the absence of obstacles, imposed costs; the coercer does impose a cost on his victim.

The natural baseline to which libertarians appeal for liberty is our body. The libertarians hold that we ought to make anyone's liberty into a right; that is, we ought to make it the case that imposition or proposed impositions against anyone's liberty is a ground for taking action to rectify or prevent them, and that is what the libertarian principle does. This right is equivalent to the right of self-ownership. Each person would be regarded as 'owning himself' in the same straightforward sense as that in which we can own all sorts of things such as cars and footballs; namely, being able to do what one wants to with the self in question; at the same time, one is not able to do that with others; rather, their willingness or consent must be established before one may do things with others.

And last but not the least, why would people value liberty? For the libertarians, liberty is not another good like peanut butter or a car, it is rather a necessary condition of action, in the sense that if we do x, it has to have been the case by definition that nothing prevented us from doing it. Liberty is the condition of being able to do whatever it is, the liberty to do which is in question. In other words,, it is not really up in the air whether liberty is a good thing or not. Liberty is us good as whatever can be achieved by acting. According to libertarians, liberty is not a value, it is a condition of action.