

LIBERTARIANISM TODAY

Jacob H. Huebert



AN IMPRINT OF ABC-CLIO, LLC
Santa Barbara, California • Denver, Colorado • Oxford, England

Contents

<i>Acknowledgments</i>	vii
1 What Is Libertarianism?	1
2 Libertarians Are Not Conservatives (or Liberals)	21
3 The Fight for the Economy	45
4 The Fight for Marijuana (and Other Drugs)	67
5 The Fight for Health Freedom	93
6 The Fight for Educational Freedom	111
7 The Fight for Gun Rights	135
8 Fighting in the Courts	151
9 The Fight for Peace	175
10 The Fight against Intellectual Property	203
11 The Fight for Votes	221
<i>Conclusion</i>	239
<i>Index</i>	243

1

What Is Libertarianism?

Is libertarianism an idea whose time has come? Maybe not. In 2008, Americans elected a president who openly urges a bigger, more invasive government. The federal government is taking over businesses and dominating industries in unprecedented ways, spending trillions of taxpayer dollars along the way. Across the country, innocent men, women, and children are being brutalized by increasingly militarized police supposedly waging war on terror, drugs, and crime. American troops remain in Iraq, Afghanistan, and over a hundred other countries around the globe. Every day, in nearly every way, government only gets bigger and more inhumane.

On the other hand, libertarians do have some cause for hope—more now, perhaps, than at any other point in our lifetimes. Libertarianism used to be of interest only to a scattered handful of students and activists; the movement was so small that it seemed like everyone in it knew everyone else in it. Today, libertarians are not a majority, but they are innumerable and they are everywhere.

The biggest sign of hope has been the presidential campaign of Ron Paul, the Texas Congressman and physician who sought the Republican nomination in 2008. He did not win or even come close, but something in his candidacy, which focused on the libertarian themes of peace and freedom, touched a nerve with a lot of people.

The Paul campaign's success on the Internet and at the grassroots level is well known, but it is worth a brief review to show how many people supported him and how intense their support was. In November 2007, Paul received donations of over \$4 million online in one day through a "money-bomb" organized by a supporter, music promoter Trevor Lyman, not by the campaign. The next month, supporters broke *that* record by donating another \$6 million in one day. Paul ultimately racked up more donations than any other Republican contender for the fourth quarter of 2007, with nearly \$20 million. The donations were not from the usual political players, but from ordinary people across the country, many of whom had never before made a campaign contribution to anyone, donating an average of just \$100 each.

The outpouring of online support was so overwhelming that the official campaign was not quite ready for it—no libertarian candidate had ever been so well funded. But as the campaign worked to catch up, eager supporters took it upon themselves to make their own campaign signs and hold their own rallies. They thought of innovative ways to attract attention, from unfurling "Ron Paul" banners at nationally televised events to renting a blimp with "Google Ron Paul" emblazoned across the side. They also took to the Internet to make sure that Paul won as many online polls as possible (and he won most of them); they sent e-mails to news networks urging them to cover Ron Paul; and they made sure that Ron Paul would not go unmentioned in the comment section appearing below any news story related to the election. Some traveled to New Hampshire and Iowa on their own dime to campaign, led in part by a Google engineer who left his lucrative position to volunteer full-time. The septuagenarian candidate also drew crowds of enthusiastic young people at college campuses, and people from all social and economic backgrounds everywhere else. And though Paul did not win the Republican nomination, he did win over 1.1 million votes and some convention delegates. Not bad, especially when compared to one-time front-runner (and Paul critic) Rudolph Giuliani's less than 600,000 votes and zero delegates.

Paul drew all this support because he presented a clear, credible alternative to the other options in both parties. While Paul decried the growth of government and its destructive foreign and monetary policies, other politicians from both parties not only did not care about this, but wanted to go further in the wrong direction. Some people who considered themselves conservative came to Ron Paul after they saw their party embrace "big-government conservatism," lead the country into war on false pretenses, create a domestic police state, and spend like Lyndon Johnson. Some people who considered themselves liberal found their way to Ron Paul, too, as the Democrats failed to live up to their occasional anti-war rhetoric and also failed to seriously challenge the police state, corporate welfare, the monetary system, and other programs that

benefit the elite in business and government at the expense of ordinary people.

Ron Paul's campaign was unique partly because it was all about ideas. In the wake of the campaign, a surge of newcomers to the libertarian movement have sought more information on these ideas—and the information has been available as never before. Less than two decades ago, libertarians had to scrounge for literature, getting what they could from a limited selection in a few catalogs and whatever happened to be on their local library or bookstore shelf. Today, an enormous library of libertarian literature, including hundreds of full-length books and countless scholarly and popular articles, is available online for free.

Education of oneself and others has always been libertarians' foremost activity, but libertarians today are fighting back by other means, too. Some are moving to New Hampshire in hopes of creating a "free state" there by influencing local and state governments. Some are going to court to challenge laws that restrict freedom, and in some very high-profile cases, they are winning. Some are creating alternatives to government programs, such as the home-schooling movement.

Another reason why libertarians may have an unusually good opportunity to see their ideas advance now is because there is an economic crisis and, if libertarians are correct, the government's attempts to fix it will only make things worse. This may open more people's minds to question the policies that led to the crisis, the hundreds of billions of dollars spent keeping troops in Iraq and around the world, and the countless other ineffective, oppressive programs we may no longer be able to afford. Libertarian economist Milton Friedman observed that in a time of crisis, when the people and government are desperate to solve a problem, "the actions that are taken depend on the ideas that are lying around,"¹ and what once seemed politically impossible may become politically inevitable. Perhaps that time has come for libertarian ideas.

WHAT IS LIBERTARIANISM?

Before we say much more about libertarianism, we should define what libertarianism is and briefly look at the history of the libertarian movement.

The Libertarian Idea

This is the basic libertarian idea: that people should be free to do "anything that's peaceful," as libertarian thinker Leonard E. Read put it.² That means, in the words of libertarian theorist and economist Murray Rothbard, that "no man or group of men may aggress against the person or property of anyone

else.”³ Or, to rephrase it one more time, anyone should be free to do anything he or she wants, as long as he or she does not commit acts of force or fraud against any other peaceful person. Libertarians call this the “non-aggression principle.”

In everyday life, people understand and follow this basic libertarian rule. If you want something and it belongs to someone else, you have to persuade him or her to give or sell it to you—you cannot just steal it or threaten to hit the other person over the head if they refuse to part with it. If you do not like the books your neighbor is reading, or the religion he is practicing, or most anything else he is doing in the privacy of his own home, too bad—you cannot go force other people to do what you want them to do.

Libertarians extend this rule to the political realm. If one person cannot steal money from another, then the government (which is made up only of individual people) should not be allowed to forcibly take money from people, even if it is called taxation. If one person cannot kidnap another person and force him into slavery, the government should not be allowed to do it, either, even if it is called a draft (or “national service”). If one person cannot go into his neighbor’s house and force him to give up bad personal habits, then the government should not be allowed to do it, even if it is called a war on drugs. And so on.

Libertarians do not just morally object to the government doing these things; they also see government as incompetent. And they view politicians as nobody special. After all, why would having the skills it takes to be elected—the ability to give empty speeches pandering to the lowest common denominator, to kiss babies, and the like—make a person an expert on everything, capable of “running the economy,” or otherwise directing people’s lives? Why would succeeding in politics make someone an expert on *anything* other than politics itself? Libertarians also recognize that politicians are not altruistic, but are self-interested like everyone else. And as endless scandals demonstrate, the types of people who want power over others tend to be of *lower* character than the rest of us. Plus, the free-market economic theory to which libertarians subscribe says that government intervention in people’s voluntary exchanges will make people worse off and that central planning of the economy by anyone, regardless of their motive, is certain to fail.

Viewed through this libertarian lens, most politicians and bureaucrats are not public servants at all. Instead, through their legalized killing and stealing, they constitute the world’s largest and most successful criminal gang. Their gang is so successful, of course, because most people do not think of it as criminal. We are trained from a young age to respect it and view it as necessary, so most of us acquiesce without thinking.

Many people will find this libertarian view of government strange, but libertarians find it strange that people would view the State in any other way.

After all, by one scholar's estimate, governments killed 170 million of their own people in the twentieth century.⁴ Then there are the many others killed in wars. Then there are the countless people whose deaths by government are unseen—those who die, for example, because the government denies them the freedom to choose a potentially life-saving medical treatment or to procure an organ for transplant. Libertarians tend to think that if more people were aware of the ways in which government kills and steals on a massive scale, they would be less likely to assume that government is a benevolent institution.

Taken all the way, the libertarian idea means that no government is justified—any government is a criminal enterprise because it is paid for by taxes and people are forced to submit to its authority. Many libertarians (including this author) *do* go that far. But many others (Ron Paul is one) stop just short of this and are willing to accept a minimal “night watchman state,” as philosopher Robert Nozick put it, to provide for common defense, police, and courts because they believe only government can effectively provide these services. But even those small-government libertarians (or “minarchists,” as they are sometimes called) believe that government cannot be trusted and must be watched vigilantly because it is so likely to exceed its boundaries.

Having said all that, not everyone defines libertarianism in exactly the same way. The definition just reviewed is a primary definition that has guided the modern libertarian movement, though, and it is the definition we will apply in this book. And for the most part, we will not concern ourselves much with the difference between no-government libertarians and minimal-government libertarians. Nor will we concern ourselves with how many exceptions to the basic libertarian rule one can make before that person no longer “counts” as a libertarian. But we will say now that a given policy can only be called libertarian if it calls for reducing or abolishing the power of government over individuals, and that any policy that maintains or increases the government's power is anti-libertarian.

Libertarianism and Morality

To accept libertarianism, at least in its purest form, one has to agree with the non-aggression principle—the idea that it is wrong to defraud or use aggressive force against another person. Why would someone accept that idea? Libertarians do so for different reasons. Some believe in the non-aggression principle because they believe people have natural rights, either given by God or somehow inherent in man's nature. Others do because their religion tells them that murdering and stealing are wrong. Others do, not because they believe in “rights,” but simply because they believe that following the non-aggression principle will lead to the greatest good for the greatest number.

It should be clear, then, that libertarianism is not a complete moral philosophy or a philosophy of life. It is just a political philosophy, and one can come to libertarianism from a variety of angles. As Murray Rothbard put it:

[L]ibertarianism per se does not offer a comprehensive way of life or system of ethics as do, say, conservatism and Marxism. This does not mean in any sense that I am opposed to a comprehensive ethical system; quite the contrary. It simply means that libertarianism is strictly a *political* philosophy, confined to what the use of violence should be in social life.⁵

That means libertarianism has nothing to say about how one should live one's life within the broad limits of peaceful activity. For example, libertarianism says that it is wrong to forcibly prevent someone from using marijuana, but it has nothing at all to say about whether you should use marijuana or should abstain. Libertarianism says that you should be free to have voluntary sexual relations with any other willing adult, but it has nothing to say about whether you should be chaste, promiscuous, or something in between. Instead, each individual has to bring his or her other philosophical or religious views to bear on such questions. The point may be simple enough, but as we will see in the next chapter, it is lost on some people (including, unfortunately, some libertarians) who conflate libertarianism and libertinism.

LIBERTARIAN ECONOMICS

There really is no such thing as “libertarian economics.” Economics is just a science that studies production, consumption, exchange, and related topics. Economics can explain what effects certain policies will cause, but it does not dictate what ends we should want. Nonetheless, economics is extremely important to libertarians because libertarians believe that economics shows that liberty—that is, a free market that protects private property rights and voluntary exchange—makes people better off, and that government restrictions on liberty make people worse off.

Voluntary Exchange and Private Property

Critics sometimes deride libertarians for saying that various problems should be “left to the market.” But when libertarians refer to “the market,” they just mean individuals freely making voluntary exchanges with each other. In a voluntary exchange, the trading partners necessarily make each other better off because each person gives up something he or she values less for something he or she values more. What is rarely said, but true, is that the people who want

to interfere with “the market” actually want to use physical violence (or the threat of it) to stop others from making voluntary exchanges—that is, from making choices that they believe will make themselves better off. These meddlers in the market want to forcibly substitute what they think people *ought* to want for what people *actually* want. Libertarians oppose this.

Libertarians observe that on a mass scale, voluntary exchange in the market makes society *much* better off. As Adam Smith famously observed, people pursuing their own self-interest unwittingly benefit society in the process. The successful businessman in a free market can make money only by persuading large numbers of people to give him their money in exchange for what he is offering and then pleasing them enough that they will want to come back for more. Contrary to the popular perception, consumers in a free market are not at the mercy of businesses, but businesses are at the mercy of consumers. In a free market, only those businesses that are best at providing what consumers want, at the best price possible, will succeed. Similarly, a worker will earn money in proportion to the value of the service he provides to his fellow man.

In the nineteenth and early twentieth centuries, a relatively free market gave rise to a dramatically improved quality of life for the average person in America. Wages increased—for example, worker’s earnings went up by about 60 percent just between 1860 and 1890—and the variety of goods available greatly expanded.⁶ Entrepreneurs such as Henry Ford made previously unimaginable luxuries such as automobiles available to the ordinary working person. Since then, countless miracles that were unimaginable to even the wealthiest people of centuries past—airline flights, televisions, computers, air conditioners, and so much else—are now available to ordinary people, even relatively poor people, who cannot imagine life without them.

Libertarians emphasize that such an explosion of wealth could never have come about through central planning. This is so in part because no one could possibly have the knowledge to organize such a system. In his classic essay entitled “I, Pencil,”⁷ Leonard E. Read illustrated this point by observing how many different people have to act to bring a single pencil into existence. Trees must be cut for the wood—but before that saws must be made, and all the different parts of saws. And ropes. And loggers have to get to the trees. And loggers probably drink coffee—which itself takes countless thousands of individuals to produce and deliver. Then there is the paint to cover the pencil, the graphite inside the pencil, the metal that holds the eraser, and the eraser itself. All these components have an “ancestry” that involves thousands of people across the world voluntarily coordinating their actions. No single one of them knows all he or she would need to know to produce the pencil from scratch, and none of them needs to know. And, of course, no central planner could have arranged any of this, and none needed to. No one has or could

have the knowledge that would be needed to put this system together. Economist Friedrich Hayek called the market's ability to voluntarily organize in this way "spontaneous order." Libertarians favor this and oppose command and control.

Capitalism versus the Status Quo

America's economy is often called free-market or "capitalist," but that is not true. The U.S. economy is hampered by countless interventions: trade barriers, corporate welfare, wage controls, price controls, regulation, occupational licensure, antitrust laws, compulsory unionism, taxes, and so much else. So when libertarians defend free-market capitalism—or certain capitalist aspects of America's past or present economy—one should not assume that libertarians are defending the status quo. Instead, libertarians would say that *to the extent* we have had a relatively free market, we are better off. Libertarians point to annual "economic freedom indexes" compiled by the Fraser Institute (a Canadian think tank) and by the *Wall Street Journal* and the conservative Heritage Foundation, which consistently show that the countries with the most economic freedom tend to have the highest incomes and economic growth, while those with the least economic freedom—think Cuba and North Korea—are the least well off.⁸

Because we do not have a true capitalist economy, but have an economy that is still relatively free in some important respects, libertarians view many players in our current economy as being part hero and part villain. For example, most libertarians see Wal-Mart as heroic for providing consumers with a wide array of goods at low prices. Wal-Mart became as successful as it did largely because it was better at serving consumers than its rivals. But libertarians see Wal-Mart as villainous when, for example, it persuades a local government to use eminent domain to take property to build one of its stores. In our current mixed economy, few businesses are "pure"—so libertarians do not defend big business per se, but only those aspects that are compatible with genuine free-market capitalism.

Schools of Thought

Libertarians advocate free-market economics—that is, they promote economic ideas that show why free markets are beneficial and government intervention is harmful. Do libertarians choose their ideas about economics to support their preconceived political ideas? Maybe some do, but for many, an understanding of free-market economics is what leads them to libertarianism in the first place. That is, they see the failures of government intervention

and the wealth created by the market, learn the causes and effects, and form their political ideas accordingly. For many people, free-market economics reinforces what their intuition, moral views, and observations already suggested.

Of course not all economists, and not even all free-market economists, agree about everything. But there are important economic questions on which nearly all economists, regardless of their political stripes, agree, which support libertarian positions. For example, the overwhelming majority of economists agree that, other things being equal, minimum-wage laws create unemployment, price controls cause shortages, and people are better off under free trade than under protectionism. On other questions, free-market economists stand apart from the rest of their profession. Free-market economists see government spending (including so-called “stimulus” spending) as harmful to the economy. Some economists argue that there is such a thing as “market failure,” where people participating in markets do not do what economists think they should do, but free-market economists would argue that this is a myth, and that most so-called “market failures” are actually the result of *government* failure. Then there is the issue of money. Unlike most economists, free-market economists (at least those of the “Austrian School,” about which more below and in Chapter 3) believe that the market can provide money just as it provides everything else.

Among free-market economists, there are two main schools of thought: the Austrian School and the Chicago School. The Austrian School, which arose in the late nineteenth and early twentieth centuries, is so named because its founder, Carl Menger, and many of its early adherents, such as Ludwig von Mises and Friedrich Hayek, spent at least part of their careers living and working in Vienna. The Chicago School, which arose in the mid-twentieth century, is so named because its leading thinkers, such as Milton Friedman and George Stigler, were part of the University of Chicago’s economics department.⁹

We cannot possibly do justice to the differences between the two schools in this brief overview. The fundamental difference, however, is one of *methodology*—that is, it is a disagreement about how economists should go about studying the economy.

Applying a method called *praxeology*, Austrian economists look at individual action as the basis for understanding economics. Austrians observe that people act to express their preferences and achieve goals, and from this premise Austrians are able to reason about all manner of economic phenomena. Austrians emphasize that our preferences and the utility we enjoy from things are subjective; they exist in our heads, cannot be measured, and cannot be compared between people. The only way to know, then, what maximizes people’s utility is to observe what people freely choose.

In contrast, the Chicago School looks not to individuals, but to mathematical models and relationships between statistical aggregates, and then bases its theories and predictions on what these seem to show. For the Chicagoans, if there appears to be a statistical correlation between two things, then economists can claim that there is a relationship between them—even if there is no apparent *logical* connection between them that we can trace back to individual actors. Austrian economist Richard Ebeling illustrates this point with a *reductio ad absurdum*: to a Chicagoan, “if a strong correlation was found between the anchovy catch off the coast of Peru and business-cycle fluctuations in the United States, this would be considered a good predictive theory, regardless of any real causality between these two measured events.”¹⁰ Also, unlike the Austrian School, the Chicago School’s methodology allows economists to assume that we *can* measure and compare different people’s utility.

These theoretical differences between the Austrian and Chicago Schools are enormous, but economists of both schools tend to agree that free-market policies lead to prosperity. Because they believe that voluntary exchange maximizes utility across society (and for other reasons), Austrians find very few cases, if any, where government intervention could create greater prosperity. Chicago economists also generally disfavor government intervention for a different reason: because statistical evidence tells them that free-market policies make people better off. The Chicago view, however, allows for more exceptions than the Austrian view. If statistics suggest to a Chicago economist that an intervention would make people better off, then he or she may favor it. Austrians, on the other hand, would say that their economic theories cannot be proven or disproven with statistics. Instead, Austrians rest their conclusions on logic, extrapolating from fundamental premises about the nature of human action; so if other economists’ statistics suggest Austrian conclusions are wrong, then those statistics must be incorrect, incomplete, or based on unrealistic assumptions.

The most significant policy disagreement between Austrian and Chicago economists pertains to monetary policy. Austrians tend to believe that money should be left to the free market to avoid inflation and business cycles; Chicagoans tend to believe that government must control the money supply. Chicagoans are also more likely to see “market failure” that can be solved by government than Austrians are, and to see a need for other government interventions such as antitrust laws.

Because their methods are closer to the mainstream, and their conclusions allow a greater role for government, Chicago School economists have had more influence than Austrian School economists. Chicagoans are also more numerous. On the other hand, the Chicago economists’ inconsistent support for *laissez-faire* makes them less appealing to the most principled libertarians, and opens their defense of the free market to more compelling criticisms.

THE LIBERTARIAN MOVEMENT

Libertarian ideas have ancient roots, but the “libertarian movement” is a relatively recent phenomenon. Before we spend the rest of the book talking about libertarian ideas today, we should quickly review the history of libertarianism so far.

Origins of Libertarian Thought

One can find hints of libertarian thought in a variety of ancient sources, from the Bible to Lao Tsu. One starts seeing the bigger seeds of libertarian thought in writings by Cicero and Thomas Aquinas on natural law. According to natural law theory, the law is not whatever the government says it is, but instead is something “higher” that exists before government, and which binds kings and other rulers just like everyone else. Spanish Scholastic scholars also had much to say on individual rights and economics that resembles modern libertarian thought. So did the “Levellers,” a group that argued for individual rights in seventeenth-century England.

Libertarians were the original liberals. Liberalism arose in the seventeenth century as a political philosophy that gave primary importance to individual liberty. John Locke is widely regarded as the first true liberal. Like many or most libertarians today, Locke believed that each person owns his or her own body and for that reason has a natural right to life and liberty. By mixing their labor with previously un owned parts of the Earth, people can create property, in which they have property rights. For Locke, government could only be justified as something people consented to as a means of protecting their natural rights. There are nuances in Locke’s thought that are beyond the scope of this book, but that is the essence of Locke’s contribution: a system of individual, libertarian natural rights that came to be known as “liberal” thought.

Why “liberal”? Because “liberal” was the most obvious term for a political philosophy that maximizes individual *liberty*. Unlike today’s liberalism, this type of liberalism, now known as “classical liberalism,” did not call for government to fund any sort of welfare state or to impose one group’s social values on another. It simply called for individuals to have equal rights—that is, equal, maximum liberty—before the law.

Liberalism caught on in America as the country’s founding generation, notably including Thomas Paine and Thomas Jefferson, took up Locke’s ideas. The Declaration of Independence forcefully states the liberal idea that people have “unalienable Rights,” including “Life, Liberty and the pursuit of Happiness,” and that people may cast off any government that is “destructive of these ends.”

Liberal ideas enjoyed great success in England, France, and the United States, and led to great prosperity for the Western world, but by the late nineteenth century, liberal thought had mostly fizzled for a variety of reasons. Over time, the people calling themselves “liberals” became like the liberals we know today: socialists or welfare statistes. By the early twentieth century, liberals of the old school were few and far between. As we will see in the next chapter, only a handful remained to oppose the onslaught of Franklin Delano Roosevelt’s New Deal, and they mostly faded away after World War II.¹¹

The Foundation for Economic Education

Franklin Roosevelt’s New Deal permanently enlarged the federal government and inspired a new generation of libertarians to stand against the intellectual tide, lest liberty be lost forever.

One of the instigators of this new movement was Leonard E. Read, a former head of the Los Angeles Chamber of Commerce. With the backing of a number of business leaders and the leading libertarian intellectuals of the day—most notably economist Ludwig von Mises and *New York Times* and *Newsweek* writer Henry Hazlitt—Read established a nonprofit think tank (as one might call it today) in 1946 called the Foundation for Economic Education (FEE) in a mansion in Westchester County, New York, just north of New York City.

FEE was the most important institution in the early decades of the modern libertarian movement. Its approach to advancing its ideas was unusual for its time and would be unthinkable to most think tanks today. Instead of activism, FEE focused exclusively on helping people educate themselves. Following the example of libertarian journalist Albert Jay Nock, Read believed that a person should focus first and foremost on improving the one unit of society over which one has true control: one’s self. By educating oneself in libertarian principles and free-market economics, one could share the “freedom philosophy,” as Read called it, with others who were interested, and gradually the ideas would spread. Liberty was not something that could be imposed from the top down; it would have to come from widespread support among a “Remnant,” that small group of people keeping the ideas alive and slowly spreading them. Some accused FEE of preaching to the choir by limiting its reach like this, but in those dark days for liberty and libertarianism, the choir needed the attention, and needed to be built up slowly but steadily on a firm foundation.

This approach meant that FEE did not use mass marketing or mass media to spread its message. Nor did it send people to Washington to lobby Congress. Instead, it published a monthly magazine, *The Freeman*, with short articles written for the intelligent layman that explained the basics of liberty and free-market economics. The magazine was sent to people who asked for it and to

schools; it was not available on any newsstands. (It is still published and can be read for free at <http://www.thefreemanonline.org>.)

FEE published books, too, most notably reviving the work of nineteenth-century French political economist Frederic Bastiat. Bastiat's book, *The Law*, explains the libertarian view that when government takes from one group to give to another, this is nothing but "legal plunder." Bastiat's essays on economics illustrated free-market principles, often using wit and satire. In "What Is Seen and What Is Not Seen," Bastiat demolished the idea so often expressed by pundits and politicians that disasters and wars are good for the economy because they create jobs. Of course, people only see the job that is created; they do not see the things the money would have been spent on and the jobs that would have been created if the wealth-destroying disaster had never occurred. In "The Candlemakers' Petition," Bastiat ridiculed economic protectionism with a fictional demand by candlemakers for the government to block their major competitor, the sun, so everyone would be forced to buy candles to see.

FEE's approach may seem small-scale and simple, but its impact was huge. Generations of young people (including this author) received their introduction to libertarian ideas through copies of *The Freeman* passed along by a friend or relative. Leonard Read and other FEE staff members toured the country giving lectures (only where invited, never as "missionaries") and persuaded people who became supporters of the cause and in turn introduced others to the ideas. FEE's students would also go on to find new ways to advance the cause and grow the movement.

Ludwig von Mises and Austrian Economics

We mentioned Ludwig von Mises and Austrian economics above. We should say more about who Mises was and why he is important.

Mises was an economist who was born and lived most of his life in Austria. He did not begin his career as a dogmatic libertarian, and he never accepted the idea of natural rights. Instead, he was an economist searching for truth about which policies make for economic prosperity. This work led him to a number of conclusions that are important for libertarianism. One conclusion was that laissez-faire capitalism (economic liberty) is the only means for a society to become prosperous. Another conclusion—explained in his 1922 book, *Socialism*—was that central planning of an economy was destined to fail because the planners could not engage in economic calculation without a market price system, and economic chaos would result if they tried. Another important insight of Mises was that "middle of the road" interventionist policies cannot last—any government intervention in the economy is certain to create new

problems, which the government can respond to by either repealing the bad policy, or heaping new policies on top of it (which in turn will fail, and so on).

When the Nazis came to power, Mises, who was of Jewish ancestry, fled Austria to Geneva and eventually to New York City. Though he was once a leading intellectual light of Europe, his ideas had long since fallen out of fashion when he arrived in America, and he struggled to find a teaching position. With the help of libertarians who knew of him and his plight, especially Henry Hazlitt, Mises found a position at New York University.

At NYU, Mises taught a weekly seminar, which was attended not only by enrolled students but also by area libertarians. Among the young attendees who would go on to play a major role in the world of free-market economics and libertarianism was Murray Rothbard, who would become one of the movement's leading economists and political theorists.

Mises remained prolific to a late age, writing books and articles, most notably including his 1949 treatise, *Human Action*, a comprehensive case for the free market as the foundation of civilization. Though mostly ignored by the mainstream economics profession after his move to America, Mises's work found its way to students of free-market economics—including, eventually, to Ron Paul, whose views on economics were largely shaped by Mises, Rothbard, and one of Mises's students from his Vienna days, Friedrich Hayek.

Hayek, like Mises, worked in the Austrian School tradition, and in the late 1920s and 1930s he built on Mises's work to study business cycles—why economies have booms and busts. (More about this and its relevance to our recent economic woes in Chapter 3.) Hayek eventually moved to the London School of Economics, and in 1944 he published *The Road to Serfdom*, which, thanks to a prominent *New York Times* review by Hazlitt, received considerable mainstream attention and even a *Reader's Digest* condensed edition. In that book, Hayek argued that central economic planning leads inevitably to tyranny, as it had in Hitler's Germany and the Soviet Union. The book was not purely libertarian—Hayek allowed for more government than most libertarians would—but against the backdrop of a world that considered fascism and socialism to be the way of the future, it was radical.

Hayek eventually came to America as well and taught for some time at the University of Chicago before returning to Europe. Hayek's later work focused less on economics and more on topics such as the philosophy of science and political philosophy. Though Hayek was never a pure libertarian, he was close, and came closer in some respects over his lifetime. Because of his influence and undeniable genius, Hayek remains an inspiration to libertarian intellectuals, even if his challenging, German-influenced prose makes him less accessible to laymen, and his less-than-pure libertarianism makes him less interesting to radicals.

Murray Rothbard, whom we have mentioned, was a radical by any measure and saw no legitimate role for government. His impact on libertarianism came at least as much through his deliberate attempts to build the movement as through his prodigious output as an economist, political philosopher, and historian. Unlike Mises and Hayek, who were utilitarians, Rothbard did believe in natural rights and systematically explained his rights-based libertarian political ideas in books such as *For a New Liberty* and *The Ethics of Liberty*.

Rothbard intentionally sought to build a libertarian movement that he hoped would see results sooner rather than later. He insisted on purity among libertarians, considering it essential to have a “cadre” that would not waver on principle. He brought together all the key strands of libertarian thought up to that time into one consistent system that integrated anti-imperialism, individualist anarchism, Austrian economics, natural-rights theory, and Jeffersonian decentralism. Though Rothbard emphasized purity, he also sought political alliances that libertarians could use to achieve real-world success. He became involved in the Libertarian Party and played a role in the foundation of the Cato Institute and the Ludwig von Mises Institute—about which more below.

No discussion of modern libertarian economists would be complete without a mention of Milton Friedman. Unlike Mises, Hayek, and Rothbard, Friedman was a member of the Chicago School, not the Austrian School. Still, Friedman mostly advocated the free market, even though he did not support monetary freedom, which many libertarians consider crucial, and even though he was more open to government intervention in general than the likes of Mises or Rothbard. And Friedman was influential—policymakers consulted him, for better and for worse, and he played a role in convincing Richard Nixon to end the draft. Also, his book *Capitalism and Freedom* introduced many to free-market economics.

Ayn Rand and Objectivism

Ayn Rand is another central figure in twentieth-century libertarianism. She is best known for two big, important novels, *The Fountainhead* (1943) and *Atlas Shrugged* (1957), and for the philosophy of Objectivism that she espoused in them and in nonfiction works such as *The Virtue of Selfishness* (1964). Unlike libertarianism, Objectivism is a complete philosophy of life, not just a political philosophy. Rand’s individualistic philosophy emphasized the ideas that reality is what it is (she rejected the supernatural); that a person should learn about the world by using reason; that a person’s own life should be his or her highest value (that is, a person should be rationally selfish); and that laissez-faire capitalism is the only political system consistent with humans’ nature as rational beings.

Rand was a bestselling author in her time, and her work remains highly popular. As of 2007, her books were selling three times the number sold in the early 1990s. In the first half of 2009, *Atlas Shrugged* sold 25 percent more copies than it had sold in all of 2008, presumably because the book's vision of a country and its economy falling apart as government planners take over major industries appeared to be coming true. Two organizations, the Ayn Rand Institute (which was founded by Rand's chosen "intellectual heir," Leonard Peikoff and is hostile to non-Objectivist libertarians) and the Atlas Society (a group more friendly to libertarians) continue to promote Rand's ideas, and a scholarly *Journal of Ayn Rand Studies* has been published semi-annually since 1999.

Ayn Rand was once one of the primary paths by which people discovered libertarian ideas—maybe the leading path. (A satirical memoir on the libertarian movement of the 1960s was called *It Usually Begins With Ayn Rand*.) Many Rand readers followed her recommendation to read Mises, which in turn led them to a larger libertarian world. Despite Rand's novels' continued popularity, Rand is probably not quite the leading "gateway drug" to libertarianism she once was. In the 1950s and 1960s, there were not many other paths available, especially in bookstores and libraries. Now, information on libertarianism abounds on the Internet, and most of it has nothing to do with Rand or Objectivism. In addition, many people who are receptive to libertarianism are repelled by some aspects of Rand's work—for example, her insistence that others share her preferences in art and music, her hatred for religion, and her philosophy's selfish ethics.

Libertarians in Politics

Many voters know the word "libertarian" only from the Libertarian Party (LP), whose candidate they make sure not to vote for on their presidential ballot every four years. Like FEE and the later Ron Paul movement, the LP arose in response to especially bad times for liberty; founder David Nolan decided to form it after President Nixon abolished the gold standard and imposed wage and price controls in 1971.

The LP's founders didn't delude themselves with the idea that they would win elections for high office anytime soon. Instead, they saw the Party as another way to get the word out. Many libertarians, including Leonard Read, disapproved of this approach because political campaigns by their nature tend to be more about slogans and getting votes than communicating substantive ideas. Others such as Rothbard were initially skeptical but eventually became involved, at least for a time.

The LP ran its first presidential candidate, philosopher John Hospers, on just two states' ballots in 1972. Though the ticket received fewer than 3,000

popular votes, it oddly received an electoral vote from a libertarian member of the Electoral College who defected from Nixon. (Tonie Nathan, the Libertarian VP candidate, became the first woman to receive an Electoral College vote.) That elector, Roger MacBride, became the Libertarian presidential candidate in 1976 and performed better, with 0.21 percent of the popular vote.

The 1980 Libertarian ticket consisted of corporate lawyer Ed Clark and oil billionaire David Koch. Koch and his brother, Charles, had begun funding libertarian causes in the 1970s. With Koch putting more than \$2 million of his own money into the campaign, the ticket received nearly a million votes and over one percent of the total.

That campaign has been the peak of Libertarian Party success to date. Subsequent presidential campaigns, including Ron Paul's 1988 campaign on the Libertarian ticket, have received closer to 0.5 percent of the popular vote, sometimes less. (Paul joined the Libertarian Party only for the purpose of his presidential run; he has served in Congress as a Republican from 1976 to 1977, 1979 to 1985, and 1997 to the present.) In 2008, the Libertarian Party nominated former Republican Congressman Bob Barr and seemed to change its focus—about which we will say more in Chapter 11.

Libertarian Institutions

The Koch brothers and some other libertarians, including Edward Crane (chairman of the Libertarian Party for much of the 1970s) and Rothbard, wanted to advance libertarianism on multiple fronts, so they founded the Cato Institute in 1977. Unlike FEE, Cato would deliberately engage in the public-policy discussions of the day, but unlike other policy outfits, it would be based in San Francisco, not Washington, DC. At first, Cato published a magazine, *Inquiry*, which avoided using the word “libertarian” and attempted to appeal to people on the left and right who had some libertarian sympathies. Cato also published scholarly work by the likes of Rothbard.

Before long, Cato began to shift its emphasis. To appeal more to the mainstream, it moved away from Austrian School economics toward the Chicago School. After Ronald Reagan's election, it moved its headquarters from San Francisco to Washington, DC in hopes of better influencing policy. The magazine fell by the wayside.

Cato remains in Washington, steadily producing public-policy studies, op-eds, and books. As the endnotes to this book testify, its scholars' work provides a wealth of facts and statistics on the federal government's taxation, spending, and other doings. On the other hand, in its policy advocacy, Cato sometimes moves away from libertarian principle and advocates measures that are not libertarian, such as so-called private social security accounts or school vouchers.

Some libertarians see these policies as incremental steps toward liberty, but others, including this author, see them as dangerous steps away from liberty.

Following Cato's move, other libertarian or libertarian-leaning institutions have set up shop in the nation's capital. *Reason*, a widely distributed monthly libertarian magazine based in Los Angeles, now maintains a Washington office. The Institute for Humane Studies (IHS), founded by F.A. Harper in 1961 to promote libertarian scholarship, moved to the Washington, DC area in 1985. Among other things, IHS funds various scholars and holds free seminars for students at various universities around the country. The Institute for Justice, a public-interest libertarian law firm about which we'll say more in Chapters 6, 8, and 9, established its headquarters in Washington in 1991. Many of these Washington-based organizations, including the ones just mentioned, receive significant funding from the Kochs.

Cato's intellectual, strategic, and geographic moves prompted Rothbard to disassociate himself from it in 1981. The next year, he joined with former Ron Paul Congressional Chief of Staff Llewellyn H. Rockwell, Jr. to form the Ludwig von Mises Institute in Auburn, Alabama. (Mises died in 1973, but the project had the blessing of his widow, Margit von Mises, who served as its chair until her death.) The Mises Institute would be what Cato was not: an organization dedicated to advancing the ideas of Austrian economics and libertarianism with no public-policy compromises. As the DC-based organizations have downplayed the issues of monetary freedom and non-interventionist foreign policy, the Mises Institute has deliberately emphasized them. Also, in contrast with some of the Beltway groups, the Mises Institute would not aim its efforts at politicians and policymakers but, like FEE, at scholars and laymen.¹²

Today the Mises Institute is noted especially for its annual Mises University, a one-week intellectual boot camp in which students learn all facets of Austrian economics, and for its website, <http://Mises.org>, which hosts daily articles, hundreds of hours of audio and video lectures, a blog on economics and liberty, and scanned versions of hundreds of books, old and new, available to download for free. Rockwell also edits his own website, *LewRockwell.com*, which features a fresh slate of articles each day, has a blog, and is the world's best-read libertarian website.

Paul's campaign has taken many of the ideas emphasized by the Mises Institute and *LewRockwell.com* to a much larger audience. His campaign is the most recent major development in the libertarian movement—and that, of course, is where we came in.

THIS BOOK

That summary of libertarianism and libertarian movement history regrettably necessarily leaves out important issues, institutions, and people. But it at least provides some sense of what libertarianism is about and where it has been.

The rest of this book presents libertarian perspectives on a number of today's most important issues. It is an introduction, not a comprehensive guide—but if the reader is interested in learning more about a libertarian topic, there will be plenty of suggestions for further reading (many of which are available online) at the end of each chapter and in the endnotes.

Before we get into the issues, from the economy to drugs to guns and much else, we need to make one more clarification about what libertarianism is, or is not. Libertarianism today is *not* conservatism or liberalism—and that is the subject of the next chapter.

NOTES

1. Milton Friedman, *Capitalism and Freedom* (Chicago: University of Chicago Press, 1982 [1962]), xiv.

2. Leonard E. Read, *Anything That's Peaceful* (Irvington-on-Hudson, NY: Foundation for Economic Education, 1964).

3. Murray N. Rothbard, *For a New Liberty: The Libertarian Manifesto*, rev. ed. (Auburn, AL: Ludwig von Mises Institute, 2006 [1978]), 27.

4. R. J. Rummel, *Death by Government* (New Brunswick, NJ: Transaction Publishers, 1994).

5. Murray N. Rothbard, "Frank S. Meyer: The Fusionist as Libertarian Manqué," *LewRockwell.com*, <http://www.lewrockwell.com/rothbard/rothbard48.html> (originally published in *Modern Age* in 1981).

6. Thomas J. DiLorenzo, *How Capitalism Saved America* (New York: Crown Forum, 2009), 95–96.

7. Leonard E. Read, "I, Pencil," <http://www.thefreemanonline.org/featured/i-pencil/>.

8. See DiLorenzo, *How Capitalism Saved America*, 23–27; *Economic Freedom Index of the World Project*, <http://www.freetheworld.com>.

9. It may be slightly misleading to speak of the "Chicago" School today because Friedman and many others have died, and their approach was largely similar to that of many other mainstream economists. Regardless, the Austria/Chicago distinction still works to distinguish Austrians from mainstream "neoclassical" free-market economists.

10. Richard M. Ebeling, "Milton Friedman and The Chicago School of Economics," *The Freeman* (December 2006), <http://www.thefreemanonline.org/from-the-president/milton-friedman-and-the-chicago-school-of-economics/>.

11. Ralph Raico provides an overview of the history of liberal thought in a series of essays beginning with "The Rise, Fall, and Renaissance of Classical Liberalism, Part I," *Freedom Daily* (August 1992), <http://www.fff.org/freedom/0892c.asp>. (This page includes links to the rest of the series.) See also David Boaz, *Libertarianism: A Primer* (New York: Free Press, 1997), 27–58.

12. Full disclosure: I am an adjunct scholar and ardent supporter of the Mises Institute. I have also worked as an intern for the Foundation of Economic Education and the Institute for Justice.

FURTHER READING

- DiLorenzo, Thomas J. *How Capitalism Saved America: The Untold Story of Our Country, from the Pilgrims to the Present*. New York: Crown Forum, 2004. DiLorenzo explains how, to the extent we have had them, free-market economic policies created the wealth we enjoy today.
- Doherty, Brian. *Radicals for Capitalism: A Freewheeling History of the Modern Libertarian Movement*. New York: PublicAffairs, 2007. Doherty provides a detailed, highly readable history of the libertarian movement.
- Read, Leonard E. *Anything That's Peaceful*. Irvington-on-Hudson, NY: Foundation for Economic Education, 1964. The title essay provides a classic statement of the libertarian position; the book also includes "I, Pencil." This book is available online at <http://mises.org/books/anything.pdf>.
- Rothbard, Murray N. *For a New Liberty: The Libertarian Manifesto*, rev. ed. New York: Collier Books, 1978. This remains the most thorough, scholarly introduction to libertarian thought. At nearly 40 years old, it remains accessible and relevant. This book is available online at <http://mises.org/books/newliberty.pdf>.

2

Libertarians Are Not Conservatives (or Liberals)

Is libertarianism an extreme right-wing political philosophy? Some people think so. After all, Barry Goldwater and Ronald Reagan said they wanted less government, so the thinking goes, libertarians who want *much* less government must be just a bit further down the same path. People who think this often think the Reagan years were great times for libertarians, and even now many people assume that the Republican Party is in the sway of libertarian economic ideology.

The conventional thinking on this is all wrong. Libertarianism is not an extreme form of conservatism or anything like conservatism as that term is commonly used today. Although some libertarians have allied themselves with conservatives in the past, the Bush Administration's policies have driven ever more libertarians to flee from the right.

In 2008, when the Republicans held their convention in St. Paul, Minnesota, Ron Paul drew some 10,000 supporters to his own event, the "Rally for the Republic," across the river in Minneapolis's Target Center. At the rally, Lew Rockwell took the podium to blast Bush's offenses against liberty, and to put an end to any association between conservatism and libertarianism. Rockwell said that Bush's eight years of increasing government did not constitute a betrayal of conservatism, as some had claimed, but rather a fulfillment. Conservatism, he said, had always been about increasing state power, not reducing

it. He urged libertarians to reject any connection with the “conservative” label:

What does conservatism today stand for? It stands for war. It stands for power. It stands for spying, jailing without trial, torture, counterfeiting without limit, and lying from morning to night. There comes a time in the life of every believer in freedom when he must declare, without any hesitation, to have no attachment to the idea of conservatism.¹

For many or most libertarians today, that time has come.

In this chapter, we will consider the differences between conservatives and libertarians, and why libertarians increasingly reject any identification with the right side of the political spectrum. Also, if people are not mistaking libertarians for conservatives, they are mistaking them for anything-goes liberals—so we will also briefly look at why libertarians are not liberals, either.

WHAT IS A CONSERVATIVE?

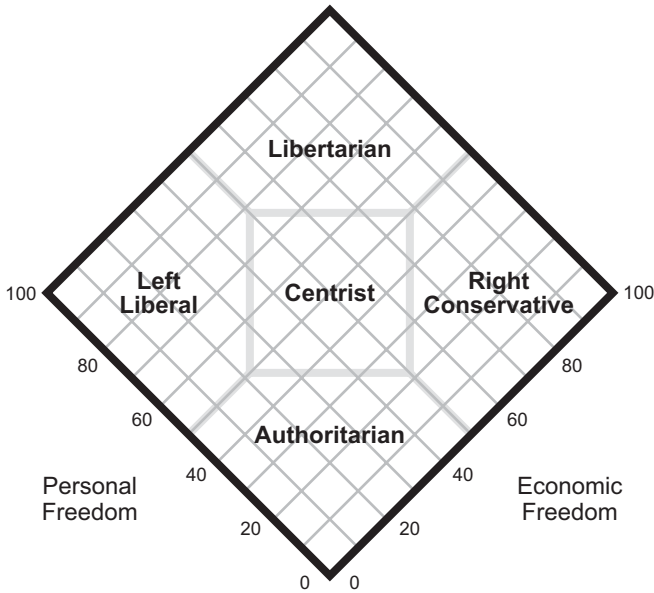
To see why libertarians are not conservatives, and not even very similar to conservatives, we will first need to define what a conservative is. Of course, conservatism means different things to different people, including people who call themselves conservative. One might say that conservatives tend to favor economic liberty, but not personal liberty; that conservatives want to preserve the status quo; or that conservatives value tradition and custom. Then there are the neoconservatives, who place the worldwide spread of democracy highest on their list of priorities. Regardless of which common definition one chooses, today’s conservatives are not libertarians.

Economic-Liberty Conservatism

Some associate conservatism with *laissez-faire* capitalism and unfettered, unregulated free markets. The popular perception is that “small-government” conservatives are like libertarians when it comes to the economy. Many people have this impression of Reagan: someone who believes that government has a role to play in imposing certain social values and in maintaining a strong military, but who believes the free market should otherwise be left unhampered. As we will see below, this impression of Reagan and conservatives is not accurate, and even if it were, it would not make conservatives libertarian, or libertarians conservative.

In the early 1970s, political scientist and Libertarian Party founder David Nolan devised a chart (sometimes called the “Nolan Chart”) that he believed

best depicted the political spectrum. The Nolan Chart defines political philosophies according to how much personal and economic freedom they allow. Here is one version of that chart:



At the far left of the chart are pure liberals. As Nolan defines them, liberals favor maximum “personal” liberty—with respect to sexual and other personal, moral issues—and no economic liberty. On the far right are pure conservatives, favoring maximum economic liberty but no personal liberty. People who favor neither type of freedom, authoritarians, are at the bottom. And people who favor maximum personal and economic freedom, libertarians, are at the top. Most people have a mix of views that would place them somewhere other than the extremes. A libertarian educational organization, The Advocates for Self-Government, has created a 10-question “World’s Smallest Political Quiz” (available at its website, <http://www.self-gov.org>) to help people locate their position on the chart. Libertarians have long used this quiz as an outreach tool because it shows some people that they are more libertarian than they realized.

The Nolan Chart defines libertarians and authoritarians perfectly: Libertarians favor no state controls in any facets of an individual’s life, and pure authoritarians see no area that should not be subject to government intrusion.

The chart’s definitions of liberal and conservative are questionable. We can perhaps see a tendency of liberals toward more personal freedom in many areas, but not all areas. Many liberals, after all, oppose the personal freedom to carry a firearm; many favor restrictions on free speech through, for example, campus

speech codes or the Fairness Doctrine; and many left-wing feminists would abolish pornography. And how many liberals actually call for outright legalization of drugs, prostitution, or other “victimless crimes”? Similarly, conservatives may support more economic freedom than liberals, but their support is far from consistent. Few conservatives call for the repeal of antitrust laws, taxation, or many well-entrenched federal economic interventions. At best—and they are usually not at their best—they may call for relative restraint compared to the leftists’ desires. In their responses to the financial crisis that began in 2008, conservatives were all over the map, but generally favored the government “doing something,” even if they criticized Democrats’ proposals as “big-government” measures.

Another problem with these definitions is that it is difficult to separate economic and personal liberty. Isn’t the freedom to sell drugs or sexual services an economic freedom? Isn’t the freedom to work under the conditions and for the wages of one’s choosing a personal freedom?

These definitions also leave out the critical issue of war. Liberals tend to oppose war (though most supposedly liberal politicians do not do so consistently), while most who identify as conservative have favored the Iraq War and tend to defend U.S. involvement in past wars. This issue is not strictly one of personal or economic freedom—as we will see in Chapter 9, war inevitably impinges on both. It harms personal freedom by depriving its innocent victims of their lives, liberty, and property, and it also harms personal freedom through increased domestic controls that tend to accompany war. War is also antithetical to economic freedom because it requires taxation or inflation for its funding, and it directs resources away from productive uses toward destructive uses. War is so important to many libertarians that it should be entitled to more weight than other issues—yet the chart gives it no weight at all.

But let us say we accept the personal- and economic-liberty definitions as rough approximations of the liberal and conservative positions. This would mean that pure liberals are half-libertarian and pure conservatives are half-libertarian, with neither more libertarian than the other. So under the economic-liberty definition of conservatism, libertarians cannot be called conservatives any more than they can be called liberals.

Status Quo Conservatism

Another definition of conservatism—the most obvious one—is support for maintaining the status quo. In the age of classical liberalism, the “conservatives” supported the statist, mercantilist status quo against the liberals who supported individual rights. The conservatives wanted to ensure that the people who were on top, economically and socially, stayed there, and liberalism presented a threat to the established order.²

Status quo conservatives today are much the same. They do not support making government smaller, but may at best want to limit the *rate* of government growth. This seems to be the definition that applies to most politicians who are perceived as conservative. Their Democrat opponents and the media tend to paint them as ruthless cutters of government programs, but the description is almost never accurate.

It should be obvious that libertarians are not at all like status quo conservatives. As Ludwig von Mises put it more than half a century ago, this type of conservatism “is an empty program, it is merely negative, rejecting any change. . . . To conserve what exists is in present-day [1954] America tantamount to preserving those laws and institutions that the New Deal and the Fair Deal have bequeathed to the nation.”³ Libertarianism, in contrast, is radical. Where status quo conservatives seek to conserve, libertarians seek to repeal and abolish. The two groups’ goals are not compatible, but antithetical, pulling in opposite directions. That these conservatives might not pull as hard in the direction of bigger government as some others or as leftists scores them no libertarian points.

Traditionalist Conservatism

Another type of conservatism is traditionalist conservatism. Traditionalist conservatives follow in the intellectual footsteps of the British Edmund Burke and the American Russell Kirk. Traditionalist conservatism rejects ideology and rationalism, and instead values virtue, tradition, order, custom, history, religion, hierarchy, and community.⁴ Traditionalists view liberty as a worthwhile political goal, but only one among several, and therefore they are not libertarians. Still, the views of many (though far from all) traditionalist conservatives do overlap with those of many libertarians. (A leading traditionalist organization, the Intercollegiate Studies Institute, began in 1953 as the more libertarian Intercollegiate Society of Individualists.)

Some might assume that libertarians and traditionalists would part ways with respect to conservative social values, but this is not necessarily so. Frank Meyer, a founding *National Review* editor, attempted to create a “fusionist” school of thought bridging traditionalist conservatism and libertarianism, and showed that there was no necessary tension between the two because virtue could not be effectively promoted by government—and freedom to choose is essential to true virtue, anyway.⁵

In his 2001 book, *Democracy—The God That Failed*, Hans-Hermann Hoppe argued that a libertarian society would tend to be much more conservative (in the personal, traditional sense) than our present society. He identified ways in which government programs—such as social security, regulation of health

insurance, unemployment insurance, and welfare handouts—break down traditional institutions and discourage conservative personal values:

These institutions [of compulsory government “insurance” against old age, illness, occupational injury, unemployment, indigence, etc.] and practices amount to a massive attack on the institution of the family and personal responsibility. By relieving individuals of the obligation to provide for their own income, health, safety, old age, and children’s education, the range and temporal horizon of private provision is reduced, and the value of marriage, family, children, and kinship relations is lowered. Irresponsibility, shortsightedness, negligence, illness and even destructionism (bads) are promoted, and responsibility, farsightedness, diligence, health and [personal] conservatism (goods) are punished. The compulsory old age insurance system in particular, by which retirees (the old) are subsidized from taxes imposed on current income earners (the young), has systematically weakened the intergenerational bond between parents, grandparents, and children. Consequently, not only do people want to have fewer children . . . but also the respect which the young traditionally accorded to their elders is diminished, and all indicators of family disintegration and malfunctioning . . . have increased.⁶

The conventional thinking among non-libertarians, including some traditionalist conservatives, is that capitalism and libertarianism promote an “atomized” individualism where people become detached from their families and communities. But Hoppe and other libertarians argue that it is government that creates that kind of atomization when it supplants civil society—families, churches, and other voluntary organizations—with itself.

Some see personal, traditional conservatism as not only a likely result of libertarianism, but also a necessary precondition of a libertarian society. Though he emphatically rejects “conservative” politics, Lew Rockwell has noted that no political philosophy exists in a “cultural vacuum.” “The family, the free market, the dignity of the individual, private property rights, the very concept of freedom—all are products of our religious culture. . . . Christianity made possible the development of capital.”⁷ On the other hand, however, some socially liberal libertarians take a much different view, arguing that a socially liberal, tolerant society is a necessary complement to libertarian politics.

Paleoconservatism

Paleoconservatism is a strand of conservative thought that overlaps largely with traditionalist conservatism.⁸ Paleoconservatives reject neoconservatives’

endorsement of the warfare and welfare state, and to this extent find much in common with libertarians. Paleoconservatives want the United States to be a republic, not an empire, and thus have consistently opposed U.S. foreign intervention following the Cold War. They want the decentralized government of the U.S. Constitution as it was originally understood, or perhaps even the Articles of Confederation. In general, they want government to be as local as possible.

To the extent that paleoconservatives (and traditionalists) favor a reduced federal government and greater decentralization, they are closer to being libertarians than other conservatives are. Libertarians just go further—much further—down the decentralization path, to the level of the individual.

Still, paleoconservatives reject the libertarian non-aggression principle. They may favor allowing local or state governments to do much that limits individual liberty. They tend to favor strong federal restrictions on immigration because they see immigrants as disrupting the communities and institutions that would comprise the kind of society they want. Paleoconservatives may also be protectionist, believing trade barriers are necessary, again, to maintain the social order they want to preserve or restore. To the extent paleoconservatives support these things, they are not libertarian, but anti-libertarian.

Outnumbered by mainstream conservatives and liberals who favor an ever-bigger federal government, paleoconservatives and libertarians have emphasized their common ground in recent years, particularly their opposition to neoconservative foreign policy. Ron Paul's presidential campaign attracted supporters from both camps, and his mostly libertarian views won him the endorsement of the paleoconservative-leaning *American Conservative* magazine, which also frequently features articles by libertarians.

The Religious Right

The Religious Right segment of the conservative movement came to prominence in the early 1980s largely as a reaction to *Roe v. Wade*, government attacks on religious schools and broadcasting, and the culture's shift to the left during and after the "free-love" era.⁹ Religious Rightism—at least the brand promoted by Rev. Jerry Falwell—seeks to promote, among other things, family values, school prayer, national defense, and the interests of the state of Israel.¹⁰ It opposes abortion, homosexuality, and other perceived assaults on traditional religious values. Religious Rightism is essentially a more populist form of traditionalist conservatism—appealing more to religious fundamentalism than to tradition or history—with special emphasis on certain issues. Many (but not all) Religious Rightists may be more eager than traditionalists to use the federal government to impose their values on the whole of America—for example, through a constitutional ban on homosexual marriage, or a federal ban on

abortion, were *Roe v. Wade* to be overturned. They may also favor using state or local governments to do the same. To the extent that evangelical Christians or other religious people want others to voluntarily adopt their values, they have no conflict with libertarianism; indeed, as we have seen above, libertarianism may be highly compatible with their views. To the extent they want government to impose their values on others, they are anti-libertarian.

FROM “OLD RIGHT” LIBERTARIANISM TO NEOCONSERVATISM

There was a brief period in American history when the people called “conservatives” really were libertarians. This was the era of the New Deal and World War II, when most on the left embraced Franklin Roosevelt’s policies—but those liberals who did not support Roosevelt suddenly found themselves regarded as the “conservatives” of the day.

The libertarian “conservatives” who opposed Roosevelt’s expansion of government at home and abroad were part of a loose coalition known today as the “Old Right.” The two most prominent intellectual figures of this movement were journalists H.L. Mencken and Albert Jay Nock, who also happened to be two of its most radical libertarian individualists. The movement’s most prominent political figure was Senator Robert Taft, a Republican Senator from Ohio and the son of President William Howard Taft.

In his early-twentieth-century heyday, no one would have called Mencken a conservative. Writing in the *Baltimore Sun* and later the *American Mercury*, Mencken ridiculed all manner of sacred cows in politics, religion, and business. He mocked what he saw as the idiocy of the American mass-man. He attacked excessive patriotism, fundamentalist Christianity, democracy itself, and much else. He was an outspoken opponent of all government censorship and of Prohibition. He was, in sum, an individualist and, in his words, an “extreme libertarian.”¹¹ In his *Notes on Democracy*, Mencken described his libertarian view of government as a criminal enterprise:

All government, whatever its form, is carried on chiefly by men whose first concern is for their offices, not their obligations. It is, in its essence, a conspiracy of a small group against the masses of men, and especially against the masses of diligent and useful men. Its primary aim is to keep this group [of politicians and bureaucrats] in jobs that are measurably more comfortable than the jobs its members could get in free competition.¹²

Nock, too, was an individualist and hardly a conservative. Nock considered himself a “radical” and an anti-Establishment “anarchist.” Nock argued that the U.S. Constitution was enacted to allow business interests to use a powerful

central government to enrich themselves at everyone else's expense—not the mainstream conservative line, then or now. Nock elaborated these views in his books, such as *Our Enemy, the State*, in which he referred to the State as a “professional criminal class,” and *Memoirs of a Superfluous Man*, which includes his far-from-conservative views on marriage and family.

When Roosevelt's New Deal came along, Mencken, Nock, and other Old Right thinkers saw it as another big-government-and-big-business scam, this time on an unprecedented scale. Nock saw the New Deal as combining the worst aspects of both Prohibition and the economic policy of the 1920s, because the New Deal both limited personal freedom (as Prohibition did) and, despite popular perceptions to the contrary, used government to enrich big business (as past Republican administrations had).

World War II only gave the Old Right more to oppose. Mencken and Nock had opposed America's entry into World War I, and Mencken in particular observed Americans' loss of all their senses when taken in by crude war propaganda. To the Old Right, World War II appeared to be more of the same. The United States had taken actions to prompt Japan to attack and, as evil as Hitler was, Germany posed no imminent threat to the United States.¹³ Writing in 1938, Nock articulated a theme that has remained popular among radical anti-war libertarians—that the threat from one's own government is far greater than the threat from any foreign government:

No alien State policy will ever disturb unless our Government puts us in the way of it. We are in no danger from any government except our own, and the danger from that is very great; therefore our own Government is the one to be watched and kept on a short leash.¹⁴

Unfortunately, these figures found that many on the left who had sided with them or at least tolerated their views in the past were swept up in the causes of the moment. Liberals now saw Roosevelt's program of welfare and warfare as the nation's salvation, and anyone who opposed them as reactionary. Thus—to their shock and disgust—Mencken, Nock, and the others found themselves suddenly branded conservatives after a lifetime of opposing the Establishment's status quo. Radical Old Right libertarian Frank Chodorov, who wrote pamphlets with titles such as “Taxation is Robbery” and published a newsletter called *Analysis*, said that anyone who called him a “conservative” would get a punch in the nose. He clarified: “I am a radical.”¹⁵

After World War II, the Old Right movement dissipated as key figures died off or otherwise faded away. This provided an opportunity for William F. Buckley, Jr. and his magazine, *National Review*, to take the right—that is, the opposition to the leftist mainstream—in a new direction. Buckley identified

himself as a conservative, and said he was influenced by such Old Right figures as Nock and Chodorov. He also occasionally invoked free-market thinkers such as Adam Smith and Mises, though it is questionable whether he actually read them.¹⁶ But whatever libertarian sympathies Buckley may have had in his early years, he subordinated them to what he believed to be a more pressing concern: defeat of the Soviet Union in the Cold War. And so in 1952, Buckley declared that the Americans should be willing to accept “Big Government” and a “totalitarian bureaucracy” at home because these were necessary to defeat the Soviets.¹⁷ (Never mind the correct predictions of the Austrian economists, Mises and Friedrich Hayek, that centrally planned economies would fail even without outside help because of planners’ inability to engage in economic calculation.) The early *National Review* also took some decidedly illiberal positions—for example, it supported racial segregation, not on grounds of “states’ rights,” but because whites were the “advanced race.”¹⁸

Libertarian Ronald Hamowy, writing in the conservative-and-libertarian journal the *New Individualist Review* in 1961, characterized the conservatism of *National Review* as “the conservatism not of the heroic band of libertarians who founded the anti-New Deal Right, but the traditional conservatism that has always been the enemy of true liberalism, the conservatism of Pharonic Egypt, of Medieval Europe, of Metternich and the Tsar, of James II, and the Inquisition, and Louis XVI; of the rack, the thumbscrew, the whip, and the firing squad.” He added that libertarians should be glad to have the *National Review* crowd, rather than libertarians, labeled as the day’s conservatives: “I, for one, do not very much mind that a philosophy which has for centuries dedicated itself to trampling upon the rights of the individual and glorifying the State should have its old name back.”¹⁹

Over the years, Buckley, *National Review*, and the conservative movement became increasingly involved with figures who were ex-socialists who retained a fundamentally statist orientation. These included senior editor James Burnham and, later, “neoconservatives” such as ex-Trotskyite Irving Kristol. These new figures on the right showed minimal interest in the individualist thought of Mencken and Nock, and limited interest in economic freedom at home. Although the magazine published some criticism of the welfare state (its excesses, at least), the anti-war views of the Old Right and of libertarians were entirely unwelcome. A militaristic foreign policy trumped all other considerations.

As mentioned above, one founding editor of *National Review*, Frank Meyer, attempted to create a “fusionism” between conservative and libertarian thought. But Meyer, too, embraced the pro-war foreign policy of his colleagues, which strained his and other conservatives’ relations with libertarians during the Vietnam War.²⁰ After Meyer died in 1972, the libertarian strands of his thought became decreasingly influential, as the neoconservatives and

their Wilsonian, utopian vision of a world made safe for democracy under the boot of the U.S. military came to dominate the conservative movement.

When the Soviet Union fell, neither Buckley nor his cohorts turned back to the concerns of the Old Right. Instead, they looked to expand the American empire, and eventually found a new enemy to fight in the Middle East and the global war on terror. In a 2004 interview, Buckley expressed his present disinterest in free-market libertarian thought—among other things. “The trouble with the [past] emphasis in conservatism on the market,” said Buckley, “is that it becomes rather boring. You hear it once, you master the idea. The notion of devoting your life to it is horrifying if only because it’s so repetitious. It’s like sex.”²¹

The Republican Party’s politicians reflected the intellectual shift on the right. Barry Goldwater is widely perceived as having strong libertarian leanings, but his support for an aggressive Cold War policy, including nuclear war if necessary, was unlibertarian in the extreme. In fairness, Goldwater did introduce some future libertarians to the idea of limited government through his libertarian rhetoric, and sometimes libertarians invoke him as a role model, even if they should know better. Later standard-bearers Richard Nixon and Gerald Ford, however, were irredeemable: they offered a liberal, mainstream brand of big-government Republicanism that was anti-Soviet but not at all libertarian in rhetoric or substance. Nixon was especially bad from the libertarian perspective, not so much for his petty Watergate crimes as for his bombing in Laos and Cambodia; imposition of price controls; inflationary monetary policy (including the end of the gold standard); support for new big-government programs such as the Environmental Protection Agency; and declaration of war on drugs. The economic policies of these administrations were not free-market but a type of Keynesianism. Reagan offered a return to libertarian rhetoric but, as we will see, did not usher in smaller government. Since then, Republicans have occasionally reverted to the free-market talk of Goldwater and Reagan—usually when the Democrats are in the majority and proposing the same kind of spending the Republicans had supported when they were in charge. During the Bush years, though, Republicans in Washington mostly forwent this pretense as they pursued an aggressive foreign policy, created a domestic police state, and grew non-defense spending at a rate far outpacing that of the Clinton Administration.

So it is true that for a fleeting moment in American history, some libertarians found themselves labeled the “conservatives.” Even then, however, the label was not accurate, especially with respect to Mencken, Nock, and other radical intellectuals who expressed their disdain for the status quo that existed before the New Deal.

Today, many libertarians look to Old Right figures as their intellectual ancestors. (To the list of important Old Right figures who remain influential we must add, at a minimum, the writers John T. Flynn, Garet Garrett, Rose

Wilder Lane, Felix Morley, and Isabel Paterson.) Ron Paul, for example, invoked the Old Right in urging conservatives to support his policies and his presidential campaign. It seems unlikely, though, that such an appeal will resonate among many of today's conservatives. After all, most of the leading lights of the Old Right were off the scene by 1960, and they really never were part of the right at all. More important, the ideas of the Old Right directly contradict much of what most present-day conservatives believe. Conservatives who have come of age in the past 50 years have only known the pro-war, anti-libertarian conservatism of Buckley and the neoconservatives and the moral policing championed by the Religious Right. The Old Right, despite the "right" label, is not part of their intellectual heritage.

A FAILED ALLIANCE

Despite their differences, some libertarians considered conservatives to be allies until recently. This alliance rested on the false premise that the conservatives were serious about pursuing some libertarian goals.

Several factors may account for this unfortunate alliance's existence. One is opposition to communism: Even if the conservatives were too aggressive in their foreign policy, at least they recognized that communism was evil, unlike so many on the left. Another factor is, again, conservatives' libertarian-sounding rhetoric: Even if the conservatives did not actually reduce government, at least they seemed to recognize that it ideally *ought* to be restrained, unlike liberals who openly advocated bigger government. Sometimes the conservatives could even sound relatively good on foreign policy; after Bill Clinton and the Democrats waged war in the Balkans, George W. Bush, running in 2000, promised not only fiscal restraint, but also a "humble foreign policy" and "no nation-building." Also, some conservative judges seemed more likely to limit government than some liberal judges who saw few limits on Congress's power to regulate all manner of human activities through the Commerce Clause.

These similarities were and are superficial, however, as we have seen from our own brief overview of conservatism's recent history. Some saw through the conservatives' talk and contradictions immediately, but for others it took the strong medicine of a George W. Bush presidency.

Reagan: No Revolution

Rhetoric versus Reality

The popular perception is that Reagan ushered in a "revolution" in government—an essentially libertarian one, in which the federal government was no longer viewed as the solution to problems, but was viewed as itself a problem.

This revolution was even seen as outlasting Reagan, reflected in Bill Clinton's declaration that "the era of big government is over." Only with the election of Barack Obama, pundits opined, did Americans cast off the anti-government ideology that had held sway since Reagan took office.²²

This popular perception is wrong. Reagan was no libertarian and did nothing to bolster libertarianism. Instead, he grew government and, if anything, stifled the libertarian movement by bringing libertarians and small-government conservatives into his coalition, getting their votes but giving them practically nothing in return.

First, there are the obvious ways in which Reagan was not a libertarian. His religious-right supporters favored much anti-libertarian moral policing, and Reagan paid them back for their support. Reagan drastically escalated the war on drugs, as the percentage of inmates in federal prison for drug offenses increased from 25 percent to 44 percent during his two terms.²³ And he pursued an interventionist foreign policy by, among other things, putting troops in Lebanon, bombing Libya, supporting Saddam Hussein in Iraq, and meddling in Nicaragua in the Iran-Contra matter.

One area in which Reagan did claim to favor personal freedom while running for office was draft registration: he promised to end it on the grounds that it "destroys the very values that our society is committed to defending." By 1982, however, he officially reversed positions because, he said, "we live in a dangerous world."²⁴ (Of course, it was a world made all the more dangerous by Reagan's own nuclear escalation—another offense against libertarianism.)

Despite all that, Reagan at least favored relatively free-market policies, did he not? Not at all, if one looks at results instead of rhetoric. Although Reagan claimed at times to support free trade, the portion of imports facing restrictions increased 100 percent over the course of his two terms.²⁵ Reagan railed against government spending and deficits while running for office, but both became far worse under his watch. In 1980, the final year of Jimmy Carter's term in office, government spent \$591 billion and ran a \$73.8 billion deficit. In 1988, the final Reagan year, government spent over \$1 trillion, and ran a \$155 billion deficit.²⁶

True, those figures are not adjusted for inflation—but the need to adjust only shows that Reagan failed to defeat inflation, too (even if, in fairness, Federal Reserve Chairman Paul Volcker did control it better than his 1970s predecessors). Reagan had promised to restore the gold standard, and on taking office he appointed a commission to study the issue. But that group consisted almost entirely of people who were already known to oppose the gold standard—so its anti-gold findings were a foregone conclusion, no change in monetary policy resulted, and the dollar continued to lose value.²⁷ (Ron Paul and Lewis Lehrman were on the committee and published a minority report, *The Case for Gold*, which remains in print.) Former Federal Reserve Chairman

Alan Greenspan—a leading culprit in the economic crisis that slammed the American economy about twenty years after Reagan left office—was first appointed by Reagan and is therefore another part of Reagan’s anti-libertarian legacy. (More on that in the next chapter.)

One might think that Reagan deserves at least a modicum of libertarian appreciation for being a tax cutter, but this is wrong on two grounds.

First, increasing spending while cutting taxes is not libertarian. If the government spends more than it takes in, it will have to print or borrow the money to make up the difference. If the government prints the money, then taxpayers suffer an “inflation tax” that may be even more destructive than an ordinary tax. If the government borrows the money, then future citizens will have to repay the loans through taxes or inflation (unless the government repudiates the debt). And, of course, all government spending siphons resources from the private sector, which shrinks the amount of private capital available, which, in turn, results in fewer consumer goods produced, which makes society worse off.

Second, Reagan did not effectively cut taxes. Reagan did sign a tax cut in 1981, which went mostly to the wealthy minority, but this cut was immediately offset by an increase in Social Security taxes and by the effects of “bracket creep,” as inflation pushed people into higher tax brackets.²⁸ (Also, rather than take the libertarian step of eliminating mandatory social security, Reagan “saved” it by forcing working people to pay more.) After that, Reagan continued to effectively raise taxes by “closing loopholes” over the course of his presidency. No wonder, then, that government revenues increased from \$517 billion in 1981 to \$1.031 trillion in 1989²⁹—not what one would expect under a libertarian regime committed to cutting government. What about deregulation? The major deregulations for which Reagan is sometimes credited—the oil and gas industry deregulation, airline deregulation, trucking deregulation—were in fact enacted under the Carter Administration, which was perhaps more libertarian than the Reagan Administration, if results count. Carter’s deregulation conveniently took effect just in time for Reagan to take credit. But as Murray Rothbard put it, “The Gipper deregulated nothing, abolished nothing. Instead of keeping his pledge to abolish the Departments of Energy and Education, he strengthened them and even wound up his years in office adding a new Cabinet post, the Secretary of Veterans Affairs.”³⁰

Reagan and the Libertarian Movement

So the Reagan years were bad for liberty—and they were also bad in many respects for the libertarian movement. Anti-government sentiment had grown during the 1970s as a result of various factors, including Vietnam, Watergate, and disastrous economic policies. Reagan tapped into this anti-government

sentiment and then used his position not to advance liberty, but to *restore respect for government* and prompt a resurgence of militarism and flag-waving nationalism—a conservative’s dream, perhaps, but an anti-state libertarian’s nightmare.³¹

Worse, many libertarians were sucked into the administration’s orbit early, optimistic because of Reagan’s apparent sympathy for libertarian ideas. Some of these libertarians became disillusioned and left Washington, but others adjusted their priorities to fit in and became part of the Establishment. Surveying the damage after eight years, Rothbard charged that “intellectual corruption” among (former or quasi-) libertarians “spread rapidly, in proportion to the height and length of [their] jobs in the Reagan Administration. Lifelong opponents of budget deficits remarkably began to weave sophisticated and absurd apologias, now that the great Reagan was piling them up, claiming, very much like the hated left-wing Keynesians of yore, that ‘deficits don’t matter.’”³²

Some libertarians did not join the government, but moved to be closer to it in hopes of gaining influence. Most notably, the Cato Institute moved its headquarters from San Francisco to Washington, DC in 1981. The move did raise the profile of the organization and its people, but Rothbard and other libertarian critics outside Washington have charged that they watered down the message at times to maintain beltway respectability and to appease wealthy benefactors who seek influence, most notably their foremost patrons (to this day), oil billionaires Charles and David Koch. Most significantly, on its move to Washington, Cato promptly deliberately moved away from the pure free-market economics of the Austrian School in favor of more mainstream approaches, and with this also curbed criticism of the Federal Reserve, which at least until recently was the ultimate taboo in Establishment circles. Criticism of aggressive Republican foreign policy became somewhat muted, as well, if not so completely abandoned. And where earlier libertarians had sought radical goals, the new Beltway libertarians increasingly promoted “public policy” compromises such as school vouchers and so-called private social security accounts.³³

Two decades later, some libertarians’ decisions to latch onto Reagan and enter the mainstream Washington “public policy” business do not seem to have borne much fruit. Liberty has not advanced as a result, and it is questionable whether its decline has even been slowed. The enormous growth of government under Reagan and especially under George W. Bush testifies to the failure of this strategy. Lamentably, even after all this, some libertarians who know better continue to invoke Reagan as if he set a good example.³⁴

Bush: The Fulfillment

It does not take much sophistication to recognize that George W. Bush was no libertarian—but apparently it takes more sophistication than *Slate* editor-in-chief

Jacob Weisberg has. In October 2008, he published an article in both *Newsweek* and *Slate* called, in its *Slate* version, “The End of Libertarianism: The Financial Collapse Proves that Its Ideology Makes No Sense.” The article blamed libertarian policies for the country’s economic troubles, relying on the unsupported premises that the country had libertarian economic policies and that certain influential Republicans—he named Alan Greenspan, former Senator Phil Gramm, and Securities and Exchange Commission Chairman Christopher Cox—were in thrall to libertarian ideology and the belief that “markets are always right and governments always wrong to interfere.”³⁵ Running for president, Barack Obama made a similar false assumption when he promised to “restore common-sense regulation,” as though there had been no regulation for the past eight years.³⁶

How could such confusion have arisen? Certainly not from the facts. Over the Bush years, federal regulations continued to increase. The rate of increase of new federal regulations did decrease from past years, but the Federal Register, in which federal regulations are published, continued to grow: from 64,438 pages in 2001 to 78,090 in 2007.³⁷

But the number of regulations does not even tell the whole story because many of Bush’s regulations have been especially onerous and economically harmful. In 2002, Bush signed the Sarbanes-Oxley Act, which authorized the creation of new regulations and doubtless will result in the creation of many more over the years ahead. Under Sarbanes-Oxley, corporations with publicly traded stock are forced to prove each year that they are not cooking their books—in other words, they are presumed guilty until they prove themselves innocent. Sarbanes-Oxley was supposed to prevent fraud in the financial services industry in the wake of the Enron and WorldCom scandals, but of course it did nothing to stop the meltdown of the financial industry and the larger economy some five years after it was passed. At the same time, Sarbanes-Oxley discouraged new businesses from becoming listed on the New York Stock Exchange because of the extreme burdens the regulations would impose. As of 2004, companies spent at an average of \$4.36 million each to comply with Sarbanes-Oxley.³⁸ According to Jacob Weisberg, apparently, this is libertarianism—but anyone who has read even this far in this book should know better.³⁹

On every other front, Bush is the worst president in many decades from a libertarian perspective, probably one of the worst ever. For example, his Medicare prescription drug bill will cost over \$1 trillion over the course of a decade;⁴⁰ he signed record-setting farm bills loaded with billions in special-interest spending; and he imposed the No Child Left Behind Act, which greatly increased federal spending on and control over education. When Bush took office, the federal government spent \$1.9 trillion per year; his final budget was over \$3

trillion.⁴¹ From fiscal years 2001 through 2007, Bush increased spending an average of 4 percent per year, making him the biggest overall spender, in terms of annual increase, since at least Jimmy Carter. He increased military spending an average of 6.7 percent per year, making him the biggest military spender since Franklin Delano Roosevelt.⁴² Undoubtedly the hundreds of billions spent on bailouts of Wall Street firms, banks, automakers, and others during Bush's final days in office will make the final Bush figures much worse.

For libertarians or anyone else opposed to war, Bush's record was, of course, atrocious, as he pursued an exceptionally aggressive foreign policy and launched an unjustified war in Iraq that outlasted his presidency. Bush's attacks on civil liberties through the Patriot Act and otherwise are well known (if not well known enough), and his creation of a new Department of Homeland Security bureaucracy made government bigger and more intrusive.

Bush's foreign policy and his creation of a domestic police state, combined with his profligate spending, served as a wake-up call to many who had previously been content to accept the Republicans as the lesser of two evils—and gave rise to Ron Paul's considerable success.

How can we say all of this is the “fulfillment” of conservatism? Because Bush and a Republican Congress diligently advanced the agenda of the two leading groups of conservatives, the neoconservatives and the Religious Right. The neocons support endless war and substantial domestic interventions; the Religious Rightists, as we have defined them, support using government to advance their moral causes; and neither group opposes taxing, spending, or regulation on principle.⁴³

So how could the likes of Weisberg confuse Bush's policies with libertarianism? Presumably because so many libertarians had been content to be lumped with conservatives for so long—apparently because they had been duped, because they believed it was the best they could do, or because they believed it would help them get close to power. Whatever their motives, libertarians who attached themselves to the conservative movement and embraced Republican candidates did not advance their cause. It took Ron Paul, someone unafraid to stand apart from the Republican and Washington mainstream for decades, to lead the movement back to independence and respectability, and to provide a clear alternative to both Republicans and Democrats by adhering strictly to principle.

LIBERTARIANS ARE NOT LIBERALS, EITHER

It should not be necessary to cite statistics on government growth under Presidents Clinton and Obama to show that libertarians are not liberals,

either. But sometimes people become confused on this, and sometimes libertarians do not help.

As mentioned above, most people who identify as liberal support many policies that would use government coercion against peaceful people, so of course they are not libertarian. Leftists tend to favor government wealth redistribution, compulsory government schooling, and taxing and spending for all manner of things that are important to them. All of this relies on coercion, and therefore violates libertarianism. Leftists also tend to favor gun control, compulsory unionism, regulation of business, antidiscrimination laws, and environmental controls, all of which depend on forcing people to do things leftists want them to do. Modern liberals' *goals*—fairness, alleviation of poverty, a clean environment, less crime—may overlap with those of many libertarians, but their *means* are not libertarian.

Still, “social issues” on which liberals and *some* libertarians may agree tend to create confusion, especially same-sex marriage and abortion.

Same-Sex Marriage

Some libertarians (and non-libertarians) have suggested that libertarianism favors same-sex marriage. It is not obvious that this is so. Libertarianism as we have defined it in this book has nothing to say about same-sex marriage, except that if two people of the same sex want to consider themselves married to one another, the government should not stop them. But there is no libertarian “right” to have the government or anyone else acknowledge a particular type of relationship, and government recognition of same-sex marriage would not, in itself, reduce the power of the government over individuals. If governments currently deny unmarried people (homosexual or otherwise) certain libertarian rights, then libertarians would of course object to that limitation on unmarried people’s rights. But this position does not require affirmative support for same-sex marriage; it only requires repeal or revision of existing laws. Some libertarians make the argument that as long as government is in the marriage-recognizing business, it shouldn’t discriminate. But this is not a libertarian view *per se*; it is presumably a view a person holds because of social views that person holds in addition to his or her libertarian views (and those views may be fine, but they are not part of libertarianism *per se*). The libertarian view is that there is no legitimate reason for government to recognize *any* type of marriage.

Abortion

The other social issue that causes confusion is abortion. Some people believe that libertarianism is pro-choice, but the issue is not so simple.

Libertarians are, of course, opposed to murder. So whether a libertarian is opposed to abortion generally depends on whether a libertarian thinks abortion is murder. That is a question for religion, philosophy, or science; libertarianism itself has no answer to it. So, like everyone else, libertarians are split on this issue. Pro-life libertarians have an organization called Libertarians for Life; pro-choicers have a group called Libertarians for Choice. Notably, and contrary to the stereotype, many prominent libertarians are pro-life, including, for example, Ron Paul and Fox News Channel senior judicial analyst Andrew Napolitano. Regardless of their stance on abortion, however, many libertarians believe that, under our current political system, this issue would be better decided by the states than by the federal government (as it has been under *Roe v. Wade*). And many pro-life libertarians place persuasion above political action as their preferred means of advancing their cause.

We should add that Rothbard argued that libertarianism is pro-choice, even if one believes a fetus is a human life, because a would-be mother is not obligated to let another person live inside her body.⁴⁴ Many libertarians, including this author, find that argument problematic, however, because the fetus, if human, is not an invader but (except in cases of rape) someone whom the woman has implicitly invited into her body and caused to be dependent on her.

“Cultural Libertarianism”

Some libertarians argue that libertarianism is not just about property rights and the non-aggression principle, but requires promotion of certain liberal social values.

For example, *Reason* magazine editor Nick Gillespie has suggested that liberty has actually *increased* in important ways in recent years, despite the explosive growth of government and regulation, because certain behaviors have become more socially accepted. For example, Gillespie has observed, you are now “free” to get a hotel room with a member of the opposite sex who is not your spouse—the person at the front desk won’t say no and probably won’t even give you a dirty look.⁴⁵ Libertarian philosopher Roderick Long, writer Charles Johnson, and *Reason* contributing editor Kerry Howley all argue that traditional “gender roles” are oppressive in their own way, and that libertarians should oppose these so that women can have more “freedom” to pursue non-traditional lifestyles.⁴⁶

These thinkers’ liberal social views may or may not have merit, but they are not part of libertarianism per se. Again, libertarianism itself is compatible with both liberal and conservative social values. To suggest otherwise is an ideological mistake and probably also a strategic mistake. It redefines libertarianism to mean something that it has never meant to most modern libertarians, and it narrows the audience for libertarianism to only those people who share this

liberal worldview. For many people, the beauty of libertarianism is that it lets everyone pursue their values, as long as they do not feel a need to force their views on the rest of the world.

Of course, libertarians are not *only* libertarians. Each person has other values as well. If some libertarians have liberal social values and want to promote those, there is no reason why they cannot or should not do so—just as a libertarian Christian, for example, might try to influence others to adopt both his political philosophy and his religion, or a libertarian Objectivist might urge others to adopt Ayn Rand’s philosophy as a whole. It is a mistake, however, for any of these people to insist that libertarianism itself demands their broader philosophy of life.

Similarly, it may be the case that societies with certain social values are more likely to be receptive to libertarian ideas. As we saw above, some people believe that conservative values are more likely to give rise to a free and prosperous society; others, however, believe that liberal values are more conducive to a free society. This debate will continue among libertarians, but all involved should take care to note that this question is separate from the question of *what libertarianism is*.

Common (and Uncommon) Ground

Libertarians do share some common ground with present-day liberals—at least, with consistent, committed liberals. Both are opposed to war. Both are opposed to government handouts to business. Both are open to questioning the Federal Reserve. Both are open to loosening America’s drug laws.

Some libertarians, such as the Cato Institute’s Brink Lindsey and Will Wilkinson, see enough common ground with liberals to propose a “libertarian” (their term) coalition between the two groups.⁴⁷ Part of this rests on the assumption, which many libertarians do not share, that libertarians and liberals are on the same page with respect to social issues such as same-sex marriage and abortion. It also assumes that many libertarians and liberals would be willing to make compromises that neither side is likely to make. For example, many libertarians will not get behind the “tax reform” that Lindsey proposes (which does not seem to entail tax *cuts*), and most liberals will not be willing to budge on entitlements or embrace the free market. (Also, Lindsey’s personal brand of “pragmatic libertarianism” involves deviations to the *right* on many issues, including war, which presumably would further turn off liberals.)⁴⁸ On the other hand, sticking to libertarian principle might at least earn some respect and credibility. Still, to the extent that Lindsey, Wilkinson, and others propose dialogue with liberals to introduce them to libertarian ideas and improve mutual understanding, it makes sense.⁴⁹ But to the extent that this strategy would attempt to influence the Democrat Party by becoming part of its

coalition of voters (an idea Wilkinson, at least, rejects)—well, the lessons learned from the experience with the Republicans should be enough to discourage such an effort, especially given the Democrats' behavior now that they are in power.

An appealing aspect of the Ron Paul movement was that it attracted self-styled conservatives and liberals who place a higher priority on the issues where they support freedom than they do on other issues where they may be less libertarian. And once in the fold, many of those people have come around on other issues. Although it may not bring electoral success anytime soon, an approach that makes libertarians *out of* conservatives and liberals seems to hold more promise for advancing liberty than an approach that tries to force libertarians into a conservative or liberal mold.

NOTES

1. Llewellyn H. Rockwell, Jr., "The Calamity of Bush's Conservatism," *LewRockwell.com*, September 3, 2008, <http://www.lewrockwell.com/rockwell/calamity-of-bush-conservatism.html>.

2. See "The Socialism of Conservatism," in Hans-Hermann Hoppe, *A Theory of Socialism and Capitalism* (Boston: Kluwer Academic Publishers, 1989), <http://mises.org/books/Socialismcapitalism.pdf>.

3. Ludwig von Mises to John Belding Wirt, letter dated October 23, 1954, quoted in Jörg Guido Hülsmann, *Mises: The Last Knight of Liberalism* (Auburn, AL: Ludwig von Mises Institute, 2007), 992, <http://mises.org/books/lastknight.pdf>.

4. See generally, Mark C. Henrie, "Traditionalism," in Bruce Frohnen et al., eds., *American Conservatism: An Encyclopedia* (Wilmington, DE: ISI Books, 2006), 870–75.

5. See E.C. Pasour, Jr., "Fusionism," in *American Conservatism: An Encyclopedia*, 338–41.

6. Hans-Hermann Hoppe, *Democracy: The God That Failed* (New Brunswick, NJ: Transaction Publishers, 2001), 195–96.

7. Quoted in Brian Patrick Mitchell, *Eight Ways to Run the Country* (Westport, CT: Praeger, 2007), 77.

8. See Paul Gottfried, "Paleoconservatism," in *American Conservatism: An Encyclopedia*, 651–52.

9. See Daniel McCarthy, "The Authoritarian Movement," *LewRockwell.com*, June 30, 2006, <http://www.lewrockwell.com/dmccarthy/dmccarthy60.html>.

10. Stephen W. Carson, "Christians in Politics: The Return of the 'Religious Right,'" *LewRockwell.com*, October 30, 2003, <http://www.lewrockwell.com/carson/carson17.html>.

11. Quoted in Sheldon Richman, "New Deal Nemesis: The 'Old Right' Jeffersonians," in Robert Higgs and Carl P. Close, eds., *Opposing the Crusader State: Alternatives to Global Interventionism* (Oakland, CA: Independent Institute, 2007), 67.

12. H. L. Mencken, *Notes on Democracy* (New York: Alfred A. Knopf, 1926), 117.

13. Old Right journalist John T. Flynn was among the first to note that Franklin Delano Roosevelt anticipated the Pearl Harbor attack and allowed it to occur, which

other scholars have since documented in more detail. See Justin Raimondo, "The Secret of Pearl Harbor," *Antiwar.com*, May 25, 2001, <http://www.antiwar.com/justin/j052501.html>.

14. Albert Jay Nock, "The Amazing Liberal Mind," *American Mercury* 44, no. 176 (August 1938): 467–72, quoted in Murray N. Rothbard, *The Betrayal of the American Right* (Auburn, AL: Ludwig von Mises Institute, 2007), 37.

15. Rothbard, *Betrayal of the American Right*, 165.

16. Gary Wills, "Daredevil," *The Atlantic* (July/August 2009): 102–110.

17. Rothbard, *Betrayal of the American Right*, 159.

18. Quoted in Brad DeLong, "From National Review's Archives," *Grasping Reality with Both Hands*, October 2, 2005, http://delong.typepod.com/sdj/3005/10/from-national_r.html.

19. Ronald Hamowy, "National Review: Criticism and Reply," *New Individualist Review* 1, no. 3 (November 1961): 6–7, quoted in Rothbard, *Betrayal of the American Right*, 177.

20. Pasour, "Fusionism," 340.

21. Corey Robin, "Grand Designs," *Washington Post*, May 2, 2004, <http://www.washingtonpost.com/ac2/wp-dyn/A58484-2004May1?language=printer>.

22. Peter Nicholas, "Obama to Seek Support for Nearly \$1-Trillion Recover Plan," *Los Angeles Times*, January 9, 2009, <http://www.latimes.com/news/nationworld/nation/la-na-obama-economy9-2009-jan09,0,3481662.story>.

23. Anthony Gregory, "Government Growth, the Party of Lincoln, and George W. Bush," *LewRockwell.com*, October 29, 2004, <http://www.lewrockwell.com/gregory/gregory40.html>.

24. Doug Bandow, "Draft Registration: It's Time to Repeal Carter's Final Legacy," *Cato Policy Analysis* No. 86, May 7, 1987, http://www.cato.org/pub_display.php?pub_id=952.

25. Sheldon Richman, "Ronald Reagan: Protectionist," *The Free Market* (May 1988), http://mises.org/freemarket_detail.aspx?control=489.

26. Doug Casey, "The Life and Death of Reagan: A Sadly Educational Experience," *LewRockwell.com*, July 9, 2004, <http://www.lewrockwell.com/orig2/casey7.html>.

27. Murray N. Rothbard, "The Reagan Phenomenon," *LewRockwell.com*, <http://www.lewrockwell.com/rothbard/rothbard49.html>; see also Ron Paul, *End the Fed* (New York: Grand Central Publishing, 2009), 72–77.

28. See Murray N. Rothbard, "Ronald Reagan: An Autopsy," *Liberty* (March 1989): 13–23, <http://www.lewrockwell.com/rothbard/rothbard60.html>; Sheldon Richman, "The Sad Legacy of Ronald Reagan," *The Free Market* (October 1988), http://mises.org/freemarket_detail.aspx?control=488.

29. William A. Niskanen and Stephen Moore, "Supply Tax Cuts and the Truth About the Reagan Economic Record," *Cato Policy Analysis* No. 261, October 22, 1996, http://www.cato.org/pub_display.php?pub_id=1120&full=1.

30. Rothbard, "Ronald Reagan: An Autopsy."

31. *Ibid.*

32. Ibid.

33. See generally David Gordon, "The Kochtopus vs. Murray N. Rothbard," *LewRockwell.com*, April 22, 2008, <http://www.lewrockwell.com/gordon/gordon37.html>; David Gordon, "The Kochtopus vs. Murray N. Rothbard Part II," *LewRockwell.com*, May 12, 2008, <http://www.lewrockwell.com/gordon/gordon39.html>.

34. See, e.g., Edward H. Crane, "The GOP Should Dump the Neocons," *Los Angeles Times*, November 4, 2009, <http://articles.latimes.com/2009/nov/04/opinion/oe-crane4>; "Republican Presidential Candidates Debate," *Cato Dispatch*, May 4, 2007, http://www.cato.org/view_ddispatch.php?viewdate=20070504.

35. Jacob Weisberg, "The End of Libertarianism," *Slate*, Oct. 18, 2008, <http://www.slate.com/id/2202489/>.

36. Veronique de Rugy, "Bush's Regulatory Kiss-Off," *Reason* (January 2009), <http://www.reason.com/news/show/130328.html>.

37. Ibid.

38. See Jennifer Haman, "Ron Paul v. SOX," *LewRockwell.com*, July 26, 2007, <http://www.lewrockwell.com/orig8/haman2.html>.

39. For more refutation of Weisberg, see Anthony Gregory, "Blaming Liberty for the State's Depredations," *LewRockwell.com*, Oct. 20, 2008, <http://www.lewrockwell.com/gregory/gregory165.html>; D.W. MacKenzie, "Has Libertarianism Ended?" *Mises.org*, Oct. 29, 2008, <http://mises.org/story/3162>.

40. James Bovard, "The Biggest Medicare Fraud Ever," *LewRockwell.com*, September 1, 2005, <http://www.lewrockwell.com/bovard/bovard11.html>.

41. Michael D. Tanner, "A Repudiation, But of What?" *Star-Telegram*, November 10, 2008, http://www.cato.org/pub_display.php?pub_id=9781.

42. Chris Edwards, "Presidential Spending," *Cato-at-Liberty*, Sept. 27, 2007, <http://www.cato-at-liberty.org/2007/09/27/presidential-spending/>.

43. See McCarthy, "The Authoritarian Movement."

44. Murray N. Rothbard, *The Ethics of Liberty* (New York: New York University Press, 1998 [1982]), 98.

45. Daniel McCarthy, "Low-tax Liberalism Redux," *Lewrockwell.com*, March 17, 2005. <http://www.lewrockwell.com/dmccarthy/dmccarthy57.html>.

46. Roderick Long and Charles Johnson, "Libertarian Feminism: Can This Marriage Be Saved?" May 1, 2005, <http://charleswjohnson.name/essays/libertarian-feminism>; Kerry Howley, "We're All Cultural Libertarians," *Reason* (November 2009), available at <http://reason.com/archives/2009/10/20/are-property-rights-enough>.

47. See, e.g., Brink Lindsey, "Liberalarians," *The New Republic Online*, Dec. 4, 2006, http://www.cato.org/pub_display.php?pub_id=6800; Will Wilkinson, "Is Rawlsianism the Future?" *Cato-at-Liberty*, December 4, 2006, <http://www.cato-at-liberty.org/2006/12/04/is-rawlsianism-the-future/>.

48. Brink Lindsey, "Am I a Libertarian?" *Liberty* (March 2003), http://libertyunbound.com/archive/2003_03/lindsey-apostasy.html.

49. Lew Rockwell had a remarkable conversation with liberal writer and activist Naomi Wolf on this and other topics, available at http://www.lewrockwell.com/podcast/?p=episode&name=2008-10-30_058_americas_slow_motion_fascist_coup/. One of the

most notable areas of agreement was on the harm caused by the Federal Reserve, an issue in which Lindsey appears to have shown little interest.

FURTHER READING

- Carey, George W., ed. *Freedom and Virtue: The Conservative/Libertarian Debate*. Wilmington, DE: Intercollegiate Studies Institute, 1998. This collection of essays looks at the similarities and differences between traditionalist conservatives and libertarians.
- Hoppe, Hans-Hermann. *Democracy—The God That Failed: The Economics and Politics of Monarchy, Democracy, and Natural Order*. New Brunswick, NJ: Transaction Publishers, 2000. See especially Chapter 10, “On Conservatism and Libertarianism.”
- Rockwell, Llewellyn H., Jr. *The Left, the Right, and the State*. Auburn, AL: Ludwig von Mises Institute, 2008. This collection of essays shows how libertarianism stands in opposition to the statism of both the left and the right. This book is available for free online at <http://mises.org/books/leftright.pdf>.
- Rothbard, Murray N. *The Betrayal of the American Right*. Auburn, AL: Ludwig von Mises Institute, 2007. Rothbard shows how the early twentieth century’s liberals became labeled conservatives during the New Deal, and how the near-libertarianism of the “Old Right” was overwhelmed by the statist conservatism of *National Review*. This book is available for free online at <http://mises.org/books/betrayal.pdf>.