

The Closing of the Liberal Mind

HOW GROUPTHINK AND
INTOLERANCE DEFINE THE LEFT

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INTRODUCTION

When most people think of intolerance, they imagine a racist taunting a black person. Or they may envision a male chauvinist hurling bigoted insults at women. It seldom occurs to them that intolerance comes in all political shapes and sizes. A protester storming a stage and refusing to let someone speak is intolerant. So, too, are campus speech codes that restrict freedom of expression. A city official threatening to fine a pastor for declining to marry a gay couple is every bit as intolerant as a right-winger wanting to punish gays with sodomy laws. Intolerance exists on the right and the left. It knows no exclusive political or ideological affiliation. It happens any time someone uses some form of coercion, either through government fiat or public shaming rituals, to restrict open debate and forcefully eliminate opponents from the playing field.

There is a word that describes this mentality. It is illiberal. For centuries we have associated the word “liberal” with open-mindedness. Liberals were people who were supposed to be tolerant and fair and who wanted to give all sides a hearing. They cared about everyone, not just their own kind. They wanted to include people in the exercise of liberty, not exclude them. They believed in pluralism. By contrast, illiberal people were hardheaded in their opinions and judgmental about others’ behaviors, hoping to control what other people thought and said and to cut off debate. In extreme cases they would even use violence to maintain political

power and exclude certain kinds of people from having a say in their government.

Sadly, the kind of liberalism we used to know is fast disappearing from America. All too often, people who call themselves progressive liberals are at the forefront of movements to shut down debates on college campuses and to restrict freedom of speech. They are eager to cut corners, bend the Constitution, make up laws through questionable court rulings, and generally abuse the rules and the Constitution in order to get their way. They establish “zero-tolerance” regimes in schools where young boys are suspended for nibbling breakfast pastries into the shape of a gun.¹ They claim to be unrelenting defenders of science, yet they will run scientists who deviate even slightly from climate change orthodoxy right out of the profession. They are supposedly great haters of bigotry but sometimes speak of Christians in the most bigoted manner imaginable, as if Christians were no better than fascists. They support laws and regulations that over-criminalize everyday aspects of American life, to the point that people can be fined or imprisoned for violating some environmental or other regulation they did not know existed. They can be neighborhood bullies or petty tyrants on town or county councils, launching campaigns to stop people from building houses they do not like or going after the parents of “free-range children.”²

These are not theoretical threats, but actual incidents from recent years. Once known as the quintessential free thinkers, liberal intellectuals today are primarily keepers of a stifling ideological orthodoxy. They have become like mandarin servants of today’s ruling class, presiding, for example, over academic departments teaching hopelessly incoherent subject matter (“queer studies,” anyone?) while eagerly awaiting the next government grant, contract, or invitation to a White House party.

American liberals are, in short, becoming increasingly illiberal. They are surrendering to the temptations of the closed mind.

We must be careful about what this means. There are hard

(sometimes very hard) and soft forms of illiberalism that exist regardless of their ideological (left-right) variations. The hard forms are totalitarian or authoritarian. They rely on the threat of force in some measure to maintain power, and they are invariably anti-democratic and anti-liberal. Think of communism, fascism, and all the various hybrids of authoritarian regimes, from Putin's Russia to Islamist states that support terrorism. Soft forms of illiberalism, on the other hand, are *not* totalitarian or violent. Outwardly they may observe the limits constitutional democracies place on the arbitrary use of power, but there is a suspicion that liberal democracies are not fully legitimate. For example, nationalists and military regimes see them as weak and corrupt, incapable of maintaining order and protecting national security. On the other side of the political spectrum, leftists often judge liberal democracies as economically and socially unjust because they are capitalist. Since most liberal democracies still allow conservatives to have a voice in the democratic process, leftists find them wanting, and in some cases condemn them outright as inherently oppressive (of racial and sexual minorities, for example), precisely because conservatives still have a voice.

Hard forms of illiberalism certainly exist in America today. On the right they are manifest in the form of hard-core racists and nativists, and on the left as communists, anarchists, or any radical who openly threatens violence. But soft illiberalism is present as well, and in America today it is pervasive. Much of its growth and energy is a left-wing phenomenon.

This brings me to the subject of definitions. Historically, a progressive liberal was viewed as someone who imbibed the intellectual nectars of both progressivism and classical liberalism. The progressive tradition is easily recognizable. It is the legacy of such prominent progressives from the turn of the 20th century as Herbert Croly, John Dewey, Teddy Roosevelt, Woodrow Wilson, and others. The classical liberal tradition is less well known, and as a result our understanding of it is murkier. Classical liberalism

is a set of ideas about individual liberty and constitutional government inherited from the moderate Enlightenment.³ In America those ideas influenced the Revolution and the founding of the Republic. In Europe they were taken up in the 19th century by such liberals as Benjamin Constant, David Ricardo, Alexis de Tocqueville, François Guizot, and John Stuart Mill.

Although originally swimming in the same intellectual stream, American progressives and classical liberals started parting company in the late 19th century. Progressives initially clung to freedom of expression and the right to dissent from the original liberalism, but under the influence of socialism and social democracy they gradually moved leftward. Today they largely hold classic liberalism—especially as manifested in small-government conservatism and libertarianism—in contempt. Thus, what we call a “liberal” today is not historically a liberal at all but a progressive *social democrat*, someone who clings to the old liberal notion of individual liberty when it is convenient (as in supporting abortion or decrying the “national security” state), but who more often finds individual liberties and freedom of conscience to be barriers to building the progressive welfare state.

To untangle this confusing web of intellectual history, we need a more accurate historical rendering of what “progressive liberals” actually are. If they are not really liberals, then what are they? As this volume will explore in more depth, they are *postmodern leftists*. A postmodernist is someone who believes that ethics are completely and utterly relative, and that human knowledge is, quite simply, whatever the individual, society, or political powers say it is. When mixed with radical egalitarianism, postmodernism produces the agenda of the radical cultural left—namely, sexual and identity politics and radical multiculturalism. These causes have largely taken over the progressive liberal agenda and given the Democratic Party most of its energy and ideas. The illiberal values inherent in these causes have been imported from such movements as neo-Marxism. Combined with the dreams of the

old social democratic–socialist left, of either dismantling or radically containing capitalism, the culture of the postmodern left today is a very potent force in politics.

Many books discuss the intolerance of the left. Allan Bloom's *The Closing of the American Mind* (1987), which inspired the title of this book, focused on the American academy. Other recent books lament the liberal groupthink of the U.S. media.⁴ I intend to paint a much broader picture. I will show that the decline of liberalism has been long in the making, and that the illiberalism in the media and academic worlds described in these books is now widespread in the political system and rapidly gaining ground in society. Illiberalism is not only the defining feature of what we call progressive liberalism today; it is, in fact, the predominant worldview of Barack Obama's Democratic Party. The focus of this discussion, however, will not be on that party, since political parties have often changed their platforms and priorities to win elections. The focus instead will be on how deeply this progressive illiberalism infects many aspects of our society today—so much so that our very identity as the nation that championed liberty in the 20th century is threatened, and we may not keep that title for long in the 21st.

I would not wish to leave the readers of this book entirely without hope. Despite the rather gloomy prognosis I offer for the future of American liberalism, it may still be possible to save it from the ravages of the postmodern left. Moderate liberals and conservatives have one thing in common: neither has an interest in the triumph of illiberal values in America. Both should like to see a country in which freedom of expression, open intellectual inquiry, constitutional democracy, and the rule of law prevail. If not a unified front, at least a tacit alliance against illiberalism and extremism may be possible. However, in order for this to happen, liberals have some very deep soul-searching to do. Frankly, it should not be left up to a conservative to point out the vulnerabilities that threaten to destroy their movement. Liberals themselves should be concerned and stepping in to save liberalism from itself.

A word about the purpose of the book: It is ultimately about ideas. It is about how they have evolved and are shaping today's politics and culture. Mixing intellectual history with an analysis of contemporary politics is tricky. People always wonder whether the ideas developed by intellectuals lead or merely follow the broader evolution of historical events. In reality they do both, but I do believe that ideas developed by serious thinkers, once they are digested by the popular political culture, are more influential than many people think. It is not about everyone being mini-philosophers, but about people looking for reasons and justifications to do what they do. This does not happen in a historical vacuum. Historical ideas, and ideas in general, are like lighthouses helping people to navigate in the darkness. Captains of ships fighting the offshore currents that take them this way or that will latch on to known sources of light to find their way home. For a culture such as ours, ideas are these known sources of light, and we underestimate them at our peril.

Not everything done in the name of progressive liberalism today can be traced back to its intellectual roots. But much of it can be. That, at least, is the slice of the matter that I explore and hope to add to the current debate about the nature of contemporary American liberalism.

ONE

The Decline of American Liberalism

Americans think we know what the word “liberal” means. A liberal is a “progressive,” or someone who is “liberal-minded.” It is a person who supports gay marriage, higher taxes on the rich, and bans on “hate speech.” It is a politician, activist, or scholar who believes that a vast swath of the American people—like American history itself—is infected with unconscious racial and class prejudices, and that the Constitution is outdated and, more often than not, a barrier to equality and civil rights. It is someone who believes strongly in using the power of government to redistribute income and to force people to adhere to a liberal notion of social justice. Today, a liberal can be a moderate Democrat like Bill Clinton, a self-described socialist like Bernie Sanders, or even the protester who jumped the stage at a progressive conference to shout Sanders down.¹ “Liberal” is a fairly elastic word, and it is used broadly to mean anyone who is on the left of the political spectrum.

Whatever a liberal is today, it is not the same as the liberals of the 18th century or the progressives of the 19th century. It is not even the same as those of the New Deal or Lyndon Johnson’s Great Society in the 20th. To understand the difference and the huge extent of the change in American liberalism, we need a historical reference point. We must understand what liberalism

was in order to grasp how far it has declined as a viable American idea. Unfortunately for the liberties of Americans tomorrow, the change has been as dramatic as Darth Vader's devolution to the Dark Side in *Star Wars*.

WHAT IS LIBERALISM?

Historically, liberalism evolved largely from the ideas of the moderate Enlightenment, particularly its British and Scottish variants. The most famous classical liberal theorists were John Locke, the Baron de Montesquieu, Adam Smith, Immanuel Kant, and James Madison. The ideas they developed helped shape the American Founding; but they also spread across Europe after the Napoleonic era to establish the liberal tradition there, which was largely a negative reaction to the excesses of the French Revolution. Although dormant today, the liberal tradition in Europe was quite vibrant in the 19th century. Such luminary liberal figures as Alexander von Humboldt in Prussia; Benjamin Constant, François Guizot, and Alexis de Tocqueville in France; and Jeremy Bentham, Herbert Spencer, and John Stuart Mill in Britain developed sophisticated theories of liberalism that are studied to this day.

Whether of the American or European variety, liberalism is a set of shared principles. As British political journalist Edmund Fawcett explains in *Liberalism: The Life of an Idea* (2014),² these principles are:

- ♦ Conflicts of interest and beliefs are inevitable, and it is foolish and even dangerous to try to eliminate them.
- ♦ Superior power of some people over others is not to be trusted.
- ♦ The meaning of history and human aspirations are open to change and thus should never be assumed to be static or unchangeable.
- ♦ There should be moral limits on how superior people should treat other people, and limits on what the state,

in the name of the people, can do to obstruct a person's chosen enterprise or belief.

- ♦ Harking back to John Locke and Thomas Jefferson, there is the assumption that one person's rights extend only until they infringe on the rights of someone else.

From these principles arise a set of core practices of the liberal political order. Among the most important are religious toleration, freedom of expression and discussion, and restrictions on police behavior. They also include the practice of free elections, establishment of a constitutional government based on the separation of powers, respect for private property, and belief in the sanctity and freedom of personal contracts. These practices are joined by what New York University political science professor Stephen Holmes calls “core norms or values,” which mirror in practice the principles outlined above.³ One is personal security, whereby the monopoly of violence enjoyed by the state is monitored and regulated by law. Another is individual liberty, whereby the person is given a sphere for the exercise of freedom of conscience, which includes the right to be different and to believe or think something even if one's neighbors or the majority disagree. Also vital is the freedom to travel and emigrate. Although it was not always the case in classical liberal theory, liberalism today assumes respect for democracy—namely, that all citizens have the right to participate in self-government regardless of race, class, creed, or gender.

These principles and practices revolve around efforts to solve a particular set of problems. One is how to preserve the freedom of the individual. Thomas Jefferson and the American Founders tended to take Locke's view that rights were possessed by individuals originally living in a state of nature, and that the purpose of government was to protect those rights. Rights were natural rights, bequeathed by God or nature, and they were, as Jefferson described them in the Declaration of Independence,

“unalienable.” The French liberal Benjamin Constant, writing many years after Jefferson, took the sovereignty of the individual even further, stating in *Principles of Politics Applicable to All Representative Governments* (1815) that “There is a part of human existence that remains of necessity individual and independent, and which lies by right utterly beyond the range of society.”⁴

Today, many social scientists believe the liberal conception of the individual is a fiction.⁵ Individuals are either socially constructed, to the point of disappearing as individuals, or they have acquired a new kind of individuality, often called dignity, that comports more easily with contemporary norms of social justice. Most philosophers, under the spell of what we will shortly describe as postmodernism, dismiss the notion of universal justice—the idea that a single ethical reference point exists for all people and all times. Under natural law, universalism had been a cornerstone of classical liberalism, but it is now largely rejected by modern philosophy. Some liberal theorists such as John Rawls resisted this trend, holding on to a newly constructed universalism that could survive the critiques of neo-Marxism and postmodernism. But they have been overtaken by events. Most of philosophy today is totally at odds with classic liberalism.

One of the most important differences between liberalism and socialism concerns the issue of equality. It is a well-known story, but one that is often misunderstood. Stephen Holmes describes the liberal approach to equality this way:

Concerning equality, the liberal attitude is traditionalism turned upside down. In traditional societies, as liberals understood them, inherited inequalities were accepted, while new economic inequalities were unwelcome. Liberals wanted to reverse this pattern, banning aristocracy while considering new inequalities of wealth as perfectly legitimate. The liberal societies they helped construct reject all claims to inherited monopoly, especially the authority of a

few “great” families owning large tracts of land. But classical liberals were not militantly egalitarian because they thought that *poverty and dependency* were more pressing problems than economic inequality itself.⁶

Holmes’s explanation dispenses with one of the hoariest myths about classical liberalism. For centuries, socialists have been accusing classical liberals of only wanting to protect the rich. They forget that the original impulse of the liberal idea was to overturn the power of the rich of their time, namely, the aristocracy and the monarchy. Liberals objected to inherited wealth and to the static legal order of the *ancien régime* that froze the social classes in place. They believed poverty and dependency existed because people did not have opportunities to rise and improve their station in life. Inequality would either go away or at least be ameliorated if the ability of the government to freeze the social order were abolished.

Later in history, when liberals were locked in battle with socialists, this liberal principle remained. By then, it was no longer aristocrats and kings who wanted to establish a new static order enforced by the state, but socialists and communists. Given the fact that communist societies did end up in such dire poverty, perhaps socialists should have been more attentive. It turns out there is a relationship between dependency and poverty after all, one that exists apart from the particular forms a statist regime may take. Whether the state is communist or feudal, it creates conditions by which large numbers of people are forced into and then kept in poverty.

Another liberal principle involves the question of power. Following in the footsteps of Montesquieu, James Madison and the other framers of the U.S. Constitution believed power must be divided among the branches of government: allowing power to be concentrated in a single sovereign monarch was a recipe for tyranny. Distrust of centralized power got a boost from the

negative reactions to the abuses of the French Revolution. The liberal François Guizot, Prime Minister of France in 1847 and 1848, maintained that restraining power was the first task of all politics. What he and other post-Revolutionary French liberals such as Constant and Tocqueville feared most was the “radical illegitimacy of all absolute power.”⁷⁷ As Fawcett puts it, power had to be “talked back to,”⁷⁸ lest it become a beast of domination. The mistrust of power was present not only in the American Constitution’s separation of powers but also in the near-constant American suspicion, present even in populist politics, of any kind of untouchable concentrated authority, whether manifested in government, economic monopoly, or the status pretensions of an elite social class.

Related to the mistrust of power in the liberal tradition was an abiding faith in freedom of speech and expression. So powerful was this principle in America that it was enshrined in the First Amendment to the Constitution. Madison, its author, thought freedom of the press would be a check on the power of government. Largely reflecting Locke’s notion of religious tolerance, freedom of expression was directly linked to freedom of religion, which is also guaranteed by the First Amendment. In Europe the element of religious freedom was largely missing, but liberals there had an equally strong belief in freedom of expression. Guizot thought allowing unorthodox opinions was the only way to prevent the abuse of power, and British liberal philosopher John Stuart Mill made freedom of expression a central tenet of his thought. In the 20th century, liberals such as the Briton Isaiah Berlin and the Austrian Karl Popper argued that allowing for freedom of thought was the best way to combat the scourge of mass democracy gone mad—namely, totalitarianism. Freedom of expression was a fragile liberal principle, often honored only in the breach even by liberal governments. But it was an unassailable principle that practically all liberals believed in one way or another.

Finally, there is the principle of economic freedom. Normally

associated with the great founding theorists of modern capitalism—Locke, Adam Smith, Jean-Baptiste Say, and David Ricardo—the idea that people were entitled to their property always has been a key liberal idea. It is important in this respect to realize that Smith and other early theorists were not considered economists per se, but rather moral philosophers. They were trying to discover the laws of economy that suited the interests of everyone, regardless of class or personal fortune. They believed these laws governed economics, but they also assumed they mirrored the natural laws of morals for all mankind. Discovering what these economic laws were was just another way of getting at the fundamentals of natural law.

In the 19th century the altruistic motive of economic liberalism often got lost, particularly in Europe, as moral philosophy gave way to the cold new discipline of economics. In Britain liberalism came to be widely perceived to mean defending the wealth of the propertied classes, thus inadvertently becoming a prop for the old class system. Not so in America. Here, economic freedom and democracy worked hand in hand. The poor aspired to be rich, and there was enough freedom for everyone (provided you were not a slave in the antebellum South) to realize their dreams. Put simply, in America, freedom plus democracy equals equality of opportunity and equality before the law. The light hand of government over commerce, and the existence of the rule of law to buttress business and contracts, made the growth of the American economy a liberating instrument of peaceful social revolution.

The principle of economic freedom applied also to free trade. Both in America and in Europe it was a key liberal economic principle. The British Empire put it into practice after the repeal of the Corn Laws in 1846. In antebellum America, the planter class in the South favored free trade while the manufacturing North tended to be protectionist. Whether in America or Europe, protecting free trade and property rights are two sides of

the same coin. To this day they remain central features of classical liberalism, explored theoretically by economists and philosophers such as Milton Friedman and Richard Epstein, and largely extant in the political platforms of the Republican Party in the United States and the liberal political parties of continental Europe.

Behind all these principles is an assumption, as Jefferson once paraphrased: “The earth belongs in usufruct to the living” generation.⁹ Put another way it is the belief that every generation must find its own way of practicing the enduring principles of liberty without encumbering future generations. Although somewhat controversial when Jefferson uttered it, this dictum contains the seedling of the liberal progressive idea that societies must always change, with the hope that it will be for the better. It is, frankly, a double-edged principle, always containing the seeds of its own destruction: after all, if each new generation gets to decide what liberty is, it is perfectly free to do away with liberty altogether. Nevertheless, the more enduring consequence is the notion that society and the political system must remain forever open to new ideas. Any new idea that emerges may be considered and tried, but only insofar as it does not impede the openness of the system itself. The view that progress is open-ended and requires never settling on any “end-of-history ideology” is a fundamental principle of liberalism. It can be seen not only in Jefferson but in the great early European liberals such as von Humboldt and Constant. It lived on in the 20th century in the ideas of Berlin and Popper, who incorporated it into their notions of pluralism and the open society.

THE PRACTICE OF LIBERALISM

We have reviewed the history of liberalism, but what about liberalism in practice? It is one thing to have fanciful ideas and principles, but what do they look like in action?

Edmund Fawcett has developed a useful taxonomy. He has

drawn up a list of instrumental principles that capture those of liberalism in action. In keeping with its original defensive posture against tyranny, these principles are largely negative, that is, they identify things that should not be done or that could keep bad things from being done. They are: 1) nonintrusion; 2) nonexclusion; 3) nonobstruction; and 4) balance.¹⁰

Fawcett defines nonintrusion as being “about not compromising people’s security. Primarily legal, it enjoins a cluster of restraints on state, market, and society.”¹¹ Examples include carving out a private sphere of freedom where no state or social majority can interfere and not infringing on freedom of speech. Liberals have different takes on how this principle works. Laissez-faire economists believed nonintrusion protected commerce from state interference, while American progressives at the turn of the 20th century applied it against corporate monopolies. Radical liberals (otherwise known as libertarians) believe it is the central idea of liberty. Despite these different interpretations, nonintrusion is an enduring instrumental principle that no philosophy calling itself liberal can ignore.

Nonexclusion is more complicated, mainly because it has been understood in different ways throughout history. Early on it was simply an effort to apply Jefferson’s dictum that “all men are created equal,” as prescribed by liberal interpretations of natural law. If every person was equal in the eyes of God or nature, then in theory at least no one should be excluded from the polity. Of course, the principle did not always apply to everyone in practice, not least of all in the case of slavery. And indeed, for most of the past two hundred years the story of nonexclusionism was about breaking down social barriers and adding formerly excluded minorities to the new liberal democratic order. By the end of the 20th century, however, nonexclusion had more or less evolved into its more positive twin, inclusiveness. It was a subtle shift but a profoundly powerful one politically. It was the main agent

for transforming political liberalism into social liberalism, that is, making liberalism a political program aiming for social equality.

As for the principle of nonobstructionism, Fawcett defines it this way: “Nonobstruction, socially, included equality of opportunity, the borderless ideal of removing barriers to social advance. Economically, nonobstruction found expression in volumes of mid-nineteenth-century legislation that broke down old commercial barriers.”¹² Thus, government should not interfere too much in the private economy, not only because it is economically inefficient to do so but also because it blocks people from having equal opportunity to get ahead. It was assumed that any action by the government would be arbitrary and benefit some special interest. The emerging socialist notion that the government represented social justice for all was dismissed as injurious to individual freedom. Notwithstanding the growing legitimacy of democratic politics, which dramatically “socialized” liberalism, the liberal idea remained fixed on the assumption that there are limits to what the state and society can do to obstruct persons from reaching their full potential. The principle applied not only to equality of opportunity in the economy, but also to the freedom of people to hold their own views about politics and religion.

Finally there is the instrumental principle of balance. One of the secrets of liberalism’s success over the centuries has been that it was flexible and open to change. There were always two opposing poles in liberalism—individualism and the needs of society—that had to be in balance in order for it to work. In the early days there was an emphasis on individual rights and the fear of collective action by government. But as the 19th century wore on, those fears diminished as liberalism became democratized and made more compatible with the value of social equality. Regardless of the different ways liberals executed the balance, one thing that always distinguished liberalism from socialism was its refusal to give up entirely on the core liberal principles surrounding liberty and individual rights.

WHAT IS CLASSIC AMERICAN LIBERALISM?

Before we consider what classic American liberalism is, we should define what is meant by *classic*. Classical liberalism most often refers to liberalism before the 20th century. It is the individualistic and laissez-faire liberalism of Constant, Ricardo, and Mill in Europe and the small-government constitutional liberalism of the American Founders. It is distinguished from the social liberalism that emerged in the 20th century and is today a central feature of American progressive liberalism. Some libertarians call themselves classic liberals. There is some truth in this claim. Yet there are also significant historical differences, having to do with the U.S. Constitution and a unique political culture that separate America's classic style of liberalism from the more theoretical and sometimes doctrinaire ideas of libertarianism. Conservatives, on the other hand, often refer to classic liberalism as shorthand for their beliefs in limited government and the primacy of individual rights, particularly with respect to property and freedom of expression.

Scholars have from time to time tried to offer grand theories about liberalism's meaning to the American nation. Harvard professor Louis Hartz argued in *The Liberal Tradition in America* (1955) that Americans are quintessential liberals.¹³ Lacking a feudal heritage and born essentially middle class, Americans did not develop a strong conservative or socialist outlook in their politics and governmental institutions. Instead liberalism is a national consensus. More recently, Richard A. Epstein, a legal theorist with libertarian leanings, has argued in *The Classical Liberal Constitution* (2014) that the U.S. Constitution embodies the classical liberal tradition both in spirit and in law.¹⁴ There have been many other attempts to explain the American historical experience as fundamentally liberal, and they have often been met with strong disagreement from scholars. But suffice it to say that most agree that what we call the classical liberal tradition, if not actually explaining everything about America in some grand theory, has nonetheless been quite influential in shaping American history.

As a reference point, then, for understanding the meaning of classic American liberalism, it is best to start with the Founders. Rather than offer them up as though they were mere mouth-pieces for John Locke's philosophy, it would be more useful to relate what they actually said and believed. Unsurprisingly, we discover that although they do sound a lot like Locke and Montesquieu, they have their own take on their ideas.

There are two aspects of the classical liberalism of the Founders to consider. One involves how they understood philosophical concepts such as liberty, rights, the individual, and natural law. The second can be called constitutional liberalism, having to do with how they translated their concepts into the governing rules of the U.S. Constitution, covered in detail in *The Federalist Papers*.¹⁵

Let's start with liberty. The Founders clearly understood it mainly as freedom from government tyranny. They essentially took the liberal tradition of Locke and others, with its belief in natural rights and the consent of the governed, and combined it with the English common law tradition. So long as the Crown respected their rights as Englishmen, they had no quarrel with Britain. But once Parliament breached that trust, thereby breaking the social contract, their right to revolt fell back on the natural rights—rights that Locke and others believed existed in the state of nature. Thus liberty and the right to revolt were grounded in natural law. Since governments were supposedly instituted to protect citizens' rights (indeed that was their sole purpose), any government that failed in that duty was illegitimate. Implicit in this right to revolt was the notion that government, and only government, was the source of tyranny. It established the quintessential American idea that freedom for the individual and for society rested solely on the question of how government treated people's rights.

Jefferson's unique spin on Locke notwithstanding, his rendering of Americans' rights in the Declaration of Independence

is pretty standard fare. Rights are understood to belong to individuals. Moral law restricts what individuals should be allowed to do not only to themselves but to others. In fact, it was always understood that the restraining civil influence of moral law is absolutely necessary for liberty to succeed. Indeed, John Adams in 1798 said, “Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.” Thus liberty was political and extended only to the point that it began to infringe on the liberties of others. Individuals should have the freedom to decide what they believe in political and religious affairs, to assemble with whom they wish, and to petition the government. However, this did not give them the right to take other people’s property or to infringe on the political rights of others. Liberty was not license.

America’s constitutional liberalism was certainly informed by the ideas of Locke and other theorists of natural rights, but the U.S. Constitution is much more than a reification of Lockean liberalism. Its primary author, James Madison, studied far and wide as he prepared the rough draft of the Constitution, and clearly many influences even beyond Montesquieu and the republican tradition are at play. Once Alexander Hamilton’s perspective is thrown into the mix of *The Federalist Papers*, the new American balance of constitutional liberalism emerges. It is a pragmatic result far more complex than pure liberal theory might suggest, and in some ways even a bit different.

For one thing, the Founders’ view of human nature is bifurcated. It is both positive and negative at the same time. On the one hand there is the pure liberal position, perhaps represented best by Jefferson, that man is by nature good. Otherwise, if he is not, why trust him with self-government? Madison and Hamilton were less trustful.¹⁶ Madison feared the tyranny of the majority while Hamilton dreaded anarchy. Despite their rather low opinion of human nature, Madison and Hamilton differed fundamentally over how to deal with it. Hamilton believed a strong government was

necessary, while Madison (and of course Jefferson behind him) feared that very government could, in the hands of ambitious, low-minded men, become tyrannical. Madison's solution was to establish checks and balances in government. For Hamilton the solution was checks and balances plus a strong executive. Neither man was a democrat. Indeed, they were republicans opposed to both monarchy and the direct democracy of the people. Distrustful of human nature, Madison and Hamilton's views were closer to Thomas Hobbes's than to Locke's or Jean-Jacques Rousseau's.

Why is this understanding of human nature important? It reveals one reason why political liberalism in America would be largely insulated from social radicalism. Democracy would grow in America without the utopian expectations of radical egalitarianism implicit in the ideas of Rousseau and other devotees of the radical Enlightenment. It would grow slowly and organically in a constitutional liberal order that valued the natural rights of individuals over the collective passions of society. Indeed, democracy in America, as Tocqueville would point out some fifty years after the Founding, would be achieved not by top-down government action but through the bottom-up actions of civil society. This is significant for understanding classic American liberalism, because otherwise the persistent belief in the virtues of governmental restraint, which remained even as America democratized, would make no sense.

These distinctions are important for another reason. Americans have been, for most of their history, uncomfortable with the radicalism of the European revolutionary tradition. Natural law and natural rights, even as they were being repudiated by progressives, pragmatists, and other liberals, persisted in the public mind as a kind of archaic heritage. That is why in America, unlike in Europe, it was not so hard to explain the moral imperative of governmental restraint. Our revolution had been founded on this very idea, unlike in France, where revolution had been aimed at overthrowing feudal society. Religion in America reinforced the

sense of universal justice originally developed by natural law. Even as historicists and progressives killed off natural law philosophy, that sense of universal justice survived as a religiously inspired idea in civil society. This meant there was an external moral point of reference that could not be changed or tampered with, even by the social contract or by the government. Mankind might be free to discover the different ways rights can be protected, but it had no right to use new social contracts, or changing attitudes about government, as an excuse to violate basic rights.

Put simply, rights were unalienable. According to the framers, the only way to protect them was to ensure a multiplicity of interests. As Madison said in Federalist No. 51, “Ambition must be made to counteract ambition,”¹⁷ and,

In a free government the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other in the multiplicity of sects. The degree of security in both cases will depend on the number of interests and sects; and this may be presumed to depend on the extent of country and number of people comprehended under the same government.¹⁸

The diversity of interests in all cases is necessary to protect the rights of everyone. The purpose of the government is not to produce absolute harmony between all competing interests, or for that matter between everyone’s rights. Rather it is to establish an equilibrium of competing rights that can keep the social peace. A war of all against all would be anarchy. Absolute social peace would mean tyranny. Madison sought a middle way. Competition would serve the same purpose as the strong hand of the state to keep order, only it would be done without tyranny and oppression. As Madison explains:

In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may

as truly be said to reign as in a state of nature, where the weaker individual is not secured against the violence of the stronger; and as, in the latter state, even the stronger individuals are prompted by the uncertainty of their condition, to submit to a government which may protect the weak as well as themselves; so, in the former state, will the more powerful factions or parties be gradually induced, by a like motive, to wish for a government which will protect all parties, the weaker as well as the more powerful.¹⁹

Natural rights theory came on hard times in the 19th century. First it was democracy that challenged the primacy of individual rights. Then it was the historicism of German philosopher Georg Wilhelm Friedrich Hegel and others, which helped to create the relativism of the Progressive Era. Even science and positivism undermined it. Only truths empirically verified as facts are said to be true. Marxism attacked the liberal idea in a devastating pincer movement, hitting natural law's flanks on one side with historicism and on the other with science. American pragmatism undermined it as well, though without Marxism's dogma about history and scientific materialism. By the end of the 19th century, little natural law theory was being taught in academia. It had been largely consigned to a backwater of history and political studies in small colleges and schools.

It was not only science, historicism, and pragmatism that killed off natural rights and natural law. Its abuse by defenders of slavery also played an important role. John Calhoun was one of the worst offenders. He had once studied under a student of Hegel, and as a result he cynically believed in the primacy of self-interest in establishing a political order. This view enabled him to argue that slavery was part of the natural order.²⁰ Jefferson, Madison, John Adams, and other founding liberals never believed this to be true. But they did agree to the political compromise that saved slavery from immediate constitutional abolition.²¹ It was a concession that mocked the solemn promises of natural rights, as

Abraham Lincoln and the abolitionists would argue years later. But it was also one that greatly weakened the moral authority of natural law theory.

In the end, what saved the universal ethical position of natural law in American history—the idea that there was one single reference point for justice and truth—was not philosophy. It was religion. As the 19th century slipped into secular progressivism, American liberalism was being lured away from its ancient roots by modernization and by new ideas of social freedom. And yet through it all, religion—mainly Christianity—kept the principle of natural law alive. Religion confirmed the natural law universalism of classical liberalism even as it rejected the secular assumptions that gave rise to it. The power of religion in civil society kept the substrates of American political culture firmly grounded in a sense of right and wrong, so much so that even modern progressives often approached politics as if it were a religious calling. That was how the progressive believers in the “social gospel” saw it. Try as they may, they could not entirely shake off America’s religiosity.

Why is this important? Unlike in Europe, religion in America was an ally of classical liberalism, even its conscience. Without the religious outrage of the abolitionists, slavery might never have been abolished. Liberalism alone was not up to the job of getting rid of slavery as an entrenched economic interest. Religious conscience was necessary too. But religion alone did not undermine slavery. An abiding faith in the principles of the American Founding was also at work. As Lincoln argued time and time again, the original promise for abolishing slavery had been made in the Declaration of Independence, a promise that had been broken in the making of the original Constitution. Liberating the slaves would fix that mistake by making good on the promise. When the liberation of the slaves finally did come, it was done not by a rational liberal like Jefferson or a religious zealot like John Brown, but by a leader, Abraham Lincoln, who believed in both the Declaration and in God—in both classical liberalism and the Bible.

Conservative thinkers such as Russell Kirk and M. Stanton

Evans are therefore correct that the liberal tradition alone cannot explain the American Founding and the American system.²² Other factors including religion, English common law, and medieval notions of contract, which Americans inherited from the British system, were important as well. However, it is not true, as Evans contends, that the Enlightenment played little or no role in the American Founding. The spirits of Montesquieu, Locke, and in Jefferson's case the French *philosophes*, were very much alive in the Founders' thinking.

The American tradition is not just one thing. It is not merely a set of philosophical ideas. It is definitely not an ideology. It is rather a coherent worldview that can rightly be said to encompass a political culture: a belief in limited government, respect for natural rights, the assumption that all people are equal before the law, and a faith in a higher power (above even government) that provides a moral compass for the country and its people. That culture changed as America democratized, but it would never completely disappear. Like the undertow of an ocean's wave, it would always tug at the forward motion of history, reminding Americans that what they became depended on what they had been.

FROM PROGRESSIVISM TO NATIONAL LIBERALISM

The classical liberal tradition remained a vibrant political force in American history for most of the 19th century. But soon enough it came under direct assault. The aggressors were none other than the progressives who came to define American politics at the turn of the 20th century.

Progressivism was a full-frontal attack on every major principle of the Founding. Scholars like the young Woodrow Wilson believed the Constitution was outdated and needed to be revised to suit the needs of a modern industrial society. Thinkers such as Herbert Croly of *The New Republic* railed against the individualism of John Locke and its influence on American political cul-

ture. The philosopher John Dewey, like many of his progressive contemporaries, were critics of capitalism and longed for a political reform program that could ease the social disruptions it was causing. Politicians who advocated social reforms and direct democracy included Robert M. La Follette of Wisconsin. Nearly all progressives favored a strong central government to push through reforms. Such new social movements as the agrarian populists and urban-based union movements mobilized the lower classes into a force demanding more government action to solve social problems. Teddy Roosevelt, the arch-progressive, eagerly embraced big government not only domestically but internationally, to make America into a new imperial power.

It was a long way from Jefferson's agrarian republic and his fussing over the rights of yeoman farmers. Starting with Andrew Jackson, America had begun its slow march toward the democratic republic it is today. A bloody civil war wrenched the country from its early roots, empowering the federal government in ways Jefferson and Madison could scarcely have imagined. Population growth, industrialization, and mass immigration changed the face of America, creating huge teeming cities by the end of the 19th century. The expansion westward created a wholly different country with new social norms and seemingly endless economic and business opportunities. Responding to these changes, the two major political trends of the century—government expansion under the Whigs and the Republicans and the democratization of the masses, largely by Democrats—laid the foundations for the rise of the progressives at the end of the 19th century.

American progressivism was mainly a political project to create a new American style of social democracy. It wanted to do nothing less than completely transform the political constitution of the United States. As for its social values, they were a mixed bag and sometimes not as progressive as one might think. On the one hand, progressives championed women's suffrage, sup-

ported birth control, and in some cases campaigned for rights for black people. On the other hand some, such as Croly and Wilson, were known to harbor racist views.²³ Oddly enough, progressives tended to view eugenics as scientifically progressive. Planned Parenthood's founder Margaret Sanger, for example, was an outspoken proponent of eugenics as a method to rid the human race of the "unfit."²⁴ Some progressives were champions of a free press, but not all were. Teddy Roosevelt was a severe critic of unscrupulous journalists, whom he called "muckrakers." During World War I, President Wilson restricted free speech and freedom of assembly, which he believed undermined the war effort.

For all their famed liberality, progressives were not the wild-eyed radicals some have made them out to be. There were socialists like union leader Eugene V. Debs, but they were a minority. They believed women should have the vote, but they did not believe in absolute equality for women, and they did not share the anarchist's disregard for the value of the nuclear family in society. They were social democrats, but not in an internationalist sense of the word. Croly, Dewey, and Teddy Roosevelt were actually nationalists. Roosevelt was an imperialist.

During and after World War I, a second generation of progressives rose up to challenge the moderation of the old guard. America did have brushes with radical populism and anarchism in the 19th century, but those movements had been limited and restricted to certain parts of the country. The radicalism of this era was more widespread and hard-core. Suddenly America was facing Bolsheviks, anarchists, radical socialists, pacifists, and cultural radicals, among them Randolph Bourne, who chafed at Croly's nationalism and Wilson's cultural conservatism. Union movements joined up with antiwar protesters to launch campaigns in favor of free speech and freedom of association. The American Civil Liberties Union (ACLU) was established in 1920 by pacifist Roger Nash Baldwin, who was critical of the Wilson administration's clampdown on antiwar speech. Writers such as Upton Sin-

clair, Sinclair Lewis, John Dos Passos, and Sherwood Anderson turned literature into a weapon of radical politics.

It was in these years that freedom of speech—and the right to dissent—became associated with American progressivism. Anti-war protesters and unions championed the freedom of assembly and freedom of expression. Radical writers joined in to popularize their causes. During World War I public opinion had not been sympathetic to the radicals. Even the progressive Oliver Wendell Holmes, Jr., had believed a “clear and present danger” could be used as grounds for restricting speech. But shortly after the war the tide of opinion began to change. In the Supreme Court case *Abrams v. United States* (1919), Holmes shifted gears, coming out in favor of free speech. “The best test of truth,” he argued, “is the power of the thought to get itself accepted in the competition of the market, and that truth is the only ground upon which their wishes safely can be carried out.”²⁵ Freedom of speech was now indelibly a progressive cause, which was a bit ironic insofar as it had been the Founders’ cause too.

Progressivism had a good run, but by the 1930s it was an intellectually spent force. Among intellectuals the old progressivism looked stale and out of date. Communism was the fresh new idea. Liberal intellectuals like I. F. Stone became involved in the communist Popular Front, and Whittaker Chambers volunteered to spy for the Soviet Union. In the wake of the Depression, there was a palpable sense of crisis among America’s intellectuals. In the fall of 1932 many prominent writers and scientists in America signed a manifesto entitled “Culture and the Crisis” that rejected capitalism, supported the Communist Party, and called for an overthrow of the existing system through “the conquest of political power and the establishment of a workers’ and farmers’ government, which will usher in the Socialist commonwealth.”²⁶ It was signed by Sherwood Anderson, Edmund Wilson, Waldo Frank, Sidney Hook, Malcolm Cowley, and Granville Hicks. Its sympathy for communism was anything but subtle, and it shows

just how far the old progressivism had sunk in the estimation of America's intellectuals.

Eventually the funk of the Depression gave way to the "happy days" of the New Deal. At about the same time America's radical intellectuals were forsaking their country, most Americans were falling in love with an updated kind of progressivism. Franklin D. Roosevelt's New Deal was hyper-progressivism. Combined with Roosevelt's leadership in World War II, it solidified a powerful new liberalism that became the linchpin of American politics in the 20th century. Once joined to America's war effort in World War II, liberalism outgrew its old nationalist pants and stepped onto the world stage as a brassy, new kind of liberal internationalism. The world would be made safe not only for democracy in general, but American democracy in particular and the "American Way of Life." Patriotism was back in style. So, too, was the old American can-do attitude that had been badly battered by the Depression. In this respect, the New Deal changed America for good. It not only helped bury the Depression, it also killed off the radical politics of the communist writers, making their gloomy pessimism superfluous.

Roosevelt jumpstarted American liberalism, but it was up to Harry Truman to seal the deal. Domestically Truman struggled to extend and maintain Roosevelt's programs, but internationally he succeeded even beyond Roosevelt's wildest dreams. As president, Truman basically created the post-World War II order. He internationalized the liberalism Roosevelt had reinvented at home, essentially laying the groundwork for what we now call liberal democracy. Although often forgotten in the haze of recent historical revisionism, America's original Cold War posture against Soviet expansionism was in part progressively liberal. Liberal democracy as we know it today—the belief in democratic elections, human rights, and the rule of law—was predicated on the belief that it was, as a form of liberalism, an alternative to communist totalitarianism. This idea was carried over into the quintessential

Cold War liberal presidency of John F. Kennedy, who along with his “best and brightest” intellectual advisors embodied the muscular international liberalism of that era.

Liberalism in the Cold War era basically had two camps. On one side were the radicals, many of whom had flirted with communism in the 1930s. Although no longer communist, they could not abide Truman or Dwight Eisenhower’s Cold War policies. They included such intellectuals as Edmund Wilson, C. Wright Mills, and Dwight Macdonald. On the other side were the intellectuals sometimes known as national liberals. They were writers and thinkers like Seymour Martin Lipset, Daniel J. Boorstin, and Daniel Bell. Horrified by the dangers of totalitarianism but also unnerved by the failure of intellectuals in the 1930s to foresee the horrors of communism, these liberals rediscovered the value of America’s original liberal tradition. Like Alexis de Tocqueville, they feared unfettered democracy and believed totalitarianism was the natural consequence of mass democracy run amok. They found a renewed faith in the American system, with its liberal checks and balances as barriers to the barbaric insanities of utopian politics. America, they said, stood above it all, representing an “end of ideologies,” a new synthesis of practical equality and democracy.

By the onset of the Sixties, America’s future looked bright. The country was in an optimistic mood. There was an attractive new liberal in the White House by the name of John F. Kennedy. Intellectuals were behind him. The popular culture was enthralled. It looked as if the new synthesis of liberalism and progressivism was here to stay.

Alas, it was not to be.

THE NEW LEFT’S WAR ON LIBERALISM

The rise of the New Left in the 1960s represents a great divide in the history of progressive liberalism. After it, nothing was ever the same. The liberal optimism of a Lipset and even the social-

ist dreams of the *Partisan Review* were cast aside in a wave of apocalyptic warnings about the flaws and sins of America itself. Liberalism had been in decline for decades, but its revival during the New Deal, and the new prestige it enjoyed intellectually in the 1950s, came to an abrupt halt in the mid-1960s. Student radicals and neo-Marxist intellectuals ridiculed liberalism's most cherished values—individualism, pluralism, and tolerance—as capitalist instruments of oppression. Whereas turn-of-the-century progressives had been mere critics of America's liberal tradition, the New Left declared war on the whole lot—not only the classical liberalism of the Founders but also the progressive liberalism of Roosevelt, Truman, Lipset, Bell, and the New Frontier liberal intellectuals surrounding Kennedy. To the extent that America was, as Hartz had argued a few years earlier, a quintessentially liberal country, the New Left's beef with America was just that: America was evil precisely because it was liberal. To reach the new promised land of social justice, that tradition had to be expunged, or as President Obama would put it decades later, America's historical DNA had to be “cured.”²⁷

Allen J. Matusow explains the difference between the New Left and the old liberals:

New leftists . . . were not liberals. Liberals, for example, saw politics as a means to resolve conflicts; early new leftists, as a way to achieve a moral society. Liberals had unlimited faith in the electoral process; new leftists were moving beyond elections to direct action, both as a tactic to achieve justice and as a way to testify to principle. Liberals still believed in America's anti-Communist world mission; most new leftists were trying to detach themselves from the Cold War, and a few were moving with the leadership of the Student Peace Union into a third camp that blamed both great powers for current tensions. And, beyond, issues, the early protestors shared a vague

feeling, entirely lacking in contemporary liberalism, that somehow the form of existing institutions discouraged authentic personal relations.²⁸

Progressives had their radicals in Debs and Bourne, but they faced nothing like what the national liberals of the 1950s encountered in the New Left. Its surfeit of moral outrage was predicated on the very charge that liberalism had failed to live up to its promises. Tom Hayden of the Students for a Democratic Society (SDS) likened America's failures to a spiritual crisis. Its hierarchical, bureaucratic institutions supposedly deprived people of emotionally satisfying lives.²⁹ Hayden and his friends saw America as a cultural wasteland of isolated individuals living among a sea of hypocritical bureaucrats. America was bereft of real community because people lacked direct control over their lives. The New Left promised to give people new, authentic lives by liberating them from the tentacles of the "machine."

The civil war inside progressive liberalism in these years was partly generational. It was a fight between the spoiled Baby Boomers raised in the ease of the 1950s and the hard-bitten old liberal bulls like Lyndon Johnson who had been traumatized by depression and war. But there was more to it than that. This was also a profoundly ideological conflict. Unlike in earlier times when Marxist orthodoxies and even communism had failed to capture the liberal imagination, this time around the demands of the New Left grabbed the headlines and sent hundreds of thousands of people into the streets. Participatory or direct democracy, a very old dream of America's anarchists, came to be seen as more authentic than elections.³⁰ Philosophies of cultural Marxism fused with Freudianism to drive a new wave of politics aimed at sexual liberation. Not only did the New Left invent identity politics, giving the world the now popular doctrine of "white privilege"; it also spawned radical feminism, black separatism, and the transformation of environmentalism into an overt war on capitalism.

Instead of liberal evolution there must now be revolution, which toward the end of the Sixties found violent expression in the Weathermen, Black Panthers, and other movements.

To get an idea of how radical the New Left was, consider this: it was even too radical for the socialists at Irving Howe's *Partisan Review*.³¹ The turn to neo-conservatism by former radicals such as Irving Kristol and Norman Podhoretz was in no small part the result of a confrontation with the radicalism of the New Left. There was something about the New Left that traditional socialists found unsettling. Despite their differences over doctrine, both national liberals and socialists distrusted fanaticism. When SDS members burned American flags or threw blood on police, they saw not a glorious Marianne waving the flag of the Revolution but the black jackboots of the brownshirts. To national liberals and old socialists alike, identity politics was not only incomprehensible but dangerous. For liberals it destroyed any hope for a just and liberal society, whereas for socialists it was a distraction from the underlying economic class problems of capitalism.

The New Left was like a solar superstorm. It flared up, emitting huge amounts of energy, but eventually burned itself out. By the early 1970s it was already a fading movement. On its own stated terms, the New Left was a huge failure. None of its ideas about direct democracy or the overthrow of bureaucratic institutions came to pass. If anything, its excesses helped give rise to the counterreaction of the Reagan era. Despite its immediate failures, however, it did sow the seeds for greater things to come. The New Left's intellectual storms broke down the lines of communication between the old and new progressivism. It severed links with traditions that would never be repaired. The radicals of the New Left bided their time. They marched through the institutions of society and worked on their radical theories quietly in their studies and workshops. It was only a matter of time before they—more accurately, their offspring—would get another chance at transforming America.

THE LIBERTARIAN DISSENT

No story of American liberalism is complete that does not include the libertarians. They are sometimes referred to as classic liberals. That is true, but only partially. Some self-described libertarians such as Friedrich Hayek and Milton Friedman fit that description. But most libertarians are too radical philosophically to be described as classical liberals. In searching for a single word to describe them, historian Brian Doherty believes that

the most significant thing about libertarianism, the element that distinguishes its unique place in modern American thought, is that it is *radical*. It takes insights about justice and order and the fight between liberty and power farther and deeper than most standard American liberals, patriots, or Jeffersonians.³²

Libertarianism, therefore, is a species of liberalism, but it would be misleading to call it classical liberalism. Most doctrinaire libertarianism is actually radical liberalism; it is closer to the anarchistic spirit of the New Left than to the staid moderation of John Locke.

Brian Doherty calls libertarians “radicals for capitalism.”³³ They may have roots in the ideas of classical liberalism, but they are overshadowed in their original intent by a tendency to push their logic to extremes. Driving the radical spirit is a penchant for utopian thinking not unlike that found in extreme ideologies on the far right or far left. Most libertarians care far more about the purity of their ideas than whether they are accepted by the political system. Libertarianism shares with classic liberalism a love of liberty and a mistrust of the state, but that is about all.

The differences between classic liberalism and libertarianism have a lot to do with different historical pedigrees. Classical liberalism was born in the 18th century and adjusted to the demands of democracy and industrialization in the 19th century. Libertarianism by contrast was a radical movement of dissent that formed

mainly in the 20th century. It is not an old movement at all, but a very modern one.

Let's look at its historical roots. There are several: 1) the Austrian School of economics represented by Ludwig von Mises and Friedrich Hayek, who in turn drew on the influences of Austrian economists Carl Menger and Eugen Böhm von Bawerk; 2) the American tradition of anarchism developed by Benjamin R. Tucker, Lysander Spooner, Josiah Warren, and Alexander Berkman in the 19th century and taken up by radical libertarian Murray Rothbard in the 20th;³⁴ 3) the tradition of radical freedom, which had various permutations ranging from the super Americanism of novelists Rose Wilder Lane and Isabel Paterson, who influenced Ayn Rand, to the radical heroic individualism and moral relativism of late 19th-century German philosophers Max Stirner and Friedrich Nietzsche;³⁵ and 4) a strong penchant for anti-militarism, which existed on both the far right and far left at the turn of the 20th century. A powerful influence in this regard was the always difficult to categorize Albert Jay Nock, the anarchist co-editor of the early 1920s journal *Freeman* and author of the revisionist book on German war guilt, *The Myth of a Guilty Nation* (1922).³⁶ Also critically important was the thinking of Randolph Bourne, who gave libertarians their motto: "War is the health of the state."³⁷

Free market economics and classic liberal theory figure most prominently in the international libertarian movement, represented by the Mont Pelerin Society founded by Hayek, von Mises, Friedman, and others in 1947. But the American strain of libertarianism is different. It possesses a strong streak of anarchism. One of the well-known examples is Murray Rothbard, known in the 1970s and 1980s as "Mr. Libertarian."³⁸ Rothbard saw himself above all as a revolutionary. He was an admirer of the French Revolution, and he was not shy about taking lessons from Vladimir Lenin concerning the importance of building revolu-

tionary cadres.³⁹ In the 1960s Rothbard made common cause with the New Left, starting a journal with Leonardiggio called *Left and Right*, which was known to publish pieces singing the praises of the Black Panthers and Che Guevara.⁴⁰ The only real constant in Rothbard's politics is radicalism. He changed sides with head-spinning inconsistency, at one time being an Old Right hater of Franklin Roosevelt and at other times supporting Adlai Stevenson and even the Maoist Progressive Labor Party. Rothbard was the quintessential radical libertarian—restless, eccentrically doctrinaire, and always escaping into extreme and often contradictory positions as surrounding circumstances changed.⁴¹

Given their different historical pedigrees, it should be no surprise that there are significant intellectual differences between classical liberalism and libertarianism. Whereas classical liberals are mistrustful of the state and thus see a need to remain vigilant toward it, libertarians believe the state *is* more often than not illegitimate. The hatred of the state, inherited from anarchism, trumps the give-and-take of liberal social contract theory, whereby one naturally gives up certain freedoms in return for protections from the state.

Another difference involves the notion of the individual. The liberal may believe that the individual is the natural repository of rights, but he or she is also a social animal who accepts some restrictions on those rights in order to achieve social stability. The libertarian by contrast claims to be radically free, completely sovereign unto himself, and nothing is permitted by way of coercion without the individual's express permission. Whereas the classical liberal lives with all sorts of social compromises, the libertarian bridles at them. Capitalism—or the free market—is the most comfortable economic system for both, but for the libertarian capitalism is an article of faith in which the radical freedom of the individual is to be discovered and cultivated as a grand moral gesture. For the classical liberal, its significance is more modest.

Capitalism is merely the best system to maximize economic freedom for all.

Most libertarians see themselves as champions of natural rights. Nock rightly criticized the modern state as being the heir of the German idealist tradition in which rights were (mistakenly, in his view) created and granted by the state to the people. But mainly because of the strains of anarchism pulsing through their ideological veins, radical libertarians like Nock did not buy into the social constraints implied by natural law theory. Rights were more about what a person was free to do than what he was obligated to do in exchange for those rights. The moral constraints implied by natural law theory were largely missing from the rights theories of radical libertarians. This belief in absolute freedom is one of the reasons why Rand, Rothbard, and others were open to that other byproduct of German idealism, the heroic radical individualism of Stirner and Nietzsche, which in Ayn Rand's philosophy was called "the virtue of selfishness."

Another crucial difference between libertarianism and classical liberalism involves war and peace. It is true that the classic liberal principle imagines an ideal international order of peace based on free commerce. This was the dream not only of Adam Smith but of Immanuel Kant. But libertarianism's revulsion to war is not mainly inspired by classical liberalism. It has other origins. One was the Old Right's fight with Woodrow Wilson and Franklin Roosevelt, which opened the door to "war revisionism"—blaming Wilson for getting the U.S. into World War I and emphasizing the negative role played by the Versailles Treaty, rather than Hitler's aggressiveness, for causing World War II. Another source was that old standby, anarchism. Once someone concludes, as Lysander Spooner and Rothbard did, that the state is nothing more than a gang of bandits, it is not a great leap in logic to conclude that all wars are con jobs foisted on the world by statism run amok.⁴²

Radical libertarians developed a theory of war that was not all that different from Lenin's. They believed that the state—in Lenin's lexicon, the *bourgeois* state—was imperialistic. Lenin believed war represented the highest state of imperialism, which was not all that different from how Bourne viewed it. The anti-war connection could end up creating some strange bedfellows for libertarians. It was a major driving force behind Rothbard's flirtation with the antiwar New Left in the 1960s, and it also figures very prominently in the thinking of leftist libertarians like Noam Chomsky, who often end up sounding like apologists for America's enemies.

This view of war may indeed be libertarian, but it is not liberal. Notwithstanding what some of its theorists may say, in practice liberalism is quite comfortable with the making of war. The American Revolution was made through war, and throughout the early American republic military force was used to spread Jefferson's "Empire of liberty." Liberalism developed in both America and Europe to reflect the new interests of a democratic society, and one of those was to ensure the constitutional protections and securities provided by the new liberal nation-state. National liberalism in Europe was, in fact, an actual driver of wars in the 19th century. While liberal theorists in Europe and America would occasionally complain about the waste of war, they never indulged in the anarchist fantasy of abolishing war by abolishing the state. Progressives like Wilson and FDR were war leaders, and although they irritated the Old Right and the anarchists alike, their leadership in war was not a break with some pristine American past free of war. By the 1950s America's national liberals were completely in sync not only with America's role in World War II but also with its policies in the Cold War. There was dissent on the left, to be sure; but it was not liberal dissent. It was the far left sometimes meeting in common cause with the libertarian left to go after their common enemy—progressive liberalism.

It is commonly understood that libertarians despise progressives, but what is poorly understood is that they really do not like classical liberals either. Rothbard explains:

[W]e are *libertarians* because we believe in individual liberty. I used to think that we were “true liberals,” but I have recently come to the conclusion that it is better not to be identified with the old liberals of the 19th century. Despite their merits they were (a) great advocates of democracy and majority rule, and (b) adherents of the public school system, and (c) anti-clerical to the extent of banishing Jesuits, etc. Best to start afresh with the “libertarian” appellation, which, for once, we have seized from the leftists instead of *vice versa*.⁴³

Although American libertarianism today is often associated with the far right, historically it is more accurate to view it as a hybrid—a radical leftist position on war and social policy fused with the defense of small government and individual rights normally associated with classic liberalism and the right. Libertarians and social leftists have different reasons for holding traditional progressivism and classical liberalism in disdain, but that does not change the fact that they are against both. This disposition more than anything else explains the strange “the enemy of my enemy is my friend” alliances between libertarians and leftists not only on foreign policy but sometimes on social policy such as gay marriage. These alliances can be found in most policy areas, in fact, except for economics, where their feud over capitalism still trumps everything else.

THE RAWLS-CLINTON SYNTHESIS

Liberal theory had fallen on hard times by the 1970s. The New Left had no use for it. Decades of theoretical hammering from socialists on the left and positivists and traditionalists on the right had reduced liberal theory to a rather thin gruel. Liberalism often

came across as a shallow political compromise between socialism and conservatism. The actual practice of welfare state liberalism in the 1970s was outpacing its theoretical foundations. So much critical work had been done to undermine the theoretical foundations of the old liberal notion of universal justice—by utilitarianism, Marxism, and positivism, and most recently by the postmodernists—that the time seemed ripe for liberal thinkers to grapple with the fundamentals of liberalism.

Into this messy and confused world stepped philosopher John Rawls. A former student at Oxford University, where he was heavily influenced by Isaiah Berlin and legal theorist H. L. A. Hart, Rawls was a Harvard University professor of moral philosophy. He published his most influential work, *A Theory of Justice*, in 1971.⁴⁴ It was nothing less than an attempt to revive liberal theory after decades of theoretical doldrums. Rejecting the relativism of the age, he developed a theory he called “justice as fairness.” There was, Rawls insisted, an “original position” in moral philosophy roughly understood as a sense of fairness. Other liberal philosophers were involved in this revival as well, including Richard Rorty at Princeton and Ronald Dworkin, who taught at Yale, Oxford, and New York University. But it was Rawls who best captured the spirit of the neoliberal age. He wanted to offer a sound moral rationale not only for the modern welfare state but for maintaining some semblance of balance between the old verities of liberty and the new demands for social justice.

About the same time Rawls was trying to revive the fortunes of liberal theory, Democrats were rethinking their love affair with the New Deal. In the wake of Reagan’s presidency, a new, more moderate, Democrat emerged in the person of Bill Clinton. He made the politics of the “third way”—meaning an alternative to conservatism and progressive liberalism—popular in America. Like Rawls, President Clinton believed that there were limits on what the government could do to establish social equality. When Clinton said the “age of big government is over” or when he

complained that America's welfare system had "trapped" people in poverty, he was not channeling the standard progressive or even New Left values of the past. He was seeking a new synthesis. Like Rawls, Clinton was trying to find a balance between liberty and the welfare state. How well he and Rawls succeeded is contested, but the point is that, for whatever reason, they were trying.

In fact, Bill Clinton so admired Rawls that he honored him posthumously with the National Humanities Medal in 1999. As he said of Rawls:

John Rawls is perhaps the greatest political philosopher of the 20th century. In 1971, when Hillary and I were in law school, we were among the millions moved by a remarkable books [*sic*] he wrote, "A Theory of Justice," that placed our rights to liberty and justice upon a strong and brilliant new foundation of reason.

Almost singlehandedly, John Rawls revived the disciplines of political and ethical philosophy with his argument that a society in which the most fortunate helped the least fortunate is not only a moral society, but a logical one. Just as impressively, he has helped a whole generation of learned Americans revive their faith in democracy itself.⁴⁵

It is important that Clinton mentioned an interest in reviving Americans' faith in democracy. Coming on the heels of the Sixties' chaos, not to mention the stagnation of the 1970s, liberalism needed a new theoretical foundation. Clinton believed Rawls provided it. Even more importantly, Rawls helped establish the legitimacy of the welfare state as a liberal, as opposed to socialist, undertaking. This was important at the time because Clinton was interested in welfare reform. He wanted to prove that welfare was not simply socialism light, but something in tune with the traditions of America. By reforming it, Clinton felt he could put the welfare state on a much firmer footing.

While Clinton wanted to save welfare by firming up its political foundations, Rawls wanted to provide the welfare state with a new rationale. He called it the “difference principle.” It was an adaptation of the notion, familiar in game theory, that everyone should cooperate to ensure that the worst outcome for all would be as good as possible. The presumption is that everyone should want to kick in to support the welfare state because it is in their self-interest. Since anyone could find themselves in trouble, they all would benefit from a system that established a safety net for everyone.

Rawls was a liberal, not a socialist, and this limited the lengths to which he would go to establish an egalitarian society. He was willing to endorse an extensive welfare state so long as it did not violate the principle of liberty. British historian Alan Ryan explains that Rawls’s first priority was to make the rules “governing the distribution of our fundamental freedoms take absolute priority over all other social rules.”⁴⁶ In other words, liberty had priority over social equality.

At bottom Rawls was saying that if you had to choose between liberty and social welfare policies, you must always side with liberty. The implications are not very friendly to socialism. Once you assume that everyone should have the greatest freedom consistent with the like freedom of all, you cannot insist that the government forcibly redistribute income to make everyone absolutely equal.⁴⁷ To do so would inevitably end up depriving some people of their liberty. Moreover, since civil liberties were sacrosanct (they had “lexical” priority over the social obligations of the difference principle), they could not be trumped by anything else, including economic matters. Rawls’s fundamental idea—the one that ultimately defines him as a true liberal—is that one should not be used as a means for the ends of others.⁴⁸ Certain individual rights (particularly civil liberties) are irreducible and should not be sacrificed for any purpose whatsoever, even for the public good, because doing so would inevitably erode the freedoms of all.

This is not to suggest that Rawls and Clinton were carbon copies of one another, or even that Rawls should be given singular responsibility for influencing Clinton's politics. Rather, they are offered as two very different examples of a singular phenomenon occurring in these years—namely, that liberalism was trying to reconnect with its roots, much as it had tried to do with the national liberals in the 1950s. Whether Clinton or Rawls succeeded on their own terms is a topic for another day. Suffice it to say that attempts to put liberalism on firmer theoretical and political ground defined the mainstream of Democratic politics until the ascent of Barack Obama.