

Libertarianism in One Lesson

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Libertarians uphold the sovereignty of each adult individual in social life. They distinguish themselves in the political arena from both the Left and the Right because, on the one hand, the Left is inclined primarily to impose restrictions on individuals pertaining to their economic or material actions, while the Right embarks upon imposing on individuals when it comes to their spiritual or mental actions. Both Left and Right enlist government for the purpose of regimenting certain aspects of the individual's life, whereas the libertarian sanctions only those laws or rules that aim at keeping everyone's sovereignty, at protecting individual rights to life, liberty and property.

For example, the Right, in America, endorses the war on drugs as well as a closer unity between government and church, bans on prostitution, gambling, pornography and other vices. It is mostly concerning the crafting of people's souls that the Right enlists the government's coercive powers, although since body and soul aren't ever sharply divided, this often involves regulating people's economic activities as well (e.g., when Sunday blue laws prohibit commerce in liquor).

The Left, in turn, wants heavy government regulation of the economy—minimum wage laws, anti-trust crusades, etc. They want progressive taxation and government efforts to equalize and redistribute wealth, not simply protect the integrity of market transactions. Here, too, a sharp division between the economic and the spiritual is impossible, so the Left is often involved in regimenting people's talking and thinking (e.g., when it supports government bans on hate speech or racial discrimination in commerce).

In the particular area where their philosophical focus is, the Left and Right both want too much government as far as the libertarianism is concerned. Ayn Rand noted this a long time ago? she suggested, thereby, that metaphysics has a good deal of impact on public policy.

The libertarian sees the function of the legal system as, first and foremost, the protection of individual rights. In that respect the libertarian is more loyal to the original vision of the American republic than are any of the other political movements afoot in this country now. Republicans, Democrats, Socialists, conservatives, liberals, communitarians and the rest all seek to impose ways of private conduct, often claiming that there does not even exist a sphere of privacy in human life.

The US Declaration of Independence states, in contrast, that all men are created equal and endowed by their creator with certain unalienable rights amongst which are life, liberty and the pursuit of happiness. Libertarians flesh out this document more accurately, consistently and completely than do democrats, republicans, socialists, communist, communitarians or any other political faction in this society.

Why? Because if we really do have the right to our lives, for example, then the legal system should protect us against all efforts on the part of either criminals, foreign aggressors or the legal authorities themselves to live and to make decisions about our lives. All paternalistic intervention, even for the sake of improving our lives, are not tolerable? bans on drug abuse, smoking or disadvantageous or low paying employment. Adults simply are off limits as far as regimenting their lives, actions and goals is concerned. That is exactly what having an unalienable right to life, liberty and the pursuit of happiness comes to, nothing less.

Take the particularly controversial case of the libertarian position that no one has the authority to prevent you from committing suicide. Now that's a fairly radical thing. Conservatives don't agree with that. Some people on the Left do. Most of the American Right thinks it's a good law to prohibit suicide. They are very upset with Dr. Kavorkian.

Libertarians are not. If he is actually invited by someone with a sound mind to assist them with suicide, no prohibition of this is tolerable because the right to life, according to libertarianism, means that you, not other people, should be the one who makes decisions about your life.

Rights are the principles that have come to be identified in the field of political theory that spell out "borders" around us. In order to cross those borders, those inside must provide those outside with permission.

Just consider the right to private property, as we normally understand it. If it is your car, somebody else who wants to use it must ask your permission. You are the one that makes that decision. If you want to refuse permission you have the authority to do so, others do not.

Similarly, if it is your life, somebody who wants to do something to it must gain your permission? as when you authorize a physician to perform a risky operation or a cabby to drive you to the airport. On the other hand if, for example, you don't want to go into the ring with Mike Tyson who wants to fight you, that, too, is properly up to you, not somebody else.

If you want to smoke, drink, take drugs, climb mountains or go skiing, provided no one's rights are violated by such actions, you need no one's permission. That is what is so fundamental about libertarianism. Individuals are sovereign, not the legal authorities and not even the majority of the people.

Sovereign means you rule yourself. Nobody rules you. Sovereignty is that condition under which somebody has the fundamental right to self-governance and others must ask permission before they intrude in this government. The consent of those who are to be governed is necessary before government by others than oneself can commence. That is because their lives are their own, not someone else's? the family's society's, nation's, race's, ethnic group's, gender's or humanity's. Even if you misgovern yourself. If you waste your life away.

People may offer you advice, write editorials directed at you, send you letters, try to talk with you? in short, they may approach you in peaceful ways. But they have no authority to take over the governance of your life.

Even democracy? meaning many, indeed, the bulk of the people? does not void this individual sovereignty. Why should it? After all, the majority is composed of individuals, and if alone they aren't authorized to intrude on your life, together they aren't either. Democracy is a method, mainly, of selecting administrators of various, including governmental, tasks. Or it is a method which can be used to reach decisions if all those affected have agreed to its use, as in the Rotary or Lions Club.

One must authorize? delegate authority to? legal administrators to do certain things. Only then do they acquire proper authority—as opposed to mere power—to do them. If the authority was not given, then the officials lack it and must stay out of your life (educational, commercial, scientific, religious, or anything else) as well as your actions—that is what having the right to liberty means.

I am free in the political sense if I can take various actions without interference by other people. (There are other senses of “freedom” but they are not relevant here.) If I want to pursue a life of productivity, creativity, art, science or education, I may embark on those pursuits and no one may prohibit me from doing so. If others are needed by me for these pursuits, their consent is required. And if I choose not to embark upon such pursuits but, instead, choose to be idle, lazy, imprudent, neglectful toward myself and my best interests, including making contributions to my community, that is also something I have a right to do. I am not to be placed into involuntary servitude to others or to myself. Voluntary association is essential to free men and women.

One reason why so many people cower at certain points from the libertarian position is that they think that when one's freedom is misused then some kind of governmental, forcible interference is justified. So that, for example, you want to pursue a life of laziness, drug addition or debauchery, then they think this may be forcibly prevented. But this is wrong.

The libertarian says that with the authority to run your life goes the risk that you may mismanage your life. It's up to you. Once you reach the age of reason, once you are an adult, once you are no longer in a state of dependence? upon the wisdom, insight or guidance of your parents or guardians? you are in charge of your life and community with others must be voluntary on all sides.

The legal authority within a given jurisdiction is no more than a kind of referee. It's only concerned with maintaining peace and the maximum absence of violence against individual rights, and with no one abridging those rights with impunity. That means that if someone's rights are violated, the culprit at least gets punished for the deed. Neither the legal authorities nor anyone else can always prevent the violation of rights. Just like a referee in a basketball court who cannot always prevent the players from misbehaving.

But once they have misbehaved, adverse consequences follow—they must get penalized for it. So similarly, the function of the legal authority, as the libertarian sees it, is to protect against and penalize violators of individual rights.

As adults we all have equal status—not economically, not in terms of our beauty, our background or how nice our parents are but in terms of our rights. “All men are created equal” does not mean that we are created equally wise, smart, wealthy, lucky or beautiful. It means that we are all equally in charge of our lives.

That’s why the Declaration of Independence could be used so as to criticize the Constitution of the United States, which tolerated slavery. Because in the Declaration there was no tolerance of slavery. The Declaration was not a political instrument as the Constitution was and still is, wherein a lot of compromises were and are still being made. The Declaration articulated an unblemished vision of a free society.

It is to secure our unalienable rights to life, liberty and the pursuit of happiness that government? the agency that administers the law? is established within human communities. It is not established to do anything else. Not to manage a post office, build monuments, run Amtrak, conduct Aids prevention programs, maintain parks, forests and beaches or undertake the education of children but to secure the basic rights that individuals have.

The question can be raised of course, do people really have these rights? That’s the controversial political question. Once we have correctly identified the rights it pretty much follows that the only time that someone may use force, which is what the legal authorities? courts, police, military, bureaucracy? are professionally trained to do, is in defense of those rights. What if those rights are a fiction, a myth?

A lot of the people maintain that the rights spoken of in the Declaration of Independence are contrivances. They argue that human beings do not really have such rights and that they were invented only because they serve certain special class interests. Indeed, almost all college professors construe basic individual rights to life, liberty and property as 18-century myths thought up to serve certain special economic interests. Marxists, especially, think that but even those who are not Marxist have embraced this view. And they hold that in time we will see that these principles of liberty are obsolete, temporary fictions.

When you hear it said that for Cubans socialism may be a sound system, you are hearing political relativism. It says that for certain people, related to their special historical situation or particular economic or technological development, it is okay for some dictator like Fidel Castro to basically run their lives. They are not intelligent enough, or developed enough, or wise enough yet to be self-governed.

A lot of government officials at the 1996 Vienna Human Rights conference, from Africa and Asia, protested the United Nation’s endorsement of the very idea of basic individual

rights because, they said, that those ideas do not apply to their society. And there is widespread agreement with this idea on the part of many people in university philosophy, political science and history departments. Is there an answer to that? Well there is, at least the way that the libertarian sees it.

There are certain things that stay stable or steady for human beings as long as there is a human race. As long as those in the 5th century BC were part of the human species, as were those in the 19th, are those in the 20th or will be those in the 23rd century that fact, of our mutual humanity, will have certain ethical and political implications. So some principles of ethics and politics will be universalizable, apply throughout the human species, including that each individual is a sovereign about his or her life.

Of course, not all thinkers through all historical periods have stressed the importance of individual sovereignty. But this does not mean that individual sovereignty was not right back then or is unimportant, only that many thinkers paid little attention to it. There may be many reasons for that. For example, given that these thinkers were part of a class of people who benefited from treating many others as if those others could be used against and not permitted to follow their own will, this is not surprising. Pointing out to the world that every individual is equally important is not always to one's vested interest.

But, given the fact of some permanent features of human nature, it is true, among other things, that no human being should be made to serve the will of another human being against his or her choice. In other words, that slavery, whether it is full-scale, partial or even minimal, has always been and will always be wrong when it comes to human beings. It is no excuse that in the 1900s or in Athenian Greece science, economics, sociology or politics were different, so it was okay to have slaves. No, it was wrong then and it was wrong a 150 years ago and will always be so, as long as those slaves are human beings or have the characteristics of human beings, free will and moral responsibility over their lives.

That is the kind of universal position that the libertarian embraces. Not that all principles are like that, so widely universalizable. For example, how you should dress or keep clean or even rear your kids will change, based on technological, agricultural and other developments. The answers to various particular, special questions are not the same as they were 200 or 3200 years ago. These answers depend a great deal on the vehicles we drive, the kind of dwellings in which we live. Given these changes, it would be silly to maintain that there is a fundamental principle concerning those details—how we should furnish our apartments. Those matters depend too much on what are variable aspects of human life. They include a great deal of what makes up various different and equally valid human cultures.

But there are basic principles to which people elude when they say that certain values or principles of conduct do not change. The reason why the libertarian thinks this is right is that human beings do remain fundamentally the same throughout all those technological and related changes. No matter what the changes, our humanity remains intact.

This is the implicit idea underlying all those human rights watch groups that go from country to country, examining whether institutions like slavery or torture exist. They don't care whether it's China or Burundi or the USA or Canada. These human rights watch groups consider certain practices and policies to be inexcusable because of our fundamental humanity.

Underlying the idea of these rights to life, liberty and the pursuit of happiness? or property? is the fact of our human nature. And this nature is understood as involving as a basic fact our creativity, our need to take initiative in life, and the corresponding moral responsibility we have for living our lives properly (whatever that comes to).

For us, unlike for the rest of the animal world, there are very few instincts on which we can rely to guide us in our lives. We must discover how to live and flourish. That's why we need education—we are not born with sufficiently detailed genetically built-in programs that guide us through life the way in which geese, cats or even the higher mammals are who do the right thing nearly automatically. We must learn that we have very few built-in measures that sustain our lives. We have to learn everything? how to eat talk, walk, drive and the many, many far more complex tasks that amount to living human lives.

Nearly everything we do to live reasonably successful lives has to be learned by us. So we either make good use of our minds or we don't. That's the point. Human beings have the capacity to get themselves going or to fail to do so. This is fundamental to them all. Unless they are thwarted in this task by governments, criminals or invading armies, they are free either to pay heed or not to. And the right condition for their human lives is when others do not prevent this for them. Nature isn't always so accommodating but other persons can and ought to be. It is right for us all not to be intruded upon in our efforts to think through the problems that face us and to reach solutions to those problems. It is only such a community of others that is suitable to us all, when we unite on a voluntary basis.

By no means does this mean that community life is alien to us, quite the contrary. People flourish best among other people. But only if these other people do not thwart their freedom. We not only have the right to but definitely should form clubs, churches, associations, corporations and thus embark on the solutions of all of our problems and the attainment of our aspirations in the company of other persons. But only if this does not involve coercion, compulsion, the violation of these other persons' sovereignty.

And we may win or may not. There is no guarantee. That is one of the reasons that a libertarian proposes a non-utopian form of community. Such an arrangement does not promise to solve all of our problems. It rests on the recognition that free men and women might not solve their problems or might do so inadequately, incompletely. They may just decide to sit there and fiddle their thumbs and watch Jerry Springer all day long. There is plenty evidence and common sense to support this view. There is no guarantee that people will do the right thing if they are free.

Yet, it is more likely that they will discover what the right thing to do is if they are free. More so than if they are regimented around by others who have their own lives to attend to and, in any case, ought to mind their own business.

When government tells us what the minimum wage ought to be, how to run our business, what requirements we should meet to become doctors, psychologist, chiropractors, government is addressing an area that we should address in our voluntary cooperative groups. Not addressed by means of petty or major tyrannical policies by people who wield guns.

That is a fundamental notion concerning public policy, according the libertarian. Based on it and various details we learn from all fields of knowledge we learn, also, peaceful ways of dealing with, for example, cloning, education, drug abuse, child raising, mental health, diseases and all kinds of issues with which life confronts us.

There are numerous issues not covered by libertarianism and left for other fields than politics to address. But there is at least one point implied by libertarianism for all areas of social life: Coercion is not suited for any of it.

You have to fill in a lot of details in order to learn the implications of the fundamental principles of physics for dealing with a particular area of the physical world. Similarly, in politics the basic principles do not tell us everything. They provide a basic framework within which we are required to solve our problems. That means that if we are going to solve problems in society, the only thing that is utterly forbidden is for me to violate your right life, liberty and property.

Within that broad framework I can consult with you, we can get together and find all sorts of solutions from biology, chemistry, zoology, physics, from everywhere and embark in solving our problems. We may never, however, use coercion, the violation of basic individual rights.

Only within a framework of voluntary association may human problems be addressed by us, according to libertarian political philosophy. Once you adhere to that, there is, of course, still a whole lot of work to be done so as to flourish in life. Because simply being free of the intrusions of others is not enough to live right—it is just a precondition. You have do useful, productive, creative, imaginative and other proper things with your freedom.

The libertarian, as such, does not have an answer as to how to solve all human problems. We have all the special disciplines and professions for that. The libertarian has answers to our political question: How should we treat each other in a community? With full, uncompromising respect for one another's rights. No violation of those rights is permitted.

This should give you some idea as to what libertarianism amounts to and why it makes sense to many people.