

<p>Why?</p>	<p>Something like the libertarian commitment to autonomy holds sway over a vast number of Americans.</p> <p>Deconstructing Carr's argument will help us assess whether libertarianism is a viable and coherent viewpoint/ideology/political theory for Americans to hold or whether they are better served by shedding this viewpoint and adopting one's that are more suited to our current political context.</p> <p>First, we ought to say something about what Carr has argued so far in Polity.</p> <p>Carr has made three important arguments so far:</p> <ol style="list-style-type: none">1. Society is a mutual-support system. Government's functional purpose is to manage social problems that arise when people live together in society.2. Meeting many of the social needs in this system requires centralized management – but society has to make decisions about which social needs will be met by decentralized management and which will be met by centralized management. (*Note, we'll see how this question gives rise to a paradox in this chapter).3. There is some reason to think current American political culture has a particular answer to the question about the proper extent of government.
<p>What is libertarianism?</p>	<p>Libertarianism is a theory/ideology about the relationship of individuals as holders of rights and their relationship to the state. As Carr has suggested, we might view such a theory as containing an ontological and a normative component. The ontological understandings – about the way the world is or about the way people are – give rise to particular normative or moral understandings or values. Theories, as such, may also contain an epistemology – an account of how they claim to be able to come by</p>

the truth and how they might justify that claim.

Here it is good to recognize that libertarianism sits along a spectrum of liberal positions. Some of these views are more state-averse or skeptical of the role of the state – libertarianism, for example or what has been and is still sometimes called Classical Liberalism, and some versions of liberalism that are more state-centric or willing to define a more important role for the state (albeit still qualified as “limited” in important ways) in protecting liberty (negative liberty) and promoting liberty (positive liberty) and directing itself towards justice (what we might call social welfare – and the redistributionist policies that go along with that).

Thus, one confusion at this point in Polity is between all these “kissing-cousins” of liberalism. Classical liberalism and libertarianism will sometimes be used interchangeably, but both are differentiated somewhat from conservatism. Many conservatives today are really libertarians in their view of the role and scope of government – but many conservatives have no hesitancy in advocating for government to use its power on behalf of their core moral issues (they want to “conserve” certain traditional values or institutions – a position classical liberals or libertarians wouldn’t take. However, we are going to see that self-described libertarians are also susceptible to using the state in the name of protecting rights – but we will have occasion to question who’s understanding of rights is being protected. At any rate, Conservatives and neo-conservatives may believe in some notion of political rights – but they don’t think these rights extend into the economic or social realms. As we are going to see however, Carr wants to articulate an argument against libertarianism and against some aspects of conservatism as well, but in order to appreciate and understand the argument, we need to say a bit more about what libertarianism is.

Key Principles of Libertarianism (Classical Liberalism):

- 1. Individuals are holders of Lockean Natural Rights and are understood to be free-agents who know best what is in their self-interest.**
- 2. Individuals are therefore understood as autonomous agents (the ontological notion) and therefore ought to be able to**

pursue their interests free from the interference of others (the moral notion).

- 3. Individual's standing as autonomous holders of rights entail the central place of freedom as essential to people's ability to live their lives as they choose.**
- 4. Individuals consent to government voluntarily in order that government fulfill a contractual obligation to protect against rights violations. Traditionally, this has also included a "right to property" (see Carr's discussion of a labor-theory of property acquisition).**
- 5. Thus, governments only role is to serve as a policing-agent or "night-watchman" to ensure people's rights to "self-ownership and property-ownership" aren't violated. Beyond this limited sphere of activity, the state may not intrude, for if it does so it violates people's rights – and libertarians/classical liberals tend to see these rights as inviolable and as absolute (though there are strong and compelling reasons to question such a view of rights).**
- 6. Thus libertarians often call for "small government" or the "limited state". To go beyond this limited state is to invite paternalism or tyranny – the loss of liberty/freedom.**
- 7. Thus, libertarians typically defend decentralized market relationships as consistent with freedom and tend to see market outcomes as inherently just (they are the result of fair initial distributions of property/goods and free re-distributions of property/goods thereafter). Therefore, they do not typically support redistributionist schemes based on concerns for social welfare to promote equality because they see *any* unwilled transfer of property (for example, taxation) as a fundamental violation of liberty.**
- 8. Thus, libertarians see liberty as fundamentally "negative" – liberty means being free from the interference or unwanted actions of others. Carr is going to argue that libertarians see questions of justice as fundamentally personal.**

More could probably be said to further clarify libertarianism, but

	<p>that’s probably sufficient to get things moving here. We should note Carr’s thoughts on why libertarianism is attractive, and he echoes something I wrote a few years back in a graduate seminar on libertarianism: libertarianism has an intuitive appeal because:</p> <ul style="list-style-type: none"> • It’s simple. It makes social life and the interaction between people straightforward and so appeals to those who are inclined to look past the complexities of social life. • It aligns then with people’s romantic notions of themselves and of 17th Century civil life. • It treats individuals and their actions as the fundamental units of such a life and need not concern itself with the complexity of relationships between groups – nor with other issues we might face “in common”. • Increasingly, we might question the idea (and Carr will!) that human beings can be thought of as autonomous and independent in the way libertarians think they are. • Recently, theorists doing work in radical theory and feminist theory focus on the ideas of <u>vulnerability</u> and dependency as being closer to the mark in terms of describing (ontologically) modern human beings. • The idea of equally autonomous individuals – each pursuing their self-interests freely - seems at odds with theories of power which describe power as resulting from unequal relations and competing interests. If indeed, society is comprised of unequal relations of power and competing interests, then it is difficult to believe that all people are equally independent and autonomous and are therefore able to achieve their ends simply because a libertarian conception of society provides “opportunity” via a scheme of fundamental political rights. Thus, we might say that libertarianism is naïve about power.
<p>Carr’s argument with regards to the shortcomings of Libertarianism</p>	<p>Carr attacks libertarianism in three ways. All suggest that libertarianism is a rather simplistic, anachronistic and antiquated doctrine. Carr argues that the problem as he sees it is that some Americans – those with a Libertarian understanding – have not updated their understanding of the realities of social and political life. Thus, in addition to (or perhaps informing) the arguments made against libertarianism (by way of the latter’s “incoherent theory of rights” focus on decentralization and inability to</p>

accommodate the pluralism found in modern, liberal political communities), is the simple **sociological** critique against libertarianism. The latter simply get political life wrong and their ideology has not caught up with the way the world is now.

Again, Carr's main arguments:

1. Libertarianism can't account for the ways in which American political society is deeply **pluralistic** – and thus needs to come to grips with the fact of diversity.
 - a. Some practices of other groups may not align with the libertarians views about respecting individual liberty. But why should we favor the libertarian's understanding of what counts as liberty?
 - b. Libertarians favor liberty individually – so liberals would seem to be committed to the idea that the state ought to intervene in areas where people violate the liberty of others.
 - c. This happens within the enclaves of the greater political community, but it also happens within the enclaves of any number of sub-cultural, ethnic or religious groups.
2. Examples of (c) may include:
 - a. Parents denying health care to children for religious reasons
 - b. Groups denying education to children for similar reasons
 - c. The denial of rights in general to members of morally-offensive groups
3. All these issues appear to be issues of political rights of a certain group that is denied by either the particular sub-state culture in which they live or in the political community as a whole.

Issues involving children (see the faith-healing example in the text) seem to be easy ones to use as examples because the children of certain ethnic, religious or cultural groups are *hard-pressed* to defend themselves given the way in which the values, norms and rules of those groups hold absolutely against them.

Nevertheless, what Carr thinks is worrying about these examples is the conflict on display between liberal rights associated with/attribution to particular individuals and the group or associational rights claimed by groups. In other words, what we have here is a conflict **between** rights-holders and perhaps ways of life. These issues of course often get talked about through the language of rights (rights to define and defend their own cultural mores and ways – but also supposed rights not to contribute to or be taxed by the state because they find the ends or goals of such taxes/contributions to be morally-offensive. However, it might be supposed that liberalism’s greatest challenge is somehow identifying core political principles despite divergent and mutually incommensurable “ways of life”.

4. Libertarians are going to want to insist on protecting individual rights - which of course can be the same thing as “group or associational ways of life” from being violated by the state – but they also must insist that the state has an obligation to protect against violations of liberty from other citizens.

In other words, libertarians (if not all liberals) have reason to see a conflict between the children and the adults of cultural groups who want to engage in practices that the libertarian defender of freedom might see as morally abhorrent. We might ask what justifies the libertarian in interfering in the internal ways and practices of these groups. Libertarians, however, are uncomfortable with the kind of holism (as opposed to the atomism of libertarian individualism) that motivates such a question.

Libertarians will want to protect the individual liberties of individuals that are aggrieved, but this will end up conflicting with the rights/freedoms of adults to practice their cultural ways and raise their children in ways that respect and continue those ways into the future (the conservative or communitarian argument). Thus, we might conclude that libertarianism doesn’t take group or associational life very seriously – its fundamental ontology of always putting individuals first is in conflict with the ontology of groups who put group ways ahead of individual rights if they support

	<p>them at all. All of this of course suggests that the pluralism on display in society also displays some groups who are not liberal – who may be illiberal and downright hostile to liberal understandings of the way the world is and should be.</p>
<p>Two moves libertarians can make...</p>	<p>Libertarians then have two moves they can make. They can:</p> <ol style="list-style-type: none"> 1. Advocate that the state intervene on the part of the child and against the parent/group, thus, violating the rights of the adults of these groups; 2. Or they can tolerate such practices within cultural groups (as disagreeable and offensive as they might be – for an extreme case think about something like human sacrifice – for a less extreme case, think about members of Amish communities who deny to their children any education past grade eight). Toleration involves putting up with something even though you find it “deeply immoral and unacceptable”. Thus, toleration is a uniquely political virtue and one that might be necessary for those members of those disparate groups who have to find ways to co-exist in society. <p>In the case of the libertarian who gets bothered about the state protecting the liberties of some others whose practices are seen as immoral by allotting government resources to protect against such acts, the libertarian argument seems to fuse into more conservative arguments about the state using resources to privilege certain viewpoints (where they would rather the state stay neutral). But it seems highly naïve and impossible for the state to stay neutral on such matters in a pluralistic society and Carr supposes that any coherent understanding of libertarian liberty forces the libertarian to make a choice here – but neither choice, given the absolute nature of libertarian understandings of rights looks desirable.</p> <p>Traditionally, libertarians, want to protect liberty by restricting the state from interfering at all in the autonomous choices of some against others, but they can’t escape the idea that:</p> <ol style="list-style-type: none"> 1. People’s autonomous choices sometimes threaten the autonomy of others; 2. People’s autonomous choices threaten their own autonomy.

<p>So how can the libertarian get out of this predicament?</p>	<p>It looks like strict adherence to an ideology of liberal autonomy is impractical given the complexity and diversity in society. Libertarians would need to also be able to claim that the libertarian morality of freedom trumps (is more morally persuasive) than all other group and associational understandings of such freedoms – but in that case, the practical question still arises about what rights trump when there is a conflict? Just what are the basic liberties that ought to be protected and in what circumstances should state intervention be allowed? Just in the cases libertarians choose? That will likely be seen as “libertarian domination” by those other groups. But if libertarians decide that toleration of groups’ practices is called for, what groups and what practices?</p> <p>Here too, it looks like the libertarian commitment to freedom will be impoverished if groups can do anything they want within their groups. Thus liberal morality will have to allow some things but disallow other things. But being able to articulate these boundaries is likely to be arbitrary at best from the viewpoint of non-liberal groups and associations. It may not be a problem for a reformulated liberalism that is, via the virtue of tolerance, willing to accord to such groups freedom to pursue their group ways unimpeded. Carr moves in this direction in another book.</p> <p>However, the more the libertarian morality leaves some things out (decides not to tolerate certain practices), the more paternalistic the state will need to become and the more it will seem to interfere in the internal ways of groups. This seems antithetical to the libertarian viewpoint which wants to maximize the protection of liberty.</p> <p>Again, libertarians have to say either that “anything goes between consenting adults” or they have to be able to say which things go and which do not go – but if the notion of autonomy understood as voluntarism is the standard here – how can we know which actions are truly voluntary? For the libertarian, it seems, this must be all or nothing – either all actions are voluntary or none are. The Freedom Paradox helps make this point clearer.</p>
<p>Libertarianism and the Freedom Paradox</p>	<p>Mill – “It is not freedom to be allowed to alienate freedom.”</p> <p>Thus, Carr argues, the ideology of libertarianism is deeply incoherent. Libertarians, it seems, are committed to allowing</p>

people to voluntarily alienate their own freedom. Something like what happens to the “wage-slave” who gives up some autonomy in order to “make a living” when what she would really like to do is “make a life” for herself of her own choosing.

But it seems like we live in a society where we can’t help but bump into others or be affected by social conditions that are far from the ideal autonomous relations between free agents the libertarian wants to insist on. Actions, we might say, that are taken freely by one person have a funny way of impacting the freedom of someone else.

Carr worries that it is not just other individuals or the government that can constrain freedom, but that social conditions themselves can also constrain freedom where some are more vulnerable or sensitive to those conditions than others and feel that they may have no choice but to accept such conditions – but when and why are such conditions constraining or coercive? Can **conditions** coerce? I’ll leave this final question for you to consider.