

NO ONE TRUE CULTURE OF LIBERTY

Tolerance is important but difficult to define and easily subverted, responds **Daniel McCarthy**

Libertarians ought to support a culture of liberty. But what does that mean?

Many scholars of liberty—the sociologist Rodney Stark, to name one—have argued that Western Christianity is the original culture of liberty. It ended classical slavery, improved the status of women, recognised the sanctity of the individual soul, and set the stage for a proliferation of private property rights and the spirit of enterprise throughout Europe as nowhere else. From all that, it may not follow that Christian culture is still the womb of liberty today. But conservatives and culturally right-wing libertarians believe it is.

Progressives and culturally left-leaning libertarians tell another story in which Christianity is a seedbed of intolerance and repression—often violent repression. Libertarians of all stripes are comfortable enough condemning aggressive violence categorically. (Though even here questions arise: Who defines aggression? Is violence against a foetus in the womb aggression or is it a defence of your right to your own body?) What kind of culture leads to minimal aggression and maximum freedom is a matter of contention. Tolerance is probably an important attribute of any culture of liberty, but tolerance is harder to define than liberty itself.

Consider: If McCorp fires John Doe because he voices support for gay marriage, a libertarian who subscribes to a progressive view of the world might say McCorp has committed an act of intolerance against Doe. But if Cold Harbor Laboratory fires a molecular biologist (let's call him 'James Watson') because he states a belief that Africans have weak cognitive abilities, the same progressive libertarian may not believe any

act of intolerance has occurred—or, if one has, that Watson is the guilty party. After all, can you foster a culture of liberty in a society polluted by views like Watson's? If that example seems too easy, consider the case of an otherwise qualified professor denied tenure because he's a creationist, or because he's a Republican.

Must a free society treat those who hold irrational or bigoted opinions the same way it treats those who have enlightened views? To do so, Herbert Marcuse warned, amounts to 'repressive tolerance,' a kind of tolerance that allows fascist personality types to flourish and thereby undermines freedom. Right-wingers have their own list of views that must be suppressed (by force or by social stigma) in the name of freedom. Willmoore Kendall, for example, believed that public orthodoxy ought to trump free speech, since all liberties rest upon a cultural consensus. Thus, according to Kendall, Athens was right to execute Socrates, and 1950s America ought not to tolerate Communists. For disciples of Marcuse and Kendall, freedom really isn't free.

Maybe a true culture of liberty has nothing to do with left-wing or right-wing orthodoxies. Rather than taking sides in culture wars over race, religion, sex, and subversion, libertarians—so this line of thinking goes—ought just to affirm a culture that supports property rights. In this case, the libertarian position regarding John Doe or James Watson should be to support employers whenever they fire anyone, since (unless a contract

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specifies otherwise) an employer always has a right to dismiss subordinates. But even this culturally neutral standpoint does not have an uncontested claim to be the pure libertarian view. Those who take their cues from John Stuart Mill will argue that expressive liberty is at least as important as property rights. We, therefore, ought to defend employees with unpopular views against arbitrary dismissal, regardless of whether we find their opinions righteous or repugnant.

If Mill is patron saint of the expressive libertarians, Murray Rothbard is the champion of the proprietarians. Kerry Howley's essay makes the case for a substantive left-libertarianism. She suggests the Ed Feser of 2001 as spokesman for the culturally right-wing libertarians. Today Feser, who has continued to move rightward, or at least stateward, is not a libertarian at all, which might seem to prove Howley's point. But I held views not far from Feser's in 2001, and I have followed a different trajectory. That Feser and I can move in different directions from similar cultural presuppositions might prove the point I want to make: that there is no one true culture of liberty.

Cultural progressives are as apt as anyone to make the leap from stigmatising to persecuting their enemies.

The idea that only traditional attitudes, never progressive ones, can be oppressive strikes me as naive. Cultural progressives are as apt as anyone to make the leap from stigmatising to persecuting their enemies. Scapegoating has been as useful for the authoritarian left as for the authoritarian right: Witness the hysteria about white separatists and right-wing militias that recurs every time a tolerant Democratic administration succeeds an intolerant Republican one. Randy Weaver, no less than Matthew Shepard, can attest to the consequences of demonising misfits.

Nor do progressive attitudes toward sex and race necessarily lead to a culture of liberty. In the 1920s, the Soviet Union was less racist and more sexually open than the United States. Divorce and abortion were legal and readily available, and

more than a few Bolsheviks practised as well as preached free love. Yet, that did not make Russia a more fertile soil for liberty. Workers' orgies were no defence against the power of the Soviet state, which soon revoked the moral licence it had granted.

To point out the inadequacies of cultural progressivism is not to excuse the flaws of cultural conservatives. Either side may be more or less libertarian in practice. Paradoxically, the non-libertarian qualities of the mutually antagonistic left and right sometimes entail unexpected benefits for freedom. Some of the most effective centres of resistance to state power over the centuries, after all, have been non-individualistic institutions such as labour unions, churches, guilds, and extended families. Conversely, when libertarians attack these organs of civil society in the name of freedom, they may only succeed in empowering the state—not always, but sometimes.

If some libertarians won't tell you what freedom should look like beyond the absence of the state, don't assume that these people must subscribe to a crabbed idea of liberty or else are smuggling their values behind a veil of cultural neutrality. These anti-statists may refuse to define the cultural content of libertopia because they believe deeply in the pluri-potentiality of freedom—that freedom can mean the freedom to be a Mormon housewife as well as to be a post-gendered television personality. Freedom, they realise, may even mean the freedom not to be free. Libertarianism does not demand that everyone subscribe to the same idea of the good life. By extension, libertarianism also should not demand that everyone subscribe to the same idea of liberty.

Thoroughgoing anti-statists understand that politics is not culture, even if culture—that is, how people live their lives—shapes politics. What follows from this is that in letting culture remain diverse, anti-statists accept that politics will be diverse too and will not always lead to outcomes that all libertarians like. The political theorist Chandran Kukathas explains this well in his paper 'Two Constructions of Libertarianism.' In what he calls the 'Union of Liberty,' everybody has to interpret the rules in the same way, under one centralised libertarian government. In the 'Federation of Liberty,' there is a 'meta-tolerance'

toward different understandings of tolerance and liberty because it is understood that other people interpret political rules, including the fundamental libertarian rule of nonaggression, in different ways.

The danger of the Federation of Liberty is that it permits violations of liberty, perhaps even outright slavery. The danger of the Union of Liberty, however, is much worse. The trouble is not only a universal state but a universal orthodoxy, a tyranny of the supermajority that threatens to destroy the individual personality. In culture, even tolerance, justice, and liberty can be carried too far. One must be permitted some room for error, psychological space for entertaining thoughts other than 'libertarian' thoughts.

Consider the plight of Alex in the Anthony Burgess novel and Stanley Kubrick film *A Clockwork Orange*. By any standard—left, right, Millian, or Rothbardian—Alex is no libertarian. He's a vandal, a murderer, a rapist (ipso facto a misogynist). He's guilty of every crime. So why do

so many of us sympathise with him? Our feeling for Alex derives from something deeper than mere horror at his eyes being pried open in the film's famous torture scene. We have a right to, or better still a love for, what is inside our own skulls. If mental content, even good values like non-aggression, can be poured into Alex's conscience as if he were nothing more than a vessel, the same could happen to any of us. Not only the state but also our culture must not press its demands so far into the individual conscience, whether by 'justified' coercion (in the case of the killer Alex) or by any other means.

Our moral imperfections are our last guarantee of liberty against the benevolent system builders who would have all men and women speak with one voice and assent to one idea. Cultures of liberty tend to be bric-a-brac, full of unresolved tensions between competing ideas. Freedom does not depend upon universalising the 'right'—or left—values. It's the other way around: a clash of values is what makes even mental liberty possible.

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F. A. Hayek

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