WE'RE ALL CULTURAL LIBERTARIANS

Freedom is about more than just the absence of government, argues **Kerry Howley**

'It was amazing to me how quickly she overturned the power structure within her family,' Leslie Chang writes in *Factory Girls*, her 2008 book on internal migration within China. Chang is marveling at Min, a 17-year-old who left her family farm to find work in a succession of factories in the rapidly urbanising city of Dongguan. Had Min never left home, she would have been expected to marry a man from a nearby village, bear his children, and accept her place in a tradition that privileges husbands over wives. But months after Min found work in Dongguan, she was already advising her father on financial planning, directing her younger siblings to stay in school, and changing jobs without bothering to ask her parents' permission.

Chang's book is full of such women: once-obedient daughters who make a few yuan, then hijack the social hierarchy. Even tiny incomes cash out in revolutionary ways. With little more than 1,000 yuan (about US$150) in Min's pocket, it becomes possible to plan a life independent of her family's expectations, to conceive of a world in which she decides where to live, how to spend her time, and with whom.

I call myself a classical liberal in part because I believe that negative liberties, such as Min's freedom from government interference, are the best means to acquire positive liberties, such as Min's ability to pursue further education. I also value the kind of culture that economic freedom produces and within which it thrives: tolerance for human variation, aversion to authoritarianism, and what the libertarian economist F.A. Hayek called 'a preparedness to let change run its course even if we cannot predict where it will lead.'

Cultural liberty

But I am disturbed by an inverse form of state worship I encounter among my fellow sceptics of government power. This is the belief that the only liberty worth caring about is liberty reclaimed from the state; that social pathologies such as patriarchy and nationalism are not the proper concerns of the individualist; that the fight for freedom stops where the reach of government ends. It was tradition, not merely government, that threatened to limit Min's range of possible lives. To describe the expanded scope of her agency as merely 'freedom from state interference' is to deny the extent of what capitalism has achieved in communist China.

As former Fundamentalist Church of Jesus Christ of Latter-Day Saints leader Warren Jeffs can tell you, it's possible to be an anti-government zealot with no interest whatsoever in individual liberty. If authoritarian fundamentalist compounds are your bag, the words *personal agency* will hold no magic for you, and Min's situation will smack of social chaos. But libertarians for whom individualism is important cannot avoid discussions of culture, conformism, and social structure. Not every threat to liberty is backed by a government gun.

Convention creates boundaries as thick as any border wall and ubiquitous as any surveillance state. In Min's village, women are constrained by a centuries-old preference for male descendants.

Kerry Howley is a contributing editor at *Reason* magazine, www.reason.com. This article and the following response from Daniel McCarthy first appeared in *Reason*.

(Men are also constrained by this tradition, as families are less likely to permit their valuable sons to migrate to the city.) Most people will accept their assigned roles in the village ecosystem, of course, just as most Americans will quietly accept the authority of a government that bans access to developmental cancer drugs while raiding medical marijuana dispensaries. A door is as good as a wall if we cannot imagine walking through it.

A door is as good as a wall if we cannot imagine walking through it.

It ought to seem obvious that a philosophy devoted to political liberty would concern itself with building a freedom-friendly culture. But the state-wary social conservative flinches when his libertarian friends celebrate the power of culture itself to liberate: the liberty of the pill, of pornography, of 600 channels where once there were three. The social conservative will refer to these wayward anti-statists as 'cultural libertarians,' by which he means libertines. And it will always be in his interest to argue that the libertarian, qua libertarian, should stay mute on issues of culture.

'True libertarianism is not cultural libertarianism,' the philosopher Edward Feser wrote on the paleolibertarian website LewRockwell.com in December 2001. This statement was immediately preceded by a call for the stigmatisation of porn, adultery, divorce, and premarital sex—in other words, an argument for a particular kind of culture. Feser claimed that small government and an ethos of 'personal fulfillment' were incompatible, and he argued for the former over the latter. In the guise of an attack on cultural libertarianism, Feser demanded that libertarians espouse different patterns of cultural behaviour.

Paternalism of the mob

As it turns out, all libertarians are cultural libertarians. We just don't share the same agenda. Some prefer to advance their agenda by pretending it doesn't exist: that social convention is not a matter of concern for those who believe in individual liberty. But when a libertarian claims that his philosophy has no cultural content—has nothing to say, for instance, about society's acceptance of gays and lesbians—he is engaging in a kind of cultural politics that welcomes the paternalism of the mob while balking at that of the state.

This prioritisation can be difficult to confront because it is most often expressed in strategic silence or casual conversation. The tendency to dismiss feminist complaints about social pressure as 'self-victimisation,' for instance, is not something one is likely to encounter in a philosophical meditation on the centrality of property rights. It emerges in the choice to write about one freedom-limiting aspect of the world rather than another, bubbles up in Internet chatter, and spills over into informal interactions.

Still, if too many people who group themselves under the libertarian banner pursue a vision of liberty restricted to resisting state coercion, libertarian intellectual history has something to do with that outcome. Founders of modern libertarianism, giants who helped shape the self-conscious movement's argumentative styles and emphases, tended to focus their firepower almost exclusively on the state. Murray Rothbard, the anarchist economist and philosopher who was a guiding influence on nearly every existing libertarian institution, limited his vision of liberty to the security of private property; any depredation that couldn't be traced to an assault on or theft of someone's justly owned property was not, in his view, the libertarian's concern. Milton Friedman's popular writings about choice looked at areas where choice was being restricted by agents of the state with explicit threats of force. Ayn Rand's ethical philosophy did look beyond the state, to the forces of conformity and altruistic moral suasion. But her vision of rationality was so demanding that readers could be forgiven for thinking that life in a welfare state might be less restrictive than life lived as a model Randian.

Libertarianism in the early 1970s still had countercultural energy to burn, but the institutions that grew to define the modern movement during that decade and the next—*Reason* magazine, the Cato Institute, and the Libertarian Party—focused largely on areas of economic disagreement with the left, such as tax levels, government spending, the flexibility of labour markets, and the regulation of international trade. While libertarians agreed more with a roughly defined left in a few areas, such as

military policy and the drug war, they repeatedly missed opportunities to connect their concerns about authoritarianism with the left's analysis of less overt, more deeply embedded restrictions on individual agency.

Feminist consciousness, for example, came to be seen by libertarians as inseparable from statism, despite the fact that it arose in response to very real social and state pressures that restricted the autonomy of half the population. In a different context, libertarians might have seen that certain feminist critiques—particularly those having to do with the social construction of gender—were necessary to any serious consideration of individual liberty. Thoughtless conformity has rarely been the libertarian's friend. But against a backdrop of feminist assaults on free speech and calls for workplace regulation, social constructionism seemed to many merely another justification for government coercion, a denial of the very concept of personal agency.

In turning so definitively from the left, libertarians denied themselves a powerful vocabulary with which to engage discussions of individualism. To take a very basic example, in the middle of the 20th century 5.5% of Americans entering medical school happened to have female bodies. This number may well have reflected women's limited interest in pursuing medicine as a career. But that level of interest also reflected a particular view of women in positions of authority, a certain range of social spaces that girls could imagine themselves inhabiting. Norms that positioned women as wives and mothers obviously functioned as constraints on identity formation. None of this has much to do with limited government, but it has everything to do with individuals struggling to assert themselves against a collective.

Liberty must be taught

Libertarians are usually sensitive to the political implications of social norms when those norms are fostered by an overzealous state. Universal state surveillance, libertarians often worry, breeds passive adults with no expectation of privacy. Smoking bans encourage people to accept the diminution of their choices uncomplainingly. Ever-expanding executive power encourages further president worship, preparing the ground for the next executive power grab. The more the state does, the broader most people think its natural scope to be.

The inconsistency of the libertarian who believes that smoking bans create automatons but scoffs at the social construction of gender troubles the Auburn University philosopher Roderick Long and the libertarian writer Charles W. Johnson. 'Libertarians often conclude that gender roles must not be oppressive since many women accept them,' they note in a 2005 essay on libertarian feminism, 'but they do not analogously treat the fact that most citizens accept the legitimacy of governmental compulsion as a reason to question its oppressive character; on the contrary, they see their task as one of consciousness-raising and demystification, or, in the Marxian phrase, plucking the flowers from the chains to expose their character as chains.' Liberty—from government, from tradition, from prejudice—must be taught, capacities developed.

Liberty—from government, from tradition, from prejudice—must be taught, capacities developed.

Beyond the realm of social psychology lie more obvious markers of social pressure—brute, external restrictions on freedom maintained by intolerance or cultural inertia. Libertarians will agree that laws requiring racial segregation and prohibiting victimless, though controversial, sexual practices are contrary to their creed. But if the constraints on freedom of association suddenly become social rather than bureaucratic—if the neighbourhood decides it does not want black residents or the extended family decides it cannot tolerate gay sons—we do not experience a net expansion of freedom. If a black man who cannot hold employment by law is unfree, so too is a black man who cannot hold employment because social custom decrees that no one will hire him. If a gay couple that cannot legally marry is being wronged, so too is a couple that must stay closeted to avoid social ostracism. A woman who has to choose between purdah and exile from her village

is not living a free life, even if no one has bothered to codify the rules in an Important Book and call them 'laws.'

A culture of liberty

None of this is to say that it is the state's place to force a family to accept its children, a church to welcome all comers, or a sex worker to embrace all lonely hearts. There is a difference between emotional coercion and physical force. But it is the role of someone who professes to believe in the virtues of individualism—and emphatically the role of someone who believes that social persuasion is preferable to legal coercion—to foster a culture that is tolerant of nonconformity.

Property rights are more than the conclusion of an academic argument; they are themselves a matter of culture. If they are useful to us, it is because they govern our conduct and lend structure to everyday life. I may not help myself to the contents of just any wallet, take off in just any car, walk into just any house. A drop-dead argument for the authority of these constraints may exist in pure reason, but they are meaningless without a broadly shared sense of their legitimacy. Absent friendly social forces, property rights are an impotent abstraction. Rights come alive through convention. Culture makes them breathe. Strip away the context in which property rights are respected, and nothing much remains. Yet, cultural context, in all its messy inexactitude, is exactly what propertarians wish to resist.

Absent friendly social forces, property rights are an impotent abstraction. Rights come alive through convention.

Culture also is where libertarians should focus if they wish to gain more than tepid enthusiasm for their unorthodoxy. A thin philosophy attracts thin support. It certainly didn't take long for former President George W. Bush to abandon the logic of his professed small-government principles; the pull of moral utopianism was stronger than that of rational calculation. Rand inspires millions not because she writes so passionately about property rights but because she writes so passionately about individuality in a world of suffocating conformity. Her books change their readers not because they idealise small states but because they depict large men.

Leslie Chang, another author who surveys the damage wrought by cultural conformism, includes a conversation with her Chinese relatives in *Factory Girls*. Chang wants them to share the stories of their lives, their individual encounters with the Cultural Revolution and all the devastation that followed. But each relative of a certain age insists that she has nothing to say, brushes over life events, and retreats to the safety of specific dates rather than tracing the arc of a life. They cannot disentangle their stories from those of the nation, and Chang eventually gives up in frustration:

> The women in the factory towns of the south did not talk this way. In a city untroubled by the past, each one was living, telling, and writing her own story; amid these million solitary struggles, individualism was taking root. The details of their lives might be grim and mundane, yet these young women told me their stories as if they mattered.

Libertarians like to mock liberals who attribute all good things on this earth to the virtue of benign governmental forces—the bureaucratic Tinkerbell who ensures that their food isn't poisoned, that their roofs don't fall, that the sun rises on schedule. What an irony that so many avowed anti-statists, their eyes firmly affixed on Washington, cannot see freedom beyond government's absence.