DAVID BOAZ

Selected *Cato Policy Report* editorials and articles on libertarianism and Cato

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Over more than four decades as the Cato Institute's vice president for public policy and executive vice president, David Boaz has played a key role in the development of the Cato Institute and the libertarian movement. From 1981 to 2023, he served as the editor of *Cato Policy Report*. A selection of his articles and editorials on libertarianism and Cato follows.

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On libertarianism

BY DAVID BOAZ

EDITORIAL

The Soul of America

> The Founders gave us a mission statement for the United States of America, an expression of its soul.

President Biden launched his reelection campaign by declaring, "We're in a battle for the soul of America. The question we're facing is whether in the years ahead, we have more freedom or less freedom. More rights or fewer." Music to libertarian ears. But one might question whether either party today is offering Americans more freedom, or truly understands the soul of America. The Founders gave us a mission statement for the United States of America, an expression of its soul:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.

That mission statement created a legacy. The Pulitzer Prize-winning historian Bernard Bailyn elaborated on how early Americans made those ideas real:

> Written constitutions; the separation of powers; bills of rights; limitations on executives, on legislatures, and courts; restrictions on the right to coerce and wage war—all express the profound distrust of power that lies at the ideological heart of the American Revolution and that has remained with us as a permanent legacy ever after.

How are our leaders living up to those principles today? The idea of restricting power has too often been replaced by faith that a leader's every passing thought should be turned into law, by legislation if possible, by executive order or administrative regulation if necessary. Worse, growing tribalism leads to an attitude that the point of gaining office is to use state power to reward "us" and to harm "them."

President Biden correctly calls his predecessor's attempt to overturn the election an assault on democracy and the Constitution. Too few Republican officials affirm that Biden won the election and that it was shockingly wrong to try to pressure election officials to "find" more votes. However, the president's embrace of freedom seems to extend only to a few issues. He would raise taxes on both individuals and corporations, reducing our freedom to spend the money we earn; borrow and borrow (and borrow)—which crowds out private borrowing—and pile up debt, which is paid eventually with taxes or inflation. Government's preferences are substituted for our own. Freedom to live as you want matters, too.

The costs of Biden's regulations so far exceed those of Presidents Donald Trump and Barack Obama combined. Most of them restrict our freedom. Like his predecessor, Biden continues to impose costs on consumers through tariffs and other trade restrictions. His Federal Trade Commission seeks to break up America's successful companies. Subsidies are handed to favored industries and firms. He would deny families the freedom to choose the best schools for their children.

Meanwhile, the two leading candidates for the Republican presidential nomination pound the table for freedom. Before his election loss, the former president's great passions were to restrict international trade and immigration, and he threatened to send military troops into U.S. cities over the objections of local governments. Now he's proposing military strikes in Mexico.

His chief Republican rival proclaims his support for free speech but has launched multiple legal assaults on the Walt Disney Co. after it issued a tepid criticism of a bill regulating what teachers could say about sexual orientation and gender identity. He barred Florida companies, including cruise ships, from setting their own vaccination policies. This is not your father's idea of free enterprise. And all of this comes at a time when leading conservatives are writing things like "The right must be comfortable wielding the levers of state power," and "using them to reward friends and punish enemies."

Republican governors and legislatures are taking books out of schools—ranging from some that are actually problematic to biographies of Rosa Parks—and rushing to legislate restrictions on transgender people and "drag shows" without much careful consideration. It's reminiscent of those who rushed in the early 2000s to ban same-sex marriage. The current mania is partly in response to similarly rushed federal mandates regarding transgender policy on local governments.

In all this haste to legislate bans, mandates, taxes, regulations, subsidies, boondoggles, and punishments, who's looking out for the soul of America?

BY DAVID BOAZ

EDITORIAL

Defending Liberal Values

> Across the Western democracies the percentage of people who say it is 'essential' to live in a democracy has plummeted.

Illiberalism and authoritarianism seem to be on the rise worldwide. Of course, most of history is characterized by authoritarianism and illiberalism. But a democratic wave that began in the 1970s and peaked around 1989 seems to have reversed lately. Nearly 75 percent of the world's people live in a country that faced a decline in freedom in 2020, and that trend continues.

I don't have space to list all the authoritarian or illiberal countries—Russia and China are no surprise, though it's disappointing that what seemed like progress in both countries is now being reversed. Saudi Arabia and many Central Asian and African countries have been mired in authoritarianism for decades. Perhaps more worrisome is the rise of authoritarianism in countries like Turkey, Hungary, Venezuela, Mexico, the Philippines, and India.

American libertarians have usually identified the left as the biggest threat to ordered liberty, especially since the defeat of fascist powers in 1945. But now we see rising illiberalism and authoritarianism on both the right and the left.

We used to talk about the struggle between capitalism and communism; an important struggle it was and remains; but there are other ways of dividing the world. The British journalist Michael Hanlon in 2013 suggested a "morality gap" among the nations—those built on post-Enlightenment human rights, and the other half of the world that follows "a different moral code: might is right, all men were not created equal and there is a right and a wrong form of sexual orientation." He wrote that "attitudes to homosexuality show the morality gap in sharpest relief. . . . Across a swath of northern Europe, much of the US and Canada, Latin America, Israel and much of east Asia," there's growing tolerance and legal equality. But not everywhere, and some parts of the world are actually regressing.

Sadly, it's not just the "rest of the world" where retrograde attitudes can be found.

Across the Western democracies the percentage of people who say it is "essential" to live in a democracy has plummeted, and it is especially low among younger generations. In a 2014 U.S. survey, 32 percent said it would be better to have a "strong leader" who does not have to "bother with parliament and elections."

So what does this mean for the Cato Institute? To begin with, it reminds us that our defense of liberal and libertarian ideas matters more than ever. Liberal values from free markets to free speech are under assault, and they need a strong and principled defense. We won't be alone in this effort. When we think of liberal values in the broad sense, we can find allies among free-market conservatives, free-speech liberals, and people who are often described as "fiscally conservative and socially liberal." In the past few months, two prominent Democratic economists, Lawrence H. Summers and Jason Furman, spoke at Cato and demonstrated that most economists agree on a number of microeconomic reforms as well as on the broader necessity of private property, market exchange, and free trade. But part of our job is to persuade people of the value of a more robust commitment to individual rights and strictly limited government.

We combine our policy analysis with an emphasis on basic economic principles for average citizens. Libertarianism.org has published several short books on free markets, Austrian economics, and trade. We've added new experts and capabilities in the Herbert A. Stiefel Center for Trade Policy Studies and the Center for Monetary and Financial Alternatives. Ryan Bourne joined us as our first R. Evan Scharf Chair for the Public Understanding of Economics.

As conservatives have become less committed to free markets, so progressives have lost their commitment to free speech. At Cato we believe in the Bill of Rights, including the First Amendment, and we are working to protect and extend freedom of speech on campus, in the media, and in election communications. We oppose efforts to use the power of government to punish people for expressing dissenting opinions.

Around the world people look to the United States as a shining city on a hill, a beacon of "Liberty Enlightening the World," the formal name of the Statue of Liberty. And liberals around the world look to the Cato Institute, which George Will called "the foremost upholder of the idea of liberty in the nation that is the foremost upholder of the idea of liberty." So our job for 2023 and beyond is to stick to our principles, improve our defense and presentation of those ideas, and work to ensure that the United States improves its own commitment to individual rights and limited, constitutional government.

BY DAVID BOAZ

EDITORIAL

Liberals against Illiberalism

> Liberty and liberalism are threatened by authoritarian populism on both right and left.

"You keep using that word. I do not think it means what you think it means." That line from *The Princess Bride* kept coming to mind as I encountered the word "liberal" in major newspapers recently. Consider these examples:

The *Washington Post*: "MIT's decision reflected a distressing unwillingness to tolerate views that offend the liberal majority." The *Wall Street Journal*: "Ms. Guy, a Democrat whose childhood in Cuba was steeped in ultraliberal politics. . . ." The *New York Times*: "Chileans on Sunday elected Gabriel Boric as their next president. . . . Boric will be the nation's youngest leader and by far its most liberal since President Salvador Allende."

Let's review: Trying to stamp out diversity of opinions, especially in a university, is not a "liberal" idea. It's a particularly *illiberal* approach. A country ruled by a dictator at the head of the Communist party-state is not experiencing "ultraliberal politics." It's experiencing totalitarianism. And a presidential candidate supported by the Communist Party, who wants to reverse Chile's market-oriented policies, is unlikely to govern as a liberal.

What a long strange trip it's been for the word liberal. It originally referred to generosity or to the "liberal arts" that were appropriate for free men in the era of serfdom. Daniel Klein of George Mason University finds that Scottish scholars such as Adam Smith and William Robertson began using it in the 1770s in such terms as "liberal policy," "liberal ideas," and "liberal principles." He also argues that the Scots and the English used the term to refer to our natural rights and liberties, while on the continent of Europe it more often referred to "constitutional reform and political participation."

The first application of the word liberal to a political group may have been in Spain around 1812, when the representatives of the middle class in the Spanish Cortes, or parliament, came to be called the Liberales. They contended with the Serviles (the servile ones), who represented the nobles and the absolute monarchy. The term Serviles, for those who advocate state power over individuals, unfortunately didn't stick. But the word liberal, for the defenders of liberty and the rule of law, spread rapidly. The Whig Party in England came to be called the Liberal Party. Today we know the philosophy of John Locke, Adam Smith, Thomas Jefferson, and John Stuart Mill as liberalism.

That liberalism was, as Britannica defines it, a "political doctrine that takes protecting and enhancing the freedom of the individual to be the central problem of politics." It's a philosophy of individual rights, free markets, and limited, constitutional government.

But around 1900 the term liberal underwent a change. Liberalism came to mean a policy of activist government, theoretically to help the poor and the middle class through progressive taxes, transfer programs, and regulation. The economist Joseph Schumpeter noted, "As a supreme, if unintended, compliment, the enemies of private enterprise have thought it wise to appropriate its label." The old liberalism came to be known as classical liberalism or libertarianism.

Outside the United States, even American journalists understand the traditional meaning of liberal. In 1992 a *Washington Post* story datelined Moscow reported that "liberal economists have criticized the government for failing to move quickly enough with structural reforms and for allowing money-losing state factories to continue churning out goods that nobody needs."

In countries around the world liberty and liberalism are threatened by authoritarian populism on both right and left. And here in the United States the Republican Party is increasingly focused on nationalism, protectionism, and using state power to hurt its enemies, while on the left there are increasingly open socialists and an increasing illiberal attitude toward free speech and dissenting ideas. In that environment, as Andy Craig wrote recently at Libertarianism.org, it makes sense for libertarians to recognize our connections with our "cousins" in the liberal family who "share a commitment to certain fundamental rights—personal, procedural, and political guarantees—which are above and beyond the give and take of more mundane policy agendas." That might include Buckley-Reagan conservatives, free-speech liberals, and all the people who are fiscally conservative and socially tolerant, who appreciate the benefits of capitalism as well as the benefits of openness and diversity.

"Liberals against illiberalism," that's the ticket.

BY DAVID BOAZ

EDITORIAL

Individualism, Community, and Coercion

> The real conflict is between voluntary and coercive actions.

Do libertarians exalt individualism over community values? And is there really a conflict between the two?

The real conflict is between voluntary and coercive actions, and that may be what the critics really mean.

In the *Washington Post* in June, E. J. Dionne Jr. wrote that Hillary Clinton's "communal side (she wrote a book, after all, called 'It Takes a Village') runs through all her policy proposals, the values she lifts up ('all of us together' in 2008, 'stronger together' now) and her attitude toward her friends."

Clinton may well be a wonderful friend. But her policy proposals and values are not so much communal ("shared by all members of a community") as coercive. From education to manufacturing to substance addiction, her voluminous policy proposals involve taxes, spending, bans, and mandates. That's not "all of us together," that's "those with political power gang up on those without." Indeed, you can pretty well count on it: if it's coercive, it's not actually a value common to all.

And that's what claims about "cooperation," "community," and "society" usually come down to. Individualism is disparaged as selfish, even "atomistic," and opposed to community. Individualists are accused of forgetting the social context of modern life—"you didn't build that," President Obama said, along with "imagine if everybody had their own fire service. That would be a hard way to organize fighting fires." No kidding. That's why no individualist advocates that. No one thinks a single person could "build the roads and networks and research labs that will bring new jobs." It takes many people, working together. But in most cases it takes *businesses, coordinated by prices and markets*, to meet our needs and generate progress (and in some cases charities, clubs, and other nonprofit associations). We are fed, clothed, sheltered, informed, and entertained by individuals, working together with other individuals, mostly in corporations, with their activities coordinated by the market process. Obama offers a stark vision of a world in which lone individuals have no way to cooperate with others except through the state.

Individuals benefit greatly from their interactions with other individuals, a point usually summed up by traditional philosophers as "cooperation" and by modern texts in sociology and management as "synergy." Life would indeed be nasty, brutish, and short if it were solitary. But it isn't.

Libertarians agree with George Soros that "cooperation is as much a part of the system as competition." In fact, we consider cooperation so essential to human flourishing that we don't just want to talk about it; we want to create social institutions that make it possible. That's what property rights, limited government, and the rule of law are all about.

F. A. Hayek argued that we sometimes confuse the rules appropriate for a family or small group and those that make possible life in an extended society. As Don Boudreaux wrote in *The Essential Hayek*, "the close personal connections, the on-going face-to-face communications, and the mutual affections that bind together members of families and other small groups give each member of these small groups such deep knowledge of the other members" that they can deal with one another personally.

In contrast, in the larger society, where we interact with strangers and even with people we will never meet, we need general rules to allow us to live together peacefully. Kindergarten rules like "don't hit other people, don't take their stuff, and keep your promises." More formally known as rights of property and contract. Within that simple framework we can create, innovate, trade, and build. And every tax, mandate, and prohibition interferes with our ability to cooperate with others to construct our own lives as we—not our rulers—see fit. That's the problem with appeals to community and communal values that turn out in practice to mean coercive policies and in the end a political battle to impose our own agendas on others and take other people's resources for our own use. The end point of that process is Venezuela.

Fortunately our Constitution and the good sense of the American people have kept us from reaching such a point. So far.

BY DAVID BOAZ

EDITORIAL

Brutish Markets or Brutish Government?

> "Real capitalism—free markets and the rule of law—is the least 'brutal' political and economic system imaginable."

The morning after Christmas, a *Washington Post* article referred to "the brute market forces of unbridled capitalism."

It's an all-too-common theme. And it's particularly annoying because real capitalism—free markets and the rule of law—is the least "brutal" political and economic system imaginable. Indeed, it's the one system that *doesn't* rely on brute force.

In his new biography of Margaret Thatcher, Charles Moore reports that she told Mikhail Gorbachev that communism was "synonymous with getting one's way by violence." Ouch. But absolutely true.

What's obviously true of communism, fascism, national socialism, theocracy, military dictatorship, and other authoritarian or totalitarian regimes is also true—though less obviously—in social-democratic and mixed-economy systems.

Every law that requires people to act in ways they wouldn't choose requires enforcement, which means the potential of punishment. Consider alcohol or drug prohibition. The government orders citizens not to use a particular substance. If they do, they will be arrested, fined, possibly jailed—or even killed in a SWAT raid or other police encounter. People have been jailed for smuggling—that is, selling to willing customers—tobacco and orchids. Two days after Christmas, in yet another article in the *Washington Post*, a Harvard professor complained that "we haven't tried everything [to discourage obesity]. In the United States, we consistently stop short of our most powerful policy instruments: taxes and regulations." The professor wants to use force to stop people from *eating* more than he thinks they should.

Marvin and Laura Horne of Kerman, California, didn't want to give nearly half their raisins to the government-created Raisin Administrative Committee. The committee sent trucks to the Hornes' farm to collect the raisins, but the Hornes refused to let the trucks on their property. They sold their raisins and were fined $680,000. They sued the government. After a decade in court, the Supreme Court ruled in their favor. But suppose they had just sold the raisins and refused to pay the fine. The government would have escalated; it would have confiscated the Hornes' bank accounts and maybe returned to the farm with armed agents. It would likely, as Thatcher said of communism, have insisted on "getting [its] way by violence."

Or take the lifeblood of our current government, taxation. Does anyone believe that Americans would hand over so much of their income to the federal government if not for the ultimate threat of imprisonment and violence?

Using violence or the threat of violence to get your way is brute force. It's the opposite of markets, which are based on consent. In a free market, to get money from someone else you have to offer them something they value. In a fully libertarian society, government would use force only against those who had themselves used force first—to prevent or punish theft, assault, and other crimes.

Part of the problem may be that the *Post* author thinks that "unbridled capitalism" is what we have in the United States today. In fact, our form of capitalism is rife with privilege and barriers. Wall Street bailouts, taxi cartels, raisin cartels, trade protectionism, high tax rates with complicated loopholes, ethanol mandates, central-bank inflation, occupational licensing, corporate subsidies—all these policies tend to redistribute income upward and thus exacerbate inequality. Those are some brutal policies that defenders and critics of capitalism should unite to reform.

It may well be that the word "capitalism" is the problem. That word, coined by Karl Marx, implies that the system is run by and for capitalists. I wrote in *The Libertarian Mind*, "The right term for the advocates of civil society and free markets is arguably *socialist*." We support a system that favors society, not the state.

The full sentence in that article was, "Mormonism's communitarian past and welfare system in the present should rebuke the brute market forces of unbridled capitalism." But there would be plenty of community, mutual aid, and charity in a free market society (as indeed there is in our mixed-economy society).

And of course, even our very imperfect market system of the past 200 years has done more good for the poor and the middle class than any other system in history did or does today. Free-ish markets in so-called capitalist countries have given us, in the words of Deirdre McCloskey, "a rise in real wages 1800 to the present [of] 2,900 or 9,900 percent." Markets have brought us from a society characterized by backbreaking labor, bare subsistence, and an average life expectancy of 25 years to today's truly amazing level of abundance, health, and technology.

Markets have given us longer, healthier, and more comfortable lives. Perhaps even more importantly, free-market libertarianism is the only political system that renounces the use and threat of violence. Brute market forces, indeed.

BY DAVID BOAZ

> "Libertarianism is the idea that adult individuals have the right and the responsibility to make the important decisions about their lives."

Editorial

Top 10 Ways to Talk about Libertarianism

I give a lot of speeches and interviews about libertarianism. Often I have to begin simply by explaining what libertarianism is. Always I'm looking for effective ways to convey the essential libertarian ideas. So today I'm just setting out very briefly my Top 10 Ways to Talk about Libertarianism.

10. When I talk in the broadest terms about Americans who hold libertarian views, I often use the popular journalistic phrase "fiscally conservative and socially liberal"—as in my new ebook with David Kirby and Emily Ekins, *The Libertarian Vote: Swing Voters, Tea Parties, and the Fiscally Conservative, Socially Liberal Center*.

9. I'm also partial to Adam Smith's lovely phrase, "the simple system of natural liberty." Set up a few simple rules, protect people's rights, and liberty is what happens naturally.

8. The most eloquent piece of libertarian writing in history is Thomas Jefferson's Declaration of Independence, and "life, liberty, and the pursuit of happiness" is a great statement of the libertarian vision.

7. I like this rarely quoted line from Ayn Rand:

> If men of good will wish to come together for the purpose of upholding reason and establishing a rational society, they should begin by following the example of the cowboys in Western movies when the sheriff tells them at the door to a conference room: "Gentlemen, leave your guns outside."

Exactly. Civilized people rely on persuasion, not force.

6. Sometimes I organize a speech around three key ideas of libertarianism:

> Spontaneous order: the understanding that most of the order in society, from language and law to the economy, happens naturally, without a central plan;
> Natural rights: the rights to life, liberty, and property that we have inherently, not as a gift from government; and
> Limited government: the political system that protects our rights without infringing on our freedom.

5. At Tom Palmer's urging, I created a speech, or at least a speech opening, around the theme that "Libertarianism is the application of science and reason to the study of politics and public policy." That is, libertarians deal in reality, not magic. We know that government doesn't have magical powers to ignore the laws of economics and human nature.

4. Inspired by Robert Fulghum's bestseller *All I Really Need to Know I Learned in Kindergarten*, I like to tell people that you learn the essence of libertarianism—which is also the essence of civilization—in kindergarten:

> Don't hit other people.
> Don't take their stuff.
> Keep your promises.

3. Another pithy explanation I like came from a high-school libertarian newsletter some 20 years ago:

Smokey the Bear's rules for fire safety also apply to government—keep it small, keep it in a confined area, and keep an eye on it.

2. In *Libertarianism: A Primer*, I described the fundamental libertarian principle this way:

> The corollary of the libertarian principle that "Every person has the right to live his life as he chooses, so long as he does not interfere with the equal rights of others" is this:
> *No one has the right to initiate aggression against the person or property of anyone else.*

This "non-aggression axiom" is perhaps most associated with Ayn Rand and Murray Rothbard, but its roots go back to Spencer, Mill, Locke, Pufendorf, and even Epicurus.

1. And finally, the number 1 way to talk about libertarianism—or at least a sentence I found effective when I was talking about *Libertarianism: A Primer* on talk shows: "Libertarianism is the idea that adult individuals have the right and the responsibility to make the important decisions about their lives." Every word is important there: We're talking about individuals. We're talking about adults; the question of children's rights is far more complex. Responsibility is just as important as rights.

Of course, today government claims the power to make many of those decisions for us, from where to send our kids to school to what we can smoke to how we must save for retirement. And that is why it's important for us to promote the ideas of liberty and to do so as effectively as we can.

BY DAVID BOAZ

Editorial

The Joys of Freedom

> "When libertarians defend limited government, we are defending freedom and the progress it brings."

A colleague tells me that we're too negative here at the Cato Institute; we spend too much time talking about the depredations of government rather than the benefits of freedom, even *The Joy of Freedom*, as David Henderson put it.

That's probably true of my own book *The Politics of Freedom*. So to start the new year, I want to talk about freedom, not politics.

Sometimes libertarians and our critics, arguing over what kind of rules are needed to ensure social harmony, forget just how much of our life is in fact free. We make thousands of choices every day, engage in thousands of interactions with others, without any coercion. That's a powerful demonstration of the central place of freedom in our lives, and the ability of people to create peace and order without central direction.

It's not easy to define freedom. Leonard Read said, "Freedom is the absence of man-concocted restraints against the release of creative energy." Hayek referred to "a state in which each can use his knowledge for his purposes." Tom G. Palmer is partial to this description from John Locke:

> [T]he end of Law is not to abolish or restrain, but to preserve and enlarge Freedom: For in all the states of created beings capable of Laws, where there is no Law, there is no Freedom. For Liberty is to be free from restraint and violence from others which cannot be, where there is no Law: But Freedom is not, as we are told, A Liberty for every Man to do what he lists: (For who could be free, when every other Man's Humour might domineer over him?) But a Liberty to dispose, and order, as he lists, his Persons, Actions, Possessions, and his whole Property, within the Allowance of those Laws under which he is; and therein not to be subject to the arbitrary Will of another, but freely follow his own. (*Second Treatise on Government*, sec. 57; discussed in Palmer, *Realizing Freedom*.)

That is, a free person is not "subject to the arbitrary will of another" and is free to do as he chooses with his own person and property. But you can only have those freedoms when the law protects your freedom and everyone else's.

However we define freedom, we can certainly recognize aspects of it. Freedom means respecting the moral autonomy of each person, seeing each person as the owner of his or her own life, and each free to make the important decisions about his life.

Freedom gives meaning to our lives; indeed, it allows us to define our own meaning, to define what's important to us. Justice Antonin Scalia mocked his colleague Anthony Kennedy for writing, "At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe and the mystery of human life." But surely (whatever its relevance to constitutional jurisprudence) that is a part of freedom.

And thus each of us should be free to think, to speak, to write, to create, to marry, to eat and drink and smoke, to start and run a business, to associate with others as we choose. Freedom is the foundation of our ability to construct our lives as we see fit.

The social consequences of freedom are equally desirable. Freedom leads to social harmony. We have less conflict when we have fewer specific rules about how we should live—in terms of class or caste, religion, dress, lifestyle, or schools.

Economic freedom means that people are free to produce and to exchange with others. Freely negotiated and agreed-upon prices carry information throughout the economy about what people want and what can be done more efficiently. As Henry Hazlitt put it, for an economic order to function, prices must be free to tell the truth. A free economy gives people incentives to invent, innovate, and produce more goods and services for the whole society. That means more satisfaction of more wants, a higher standard of living for everyone, and more economic growth.

And that process has taken us in barely 250 years of economic freedom from the back-breaking labor and short life expectancy that were the natural lot of mankind since time immemorial to the abundance we see around us today in more and more parts of the world (though not yet enough of the world).

The country singer Brad Paisley's video, "Welcome to the Future," captures a lot of this. It's an ode to commerce, technology, achievement, social change, and cultural diversity. (The video makes that clearer than the song itself. And also check out his "American Saturday Night," a celebration of trade and immigration.)

Ancient man was just as smart as we are. So what's changed? Freedom. A political system of liberty gives us the opportunity to use our talents and to cooperate with others to create and produce, with the help of a few simple institutions that protect our rights. And those simple institutions—property rights, the rule of law, a prohibition on the initiation of force—make possible invention, innovation, and progress in commerce, technology, and styles of living. When libertarians defend limited government, we are defending freedom and the progress it brings.

BY DAVID BOAZ

Editorial

Are You Now or Have You Ever Been a Libertarian?

> "Libertarians believe in the centrality of law. As John Locke so memorably put it, 'Where there is no Law, there is no Freedom.'"

We've grown accustomed to the cartoonish misrepresentation of the idea of individual liberty. E. J. Dionne Jr. of the *Washington Post,* for instance, has written that modern libertarians believe that "individuals come into the world as fully formed adults who should be held responsible for their actions from the moment of their birth." Columnist Charles Krauthammer wrote that the libertarian vision (except for Charles Murray's) is of "a race of rugged individualists each living in a mountaintop cabin with a barbed wire fence and a 'No Trespassing' sign outside." And then there's former Bush speechwriter Michael Gerson, who thinks that the "virtual world" Second Life (a computer game to us older folks) is "a large-scale experiment in libertarianism." And that libertarian world "is highly sexualized," with "frequent outbreaks of terrorism . . . strip malls everywhere, pushing a relentless consumerism, [and] . . . an inordinate number of vampires."

It's not only avowed critics of libertarianism who mischaracterize our ideas, but even some friends who offer a subtler critique. They are people who give an overly radical definition of libertarianism so that they can present themselves as the reasonable advocates of limited government, not the crazy libertarians.

I'll start with the followers of Ayn Rand, or Objectivists. Rand condemned libertarians as "hippies of the right," who lacked a sound philosophical foundation for their defense of capitalism and individual rights. But anyone who believes in individual rights, free enterprise, and strictly limited government—as Objectivists do—is a libertarian.

Another example is Mickey Edwards, a former congressman and former chairman of the American Conservative Union. In his new book *Reclaiming Conservatism,* Edwards explains that he sees "conservatism" as a philosophy of liberty, the dignity of the individual, and limited government. He then writes: "I am not a libertarian in the purist sense. I believe there are important roles for government, but like many conservatives I believe in a government constrained by certain fundamental and overarching principles, and in a framework that holds those principles in place: the diffusion and balancing of governmental powers and an unassailable system to protect the individual liberties of the American people."

Similarly, the historian Matthew Dallek writes that Sen. Barry Goldwater, a hero to many libertarians and small-government conservatives, "was no strict libertarian. Appealing to those on the right who longed to recapture lost certitudes, he argued that the state had a duty to maintain order and promote virtue. 'Politics,' Goldwater wrote, is 'the art of achieving the maximum amount of freedom for individuals that is consistent with the maintenance of social order.' "

Goldwater may not have been a strict libertarian. But that quotation from *The Conscience of a Conservative* certainly doesn't disprove the claim. Seeking to achieve "the maximum amount of freedom for individuals that is consistent with the maintenance of social order" is a core concern of a libertarian.

And I'll bet that Mickey Edwards knows that most libertarians believe in a government constrained by a constitutional framework based on fundamental principles including the diffusion of power.

Through such "triangulation," positioning himself between the extremes of anarchy and overweening government, a writer can place himself in the sensible center, always a good and reasonable place to be.

But libertarians believe in the centrality of law. As John Locke so memorably put it, "Where there is no Law, there is no Freedom." It just isn't accurate to say that you're not a libertarian because you believe in liberty under law.

Libertarianism is the view that each person has the right to live his life in any way he chooses so long as he respects the equal rights of others. Libertarians defend each person's right to life, liberty, and property—rights that people have naturally, not as gifts from government. In the libertarian view, human relationships should be voluntary; the only actions that should be forbidden by law are those that involve the initiation of force against those who have not themselves used force—actions such as murder, rape, robbery, kidnapping, and fraud. Legitimate governments act to protect us from others and do not themselves violate rights.

Libertarians believe in the presumption of liberty. In contemporary politics, they want to make government a lot smaller in order to expand the scope of human liberty.

We need to continue to work to correct the mischaracterizations of libertarianism presented by critics such as Dionne, Krauthammer, and Gerson. But it would also be useful if there were some agreement on terms, that a libertarian is someone who believes in liberty, not in chaos; in the rule of law, not in lawlessness; and in a voluntary social order, not in anomie and isolation. Libertarianism is the heart and soul of the modern world. There's no reason to run away from it.

BY DAVID BOAZ

Editorial

Are We Freer?

> "When you combine liberty, wealth, and social openness, we have more choices and options than any people in history."

In the 1980s, before he was appointed to the Supreme Court, Clarence Thomas spoke at the Cato Institute. He read from Cato's standard description of itself the line, "Since [the American] revolution, civil and economic liberties have been eroded." It didn't seem that way to black Americans, he noted. Duly chastened, we changed it.

But it's still a common theme among libertarians: we're losing our freedom, year after year. We quote Thomas Jefferson: "The natural progress of things is for liberty to yield and government to gain ground." We read books with titles like *Freedom in Chains, Lost Rights, The Rise of Federal Control over the Lives of Ordinary Americans,* and *The Road to Serfdom.*

But is it true? Are we less free? Less free than when?

I think libertarians often find it difficult to rouse most Americans with dire warnings about the state of freedom. Most Americans don't feel unfree. Maybe that's because they're "sheeple," or maybe it's because we really aren't losing our freedom.

One of the problems with discussing whether Americans are more or less free is some confusion over the meaning of "freedom." There are three things that at least feel like freedom: wealth, which gives us options; openness, which also gives more people more options; and political liberty.

First, let's consider the effects of widespread wealth. Air travel is so cheap today that young Cato staffers fly off to Iceland to attend a rock concert. That feels like a kind of freedom, a choice barely open to me 30 years ago and unimaginable to my parents. Wealth allows us to choose where to live. It gives us more freedom to choose careers, or to opt out of the career rat-race and still have a decent standard of living. We are less constrained by the necessity of eking out a living.

Wealth gives us cars, computers, iPods, cellphones, knowledge beyond belief organized and accessible at Google.com, and other really cool stuff. It gives us far more options for how to spend our leisure time; indeed, a downside of affluence may be that it gives us so many options that we feel overstressed, conscious of all the interesting things we don't have time to do.

Wealth is not liberty (though it is a product of political and economic liberty). But having ever more abundant resources feels a lot like freedom.

Second, we live in a more open society. Liberalism has always campaigned for a society of merit, not of status. That meant in the first place the dismantling of the privileges of nobility and aristocracy. Over the centuries it has also meant extending liberty and equality to people of other races and creeds, to women, to Jews, to gays and lesbians. Sometimes that involves dismantling actual legal barriers, and sometimes it means only a falling away of social prejudices and codes. For the most part laws didn't keep women and Jews out of colleges and careers in the 1950s; deep-seated social customs did. Sodomy laws imposed real legal penalties on gays, but the closet door was kept firmly shut more by social pressures and the fear of losing jobs, friends, and families.

Even if we're seeing mostly the decline of social restrictions, it's hard to tell blacks, women, Jews, and gays that they're less free in modern America than they were at some earlier point.

Finally, let's look at actual political and economic liberty. It's easy to point to the ways that government has grown and liberty has yielded: soaring federal and state spending; a shift to federal and presidential power; the growth of surveillance and databases; intrusive regulations on hiring and firing, on eating and drinking and smoking; expanding entitlements; and all the threats to civil liberties in the post-9/11 era (which just might, if not reined in by the courts and political reaction, make my optimism outdated). The list could go on endlessly, and that's what causes lots of libertarians to deplore "the road to serfdom" and our "lost rights."

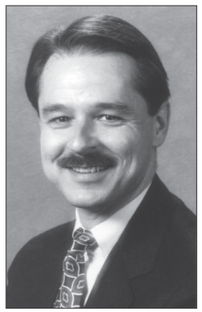
But that list doesn't tell the whole story. In so many ways we are freer today than we were at various points in the past. Depending on just when you think was the golden age of liberty, I could counter by reminding you of oriental despotism, slavery, the Dark Ages, absolute monarchy, rigid class privilege, and so on. In the 20th century, fascism, communism, and national socialism. And even in our own country in my lifetime, we lived with military conscription, 90 percent income tax rates, wage and price controls, restricted entry to transportation and communications, indecency laws, and Jim Crow.

I think that, on balance, Americans today are more free than any people in history. And certainly when you combine liberty, wealth, and social openness, we have more choices and options than any people in history. So take a moment to reflect on our history, have a glass of wine, and celebrate what we've achieved after centuries and millennia of hard work and political struggle.

And then, refreshed and rejuvenated, return to the struggle. There never was a golden age of liberty, and there never will be. People who value freedom will always have to defend it from those who claim the right to wield power over others. Foreign and domestic, right and left, there are still plenty of people seeking to take our liberty, to force us into collectivist schemes, to promise us security or handouts in return for our freedom, or to impose their agendas on the rest of us. But slowly, over time, with high points and low points, freedom is winning.

Editorial

Are Libertarians Anti-Government?



For the past several years, especially since the Oklahoma City bombing, the national media have focused a lot of attention on "anti-government" extremists. Libertarians, who are critical of a great deal that government does, have unfortunately but perhaps understandably been tossed into the "anti-government" camp by many journalists.

There are two problems with this identification. The first and most obvious is that many of the so-called anti-government groups are racist or violent or both, and being identified with them verges on libel.

The second and ultimately more important problem is that libertarians are not, in any serious sense, "anti-government." It's understandable that journalists might refer to people who often criticize both incumbent officeholders and government programs as "anti-government," but the term is misleading.

A government is a set of institutions through which we adjudicate our disputes, defend our rights, and provide for certain common needs. It derives its authority, at some level and in some way, from the consent of the governed.

Libertarians want people to be able to live peacefully together in civil society. Cooperation is better than coercion. Peaceful coexistence and voluntary cooperation require an institution to protect us from outside threats, deter or punish criminals, and settle the disputes that will inevitably arise among neighbors—a government, in short. Thus, to criticize a wide range of the activities undertaken by federal and state governments—from Social Security to drug prohibition to out-of-control taxation—is not to be "anti-government." It is simply to insist that what we want is a limited government that attends to its necessary and proper functions.

> **"The challenge is to keep government constrained and limited so that individuals can prosper and solve problems in a free and civil society."**

But if libertarians are not "anti-government," then how do we describe the kind of government that libertarians support? One formulation found in the media is that "libertarians support weak government." That has a certain appeal. But consider a prominent case of "weak government." Numerous reports have told us recently about the weakness of the Russian government. Not only does it have trouble raising taxes and paying its still numerous employees, it has trouble deterring or punishing criminals. It is in fact too weak to carry out its legitimate functions. The Russian government is a failure on two counts: it is massive, clumsy, overextended, and virtually unconstrained in scope, yet too weak to perform its essential job. (Residents of many American cities may find that description a bit too close for comfort.)

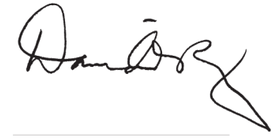
Not "weak government," then. How about "small government"? Lots of people, including many libertarians, like that phrase to describe libertarian views. And it has a certain plausibility. We rail against "big government," so we must prefer small government, or "less government." Of course, we wouldn't want a government too small to deter military threats or apprehend criminals. And *Washington Post* columnist E. J. Dionne, Jr., offers us this comparison: "a dictatorship in which the government provides no social security, health, welfare or pension programs of any kind" and "levies relatively low taxes that go almost entirely toward the support of large military and secret police forces that regularly kill or jail people for their political or religious views" or "a democracy with open elections and full freedom of speech and religion [which] levies higher taxes than the dictatorship to support an extensive welfare state."

"The first country might technically have a 'smaller government,'" Dionne writes, "but it undoubtedly is *not* a free society. The second country would have a 'bigger government,' but it *is* indeed a free society."

Now there are several problems with this comparison, not least Dionne's apparent view that high taxes don't limit the freedom of those forced to pay them. But our concern here is the term "smaller government." Measured as a percentage of GDP or by the number of employees, the second government may well be larger than the first. Measured by its power and control over individuals and society, however, the first government is doubtless larger. Thus, as long as the term is properly understood, it's reasonable for libertarians to endorse "smaller government." But Dionne's criticism should remind us that the term may not be well understood.

So if we're not anti-government, and not really for weak or small government, how should we describe the libertarian position? To answer that question, we need to go back to the Declaration of Independence and the Constitution. Libertarians generally support a government formed by the consent of the governed and designed to achieve certain limited purposes. Both the form of government and the limits on its powers should be specified in a constitution, and the challenge in any society is to keep government constrained and limited so that individuals can prosper and solve problems in a free and civil society.

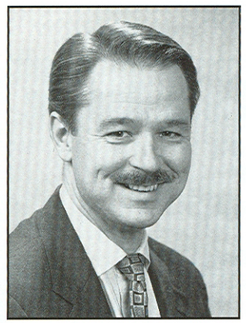
Thus libertarians are not "anti-government." Libertarians support limited, constitutional government—limited not just in size but, of far greater importance, in the scope of its powers.



—David Boaz

Rights and Responsibilities

Editorial



A journalist asked me recently what I thought of a proposal of self-styled communitarians to "suspend for a while the minting of new rights." How many ways, I thought, does that get it wrong? Communitarians seem to see rights as little boxes; when you have too many, the room gets full. In my view, we have only one right—or an infinite number. The one fundamental human right is the right to live your life as you choose so long as you don't infringe on the equal rights of others.

But that one right has infinite implications. As James Wilson, a signer of the Constitution, said in response to a proposal that a bill of rights be added to the Constitution: "Enumerate all the rights of man! I am sure, sirs, that no gentleman in the late Convention would have attempted such a thing." After all, a person has a right to wear a hat—or not; to marry, or not; to grow beans, or apples; or to open a haberdashery. It is impossible to enumerate a priori all the rights we have; we usually go to the trouble of identifying them only when someone proposes to limit one or another. Treating rights as tangible claims that must be limited in number gets the whole concept wrong.

Every right carries with it a correlative responsibility. My right to speak freely implies your responsibility not to censor me. Your right to private property implies my responsibility not to steal it, or to force you to use it in the way I demand. In short, the protection of my rights entails my respecting the rights of others. So why do I feel uncomfortable when I hear communitarians talk about "rights and responsibilities"? The problem is that there are three senses of the term "responsibility," which are frequently confused.

First, there are the responsibilities noted above, the obligations that correlate with other people's rights.

Second, there are the "responsibilities" that some would insist that we assume as a prerequisite to exercising our rights. This sense, frequently found in communitarian writings, echoes the *ancien régime* approach, the notion of rights as privileges that we retain only so long as we use them responsibly. That idea degrades the American tradition of individualism. It implies that we have our rights only so long as someone—the government, in practice—approves of the way we use them. In fact, as the Declaration of Independence tells us, humans have rights before they enter into governments, which are created for the very purpose of *protecting* those rights.

Conservatives as well as communitarians sometimes fall into that way of thinking. Our friend Stuart Butler of the Heritage Foundation defends government-mandated health insurance on the ground that "freedom also implies responsibility." But if the government can *require* us to act in the way it deems responsible by buying health insurance, what kind of freedom do we have?

People rarely try to take our rights when they think we are using them responsibly. No one tries to censor popular, mainstream speech; it is obscene or radical speech that is frequently threatened. We must defend even the irresponsible use of rights *because* they're rights and not privileges. Governments never begin by taking away the rights of average citizens and taxpayers. But by establishing legal precedents through attacks on the rights of despised groups, governments lay the groundwork for the narrowing of everyone's rights.

Third, there are the moral responsibilities that we have outside the realm of rights. It is frequently charged—famously by communitarian philosopher Mary Ann Glendon—that "the language of rights is morally incomplete." Of course it is; rights pertain only to a certain domain of morality, a narrow domain in fact, not to all of morality. Rights establish certain minimal standards for our treatment of each other: we must not kill, rape, rob, or otherwise initiate force against each other. That leaves a great many options to be dealt with by other theories of morality. But that fact doesn't mean that the idea of rights is invalid or incomplete *in the domain where it applies;* it just means that most of the decisions we make every day involve choices that are only broadly circumscribed by the obligation to respect each other's rights.

Libertarians are often charged with ignoring or even rejecting moral responsibilities. There may be some truth to the first charge. Libertarians obviously spend most of their time defending liberty and thus criticizing government. They leave it to others to explore moral obligations and exhort people to assume them. Why is that? I see two reasons. First, there is the question of specialization. We do not demand of the AIDS researcher, Why aren't you searching for a cure for cancer as well? With government as big as it is, libertarians find the task of limiting its size thoroughly time-consuming. Second, libertarians have noticed that too many nonlibertarians want to legally enforce every moral virtue. As Bill Niskanen puts it, welfare-state liberals fail to distinguish between a virtue and a requirement, while contemporary conservatives fail to distinguish between a sin and a crime. (The unique contribution of communitarians to the current debate may be that they make both of those grievous errors.)

When libertarians omit moral values from their social analysis, however, they are ignoring the lessons taught by all their intellectual mentors. Adam Smith wrote *The Theory of Moral Sentiments.* F. A. Hayek stressed the importance of morals and tradition. Ayn Rand set out a fairly strict code of personal ethics. Thomas Szasz's work challenges the reductionists and behaviorists with a commitment to the old ideas of good and bad, right and wrong, and responsibility for one's choices. Charles Murray emphasizes the value and indeed the necessity of community and responsibility. Libertarians should do more to make clear the role of moral responsibility in their philosophy. However, they will rightly continue to emphasize that government can undermine the values necessary for a free society—honesty, self-reliance, reason, thrift, education, tolerance, discipline, property, contract, and family—but it cannot instill them.

David Boaz

—David Boaz

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Cato Policy Report

MAY/JUNE 2023. VOL. XLV NO. 3

What Does "Liberal" Mean, Anyway?

BY DAVID BOAZ

The United States is a liberal country in a liberal world. What does that mean? Let's consider a little history.

For thousands of years, most of recorded history, the world was characterized by power, privilege, and oppression. Life for most people was, in the phrase of Thomas Hobbes, poor, nasty, brutish, and short.

And then something changed. In the 17th century, the Scientific Revolution emerged out of a new, more empirical way of doing science. And that led into the Enlightenment beginning late that century. In his book *Enlightenment Now*, Steven Pinker identifies four themes of the Enlightenment: reason, science, humanism, and progress.

Liberalism arose in that environment. People began to question the role of the state and the established church. They argued for liberty for all based on the equal natural rights and dignity of every person. John Locke, often regarded as the father of liberalism, argued in his *Second Treatise of Government* that every person has a property in his own person and in "the work of his hands"; that government is formed to protect life, liberty, and property and is based on the consent of the governed; and that if government exceeds its proper role, the people are entitled to replace it.

As the economist and intellectual historian Daniel Klein has shown, in the 1770s writers began using such terms as "liberal policy," "liberal plan," "liberal system," "liberal views," "liberal ideas," and "liberal principles." Adam Smith was another founding figure of liberalism. In his 1776 book *The Wealth of Nations*, he wrote about "allowing every man to pursue

DAVID BOAZ is a distinguished senior fellow of the Cato Institute and the author of *The Libertarian Mind*. This article is based on a speech delivered at the Berkeley Forum at the University of California, Berkeley.

In March, JOHAN NORBERG spoke about innovation and openness for a live audience of 2,500 at the Festival de las Ideas in Puebla, Mexico.

his own interest his own way, upon the liberal plan of equality, liberty, and justice." The term "liberalism" came along about a generation later.

The year 1776, of course, also saw the publication of the most eloquent piece of liberal or libertarian writing ever, the American Declaration of Independence, which concisely laid out Locke's analysis of the purpose and limits of government.

Liberalism was emerging in continental Europe, too, in the writings of Montesquieu and Constant in France, Wilhelm von Humboldt in Germany, and others. In the 1820s the representatives of the middle class in the Spanish Cortes, or parliament, came to be called the *Liberales*. They contended with the *Serviles* (the servile ones), who represented the nobles and the absolute monarchy. The term *Serviles*, for those who advocate state power over individuals, unfortunately didn't stick. But the word "liberal," for the defenders of liberty and the rule of law, spread rapidly. The Whig Party in England came to be called the Liberal Party. Today we know the philosophy of John Locke, Adam Smith, the American Founders, and John Stuart Mill as liberalism.

THE LIBERAL 19TH CENTURY

In both the United States and Europe the century after the American Revolution was marked by the spread of liberalism. The ancient practices of slavery and serfdom were ended. Written constitutions and bills of rights protected liberty and guaranteed the rule of law. Guilds and monopolies were largely eliminated, with all trades thrown open to competition based on merit. Freedom of the press and of religion was greatly expanded, property rights were made more secure, and international trade was freed. After the defeat of Napoleon, Europe enjoyed a century of relative peace.

> "Liberals argued for liberty for all based on the equal natural rights and dignity of every person."

That liberation of human creativity unleashed astounding scientific and material progress. *The Nation* magazine, which was then a truly liberal journal, looking back in 1900, wrote, "Freed from the vexatious meddling of governments, men devoted themselves to their natural task, the bettering of their condition, with the wonderful results which surround us." The technological advances of the liberal 19th century are innumerable: the steam engine, the railroad, the telegraph, the telephone, electricity, the internal combustion engine. Thanks to such innovations and an explosion of entrepreneurship, in Europe and America the great masses of people began to be liberated from the back-breaking toil that had been the natural condition of humankind since time immemorial. Infant mortality fell and life expectancy began to rise to unprecedented levels. A person looking back from 1800 would see a world that for most people had changed little in thousands of years; by 1900 the world was unrecognizable.

THE TURN AWAY FROM LIBERALISM

Toward the end of the 19th century, classical liberalism began to give way to new forms of collectivism and state power. That *Nation* editorial went on to lament that "material comfort has blinded the eyes of the present generation to the cause which made it possible" and that "before [statism] is again repudiated there must be international struggles on a terrific scale."

From the disastrous World War I on, governments grew in size, scope, and power. Exorbitant taxation, militarism, conscription, censorship, nationalization, and central planning signaled that the era of liberalism, which had so recently supplanted the old order, was now itself supplanted by the era of the megastate.

Through the Progressive Era, World War I, the New Deal, and World War II, there was tremendous enthusiasm for bigger government among American intellectuals. Herbert Croly, the first editor of the *New Republic*, wrote in *The Promise of American Life* that that promise would be fulfilled "not by . . . economic freedom, but by a certain measure of discipline; not by the abundant satisfaction of individual desires, but by a large measure of individual subordination and self-denial."

Around 1900 even the term "liberal" underwent a change. People who supported big government and wanted to limit and control the free market started calling themselves liberals. The economist Joseph Schumpeter noted, "As a supreme, if unintended, compliment, the enemies of private enterprise have thought it wise to appropriate its label." Scholars began to refer to the philosophy of individual rights, free markets, and limited government—the philosophy of Locke, Smith, and Mill—as classical liberalism. Some liberals, including F. A. Hayek and Milton Friedman, continued to call themselves liberals. But others came up with a new word, libertarian.

In much of the world even today the advocates of liberty are still called liberals. In South Africa the liberals, such as Helen Suzman, rejected the system of racism and economic privilege known as apartheid in favor of human rights, nonracial policies, and free markets. In China, Russia, and Iran, liberals are those who want to replace totalitarianism in all its aspects with the liberal system of free markets, free speech, and constitutional government. Even in Western Europe, the term liberal still indicates at least a fuzzy version of classical liberalism. German liberals, for instance, usually to be found in the Free Democratic Party, oppose the socialism of the Social Democrats, the corporatism of the Christian Democrats, and the paternalism of both.

For all the growth of government in the past century, liberalism remains the basic operating system of the United States, Europe, and an increasing part of the world. Those countries broadly respect such basic liberal principles as private property, markets, free trade, the rule of law, government by consent of the governed, constitutionalism, free speech, free press, religious freedom, women's rights, gay rights, peace, and a generally free and open society—but not without plenty of arguments, of course, over the scope of government and the rights of individuals, from taxes and the welfare state to drug prohibition and war. But as Brian Doherty wrote in *Radicals for Capitalism*, his history of the libertarian movement, we live in a liberal world that "runs on approximately libertarian principles, with a general belief in property rights and the benefits of liberty."

AMERICA'S LIBERAL HERITAGE

And that is certainly true in the United States. The great American historian Bernard Bailyn wrote:

> The major themes of eighteenth-century [English] radical libertarianism [were] brought to realization here. The first is the belief that power is evil, a necessity perhaps but an evil necessity; that it is infinitely corrupting; and that it must be controlled, limited, restricted in every way compatible with a minimum of civil order. Written constitutions; the separation of powers; bills of rights; limitations on executives, on legislatures, and courts; restrictions on the right to coerce and wage war—all express the profound distrust of power that lies at the ideological heart of the American Revolution and that has remained with us as a permanent legacy ever after.

> "Most Americans are content with both the cultural liberations of the 1960s and the economic liberations begun in the 1980s."

Through all our many political fights, especially after the abolition of slavery, American debate has taken place within a broad liberal consensus.

Modern American politics can be traced to the era of President Franklin D. Roosevelt, when "liberalism" came to mean activist government, theoretically to help the poor and the middle class—taxes, transfer programs, and regulation—plus a growing concern for civil rights and civil liberties. Race relations, which had taken a turn for the worse in the Progressive Era, with Woodrow Wilson's resegregation of the federal workforce, D. W. Griffith's 1915 film *The Birth of a Nation*, and the rise of the second Ku Klux Klan, began to improve after World War II with the desegregation of the armed forces and federal employment and subsequent moves to undo legal segregation. A new opposition arose, a conservative movement led by William F. Buckley Jr., Sen. Barry Goldwater, and President Ronald Reagan. That conservative movement preached a gospel of free markets, a strong national defense, and "traditional values," which often meant opposition to civil rights, women's rights, and LGBTQ rights.

And those were the opposing factions in American politics from the 1960s to 2015. But Donald Trump changed that picture. He didn't really campaign on free markets, traditional values, and a strong national defense. He emphasized his opposition to free trade and immigration, was largely indifferent to abortion and gay rights, and engaged in open racial and religious scapegoating. That was a big shift from the Republican party shaped by Ronald Reagan, but Trump remade the GOP in his image.

Now we have Democrats moving left in all the wrong ways—far more spending than even the Obama administration, openly socialist officials, and aggressive efforts to restrict free speech in the name of fighting "hate speech." Meanwhile, Republicans are moving to the wrong kind of right—a culture war pitting Americans against Americans and a new willingness to use state power to hurt their opponents, including private businesses.

THE LIBERAL OR LIBERTARIAN CENTER

Where does that leave libertarians? Well, right where we've always been: advocating the philosophy of freedom—economic freedom, personal freedom, human rights, political freedom. Or as the Cato Institute maxim puts it, individual rights, free markets, limited government, and peace.

But if liberals and Democrats become more hostile to capitalism and abandon free speech, and Republicans double down on aggressive cultural conservatism and protectionism, maybe there's room for a new political grouping, which we might call the liberal or libertarian center.

Pundits talk a lot about "fiscally conservative and socially liberal" swing voters, and a Zogby poll commissioned by Cato once found that 59 percent of Americans agreed that they would describe themselves that way. Most Americans are content with both the cultural

liberations of the 1960s and the economic liberations begun in the 1980s.

That broadly libertarian center is politically homeless today. If we approach politics and policy reasonably, libertarians can provide a nucleus for that broad center of peaceful and productive people in a society of liberty under law.

THE LIBERTARIAN CHALLENGE

As bleak as things sometimes seem in the United States, there are definitely worse problems in the world. In too much of the world, ideas we thought were dead are back: socialism and protectionism and ethnic nationalism, even "national socialism," authoritarianism on both the left and the right. We see this in Russia and China, of course, but not only there; also in Turkey, Egypt, Hungary, Venezuela, Mexico, the Philippines, maybe India. A far-right candidate—anti-immigration, anti-globalization, anti–free trade, anti-privatization, anti–pension reform—came too close for comfort to the presidency of France.

As Tom G. Palmer wrote in the November/December 2016 issue of *Cato Policy Report*, we can identify three competing threats to liberty: identity politics and the intolerant left; populism and the yearning for strongman rule that invariably accompanies it; and radical political Islamism, which has less political appeal in the West.

> "Libertarians have been fighting ignorance, superstition, privilege, and power for many centuries."

People who oppose these ideas need to develop a defense of liberty, equality, and democracy. Libertarians are well suited to do that.

In 1997, Fareed Zakaria wrote:

> Consider what classical liberalism stood for in the beginning of the nineteenth century. It was against the power of the church and for the power of the market; against the privileges of kings and aristocracies and for dignity of the middle class; against a society dominated by status and land and in favor of one based on markets and merit; opposed to religion and custom and in favor of science and secularism; for national self-determination and against empires; for freedom of speech and against censorship; for free trade and against mercantilism. Above all, it was for the rights of the individual and against the power of the church and the state.

And, he said, it won a sweeping victory against "an order that had dominated human society for two millennia—that of authority, religion, custom, land, and kings."

Libertarians are tempted to be too depressed. We read the morning papers, or watch the cable shows, and we think the world is indeed on "the road to serfdom." But we should reject a counsel of despair. We've been fighting ignorance, superstition, privilege, and power for many centuries. We and our classical liberal forebears have won great victories. The fight is not over, but liberalism remains the only workable operating system for a world of peace, growth, and progress. ■

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May/June 2002 Vol. XXIV No. 3

The Idea That Is Changing the World

by David Boaz

Jimmy Carter. Tip O'Neill. Energy czars. Gas lines. Raging inflation. ABC-NBC-CBS. Mao Tse-tung. The Soviet Union. Apartheid.

It was a different era.

What wasn't so obvious at the time was that it was the end of an era.

In 1977 the Soviet Union seemed a permanent fixture. So did communism in China. Here at home, the Democrats had retaken the White House after Nixon's usurpation. The permanent majority was back in control in Washington. Ninety-one percent of television viewers watched the big three networks. Despite the turmoil of the 1960s and early 1970s, baby boomers thought that communist domination of half the world and Democratic control of Washington were just the natural order of the universe.

Sen. Daniel Patrick Moynihan wrote in 1976, at the time of the American bicentennial:

> Liberal democracy on the American model increasingly tends to the condition of monarchy in the 19th century; a holdover form of government, one which persists in isolated or particular places here and there, and may even serve well enough for special circumstances, but which has simply no relevance to the future. It is where the world was, not where it is going. Increasingly democracy is seen as an arrangement peculiar to a handful of North Atlantic countries.

David Boaz is executive vice president of the Cato Institute. This is excerpted from his introduction to Toward Liberty: The Idea That Is Changing the World, *published by the Cato Institute as part of its 25th anniversary celebration.*

Columnist Tony Blankley, ACLU president Nadine Strossen, and talk-show host Larry Elder were the dinner speakers at Cato's 14th Annual Benefactor Summit at the Royal Palms Hotel in Phoenix.

How wrong he was. Under the surface things were changing. Some of the very weaknesses that led to Moynihan's pessimism—such as the federal government's disastrous triple play of Vietnam, Watergate, and stagflation—had eroded the confidence in government built up by the New Deal, World War II, and the prosperous 1950s. The ideas that Ayn Rand, Milton Friedman, F. A. Hayek, and others had been propounding were taking root. Politicians such as Margaret Thatcher and Ronald Reagan, who had read some of those dissident authors, were planning their challenges to the failing welfare-state consensus.

Even less obvious, Soviet leaders had lost confidence in the Marxist ideology that justified their rule, a fact that would have profound consequences in the coming decade. And in China, Mao had just died, and his old comrade Deng Xiao-ping was maneuvering for power. His victory would have consequences that no one could foresee in 1977.

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news and photos from Cato's 25th anniversary celebration on May 9

"The changes that began with Deng's rise to power in 1977–78 and the first stirrings of Solidarity in Poland in 1980 would transform the world in little more than a decade."

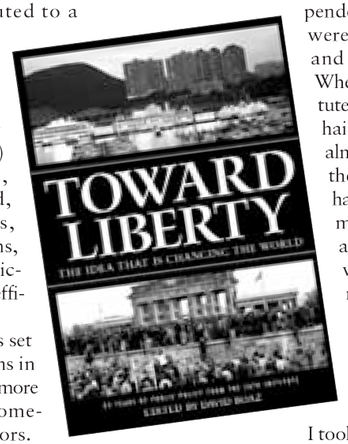
Politics isn't everything, of course. In 1976 Steve Jobs and Steve Wozniak incorporated the Apple Computer Company. Two other young men, Bill Gates and Paul Allen, had created a company to develop software for the new personal computers, and in 1978 Microsoft Corporation's sales topped $1 million. Ted Turner launched the Cable News Network on June 1, 1980.

And the Cato Institute opened its doors in January 1977.

25 Years of Change

Twenty-five years later, the world has changed so much that we may hardly remember what 1977 was like. Reagan and Thatcher moved public policy in the direction of lower taxes, less regulation, and privatization. They did little to challenge the welfare state. But by strengthening the economy and helping more people appreciate the benefits of entrepreneurship and investment, they contributed to a growing demand for reform:

- Economic deregulation (begun under President Carter) made the airline, trucking, railroad, oil, natural gas, telecommunications, and financial-services industries more efficient.
- Tax-rate reductions set off economic booms in both countries, and more people became homeowners and investors.
- Americans came to believe that welfare was trapping millions of people in dependency. What Jonathan Rauch called a "demosclerotic" political system did not change easily, but in 1996 a welfare reform bill was finally passed.
- The Social Security system proved even more impervious to challenge, but by 2001 some 70 percent of Americans told pollsters they approved of privatization.



Abroad, the changes that began with Deng's rise to power in 1977–78 and the first stirrings of Solidarity in Poland in 1980 would transform the world in little more than a decade. The end of communism did not usher in nirvana, of course. Russia remains mired in poverty and corruption, with its commitment to political and economic liberalism still uncertain. But we should remember that our own progress toward freedom took time—more than 500 years from Magna Carta to the U.S. Constitution, 8 years from victory at Yorktown to the inauguration of an elected president, 90 years from the stirring phrases of the Declaration of Independence to the abolition of chattel slavery.

Even so, in some quarters, the pace of development has been astounding. In China, for example, since Deng Xiao-ping allowed farmers to benefit from incentives and to assume more responsibility, agricultural production has soared. State-owned enterprises were given more independence, and Chinese citizens were allowed to set up village and even private enterprises. When I attended the Cato Institute's first conference in Shanghai in 1988, the huge city had almost no tall buildings. From the 16th floor of the Shanghai Hilton, you looked across miles of hovels to the Sheraton in the distance. There were few stores and restaurants in 1988, and they had little to sell. In 1997, when I arrived at 10 o'clock at night for Cato's second conference in China, again at the Shanghai Hilton, I took a stroll around the neighborhood. Even at that late hour, I encountered an enterprising people—there were stores, restaurants, fruit stands, bars, nightclubs, farmers selling produce from their trucks. And the city's skyline, if not yet Manhattan, had certainly blossomed to the scale of Houston. The differences were obvious and dramatic.

Despite economic liberalization, China is far from a free country. The Communist Party still restricts speech and brutally suppresses dissidents. But the history of authoritarian capitalist countries suggests that the status quo can't last; increasing affluence and the habit of making their own decisions will lead people to demand more political rights.

A Resurgence of Liberalism

Yes, things have indeed changed. Today, just 25 years after Moynihan's lament, the conventional wisdom is that the Anglo-American model of democratic capitalism is the only viable model left in the world. We are seeing a revival of true liberalism. In the 18th and 19th centuries, liberalism—the philosophy of individualism, free markets, limited and representative government, peace, and religious toleration—swept through England, the United States, and most of Europe and made inroads in other parts of the world. Liberalism

- abolished the age-old institution of slavery;
- established religious toleration;
- launched the progressive liberation of women, racial and religious minorities, and gays;
- replaced superstition with science;
- toppled monarchs or subordinated them to elected parliaments;
- overturned economic privilege;
- protected property rights for everyone;
- replaced mercantilism with markets; and
- replaced arbitrary power with limited, constitutional government.

The result was an unprecedented and unimaginable increase in living standards. The *Nation* magazine, which was then a truly liberal journal, wrote in 1900, "Freed from the vexatious meddling of governments, men devoted themselves to their natural task, the bettering of their condition, with the wonderful results which surround us." In the preliberal era, economic growth was virtually nonexistent. The economic historian Angus Maddison estimates that there was no growth at all in per capita income in the first millennium and growth of some 0.17 percent in the developed countries in the period 1500–1820.

But from 1820 to 1900 gross domestic product per capita almost tripled in Western Europe and more than tripled in the United States. Life expectancy rose in the developed world (it rose even more in the 20th century). Millennia of backbreaking labor and often-lifelong isolation gave way to the steam engine, the railroad, the telegraph, the telephone, electricity, the internal combustion engine.

"Intellectuals and activists railed against globalization, but people opted for it almost every chance they got."

The 20th century seemed to reverse the gains of liberalism. The world was beset by tyrants and mass murderers, and even the democratic countries succumbed to the hubris of central planning. Even during that period, though, the massive capitalist engine set in motion by liberalism kept working, and living standards continued to rise in most of the world. By the end of the century, the last dictators were falling and people were becoming disillusioned with the welfare-and-regulation state. There was no longer any serious argument in favor of socialism, protectionism, or capital controls. From Sweden to Hungary to New Zealand to Uruguay, people decided they wanted to join in the new global prosperity. Intellectuals and activists railed against globalization, but people opted for it almost every chance they got.

Continuing Challenges

It would be wrong to proclaim victory for liberalism. In many ways government has continued to get bigger and more intrusive over the past 25 years. Government spending in real terms continues to rise (though not as a percentage of GDP over the past few years). Despite the deregulation of the 1980s, government continues to interfere in many aspects of our lives more intimately than even the preliberal governments of Europe. Governments now regulate everything from where our children will attend school and how we must save for retirement to what size our oranges may be and what we can say to our coworkers. The rise of identity-group politics has revived a primitive form of collectivism, which liberalism always challenged, and led to new government discrimination on the basis of race and gender and to new attempts to regulate speech.

The notion that the sovereign is responsible for our religious lives is largely gone, but anti-liberal elements on both the right and the left still want government to take responsibility for our moral decisions. Pre-Enlightenment thinkers from Plato to Filmer would recognize the impulse to regulate pornography, hate speech, smoking, and drug use. The drug war in particular has led to manifold violations of our civil liberties as politicians and law enforcement officials try to enforce ever more futile prohibitions. It's no surprise that the leading opponents of prohibition have always been liberals (or what we now call libertarians)—H. L. Mencken, Milton Friedman, Gov. Gary Johnson, the editors of *The Economist*.

In the latter part of the 20th century in the North Atlantic welfare states, there was increasing concern about the high cost and unsustainability of a massive system of intergenerational transfers. Americans—beginning with those at the Cato Institute—pointed out that privatization would give people more freedom, more control over their own assets, and more retirement income. Today, some 90 countries from Mexico to China are studying social security privatization, and more than half of them have sent government representatives to the Cato Institute for research. Privatizing Social Security remains a great challenge for liberals.

Another challenge is defending the principle of open markets from incipient hostility to "globalization." In an earlier era, the left championed internationalism over nationalism and complained that the capitalist countries excluded most of the world from their prosperous club. Today, the same anti-capitalist ideologues deplore the extension of markets to the non-Western world. If "globalization" means the ongoing trend toward a freer flow of trade and investment across borders and the resulting integration of the international economy, how can that be a bad thing?

Some opponents of globalization display an ill-informed nostalgia for the quaint villages in which happy peasants in their traditional costumes make their traditional arts and crafts. How much more fulfilling that must be than working for Nike or Kathie Lee Gifford! And yet, to the horror of the anti-globalization activists in Oxford and Ann Arbor, the actual peasants flock to the Nike factories. And no wonder: multinational companies pay about twice the average wage offered by domestic manufacturers in low-income countries. Global incomes are rising because of the increased efficiencies of a greater international division of labor—and rising most clearly in the poor countries that were previously outside the world trading system.

Anti-globalizers complain that foreign investment exploits the poor and makes

Participants in Cato's Benefactor Summit question speaker Larry Elder (right) after his dinner address.

“The triumph of liberalism is by no means inevitable. There never was a golden age of liberty, and there never will be.”

them poorer. But 81 percent of U.S. foreign investment goes to other high-income countries. Another 18 percent goes to middle-income countries such as Brazil, Mexico, Indonesia, and Thailand, leaving only 1 percent for the poorest countries. Clearly, the poorest countries are the ones least engaged with the international economy. They typically lack property rights, the rule of law, and other institutions necessary for economic enterprise. Liberalism has made few inroads in those countries, but we can hope that the 21st century will see the blessings of liberty penetrate to the last corners of the earth.

That hope goes hand in hand with the free world’s newest challenge—the threat posed by weapons of mass destruction in the hands of terrorists. Some of us may note ruefully that our warnings about the dangers of an interventionist foreign policy were well-founded. However, the United States and the West clearly must respond to the attacks of September 11 and other instances of terrorism. The war against terrorists will require improvements in U.S. intelligence, further military operations, and a determination to be persistent but not rash. It may require a rethinking of immigration policies to ensure that we weed out those who would make war on us without closing our borders to people who want to work, trade, and lead lives of liberty and dignity. And since the defense of freedom is always a war of ideas as well as sometimes a military conflict, it clearly requires a renewal of our commitment to the first principles of the American republic, principles that the Cato Institute has advanced for the past 25 years.

Conclusion

The past 25 years have seen great changes. Those changes have reflected mostly demographic, economic, and geopolitical realities. However, those changes have also come about because people have advocated them. Liberalism arose first because people struggled for liberty—thinkers such as John Locke, David Hume, Adam Smith, and Mary Wollstonecraft described an alternative to the old paradigm of command from above. Journalists and pamphleteers such as Thomas Paine and the authors of *Cato’s Letters* applied those ideas to contemporary challenges. Statesmen and activists such as the Levellers, the American revolutionaries, and the abolitionists struggled for liberty and limited government.

Today’s advocates of liberty build on that foundation. The ideas of liberty have been further developed in our time by myriad thinkers—George Orwell, Karl Popper, Isaiah Berlin, Alexander Solzhenitsyn, Hannah Arendt, Jorge Luis Borges, F. A. Hayek, Ludwig von Mises, Ayn Rand, Milton Friedman, Václav Havel, Robert Nozick, Thomas Sowell, and others. Millions of people around the world have been inspired by their vision. Millions more have recognized the failures of statism in the 20th century and supported candidates, movements, and policy proposals that would constrain the state and expand liberty.

Both the reality of the world—the failure of communism, the impending bankruptcy of social security systems, the prosperity brought about by markets—and the efforts of liberal and libertarian campaigners have brought about the changes that we see today. The Cato Institute has played its own small part in that transition. We pioneered the idea of Social Security privatization (even while, unbeknownst to us, José Piñera was implementing a similar plan in Chile). We provided support for F. A. Hayek in his later years, during which he wrote *The Fatal Conceit* and lectured around the world. We challenged the Soviet empire by smuggling books into Russia and Poland. We held conferences on free markets and political liberty in Shanghai in 1988 and Moscow in 1990, quite possibly the first public events to address such ideas in either country’s history. We demonstrated in scholarly articles that the Constitution grants only limited and defined powers to the federal government and distributed more than 2 million copies of the Constitution to Americans. We challenged the war on drugs in books and studies for more than a decade. We pointed out the costs and risks of America’s interventionist foreign policy and made the case for an alternative policy better suited to a peaceful republic. We produced what Milton Friedman called “a steady stream of thought-provoking reports challenging big government and all of its works.” And if we’ve become “Washington’s hottest think tank,” to quote the *Boston Globe*, perhaps it’s simply because libertarian ideas are, as even anti-liberal scholars Stephen Holmes and Cass Sunstein admit, “astonishingly widespread in American culture.”

Often it’s the opponents of political and economic liberalism who make the most noise. The street protests and violence of the anti-globalization activists from Seattle to Genoa may give the impression of a mass uprising against liberal capitalism. But that would be an error. The anti-globalizers are violent because they’re frustrated, and they’re frustrated because they’re losing. Everywhere governments will allow it, people are choosing open markets and open societies—the free flow of information, commerce, trade, and investment and responsibility for their own lives.

But the triumph of liberalism is by no means inevitable. There never was a golden age of liberty, and there never will be. Although we do seem to have left behind some of the worst forms of government, we can’t help but remember that during the past century we have endured communism, fascism, and national socialism. Armed with modern technology, those regimes proved to be the most brutal in history. And they arose at another time when liberal thinkers thought that prosperity and international trade would ensure peace and harmony.

Still, every generation should learn from those that have gone before. By now we should have learned that people can run their own lives better than distant bureaucrats can, that competition works better than monopoly and markets better than central planning, that the freedom to choose is about more than economics, that taxing enterprise makes no more sense than subsidizing irresponsibility, that war is sometimes necessary but always enormously destructive, that limited government is one of the greatest achievements of humanity because it makes possible so much else. If the world is learning those lessons, then the 21st century looks bright indeed. ■

On Cato

BY DAVID BOAZ

EDITORIAL

Playing the Long Game for Liberty

> “Ultimately, it’s ideas that matter.”

In his new book, *The Rise and Fall of the Neoliberal Order*, Gary Gerstle of the University of Cambridge writes, “No think tank would outdo the Cato Institute in terms of its hostility to the New Deal order and the fierceness of its belief in libertarian principles.” True!

Cato was founded in 1977 to apply libertarian principles and sound economic analysis to public policy issues. The board of directors later adopted a formal mission statement: “The mission of the Cato Institute is to increase the understanding of public policies based on the principles of limited government, free markets, individual liberty, and peace. The Institute will use the most effective means to originate, advocate, promote, and disseminate applicable policy proposals that create free, open, and civil societies in the United States and throughout the world.”

It wasn’t an easy time to set out to advance libertarian ideas, but then maybe that’s why the 1970s did see a renaissance of libertarian thinking. A few people had read Mises, Hayek, and Friedman in earlier decades, and more had read Ayn Rand. But there was indeed a dominant big-government, New Deal order in Washington, not to mention Communist control of a third of the world. And then that New Deal order delivered all at once a disastrous package of Vietnam, Watergate, and stagflation.

Libertarian-ish challenges to the established order began to pop up on all sides. African-Americans, women, and later gay people demanded equal rights. Millions marched against the Vietnam war, and young men burned their draft cards. Voters rebelled against inflation and rising taxes. *Reason* magazine, the Society for Individual Liberty, and the Libertarian Party sprang up during the 1970s.

Since then we have made much progress. The Soviet Union and its empire are no more. Incredible economic liberalization in China began around that time. Marginal tax rates in the developed world have fallen significantly. A wave of democracy swept the world, with greater respect for human rights of all people. Global trade became much freer, and trade flows rose 10-fold. Inflation was brought under control—at least temporarily. In just half that time, a billion people emerged from extreme poverty.

Despite those advances, our job is far from done. We’re dealing now with new threats to free speech, free trade, fiscal sanity, and the rule of law. And we will approach them as we always have, with sound analysis and arguments rooted in libertarian principle.

- Our Center for Monetary and Financial Alternatives is pressing to narrow the size, scope, and power of the Federal Reserve and to level the playing field for competing currencies.
- The Herbert A. Stiefel Center for Trade Policy Studies is urging members of both parties to roll back the Trump tariffs and return to the path of lowering trade barriers and expanding trade.
- Our foreign policy scholars are warning against meddling in foreign conflicts and urging Congress to assert its right to decide when the United States goes to war.
- Our amicus briefs in the Supreme Court this session defended school choice, free speech, property rights, the right to keep and bear arms, and other individual rights.
- Our scholars have played a leading role in pressing Congress to amend the Electoral Count Act to avoid future crises in the certification of electoral votes.

Throughout our history we have challenged big institutions and policies—the Social Security program, monopoly government schooling, America’s global interventionist foreign policy, central banking—and we have tried to make our case with well-researched, civil, and professionally presented arguments. In the long run, we think that’s more effective than cable news screaming or hyperpartisan demagoguery.

Ultimately, it’s ideas that matter, and we work hard to make sure policymakers and the public have good ideas at their disposal when an opportunity arises. We’ve seen how ideas that once seemed radical can become accepted and how entrenched bad institutions can suddenly fall faster than anyone expected. For all the problems we face, we always keep our eyes on that long game. Instead of short-term politics or focusing on which party will win the next election, Cato builds for the future, imagining what might be for the decades and generations to come.

BY DAVID BOAZ

EDITORIAL

Our Deep Roots in Defending Free Speech

> “‘Without freedom of thought, there can be no such thing as wisdom.’”

Freedom of speech is a fundamental principle of a free society—and of the United States in particular. It’s also deeply embedded in the founding of the Cato Institute.

When it was founded in 1977, Cato was named for Cato’s Letters, a series of newspaper essays written in the 1720s. Why that name? Because John Trenchard and Thomas Gordon, who wrote under the pen name Cato after the defender of the Roman republic who refused to submit to Julius Caesar, took the ideas of great thinkers such as John Locke and Algernon Sidney and applied them to the controversies of the day. And that has always been the approach of the Cato Institute: to apply the great principles of liberty to policy and current affairs.

In any epoch, freedom of thought and expression is one of our essential liberties. Earlier this year, Cato held a virtual Young Leaders Seminar for college students, focusing on the importance of freedom of speech as a pillar of a free society and the unique threats facing free speech in the 21st century. The seminar paid special tribute to the legacy of former Cato senior fellow Nat Hentoff, one of the great First Amendment defenders of the past half-century.

In opening that seminar, I drew on our connection to Trenchard and Gordon. I noted that the great American political historian Clinton Rossiter described Cato’s Letters as “the most popular, quotable, esteemed source of political ideas in the colonial period.” Bernard Bailyn, perhaps the most important historian of early America, wrote, “To the colonists the most important of these publicists and intellectual middlemen were those spokesmen for extreme libertarianism, John Trenchard and Thomas Gordon.”

Another historian of the American Founding, Forrest McDonald, points out that “free speech” was never a central political claim prior to the 1720s: “It was John Trenchard and Thomas Gordon . . . who first gave unreserved endorsement to free speech as being indispensable . . . and who were willing to extend the privilege to all, including those who disagreed with them.”

As Trenchard and Gordon wrote in Letter 15, “Without freedom of thought, there can be no such thing as wisdom; and no such thing as publick liberty, without freedom of speech. . . . This sacred privilege is so essential to free government, that the security of property; and the freedom of speech, always go together; and in those wretched countries where a man cannot call his tongue his own, he can scarce call any thing else his own. Whoever would overthrow the liberty of the nation, must begin by subduing the freedom of speech.”

So, the importance of freedom of speech was in our bones even before the Cato Institute was founded. And obviously freedom of expression is essential for the work we do and, as Trenchard and Gordon wrote, for the public liberty.

We exercise our rights of free speech in books, studies, journals, and newspapers, on the radio, television, and internet, and in seminars and public speeches. We defend the right of free speech through our advocacy, as well as in the courts, on college campuses, and in our advice to legislators and policymakers.

People often complain that free speech is being violated when a newspaper refuses to run an article, a social media company bans a controversial account, a publisher cancels a book, an NFL team won’t hire a politically outspoken quarterback, or an owner shuts down a magazine after its criticisms of an elected official. We want to encourage a culture of free speech, but all these private actors are making decisions about which ideas and controversies they want to be associated with. That’s very different from government restrictions on expression. The First Amendment forbids any “law . . . abridging the freedom of speech, or of the press,” not editorial decisions by private companies.

Our defense of free speech must be aimed at those on both sides of the political spectrum who seek to have local, state, or federal governments ban—or compel—the expression of certain ideas. Government remains the true threat to be guarded against, and state censorship is crucially different from the decisions of private actors, however open the latter are to fair criticism. Conflating the two opens the door to the very thing free speech guards against: control of the marketplace of ideas by the government rather than free individuals and private, voluntary society.

BY DAVID BOAZ

EDITORIAL

New Faces in Power, Enduring Principles

> A mandate for normalcy, not revolutionary radicalism.

People often ask what a change in administration will mean for us at the Cato Institute. Obviously, every new president and every change in Congress will mean some shift in which of our ideas are most likely to advance in the policy process.

Some nonprofits find that their funding and membership grow in inverse proportion to the friendliness of the new administration. Conservative groups crowed about doubling their mailing lists in the first year of the Barack Obama presidency. The American Civil Liberties Union (ACLU) reported that its membership quadrupled in the first 15 months following Donald Trump's election and that its online fundraising exploded.

At Cato, we've never experienced that sort of whiplash between Republican and Democratic administrations. Our principles endure no matter who is in the White House.

From the beginning, we have seen ourselves as an independent, nonpartisan, libertarian think tank. Each word in that description matters.

We are independent in that we think for ourselves and are affiliated with no other organization and no special interest. We neither seek nor accept funding from any government. As Ezra Klein, who just left *Vox* to join the *New York Times*, said, "Cato's credibility is derived from its independence."

We are nonpartisan in that we don't line up with either political party. We work with members of both parties on issues where we agree, and we oppose bad policies from either party. Polls of congressional staff have shown that Cato is held in high regard on both sides of the aisle.

We are libertarian: like John Locke and Adam Smith, the American Founders, and Milton Friedman, we believe that free people usually make better decisions for themselves and their families than politicians and bureaucracies can.

And we are a think tank. We take the ideas of great thinkers and apply them to current policy issues. We're not a political party, a lobby, or a grassroots action organization, although the books and studies we produce are used by many such organizations. Through our work, we have been creating a presence for libertarian ideas in Washington and in the national policy debate for more than 40 years.

And now, once again, we face a new administration with a new policy agenda. We have been talking with the Biden administration and other Democrats about some policy ideas that they might welcome. I expect the administration will also put forth policy proposals that our scholars will be highly critical of.

Shortly after the election, I wrote an article in a Capitol Hill newspaper cautioning the new team not to overreach. I noted that polls showed that voters wanted a change but were not endorsing unaffordable spending programs and a reverse culture war. Biden, I said, "has a mandate for modest normalcy, not revolutionary radicalism. It's not only why he beat President Trump, it's also why he beat Bernie Sanders."

And I offered a few other points a Biden administration should keep in mind. In 2020, 77 percent of Americans called immigration a "good thing" for the country today, up 20 percentage points since 2010. Seventy-five percent of Americans, including 57 percent of Republicans, think undocumented immigrants should be allowed to stay. Ninety percent of Americans think international trade is a good thing, and 70 percent support trade agreements, a substantial increase in recent years.

Fifty-one percent of Republicans and 76 percent of Democrats think marijuana should be legalized, and voters endorsed drug war reforms in seven states and the District of Columbia.

Voters in exit polls expressed support for Black Lives Matter. But in California, where Biden got 63 percent of the vote, a strong majority of voters rejected a return to racial preferences in college admissions.

Californians also rejected expanded rent control and overruled the legislature's demand that Uber and Lyft classify their drivers as employees, which would have wrecked those companies' business model. Illinois voters rejected the governor's tax increase proposal.

Most Americans support expanded diplomacy and trade but less military spending and foreign intervention. An overwhelming majority—74 percent—favor constraining the president's ability to start a war without the approval of Congress.

No matter who is in the White House, our colleagues will continue to publish sound policy analysis that makes the case for our enduring principles of individual liberty, limited government, free markets, and peace.

BY DAVID BOAZ

EDITORIAL

Creating a Voice for Libertarian Ideas

> The reasonable, radical libertarian movement.

Back in 1999, I met a young law student at the Cato University summer session in California. Since then he's gone on to a successful career, working at two different pro-freedom organizations. Recently he talked to Cato president Peter Goettler about the prospects for liberty and stressed the importance of Cato: "If it were not for Cato struggling to move the climate of ideas and debate, all of the victories we win for liberty in legislatures and the courts will be short-lived when the political winds inevitably shift. On behalf of the entire movement, please never surrender this mission!" As Peter told him, we won't.

That was our goal when Cato was founded in 1977: to revive the principles of liberty and limited government that were deeply rooted in the American spirit and to help build a movement devoted to those ideas. Our work since then has built on that foundation.

I've always considered myself part of the reasonable, radical libertarian movement—radical by the standards of contemporary politics (though not by the standards of life, liberty, and the pursuit of happiness) and reasonable in presenting policy ideas in a mainstream way. This can also include rescuing sound libertarian ideas from unsavory associations or counterproductive framings.

We have tried to present the principles of liberty in a variety of accessible ways to broaden public understanding and support. The Cato University Home Study Course offers 30 hours of audio on the history of libertarian ideas. Cato University seminars give people a chance to study liberty with great teachers and engaged students for several intense days. Our website Libertarianism.org presents both classic and original articles on liberty. Books such as *The Libertarian Mind; The Encyclopedia of Libertarianism* (now online at Libertarianism.org); *Realizing Freedom: Libertarian Theory, History, and Practice; Economics and Free Markets*; and *Peace, War, and Liberty: Understanding U.S. Foreign Policy* can be found in libraries and college classrooms.

We have been ahead of the curve in focusing attention on policy problems that politicians and pundits were ignoring:

- We began warning about Social Security's financial imbalances in 1980 and proposing a transition to a system based on ownership, inheritability, and choice. Sadly, the political system has not acted on these warnings, and Social Security's financing remains rickety.
- We challenged the war on drugs, pointing out that drug prohibition violated individual rights and led to crime and corruption. Changing minds on drug prohibition has been a slow process, but now 33 states and the District of Columbia have enacted varying degrees of marijuana legalization.
- In the 1980s, discussion of the role of the judiciary centered on "judicial activism" versus "judicial restraint." Scholars associated with the Cato Institute began challenging that dichotomy with an emphasis on the duty of the courts to protect individual rights. Richard Epstein, Randy Barnett, and now, this perspective is well represented on the Supreme Court and has influenced rulings on such issues as interstate commerce and gun control.

Of course, we could not carry out our mission without the generous support of our 15,000 Cato Sponsors. We're especially grateful when Sponsors partner with us to identify special opportunities to celebrate and advance our shared commitment to liberty. A grant from the late B. Kenneth Simon helped to sustain our Center for Constitutional Studies, and Roger Pilon became the B. Kenneth Simon Chair as well as director of the center. A more recent grant grew out of a longtime Sponsor's desire to help Americans learn and understand the basic principles of economics as they apply to policy choices, and his bequest in 2016 allowed us to hire Ryan Bourne as the R. Evan Scharf Chair for the Public Understanding of Economics.

In 2012, the *New York Times* called Cato "a venerable libertarian research center unafraid to cross party lines" and reported, "Over the years, Cato has successfully injected libertarian views into Washington policy and political debates, and given them mainstream respectability." That's an indication of our accomplishment over the past 43 years in creating a voice for libertarian ideas in Washington and in the national policy debate.

BY DAVID BOAZ

EDITORIAL

Think Tanks in a Polarized Era

> "Think tanks seek to model civil discourse."

There has been a great deal of concern lately about rising partisanship and tribalism in the American political and cultural dialogue. Magazines, cable networks, and friends on Facebook line up with the Red Team or the Blue Team (which, lately, means pro- or anti-Trump) and present very different views of the world.

In times of polarization, think tanks seek to model civil discourse and respectful disagreement. Scholars at think tanks—more formally, public policy research organizations—may disagree, but they do so on the basis of facts, logic, and analysis.

But think tanks increasingly find themselves pressured to join a team and face off with the opposition. U.S. think tanks across the political spectrum report more pressure from donors and allies to be part of the red or blue team.

Meanwhile, increased partisan competition means more focus on think tanks, their activities, and their funding. Journalists and activists demand more transparency about funding sources and donor relations. The *New York Times* blasted several major think tanks for seeming to give foreign-government donors what they want. Yahoo! News reported in 2018, "Think tanks reconsider Saudi support amid Khashoggi controversy." The Cato Institute has not been mentioned in these stories—not because we're lucky, but because we don't seek or accept money from governments. That course of action proves wiser every year.

There are legitimate arguments for transparency about funding. But we have also seen an uptick in efforts by political opponents and even by officeholders to pressure or punish donors. Sen. Sheldon Whitehouse (D-RI) has urged the Justice Department to bring a lawsuit under the Racketeer Influenced and Corrupt Organizations Act against Exxon Mobil and its purported "network" of "conservative policy institutes" that disagree with the senator on climate science. And in 2013, Cato received a letter from Sen. Dick Durbin (D-IL) demanding to know, among other things, "Has Cato Institute served as a member of ALEC [American Legislative Exchange Council] or provided any funding to ALEC in 2013?" The answer to that question was no, but then-CEO John Allison's answer to Senator Durbin was more blunt: "Your letter . . . represents a blatant violation of our First Amendment rights."

All think tanks need to resist this sort of intimidation, no matter at whom it is directed, and insist on our institutional independence.

Red-blue polarization is tough for those of us who don't line up with either side, who try to talk to people of good will across the political spectrum, and who seek to defend principle while holding politicians accountable. There have certainly been policy improvements that were driven by the left (gay marriage, marijuana reform), the right (tax cuts, regulatory slowdown, repealing the health care mandate), and both (criminal justice reform). But politicians and parties have an incredible propensity to let us down even when we supposedly agree. Democrats pay lip service to civil liberties but do little to defend them, while for all the talk of fiscal conservatism by Republicans, spending and debt grow regardless of which party is in charge. Cato must defend these values and be willing to call out either side as necessary.

This stance is particularly necessary as the attitudes of both parties have hardened and polarized in unfortunate directions. Although his tax and regulation policies are laudable, President Trump has shifted the GOP's focus from smaller-government Reaganism to protectionism, anti-immigration hysteria, and cultural issues, often racially charged ones. Meanwhile, the Democratic Party has moved sharply left on all the wrong things—the Green New Deal, Medicare for All, and a wealth tax. Those changes make Cato's role all the more important, and we've developed some projects to fight back against tribalism, such as our recent art exhibit and a high school teachers' conference this summer.

Most think tanks are committed to liberalism in the broad sense—to rule of law, freedom of conscience, toleration, limited government, markets, democracy, and, perhaps especially, free speech and the value of truth. With rising tides of illiberalism on left and right, here and elsewhere, we have a common purpose to defend liberalism, even though we argue a great deal about policy details.

BY DAVID BOAZ

EDITORIAL

Independent, Radical, Libertarian

> "Our major achievement has been creating a presence for libertarian ideas in Washington and in the national policy debate."

Back in 1977, the Communists controlled a third of the world, textbooks said that the Soviet Union would soon have a larger GNP than the United States, and the federal government's most recent accomplishments were Vietnam, Watergate, and stagflation.

It was in that environment that Ed Crane and Charles Koch decided to create a libertarian think tank.

This year we're celebrating the Cato Institute's 40th anniversary. As I've written in this space before, there have been policy ups and downs in those 40 years. Libertarians are a disgruntled bunch and usually focus on the downs—out-of-control spending, increasingly government-dominated health care, a soaring incarceration rate, and so on. We often forget about the ups—the end of the draft, lower marginal tax rates, deregulation in the Carter-Reagan years, more social tolerance, and equal rights.

Today I'll just focus on Cato's growth in those 40 years. We've grown from about 15 employees to 150, with commensurate budget growth. We've gone from rented office space in San Francisco to a 70,000-square-foot building that we designed and built in downtown Washington.

Ed Crane has said that his central insight for libertarian success was to put libertarians in suits and ties. And that was part of the original formula we followed.

Commitment to libertarian principles

From the beginning, our task was to apply the ideas of John Locke and Adam Smith, the American Founders, Ludwig von Mises and F. A. Hayek, Ayn Rand, and Murray Rothbard to contemporary policy issues. Our focus was always on public policy, but we also had an interest in the underlying ideas of liberty. Programs such as Cato University, research seminars for new employees and interns, books such as *The Libertarian Mind* and *The Encyclopedia of Libertarianism*, and, more recently, the website Libertarianism.org explore classical liberal and libertarian ideas.

Building on those principles, our analysts have written about a wide range of issues—economics, civil liberties, personal freedom, the rule of law, foreign and defense policy—in more than 300 books, 1,500 studies, and 2,000 articles in journals.

Usually people liked our principled approach, even if they disagreed with some of our scholars' policy positions. But not always. Some of our friends didn't like our scholars' opposition to the first Gulf War. Executives at Microsoft appreciated our criticisms of the antitrust case against the company, but not our criticisms of software patents and "net neutrality," although they were rooted in the same free-market principles. Some of our friends at other free-market think tanks advocated the individual mandate and helped Mitt Romney develop the precursor of Obamacare.

Independence

We also value our independence. That means we seek and accept no government funding, we are strictly nonpartisan and aligned with no special interest, and we don't line up with either the red team on the right or the blue team on the left. Sometimes that left us almost alone—proposing private accounts for Social Security in 1980, for instance, or warning about the danger of a war in Iraq as early as 2001.

It's that independence—or what George Will called our "contrarian spirit" on the occasion of our 25th anniversary—that has garnered respect across the ideological spectrum. Ezra Klein, founder of Vox.com, said in 2012, "When I read Cato's take on a policy question, I can trust that it is informed by more than partisan convenience. The same can't be said for other think tanks in town. . . . Cato's credibility is derived from its independence."

Radical ideas, mainstream presentation

From the beginning, we intended to present some pretty radical ideas—not radical by the standards of the Declaration of Independence and the Constitution, but by 1970s public policy standards—and we knew that it was important to present them in a mainstream way. So suits and ties, yes. But also well-researched studies—scholarly, accessible, and nonpolemical, with professional editing and design. And in our events and journals, we tried to generate a conversation among libertarian scholars and more-establishment thinkers and policymakers. Not to mention a signature building on Massachusetts Avenue.

We can point to a lot of specific accomplishments over our 40 years—the 300 books, our pathbreaking conferences in the Soviet Union and the People's Republic of China, our annual conferences on monetary policy and Supreme Court jurisprudence, our three-hour educational freedom documentary appearing right now on public television stations—but I think our major achievement has been creating a presence for libertarian ideas in Washington and in the national policy debate.

And that's the foundation we want to build on for the next 40 years.

BY DAVID BOAZ

EDITORIAL

Second-Best Solutions

> "Best is best, but better is better than worse. And that's the standard that has mostly guided us at Cato for 38 years."

Two issues this summer—gay marriage and trade agreements—highlight the Cato Institute's efforts to apply libertarian principles to specific policy issues, and the angst that sometimes generates among principled libertarians.

The Cato Institute has urged the Supreme Court for several years now to find that the exclusion of gay couples from legal marriage violates the equal protection clause of the Fourteenth Amendment to the Constitution. At the end of June, it did, in the case of *Obergefell v. Hodges*. Throughout the 20-year debate over gay marriage, some libertarians have insisted that legal marriage should not be extended to include gay people; rather, government should get entirely out of the business of licensing marriage. Let people write contracts, and marry in churches if they choose, but leave government out of it.

That's an appealing libertarian position. In fact, I wrote one of the first articles proposing it ("Privatize Marriage," *Slate*, 1997). I said that social conflicts, such as the then-growing conflict over same-sex marriage, can "be depoliticized and somewhat defused if we keep them out of the realm of government."

But there's a problem: The country was not and is not ready to privatize marriage. So then should libertarians advocate only a radical libertarian policy solution that won't be implemented any time soon, leaving some people excluded from a legal institution open to others? Or do they advocate a second-best solution, equality under the law for whatever services government supplies? As Steven Horwitz, author of the forthcoming book *Hayek's Modern Family: Classical Liberalism and the Evolution of Social Institutions*, puts it:

> Suppose we had a Social Security system in which all residents of the US paid FICA but only white ones received the benefits. Would you argue that the libertarian position is to continue to deny people of color access to Social Security benefits on the grounds that giving the benefits to them would "extend federal power"? Would you continue to insist that the only libertarian position is to argue for the elimination of Social Security even though it continues to benefit only whites?

Cato chairman Robert A. Levy has written that "marriage today should be a private arrangement, requiring minimal or no state intervention . . . [but] whenever government imposes obligations or dispenses benefits, it may not 'deny to any person within its jurisdiction the equal protection of the laws.'"

Cato Unbound editor Jason Kuznicki argues, however, that privatizing marriage would mean "much greater government interference in family life, higher taxes for married couples, invasions of privacy, difficulties related to child custody, and other negative consequences." So that's another perspective. And of course my colleagues and I intend to fight for religious liberty, as we have always done, including the liberty of bakers, florists, and others not to participate in weddings or other activities that offend their conscience.

Trade agreements present similar challenges. Scholars at Cato's Herbert A. Stiefel Center for Trade Policy Studies have generally supported trade agreements such as NAFTA and the new Trans-Pacific Partnership. In the past few months they have advocated giving President Obama "trade promotion authority" (TPA), also known as "fast-track," to let the administration negotiate trade agreements that Congress can reject or ratify, but not amend.

Some libertarian critics say that 2,000-page agreements such as NAFTA are by definition not free trade: a free-trade agreement would take one page. Unilateral free trade would be even better. They have a point.

But again, it isn't within Cato's power to wave a magic wand and make free trade or marriage privatization happen. So our scholars usually opt for trying to move policy in a better direction. Center director Dan Ikenson writes, "Despite their flaws, free trade agreements have helped reduce domestic impediments to trade, expand our economic freedoms, and lock in positive reforms, even if only as the residual byproduct of an ill-premised mercantilist process. Ultimately, free trade agreements have delivered freer trade." Not free trade, alas. But freer trade.

As I put it in a Facebook debate in June, "Best is best, but better is better than worse." And that's the standard that has mostly guided us at Cato for 38 years. We want to push public debate and public policy in a direction consistent with liberty and limited government. Sometimes, as in my book *The Libertarian Mind* and much of the material on Libertarianism.org, that entails laying out the case for libertarianism and strictly limited government. And sometimes, as in many of our policy studies, it involves offering politically realistic reform plans or second-best solutions.

BY DAVID BOAZ

> "Is the most important libertarian accomplishment bringing power under the rule of law?"

Editorial

Power and Law

At Public Policy Day, our event for Cato Sponsors held after the Milton Friedman Prize for Advancing Liberty Dinner, I thanked our Sponsors for our beautiful expanded building.

But as they always say about a church, a think tank is not a building. Cato is ideas—the ideas of peace, liberty, dignity, tolerance, human rights, property rights, open markets, and limited constitutional government.

And it's the people—the people who have spent the past 35 years building the Cato Institute into what George Will called "the foremost upholder of the idea of liberty in the nation that is the foremost upholder of the idea of liberty." That didn't happen by accident. Led by Ed Crane, a lot of people have put a lot of effort into developing the books and studies and ideas that have put Cato on the map—and into developing the institutional infrastructure that makes it possible to deliver those ideas.

Now don't get me wrong—the building is an important part of that institutional infrastructure. It's not just 76,000 square feet of a generic office building. It's a building designed for the needs of a think tank, especially with its multiple public event spaces, audio and video studios, and state-of-the-art multimedia capabilities. It's all here to help the people advance the ideas.

The Cato Institute's success is built especially on three factors: commitment to libertarian principle, nonpartisanship, and independence.

Even if they disagree with us, people know we say what we think. No politician or special interest tells us what to say. That's why Ezra Klein of the *Washington Post*, who doesn't agree with us on much, said, "When I read Cato's take on a policy question, I can trust that it is informed by more than partisan convenience. The same can't be said for other think tanks in town." That's crucial to our success.

Just recently I've noticed several cases where Cato's longstanding efforts are having some impact:

- A shift in legal thinking toward the idea of enumerated powers and judicial enforcement of constitutional limits on government;
- The legal and policy challenge to President Obama's health care overhaul, reflecting our work in both health care policy and constitutional law;
- Latin American leaders finally echoing our 20-year critique of the war on drugs; and
- The explosion in opposition to the Stop Online Piracy Act (SOPA) and other laws that infringed on internet freedom.

It's tough to fight big government in the United States. But for many people around the world, it's a lot tougher, even dangerous, to challenge the state.

The 2012 Milton Friedman Prize for Advancing Liberty went to Mao Yushi, who has been punished, sent down to hard labor in the countryside, expropriated, nearly starved, and threatened with death for his lifelong commitment to improving the lives of the Chinese people. You can trace the history of Chinese communism—the anti-Rightist campaign, the Great Famine, the Red Guards, the Cultural Revolution—through the life of Mao Yushi. But they never broke his spirit.

Lately the newspapers are full of news about another courageous Chinese dissident, a much younger man, Chen Guangcheng. Blind from childhood, Chen was illiterate into his 20s. About the time he finally entered a school for the blind, he traveled to Beijing to appeal against unlawful taxes and organized protests against such taxes. Shades of English and American history from John Hampden and the Boston Tea Party to Vivien Kellems!

Still with no legal education, in 2005 he exposed how local authorities had enforced China's one-child policy through forced abortions and forced sterilization. He filed lawsuits, traveled again to Beijing, and talked to foreign reporters.

That was too much for the authorities. They placed him under house arrest for six months. When he tried to escape, they beat him. Then they tried him on bogus charges and sentenced him to four years in jail. After four years he was again detained in his home—all without any legal authority. They harassed his family and confiscated his six-year-old daughter's toys.

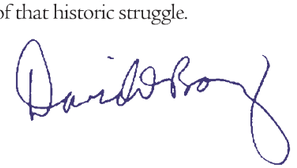
They prevented journalists, members of Congress, and even a movie star from visiting him in his home. When he smuggled out a video about his treatment, he was badly beaten.

Finally, as the world now knows, he escaped. And now he is studying the Declaration of Independence and constitutional law at a great American university.

But think of this: in a country of 1.2 billion people, the all-powerful party-state is so afraid of one blind, barely educated man. Think what that says about the desire for human freedom and the power of the freedom message.

I was asked once by some skeptics what the most important libertarian accomplishment ever was. I said "the abolition of slavery." OK, they conceded. Name another. I thought more carefully and said "bringing power under the rule of law."

That was a revolutionary achievement, but it's incomplete. It's what we still fight for. Heroes like Mao Yushi, Chen Guangcheng, and thousands of others fight for it. We fight for it here. Thank you for being part of that historic struggle.



"Libertarianism is the heart
and soul of the modern world."

— David Boaz

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