

BEYOND LIBERTY: IN SEARCH OF AMERICA'S HEART AND SOUL

by

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Once upon a time America was a great country with a moral vision that could have been, and perhaps at one time was, a light to other nations. But times have changed. America in the first decades of the twenty-first century is off course and adrift. Those of us who were born in America in the twentieth century were taught that our nation is an inspiring country, one with a moral vision that could and should be emulated by the nations of the world. We brought to the world a new nation, one founded on liberty, and showed the world how a great country and great democratic institutions could be made. This was a land of opportunity. We welcomed immigrants and provided means for people who worked hard to make a meaningful, successful life for themselves. We believed that there was always enough to go around and those that would make an effort could make a good life for themselves. We prided ourselves on being the leading economy and offering what seemed like limitless opportunities to people. We believed implicitly that our economic leadership was tied to our moral leadership. What made America great was its vision of liberty at the founding and the democratic institutions by which that vision was implemented.

But in the last half of the twentieth-century, we have collectively lost our way. The world's economic situation has been seriously troubling off and on for over a decade. Our optimism that America could produce endless wealth and opportunity is faltering. We see jobs moving overseas to

emerging economies. We know that there are other great nations afoot, particularly China and India, whose resources and talents are threatening to compete with those of America. We are worried too by the resources on the planet and by the ability of the world to support the population that has just reached seven billion people.

In this new era, with a new set of difficult and troubling problems challenges in front of us, we need a new vision of America's purpose. The one that has been guiding us at the end of the second millennium and beginning of the third will continue to lead us and those who follow us deeper into the problems that currently face us. Indeed, it is partly responsible for the deepening mess we have around us. America has lost its moral compass and our collective purpose. And we threaten to lead the world to the brink of disaster as well.

How did we lose our way and what can we do about it? This essay suggests an answer. In the last part of the twentieth century and at the start of what is the third millennium, America has been increasingly dominated by a particular ideology that is destroying our moral center and ultimately leading the United States and the world to the brink of disaster. The irony is that this ideology portrays itself as patriotic and having "our" best interests at heart. And it does so using America's favorite language of "liberty and rights." Like all ideologies, this one tells us that it is true (not simply one world view or ideology) and that it has the best perspective on the way we should run our lives and our society. To back up these claims, this ideology grounds itself in moral argument, in history, economics, philosophy and sometimes God and religion. It claims to be true by giving us all the reasons why we should believe and embrace it and why doing so will make our lives and the lives of countless others better. But each one of the reasons offered by this ideology is flawed. Its moral arguments are fallacious, its history is distorted and one-sided, its economics is too narrow, its philosophy is mistaken, and its interpretation of religion idolatrous.

What is this ideology that has sent us off course? It is one that I shall label the “liberty-first” philosophy or the “liberty-first” platform. Those who espouse this ideology, whom I call the “liberty-first advocates” or the “liberty-first coalition,” (or when I’m not trying to be nice the “liberty-first extremists”) are present in large numbers in Republican and Libertarian parties and in the new Tea Party.

Those in the “liberty-first” camp are by no means all the same. They come in different varieties and flavors, making it confusing sometimes because they don’t always agree on a number of key matters. But what unites them is a key philosophical contention and assumption: that by maximizing the liberty of individuals we maximize everything that is good in life. In view of those in this camp, liberty leads to more productive people, to progress that brings social and economic well-being, and ultimately to a better world for everyone. Liberty is the engine that drives this growth in well-being. The output of liberty lifts everyone higher on the rising tide of social well-being. This rising tide is like a broad ocean that reaches from those of us in the developed world to those even in the third world. Even though those in poorer countries do not have as much material well-being as do we, the engine of liberty lifts all boats, no matter where they are. We should not feel badly about the discrepancy of wealth and material well-being inside our society or between our society and others. That disparity is necessary and part of what makes the engine hum. Individuals motivated to better themselves, and surplus capital that can be invested in new ideas, are all key components of this liberty engine. If we try to “level” the material wealth and make everyone the same, we shall experience less overall growth in well-being, and fewer people will benefit. We all benefit the most by limiting individuals the least.

I call this the “liberty-first” philosophy or “liberty-first” platform because the ideology makes individual rights and liberty the primary value that matters and that should guide us. When

push comes to shove, and public policy decisions need to be made, liberty trumps all other values. In other words, “liberty-first” advocates want to give the value of liberty a prerogative in decision making when it comes into conflict with other values, such as responsibility, common good, obligation, care, compassion, and equality, among others. I shall spend a good deal of time on this question of liberty’s relative importance to other values later because it is a core part of my argument about how we have gotten off course and adrift. In giving this view of liberty such a prominent place in America’s consciousness, we have perverted what were otherwise quite positive impulses of the modern period. The near obsessive focus on liberty to the exclusion of other important values and concepts is part of what is causing the world’s problems and undermining America’s leadership and respect. This of course is ironic since America earned its reputation precisely because it expanded the notion of liberty in important and key ways. But America has lost much of that respect precisely because it took liberty to extremes. Bringing liberty back into balance with other values is a core goal of my writing and one that ultimately dovetails with what I believe is right and just.

Before we talk about what is wrong with this liberty-first philosophy or platform, let us listen to how the liberty-first advocates tends to speak: “Do not touch what is mine. It is my property and my money. I earned it. I worked hard for it. How dare government take away what is rightfully mine. How dare government use my money for someone who did not work as hard as I. Government has become too big. By becoming too big, government oversteps its bounds and infringes on my rights. When government becomes too big, and too bureaucratic, it curtails my freedom, and takes my hard earned money.

“This country was founded with a vision of liberty and we have abandoned that vision. Those who favor bigger government or more government spending have socialist leanings or are socialists.

There is a slippery slope to socialism that begins with letting government curtail individual rights.

Those who do so are denying the vision of America’s founders, and the spirit of liberty. They are also denying what God wants. God created individuals free and equal and with “natural rights.”

Natural rights are those that are God-given or “self-evident” to reason. These rights include life, liberty, property and happiness, values that are enshrined in the Declaration of the Independence and protected by the American Constitution. By infringing these rights, we deny God’s purposes, and undermine the founding vision of America.¹

“By protecting what is mine and yours, we create a just society and better world for everyone. Liberty is the foundation of the free market system. Economists since the time of Adam Smith, the father of modern economics, have realized that markets work best when left to themselves and when governments do not intervene. Free markets help motivate people to labor and invent. The incentives in the market encourage people to dream, to innovate and to work hard. The market makes better people and makes the world a better place. Through the invisible hand that is created by the thousands of transactions in the market, the market mechanisms determine how much of a product should be produced and what the prices should be. Supply and demand and the mechanisms of the market are finely tuned to send signals to farmers and factories, about how much of a product is needed and what its price should be. When governments intervene in markets, with taxes, or subsidies, or with government run programs, the mechanisms of the market are distorted. People suffer through that intervention because products are not produced as cheaply as they could be. Government intervention in markets is not only harmful, it is wrong. As Milton Friedman once put it, “underlying most arguments against the free market is a lack of belief in freedom itself.” And “...freedom in economic arrangements is itself a component of freedom broadly understood, so economic freedom is an end in itself.”²

The preceding several paragraphs provide a nice concise summary of the key positions of the liberty-first platform. We see a mix of different types of arguments all of which are used at one time or another by espousers of the liberty-first agenda. They are economic, historical, moral, philosophical and religious. Not all of these arguments are necessarily used by the same individual and some are even incompatible with each other. Not all individuals who broadly fall into this liberty-first coalition agree with each other. Those who believe the economic arguments (“free markets make for a better world”) may not believe that natural rights are God-given and may not even believe in God. Those who think that our rights are “self-evident” may not think God gave them to us in any traditional sense. But many of these ideas can be woven together: God gave us liberty; the founders had it at the heart of their vision of America; liberty is at the foundation of free markets, and free markets are best for the world in general. What unites all of these variations, despite their sometimes profound differences, is a core conviction that liberty of individuals is the key value that must be protected, no matter what. The “no matter what” is important as it underscores the priority that the value of liberty has in public policy decision making. And it is the value that unites individuals who otherwise think very differently on some matters.

In this essay, I shall tease these arguments apart and set the ground work so that later I can take them apart one at a time. The ultimate goal is to show the power of an alternative vision for America that questions this ideology that places the value of liberty above all else.

What I am calling the “liberty-first” philosophy or stream of thought though it has earlier origins has grown its number of adherents and captured imagination in the last several decades of the twentieth century and continues to be a prominent voice in the early twenty-first century. The philosophy has been articulated in both academic and popular writing, by political leaders, by radio

talk show hosts, and by news organizations. In academic writing, among its most articulate spokespersons have been Frederick Hayek, Ludwig von Mises, Ayn Rand, Milton Friedman, Richard Epstein, among others. Politically, the ideas have been articulated by Republican presidents such as Ronald Regan and to some extent both presidents Bush. In England, the philosophy was at the center of Margaret Thatcher’s political program. Institutionally the philosophy of liberty-first is supported by think tanks such as the Cato Institute and FreedomWorks, among many others, that have supported research and publications on the subject. On the American Supreme Court, the philosophy is reflected in the opinions of conservative justices such as William Rehnquist, Chief Justice John Roberts, Justice Clarence Thomas and Antonin Scalia, among others. In the popular media, the liberty-first ideology is promoted fiercely by the radio talk shows of Rush Limbaugh, Glenn Beck, Sean Hannity, the writings of political figures such as Ron Paul, and implicitly endorsed by media outlets such as Fox News.

One might be tempted to name this philosophy “Conservative” and indeed the “liberty-only” platform is embraced by a majority of Republicans and animates the new Tea Party. Naming it “Conservative,” however, does not do justice to the philosophy itself which is why many of the espousers, such as Hayek, think of themselves as “the true liberals” and why some end up calling themselves “libertarians.”³ While all of these individuals have or have had differences from one another, and some articulate the philosophy more intellectually than others, they share a common core set of values that are articulated around the liberty principle. In this sense, liberty is the key concept that traverses and holds together diverse parties of what perhaps could loosely be called a movement or stream of thought. They join together for political reasons and the practical goals which they share. Even though they have different underlying assumptions, they rally together under the banner of “liberty.”

This essay is part of a larger argument against the “liberty-first” philosophy and the development and re-invigoration of an alternative philosophy I call the “responsibility-first” or “justice-first” philosophy. This alternative view contrasts the “philosophy of rights,” that is embraced by the liberty-first party, with a “philosophy of what’s right,” which does not put all the weight on notions of individual rights. This other view contrasts “natural rights,” which many (though not all) of the liberty advocates emphasize, with the concept of “natural responsibility” which shifts attention to the obligations we have naturally as a member of the human species. It is only by shifting our obsessive focus from “liberty” as the only or primary core value to others such as “responsibility, care, justice, equality, humanity, and compassion,” among others, that we articulate a political position and philosophy that can provide us with a moral center, restore our prestige and meaning as a country, and provide a vision in a world that is off course and adrift.

In arguing we need a new “philosophy” to orient us, I am using the term “philosophy” loosely as the equivalent to “worldview” or “ethos,” in other words to refer to a broad set of cultural, political, religious assumptions about what is important and why. All such worldviews contain and imply a tacit philosophy, though the articulation of that philosophy may be more or less explicit and intellectual.

For reasons that I will continue to explain in other essays, I have come to the conclusion that the liberty-first philosophy is and will continue to be destructive to human flourishing. The limitations of the liberty-first orientation are many.

First, the fact that the value of liberty consistently and methodically trumps other human values is a core problem in the liberty-first platform. Liberty is one important value but it is not the only important human value. And when the relative weight of liberty in human decision making is

shifted and balanced with other important human values, a more just, humane and compassionate human flourishing is made possible.

Second, the liberty-first advocates appeal to liberty when it is convenient for them, which shows that they are not really consistent with their own overt positioning. If we look at their use of liberty, we can see that many (though not all) are really endorsing liberty-first when it suits their purposes. They invoke liberty when they want to rail against government being too large or to promote the right to own guns, but they run from it when they want to talk about marriage between gay people or to not say the pledge to allegiance.⁴ In other words, they pick and choose when to invoke liberty because liberty is a smoke screen or cover for a specific philosophical, religious and moral program. They invoke the concept when it supports their position. But they revoke the concept when it leads to conclusions that are inconsistent with their moral and religious program. This inconsistent use of liberty by the liberty-first party shows that what is at stake is not really liberty per se. And it also shows that liberty is a concept that gets filtered by a set of values. When understood this way, the question becomes how liberty should be implemented in a liberal society. By what values should it be understood and concretized.⁵

Third, the liberty-first advocates distort the meaning and history of liberty as a modern and American concept. Advocates of the liberty-first position equate one understanding of liberty with “the only” understanding of liberty. They project an overly simplistic understanding of liberty back onto the American founders, onto God and traditional religious concepts, and they tend to ignore and oversimplify the history of the modern tradition of liberty in general. We shall see that it is possible to embrace the concept of liberty without ending up in a position like that of the liberty-first advocates.

Fourth, liberty-first advocates often justify their view on liberty in terms of an overarching economic philosophy about free markets. They often argue that “liberty” and “free markets” mean the same thing and thus collapse the distinction between the two concepts. Milton Friedman, for example, argued that economic liberty is part and parcel of liberty. But I shall argue that liberty and free markets are very different concepts. The justification for free markets is not the same as the justification of individual rights. Indeed, the justification of free markets is usually pragmatic and economic. Economists favoring free markets say they are more efficient than other kinds of markets and will maximize human flourishing. This is a functional, economic argument. This functional economic argument differs from the claim that “we have natural rights to liberty that should not be infringed.” And when we distinguish the two positions (as some proponents of free markets do) we disentangle a pernicious and dangerous combination of ideas that are spontaneously combustible. By challenging each of these ideas on its own terms, it is possible to show that the two arguments cannot and should not be conflated. The protection of liberty does not necessarily mean we always have to have free markets. And the value of free markets has no implications for rights. They are separate arguments. And the theoretical positions of economists should not be taken as gospel any more than the priests of the middle ages. Economics is just a “social science” and even the “natural” sciences have evolving and changing understandings of the world. Economics is no different. What reigns as truth for our economic professors should not necessarily dictate our moral positions on social justice, responsibility, and other obligations of the human species. It is time to stop treating economists as the priests of modernity.

The limitations of the liberty-first platform alluded to above are academic and intellectual. Yet the consequences are broad and serious. The notion of liberty espoused by the liberty-first advocates does just the opposite of what it purports. It is undermining human flourishing; it is ravishing our planet; and it vitiates the notion of equality that is implied by the concept of liberty.

Ultimately, the liberty-first platform must be rejected if we have any hope to bequeath to future generations a planet that allows liberty to flourish. For if we do not fight back against what is a limited and myopic view of liberty, the inequality of the present world will increase, the environmental destruction will reach a point of no return, if it hasn't already, and liberty will disappear under much stricter government regulation and even worse a massive policy of controlled distribution. The sad irony is that the views of the liberty-fist advocates are more likely to lead to socialism than those of the people they criticize for being socialists.

The question before us simply put is this: what philosophy should carry us forward and guide us for the next century and at the beginning of this new millennium. If we act now, we do not have to abandon the concept of liberty altogether to address the concerns in front of us. But to avoid dire consequences for the planet and ultimately for human liberty, we must return to more of a classic notion of liberty that understands freedom as one value among other important human values. By balancing liberty with other important human values, we not only build a moral-political philosophy for the future, but renew and restore some of the most important dimensions of human thinking in the past, including the best of the great religious traditions and critical insights of modernity. I refer to this philosophy of the future as a philosophy of “natural responsibility.” It is contrasted to a philosophy of “natural rights” and balances concepts such as free markets, and individual rights, with a rich set of other key human concepts such as responsibility, public good, compassion, love one's neighbor and a host of other rich moral and religious concepts that have slipped away from us. Such a philosophy is both a move forward and a return to what was great in the past, but without some of the past's limitations. I shall have more to say at another time about the word “natural” in the term “natural responsibility.” For in contrast to those who argue for “natural rights,” a philosophy of natural responsibility shifts the perspective or center of gravity in our thinking beyond liberty to a broader circle of key human concepts and ideas. This philosophy

takes seriously that liberty was always defined in terms of other conceptions including human nature, science, God, morality, responsibility, equality others. Concepts such as justice, compassion, responsibility, obligation, equality, all have their appropriate place in the mix alongside of liberty as valuable important ideas. Liberty is one important concept. It gets a vote but not a veto. This is why I title this essay “Beyond Liberty.” The point is not to abandon liberty but to balance it with other important values. The difference between the philosophy of natural responsibility and the philosophy of natural rights appears on a whole range of issues: on the notion of what a human being is, what truth is about, how we should think about God and religion, on the meaning of modernity, history and the purpose of America, and on the place of economics in our political life. On these and other key topics, this philosophy of natural responsibility differs from the liberty-first platform. The difference in this concept of liberty in short is in the whole underlying set of assumptions that make liberty intelligible.⁶

Core to the concept of natural responsibility is the conviction that we are more interdependent as a human species than we typically grant. This idea seems so self-evident that it hardly seems worth mentioning. Unfortunately, the notion of human interdependence seems to have disappeared almost completely from the rhetoric of the liberty-first advocates. They seem to think that human interdependence doesn’t matter or that human flourishing in general will occur by completely unfettered individuals pursuing their own self-interests. I disagree with both of those propositions. I believe that we must take seriously, both morally and philosophically, the ways in which humans are interdependent with one another across generations and across geographic, national, social and religious boundaries. This has always been true but in our current day when the interconnected nature of our economies is more evident than ever and when environmental destruction is possible in our lifetime, the ways we are intertwined are more self-evident than ever before.

In countering the liberty-first philosophy with a philosophy of natural responsibility, the goal is to shift the focus of people's thinking beyond themselves to the ways in which they are ultimately interconnected and mutually entangled. In some ways, there is nothing radical in this shift in perspective. It is arguably the notion of “humanity,” in counterpoint to the notion of the “nation,” or “my people” or “my God,” that framed some of the great insights of the modern enlightenment and of particular strands of most religions. But the notion of humanity has seemingly has lost much of its power in the now current variation of the liberty-first platform. Humanity, or the human species, is a way of thinking about ourselves that transcends both our limits as individuals and as America a nation. I believe that if we shift our gaze to include the unit of humanity more prominently in our thinking, we will come to understand liberty in a different way, as requiring and containing within it other values that are also sacred in their own right. By doing so, we align with some of the insights of the great religious traditions in ways that restore other lost insights of modernity and return to a view of liberty that is more at home with how liberty was originally understood. The issue is both the definition of liberty itself and relative balance of liberty and other values. The philosophy of “responsibility first” or “natural responsibility” that I talk about here reinvigorates the notions of humanity and the idea of the human species in order recapture the very essence of what liberty means. From that rethinking, comes a broader and more nuanced understanding of liberty.

In reframing how we think about liberty and the responsibilities that spring from our freedom, I ultimately point to a new vision of America with “heart and soul.” I use the metaphors of heart and soul to talk about these broader values that comprise our humanity. To some, these are matters of the heart: compassion, caring, love. To others they are also matters of the soul: what people believe God wants of us, and what our most spiritual natures are seeking. In embracing these other values, I believe we also return to lost insights about liberty that reach back to the American

founders and the modern philosophers of liberty. In my estimation, when these thinkers wrote about liberty, they meant something deeper and more profound than do our liberty-first proponents today.⁷

I realize that the “liberty first” adherents can and will shift their argument in response to mine, if they even bother to read it and engage with me seriously. They will argue that they too are concerned about humanity. They will say that I misread history, modernity, America and economics. But the larger goal here is not really to change the mind of the liberty-first adherents. That ship has sailed, and it is in my mind a sinking one. This reflection is written to the next generation who perhaps has not yet made up their minds. As they look at the liberty-first philosophy, some are being convinced that it is right. But there are other young people who feel in their gut that it is wrong, but they do not always have the right language to combat the hypnotic effect of oversimplification that is implicit in the liberty-first philosophy. My writing is written for them, to try to give them some language and content to see the limitations and perversions of the liberty-first philosophy. Those of us who feel that liberty-first philosophy is not right and represents an oversimplification, have the difficult task of getting the next generation to think more deeply, to open their minds and hearts more broadly to a wider set of commitments, and ultimately to come to a new understanding of American history and modernity. That battle over minds and hearts is one that we must wage on all fronts: philosophy, economics, history, morality and religion.

¹ I have challenged this reading of the Declaration of Independence in *Liberty in America’s Founding Moment*. Other Ideas Press. 2011.

² Milton Friedman, *Freedom and Capitalism*. University of Chicago, 1962, 15, 8.

³ See my essay on this topic. “Why ‘Market Liberals’ Are Not ‘The True Liberals’ or Who Really Inherits the Liberty Tradition?” Published on FreedomandCapitalism.com. See http://www.freedomandcapitalism.com/Liberty_and_Theory.html

⁴ Libertarians tend to be more consistent in their use of liberty than Republicans or Tea Party advocates. They tend to invoke the notion of individual rights more consistently regardless of the issue. Republicans and Tea Party advocates tend to use the concept when it suits their purposes.

⁵ I’ve developed this idea that liberty is always filtered in my essay “Why Can’t My Daughter Drive A Tank? Reflections on the Meaning of Liberty and Freedom in a Civil Society.” Published on FreedomandCapitalism.com. http://www.freedomandcapitalism.com/Liberty_and_Theory.html.

⁶ I am not unique in these assumptions and instead wish to see myself building on and synthesizing a whole trends of discontent with various parts of the “liberty-first” platform.

⁷ See my *Liberty in America’s Founding Moment*. 2011.