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For and Against Libertarianism: A Debate, Part 1

by George C. Leef

Libertarianism: For and Against by Craig Duncan and Tibor Machan (Rowman & Littlefield, 2005); 167 pages.

What is a debate? Most of the "debate" that contemporary Americans see consists of the pathetic events featuring political candidates on the same stage, frantically trading sound bites calculated to appeal to voters. Those spectacles are to real debate as moonshine liquor is to fine, aged brandy. A real debate consists of individuals developing arguments at length, supporting them, and attempting to show the failings of the opponent's case. We rarely see (or read) that anymore, and the nation's public discourse is the poorer for it.

Libertarianism: For and Against is a real debate, an estimable effort to get people to think seriously about a topic of great intellectual significance: What is the proper role of government? That is one of the central questions of political philosophy, and in this book two philosophers set forth and debate their sharply contrasting views. The disputants are Prof. Tibor Machan, who teaches at Chapman University, and Prof. Craig Duncan of Ithaca College.

Machan defends libertarianism: he would restrict government only to those actions necessary to defend people against aggression. That is to say, he advocates a state that endeavors to protect individuals' rights to life, liberty, and property but otherwise leaves them alone. Our current government, as Machan sees things, is far, far too powerful and mostly engages in actions that are improper.

Duncan defends what he calls "democratic liberalism" and calls for a state that employs its coercive powers widely in order to advance what he terms "human dignity." Even our current, massively interventionist government is not doing all that Duncan thinks an ideal government should do. He wants to see much more redistribution of wealth, for example.

The two debaters clash repeatedly over the advantages and disadvantages of their respective positions.

Before proceeding further, I should make it clear that I'm not a disinterested reviewer. I have been reading and debating libertarian and anti-libertarian arguments for more than 30 years. Long ago I concluded that Jefferson was right in saying, "That government which governs least, governs best." Thus, I read the book not to discover whether libertarianism is a good or a bad philosophy but rather to see whether the advocates came up with any novel approaches to this venerable dispute. I don't think they did, but it's still a good debate.

The book is set out in two sections. In the first, Machan opens with his case for libertarianism. Duncan then follows with an essay in response to Machan's affirmative case. Then Machan gets a final rejoinder. In the second section, the roles are reversed. Readers thus get approximately equal numbers of pages from each debater. Machan and Duncan state their arguments forcefully but never resort to attacks on each other's motives — another contrast with political debates.

Libertarianism explained and defended

So what do the debaters have to say? Machan's central contention is that "individual members of human communities are sovereign, self-ruling or self-governing agents whose sovereignty any just system of laws must accommodate." That is to say, we need a system of governance which maximally protects the right of each person to carry on his chosen activities so long as they do not violate the equal rights of others. We should desire such a system because

> once human beings are forbidden to employ coercive force in pursuit of their objectives, they will tend to pursue them peacefully, with one another's consent, and this will produce as good a human community as is achievable.

In Machan's view, freedom is fundamentally negative in character, meaning that it consists of the absence of restraints on one's actions, a view that contrasts with the idea of "positive freedom" advanced by nonlibertarians. An example would be Franklin Roosevelt's "freedom from want." That idea of freedom, Machan observes, necessitates that some people must be subjected to coercion — taxed — in order to provide what others want or need. The avoidance of legalized coercion is crucial to Machan's philosophy. As he writes,

> The whole point of civilization is to imbue a culture, a society, with the method of reasoning, argument and persuasion rather than coercive force.

What happens if society adopts a system of governance that departs from libertarianism by giving to the state functions other than just defending the sovereignty of each individual? Machan sees that there must be conflict because the "positive rights" claimed by people will inevitably

clash. There is no principled way of resolving those conflicts, and government then boils down to this: "You have a right to whatever you can get away with." Politics degenerates into a contest to see who is best at capturing governmental power and using it to get what he desires at the expense of others. In that political infighting, the greatest losers are likely to be the very people about whom nonlibertarians usually say they are so concerned — the poor.

Machan's case for libertarianism is not utopian. He contends that in a world of imperfect human beings, it is simply the best we can do.

The anti-libertarian rebuttal

Duncan replies that, while libertarianism has a "seductive allure," he rejects it because it fails to ensure that "individuals have fair access to a life of dignity." Unlike Machan, who sees taxation as equivalent to stealing, Duncan maintains that people have a right only to their *after-tax* incomes, and, while he acknowledges the possibility that taxation might become too onerous, that prospect doesn't much bother him. He wants the state to have enormous resources at its disposal to do the things he favors. He echoes the argument of Murphy and Nagel in their badly flawed book *The Myth of Ownership* (reviewed in the December 2002 *Freedom Daily*) that, because no one could earn much if it weren't for the government's having created a web of institutions and structures, the state has prior claim on everyone's income.

Heavy taxation is vital to Duncan's vision of a society in which everyone can lead a life of "dignity." (He leaves that concept undefined but it seems basically to mean "comfort.") Only with a large supply of public funds can the state provide the poor with housing, medical care, food, education, and other things he regards as essential to a "dignified" existence.

The state also needs abundant revenue to allow it to perform regulatory functions that a libertarian state would not, such as business regulation and the enforcement of laws against discrimination. Duncan accepts the common idea that market failure is widespread, necessitating intervention by government at many points where the libertarian would have it do nothing.

Duncan knows that libertarians argue that voluntary means exist to deal with the supposed market failures, but he claims that they are inadequate. Regarding charity to aid the poor, for example, he writes,

> The current behavior of many citizens shows that it is foolish to believe that leaving things to charity will generate sufficient funds to protect citizens' rights to security and fairness. Many individuals and corporations currently exploit each loophole in existing tax law, setting up tax shelters, moving their domicile abroad, and so on.

He seems to regard that as a conclusive refutation of the libertarian position, but it is easily answered. (Machan, alas, does not get around to rebutting it in his closing statement.) People who

are trying to minimize their taxes are often at the same time donating generously to an array of charities. Apparently it doesn't occur to Duncan that if your taxes are lowered you are able to spend more on all of the things that matter to you, *including making charitable donations.* Taxation substitutes the judgment of politicians as to the disposition of your earnings for your own judgment, and the fact that most of us want to minimize the government's take tells us nothing about the level of charitable activity and support that would exist if taxation were greatly reduced or eliminated.

None of Duncan's other objections to libertarianism fares any better. Perhaps he thinks he deals it a mortal blow, but he says nothing that hasn't been said — and refuted — before. His rebuttal to Machan strikes me more as a pep rally for statists than an effort to convince libertarians that they really should embrace the interventionist welfare state.

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