

# Freedom and Virtue

## Introduction

By George W. Carey

The reception accorded the first edition of these essays clearly indicates a widespread and intense concern about the relationship between freedom and virtue. While, to be sure, this relationship is interesting to thoughtful students of virtually every political persuasion, it is of special importance for American conservatives and libertarians because it has been, and continues to be, a source of great controversy. At the philosophical level, at least, it serves to divide the conservative/libertarian alliance that has long resisted the growth of the liberal welfare state. As liberalism wanes and public policy formation is increasingly driven by conservative and libertarian values, this schism promises to become even wider.

In its broadest terms, the freedom/virtue debate can be understood as arising from the primacy accorded individual liberty in libertarian thought. Libertarians, as certain of the following essays will make abundantly clear, share John Stuart Mill's view concerning "the nature and limits of the power which can be legitimately exercised by society over the individual";<sup>1</sup> namely, "the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number is self-protection."<sup>2</sup> In his introductory chapter to *On Liberty*, Mill forcefully advances this position. He maintains that this "one very simple principle" should "govern absolutely the dealings of society with the individual in the way of compulsion and control, whether the means used by physical force in the form of legal penalties, or the moral coercion of public opinion."<sup>3</sup> "The only purpose," he contends, "for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others."<sup>4</sup> Even the individual's "own good, either physical or moral," he argues, "is not a sufficient warrant" for interfering with his liberty.<sup>5</sup> On this score, he writes, conduct "which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign."<sup>6</sup>

These principles, we should note, far from being lofty and abstract precepts, formed the basis for what is known as "classical liberalism" that flourished in England and the United States during the late nineteenth and early twentieth centuries. The goal of classical liberalism is the maximization of individual liberty in both the political and economic spheres. Unlike contemporary American liberals or progressives, classical liberals resist governmental rules and regulations, holding that individual liberty is best served by minimal government.

The vast majority of conservatives—certainly the traditionalists or "paleoconservatives," but also the "neoconservatives"—while concerned with individual liberty, strongly believe that shared values, morals, and standards, along with accepted traditions, are necessary for the order and stability of society; that, moreover, without these socially cohesive elements, the environment necessary for the moral and intellectual development of individuals

is seriously lacking. They stress as well the need for virtue, a problem particularly acute in republican regimes where the people ultimately rule. They would agree with the point made by James Madison in an oft-quoted passage at the conclusion of Federalist paper essay 55; namely, a “Republican government presupposes the existence of” the benign “qualities” of human nature “in a higher degree than any other form.”<sup>7</sup>

Conservatives have long accepted the teachings of the classics that underscore the need for regimes to cultivate and perpetuate the virtues appropriate for their character, if they are to endure. But we do not have to bring the classics to bear to understand the concerns of modern conservatives in this regard. As those familiar with the American tradition know, a concern with the virtues necessary for a republican regime arises at various points in our political tradition, particularly during the formative years of the republic. And, to a surprising degree, the views and concerns of the commentators of this period reflect those of contemporary American conservatism. Jeremiah Atwater, for instance, acknowledging that the United States at that time (1801) enjoyed a “mild and free government,” proceeds to ask: “to what is this owing?” “Is it,” he asks rhetorically, “that man needs no restraint; but will, unless made vicious by government, always act as a reasonable being, and be obedient and virtuous, because it is his highest interest to be so?” Atwater observes that this answer is based upon a “theoretical idea” that embodies a false understanding of human nature. As he would have it, the virtuous citizen is formed by restraints, not unrestricted liberty. “Man,” he writes, “from cradle to grave, is constantly learning new lessons of moral instruction, and is trained to virtue and order by perpetual and salutary restraints”; restraints imposed by the family, by the schools, by government and laws, and even by “public opinion, which, in a country where Christianity is believed, compels even profligates to be outwardly virtuous.”<sup>8</sup>

Like most modern conservatives, many of the religious and civil leaders of this earlier period believed that an aspect of the public virtue consisted in shared values and a common morality that would, in the words of Zephaniah Swift Moore (the first president of Amherst College), provide a “uniform direction of the public will to that which is good.”<sup>9</sup> Closely connected to this belief was another which finds strong support among conservatives today, namely, that the source of this morality, as Samuel Kendal declared, must have “some higher origin than the consent of the political bodies.” “Nothing is gained,” Kendal held, if the laws of morality “are not supposed to proceed from some superior power, to which human beings are amenable.”<sup>10</sup> For him, “the imperfection of man” is such “that nothing depending on human authority only is adequate to the proposed end of civil government.” Thus, he reasoned, “Religious faith, or sentiment, must...be called in to the support of that morality, which is essential to the order and well-being of society.”<sup>11</sup>

These concerns and observations, aside from embodying enduring elements of conservative belief, point to the underlying reasons why many contemporary conservatives believe that we are facing a social crisis of perhaps unprecedented proportions. These conservatives believe that the damage to the fabric and cohesiveness of society due to the loss of virtue and a common

morality, is even more devastating than that anticipated by Atwater, Moore, Kendal, and others.

A host of works, far too numerous to deal with here, have concentrated on one or more aspects of this social degeneration. Most seem to be in agreement that the down hill slide began to accelerate at an alarming rate sometime in the late 1960's. Many of these critics would accept the scenario painted by the *Wall Street Journal* in a particularly hard-hitting editorial, "No Guardrails," that places the beginning of our precipitous decline in August 1968, "when the Democratic National Convention found itself sharing Chicago with the street fighters of the anti-Vietnam War movement." Absolving the protectors from responsibility for what followed, the editorial focuses on "university professors, politicians and journalistic commentators—who said then that the acts committed by the protesters were justified or explainable," thereby absolving the protesters from responsibility for what followed. "With great rhetorical firepower," the editorial notes, "books, magazines, opinion columns and editorials defended each succeeding act of defiance—against the war, against university presidents, against corporate practices, against behavior codes, against dress codes, against virtually all agents of established authority."<sup>12</sup> The editorial laments that the "guardrails"—that is, the rules that provide the framework for acceptable behavior within society—were also a casualty of this movement.

Conservatives are also in substantial agreement concerning what Anthony Harrigan terms "the major components of the decadence" that have overtaken American society. One of the major components, Harrigan insists, are "those in the entertainment business who have profited from contributing to the collapse of the established moral order." He regards these individuals to be "among the most pernicious enemies of our society, corrupters of a generation" who have "engaged in deliberate destruction of essential codes and conventions that ensured civilized life in this country."<sup>13</sup> Robert Bork, in his appropriately titled book, *Slouching Towards Gomorrah*, notes the prevalence of lewdness, vulgarity, and obscenity in our popular culture that he believes has "brutalized" our society and undermined our standards of decency. Noting that John Stuart Mill "himself would be horrified at what we have become," Bork seriously considers whether censorship of movies, television, recordings and reading materials might serve as a remedy. Unlike many contemporary liberals and libertarians, Bork insists, Mill did not intend his "one very simple principle" to be used as a justification for an unrestrained popular culture that produces and sustains a violent and degenerate society.<sup>14</sup> William Bennett has constructed "An Index of Leading Cultural Indicators" to offer a quantitative picture of our cultural decline. Since the 1960's he finds "a 560 percent increase in violent crime," over "a 400 percent increase in illegitimate births," and more than three times as many "children living in single parent homes." In 1940, he writes, "talking out of turn; chewing gum; making noise; running in the halls; cutting in line; dress code infractions; and littering" were identified by teachers as the leading problems in the public schools. In the 1990's these problems were replaced by "drug abuse; alcohol; pregnancy; suicide; rape; robbery; and assault."<sup>15</sup> In sum, to go no further, conservatives, now as perhaps never before, are alarmed at the consequences

of what they perceive to be the abandonment of moral standards, mores, and traditions, along with the almost total erosion of both public and private virtues.

Now most libertarians are alarmed at the state of affairs as well. They would, however, take exception with conservatives over its causes and solutions. They would acknowledge, most at any rate, that our present social conditions are at least in part due to liberty that has been used badly. Nevertheless, many would argue, liberty is too precious a commodity to be regulated and controlled in the fashion that conservatives would seem to favor, e.g., through education in virtue, obedience to moral codes, mores, and traditions, or censorship. Rather, they would emphasize that blind conformity to a moral or religious code does not constitute virtuous behavior nor does it make individuals more virtuous; that, on the contrary, liberty or freedom is a necessary condition for choice and that choice, in turn, is a necessary condition for the practice, realization, and cultivation of virtue. Aside from this, in the words of Friedrich von Hayek, libertarians have “an intellectual commitment to a type of order in which, even on issues which to one are fundamental, others are allowed to pursue different ends.” Writing from the perspective of a classical liberal, he continues, “It is for this reason that to the [classical] liberal neither moral nor religious ideals are proper objects of coercion.” “The view that moral beliefs concerning matters of conduct which do not directly interfere with the protected sphere of other persons do not justify coercion,” he feels, may be “the most conspicuous attribute of [classical] liberalism that distinguishes it as much from conservatism as from socialism.”<sup>16</sup>

A basic libertarian argument on behalf of liberty is not unlike that set forth by Madison in Federalist paper 10 in his discussion of the relationship between factions and liberty. Madison acknowledges that liberty is necessary for the formation of factions, which he defines as a “number of citizens...who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.”<sup>17</sup> Factions he regarded to be potentially fatal “diseases most incident to Republican Government.”<sup>18</sup> Yet, he concludes that the “remedy,” “destroying the liberty which is essential to” the “existence” of factions, would be “worse than the disease.” “Liberty is to faction,” he writes, “what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to the fire its destructive agency.”<sup>19</sup> This view, which places a very high premium on liberty, comports with the stance taken by libertarians when confronted with the abuses of liberty that have caused the social deterioration which conservatives and others deplore.

The foregoing presents only in broad outline the character and dimensions of the division between libertarians and conservatives. The following essays will reveal the character and nuances of these differences, as well as other sources of division. But this should not blind us to the areas of agreement, which if nothing else, have served to unite the two schools at the level of practical politics,

particularly in their opposition to the centralized, welfare state and those policies that would enlarge its powers.

The collapse of the Soviet Union may have served to provide even a stronger union between these schools regarding the powers of government in both the national and international arenas. Whereas virtually all conservatives during the Cold War period were strongly anti-communist and, accordingly, supported a strong national government with the powers necessary to combat communism both internally and externally, many libertarians felt the Soviet threat was vastly exaggerated, primarily as a cover to expand the powers of government. While conservatives were prone to regard the Cold War confrontations with the Soviet Union as part of a larger conflict involving the survival of the better part of Western civilization, it was something far less than this for certain libertarians. Currently, in the absence of a credible threat to the survival of our nation, some schools of conservative thought can be expected to join libertarians in opposing interventionist foreign policies and any expansion of the powers of the national government, particularly with respect to monitoring and policing domestic groups.

Because of their close association in the arena of practical politics, the question has arisen whether there are philosophical grounds on which conservatives and libertarians can merge or “fuse.” Is it possible, that is, to reconcile the libertarian concern for individual liberty with the conservatives’ preoccupation with order and virtue? Or are the differences so fundamental that the two schools can never be joined at the theoretical level? Though these questions had been simmering beneath the surface for some time among the intellectual leaders of the post World War II conservative movement, particularly among those who had united with William Buckley in 1955 to launch *National Review*, they did not come into full public view until January 1962 with the publication of an article in *National Review* by Professor M. Morton Auerbach entitled “Do-It-Yourself Conservatism?” At the urging of William Buckley, three leading conservatives—M. Stanton Evans, Frank S. Meyer, and Russell Kirk—responded to Auerbach’s critique of modern conservatism. In turn, their responses were examined critically some months later in a lengthy article, “Freedom or Virtue?,” by L. Brent Bozell that also appeared in *National Review*. In many ways, the ensuing arguments over the years concerning the relationship between libertarianism and conservatism are extended footnotes to points made in these early exchanges. For that reason, we have placed them at the beginning of this collection.

That the leaders of post World War II conservatism were aware of the potential split in the conservative movement over the freedom/virtue issue before the matter was aired publicly is attested to by the publication of Frank S. Meyer’s *In Defense of Freedom* in 1962, soon after the appearance of Auerbach’s article.<sup>20</sup> In this work, Meyer set forth what has come to be known as “fusionism,” namely, the position that the theoretical differences could be reconciled given the proper social and political environment. From his perspective such an environment was one whose social and political ethos would allow individuals to “freely choose” and whose “intellectual and moral leaders, the ‘creative minority,’”

possessed the requisite “understanding and imagination to maintain the prestige of tradition and reason” to “sustain the intellectual and moral order throughout society.”<sup>21</sup> This “simultaneous belief in objectively existing moral value and in the freedom of the individual person,” he believed, was rooted in the Declaration of Independence and the Constitution, as it was understood at the time of adoption. From his vantage point, it represented as well the “consensus of contemporary conservatism.”<sup>22</sup> In sum, then, Meyer’s fusionism consisted of a wide range of individual liberty to choose (the paramount libertarian value) within an order that embodied reason and tradition (a condition that takes into account traditional conservative concerns).

Meyer’s fusionism provides a convenient point of reference for understanding the various positions set forth concerning the relationship between libertarianism and conservatism in the essays that follow. Many of these essays, whether specifically addressing Meyer’s formulation or not, deal with the question of whether there can be theoretical union between conservatives, who place a high value on tradition, order, and virtue, and libertarians, who accord primacy to individual liberty. Other essays deal directly with the question of whether Meyer’s argument is sound; whether, that is, he satisfactorily makes the case for his fusionism. I will not even try to canvass the varied questions and concerns raised in these essays because I think it best that the readers confront them first hand.

I have made certain significant changes from the first edition of this work, all intended to shed more light on the freedom/virtue controversy. To the essays that appeared in the first edition<sup>23</sup> I have added “Do-It-Yourself Conservatism?” (*National Review*, 30 January 1962) which contains the article by M. Morton Auerbach and the responses by M. Stanton Evans, Frank S. Meyer, and Russell Kirk; “The Twisted Tree of Liberty” (*National Review*, 16 January 1962) by Frank S. Meyer and, in slightly abridged form, “Freedom or Virtue?” from L. Brent Bozell (*National Review*, 1 September 1962). As noted above these essays provide a highly useful background for understanding the subsequent debates over liberty and virtue.

I have also added a short essay by Richard Weaver, “Conservatism and Libertarianism” (*The Individualist*, May 1960); and the exchange, “Freedom or Virtue?” between Doug Bandow and Frederick D. Wilhelmsen (*Intercollegiate Review*, Spring 1995).

Finally, I have replaced Russell Kirk’s “Libertarians: The Chirping Sectaries” with his “A Dispassionate Assessment of Libertarians” from *The Politics of Prudence* (Bryn Mawr: Intercollegiate Studies Institute, 1993).

## Notes

1. *Utilitarianism, Liberty and Representative Government* (New York: Precepts, 1950), 85.
2. *Ibid.*, 95.
3. *Ibid.*
4. *Ibid.*, 95-96.
5. *Ibid.*
6. *Ibid.*

7. Hamilton, Madison, and Jay, *The Federalist*, George W. Carey and James McClellan, eds. (Dubuque, Iowa: Kendall/Hunt, 1990), 289. All references to *The Federalist* are to this edition.
8. *American Political Writing during the Founding Era, 1760-1805*, Charles S. Hyneman and Donald S. Lutz, eds. 2 Vols. (Indianapolis: Liberty Press, 1983), II, 1177.
9. *Ibid.*, II, 1213.
10. *Ibid.*, II, 1245.
11. *Ibid.*, II, 1244.
12. "No Guardrails," in "Review & Outlook," *Wall Street Journal*, 18 March 1993, A12.
13. Anthony Harrigan, "A Lost Civilization," *Modern Age* (Fall 1992), 6-7.
14. Robert H. Bork, *Slouching Towards Gomorrah: Modern Liberalism and American Decline* (New York: HarperCollins, 1996), 153.
15. William J. Bennett, *The Index of Leading Cultural Indicators* (Washington, D. C., 1993), xxi. This study was jointly published by the Heritage Foundation and Empower America.
16. F. A. Hayek, *The Constitution of Liberty* (Chicago: University of Chicago Press, 1960), 402. These remarks appear in his "Postscript" entitled "Why I Am Not a Conservative."
17. *The Federalist*, 43-44.
18. *Ibid.*, 48.
19. *Ibid.*, 44.
20. The best account of the post-World War II Conservative Movement through the early 1970's is George H. Nash's, *The Conservative Intellectual Movement in America: Since 1945* first published in 1976. This valuable work was republished in 1996 by the Intercollegiate Studies Institute with an Epilogue by the author.
21. Frank S. Meyer, *In Defense of Freedom* (Chicago: Henry Regnery Company, 1962), 69.
22. *Ibid.*, 5.
23. The essays by Robert Nisbet, Walter Berns, John East, and Tibor Machan appeared as articles in *Modern Age* 24 (Winter 1980). These articles were revised versions of papers presented at the Chicago meeting of the Philadelphia Society in April 1979. The essays by Murray Rothbard, M. Stanton Evans, and John Hospers were originally papers presented at a Liberty Fund conference on fusionism at Pompano Beach, Florida in January 1981. These papers were published in *Modern Age* 26 (Spring 1982). Edward McLean's response to the Kurtz article was specially written for this volume.