

## Conservative Critiques

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Abstract: American sociologist Robert Nisbet once described conservatives and libertarians as “uneasy cousins.” The description is apt. While sharing a family resemblance and many of the same political rivals, conservatism and libertarianism are fundamentally at odds. This paper explains why this is so from the conservative perspective. It surveys the starting points and major themes of conservatism and libertarianism. It identifies what conservatives and libertarians agree about. It concludes by showing what conservatives have against libertarianism.

### **1. Introduction**

American sociologist Robert Nisbet once described conservatives and libertarians as “uneasy cousins” (1980). The description is apt. While sharing a family resemblance and many of the same political rivals, conservatism and libertarianism are fundamentally at odds. Our task here is to explain why. Or, at least to explain why this is so from the perspective of the conservative. We begin by explaining conservatism and libertarianism. With a better grasp of each, the points of contention will become apparent.

### **2. Conservatism**

The term “conservative” didn’t become part of political discussion until the middle of the 19<sup>th</sup> century. But it captures a long tradition of political thinking that prizes preserving the good things one has and knows—*because* one knows and loves those things, and because one can easily lose them. Everyone is a conservative about what he knows best.<sup>1</sup> For this reason, the conservative prefers “the familiar to the unknown, ... the tried to the untried, fact to mystery, the actual to the possible, the limited to the unbounded, the near to the distant, the sufficient to the superabundant, the convenient to the perfect, present laughter to utopian bliss” (Oakeshott, 1991, p. 408).

It’s not easy to state the tenets of conservatism. There is ongoing disagreement among those who espouse or study conservatism whether there are any “tenets” of conservatism at all.

In 1957, Samuel Huntington (1957) identified three approaches to defining conservatism. According to the *aristocratic* definition, conservatism is the ideology confined to a specific historical moment, namely the critical reactions to the French Revolution and the violent social upheavals that marked the end of the 18<sup>th</sup> Century. Edmund Burke’s *Reflections on the Revolution in France* can be read in this spirit, but perhaps the clearest examples of this approach are the French “reactionary” conservatives such as Joseph de Maistre, who argued for a return to pre-Revolutionary monarchy and aristocracy in France.<sup>2</sup>

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<sup>1</sup> Scruton attributes this observation to Robert Conquest (Scruton, 2014, p. 2).

<sup>2</sup> See (Maistre, 1994).

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According to the *autonomous* definition, conservatism is a commitment to a set of values and ideas that form something like an ideology or philosophy. These might include values such as tradition, family, religion, order, property, freedom, and community, or ideas such as pessimism about human nature or skepticism about human reason.

Finally, the *situational* definition says that conservatism is an ideology that only arises as a response to threats to existing institutions of which people generally approve. Conservatism becomes the system of ideas used to justify the established social order and defend it from existential threats. On this definition, conservatism is unlike most ideologies in that it has no first-order commitments to values like liberty, equality, or fraternity. Rather, it is a meta-ideology, defined by its “disposition” toward existing value (Oakeshott, 1991, p. 407). The ideas used to defend current institutions and traditions will differ according to the threat. Conservatism, then, is not inherently opposed to liberalism or socialism. Rather, it opposes radicalism, or any proposal to upset the existing order more than is strictly necessary to conserve what is valuable.<sup>3</sup>

We’ll understand conservatism according to the autonomous definition. We do this for two reasons. First, there is a long conservative philosophical tradition that is uninterested in defending the feudal aristocracy or urging a return to a pre-Revolution social order. While some modern conservative thought does trace its lineage to Burke and the French Revolution, conservatives have been for some time unconcerned with re-litigating 18<sup>th</sup> Century French political disputes. Second, we opt for the autonomous over the situational definition because on the latter it would be harder to see the tension between conservatives and libertarians. One could, it seems, be a “conservative libertarian” if the need arose to defend the existing libertarian social order from radical threats. Since our task here is to discuss conservative critiques of libertarianism, the autonomous definition best suits our needs.

To fill out the autonomous definition, we’ll canvass some of the ideas that have animated conservative thinkers.<sup>4</sup> Our primary aim is to describe what conservatives believe and why, not to argue for these views. This brief survey of conservative thought should help us see how conservatism and libertarianism are, as Nisbet put it, uneasy cousins.

### Conservative Starting Points

Conservative thinking typically begins with two starting points. Conservatives do not have exclusive claims to these starting assumptions or to the values we’ll discuss. Nor will every self-described conservative agree with these starting assumptions, let alone how we develop them. Even so, we have tried to capture a significant strand of conservative thought that ranges from Aristotle, David

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<sup>3</sup> Michael Oakeshott and Roger Scruton often describe conservatism in dispositional terms. See, for example, Oakeshott’s essay “On Being Conservative” and (Scruton, 2002, chap. 1). For a recent articulation of the dispositional approach to conservatism, see (McPherson, 2019). For what it’s worth, Huntington himself argued that the situational definition best captures Burkean conservatism.

<sup>4</sup> Introductory discussions of conservatism can be found in (Quinton, 1993; Muller, 1997; O’Hear, 1998; Nisbet, 2001; Ball, Dagger and O’Neill, 2019; Hamilton, 2020).

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Hume, and Edmund Burke, to more recent figures such as Michael Oakeshott, Robert Nisbet, Roger Scruton, and John Kekes.<sup>5</sup>

### *Pessimism about human nature*

A persistent theme in conservative thought is that human beings are, morally speaking, a mixed bag. While some humans are virtuous, many are vicious, some even evil. Most of us are morally mediocre, and that mediocrity is not going away. Each successive generation of humans must see to the moral education of its youth by exposing them to their society’s civilizing institutions and traditions.

Conservatives are deeply suspicious of utopian visions (Scruton, 2010, chap. 4). They do not think we can perfect human nature and usher in a paradise by putting in place the right laws or institutions (Scruton, 2010, chap. 3). They reject, for example, the Marxist idea that the state will wither away if we could eliminate capitalism and class divisions. Conservatives are similarly dubious about the anarchist’s claim that states themselves are the cause of all the conflicts that seem to make states necessary. Institutional arrangements are not the problem. We are.

Due to this pessimistic view of human nature, conservatism has sometimes been described as the “politics of imperfection.”<sup>6</sup> Political thinking must find a way to deal with the fact that human motivation and behavior is not morally perfectible. We must also deal with the reality that many humans do profound evil. We ignore these features of humanity at great cost. This is not to say that humans are thoroughly and irredeemably corrupt. Humans are capable of moral goodness—sometimes even moral greatness—but such accomplishments cannot be counted on.

### *Skepticism about human reason*

Conservatives are skeptical about the use of human reason to structure political arrangements. More specifically, conservatives are suspicious of the use of *a priori* reasoning in the service of political knowledge. Some political thinkers claim to discover from their rooms at All Souls College the correct political principles. They think they know how to organize a remote society they have never visited. Liberals often base their favored political arrangements on metaphysical claims about individual rights, or on what moral principles free, equal, and rational beings would accept in an idealized scenario behind a “veil of ignorance.” Marxists, on the other hand, claim to have identified the ultimate cause of the major events of human history, and to have mapped out future social developments that will eventually result in a classless society. Such political rationalists are confident, not only in their ability to ascertain fundamental political principles, but also in their ability to deduce from these principles the correct political arrangements.

Conservatives are unimpressed with this kind of rationalism in politics.<sup>7</sup> The sources of conservative skepticism are varied. They may, following Hume, be philosophical skeptics more

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<sup>5</sup> In particular, our discussion captures a thread of conservative thought that, despite their differences, runs through (Oakeshott, 1991; Kekes, 2001; Nisbet, 2001; Scruton, 2002, 2014, 2019; Burke, 2003)

<sup>6</sup> (Quinton, 1978). See also (O’Sullivan, 1976).

<sup>7</sup> Some strands of self-identified conservative thought are, admittedly, more rationalist. Briefly, these include: (1) the so-called “Right Hegelians,” who claimed that the advanced 19<sup>th</sup> Century European

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generally, and so eschew rationalism in any philosophical project, political theorizing included. Or, with Hayek, the conservative may think that the knowledge required to organize society well is too diffuse for any philosopher, no matter how well-intentioned she is, to collect, cognize, and deploy (Hayek, 1980, pp. 1–32).

Rationalist politics is a politics of perfection and uniformity (Oakeshott, 1991, pp. 10–11). Rationalists construct political theories with an eye to creating an ideal society: What are the *best* laws? The *best* distributions of material wealth? But these principles are also intended to apply to any human society—they are a gift to all mankind regardless of a society’s traditions, history, or worldview.

Conservatives are skeptical of aspirations to perfection because of their pessimistic view of human nature, and because they suspect the rationalist’s ideal visions are the result of fads in moral and political thinking, artifacts of the age from which they arose. Rationalist politics, Oakeshott wrote, “are always charged with the feeling of the moment ” (Oakeshott, 1991, p. 9). And worse, rationalist thinking leads to upheavals and revolutions that destroy societies. The history of modern Europe is “littered with the projects and politics of Rationalism”(Oakeshott, 1991, p. 10).

Conservatives are also skeptical of the uniformity of rationalist politics. As Scruton puts it, “political understanding, as a form of practical judgement, does not readily translate itself into universal principles”(2002, p. 36). Different principles are appropriate to different circumstances, depending on the history and traditions of the society (Kekes, 2001, chap. 2).

Conservatives aspire to intellectual modesty. They are unmoved by promises of utopia, and they offer no such visions themselves. They are reluctant to make abrupt, large-scale social changes. Conservatives do not disavow the use of reason for political ends altogether. But they prefer the unexciting and tried and true over the allure of revolution and theoretical paradise. And as we will see, they look to history for guidance.

### Conservative Themes

Conservatives think that societies should provide conditions conducive to good lives. The conservative approach to doing this, though, is severely limited by their starting assumptions. What kind of political arrangements make good lives possible given our moral and epistemic limitations? In answering this question, conservatives tend to endorse the following themes.

#### *Order*

No one wants to live in chaos, where social life is unpredictable, where you are always in physical danger, and where you cannot trust others to abide by contracts. Yet because conservatives are pessimists, they do not assume that people will treat one another well enough to live good lives if

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nation-state was the inevitable culmination of historical development and should thus be preserved; and (2) a prominent form of mid-20<sup>th</sup> Century “traditionalist” conservatism made popular by Russell Kirk in the U.S. that claimed that the foundations of Western democracy were ordained by God and that there is a transcendent order upon which we base political order, discovered by natural law or divine revelation. See (Kirk, 2001). For a natural law conservatism that is less rationalist, see (Schlueter and Wenzel, 2016).

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left unchecked. Society must have a way of pacifying those human passions that might otherwise interfere with our ability to lead good lives.

Conservatives therefore agree with Simone Weil that order is “the first of the soul’s needs” (Weil, 2001, p. 10). By ‘order’ the conservative means a stable society where people can rationally plan their lives in relative peace, and trust others to cooperate.

Because of the need for order, conservatives stress the importance of authority.<sup>8</sup> This includes, but is not limited to, the authority of the state to create and enforce laws. Conservatives support the rule of law for the order it provides in allowing people to plan their lives (Hayek, 2003, chap. 6). Few conservatives have favored direct democracies. In the interest of order and stability, conservatives favor procedural limits on the political influence of popular whims. One’s life, family, property, and traditions can be tyrannized by the popular majority no less than a single despot.

However, the state should not have a monopoly on authority. Conservatives envision a “chain of authority” running from local institutions such as houses of worship and families up to the state. Conservatives emphasize the authority of local institutions as a buffer against the threat of totalizing and centralized state authority. They believe local authorities are better equipped to sustain social order through the traditions people grow up in and associate with.

### *Freedom*

Although conservatives see both order and authority as crucial elements of a good society, conservatism is not authoritarian. This is because of the emphasis they place on freedom, including broad (but not necessarily absolute) freedoms to express one’s opinions, associate with whom one pleases, engage in trade, and practice one’s religion.

Liberalism too stresses the importance of individual freedom. But conservatives, in keeping with their pessimism, take a more cautious approach to freedom. Freedom is not good no matter how it is used.<sup>9</sup> Freedom, it is often said, ought to be “ordered” towards constructive ends. Conservatives are suspicious of “liberation” projects, many of which unleash the worst of humankind upon itself. One role of institutions is to keep in check our tendencies to do evil, and to help individuals pursue good lives. Individual freedom is valuable when it is shaped and ordered by good institutions. This occurs not only through the law, but through “intermediate” institutions like religious communities, families, schools, trade unions, and social aid organizations. These intermediate institutions also offer protection from the state. Rather than have their lives imposed upon them by distant technocrats, individuals are free to live according to their own traditions and conceptions of the good.

In defending freedom, conservatives do not typically rely on claims about “natural rights” or “self-ownership” or metaphysical theses about autonomy. What appeals to conservatives is not freedom in the abstract, but the function freedom serves in society. Freedom’s value is a natural consequence of conservative starting points, especially skepticism about human reason. Since we lack a sound

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<sup>8</sup> On conservative views of authority, see (Nisbet, 2000, 2001, chap. 2; Kekes, 2001, chap. 7; Scruton, 2002, chap. 2).

<sup>9</sup> Of course, the liberal tradition is highly diverse, and some liberals would also endorse this view of freedom.

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theory of how to organize society, it is better to let individuals and their communities shape their own lives. The conservative’s pessimism, however, justifies certain limits on freedom. “The restraints on men, as well as their liberties,” Burke wrote, “are to be reckoned among their rights” (2003, p. 51).

### *Community*

Society is not merely a collection of individuals who have their own rights and interests. An atomistic conception of society fails to countenance how individuals are connected through community. Individuals are woven together in a “fabric” as Burke put it, connected by shared language, love of home, national identity, commerce, religion, family, and friendship. The complexity of these relations contributes to conservatives’ reluctance to introduce sweeping social change. Society is fragile, and we should be anxious to preserve the conditions that make it work, even imperfectly.

Conservatives emphasize the importance of communities for their role in producing the conditions conducive to good lives.<sup>10</sup> Humans are dependent, social beings who seek to put down roots, feel secure, and find a place to call home. There is danger, then, if individuals cannot find community—and even more danger if they can only find it in the state. Down that path lies alienated individuals and the dangerous consolidation of power in central institutions. There is also risk of creating unnecessary strife as people push for the state to adopt values and goals that they might have pursued much more easily through voluntary local institutions, and without forcing them on anyone else. When there are well functioning families, neighborhoods, churches, and local clubs, people can find status, security, and belonging without turning to the state to meet those needs.

The integrity of the family has been of special concern to conservatives, as many of them see the family, and not the individual, as the fundamental unit of society. It is within the family that the “transmission of the heritage of civilization” runs from one generation to the next, including moral education and the passing on of traditions (Hayek, 1984).

### *Tradition*

The theme most commonly associated with conservatism is its commitment to tradition. Conservatives seek to conserve the good things they have and love, and to pass those things on to others. As we have seen, conservatives are skeptical of *a priori* reasoning about politics. Conservatives instead look to experience as their guide. Accumulations of generations of knowledge are given to us in traditional practices and institutions. Conservatives prefer the tried and true and will defend existing practices and institutions, insofar as they provide the conditions for good lives.<sup>11</sup>

The very survival of a tradition creates a presumption in favor of its value. This can be true even if, from our current vantage, a practice or institution seems to have no important function, a point memorably made by G.K. Chesterton. Consider a fence that is blocking a road. One kind of reformer, Chesterton wrote, “goes gaily up to it and says, ‘I don’t see the use of this; let us clear it

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<sup>10</sup> See, for example, (Nisbet, 1990).

<sup>11</sup> For a defense of tradition, see (Shils, 2006).

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away.’ To which the more intelligent type of reformer will do well to answer: ‘If you don’t see the use of it, I certainly won’t let you clear it away. Go away and think. Then, when you can come back and tell me that you do see the use of it, I may allow you to destroy it’” (Chesterton, 1990, p. 157).

Many of our traditionally bestowed practices and institutions have latent functions, not apparent to us simply by observing their existence. For this reason, conservatives are reluctant to abandon traditions without very good reason. Doing so often leads to unintended and harmful—sometimes devastating—consequences.

That said, conservatives will not reflexively defend just any tradition. Conservatives defend traditions that are conducive to good lives. Some traditions are not so conducive, and thus should be jettisoned. Before we do so, however, conservatives will remind us that changes to society pose a risk of making things worse, and that we should be careful not to make such changes before fully understanding what is likely to result.

Conservatives therefore support change, not for its own sake, but in service of carefully thought-out reform. They recognize that sometimes change is required, often for the very purpose of retaining valuable practices and institutions. As Burke famously put it, “A state without the means of some change is without the means of its conservation” (2003, p. 19).

Change for the sake of reform is best done gradually. This allows people to adapt, and permits an empirical assessment of whether the changes are doing the good we were promised. Doing so requires a kind of practical knowledge, and ought not be undertaken to create a utopia. “Politics,” wrote Oakeshott, “is not the science of setting up a permanently impregnable society, it is the art of knowing where to go next in the exploration of an already existing traditional kind of society” (1991, p. 406).

### *Property*

One of Burke’s most memorable ideas was his thought that society is “a contract...a partnership not only between those who are living but between those who are living, those who are dead, and those who are to be born” (2003, p. 32). The lineage from past to present and future is the basis of a conservative defense of private property. Conservatives want to preserve ties to family and place over generations. Property rights allow this as each generation builds something and passes it on to the next.

Conservatives have also supported private property as a general defense against the totalizing state, and as a way to preserve order, security, and continuity in social life. (Nisbet, 2001, chap. 2) Another continuing theme in conservative thought is the importance of feeling at home in the world. Property, conservatives argue, allows us to put down roots, and use our creative powers to fashion the world in ways that help us to overcome alienation.<sup>12</sup>

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<sup>12</sup> See (Scruton, 2002, chap. 5, 2014, chap. 1; McPherson, 2019). We’re grateful to David McPherson for conversations on this point.

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While conservatives have typically defended private property and freedom of exchange, they have maintained an uneasy relationship to capitalism. Indeed, this is one of the deepest tensions within conservative thought.

On the one hand, conservatives support private property and free trade. A system of property rights creates order, security, and stability, and promotes responsibility and stewardship. The division of labor and free markets efficiently produce and distribute necessary goods and services.

And yet, conservatives have also expressed reservations about capitalism.<sup>13</sup> First, they are sensitive to the disruption that capitalism and its attendant “creative destruction” has on communities. Factories are moved overseas. Jobs are lost to automation. Technological innovation ravages the environment. Second, since conservatives are interested in security and social order, they regard it as regrettable that one’s employment and thus one’s roots in a community are precariously dependent on employers’ ability to maintain profit. Third, conservatives who stress the importance of feeling at home in the world will be concerned about the alienation that capitalism can cause: alienation from others, our environment, and even ourselves. And finally, conservatives who value personal responsibility note that although capitalism encourages taking care with one’s finances, it also promotes recklessness. People are constantly tempted by credit cards and loan offers that send them into inescapable debt, and advertisements for consumer goods that they don’t need.

## **2. Libertarianism**

The roots of libertarianism are found in the “classical liberal” tradition with figures such as Immanuel Kant, John Locke, Adam Smith, John Stuart Mill, and Friedrich Hayek. Key themes include individual liberty, social tolerance, free trade, strong private property rights, a distinction between public and private spheres of social life, and a limited state (confined in one popular formulation to providing security against force and fraud through the police and military, and public goods like schools and a minimal social safety net). Classical liberalism was often justified on consequentialist grounds—liberal societies were thought to offer the best chance at social welfare and happiness.

We understand libertarianism as a more extreme version of classical liberalism. While there is an identifiable libertarian tradition, there is no singular and canonical position. Although we will note some of these differences, the libertarian tradition we have in mind is the one that connects thinkers such as Murray Rothbard, Ludwig von Mises, and Robert Nozick.<sup>14</sup>

### **Libertarian Starting Points**

The libertarian starting point is the radical freedom of the individual person. You have a right to live your life as you please as long as you are not infringing on someone else’s rights. The same goes

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<sup>13</sup> For a historical summary of these conservative criticisms of capitalism, see (Kolozi, 2017). See also (Scruton, 2002, chap. 6, 2014, chap. 4).

<sup>14</sup> See, for example, (Nozick, 1977; Mises, 2010; Rothbard, 2020). For a useful and concise introduction to libertarianism, see (Brennan, 2012).



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for everyone else. A prominent strand of libertarian thinking is therefore deontological in its foundation.<sup>15</sup>

Many libertarians base our right to freedom on the notion of self-ownership. The core of this view is well-represented by John Locke’s line that “every man has a Property in his own Person” (1980, p. 19). On this view, all rights are understood on the model of property rights. To hold a property right over some object is to have a set of normative protections and abilities concerning it.

Self-ownership explains why you cannot be permissibly forced to labor for someone else, and why you are free to sell your labor to others and own private property. If others claim a right to your labor, for instance, they are claiming a part of you as their property. In the absence of a voluntary agreement to sell your labor to another, such claims are mistaken according to libertarians, as they typically think of people as sole self-owners by default.<sup>16</sup> As long as you are not violating anyone else’s rights—which libertarians generally understand to be negative rights alone—and you are keeping your voluntary commitments, you have a right to be left alone to live your life as you please.

## Libertarian Themes

### *Individual Rights*

Because libertarians think that individuals enjoy sole self-ownership, they also think individuals hold very strong individual rights. Generally, there are two kinds of limits on your right to do what you please. First, you aren’t free to break your commitments or contracts. Second, you may not violate the others’ rights. Doing so would be akin to destroying someone else’s property without their consent.

Within these limits, however, libertarians think you should be free to practice your religion, peaceably assemble, buy and sell, move, and read, publish, and view whatever you’d like without intrusion from others, including the state.

### *Private Property*

One right particularly important to libertarians is private property. To have a private property right over something is to have a right to sell it or trade it, to use it as one pleases, to exclude others from using it, and even to destroy it. Libertarians favor extensive property rights. This means, first, that the range of property rights is large: there are few limits on what you can own. It also means that the strength of those rights is absolute or nearly absolute. Neither the state nor private individuals have a claim on your property. No one has a right to take your property just because it would help others, or because others need it more, or because you are not using it.

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<sup>15</sup> There are other strands of libertarianism. For example, some rely on consequentialist foundations: when individuals are afforded lots of individual liberty, their lives will tend to go better, and societies will tend to be more peaceful and prosperous. Often these arguments are paired with empirical claims about what happens when there are differential levels of individual freedom.

<sup>16</sup> Locke, who thinks of human beings as partly God’s property, is a notable exception.

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Consequentialist libertarians argue that societies that recognize very strong property rights are more peaceful, productive, and prosperous, and so such rights are ultimately justified on consequentialist grounds.<sup>17</sup> Deontological libertarians, following Locke, see property rights as an extension of the natural rights of self-ownership.

### *Free Markets*

From individual rights and private property, the libertarian commitment to free markets follows effortlessly. If I own something, I possess the exclusive right to decide whether to sell, trade, or give it to anyone I please, so long as they are a free and consenting party to the transaction. The business you conduct with other consenting adults, so long as it doesn't infringe on the rights of innocent others, is not anyone else's business. Libertarians point to the ability of free markets, with their use of the division of labor and the price system, to satisfy more efficiently the needs and wants of the billions of humans on earth than any other system tried. Markets are also morally valuable, as they promote personal responsibility, social trust, promise-keeping, and fair dealing with others.

### *Minarchism or Anarchism*

States tell us what to do, coerce us into handing over some of our property, and threaten us with punishment if we don't comply with the thousands of laws passed by strangers with whom we have made no voluntary agreement. Libertarians, given their radical notion of freedom and individual rights, regard this as unacceptable.

Libertarians therefore prefer a minimal state, though there is disagreement about just how much state action is permissible. According to minarchists, the proper purposes of government are limited strictly to those activities necessary to protect individuals from the aggression of others, such as a police force, a military, and a court system. In contrast, anarchists hold that states should be done away with altogether. Even a limited government requires coercion, and those in power will inevitably abuse and expand their authority. Anarchists support private protection agencies, private court systems for handling conflicts and grievances, and voluntary citizen militias for defense against outside aggression.

## **3. Uneasy Cousins**

In the 1960s, conservative political commentator Frank Meyer argued for a “fusion” between “traditionalism” and libertarianism.<sup>18</sup> Traditionalism, Meyer thought, properly emphasized the transcendent moral order and individual virtue, two things he found lacking in libertarian thought. But the problem with traditionalism was its use of political power to coerce citizens to live virtuously, by, say, telling people what kind of sex they can have, what kind of magazines they can buy, or what kinds of chemicals they can ingest. Coerced virtue is not virtue at all. Furthermore, Meyer thought the libertarian was correct to think that the state's power should be greatly limited to the preservation of domestic peace and order, the administration of justice, and defense against

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<sup>17</sup> See (Schmidtz, 1994; Hume, 2006, sec. 3).

<sup>18</sup> See (Meyer, 1962). The fusionist position was also defended by Stanton Evans, William F. Buckley, and was, for many years, commonly associated with the *National Review*.

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foreign enemies. According to Meyer, this “fused position” between conservatism and libertarianism strikes the right balance. It recognizes “the transcendent goal of human existence” and that “the duty of men is to seek virtue” while also insisting “that men can not in actuality do so unless they are free from the constraints of the physical coercion of an unlimited state”(Meyer, 2004, p. 17).

The fusionist project raises many questions, not least of which is whether libertarian societies are likely to attain the kind of individual virtue and moral order Meyer desired. Unsurprisingly, his view has been criticized by both conservative and libertarian critics.<sup>19</sup> Setting fusionism aside, let’s see how the conservative evaluates libertarianism.

### Commonalities

#### *Rejection of an intrusive state*

Conservatives and libertarians reject expansive, centralized political power that interferes in the economic, social, intellectual, and religious decisions of individuals and communities. This pits them both against ambitious, paternalistic, or authoritarian ideological visions for the state that involve managing the lives of citizens.<sup>20</sup>

#### *Support for free markets and private property*

Conservatives and libertarians share a generally positive attitude toward private property and the free exchange of goods and services. Libertarians defend private property and free markets either for rights-based or utilitarian reasons. Conservatives tend to stress the role of markets and private property in preserving civil society, order, and enabling people to feel at home in the world. Conservatives are more inclined to allow for restrictions on property rights and trade under certain circumstances (Kolozi, 2017). Generally, though, conservatives share more in common with libertarians concerning political economy than they do with socialists and welfare liberals.

#### *Rejection of equalizing*

In contrast with welfare liberals, socialists, and Marxists, conservatives and libertarians reject attempts to promote social and material equality between persons. There are many reasons for this. For one, they deny the authority of the state to promote such equality. Second, while conservatives and libertarians endorse equality under the law, they deny that other kinds of equality are more important than freedom, order, virtue, or tradition. Third, they are inclined to view certain kinds of inequalities as valuable, if only because they are instrumental in promoting the creation of wealth, or preserving civil society and social order. Fourth, they argue that to promote social or economic equality, you must treat people unequally in the process, by applying different laws and standards to different groups. Such differential treatment is objectionable. “Those who attempt to level,” Burke wrote, “never equalize” (2003, p. 42).<sup>21</sup>

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<sup>19</sup> For a sampling of these discussions, see (Carey, 2004).

<sup>20</sup> On these points see (Nisbet, 1980; East, 2004).

<sup>21</sup> See also (Kekes, 2003).

## Criticisms

### *Individualism*

Whatever conservatives and libertarians have in common, and whatever their allegiances against shared political rivals, conservatives and libertarians disagree about several fundamental matters.

One point of disagreement concerns the libertarian emphasis on the individual. Conservatives raise two criticisms. The first is that libertarians err in focusing so intensely on individual rights and freedoms at the expense of social groups and institutions. Libertarians begin their philosophical inquiry by imagining the individual shorn of his social identity and roles, and relations to family, friends, neighbors, fellow worshippers, and co-workers. But humans are social creatures, and our identities are inextricably connected to our groups and associations. Although conservatism does not subsume the individual into the collective, it does insist that we cannot properly understand the individual by abstracting her from her social circumstances. Libertarianism proceeds from the assumption that these things are of secondary importance, at best.

The institutions to which people belong are not mere aggregates of individuals. They possess their own norms and social rules that guide and constrain human behavior. The libertarian emphasis in the first instance on individual liberties and rights is destined to overlook our associative duties to others, duties we have simply in virtue of being a sibling, a neighbor, or a fellow citizen.

It would be one thing if these associations—with their demands on us of obedience and allegiance—were somehow accidental to human society. But such associations are necessary to human social life. They are also the objects of affection and provide the foundation for social trust, cooperation, and peace. Any political philosophy that begins by eliminating them is bound to be a political philosophy for beings unlike us. “I have in my contemplation” Burke wrote, “the civil social man, and no other” (1990, p. 112).<sup>22</sup>

This difference between conservatives and libertarians comes to the fore on the issue of open borders and immigration. Libertarians, by and large, reject immigration restrictions. Such laws impermissibly restrict the freedom of individuals to move, reside, and associate with whomever they please. Conservatives think this unduly emphasizes individual freedom at the cost of preserving local traditions and culture. For under a system of open borders, the libertarian cannot ensure that those who move from one place will adopt the cultural norms and values of the culture they enter. Indeed, this will often be unlikely, for there are tens—perhaps hundreds—of millions of illiberal people who would be eager to join liberal societies for their higher standard of living. Libertarians believe these individuals have a right to so immigrate, even if their doing so destroys the existing culture, attachments, and sources of communal value in those liberal societies.

Imagine tens of millions of American progressives migrating to Ghana and thereby transforming the local traditional cultures. Conservatives think Ghanaians are within their rights to prevent this. Individual freedom is important, but it doesn’t dominate every other value. Societies have a right to exclude to preserve their cultures. This doesn’t mean that conservatives want closed societies.

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<sup>22</sup> As quoted in (Levin, 2014, p. 54).

“Conservative Critiques,” 2022, *Routledge Companion to Libertarianism*, eds. Ben Ferguson and Matt Zwolinski, Routledge, 579-592.

But they do think societies can sometimes legitimately limit the freedom of individuals to migrate in the interest of preserving existing value.<sup>23</sup>

### *Primacy of Freedom*

Libertarians think individual freedom is the most important socio-political value. Conservatives believe this is a mistake. Freedom is one of several important values, but it is not the highest or most fundamental. The conservative criticism of the primacy of individual liberty takes several forms.

First, conservatives tend to be pluralists about socio-political values. There are many values—order, justice, welfare, community, merit, virtue, freedom, equality—and no one of them always trumps the others. Which political value, if any, should be given precedence will vary by circumstance and the historical situation a society finds itself in. Libertarians mistakenly take one value and elevate it above all others. John Stuart Mill called such thinkers “one-eyed men” (2006, p. 94). Mill’s one-eyed men saw part of the truth with stunning clarity, and worked out impressive theories based on what they saw with single-minded devotion. But they did so at the expense of missing most of the truth. What libertarians miss, conservatives recognize: any complex society enjoys many diverse values.

Second, conservatives deny that freedom is as valuable as libertarians think it is. As the cultural critic Matthew Arnold put it, freedom “is a very good horse to ride, but to ride somewhere” (1896, p. 344). Freedom is important, but it must be aimed at good ends. It makes little sense to promote radical individual freedom if it results in widespread chaos, disorder, violence, poverty, or disease. This is not a worry that can be allayed simply by reiterating one’s theoretical commitments about natural rights and the wrongs of coercion.

Third, not only do libertarians place too much weight on freedom, they also fail to appreciate the preconditions that make freedom valuable in the first place. Individual freedom in the Hobbesian state of nature is not something to celebrate. Individual freedom worth having is only possible within a social order that civilizes its members. Many libertarians insist that the preconditions for peaceful social existence can arise without the state or other institutional authorities that fulfill the functions of states. Individuals acting in their own interest and in response to social and market norms will create a stateless civil society. It is “conceivable,” Hayek says, “that the spontaneous order which we call society may exist without government” (1978, p. 47). Perhaps this is conceivable. But conservatives are skeptical that stable social orders—especially large-scale ones—will arise without states, and they will certainly resist any calls to abolish or vastly scale back the state so that we may enjoy greater freedom.

This disagreement about freedom explains why conservatives and libertarians differ on many matters of public policy, such as the legality of recreational drugs (like heroin), prostitution, and the possession of dangerous weapons. In each of these cases, the conservative argues that there are other important values at stake—like virtue, community, or cultural integrity—which trump the freedom of the individual. In such cases, it will be permissible to limit freedom.<sup>24</sup>

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<sup>23</sup> For more on libertarianism and immigration, see (Joshi, forthcoming).

<sup>24</sup> See (McPherson, forthcoming).

### *Rationalism*

Conservatives warn of the dangers of rejecting existing institutions because they fail to line up with the supposed dictates of natural right or an ideal picture of the world. But this is what libertarians do. Libertarians begin with a reasonable enough claim about the importance of individual liberty and inflate it in importance to such an extent that other concerns fall by the wayside. The rest of the libertarian philosophy is deduced from this one simple principle.

Conservatives see the same danger in libertarians’ rationalism as it does in rationalist political philosophies more generally. The libertarian envisions, if not a utopia, something close to it—a stateless human society, or a collection of minimal states where people can move freely to one nation to another. To achieve this vision, libertarians advocate eliminating many traditional institutions that are the source of love, meaning, and attachment for people. Thus, libertarianism is just one more ideal theory that recommends remaking society according to its simple principle.

Some strands of libertarianism might appear to be less rationalist, relying ultimately not on deontological claims about natural rights but on utilitarian claims about what socio-political arrangements best promote welfare. But absent a demonstration that the adoption of a libertarian approach to politics will make life better wherever it is adopted, no matter what traditional institutions and ways of life are destroyed in the process, this claim is nothing more than an article of faith.

Libertarians ask, how do we refashion society so that it conforms to our core principle? This “top-down” theorizing is bound to ignore crucial facts about the needs and interests of actual societies, which embody many other values. In contrast, conservatives ask, how do we solve the problems we have, making small improvements where we can, without destroying the good things we love and enjoy? As Burke put it, “I cannot conceive how any man can have brought himself to consider his country as nothing but *carte blanche*, upon which he may scribble whatever he pleases. A man full of warm speculative benevolence may wish his society otherwise constituted than he finds it; but a good patriot, and a true politician, always considers how he shall make the most of the existing materials of his country” (1990, p. 206).<sup>25</sup>

## **4. Conclusion**

Libertarianism is attractive because it provides an entire system of political thought derived from a single value: the radical freedom of the individual person. For this reason, libertarianism is especially amenable to defense and debate among analytic political philosophers, who appreciate the simplicity of the view and the theoretical power of its singular starting assumption. These very same features of libertarianism, however, are the ones that provide conservatives with their strongest ammunition for criticizing it. Conservatives see libertarianism as so concerned with the individual that they overlook the value of the communities that give individuals’ lives meaning.

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<sup>25</sup> As quoted in (Levin, 2014, p. 56).

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Similarly, libertarianism correctly identifies freedom as an important value, but emphasizes it at the cost of other values that are as important, and sometimes even more important. Finally, like other ideologies with strong rationalist components, libertarianism is too quick to dismiss stable social and political arrangements that conflict with its regimented vision of an ideal society.<sup>26</sup>

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