

MODERN AGE

A QUARTERLY REVIEW



Conservatives and Libertarians: Uneasy Cousins

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BY COMMON ASSENT modern conservatism, as political philosophy, springs from Edmund Burke: chiefly from his *Reflections on the Revolution in France*, published in 1790. That book is of course more than a brilliantly prescient analysis of the Revolution and its new and fateful modes of power over individual lives; the *Reflections* is also, through its running asides and *obiter dicta*, one of the profoundest treatments of the nature of political legitimacy ever written. Modern political conservatism, as we find it in a European philosophical tradition from about 1800 on, takes its origin in Burke's insistence upon the rights of society and its historically formed groups such as family, neighborhood, guild and church against the "arbitrary power" of a political government. Individual liberty, Burke argued—and it remains the conservative thesis to this day—is only possible within the context of a plurality of social authorities, of moral codes, and of historical traditions, all of which, in organic articulation, serve at one and the same time as "the inns and resting places" of the human spirit and intermediary barriers to the power of the state over the individual. The influence of Burke's *Reflections* was immediate, and all the major works of European philosophical conservatism—those of Bonald, de Maistre,

the young Lamennais, Hegel, Haller, Donoso y Cortes, Southey and Coleridge, among others—in the early nineteenth century are rooted, as their authors without exception acknowledged, in Burke's seminal volume.

Burke, it might be stressed here, had a political-ideological record leading up to his famous *Reflections* that was not regarded in his time, and would not be ordinarily thought of today, as quintessentially conservative. He had been from boyhood an ardent admirer of the glorious revolution of 1688 which had taken place four decades before his birth. When troubles with the American colonies broke out in the 1760's, Burke threw himself without reserve on the side of the colonists, and his parliamentary speeches on the Americans and on what he regarded as the hateful practices of the British government are of course classics. He may not have endorsed the colonies' decision to go to war, to seek a complete break with England, but his sympathies lay nonetheless with those Englishmen who had created the New World of America. It is worth recalling that, as with respect to the Americans, some of Burke's most powerful speeches in Parliament were delivered in behalf of India and its traditional culture and in fierce opposition to Warren Hastings, whom Burke sought unsuccessfully

to indict, and the British East India Company for its depredations in India. And finally, Burke, for all his love of England and English ways, was unrelenting in his criticisms of the government for its treatment of Ireland, where Burke had been born. In sum, with good reason Burke's close friend, that essential Tory, Dr. Johnson, could worry over Burke's Whiggism.

Turning now to the foundations of contemporary libertarianism, of classical liberalism, we can go back at least as far as John Locke's *Second Treatise* if we choose, to the writings of Montesquieu in France in the eighteenth century, those of Jefferson in America, and Adam Smith in England. But the securest and most vivid source of libertarianism seems to me to lie in J. S. Mill's *On Liberty*, published in 1859, the same year in which Darwin's *Origin of the Species* appeared (which has its own relation to classical liberalism and thus contemporary libertarianism, through its central thesis of natural selection, the biological version of what the classical liberals called the free market, using the phrase in its widest sense).

It is in *On Liberty* that Mill expresses at the beginning of the essay the famous "one very simple principle." Mill writes: "The sole end for which mankind are warranted, individually and collectively, in interfering with the liberty of action of any of their number is self-protection. . . . His own good, either physical or moral, is not a sufficient warrant." I suggest that Mill's "one very simple principle" is the core of contemporary libertarianism. It is necessary, though, to note Mill's immediate qualifications to the principle, qualifications which may or may not be acceptable to the majority of libertarians in our own day. Thus we learn that the principle does not apply to those below their legal majority, an abridgement that large numbers of high school and college students today would ridicule and reject. Nor does the principle hold for those Mill rather cryptically identifies as being "in a state to require being taken care of by others," a state that must include all those on any form of welfare in our society as well as those whom Mill probably had chiefly in

mind, the chronically ill and the mentally deficient. Mill categorically excludes from this principle of liberty all peoples on earth who are in what he calls "backward states of society." For them, he declares, despotism remains necessary, albeit as enlightened as possible, until through social evolution these peoples reach the level of the modern West in civilization.

Later in the essay Mill goes so far as to deny the principle of liberty to those around us who are, in his word, "nuisances" to others. And, he continues, "no one pretends that actions should be as free as opinions." In its bald statement Mill's one very simple principle would most certainly give legitimacy to contemporary pornography in all spheres as well as to noisy, order-disrupting, potentially violent street demonstrations. But with the qualifications just cited, it is far from evident that Mill's view of legitimate freedom would give sanction to contemporary license—moral, political, religious whatever. It is impossible not to believe that even in bald, abstract statement, Mill's single, simple principle was intended to apply only to people formed intellectually and morally as Mill himself was. But such observations do not affect the sheer power that has been exerted, especially during the past half-century, by Mill's principle—in philosophy, the social sciences, theology, law, and most recently in popular morality. (Looking at the scene around us, who can seriously doubt that the counterculture won the important battles in its war against traditional American morality, commencing in the 1950's and reaching its high-point in the late 1960's? And in essence these battles were waged in the spirit of Mill's one very simple principle. Mill may have taken seriously the checks and limits he prescribed, but others, looking at the principle in the discrete, abstract, and categorically imperative form in which Mill set it down, have felt no similar obligation.)

II

SO MUCH FOR the roots of conservatism and libertarianism. What I shall now do is turn to the more important growths from these roots

which lie around us at the present time. What are they, what are their likenesses, and what are the differences, assessed by the criteria of the conservative and the libertarian mind respectively? For the sake of clarity I shall begin with what the two minds would appear to have in common.

First is common dislike of the intervention of government, especially national, centralized government, in the economic, social, political, and intellectual lives of citizens. Edmund Burke was quite as adamant in this regard (see his strictures on French centralization and nationalization in the *Reflections*) as Mill or any other classical liberal was or would be, and that position has been maintained to the present day. Doubtless conservatives are more willing than libertarians to see the occasional necessity of suspension or abrogation of this position toward national government—as with respect to national defense, which I shall come back to later, but in general, over a substantial period of time, conservatism may be seen quite as clearly as libertarianism as a philosophy anchored in opposition to statism. Certainly by comparison with what today passes for liberalism, progressivism, populism, and social democracy or socialism, there is very little difference to be found between libertarians and conservatives in respect to attitudes toward the political state.

Second, and again by comparison with the other groups I have just cited, there is a great deal of consensus among conservatives and libertarians as to what legitimate equality in society should consist of. Such equality is, in a word, *legal*. Again we may hark back to Burke and Mill on this matter. For one as much as the other, equality before the law was vital to the flourishing of individual freedom. I see nothing in the contemporary writings of libertarians and conservatives to suggest that anything more than an occasional nuance or emphasis separates the two groups when it comes to equality. There is equal condemnation of what has come to be called equality of result, of social condition, or income or wealth.

Third, there is a common belief in the ne-

cessity of *freedom*, and most notably, *economic* freedom. Again, on the record, there appear to be more conservatives than libertarians who on occasion are prepared to endorse occasional infringements upon individual economic freedom through laws and regulatory agencies designed to protect or lift up one or other disadvantaged group. One thinks of British Toryism in the nineteenth century or of Senator Robert Taft on public housing in the late 1940's. Inasmuch as few if any all-out libertarians have yet faced the kinds of pressure in high public office which come from groups demanding one or other entitlement or exemption, it is not possible to compare libertarians and conservatives in terms of demonstrated adherence to philosophical principles when political practicalities and long-range ends are involved.

Fourth, there is a common dislike of war and, more especially, of war-society, the kind of society this country knew in 1917 and 1918 under Woodrow Wilson and again under FDR in World War II. Libertarians may protest this, and with some ground. For, the complete libertarian is certainly more likely to resist in overt fashion than is the conservative—for whom respect for nation and for patriotism is likely to be decisive even when it is a war he opposes. Even so, I think there is enough common ground, at least with respect to principle, to put conservatives and libertarians together. And let us remember that beginning with the Spanish-American War, which the conservative McKinley opposed strongly, and coming down through each of the wars this century in which the United States became involved, the principal opposition to American entry came from those elements of the economy and social order which were generally identifiable as conservative—whether “middle western isolationist,” traditional Republican, central European ethnic, small business, or however we wish to designate such opposition. I am certainly not unmindful of the libertarian opposition to war that could come from a Max Eastman and a Eugene Debs and from generally libertarian conscientious objectors in considerable number in both world wars, but the solid and

really formidable opposition against American entry came from those closely linked to business, church, local community, family, and traditional morality. (Tocqueville correctly identified this class in America as reluctant to engage in any foreign war because of its predictable impact upon business and commerce chiefly, but other, social and moral activities as well.) *This* was the element in American life, not the miniscule libertarian element, that both Woodrow Wilson and FDR had to woo, persuade, propagandize, convert and, in some instances, virtually terrorize, in order to pave the way for eventual entry by U.S. military forces in Europe and Asia.

As some of the foregoing has already suggested, there is shared dislike by libertarians and conservatives of what today passes for liberalism: the kind that is so widely evident in the schools, the established churches, the universities, and, above all, the media, most spectacularly the electronic media. In passing, I would like to suggest that conservatism, on the historical record, has done more to oppose, circumvent, or defeat specific manifestations of this so-called liberalism than has libertarianism. I can recall many a conservative in the 1930's speaking out against Social Security, the AAA, the NRA, and the free-wheeling, increasingly arrogant National Education Association with its canonization of progressive libertarianism for tots in kindergarten. Perhaps there were some libertarians then also active, but I don't recall. However, I'm not cavilling. History decides these things. There were far more conservatives than libertarians in the America of that day, or at least identified, politically active conservatives. In the next decade or two, things may well become reversed in this sphere.

III

Now TO the differences, or some of them, at any rate. These are important, very important! For everything at the moment suggests that the *differences* between conservatism, all-out or neo-, and libertarianism, anarcho- or constitutional, are going to loom increasingly

large and divisive. By and by, it will be impossible, I would guess, for the phrases "libertarian-conservative" and "conservative-libertarian" to be other than oxymoronic: like referring to a mournful optimist or a cruel kindness. Here too I shall avoid cases and cling to principles and perspectives.

First is the contrasting way in which the two groups perceive the population. Conservatives, from Burke on, have tended to see the population much in the manner medieval legists and philosophical realists (in contrast to nominalists) saw it: as composed of, not individuals directly, but the natural groups within which individuals invariably live: family, locality, church, region, social class, nation, and so on. Individuals exist, of course, but they cannot be seen or comprehended save in terms of social identities which are inseparable from groups and associations. If modern conservatism came into existence essentially through such a work as Burke's attack on the French Revolution, it is because the Revolution, so often in the name of the individual and his natural rights, destroyed or diminished the traditional groups—guild, aristocracy, patriarchal family, church, school, province, etc.—which Burke declared to be the irreducible and constitutive molecules of society. Such early conservatives as Burke, Bonald, Haller, and Hegel (of *The Philosophy of Right*) and such conservative liberals as the mature Lamennais and of course Tocqueville, saw individualism—that is, the absolute doctrine of individualism, as being as much of a menace to social order and true freedom as the absolute doctrine of nationalism. Indeed, they argued, it is the pulverizing of society into a sandheap of individual particles, each claiming natural rights, that makes the arrival of collectivist nationalism inevitable.

Libertarians are not blind to the existence of groups and associations, nor to the traditions and customs which are their cement, and it would be absurd to characterize libertarians as indiscriminating enemies of all forms of association. They do not propose return to the Enlightenment's vaunted state of nature. Only rarely does a libertarian sound

like a clone of Max Stirner. They are as devoted to the principle of voluntary association as any conservative. And we should not forget that the libertarian anarchism of a Proudhon or Kropotkin was based upon a social order of groups, not abstract, Godwinian individuals. Even so, reading the libertarian journals and reviews of the last several years, I am convinced that there is a much larger egoist-hormone in libertarian physiology than there is in conservative. More and more, one has the impression that for libertarians today, as for natural law theorists in the seventeenth century, individuals are alone real; institutions are but their shadows. I believe a state of mind is developing among libertarians in which the coercions of family, church, local community, and school will seem almost as inimical to freedom as those of the political government. If so, this will most certainly widen the gulf between libertarians and conservatives.

Which leads me to a second major difference between the two groups. The conservative philosophy of liberty proceeds from the conservative philosophy of *authority*. It is the existence of authority in the *social* order that staves off encroachments of power from the political sphere. Conservatism, from Burke on, has perceived society as a plurality of authorities. There is the authority of parent over the small child, of the priest over the communicant, the teacher over the pupil, the master over the apprentice, and so on. Society as we actually observe it, is a network or tissue of such authorities; they are really numberless when we think of the kinds of authority which lie within even the smallest and human groups and relationships. Such authority may be loose, gentle, protective, and designed to produce individuality, but it is authority nevertheless. For the conservative, individual freedom lies in the interstices of social and moral authority. Only because of the restraining and guiding effects of such authority does it become possible for human beings to sustain so liberal a political government as that which the Founding Fathers designed in this country and which flourished in England from the late seven-

teenth century on. Remove the social bonds, as the more zealous and uncompromising of libertarian individualists have proposed ever since William Godwin, and you emerge with, not a free but a chaotic people, not with creative but impotent individuals. Human nature, Balzac correctly wrote, cannot endure a moral vacuum.

To argue, as some libertarians have, that a solid, strong body of authority in society is incompatible with individual creativity is to ignore or misread cultural history. Think of the great cultural efflorescences of the 5th century B.C. in Athens, of 1st century, Augustan Rome, of the 13th century in Europe, of the Age of Louis XIV, and Elizabethan England. One and all these were ages of social and moral order, powerfully supported by moral codes and political statutes. But the Aeschyluses, Senecas, Roger Bacons, Molières, and Shakespeares flourished nonetheless. Far from feeling oppressed by the hierarchical authority all around him, Shakespeare—about whose copious individuality there surely cannot be the slightest question—is the author of the memorable passage that begins with “Take but degree away, untune that string, and hark! what discord follows; each thing meets in mere oppugnanity.” As A. L. Rowse has emphasized and documented in detail, the social structure of Shakespeare’s England was not only solid, its authority ever evident, but nothing threw such fear into the people as the thought that authority—especially that designed to repulse foreign enemies and to ferret out traitors—might be made too loose and tenuous. Of course such authority could become too insistent at times, and ingenious ways were found by the dramatists and essayists to outwit the government and its censors. After all, it was strong social and moral authority the creative minds were living under—not the oppressive, political-bureaucratic, limitless invasive, totalitarian governments of the twentieth century.

It might be noted finally that the greatest literary presences thus far to appear in the twentieth century Western culture have nearly all been votaries of tradition and cultural

authority. Eliot, Pound, Joyce, Yeats, and others all gave testimony to authority in poem, essay and novel, and all, without exception, saw the eventual death of Western culture proceeding from annihilation of this authority in the names of individualism and of freedom.

To be sure there is—and this is recognized fully by the conservative—a degree of liberty below which nothing of creative significance can be accomplished. Without at least that degree of freedom, no Shakespeare, no Marlowe, no Newton. But what is less often realized, conservatives would say, is that there is a degree of freedom *above which* nothing of creative significance can be, or is likely to be, accomplished. Writers in the late twentieth century do their work in the freest air writers have ever breathed, while composing their literary works. But it is apparent from the wretched mess of narcissism, self-abuse, self-titillation, and juvenile, regressive craving for the scatological and obscene that the atmosphere has become so rarefied as to have lost its oxygen.

On balance, I would hazard the guess that for libertarians individual freedom, in almost every conceivable domain, is the *highest of all social values*—irrespective of what forms and levels of moral, aesthetic, and spiritual debasement may prove to be the unintended consequences of such freedom. For the conservative, on the other hand, freedom, while important, is but *one of several necessary values* in the good or just society, and not only may but should be restricted when such freedom shows signs of weakening or endangering national security, of doing violence to the moral order and the social fabric. The enemy common to libertarians and to conservatives is what Burke called arbitrary power, but from the conservative viewpoint this kind of power becomes almost inevitable when a population comes to resemble that of Rome during the decades leading up to the accession of Augustus in 31 B.C.; of London in the period prior to Puritan and then Cromwellian rule; of Paris prior to the accession of Napoleon as ruler of France; of Berlin during most of Weimar; and, some would say, New York City of the 1970's. It is not liberty but chaos

and license which, conservatives would and do say, come to dominate when moral and social authorities—those of family, neighborhood, local community, job, and religion—have lost their appeal to human beings. Is it likely that the present age, that of, say, the last forty years and, so far as we can now see, the next couple of decades at very minimum, will ever be pronounced by later historians as a major age of culture? Hardly. And can it seriously be thought in this age of *The Naked Lunch*, *Oh! Calcutta*, *The Hustler*, and *Broadway Sex Live and Explicit* that our decadent mediocrity as a culture will ever be accounted for in terms of excessive social and moral authority?

Libertarians on the other hand appear to see social and moral authority and despotic political power as elements of a single spectrum, as an unbroken continuity. If, their argument goes, we are to be spared Leviathan we must challenge any and all forms of authority, including those which are inseparable from the social bond. Libertarians seem to me to give less and less recognition to the very substantial difference between the coercions of, say, family, school, and local community and those of the centralized bureaucratic state. For me it is a generalization proved countless times in history that the onset of ever more extreme political-military power has for its necessary prelude the erosion and collapse of the authorities within the social bond which serve to give the individual a sense of identity and security, whose very diversity and lack of *unconditional* power prevents any escape-proof monopoly, and which in the aggregate are the indispensable bulwarks against the invasion of centralized political power—which of course is unconditional. But I do not often find among libertarians these days any clear recognition of the point I have just made.

There is a final area in which the difference between conservatives and libertarians is likely to grow steadily: the nation. I stand by everything I have said in support of social authority, diversity and pluralism, and in opposition to concentration of national power. I do not have to be instructed on the number

of times war, and mobilization for and prosecution of war have led to “temporary” centralizations and nationalizations which, alas, proved to be permanent. War is, above any other force in history, the basis of centralization and collectivization of the social and economic orders. No conservative can relish, much less seek, war and its attendant militarization of social and civil spheres of society.

Unfortunately we do not live in a clement world so far as conservative and libertarian ideals are concerned. It is a world in which despotisms as huge and powerful as the Soviet Union and China survive and prosper—at least in political and diplomatic respects. For the United States to ignore or to profess indifference to the aggressive acts of these and many other military, aggressive despotisms would be in time suicidal. As Montesquieu wrote in a different context: it takes a power to check a power. Nothing short of a strong, well armed, alert and active American nation can possibly check the Soviet or Chinese or Cuban nation.

No conservative to my knowledge has ever renounced or reviled the nation, conceived as a cultural and spiritual, as well as political entity. Burke adored the nation. He merely insisted upon in seeing it—in vivid contrast to the Jacobins in his day—as a community of communities, as one built upon a diversity of what he called “the smaller patriotisms” such as family and neighborhood. So have conservatives, or the great majority of them, ever since chosen to see the nation. But what conservatives also see in our time, and with a sharpness of perception lacking among libertarians, is the tenuous condition of the American nation—and the English and French as well. There is good nationalism and bad. But even good nationalism has become an object of either nostalgia or revulsion in our time. Patriotism, the cement of the nation, has come to be an almost shameful thing. The weakness of American government right now in the world of nations, a weakness that increasingly draws contempt and distrust from nations we desire close cooperation with,

and the dearth of leadership in America in whatever sphere, are rooted in a nation that shows increasing signs of moribundity.

Libertarians, whom I herewith stipulate to be as patriotic and loyal American as any conservatives, do not, in my judgment, see the national and world picture as I have just drawn in. For them the essential picture is not that of a weakened, softened, and endangered nation in a world of Soviet Unions and Chinas and their satellites, but, rather, an American nation swollen from the juices of nationalism, interventionism and militarism that really has little to fear from abroad. Conservatives remain by and large devoted to the smaller patriotisms of family, church, locality, job and voluntary association, but they tend to see these as perishable, as destined to destruction, unless the nation in which they exist can recover a degree of eminence and international authority it has not had since the 1950's. To libertarians on the other hand, judging from many of their writings and speeches, it is as though the steps necessary to recovery of this eminence and international authority are more dangerous to Americans and their liberties than any aggressive, imperialist totalitarianisms in the world.

Conservatives will, or certainly should, also be alert to these dangers and seek with every possible strength to reduce them, all the while the American nation is recovering its lost leadership, in domestic as well as international affairs. But for conservatives the overriding, the supreme danger will be, I imagine, and personally hope, the danger posed by current American weakness in a world of dangerously aggressive military despotisms. Nothing at the moment suggests that this consideration will be overriding for libertarians. And it is on this rock above all others I have mentioned that conservatives and libertarians will surely break off altogether what has been at least from the start an uneasy relationship.*

*This article is a revised version of an address delivered before the Philadelphia Society at its annual national meeting, held in Chicago in April of 1979.