

## Governing Least: A New England Libertarianism

**Dan Moller**

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We are by now familiar with the so-called Adam Smith problem—the supposed contradiction between the central tenets of *The Wealth of Nations* and *The Theory of Moral Sentiments*—and equally familiar, I suspect, with the reconciliation of these contradictions, which, it turns out, are not contradictions at all. We are rationally self-interested creatures who endeavor to maximize our well-being; and also generous altruists who desire to help others to overcome their struggles, defeat illness, and improve their station in life. But too few of us who identify as libertarians ably account for both positions when, say, we advocate property rights or criticize state-coerced wealth transfers.

In *Governing Least: A New England Libertarianism*, Dan Moller strikes the right balance between the alleged contradictions between rationally self-interested and altruistic sides. Let us face it: libertarians on the whole are not known as the cheeriest or humblest of debaters. Moller's refreshing optimism, charity toward rivals, and rigorous argumentation distinguish him as an amiable yet formidable voice for reason and markets over institutionalized force and coercion. One might expect a book with this title to focus on literary luminaries such as Ralph Waldo Emerson, Henry David Thoreau, Nathaniel Hawthorne, Herman Melville, or Elizabeth Cady Stanton; but they are not Moller's principal subjects. Indeed, this book is not about particular New Englanders who espoused libertarianism, and it does not spend much time explaining what is so "New England" about this approach. Nevertheless, Moller does think that the literary luminaries above represent a positive ethos or aura that characterizes a classical liberal approach to reparations, redistribution, justice, inequality, aid, markets, colonialism, and poverty. *These* ideas, not people, are Moller's principal subjects.

The sixteen chapters in this book render four overarching arguments that mark four thematic sections of the book. The first argument concerns a commonsense moral defense of private property that undermines the case for wealth redistribution. It emphasizes the importance of morality to counter any inference "from the fact that we ought to render aid that there cannot be an objection to the state *compelling* us to do it" (118). The second addresses how markets enable human flourishing and price signaling and considers at length the concept and the role of luck (and its correlative, opportunity) in market systems. Even imperfect markets "are sources of huge welfare gains to all" (129). The third is historical, mapping different times and places to answer the question, "If capitalism is so bad, why has it worked out so well?" (183). Countries enriched by capitalism are "less rapacious, more attentive to the costs of war, [and] more cognizant of the wisdom of Adam Smith and others that wealth lies in trade and innovation, not in robbery and conquest" (218). The final argument undertakes the weighty topics of political correctness and utopianism, indicting libertarians for ignoring the legitimate ends of the former and for embracing the latter despite the impracticalities and potentially detrimental consequences involved.

These four arguments combine to present a judicious, sensible plea for libertarianism or classical liberalism that should, I think, appeal to naysayers on the left, that is, to those who deny that free markets and limited government are the optimal means of improving economic conditions writ large. I conflate libertarianism and classical liberalism here because Moller does the same. Moller seriously contemplates the strongest arguments on both sides of an issue, and entertains reasonable and practical solutions. The New England feature of his methodology is twofold: first, it emerges “from everyday moral beliefs we have about when we are permitted to shift our burden to others” (1); and second, “it ranges widely across history, economics, and politics, as well as philosophy” (2). The first of these features demands further explanation.

The notion of “burden shifting” is familiar to anyone learned in the law. During litigation, when one party to a case sufficiently meets his evidentiary standard, the burden then shifts to the opposing party to supply adequate contrary evidence. Moller does not use the term *burden shifting* in quite the same manner, but the underlying calculus holds. Implicit in the welfare-state model, for instance, is the perverse presumption that certain people, backed by state coercion, enjoy an overriding privilege and authority to command someone else to alleviate their burdens or the burdens of their chosen group.

The reason it seems wrong for John Doe to insist that the state must compel others to cure his hardship is that the possible benefits to him, should the state comply, do not outweigh the harms visited upon others who are coerced, by force or the threat of force, to give up their hard-earned money. Simply moving the burden from one person or group of people to another person or group of people does not eliminate the burden. The historical record, however, proves that free markets and limited government, better than alternative systems, create the conditions necessary to mitigate or minimize the burden itself. “What matters,” says Moller, “isn’t the relative importance of negative liberties as against other political values, but whether it’s permissible for the state to compel the transfer of burdens in the manner of an expansive welfare state” (6).

Moller suggests that there is widespread, standing agreement about such fundamental principles and values as equality, fraternity, freedom, and so forth. The *disagreement* between libertarians and most nonlibertarians is over whether the compulsory apparatus of the state is the primary or best mechanism for concretely realizing those values and principles in actual practices and institutions. “The disagreement between libertarians and their antagonists,” he submits, “is not over how much values like freedom or equality matter, but over whether it is permissible for the state to use *force* to promote these values in various ways” (6). Elsewhere he states, “No one is against reducing abject poverty. What libertarians oppose is the state bringing about such goals by compulsory means” (28).

Seeking common ground, and to reach nonlibertarians on their own terms, Moller acknowledges his assumptions (when he assumes) and sets aside absolutist, purist premises regarding individual rights, pursuing instead pragmatic inquiries and outcomes based on consensus views and practical reasoning. He wishes for inevitable conflict to remain at the level of discourse and rhetoric rather than violence or force. “Libertarians find it easier to believe that in the end we need to address” complex problems involving inequalities “by

reason and persuasion than that we should abandon moral norms about when it's permissible to use force against our neighbors" (47). This line echoes his succinct definition of libertarianism: "Libertarianism is the widely reviled idea that we should use reason and persuasion to accomplish our distributive aims. *Only* reason and persuasion" (1).

Moller takes reparations seriously, examining two forms: transfers "of cash or land or in-kind goods" (220), and "symbolic forms of atonement" (220) such as formal apologies. His proposition that reparations are warranted under particular circumstances is unlikely to receive broad support from other libertarians. But he never specifies what, exactly, those reparations would look like, nor how or when to institute them. In his telling, a "compendium of evil," (220) including colonialism and slavery, requires restitution, but the more he delineates the problems and difficulties involved in measuring historical injustices and classifying who qualifies as an eligible victim, the more he sounds *opposed* to reparations. It is as if, by proclaiming his support for reparations *in theory*, his apparent rejection of reparations *in practice* seems more palatable.

New England libertarians would *not* demand of their neighbor heightened risk, injury, or harm to elevate their personal interests or themselves. Reasonable people with diverse perspectives, disputing in good faith, can unite in their appreciation for Moller's cautious rationale and mild temperament. A short review cannot do justice to his complex analysis, colorful style, persuasive force, and rhetorical nuance. Yet it can, I hope, supply at least marginal support for Jason Brennan's ringing endorsement, which is stamped on the book's back cover: "This is a masterful work. It may even be a masterpiece." I would go further and say that, without a doubt, it *is* a masterpiece. Moller could be the next Robert Nozick.

— Allen Mendenhaal (e-mail: amendenhall@troy.edu)  
*Troy University, Troy, Alabama*