Niche Libertarianism: A Critique

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YOUTUBE OF THE LECTURE: https://youtu.be/7E1GiyTDz4w

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Niche libertarianism

- Bad features in some libertarian discourse:
  - Formulaic, simplistic, dogmatic, hubristic, scientistic.

“UP FROM NICHE LIBERTARIANISM”

Up to what?
Mere libertarianism, classical liberalism

A policy-views sensibility that, presupposing a stable polity, keeps its footing in the status quo, and leans against the governmentalization of social affairs, toward liberalization, across the range of domestic issues, by and large. It maintains a presumption of liberty, but it is mindful that the status quo also enjoys a presumption.
Mere

- Attuned to:
  - paradoxes of government
  - limitations of the liberty principle
  - complications

- Yet affirms the liberty principle

- Overcomes brittleness, rigidity, dogmatism, sectarianism
MERE higher than NICHE
Who are the niche libertarians?

• 16 features as “niche libertarian.”
  • Whirlwind
  • # enumeration of features

• Someone displays x of the 16…

Most self-described libertarians display at least one.

• I don’t name names.
“niche”

- **Market niche**—*libertarian* as opposed to *left/right, liberal/conservative, Democrat/Republican*.
  - peddling ‘libertarian’

- Sect, identity, creed, “science”

- Philosophical niche, from which we look down on all others
Niche feature: “D and R are equally bad.”

- Maybe supports LP

But:

- We have a two party system.
  - Third parties are damaging to their own cause.
  - Implausible that they are equally bad.

Rather: Assimilating to the two party system.
#2 Destinational vs. Directional

**Niche feature:** The ideal or just system, as *destination:* “The free society”. Determining the proper limits and role of government.

Rather:

- We work from the status quo: *Directional.*
Reforms to the status quo

R stands for a reform.

Status quo = \( R_0 \)

\( R_1 \) = some reform to the status quo

\( R_2 \) = some other reform to the status quo
Compare $R_0$ and $R_1$

Two comparisons, two orderings:

1. Ordering in terms of liberty
2. Ordering in terms of desirability
The liberty operator

> L
$R_1 > L \ R_0$
The desirability operator

\[ > D \]
$R_1 >_{D} R_0$
The Liberty Principle

If $R_1 >_L R_2$, then $R_1 >_D R_2$

• Anchored in the status quo.
• Compared to what?
#3NAP vs Lib. Prin.

**Niche feature:**

Non-aggression principle.

Rather: The liberty principle.
The Liberty Principle

If $R_1 \succ_L R_2$, then $R_1 \succ_D R_2$

100% of the time?
#4 Axiom vs. Maxim

*Niche feature*: Uphold the liberty principle 100% of the time. Categorical, axiomatic.

Rather: By and large.
The holiness of the whole: The health of the whole can trump liberty rights.

Defeasibility.

Universal benevolence.

*Niche feature*: Not affirming the holiness of the whole.

Rather: Affirming the holiness of the whole.
Attitudes toward government

Liberty Maxim: By and large, if $R_1 >_L R_2$, then $R_1 >_D R_2$.

Government has at least one necessary and important function: dismantling other government functions.
Two jural relationships

- Equal-equal
- Superior-inferior

The S-i jural relationship is our fate, like growing old and dying.
#6 Jural monism I: Flattening to one

*Niche feature*: Flattening the two into one.

Rather: Embrace jural dualism.
#7 Jural monism II: “Anarchy”

**Niche feature:** Talking “anarchy”

**Rather:** Embrace jural dualism.
“Ideals are peaceful. History is violent.”
Evil is not only top-down; also bottom-up (family, clan, tribe, gang, fief, barons/lords, local govt, religious sect, ethnicity) and side-to-side (raiding, invasion, conquest).

Many nation-states have augmented overall liberty.

The nation-state is our fate.
Daniel Hannan:

“It is extremely rare to find justice, freedom, or representative government flourishing in any context other than a nation-state.”

We learn by appreciating the best ones.
Niche feature: Lack of acceptance of nation-state, and appreciation for better ones.

Rather: Acceptance and appreciation.
The Liberty Maxim

*By and large,*

if $R_1 >_L R_2$, then $R_1 >_D R_2$

Can we make some sense of the exceptions?
Some examples

- 1776? 1861? WWII? Korean War?
- Legalize bazookas?
- Open borders?
- Liberalize certain financial transactions?
- Banning lead from gasoline?
- Curfew during riots?
Direct facets only

Overall effects

Scope and timeframe considered
Liberty effects of $R_1$

- **Direct** effects (or facets)
- **Indirect** effects

- **Overall**: Direct and Indirect
Two liberty operators

- $\gg_{DL}$
- $\gg_{OL}$

$(\equiv \gg_{L})$
Disagreement

\[ R_1 >_{DL} R_2 \]

and

\[ R_2 >_{OL} R_1 \]
Will the real Liberty please stand up?

Direct-liberty operator:
+ Much more concrete and determinate.
- Only part of the liberty story.

Overall-liberty operator:
+ The whole liberty story.
- Much less concrete and determinate.
#9 Disagreement between direct and overall

_Niche feature_: Evading or denying disagreement.

Rather: Facing up to disagreement.

Conservatives often better attuned to disagreement.
Adam Smith’s exceptions

Many of Adam Smith’s exceptions to the liberty principle have overall-liberty justifications:

- Nightwatchman state
- Navigation Act
- Restriction on small-denomination notes
- Schooling (especially vague)
- Opposition to polygamy
#10 Political feasibility

\[ R_1 >_{DL} R_2 >_{DL} \ldots >_{DL} R_{16} >_{DL} R_{17} >_{DL} R_0 \]

\[ R_1 >_{D} R_2 >_{D} \ldots >_{D} R_{16} >_{D} R_{17} >_{D} R_0 \]

But suppose \( R_{17} \) is by far most politically feasible.

*Niche feature*: Depreciating that \( R_{17} >_{D} R_0 \).

Rather: Appreciating that \( R_{17} >_{D} R_0 \).
Challenging vs. bargaining

Bargainer begins by challenging Belief Z. Challenger begins by challenging Belief W.
Niche feature: Depreciating bargaining.

Rather: Appreciating bargaining.
#12 ‘radical’

*Niche feature:* Savoring ‘radical.’

*Rather:* Chariness toward ‘radical.’
Another presumption

Presumption of liberty

Presumption of the status quo

The two stand together against reforms that reduce liberty.

But they conflict on reforms that augment liberty!
#13 Presumption of the status quo

*Niche feature:* Neglecting or deny the presumption of the status quo.

Rather: Giving a due place to presumption of the status quo.
Smith’s distinction between the science of a legislator and the art of liberal politics

- “the science of a legislator” represented by WN
- Art of liberal politics, practiced by that insidious and crafty animal
Niche features:

1. Not seeing Smith’s distinction.
2. Small regard for art of liberal politics.

Rather: Appreciation for the art of liberal politics.
#15 Calling leftists ‘liberal’

*Niche feature: Calling leftists ‘liberal.’*

- Working the ‘liberal vs. conservative’ discourse to brand a third type, *libertarian.*

Rather: Not calling leftists ‘liberal.’
#16 The justices

Niche feature: Flattening justice down to commutative justice.

Rather: Seeing and embracing three justices.
Up from niche libertarianism

Up to better liberalism/libertarianism.
• Attuned to:
  • paradoxes of government
  • limitations of the liberty principle
  • complications
  • “operose machines”

• Yet affirms the liberty principle, the semantics of liberalism 1.0, the presumption of liberty.

• Overcomes brittleness, rigidity, dogmatism, sectarianism, scientism.
Lifecycle of a libertarian

Often, niche libertarians are becoming. Especially if they are young.
Thank you for your attention.