

# 3 Libertarian Essays

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# Liberty, Dignity, and Responsibility: The Moral Triad of a Good Society

In *The Constitution of Liberty*, Friedrich Hayek wrote, “the belief in individual responsibility . . . has always been strong when people firmly believed in individual freedom” (1960, 71; see also 1967, 232). He also observed that during his time the belief in individual responsibility “has markedly declined, together with the esteem for freedom.” In surveying the twentieth century, noting the ascent of the philosophy of entitlement, the philosophy of command and control, and their institutional embodiments—the welfare state and the regulatory state—one can only respond, “indeed.” Lately, perhaps, a reversal has begun.

We might advance the reversal if we better understood responsibility and its connection to liberty. We speak often of responsibility, but vaguely, even more so than when we talk of liberty. When Hayek refers to “the belief in individual responsibility,” does he mean the striving by the individual to be admirably responsive in his behavior, to be reliable, dependable, or trustworthy? Or does he mean the belief that individuals ought to be held to account, to be answerable or liable for their actions? A drunken watchman can be held accountable for trouble that occurs during his shift; he is then both irresponsible and responsible. Indeed, the two kinds of responsibility tend to exist together, but they are conceptually distinct. As moral philosophers, we usually have the reliability notion in mind; as political philosophers, the accountability notion. To make the terminological distinction clear, I shall call the personal trait of being admirably responsive *personal responsibility*, and the social-

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relations trait of holding the individual to account *individual responsibility*.

Individual responsibility fosters personal responsibility. Policy affects morals. And personal responsibility enhances the appeal of individual responsibility and of liberty. Morals affect policy. Putting policy and morals together, we get feedback loops and multiplier effects.

I shall attempt to clarify the moral dimension of our statist ways. But moral philosophy here is handmaiden to political philosophy. I do not aim to persuade the individual to find or affirm certain moral outlooks or personal habits. I aim to persuade members of the polity to change government policy. One of the most important, if subterranean, arguments for changing government policy, however, is that doing so affects individuals' moral outlooks and personal habits, which in turn affects. . . .

## **Clarifying Liberty and Individual Responsibility**

My usage of *liberty* has a common recognition and acceptance. By liberty, I refer to property, consent, and contract. By property, consent, and contract, I mean what traditional common-law conventions have meant. Of course, there are gray areas here—what is the precise scope of private property rights? what of implicit terms in agreements?—and one must consider the senile, children, and other hard cases. But as a famous jurist once said, that there is a dusk does not mean there is no night and no day. Some things are gray, but most are either black or white. Despite its areas of ambiguity, the principle of liberty is cogent and well established. In the United States it is most consistently and most completely espoused by the libertarian movement. National and state policies that clearly encroach on the principle of liberty include drug prohibition, drug prescription requirements, drug approval requirements, restrictions on sexual services, licensing restrictions, wage and price controls, health and safety regulations of private-sector affairs, antitrust policies, import restrictions, laws against discrimination in private-sector

affairs, and gun control. On the truly local level, such policies might be viewed as acceptable because we might grant town government the status of contract, as for a proprietary community. The point here is not that liberty is everywhere good and desirable, only that it is reasonably cogent.

Let us think of liberty as conceptually distinct from individual responsibility. Libertarians often speak in terms of the liberty dimension, disregarding the responsibility dimension. The point is familiar with respect to the welfare issue. The taxes, which libertarians may deem an encroachment on liberty, are only part of the complaint. Suppose that instead of our current national and state welfare systems, we had the following: governments at the national and state levels continued to collect the same taxes but instead of providing welfare payments, they gathered all the tax dollars into a huge paper mountain, doused it with gasoline, and set it on fire. This hypothetical arrangement encroaches on liberty just as much as the existing system does. Libertarians may instinctually prefer the bonfire, but they cannot explain this preference with reference to the liberty dimension. The government distribution of welfare payments is itself objectionable, and for reasons aside from government ineptitude. The difference between the welfare system and the bonfire lies in the dimension of responsibility.

We can analyze government policy better by distinguishing liberty from individual responsibility. The dole is one thing; that the dole is financed by confiscatory taxation is another. Historically and practically, however, liberty and individual responsibility are intertwined. They are, especially, morally intertwined.

“Individual responsibility” means accountability; more specifically, it means *government-administered* systems of accountability for citizens. Both liberty and individual responsibility, then, pertain to the citizens’ relationships with government. Hence, in my usage, one citizen’s crime against another is not an encroachment on liberty, and the practices of a philanthropic organization, even if arbitrary, are not departures from individual responsibility. I shall sometimes abbreviate “individual responsibility” as just “responsibility.”

Think of liberty and responsibility as one-dimensional continuous variables. For the sake of setting the benchmark, we can describe the absolute liberty and absolute responsibility that constitute the Libertarian Utopia. Absolute liberty would be the freedom of property, consent, and contract among private parties. Government would maintain and enforce the legal order and not burden citizens with tax levies beyond those necessary to pay for these protective services. This arrangement is the classical Nightwatchman State, the utopia of Wilhelm von Humboldt, Frederic Bastiat, Herbert Spencer, William Graham Sumner, Albert Jay Nock, and other classical liberals. Here the government holds people accountable for their transgressions of property, consent, and contract—punishing criminals, enforcing restitution where possible, and adjudicating a thick-skinned tort doctrine—but it provides no other benefits to citizens. (Again I hedge on the question of local government because local government services beyond the Nightwatchman functions may occupy a gray area between ordinary contract and state power.) In the Libertarian Utopia, summarized in the middle column of figure 1, the variables “liberty” and “individual responsibility” both have their extreme values.

Departure from responsibility—indulgence—takes various forms, as summarized in the first column of the figure. In interactions between citizens and government, government acts with indulgence when it gives benefits to citizens—welfare payments, medical care, housing, schooling, freeways, and so on. In its policing of interaction among private parties, government engages in indulgence in making inadequate punishment of criminals (meaning burglars, not pot dealers). In its adjudication of civil disputes, government engages in indulgence by failing to make tort judgments against truly malfeasant defendants or by making tort awards to frivolous plaintiffs, for example, in liability, discrimination, or sexual harassment suits beyond the bounds of a thick-skinned tort doctrine.

Encroachment of liberty—coercion—takes the forms of confiscatory taxation (in excess of funding the Nightwatchman),

	<b>INDULGENCE</b> Departures from Responsibility	<b>LIBERTARIAN UTOPIA</b> Nightwatchman State	<b>COERCION</b> Departures from Liberty
Govt. Practice in Govt.- Individual Interaction	welfare-state benefits; free govt. services	taxation to finance the nightwatchman state	confiscatory taxation; conscription
Govt. Practice toward Private Activity	inadequate punishment of consent violators	freedom for consensual and protection from nonconsensual activities	restrictions, regulations, or prohibitions on consensual activities
Govt. Practice in Civil Disputes	frivolous awards to plaintiffs; failure to make judgments against malfeasant defendants	thick- skinned tort doctrine	frivolous judgments; failure to make awards to aggrieved plaintiffs

**Figure 1. Departures from Responsibility and from Liberty, in Relation to the Libertarian Utopia.**

conscription, any kind of restriction on consensual private activity, excessive punishment of criminals or detainment of suspected criminals, making frivolous judgments against defendants in civil disputes, and failing to make tort awards to truly aggrieved plaintiffs in civil disputes. (Again, these delineations apply in the context of state and national government; at the level of truly local government, the contours of liberty and individual responsibility are much fuzzier.)

Having clarified the concepts of liberty and responsibility, let us now consider their interdependence.

## **Interaction Between Liberty and Individual Responsibility**

Government must be small and circumspect if society is to enjoy a high degree of liberty and a high degree of individual responsibility. To explain the magnitudes of these two variables in terms of the people's general attitude toward government—by whether or not they view it as wise and efficacious—we might say that liberty and responsibility vary together because they depend alike on the popular attitude toward government. Where people distrust government, they choose politically to have much liberty and much responsibility. A serious shortcoming of this approach, however, is that most people lack cogent views in political philosophy. Rather, their views on public issues are, if existent at all, superficial, inconsistent, piecemeal, and highly fickle.

Taking a more marginalist approach to the interaction of liberty and responsibility (economists might call it “comparative statics”), one asks: How do marginal encroachments on liberty affect responsibility? And how do departures from responsibility affect liberty? I shall briefly mention the more obvious connections only, then take up some subtler morals-based connections.

Before proceeding, however, we should acknowledge another dynamic: diminutions of liberty today can lead to further diminutions of liberty tomorrow, and likewise for responsibility. Recognized aspects of this dynamic include the slippery slope, the force of precedent—“How come they have protection from discrimination and we don't? How come they get subsidies and we don't?”—lock-in and status-quo biases in government policy, the prehensile government agency, the ratchet effect, and the intervention dynamic (Mises 1978, 75ff; Ikeda 1997). These factors help to explain how liberty and responsibility, each as a historical variable, undergo self-reinforcing changes—hence the famous saying of the Revolutionary Era about eternal vigilance being the price of liberty. A fuller treatment of how liberty and responsibility evolve through time would include discussion of

these recursive processes. Here the focus is on how liberty and responsibility influence *one another* over time.

Much of the connection is direct and obvious. Welfare benefits and free government services, listed in the left column of figure 1, must be paid for by confiscatory taxation, listed in the right column. A similar direct symmetry appears in the bottom row, with regard to government practice in civil disputes: frivolous awards to plaintiffs imply frivolous judgments against defendants.

Other connections flow from the political economy of the matter. Commentators often point out the public-charge connection between diminished responsibility and diminished liberty. If taxpayers pay the doctor bills for repairing the motorcyclist's fractured skull, then there is a reason beyond parentalism for requiring him to wear a helmet. This argument arises often, in matters ranging from drug use to schooling. Hayek (1960, 286) not only acknowledged the point, he *employed* it in calling for a requirement that individuals purchase insurance for "old age, unemployment, sickness, etc." (though he opposed a unitary government institution). Thus, by accepting restricted individual responsibility as a premise, Hayek concluded by endorsing an encroachment on liberty.<sup>1</sup> The same dynamic appears in the argument that immigration must be curtailed because the newcomers expand the costs of welfare programs. A similar dynamic appears to have been at work in the Scandinavian states that engaged in forced sterilization, "to spare the state the heavy cost of providing welfare for the backward and frail" (Wooldridge 1997, M1).

Other political-economy connections also exist. In *The Road to Serfdom* (1944) Hayek explains that government planning necessitates encroachments on liberty and departures from responsibility, as the planning promotes the breakdown of the rule of law and the expansion of arbitrary government. Thus,

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1. Note, however, that Hayek (1960) uses "liberty" a bit differently than I do here; see esp. pp. 20–21 and 142–44.



“the more the state ‘plans,’ the more difficult planning becomes for the individual” (76). Government’s operation of the school system, for example, may well lead to restrictions on *private schooling*, in order to keep “the plan” viable. Government often favors its indulgence programs by hobbling the competition.<sup>2</sup> Thus, departures from responsibility lead to encroachments on liberty. Another connection ties the breakdown of the tort system to the rise of regulation (Wildavsky 1988, chaps. 4, 8); again the result is encroachment on liberty. In general, a breakdown of the rule of law leads to encroachments on liberty. Once individual responsibility loses force, liberty can turn into a riot of license. A stark example is the curfew imposed during actual urban riots. The influence runs in the opposite direction as well: restrictions on liberty cause poverty or the suppression of voluntary institutions, leading to government programs to supply what has been suppressed.

Clearly, liberty and responsibility exhibit acute fragilities, vulnerabilities, and instabilities. Yet none of the foregoing considerations takes into account the moral dimension, where we find an affinity between the morality of indulgence and the morality of coercion.

## **A Ship of Selves, But a Single Captain**

Thomas Schelling (1984, chaps. 3, 4) has portrayed the individual as a bundle of multiple selves, often in conflict. Schelling describes how one self can foil another by acting strategically. The long-term self that wants to quit smoking might foil a short-term self by flushing the unsmoked cigarettes down the

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2. A fine example comes from the making of Social Security in 1935. Senator Bennett Clark proposed an amendment that would give companies and their employees the liberty to opt out of the public program by setting up a parallel private pension. But Senator Robert La Follette explained that such liberty would not be tolerated by the new indulgence scheme: “If we shall adopt this amendment, the government . . . would be inviting and encouraging competition with its own plan which ultimately would undermine and destroy it” (quoted in Weaver 1996, 47).

toilet. The long-term self that wants to keep his wife makes heartfelt promises to be more attentive. We all experience regrets and the tribulations of self-command. Is each of us merely a bundle of ephemeral impulses ever struggling among themselves for control without an inner judge? I think not.

For when we reflect on our behavior, we may find it coherent, even spiritually moving. Certain impulses receive inner support or admiration. Thus, it may be that when we are tranquil, our true self, an inward eye, tries to sort out who we are and who we ought to be.

If only it were so. For when we examine the inward eye—with an eye yet further inward?—we find that it also is multiple and constantly in self-conflict. Our most personal reflections, most searching judgments, most decided resolutions are—*yet more impulses!* Perhaps the impulse to smoke belongs to a dual long-term self that wants to be the being that certain exciting achievements enable him to be, and those achievements can come only from the steady nerves that smoking a cigarette affords. Perhaps the impulse to neglect one's wife belongs to a dual long-term self that wants ample freedom to pursue dangerous adventures, to complicate and enrich life's loves. Even our thoughts are actions of a sort, carried out by impulses or selves. True, they are impulses operating at a deeper level, perhaps with a powerful influence over whole sets of shallower impulses, yet somewhat alien and suspect nonetheless. We cannot escape bitter struggle and sorrow even within the deepest level of consciousness.

Must we endure an amoral existence, the product of a mere struggle of opposing forces based on historical contingency, none worthier than the rest? No heroes to root for, no romances to experience, just hungers in conflict and transient gratifications?

Perhaps not. First of all, no one ever said transient. Some sentiments breathe and rejoice for a lifetime.

As for *worthiness*, even here we need not surrender. If consciousness, even in its farthest reaches, cannot reveal to us reliable indications of the worthy, let alone the worthiness algorithm

itself, we still have the subconscious. After all, the conscious must emerge from somewhere. Even within economic philosophy, Michael Polanyi (1958) tells of tacit or inarticulate knowledge, which forms the roots of our ideas and the basis of our beliefs, and Israel Kirzner (1985, chap. 2) describes entrepreneurial discovery, a component of human action that is motivated but not deliberate.

But in the realm of tacit knowledge and the subconscious, do we again find multiplicity and conflict, a lack of unitary *essence* telling us what is worthy? Must we reach yet farther to satisfy our yearning for a sense of worthiness that guides our actions and gives meaning to our lives? How do we ever come to say that a story has a moral?

In the end we come to a fundamental question of existence, to which the answer must be action, not explanation. Time to act. If we must, let us believe in the soul. If the soul does not exist, let us invent it. A sense of worthiness is itself worthy. I simply affirm that I belong—my soul belongs—to the force for affirming the sense of worthiness and meaning. Happily, you belong to that force, too.

The ship of selves, then, is in the hands of a multitude of crew members, each trying to pull the ship's course this way or that—or neglecting it altogether—to satisfy its special limited desire. But the ship's course results not merely from this diffuse process of conflict and negotiation among crew members. There is also the captain. Though he keeps to his cabin below deck, he works his influence on the crew members. Some he feeds; others he starves. Some he tutors into new becomings, refining them to specialized tasks for specialized moments. He cajoles and disciplines, hoping to get them to work together. He is constant. He wills but one thing. He has a destiny, ever distant, and he strives to manage the crew so as to follow the course that now seems to him best calculated to make his approach. He is neither Good nor Bad; he simply is. His being makes things good or bad. He judges worthiness and he gives meaning to the journey.

Some may rejoin, “What a plush tale you tell! And what

makes it so? What evidence can you give? You offer us *mere* myth.”

Myth indeed, but better a myth than a vacuum. For this myth is *worthy*. And I doubt that anyone will dispute its worthiness.

The plea is to try always to end on a note of hope of character integration. Figure 2 (on the next page) shows the spiral of disintegration and reintegration of character. On top are notions of the integrated self. The arrows on the right side bring the disintegrative challenges of multiplicity and inner conflict. The arrows on the left side affirm a deeper resolution, restoring integration. The spiral shows the soul as the limit, impossible to reach or reveal, and shows that being human has two sides: one to be accepted candidly for the reality it is, the other affirmed and made real by hope, struggle, and pain. The two sides, left and right, of figure 2 coincide with the “two different sets of virtues” described by Adam Smith:

The soft, the gentle, the amiable virtues, the virtues of candid condescension and indulgent humanity, are founded upon the one [namely, the set of virtues that pertains to the arrows on the right side of figure 2]: the great, the awful and respectable, the virtues of self-denial, of self-government, of that command of the passions which subjects all the movements of our nature to what our own dignity and honour, and the propriety of our own conduct require, take their origin from the other [namely, the set of virtues that pertains to the left side of figure 2]. (Smith [1790] 1976, 23)

I use the metaphor of the ship crew to represent self-multiplicity and conflict at one level, and that of the ship captain to embody the integrative force of a deeper, encompassing self. This crew-captain relationship is recursive; hence “the captain” is not the soul, but merely the hope of progression to character integration and, for the time being, resolution.

## Self-Esteem, Self-Respect, and Dignity

The feeling of self-esteem is one of good cheer among the crew in action, of solidarity among themselves, of satisfaction and pride in the ship they serve. It often comes from outward recognition of achievements to their credit. Although self-esteem comes from positive reinforcement, the feeling is always somewhat illusory, for self-satisfaction naturally fuels self-striving. Self-esteem occurs at the shallow levels of the ship of self, and fluctuates with the ebb and flow of achievement and recognition. A compliment from an admired soul will send it soaring; a criticism or rejection will make it sink.

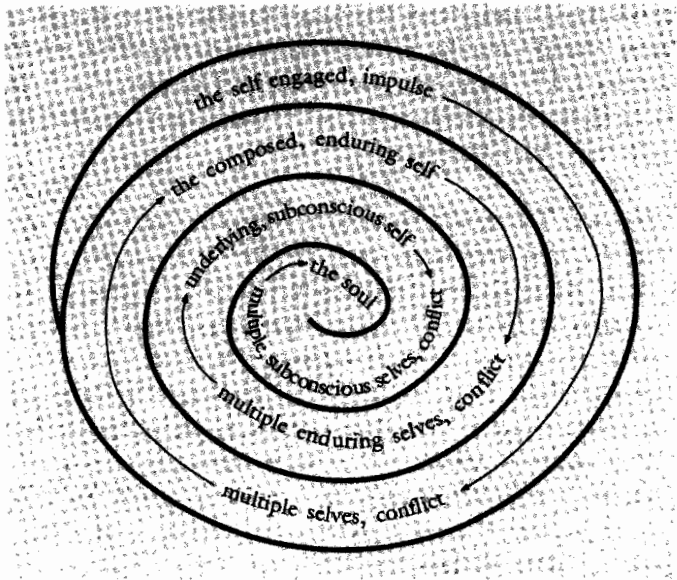


Figure 2. The Spiral of the Self: Disintegration and Reintegration of Character

Self-respect runs deeper. John Rawls (1971) speaks of two aspects of self-respect. "First of all, . . . it includes a person's sense of his own values, his secure conviction that his conception of the good, his plan of life, is worth carrying out. And second, self-

respect implies a confidence in one's ability, so far as it is within one's power, to fulfill one's intentions" (440). We might interpret as follows: First, self-respect requires a feeling that one has a coherent moral force within oneself, that the judging faculty—the captain—exists. Second, self-respect requires hope among the crew that the captain can maintain his command and keep his mission alive. Together these two elements cause the crew to respect the captain. Out of respect, a crew member will sacrifice himself in response to the captain's will. Personal responsibility is a corollary of self-respect.<sup>3</sup>

But a respectful crew member does not always feel good cheer in his work. There can be respect without esteem. The crew member might question, negotiate, or even rebel. Inner conflict, turmoil, and inconsistency belong to a process of regeneration of the crew, a process of self-search and self-creation. "A foolish consistency is the hobgoblin of little minds" (Emerson 1951, 41). The captain's will to travel ever onward might mean that some crew members who have served their function must now be disposed of, and they, being habits of the mind and the heart, will resist. Inconsistency, disappointment, disillusionment, and pain accompany self-search, the process of reaching back to find a deeper understanding that will reconcile or resolve conflict. The search may yield the disappointing discovery of one's limitations—so some crew members in charge of hope must die—or the terrifying resolution that the hopes can live but only by the grueling sacrificial slayings of other parts that are old and dear. From the search for self-respect comes both gratification and despair.

A steady feeling of self-esteem, or satisfaction, is not possible for the normal aspiring person, so it is not any sort of ideal. Unflagging self-respect may be an ideal, but self-respect is an attitude about oneself projected inward, so it is not generally possible or even meaningful for an observer to gauge self-respect in others. Self-respect remains very personal and individual.

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3. The discussion here has been influenced by the chapter entitled "Dignity, Self-Esteem, and Self-Respect" in Murray (1988).

Individuality makes like actions differ among individuals; in each case the action plays a unique role in a unique story. Self-respect is a question not only of our own voyages, but of our own destinations.

The observer cannot peer into the private ocean of another, but the observer can gauge the extent to which someone comports himself in relations with others so as to afford himself self-respect. In a word, we can form an idea of the extent to which the individual comports himself with *dignity*. Dignity is a social phenomenon. It is not about how one behaves in the exclusive company of oneself, but about one's outward behavior in relations with others.

We value dignity in our fellows because their example and standard aid us in behaving with dignity ourselves, which helps us to respect ourselves. By behaving with dignity, we take possession of ourselves, sort out our impulses, measure the worthiness of one impulse against another, clean ship if necessary, and on the whole give ourselves a more coherent and enduring sense of mission. The captain nourishes the crew members, but he is nourished in turn by them.

Let us place dignity then in the footlights along with liberty and responsibility. Dignity measures a certain quality in the behavior of the members of the society. That quality has two aspects: first, the extent to which they guard their own self-respect, or preserve their own dignity, in their social behavior; second, the extent to which they accommodate the self-respect of others, or preserve the dignity of others with whom they interact.

In preserving our own dignity, each of us says:

My struggles are a necessary part of me, emerging from my personal drama. You may hear a crew member indicating a desire to be treated in a belittled fashion, but *now* I indicate that I will welcome no such treatment. I have validity and method in my being; don't tread on me. My drama is *mine*. I am its author and judge. I create its meaning. By showing self-possession, I show that

I *possess* my story, and therefore you do not. It is my *property*, and you have no right to use it for your purposes except with my welcome and *consent*, in which case I make interaction with you part of my being.

In preserving our own dignity, we affirm the myth of the captain and his mission. We oppose those who would use our being without due regard for our own story, our own meaning. In preserving dignity, we oppose those who would demean us by denying, disdaining, or belittling the captain, the integrative moral force, of our being.

In acting so as to preserve the dignity of others, we presume that the individual is conducting his affairs as he sees fit, no matter how mad the method may seem. We respect his individuality. We do not dwell on, pity, or patronize someone's apparent weakness or disadvantage. We do not attempt to rescue when no rescue has been sought. We do not judge or even draw attention to, except insofar as doing so is a part of the relationship the other has willfully entered into. We honor an ethic of MYOB—Mind Your Own Business. We in no way question the captain's judgment or his command. Acting so as to preserve the dignity of others might also be called acting with common decency.

The relationship between the two aspects of societywide dignity—guarding one's own self-respect and accommodating the self-respect of others—will not be considered here, but it would seem that the two go hand in hand, based on a sense of universal human likeness, or brotherhood.

Although liberty and individual responsibility have been defined narrowly within relations involving government, the same political orientation does not hold for the definition of societal dignity. I am considering dignity as exhibited by individuals throughout society, in all sorts of social interaction.

Dignity is a worthy goal for a political or social movement, perhaps the worthiest. But my present goal is not to celebrate dignity or to recommend a plan for its achievement. Rather, I have introduced dignity to show the moral mechanism linking liberty and responsibility. If liberty and responsibility each have a



reflexive relationship with dignity, then they have a reflexive relationship with each other.

## **The Interdependence of Dignity and Liberty**

If the individual consists of multiple selves, the question arises: Should the government protect Dr. Jekyll from Mr. Hyde, just as it protects the innocent citizen from the criminal? If the individual is multiple, then in a way his actions are not so personal after all. One self imposes an externality on other selves, and externalities raise the issue of whether the government ought to intervene. Americans commonly make the assumption that intervention is called for with regard to opium use, gambling, Social Security, safety issues, suicide, and many other matters.

But the support for parentalism rests not only on the notion of the multiple self, but on the presumption that the conflict among the selves represents a sort of moral collapse. It is rather analogous to butting into a domestic dispute. A married couple needs to learn how to respect and tolerate one another, their dispute belonging to the drama of their marriage. In the case of the multiple self, the parentalist solution can make sense only once the hope for self-respect is lost. The parentalist presumes that the crew has taken over the ship, that all respect for the captain is lost and the crew no longer responsive to him. Dignity is gone. It is time, reasons the parentalist, to sacrifice liberty as well.

Thus, low societal dignity leads to coercion. The less the citizen preserves his own dignity, the less it makes sense to say that he acts in keeping with the captain's mission. Such doubt about individuals' mastery over their own behavior is manifest in the war on smoking waged by David Kessler, the former U.S. Commissioner of Food and Drugs. He views the decision to smoke as resting in the hands of tobacco companies. Owing to their practices, he says, "Most smokers are in effect deprived of the choice to stop smoking." Part of the reason Kessler is prepared to doubt the dignity of the people is that, in fact, their dignity is not as high as it might be. For example, John Gravett (1993) wrote a

magazine column titled “Life-Long Smokers Should Welcome Hillary’s ‘Nico-Tax.’” Gravett declares that the First Lady’s tax hike of two dollars per pack “will surely bolster my resolve to quit.” “I, like so many other life-long smokers, am only waiting for a good enough reason to quit once and for all” (54). Rather than searching as an adult to come to terms with his habit, Gravett glibly asks that he (and all other smokers) be treated as a helpless child. Citizens such as Gravett lend truth and legitimacy to Kessler’s presumptions.

Low societal dignity motivates Kessler’s actions in another sense, too. Dignity has two sides. Kessler himself reflects low societal dignity in the sense that he is loath to preserve the dignity of others by accommodating the self-respect of smokers.

Kessler’s attitude typifies what Thomas Szasz calls the therapeutic state (1963, 212–22; 1990, 253–61). Viewing personal behavior in terms of health and medical conditions, agents of the therapeutic state quickly attribute an individual’s troublesome impulse to forces outside his moral being. Rather than seeing the impulse as a test of the captain’s mastery over his crew, they see it as a sea monster that has attacked the ship and now must be cast off. Viewing the problem as caused by an alien force, they fancy themselves saviors stepping in to subdue the alien by restricting its powers. Rather than viewing the enjoyment of gambling, opium, or tobacco as growing out of and belonging to the being of the individual, they view it as an “addiction,” an illness or disease that, like the mumps or smallpox, has descended on the individual and now warrants “treatment.” Insofar as the prohibitionists regard the “illness” as a permanent constitutional condition, a “sick” part of the being, their coercive ways signal their disdain for the validity of the captain.

If eroded dignity leads to erosions of liberty, so too does eroded liberty lead to erosions of dignity. Parentalist prohibitions and restrictions flatly tell the individual: “You are not competent to choose fully; we must circumscribe your choice.” As Isaiah Berlin (1969b) puts it, “to manipulate men, to propel them toward goals which you—the social reformer—see, but they may not, is to deny their human essence, to treat them as objects

without wills of their own, and therefore to degrade them” (149). Parentalism very plainly declares that the captain is invalid or incompetent.

Thus, the individual is invited to play the role of a child, unable to manage himself and unqualified to judge for himself. The individual must either accept the role set out for him or willfully resist the culture that presses him into that role. Such resistance can be psychologically arduous. In the culture of parentalism the childlike role creeps up on the citizenry, compromising their dignity. Individuals begin to surrender the romantic idea that the captain is the source and author of one’s own meaning. Hence parentalist encroachments work to demean the individual’s existence. This is the most tragic consequence of parentalism. Here I wish to submit a new term, to stand for the process and consequence of citizens being demeaned by social practices and institutions (and I wish the term weren’t so ugly—although, an ugly name suits the beast): *demeanedization* (pronounced de-mea-NED-ization). Although one of the important consequences of parentalist policies, such as drug prohibition, Social Security, and occupational licensing, is demeanedization, that consequence is very rarely noted in debates over such policies.

With the affront to dignity comes a loss of personal responsibility and self-possession. Berlin (1969a) explains:

For if I am not so recognized, then I may fail to recognize, I may doubt, my own claim to be a fully independent human being. For what I am is, in large part, determined by what I feel and think; and what I feel and think is determined by the feeling and thought prevailing in the society to which I belong. (157)

Psychological research supports Berlin’s claim (Rosenthal and Jacobson 1968; Merton 1957, 430–36). Parentalism demeans its subjects and becomes a self-fulfilling prophecy.

Parentalism demeans people in other ways as well. It treads on individuality. The habit of gambling, drug use, or leaving

seat belts unbuckled may not even be a personal problem, a point of inner conflict. Many people roll the dice, snort, or smoke in moderation; they have no misgivings whatever about their actions. Yet parentalism tells them that the activity is bad, and therefore demands that everyone fit a common mold. "But I am an individual; I have made myself unique," responds the miscreant. Again, resistance is psychologically arduous and, weary of resisting, the individual succumbs and dignity suffers.

Parentalism also damages dignity by the brutality of enforcement. Even those who successfully reject the morality and culture of parentalism may taste the bitterness of enforcement. Detainment, questioning, handcuffing, strip searching, and imprisonment are brutal, dehumanizing experiences and, whatever one's political views, bound to challenge one's belief in one's own mastery over existence.

As Lord Acton's maxim reminds us, power tends to corrupt. Parentalist encroachment damages dignity also by rehearsing the parentalist in denying dignity to others. Coercing people at one place now, the parentalist learns to treat them with small regard for their self-respect and so becomes more inclined to coerce them at another place later. Aside from the moral corruption of the public official, the corruption works on the public at large. Most of the popular support for parentalist coercions lies in the notion that *those other people* need to be protected from themselves. By supporting parentalist prohibitions, we develop a habit of demeaning our fellow citizens. Thus some might say that David Kessler and his supporters suffer from an addiction, that Kessler's moral corruption issues from his "coercion dependency."

Liberty and dignity complement one another. Their mutual dependence helps to explain why the price of liberty is vigilance. Encroach on liberty this morning and you cause an erosion of dignity this afternoon, which itself will generate a new encroachment on liberty tomorrow, and so on. If we neglect this multiplier effect, we are apt to underestimate the hazards of coercion.

## The Interdependence of Dignity and Individual Responsibility

During the Los Angeles riots, trucker Reginald Denny was dragged from the cab of his truck and beaten. As he lay prone on the street, Damien Williams bounded forward and hurled a rock at his head. The video tape showed that the large rock was thrown with such force that it bounced off Denny's skull. At Williams's trial, the jury acquitted him of attempted murder because "he was caught up in mob violence." Williams's stay in prison may last no longer than four years. Those convicted of murder nowadays stay in prison, on average, for five-and-a-half years.

The jury might rationalize its decision: How can we punish Dr. Jekyll for the deeds of Mr. Hyde? We are loath to see the actions of a Damien Williams as part of an integrated moral force, to hold accountable all his impulses, including the Dr. Jekylls, for the action of a Mr. Hyde. Williams is like a child, and just as we don't accord full liberty to children, we don't put children in prison. After all, Los Angeles was suddenly transformed, the riot a whole new experience. How is one to know how to control himself in astoundingly new situations? Like a child gleefully dropping stones from a balcony, Williams was overcome by the thrill and the turmoil. Heavy punishment would be unfair.

The discounting of dignity now pervades the criminal justice system. Lawyers invoke all manner of syndromes, disorders, and mental illnesses to argue that the defendant is not fully human, that an alien force seized his person, making the human being a mere host. California has no Department of Punishment, but a Department of *Corrections*. The offender is not treated as an integrated moral force that has desecrated the civil order; he is an incompetent, defective, self-contradictory moral force that needs *correcting*. He is not fully human and therefore should not be held fully to account. Indeed, the less dignity the citizens actually have, the more plausible this view becomes.

It seems sometimes we wish to deny all human conflict and

instead pretend to a sustainable, happy, official cooperation. First we deny inner conflict, regarding troublesome impulses as the result of alien “illnesses” or external circumstances. Then we deny the conflict between the offender and society, abnegating punishment for “caring” and “correction.” As Thomas Szasz (1990) says, “We appear unable or [un]willing to accept the reality of human conflict. It is never simply man who offends against his fellow man: someone or something—the Devil, mental illness—intervenes, to obscure, excuse, and explain away man’s terrifying inhumanity to man” (239). Do we cast ourselves as “caring” and “correcting” in order to deny the conflict within our own breast? Does it testify to our humanity or our hypocrisy that punishment goes out of fashion?

The diminishment of societal dignity erodes individual responsibility and, in turn, the diminishment of responsibility further erodes dignity—hence, we see another avenue of demeanedization. The authorities tell the criminal: “We are not going to punish you. You are blameless for what happened. You did not have the power to prevent it. It happened *to* you. You are a victim of circumstances.” The criminal is invited to play the role of a moral invalid.

Instead, to preserve the criminal’s dignity, the authorities would say: “What you have done is intolerable to us. You must be punished. That’s who we are, and that’s who you are. You might change who you are, but that is your business.” Then the criminal might come to terms and search his soul for penance.

Danish writer Henrik Stangerup tells a tale of demeanedization in his novel *The Man Who Wanted to Be Guilty* (1982), set in a dystopian Therapeutic State where “it’s always the circumstances that dictate our actions.” People there have adequate comfort, ample leisure time, and “insurances from head to toe,” but no individual responsibility. When trouble arises, citizens call the Helpers, who correct the situation, sometimes with red and green pills. The character Torben is bored and disgusted with life, especially with “the ease with which everybody surrendered to the system.” He and his wife had always considered themselves underground dissidents, resisters who would rear their son to

know a different ethic. But their spirits have been weakening, especially hers. One evening the crisis of identity erupts in a bitter dispute between them. He recognizes her resignation and foresees a future of meaningless tedium. He becomes drunk and abusive. She calls for the Helpers. He beats her to death.

The last stitch of self-respect Torben could possibly retain lay in being held guilty of his action. But the Helpers tell him that "punishment and guilt are not concepts we use any more." They will care for his future. In Torben's world, the absence of individual responsibility causes such extreme demeanedization that the only way for the hero to proclaim his dignity is to fight for his own guilt and punishment. That is his last chance to affirm the myth of the captain. The novel is a study of affirming one's dignity even when it requires the complete sacrifice of happiness.

Refusing to punish demeans the innocent as well as the guilty. "Pardoning the bad is injuring the good," says Benjamin Franklin. The good stop feeling pride in their behavior when they see the bad indulged. "Maybe they're not bad after all. But then I am no longer good. So why am I bothering?" Indulgence of criminals sends a message of moral emptiness to one and all: "Be not ashamed or proud, for if the captain exists at all he is inane and absurd. Your moral precepts are *mere* myths."

Indulgence carries the same message when it takes the form of welfare-state benefits. Government dispenses aid in an anonymous and arbitrary manner. The benefactors are taxpayers, *forced* to pay. Without voluntary contribution, there can be no gratitude; without gratitude, no generosity. No reciprocity comes about, just a doling out from above. This kind of relationship signifies moral emptiness: the faceless state provides for you regardless of your behavior; no one will ask whether you deserve your benefits. Thence arises the ethic of entitlement. With respect to education and many health benefits, government programs rest on the presumption that individuals or parents cannot care for their own needs or those of their families.

Before creation of the welfare state in America, when mutual aid was pervasive, one of the chief organs of the mutual-aid movement, *The Fraternal Monitor*, decried the rise of govern-

ment welfare programs: “The problem of State pensions strikes at the root of national life and character. It destroys the thought of individual responsibility” (21 January 1908; cited in Beito 1990, 720). Welfare benefits place the recipient in the role of helpless supplicant, and the self-reliant person in the role of sucker. Again, pardoning the bad is injuring the good. In contrast, mutual aid rests on reciprocity and the refined use of superior local information. The member down on his luck receives assistance, knowing that it is temporary and given for specific reasons communally recognized as “hard luck.” He is not demeaned. The institution would not render assistance to a member if he were “undeserving” (Beito 1990, 1993).

If welfare-state indulgence demeans recipients, it also springs from a collapse of dignity. As Berlin (1969a) observes, “specific forms of the deterministic hypothesis have played an arresting, if limited, role in altering our views of human responsibility” (73). “Structuralism” has always been a major theme of reformers, from Jacob Riis to the New Deal, the Great Society, and most recently Midnight Basketball (Murray 1984, 24–40). In his 1890 tract for housing reform, *How the Other Half Lives*, Riis described tenement buildings and neighborhoods as though the physical structures themselves made residents miserable. Calling for expanded welfare statism in his 1962 *The Other America*, Michael Harrington blamed poverty on “the system.” Welfare statist attribute misfortune to “society,” “capitalism,” “the economy,” “patriarchy,” “greed,” and so on but rarely to the individual experiencing it. Again, as in the case of David Kessler’s attitudes toward smokers, the attribution has some truth and justification. As individuals surrender their dignity, they lose ground as authors of their own existence. How can one argue with individuals who say, “Please help me, my captain has fallen overboard and drowned”? Low societal dignity leads to increases in welfare-state indulgences. In a paper entitled, “Hazardous Welfare-State Dynamics” (1995) the Swedish economist Assar Lindbeck argues that the entitlement ethic expands the dole and the dole enhances the entitlement ethic. Another Swedish economist, Nils Karlson (1993, 180), argues that society has gotten stuck in a sub-



optimal equilibrium in which the state encumbers and crowds out civil society. The thesis conforms to the view of Gordon Tullock (1995) that the growth of government since the 1930s has been a phenomenon of “Bismarckism,” or welfare-statism.

## **Interdependencies Illustrated**

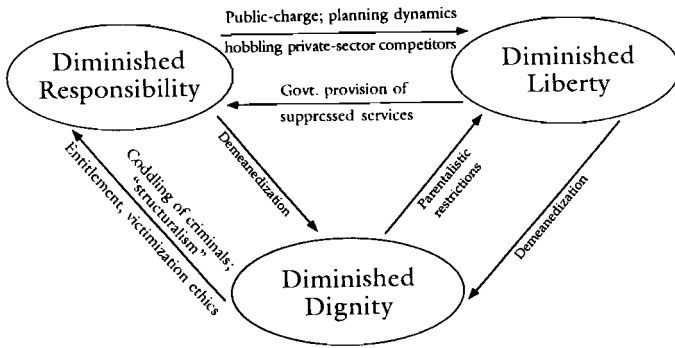
If, on the one hand, liberty and dignity are interdependent and, on the other hand, dignity and responsibility are interdependent, then liberty and responsibility are interdependent *by way of dignity*.

Across the top of figure 3 are the connections between Responsibility and Liberty that involve not morals but the dynamics of political economy discussed briefly at the beginning of this article. Below are the connections that involve moral dynamics, working through Dignity. Diminished Liberty causes diminished Dignity. Diminished Dignity points straight back to further diminished Liberty, and to diminished Responsibility. Diminished Responsibility works its effects in similar fashion.

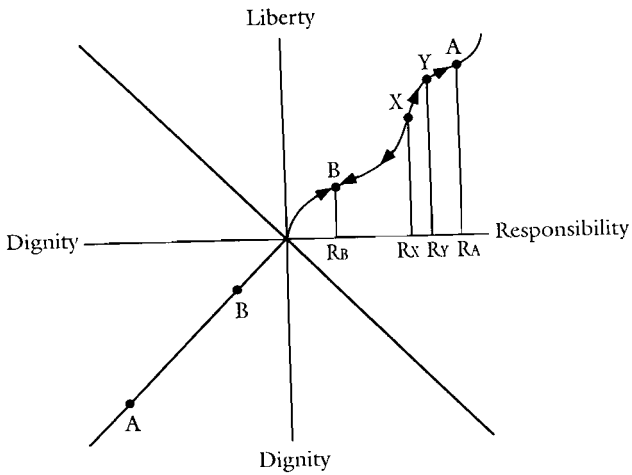
If we were to posit a sudden exogenous shock to Responsibility, the result would be substantial first-round blows to Liberty and Dignity, and then secondary or multiplier effects bouncing through the system. We can illustrate the point with another figure.

Of the connections shown in figure 3, consider only those that point in a clockwise direction: Liberty is a function of Responsibility, which is a function of Dignity, which is a function of Liberty.

Now consider the model shown in figure 4. On the morning of Day 1, Liberty checks the magnitude of Responsibility, and that evening adjusts itself to that magnitude according to the wiggly positively sloped line in the northeast quadrant of the figure. On the morning of Day 2, Dignity checks the magnitude of Liberty, and that evening adjusts itself to that magnitude according to the positively sloped line in the northwest quadrant. This adjusted level of Dignity is reflected from axis to axis in the southwest quadrant; that quadrant is merely a mirror. On the morning of Day 3, Responsibility checks the magnitude of



**Figure 3. Interdependencies between Liberty, Dignity, and Responsibility**



**Figure 4. Dynamics of Liberty, Dignity, and Responsibility**

Dignity, and that evening adjusts itself to that magnitude according to the positively sloped line in the southeast quadrant. Now we've gone full circle, and Liberty is ready again to adjust to Responsibility.

At point A the system is in stable equilibrium. If we pass through the system beginning from point  $R_A$  on the Responsibility axis, we keep coming back to point A. Now suppose that somehow an exogenous event causes Responsibility to drop from  $R_A$  to  $R_Y$ . Liberty and Dignity would drop as well, but as the system cycled, eventually it would return to point A. (The exogenous shock is assumed, implausibly, to last only one period.) It is possible that wounds will heal.

But wounds can also fester and become gangrenous. Suppose that an exogenous event, say the provision of universal governmental Social Security pensions, were to shift Responsibility from  $R_A$  to  $R_X$ . In this case, as we work through the system we do not move back to A but rather sink further and further until finally we settle at point B. The initial blow to Responsibility amounts to the distance between  $R_X$  and  $R_A$ , the secondary or multiplier effects to the distance between  $R_B$  and  $R_X$ . We have stumbled onto the slippery slope, and ultimately are stuck in a system with low Responsibility, low Liberty, and low Dignity.

The formulations of dynamics shown here concord with concerns expressed by Hayek:

[T]he most important change which extensive government control produces is a psychological change, an alteration in the character of the people. This is necessarily a slow affair, a process which extends not over a few years but perhaps over one or two generations. The important point is that the political ideals of a people and its attitude toward authority are as much the effect as the cause of the political institutions under which it lives. This means, among other things, that even a strong tradition of political liberty is no safeguard if the danger is precisely that new institutions and policies will grad-

ually undermine and destroy that spirit. (Hayek, 1955  
Foreword to reissue of 1944, xi-xii)

## **What Has America Become?**

Alexis de Tocqueville perceptively described the American character (outside the slave states) in the 1830s. His description probably continued to fit pretty well right up to the twentieth century. Much that he described Americans might well be glad to have shed: the naïveté, the insensibility to art and refinement, the repression of sensual and aesthetic delights, the fervent religiosity, the sanctimony, the bounderism, the oppressive conformism. But what of the goodwill, the hope, the self-reliance, the pride in oneself? Only by straining can we see in Americans today the following characteristics de Tocqueville ([1835/1840] 1945) saw in the 1830s:

[A]s soon as the young American approaches manhood, the ties of filial obedience are relaxed day by day; master of his thoughts, he is soon master of his conduct. . . . [T]he son looks forward to the exact period at which he will be his own master, and he enters upon his freedom without precipitation and without effort, as a possession which is his own and which no one seeks to wrest from him. . . . In America there is, strictly speaking, no adolescence: at the close of boyhood the man appears and begins to trace out his own path. (2:202–3)

Long before an American girl arrives at the marriageable age, her emancipation from maternal control begins; she has scarcely ceased to be a child when she already thinks for herself, speaks with freedom, and acts on her own impulse. . . . [T]he vices and dangers of society are early revealed to her; as she sees them clearly, she views them without illusion and braves them without fear, for she is full of reliance on her own strength, and

her confidence seems to be shared by all around her. . . . Instead, then, of inculcating mistrust of herself, they constantly seek to enhance her confidence in her own strength and character. (2:209–10)

In the United States, as soon as a man has acquired some education and pecuniary resources, either he endeavors to get rich by commerce or industry, or he buys land in the uncleared country and turns pioneer. All that he asks of the state is not to be disturbed in his toil and to be secure in his earnings. (2:263)

When a private individual meditates an undertaking, however directly connected it may be with the welfare of society, he never thinks of soliciting the cooperation of the government; but he publishes his plan, offers to execute it, courts the assistance of other individuals, and struggles manfully against all obstacles. (1:98)

When an American asks for the cooperation of his fellow citizens, it is seldom refused; and I have often seen it afforded spontaneously, and with great goodwill. (2:185)

[I]n no country does crime more rarely elude punishment. The reason is that everyone conceives himself to be interested in furnishing evidence of the crime and in seizing the delinquent. (1:99)

In the United States professions are more or less laborious, more or less profitable; but they are never either high or low: every honest calling is honorable. (2:162)

In the United States hardly anybody talks of the beauty of virtue, but they maintain that virtue is useful and prove it every day. (2:129)

Tocqueville saw a people with self-reliance and self-respect. One of the significant themes of his work is that these traits flowed from the fact that American government at the time was small, decentralized, and permitted much freedom (see esp. vol. 1, chap. 5; vol. 2, book 2, chaps. 4–10). Tocqueville said, “Americans believe their freedom to be the best instrument and surest safeguard of their welfare” (vol. 2, 151).

Do Americans today retain these character traits? The Mexican American writer Richard Rodriguez (1994) remarks on the American spirit: “The notion of self-reliance. The notion of re-creation. More and more I’m sensing that that kind of optimism belongs now to immigrants in this country—certainly to the Mexicans that I meet—and less and less so to the native-born” (36).

All the talk about the breakdown of character in America indicates more than a passing media fad. The entitlement ethic, victimhood, privileges for minorities (who by one calculation constitute 374 percent of the population),<sup>4</sup> the assault on merit, the stigmatization of stigmatization, the proliferation of psychological “disorders,” the medicalization of behavior (Szasz 1963; Peele 1989), the abandonment of guilt and punishment, the deterioration of personal responsibility—all seem to be real, and well along in their institutional entrenchment.

A study of the evolution of character in America would be an enormous, wide-ranging undertaking; the changes during just the last few generations have been stupendous. Nonetheless, sweeping aside so many stupendous things in order to air a hypothesis, I submit that the growth of government—a government that increasingly treats citizens as children—has played an important role, even a leading role, in the decline of character. Figure 5 shows federal government expenditures as a percentage of gross national product from 1850 to 1990 (with the war fiscal years 1918–19 and 1940–45 omitted). From the 5 percent range

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4. The calculation is by Aaron Wildavsky, cited in Sykes (1992, 13).

in 1930, it has climbed steadily (excluding the war years) to reach consistently more than 20 percent in recent years. Adding state and local government outlays would bring the total to about 35 percent. This trend mirrors a massive decline in individual responsibility. At the same time, the decline of liberty has been severe and extensive.

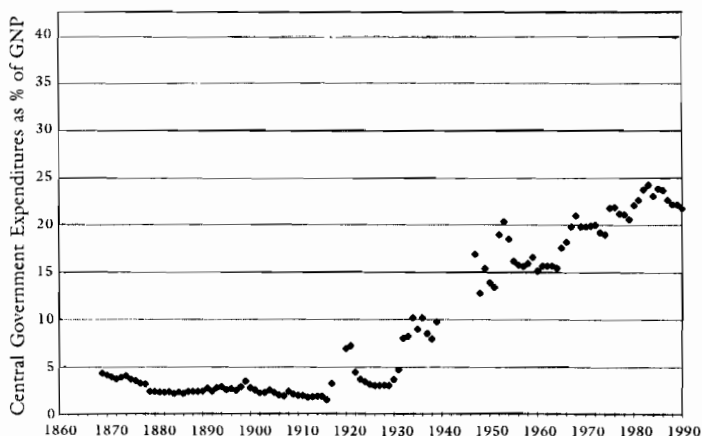


Figure 5. Government Burgeons Beginning in the 1930s

If we are to tell stories that begin with important historical moments, looking to changes in government policy is more plausible than looking to spontaneous changes in moral character. A significant change in government policy might be devised hastily and driven through to political approval; Robert Higgs (1987) has described how this process often accompanies a national crisis. Moral character is obstinate and resilient, but make no mistake: Over time moral character will be altered.

American politics gradually embraced statism, most notably in the 1930s, and major moral decline occurred with a lag. William Julius Wilson (1987, 3) and other scholars have described how, through the 1950s, even in ghetto neighborhoods, common decency, personal responsibility, and public safety remained the norm. Only slowly did erosions of dignity take place, eventually feeding back into indulgence and coer-

cion. Despite short-term fluctuations, it seems safe to say that liberty, dignity, and responsibility have been on a significant slide since the early 1930s and that the problem has become increasingly virulent since the 1960s.

Our problems of declining character have relatively little to do with sexual permissiveness, homosexuality, secularism, paganism, drug use, rock music, rap music, MTV, television violence, Howard Stern, or Hollywood. It is demeanedization of individuals, witnessed and experienced and perpetrated in actual human relations, and legitimized and even celebrated and glorified by officialdom, that really debases and destroys moral character, and that is what the government does on a vast scale with its programs of indulgence and coercion. Moral character is suffocated by the Nanny State, which tells us constantly not to believe in ourselves for we are, and will forever remain, children. Such a fate is exactly what Tocqueville's final chapters warn us against.

## **A Word to Fellow Travelers**

Liberty and individual responsibility are made of the same moral cloth. Both preserve and affirm the dignity of the individual, the myth of self-determination and self-possession, of an integrative self. By corollary, a kinship links coercion, demeanedization, and indulgence. The claim by Hayek that opened this essay—that responsibility and liberty go together historically—can be defended by appeal to the moral dimension of the people. If the argument has merit, it might give pause to those who tend to favor one but not the other. The social democrat should fear for personal freedom when supporting programs of indulgence, and the tory-conservative for responsibility when supporting programs of proscription.

## **A Reasoned Vigilance for a Worthy Myth**

In *The Devil's Dictionary*, Ambrose Bierce defined *liberty* as “one of Imagination's most precious possessions.” Even when



we try to make her tangible by dressing her with property, consent, and contract, she remains elusive, ambiguous, half in the shadows. Responsibility is more ritual—“*mere* myth!”—and dignity most vaporous of all—“captain of one’s soul? Ha!”

The myth speaks for the complexities we cannot explain. The libertarian American founders, such as Thomas Paine and Thomas Jefferson, knew that this triad—liberty, dignity, and responsibility—deserved an eternal vigilance because they knew that each had virtues not easily reduced to cogent argument. When subtle secondary effects abound, effects we sense but do not comprehend in detail, we fail to render their import in words. We manage only judgment, declaration, and action. Sometimes the action is a declaration of our resolve, put in terms of morality, or myths.

The myth of responsibility, for example, holds that the wrongdoer could have refrained from the wrong and hence is “at fault,” “to blame,” or “guilty.” That is the necessary myth that serves clumsily in place of the subtler reasoning that eludes us on the spot or fails to persuade the jury. A student of the deeper reasons for maintaining a system of individual responsibility, such as Hayek (1960), knows better: “We assign responsibility to a man, not in order to say that as he was he might have acted differently, but in order to make him different. . . . In this sense the assigning of responsibility does not involve the assertion of fact. It is rather of the nature of a convention intended to make people observe certain rules” (75).

Myths may help because individuals must be made “to submit to conventions . . . whose justification in the particular instance may not be recognizable” (Hayek 1948, 22). To sustain the convention, to prevent massive free riding by short-term, often compassionate impulses, it must be infused with moral import, mythologized as in: “Men are endowed by their Creator with certain unalienable Rights . . . among these are Life, Liberty, and the pursuit of Happiness.” In this connection, Adam Smith wrote:

And thus religion, even in its rudest form, gave a sanction to the rules of morality, long before the age of artificial reasoning and philosophy. That the terrors of religion should thus enforce the natural sense of duty, was of too much importance to the happiness of mankind, for nature to leave it dependent upon the slowness and uncertainty of philosophical researches. (Smith [1790] 1976, 164)

He who scorns a myth merely because it is a myth misses the point, and betrays a poor understanding of his own moral being.

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