Taking FREEDOM Seriously
One of the great legacies of Western Civilisation has been the emergence of the philosophical doctrine of liberalism (sometimes referred to today as libertarianism).

The evolution of the key philosophical themes of liberalism,warts and all, is the subject of an important book written by libertarian scholar George H. Smith, *The System of Liberty: Themes in the History of Classical Liberalism*.

With its emphasis on the primacy of the freedom of individual actions in the economic and social realms, liberal philosophy stands in stark opposition to the historical and contemporary manifestations of authority, including slavery, religious servitude, monopoly, legal privilege, war, and statism.

The material comforts and the widespread social freedoms enjoyed by the common man and woman today—even though constantly threatened by socialists, progressives, and paternalists—owes its existence to the intellectual efforts by those outlining the possibilities for human progress inherent within the liberal idea over at least hundreds of years.
Furthermore, it is no coincidence that industry, science, arts and culture have flourished in those parts of the world whereby liberal ideals attained their greatest acceptability.

Despite the great practical benefits of liberalism, important tensions and disagreements nonetheless emerged amongst self avowed liberals concerning the applicability—if not the very meaning—of key concepts and issues. These are still being played out today.

Interneine philosophical debates among liberals led to the splintering of liberal thought into ‘old’ and ‘new’ varieties, contributing to philosophical confusions and later wavering public acceptance of liberal ideas during much of the twentieth century.

To illustrate the thematic structure of The System of Liberty, this review will highlight three topics from the book explaining how liberals addressed conceptual difficulties, the first being the amorphous notion of the ‘public good’ in the presence of persistent political power.

Many philosophers have long argued that the presumption of liberty can be annulled, invalidated or overridden on exceptional occasions by political authorities when those actions are consistent with promoting the public good.

George Smith identifies several liberals who associated themselves with such an idea, including David Hume and Adam Smith, and even those more commonly associated with natural rights liberalism, such as John Locke.

The intent of the natural rights appeal to the public good is not to extend the sphere of coercive state intervention, but to restrict its scope. As Smith describes it:

The principal function of the public good in natural rights liberalism was to restrict the activities of government to the enforcement of rights. For these liberals, to say that a government ought to further the public good means that a government ought to protect the natural rights of its citizens in normal circumstances. Natural rights were conceived as the primary constituents of the public good.

However, a difficulty with accepting a natural rights public good concept based upon Locke’s writings is that Locke himself identified the public good in various contexts, the most controversial of which was justifying a ‘prerogative power’ overriding the principles of justice, in exceptional cases, when this conforms with the public good.

As Smith rightly observes, this idea immediately begs several important questions that remain as points for discussion: which criteria can be used to justify the ‘exceptional’ case to stifle individual liberties?

Further, who decides which rights can be extinguished in favour of the public good?

The System of Liberty refers in detail as to how these initial debates, which can be traced as far back to the fourteenth century writings of William of Ockham (of Ockham’s razor fame), subsequently informed the intense debates between liberals of natural rights and utilitarian persuasions over the accepted scope of government.

Smith illustrates how concerns that public good notions could override fundamental liberties have also informed political debates, for example the dispute over including a ‘general welfare’ clause in the American constitution between James Madison and the anti federalists.

In an important chapter called ‘The Anarchy Game,’ Smith appraises the commonly used technique of critics who contend that liberalism is delegitimised as an acceptable philosophy, since it ultimately implies an endorsement of Hobbesian anarchy.

John Locke’s intellectual nemesis, the absolutist Sir Robert Filmer, engaged in the anarchy game by challenging the core tenet of ‘social contract’ theory that government is constituted by the consent of the governed.

Filmer not only stated that no government in history was established by the unanimous consent of the governed, but if people could break away from existing states to form their own then each individual could become his or her own king, the very essence of anarchy itself.

Smith explains that Locke ingeniously responded to Filmer’s challenge by presenting an intellectual counterattack.

According to Locke, since it is impossible to identify the legitimate heirs of biblical Adam’s patriarchal authority, absolutist governments of his day necessarily stood upon the quicksands of anarchy, since they lacked God-given legitimacy as Filmer described it.

In any case, Locke claimed it an absurdity that people would willingly join in a civil society only to be made worse off, as the absolute sovereign has their way with expunging economic and personal liberties at will.

While Locke may have used the anarchy game to full effect in his critique of absolutism, Smith argues that subsequent usage of the anarchy
game, particularly by Edmund Burke in his critique of the French revolutionaries of 1789, engendered a decline in the prominence of Lockean theories within the broader liberal paradigm.

One of the more thought provoking themes covered in The System of Liberty concerns what George Smith refers to as ‘The Radical Edge of Liberalism,’ or the use of resistance or revolution to rectify the situation of a government which does not respect individual liberties.

Support for the use of resistance against illiberal legislation, or revolution of a tyrannical government altogether, cannot only be found in the works of Locke, but of Adam Smith, David Hume and Edmund Burke, although the criteria and circumstances in which these acts could legitimately apply vary among these writers.

For example, Adam Smith suggested that people can take up armed resistance when the abuse of governmental power becomes ‘gross, flagrant, and palpable,’ say when a government exceeds the feudal benchmark of a tax confiscating at least a third of people’s wealth.

The author of the American Declaration of Independence, Thomas Jefferson, contended that persistent abuses of inalienable individual rights—that of conscience, property and life itself—would give legitimate ground to the overthrow of a government, thus representing liberalism’s radical edge.

Illuminating the rich tapestry of liberal thought, The System of Liberty also brings to light the contributions of some lesser known, yet influential, participants in the unfolding philosophical debates over the meanings of freedom and liberty.

A highlight of the book is the nuanced interpretation of the work of prominent nineteenth century English liberal Herbert Spencer, who is falsely derided by most people today as a heartless ‘social Darwinist’ with scant regard for the unfortunate.

As Smith helpfully reminds us, Spencer was steadfastly dedicated ‘to improving the economic and social conditions of the lower and middle classes,’ who were deleteriously affected by government interventions.

With regard to the ‘survival of the fittest’ concept attributed to Spencer, it was not intended as a value judgment but as a description of those behavioural traits and characteristics more conducive to survival within a given society.

For example, the habits of work and thrift are commonly associated with the development of a dynamic, market based economy, with the benefit of previously untold levels of wealth accessible to the masses.

Even so, it is not possible for everyone to escape the stifling grasp of absolute poverty, and so voluntary charity is commended by Spencer, as a system simultaneously drawing upon our humanitarian instinct of concern for others while also providing incentive for donors and beneficiaries alike to access new economic opportunities.

On the other hand, bureaucratic state enforced charity, now referred to euphemistically as the ‘welfare state,’ not only drains productive potential because of the staggering fiscal burdens it imposes, but serves to encourage inappropriate behaviours and values, such as indolence and ‘cheating’ the welfare system.

George Smith also reminds us of the British ‘voluntaryist’ movement, including Edward Baines, Richard Hamilton and Auberon Herbert, who adopted Lockean self ownership doctrines when arguing for such reforms as the separation of education and state, and even the introduction of ‘voluntary’ taxation systems.

Filled with insight befitting a scholar with a reputation as one of the leading libertarian thinkers in the world today, George Smith’s The System of Liberty has been opportunistically written at a time when liberal ideas, once again, seem to be on the rise.

Surveys around the Western world reveal a great distrust of government; international student liberty groups have emerged; pro-liberty think tanks are proliferating; and even nominally liberal conservative political parties are facing an internal insurgency by principled members with strong beliefs in free markets and social freedoms.

As perhaps the most important book in liberalism written in 2013, The System of Liberty serves as the perfect intellectual accompaniment for the liberal resurgence taking root.