INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 4 | Issue 3

2021

© 2021 International Journal of Law Management & Humanities

Follow this and additional works at: https://www.ijlmh.com/
Under the aegis of VidhiAagaz – Inking Your Brain (https://www.vidhiaagaz.com)

This Article is brought to you for "free" and "open access" by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in International Journal of Law Management & Humanities after due review.

In case of any suggestion or complaint, please contact Gyan@vidhiaagaz.com.

To submit your Manuscript for Publication at International Journal of Law Management & Humanities, kindly email your Manuscript at submission@ijlmh.com.

An Insight into Libertarian Conservatism

ARYMA BRAJESH YADAV¹

ABSTRACT

Libertarian conservatism. also known conservative libertarianism conservatarianism, is a political philosophy that combines conservatism with libertarianism, or simply representing the conservative wing of libertarianism. Libertarian conservatism advocates the greatest possible economic liberty and the least possible government regulation of social life but it harnesses this to a belief in a more social conservative philosophy emphasizing authority and duty.

In political science, the term libertarian conservatism refers to ideologies that combine the advocacy of economic principles such as fiscal discipline, respect for contracts, defense of private property and free markets and the traditionalist conservative stress on self-help and freedom of choice under a laissez-faire and economically liberal capitalist society with social tenets such as the importance of religion and the value of traditional morality through a framework of limited, constitutional, representative government.

New right was a political movement made up especially of Protestants, opposed especially to secular humanism, and concerned with issues especially of church and state, patriotism, laissez-faire economics. New right in global age and the relation between Conservatives and Libertarians is also discussed below.

I. Introduction

Libertarian conservatism refers to a political ideology that combines libertarianism and conservatism. In libertarian conservatism there will be any number of varying and at times mutually exclusive political preferences. They give importance to economic freedoms, at the same time does not require individuals to reject traditional conservative values. It simply represents the conservative wing of libertarianism. It originated in the United States, libertarian conservatism prioritizes liberty, promoting free expression, freedom of choice and free-market capitalism to achieve conservative ends and rejects modern liberal social engineering.²³

¹ Author is a student.

² Johnston, Larry (2007). Politics: An Introduction to the Modern Democratic State. University of Toronto Press. ³ J. Richard Piper, Ideologies and Institutions: American Conservative and Liberal Governance Prescriptions

According to Hans-Hermann Hoppe, Libertarian conservatism can also be understood as promoting civil society through conservative institutions and authority—such as family, country, religion and education—in the libertarian quest to reduce state power.⁴ For Margaret Randall, libertarian conservatism began as an expression of individualism and the demand for personal freedom.⁵

However, DiLorenzo criticized them by writing: "The fatal flaw in the thinking of the libertarian/conservative constitutionalists stems from their unawareness or willful ignorance of how the founders themselves believed the Constitution could be enforced: by the citizens of the free, independent, and sovereign states, not the federal judiciary"6

Conservative Libertarian

A Conservative Libertarian is a person who adheres the constitution as a libertarian does but that to in a conservative manner. They are conservative in political nature, such as foreign policy, homeland security, and economics while strictly interpreting the constitution as it states. They believe in free rights, liberty, and the opportunity for everyone to make. They give free will to an individual to determine what is right and wrong for them.⁷

II. CONSERVATIVES AND LIBERTARIANS

Conservatism is a political theory designed to secure the blessings of liberty, while libertarianism is simply and only a market theory. Understanding this distinction is vital if one has to preserve the unique system our Founders intended. While conservatives and libertarians generally agree on economic issues, libertarians tend to commit the error of thinking the market can be applied in all spheres of life with equal success.8

Both political philosophies are about freedom. A person has the freedom to act in any way they wish unless it harms another. Both sides use power to prevent that harm. The key discrepancy is how each side defines harm.

A libertarian would respond to the conservative view by saying that the effect of social changes on future society is unknowable and individual freedoms cannot be restricted because of an unknowable possibility. Whereas, A conservative would respond to that response by saying

⁴ Getting Libertarianism Right. Hans-Hermann Hoppe.

⁵ Randall, Margaret (January 14, 2018)"Preface". Sandino's Daughters: Testimonies of Nicaraguan Women in Struggle. Rutgers University Press.

⁶ DiLorenzo, Thomas. "Constitutional Futility". LewRockwell.com

⁷ Heywood, Andrew (2015). Key Concepts in Politics and International Relations: Palgrave Key Concepts. Macmillan International Higher Education.

Edward Feser, "What Libertarianism Isn't", Lew Rockwell.com, December 22, 2001
 Ralph Raico, "Is Libertarianism Amoral?", New Individualist Review, Volume 3, Number 3, Fall 1964, 29–36

that the unknowability of the effect of social changes is the point. Therefore, they neglect the effect of social change. ¹⁰

III. ECONOMIC ISSUES

Libertarian conservatism subscribes to the libertarian idea of free-market capitalism, advocating minimal to no government interference in the market. A number of libertarian conservatives favour Austrian economics and are critical of fiat money. It also support wherever possible privatizing services traditionally run or provided by the government.¹¹

IV. NEW RIGHT

New Right is a descriptive term for various right-wing political groups or policies in different countries. It has also been used to describe the emergence of Eastern European parties after the collapse of the Soviet Union and Communism.¹²

Background

The word "New Right" appeared during the 1964 presidential campaign of Barry Goldwater to designate "the emergence, in response to liberalism, of an uninhibited right: ultraconservative, imbued with religious values, openly populist, anti-egalitarian, and intolerant of racial desegregation."¹³

The victorious parties in UK and USA, advocated and pursued right-wing economic policies to resolve the failure of the post-war consensus. In Britain and the United States these economic policies were associated with an eclectic collection of ideas commonly termed 'New Right' which denoted a range of economic, political, moral and social beliefs and principles.¹⁴

Elements of New Right

There are 2 elements of New Right, first is Liberal economic arguments for the free market were joined with political arguments about individualism and a reduced public sector. The second element of New Right arguments is conservatism, which arises from the pursuit of liberal economic policy.

¹⁰ Nelson Hultberg, "True Conservatism vs. Neo-Conservatism" Archived August 20, 2008, at the Wayback Machine, "Americans for a Free Republic"

¹¹ J. Richard Piper, Ideologies and Institutions: American Conservative and Liberal Governance Prescriptions Since 1933, Rowman & Littlefield, 1997

¹² J. Richard Piper, Ideologies and Institutions: American Conservative and Liberal Governance Prescriptions Since 1933, Rowman & Littlefield, 1997

¹³ Camus, Jean-Yves; Lebourg, Nicolas (20 March 2017). Far-Right Politics in Europe. Harvard University Press. p. 122.

¹⁴ S. Lee; M. Beech (2016). The Conservatives under David Cameron: Built to Last?. Palgrave Macmillan UK. pp. 23–24

'New Right' is necessary; it refers primarily to economic and political liberalism. Such liberal theories either support or underlie the public policies pursued by the Thatcher and Reagan administrations. Both political leaders offered solutions to their respective economies' problems by reference to liberal arguments. This was the central element of their electoral platforms. Liberal economic arguments for the free market were joined with political arguments about individualism and a reduced public sector. The second element of New Right arguments is conservatism, which arises from the pursuit of liberal economic policy. These latter have certain political consequences which are subsequently justified in terms of social and moral conservative principles. Alone these conservative arguments would not have been the basis for electoral success; rather they constitute residual claims addressing the political consequences of liberal economic policies.

New Right Issues

The New Right movement began forming in the 1960s and 1970s as its members were dismayed by increased sexuality in the public arena, rising crime, liberalization of abortion, and social unrest caused by the Vietnam War, which was the conflict between the United States and communist North Vietnam that lasted from roughly 1965 to 1975. Organizations were formed, such as Young Americans for Freedom and the College Republicans, often populated by white, middle-class Protestant suburbanites.

Among the issues that animated the New Right was the upcoming Panama Canal treaty i.e. Torrijos–Carter Treaties¹⁸ that gave control over the Panama Canal to its mother country. Many conservatives opposed the treaty, feeling the U.S. should retain control over the canal. New Right members also balked at what they viewed as appearement towards the Soviet Union. While running against President Gerald Ford for the Republican presidential nomination in 1976, Reagan criticized both the treaty and the Ford policy of détente, which was an effort to relax tensions with the Soviets through negotiations. Instead, Reagan believed that the U.S. should build up its military might to deter Soviet aggression.

The organization of social conservatives also fueled the New Right. In 1973, the Supreme Court established a constitutional right to an abortion in the Roe v. Wade¹⁹ ruling. Opposition

¹⁵ Liberalism, conservatism and the new right by Desmond S. King

¹⁶ Hugh Collins, "Political ideology in Australia: the distinctiveness of a Benthamite society." Daedalus (1985): 147–169.

¹⁷ Camus, Jean-Yves; Lebourg, Nicolas (20 March 2017). Far-Right Politics in Europe. Harvard University Press. p. 122

¹⁸ Panama Canal Treaty. Signed at Washington on September 7, 1977. Entered into force October 1, 1979. 33 UST 39

¹⁹ 410 U.S. 93 S. Ct. 705; 35 L. Ed. 2d 147; 1973 U.S

to the ruling sparked a parallel movement called the Religious Right, which was made up largely of Protestant Christians who opposed liberal policies on abortion and homosexuality. This movement was led by individuals such as Jerry Falwell and Reverend Pat Robertson. Many Religious Right activists found common cause with the New Right and joined its ranks, giving strong support to New Right candidates and Reagan during his runs for president. This is what has led many critics to conflate the Religious Right with the Republican Party and, even though that relationship still exists, the ideological similarities between the two groups began dwindling in the 2010s.²⁰

V. CONSERVATISM IN GLOBAL AGE

Conservatism is a political and social philosophy promoting traditional social institutions in the context of culture and civilization. The central tenets of conservatism include tradition, organic society, hierarchy, authority, and property rights. Conservatives seek to preserve a range of institutions such as religion, parliamentary government, and property rights, with the aim of emphasizing social stability and continuity.²¹

Background

The first established use of the term in a political context originated in 1818 with François-René de Chateaubriand during the period of Bourbon Restoration that sought to roll back the policies of the French Revolution. Historically associated with right-wing politics, the term has since been used to describe a wide range of views.²²

The movement originates in the late 18th century in reaction to the French Revolution, which certainly saw its excesses, but then, as now, conservatives went overboard, automatically deferring to the political habits of the recent past, and in their case, supporting, not the political model of small and relatively liberal states that characterized the High Middle Ages, but instead throwing in with the absolutist states of the Late Middle Ages and the Renaissance. Thus, by the mid-20th century, Ronald Hamowy could declare that the newly-christened conservatives, like Russell Kirk and William F. Buckley, who were invoking the 19th-century conservatives as their inspiration, were really embracing the conservatism of "the rack, the thumbscrew, the whip, and the firing squad."²³

²⁰ Vasiliki Georgiadou, and Lamprini Rori. "Economic crisis, social and political impact. The new right-wing extremism in Greece." Anuari del Conflicte Social (2013)

²¹ Heywood, Andrew (2012). Political Ideologies: An Introduction. Palgrave Macmillan

²² Jerry Z. Muller (1997). Conservatism: An Anthology of Social and Political Thought from David Hume to the Present. Princeton U.P. p. 26

²³ Frank O'Gorman (2003). Edmund Burke: His Political Philosophy. Routledge. p. 171.

In Global Age

There is a dramatic political divide emerging in the world between old and young, Right and Left. Millions of young people are coming into their own politically, and they are proving to be more liberal and diverse than the rest of the country. Just 15 percent of millennials call themselves "conservative," while more than half embrace the label "liberal."²⁴

Millennials are growing more liberal as they age, not less, which is a new feature of the world's political landscape. The generations that occupied Wall Street and birthed the Bernie Bro are now fueling the ranks of the Democratic Socialists of America, with which Ms. Ocasio-Cortez is affiliated. They tend to care about issues the Left says it cares about, such as climate change and social justice. But the gender and ethnic divides may be even bigger than the value divide between generations. Millennials are the largest and most diverse generation in American history. The generation that follows them will be majority non-white by 2020. Since non-whites vote overwhelmingly Democratic, the party of the Left would seem to enjoy a large and growing electoral block.

Conservatives who call for giving up traditional beliefs for the sake of millennials are redolent of those Christians who, roughly a generation ago, believed the church was disregarding young people at its peril. Faced with an Oprahfication of moral sentiments among the youth, the so-called Emerging Church and the Mainline Church deconstructed faith along postmodern lines. But these churches too often became a confused mess of watered-down liberalism and the moralistic.

The conservative vision of society — informed by a low opinion of the capacity of individuals to address social problems and by high regard for the rights and freedoms of those individuals — seeks social arrangements that encourage individual moral progress while respecting human liberty and dignity. And it finds these in the mediating institutions of a free society — families, communities, civic and religious groups, markets, and more — that stand between the individual and the state.

VI. CONCLUSION

Both political philosophies are about freedom. A person has the freedom to act in any way they wish unless it harms another. Both sides use power to prevent that harm. The key discrepancy is how each side defines harm.

The term libertarian conservatism refers to ideologies that combine the advocacy of economic

²⁴ National questions – conservatives fragmenting as liberals unite, National Review, June 30, 1997

principles such as fiscal discipline, respect for contracts, defense of private property and free markets and the traditionalist conservative stress on self-help and freedom of choice under a laissez-faire economy through a framework of limited, constitutional, representative government. This political ideology has two contradictory terms which has been explained and clarified in this paper.

Libertarian conservatism can be understood as promoting civil society through conservative institutions and authority—such as family, country, religion and education—in the libertarian quest to reduce state power.

The "newness" of the New Right refers both to the reinvigorated and redefined forms of conservative political activity and to the youthfulness and mobilization of a previously disorganized suburban middle class.

VII. BIBLIOGRAPHY

Books

- 1. Freedom and Virtue: The Conservative/ Libertarian Debate BY George W. Carey
- 2. The Conscience of a Conservative by Barry Goldwater
- 3. On Liberty by John Stuart Mill
- 4. Political theory by dr. Eddy Asirvatham

Articles

- Johnston, Larry (2007). Politics: An Introduction to the Modern Democratic State.
 University of Toronto Press.
- J. Richard Piper, Ideologies and Institutions: American Conservative and Liberal Governance Prescriptions Since 1933
- 3. Getting Libertarianism Right. Hans-Hermann Hoppe.
- 4. Randall, Margaret (January 14, 2018)"Preface". Sandino's Daughters: Testimonies of Nicaraguan Women in Struggle. Rutgers University Press.
- Heywood, Andrew (2015). Key Concepts in Politics and International Relations: Palgrave Key Concepts. Macmillan International Higher Education.
- 6. Ralph Raico, "Is Libertarianism Amoral?", New Individualist Review, Volume 3, Number 3, Fall 1964, 29–36
- 7. S. Lee; M. Beech (2016). The Conservatives under David Cameron: Built to Last?.

Palgrave Macmillan UK. pp. 23-24

- 8. Frohnen, Bruce, Jeremy Beer, and Jeffrey O. Nelson (2006) American Conservatism: An Encyclopedia. ISI Books: Wilmington, DE.
- 9. Liberalism, conservatism and the new right by Desmond S. King
- 10. Hugh Collins, "Political ideology in Australia: the distinctiveness of a Benthamite society." Daedalus (1985): 147–169.
- 11. Camus, Jean-Yves; Lebourg, Nicolas (20 March 2017). Far-Right Politics in Europe. Harvard University Press. p. 122
- 12. Panama Canal Treaty. Signed at Washington on September 7, 1977. Entered into force October 1, 1979. 33 UST 39
- 13. Vasiliki Georgiadou, and Lamprini Rori. "Economic crisis, social and political impact. The new right-wing extremism in Greece." Anuari del Conflicte Social (2013)
- 14. Heywood, Andrew (2012). Political Ideologies: An Introduction. Palgrave Macmillan
- 15. jerry Z. Muller (1997). Conservatism: An Anthology of Social and Political Thought from David Hume to the Present. Princeton U.P. p. 26
- 16. Frank O'Gorman (2003). Edmund Burke: His Political Philosophy. Routledge. p. 171
- 17. National questions conservatives fragmenting as liberals unite, National Review, June 30, 1997

Web Sources

- 1. J store
- 2. Lew Rockwell.com
- 3. urbandictionary.com
- 4. USLegal.com
