Liberty and Legislation

Bret Weinstein has announced the formation of a new political party, the American Liberty Party (ALP). In what follows I will explain why ALP, even if successful, will inevitably result in an increase in government and thus, in a worsening of the political issues that ALP seeks to address.

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Government, when stripped of its particular features, is collectively organized coercion. We employ Government in order to coerce people to do things, or to abstain from doing things, that they will not agree to voluntarily. When people do things of their own accord, this generally makes them happy, and when people are coerced into doing things against their will, this generally makes them unhappy. (1) Thus, as government grows over time, people in society do less and less of the things they want to do according to their own values and preferences and are coerced into doing more and more things against their will. The growth of government is directly related to the frustration and anger people experience in society, because government is simply the substitution of what a person wants to do with something they are coerced to do.

However, this is not how government is understood by the vast majority of people. Most people believe that government can wield its coercive power either *correctly* (wield it in a good way and for the right reasons) or wield its coercive power *incorrectly* (wield it in a bad way and for the wrong reasons). The overall “level” of government is not the essential

issue according to this view. The essential issue is the *right* versus the *wrong* use of government coercion in each individual circumstance. In other words, most people believe that when it comes to government's coercive power, it is not the wrong-*ness* of coercion that is the issue, but rather the wrong *use* of coercion.

Thus, there are two distinct theories of the way in which collectively organized coercion (government) is related to human happiness. One theory conceives that government by its very nature is a direct cause of society-wide discontent. If government grows, so too must the level of social discontentment. The alternate theory holds that the pervasiveness of government in society is not meaningfully related to the level of social discontent. Rather, social discontent results when government power is wielded incorrectly instead of correctly. As most people understand it, the problem isn't that government, and thus coercion, is increasing in society. The problem is that government, regardless of how much of it we have, is being employed incorrectly.

Since most people adhere to the latter theory and not the former, they are largely agnostic regarding the size and scope of government. Because they are agnostic regarding the size and scope of government, they continue to propose government solutions to existing social problems, incrementally expanding the employment of coercion in society, and therefore increasing the level of frustration and anger experienced in society.

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Speaking in terms of fundamental categories, there are currently two political groups that determine our political future. One group is committed to a government-run society; a society in which government

is continually expanding and in which individual, autonomous-person decision making is continually contracting. The social ideal of this group is the material equality of all people; a society in which the material circumstances of each person converge toward equality. (2) The material equality of all people serves as the overarching moral value to which all other social values are subordinated. Any social activity (or structure) that serves to perpetuate material inequality therefore contravenes this primary moral value and may be targeted for elimination.

Many of the things that people want to do, when left to their own autonomous decision making, serve to perpetuate material inequality (for example, accumulating assets). Therefore, a comprehensive system of government is needed to eliminate such activities and structures. Thus, this political group is not agnostic with regard to the size of government. For this group, the size of government is a barometer that indicates the extent to which individualistic, autonomous decision making (which perpetuates material inequality) is being replaced by collectively organized coercion (the systematic attempt to eliminate material inequality). An increase in the size of the system that seeks to eliminate a moral *bad* is naturally seen as a moral *good*. Thus, for this political group, an increase in the size and pervasiveness of government is considered itself a moral good. (3)

The second political group is largely agnostic with regard to the size of government. The people in this group are generally opposed to extremism. They don't want a society that is entirely run by government (communism) and they don't want a society that is absent government (anarchy). Rather, this group seeks to wield government power in the service of a definable moral ideal; a specific moral theory about what is

socially good and what is socially bad. The moral theory in question typically defines *good* and *bad* with reference to a familiar, historically-situated entity. For example, a specific social activity might be considered good or bad according to a deity or according to a prophet. Or, a social activity might be considered good or bad for a nation. Or, a social activity might be considered good or bad for the individual human being. The important thing is that this political group seeks to wield government power in the service of a definable moral ideal. The moral ideal of this second group does not necessarily require the material equality of all people. For this political group, it is not the equality of material conditions that is the primary moral imperative. Rather, the primary moral imperative for this second group is fealty to the requirements of a religious doctrine, or of a nation, or of the individual human being. (4)

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These two groups, often referred to as the *left* and the *right*, are the primary political groups shaping our political reality. Other political groups may exist, but they do not reach the stage of concrete implementation. Since only these two political groups shape our political landscape, it is virtually guaranteed that the size and pervasiveness of government will increase over time. The first group is dedicated, on principle, to increasing the size and scope of government. When they are in power, they intentionally strive to expand government. The second group is largely agnostic regarding the size and scope of government. When they are in power they do not strive to decrease the size of government because the size of government is not their primary concern. Their primary concern is reshaping government—whatever its current size—in the mold of their moral

ideals. To accomplish this, they generally introduce new legislation. I.e., they incrementally increase the size and scope of government.

Thus, government continues to grow and expand over time, as these are the only two groups whose political activity reaches the stage of concrete implementation. One group expands government intentionally as part of its political program. The other group expands government inadvertently, by not seeking to reduce government previously expanded, and by adding new government (new legislation) in the attempt to further its moral ideals.

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When government introduces legislation, it essentially introduces a new *restriction* (or control). Each instance of legislation defines the particular conditions of a newly-instituted restriction. The universal form of such a restriction is always something such as: Yesterday, you were permitted to do X; as of today, you are no longer permitted to do X. Or, yesterday, you were permitted to retain X; As of today, you are no longer permitted to retain X.

It is important to realize that the restrictions introduced by government (by legislation) may be *restrictions on the introduction of other restrictions*. For example, a piece of legislation may specify something such as: Yesterday, you were permitted to restrict X; as of today, you are no longer permitted to restrict X. Such restrictions on restrictions are still instances of coercive government power in that the legislation specifies a harmful penalty for those who disobey.

Thus, one may conceive the growth of government as the continual introduction and continual accumulation of new restrictions.

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In a political context, *freedom* and *liberty* are inversely related to *restriction* and *control*. As restrictions and controls are expanded in society, freedoms and liberties are eliminated, and vice versa. As has been argued above, because only two groups shape our political landscape, it is virtually guaranteed that government will grow over time. One group is dedicated, on principle, to expanding government. The other group does not actively seek to decrease the size of government and usually expands the size government, incrementally, for its own purposes. The net result is that the system taken as a whole—both groups taken together as a single structure—continually generates restrictions, and therefore, continually eliminates freedoms.

Thus, the most important feature of our current political system is that it only generates restrictions; there is no part of our political system that generates freedoms.

Given what we have argued above, it is obvious what is missing in contemporary politics. One group strives to generate as many restrictions as possible while the other group generates restrictions incrementally; there is no group in our political system that generates freedoms.

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It follows from what we have argued that *the solution to our political problems cannot be the introduction of new legislation*. Legislation is restriction. Restriction is the elimination of freedom. The introduction of new legislation will merely perpetuate and exacerbate political frustration, anger and hostility.

This is why the formation of a new political party such as the American Liberty Party will not solve our political problems if its goal is to introduce new legislation. The introduction of new legislation will increase the level of coercion in society, since legislation is based on coercion (the threat to harm someone if they don't obey a command). Coercion is the substitution of what a person wants to do according to their own values and preferences with something they are forced to do against their will. People are generally happy when they do what they want to do and are generally unhappy when they are forced to do something against their will. An increase in the level of coercion in society thus corresponds to an increase in the level of unhappiness in society; an increase in the level of political frustration, anger and hostility.

Of course, those who seek to address our social problems through legislation do not see it this way. As some see it, legislation can be enlisted in the service of freedom and liberty. However, this notion is contradictory as legislation is restriction; the negation of freedom and liberty.

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If freedom and liberty cannot be attained by legislation, then how might they be attained? One potential pathway is as follows. Let's assume that a group of people of indeterminate size (***A***, ***B***, ***C***, ***D***, etc.) form an agreement among themselves. The agreement they will form will be independent of geography—independent of where each person lives. The agreement will be something such as: "We agree that between us there will be no speech restrictions" or "We agree that between us there will be no wage restrictions," etc. Thus, by virtue of this

agreement between persons ***A***, ***B***, ***C***, and ***D***, a restriction is eliminated among them, and a corresponding freedom is generated. ***A***, ***B***, ***C*** and ***D*** may now speak freely among themselves without restriction, or they may now form wage agreements among themselves freely without restriction.

In order to effect this agreement between ***A***, ***B***, ***C*** and ***D***, coercive legislation need not be introduced, because the agreement between ***A***, ***B***, ***C*** and ***D*** is entered into voluntarily. And thus, several freedoms and liberties may be generated, and several restrictions and controls may be eliminated, between ***A***, ***B***, ***C*** and ***D***, without the introduction of legislation.

When the agreement between ***A***, ***B***, ***C*** and ***D*** is made, the following situation then exists in the political system taken as a singular structure: The first group is continually generating restrictions as an intentional political program; the second group is generating incremental restrictions inadvertently by introducing new legislation; the third group is continually generating new freedoms as an intentional political program.

In this new situation, the potential for a type of political equilibrium emerges, because the new restrictions generated by the first group are directionally counteracted by the new freedoms generated by the third group. (5) The first group is still generating as many restrictions as possible. The second group is still generating additional restrictions inadvertently. However, now a third group is generating as many freedoms as possible. Whereas previously, only restrictions were being generated, now, both freedoms and restrictions are being generated.

Moreover, people who prefer freedoms and liberties now have a process for the concrete implementation of their political values.

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The formation of a new political party, the American Liberty Party, is a hopeful sign, but only in the limited sense that it proclaims liberty as an animating ideal. Legislation (government) cannot be the solution to the problems that legislation itself causes. For freedom and liberty to emerge, what is needed is not a new political *party*, but a new political *process*. Then freedom can be something that we experience, rather than something we only talk about.

Notes

(1) Think of a social situation in which I get to do everything according to my own values and preferences, while you are coercively prevented from doing anything according to your own values and preferences. Note: "Happiness" here means satisfaction, contentment, acceptance, agreement, etc. I.e., a situation that a person accepts, having little or no desire to change it. Conversely, "unhappiness" here means dissatisfaction, anger, rejection, disagreement, etc. I.e., a situation that a person rejects and desires to change.
(2) Equality in wealth, power, influence, living conditions, health status, etc.
(3) And thus, those social issues that provide an opportunity and a justification for an enlargement of government (climate change, pandemic, etc.) serve as the basis for a unified political program which we recognize as leftism.
(4) And in this we recognize the essential features of "rightism" and the

distinction between right-wing and left-wing thought.
(5) Counteracted in *direction,* in the sense that while group 1 is generating a restriction regarding activity E, group 3 is generating a freedom regarding activity F.