



THE FUTURE *of* FREEDOM FOUNDATION

Questions That Only Libertarians Are Asking

by [Laurence M. Vance](#)

October 22, 2024

Although on the surface, Democrats, liberals, socialists, and progressives seem to be ideological opposites of Republicans, conservatives, nationalists, and constitutionalists, and although both groups are often contrasted with moderates, populists, centrists, and independents, in reality, every one of these groups has something in common: their opposition to libertarianism.

Libertarianism

Libertarianism is the philosophy that says people should be free from individual, societal, or government interference to live their lives any way they desire, pursue their own happiness, accumulate wealth, assess their own risks, make their own choices, participate in any economic activity for their profit, engage in commerce with anyone who is willing to reciprocate, and spend the fruits of their labor as they see fit — as long as their actions are peaceful, their associations are voluntary, their interactions are consensual, and they don't violate the personal or property rights of others.

Libertarians maintain that as long as people don't infringe upon the liberty of others by committing, or threatening to commit, acts of fraud, theft, aggression, or violence against their person or property, the government should leave them alone and not interfere with their pursuit of happiness, commerce, personal decisions, economic enterprises, or what they do with their body or on their property.

Libertarians thus believe that —

Individuals, not society or the government, should be the ones to decide what risks they are willing to take and what behaviors they want to practice.

Everyone should be free to pursue happiness in his own way — even if his choices are deemed by others to be harmful, unhealthy, unsafe, immoral, unwise, stupid, destructive, or irresponsible.

Every crime needs a tangible and identifiable victim who has suffered measurable harm to his person or measurable damages to his property.

Markets should be completely free of government regulation, licensing, restriction, and interference.

No industry or individual should ever receive government grants, subsidies, loans, or bailouts.

The functions of government should be limited to prosecuting and exacting restitution from those individuals who initiate violence against, commit fraud against, or violate the property rights of others.

Contrary to Democrats, liberals, socialists, progressives, Republicans, conservatives, nationalists, constitutionalists, moderates, populists, centrists, and independents — *who all may claim to believe some of these things* — libertarians believe these things consistently and without exception.

The issues

Marijuana. The Controlled Substance Act (CSA) is part of the Comprehensive Drug Abuse Prevention and Control Act of 1970. The CSA classifies drugs into five distinct categories or schedules based on the drug's acceptable medical use and potential for abuse or dependency. According to the Drug Enforcement Administration (DEA):

“Schedule I drugs, substances, or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse. Some examples of Schedule I drugs are: heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), 3,4-methylenedioxymethamphetamine (ecstasy), methaqualone, and peyote.”

The higher the drug is on the schedule, the less the potential for abuse. It is an outrage that marijuana is a Schedule I drug while cocaine, methamphetamine, oxycodone, and fentanyl are Schedule II drugs. The Biden administration recently announced its intention to reclassify marijuana from Schedule I to Schedule III, where it could be prescribed by a physician along with drugs like Tylenol with codeine. However, the manufacture, distribution, or possession of recreational marijuana would remain illegal under federal law. Many Democrats applauded the administration’s decision. Predictably, Republicans were generally opposed to the rescheduling. Rep. Andy Harris (R-MD) called it “a dangerous mistake” to remove restrictions “on an addictive gateway drug like Marijuana.” The Republican-controlled House Appropriations Committee recently passed a spending bill that specifically prevents the Justice Department from reallocating funds to either reschedule or deschedule marijuana. Although libertarians would prefer that marijuana be a Schedule III drug instead of a Schedule I drug, they would much rather see it removed from the schedule altogether.

Cocaine. Crack cocaine and powder cocaine are both forms of cocaine, which comes from coca leaves. Crack cocaine is made by dissolving powder cocaine and baking soda in boiling water to make a paste and then cutting the paste into small “rocks” after it dries. The rocks are sold in single doses and smoked by users. The Anti-Drug Abuse Act of 1986 instituted a five-year mandatory minimum sentence for possession of five grams (just a few rocks) of crack cocaine. However, people arrested for possessing powder cocaine had to possess 100 times more (over a pound) to receive a five-year mandatory minimum. The law decimated Black communities and filled U.S. prisons with nonviolent offenders. The Fair Sentencing Act of 2010 changed the ratio of crack to powder cocaine from 100-to-1 to 18-to-1 but did not apply retroactively. The First Step Act of 2018 allowed anyone sentenced before 2010 to ask a judge to reduce his sentence. For decades now, the question of sentencing disparities for crack and powder cocaine has been debated by those on the Left and the Right. Libertarians don’t just reject sentencing disparities; they reject drug-violation sentencing, period.

Alcohol licenses. After former president Donald Trump was convicted in a New York court on 34 felony counts of falsifying business records in the first degree, New Jersey’s Alcohol Beverage Control decided that it would not renew the liquor licenses at two of Trump’s golf clubs in the state: Trump National Colts Neck and Trump National Bedminster. New Jersey prohibits anyone from holding a liquor license who has been convicted of a crime of “moral turpitude.” The clubs were then issued interim permits to serve alcohol until a hearing could be held in which each club would be required to prove “by a preponderance of evidence that it is qualified to hold a liquor license.” “We believe that a hearing regarding the renewal of our liquor licenses is unwarranted and unjustified,” said the Trump Organization in a statement. Regardless of how libertarians feel about Trump, they would tend to agree with this assessment. But they would go much further than conservatives who merely see the nonrenewal of the liquor licenses as politically motivated.

Government grants. In June of this year, the San Francisco Board of Supervisors officially declared the city a sanctuary for people claiming to be transgender or nonbinary. The city’s Office of Transgender Initiatives had a GIFT program — Guaranteed Income for Transgender People — that offered “economically marginalized transgender people” \$1,200 per month for 18 months to help them combat poverty.

Meanwhile, over in Baltimore, the Baltimore Baby Bonus Fund campaign “recently secured the necessary 10,000 signatures” to put a charter amendment on the November ballot requiring the Baltimore City Council to set aside at least 0.03 percent of the assessed value of all property in the city each year to give to Baltimore city residents a payment of at least \$1,000 upon the birth or adoption of a child. Conservatives predictably ridiculed the GIFT program but have been coopted by the liberals’ “profamily” proposal in Baltimore. Libertarians reject both grants, but not for anything to do with transgenderism or family values.

Discrimination in employment. For several years, federal agencies and courts were split on the issue of whether discrimination on the basis of sex as stated in the Civil Rights Act of 1964 includes discrimination on the basis on sexual orientation or gender identity. The U.S. Supreme Court a few years ago ruled that it does. Liberals and conservatives have been arguing ever since about whether the court made the right decision. Just recently, an IBM-owned company was sued for allegedly discriminating against an employee because he was white. Allan Kingsley Wood, who was “vocal about his opposition” to the company’s Diversity, Equity, and Inclusion (DEI) policies, was fired along with 20 other white male employees soon after the company announced new DEI goals. This is sometimes termed “reverse discrimination,” although some liberals maintain that such a concept is “a social lie” and “a mythological ideology” that doesn’t exist. Libertarians don’t take either side in these debates over discrimination.

Gun ownership and drug use. Hunter Biden, the son of President Biden, was recently tried and convicted for three federal felony gun charges: lying on a form about his drug use when he bought a gun in 2018, lying to a federally licensed gun dealer when he bought the gun, and possessing the gun while being a drug user. Biden has not been sentenced yet but could be facing many years in prison. The sentencing guideline is between 15 and 21 months in

prison, but the judge is not obligated to stay within that range, there is no mandatory minimum for the crimes, and Biden has no previous criminal record. Conservatives generally supported the conviction — but not too vocally, since they typically rail against gun-control laws — because “no one is above the law,” not even a president’s son. Liberals generally opposed the conviction because they believe that prosecutors were pressured into prosecuting Biden so that Republican claims that President Biden has corrupted the judicial system could be proved bogus. Only libertarians, even if they come down on either side or accept both sides, see the larger issue here.

Chaplains and religious texts in public schools. Bills that empower public schools to employ or accept volunteer chaplains have been considered or passed in at least 15 states. Louisiana recently passed a law requiring all of its public schools and colleges to display the Ten Commandments in every classroom. Louisiana governor Jeff Landry, a Republican, said in an interview with Fox News: “I mean, look, this country was founded on Judeo Christian principles and every time we steer away from that, we have problems in our nation.” A federal lawsuit against the new law argues that it violates the Establishment and Free Exercise clauses of the First Amendment. Libertarians, whether religious or not, reject chaplains and religious texts in public schools, but not because they supposedly violate the First Amendment. Libertarians oppose governmental involvement in both education and religion.

The cost of childcare. In the debate between President Biden and former president Trump, the moderator, Jake Tapper, asked the candidates what they would do about the high cost of childcare:

TAPPER: President Biden, thank you so much. Let’s turn to the cost of childcare, which many American families struggle to afford.

President Trump, both you and President Biden have tried to address this issue, but the average cost of childcare in this country has risen to more than \$11,000 a year per child. For many families, the cost of childcare for two children is more than their rent. In your second term, what would you do to make childcare more affordable?

Trump answered not a word about childcare, but used his time to rail against Biden for being “the worst president.” Biden only said: “We should significantly increase the child care tax credit. We should significantly increase the availability of women and men for child or single parents to be able to go back to work, and we should encourage businesses to hold — to have child care facilities.” Both Trump and Biden were given another chance, but neither one said anything about childcare. But regardless of what Biden said and what Trump would have said that he as president would do about the cost of childcare, libertarians would still countenance none of it.

The questions

Marijuana. Why should marijuana be on a drug schedule in the first place? Nowhere does the Constitution grant the federal government the authority to have a Controlled Substance Act, a Comprehensive Drug Abuse Prevention and Control Act, or a drug schedule. And not only that, the Constitution nowhere gives the federal government the authority to prohibit, restrict, or regulate the buying, selling, growing, or use of marijuana for medical or recreational use. The fact that the government thinks that marijuana has no currently accepted medical use and a high potential for abuse is irrelevant. And why should drugs have to be prescribed by a physician?

Cocaine. Why should anyone be sentenced to prison for possessing powder or crack cocaine? There should be no difference in sentences for possessing powder or crack cocaine for the simple reason that there should be no sentences for possessing either form of cocaine. There should be no mandatory minimums for drug possession for the simple reason that there should be no minimums at all. It is not the proper role of government to prohibit, regulate, restrict, or otherwise control whatever substance a man desires to put into his body. In a free society, there would be no law at any level of government for any reason regarding the buying, selling, growing, processing, transporting, manufacturing, advertising, using, or possessing of any drug for any reason.

Alcohol licenses. Why should anyone need a license to sell alcohol? Alcohol should not be treated any differently from any other commodity. Not only should the government not restrict the days and times when alcohol can be sold, but the government should never own and operate liquor stores and outlaw private retailers like it does in many states. It is not the proper role of government to prohibit the sale, discourage the use, or regulate the commerce of alcohol.

Government grants. Why should anyone receive a government grant for anything? It is an illegitimate purpose of government at any level to take money from some Americans and give it to other Americans. The provision of welfare, whatever it is called and whatever form it takes, is likewise an illegitimate function of government — even if they help the disabled, the elderly, the sick, or the “economically marginalized.” In a free society, all charity would be private and voluntary.

Discrimination in employment. Why should discrimination in employment be a crime? Since discrimination of any kind is not aggression, force, coercion, threat, or violence, the government should not prohibit it, seek to prevent it, or punish anyone for doing it. The Equal Employment Opportunity Commission (EEOC) should be abolished. Antidiscrimination laws are an attack on property rights, freedom of association, the free market, and freedom of thought.

Gun ownership and drug use. Why should anyone have to fill out a form from a licensed gun dealer to purchase a gun? Nowhere does the Constitution grant the federal government the authority to license gun dealers. Why don't drug users have the right to own guns? It is not illegal for people who consume alcohol to own guns. The Second Amendment contains no exceptions for drug users. In a free society, no one would need permission to buy or sell a gun, and the government wouldn't even know who buys or sells a gun.

Chaplains and religious texts in public schools. Why should there be public schools to begin with? Education is a service that can and should be provided on the free market just like landscaping services, manicure services, hair-styling services, pest-control services, financial planning services, or car-repair services. In a free society, not only would there be no public schools but no American would be forced to pay for the education of his own children or anyone else's children.

The cost of childcare. Why should the federal government have anything to do with childcare? Nowhere does the Constitution grant the federal government the authority to have anything to do with the cost or provision of childcare. In a free society, all childcare services would be provided by the free market without government mandates, regulations, subsidies, or licensing.

Conclusion

It is only libertarians who are asking these questions and getting to the real issues. It is only libertarians because libertarianism is based on the timeless principles of individual liberty, economic freedom, private property, and a government limited to the protection of these things. Libertarians don't just hold to these principles when it is expedient or popular to do so. This is what sets them apart from the proponents of every other political philosophy.

The change America needs is libertarianism. The solution to any issue is libertarianism. Only libertarianism can make America great again.

Category: [Libertarianism](#)

This post was written by: [Laurence M. Vance](#)

Laurence M. Vance is a columnist and policy advisor for the Future of Freedom Foundation, an associated scholar of the Ludwig von Mises Institute, and a columnist, blogger, and book reviewer at LewRockwell.com. He is the author of [Gun Control and the Second Amendment](#), [The War on Drugs Is a War on Freedom](#), and [War, Empire and the Military: Essays on the Follies of War and U.S. Foreign Policy](#). His newest books are [Free Trade or Protectionism?](#) and [The Free Society](#). Visit his website: www.vancepublications.com. Send him [e-mail](#).