

case of the Audubon Society's Rainey Wildlife Sanctuary and the elephant programs in southern Africa. But the elephant example depends on communal rights that he generally shuns throughout the book. There are better data in support of Bethell's property rights thesis such as the fact that deforestation rates, pollution levels, and other environmental indicators are lower in countries with the rule of law and property rights. Around the world, envirocapitalists are using property rights to enhance stream flows, reduce overfishing, restore wildlife habitat, and save endangered species. Bethell could have added credibility to his argument if he had used these examples.

These criticisms notwithstanding, *The Noblest Triumph* is must reading for all serious property rights scholars. Though the book lacks analytical sophistication, Bethell's careful survey of the historical antecedents and contemporary fruits of private property ends with the hope that "governing classes come to see the domestic and institutional roots of their own difficulties" (p. 341). If the government officials at the conference referred to at the outset of this review do not get Bethell's important message, then New Zealand's economic revolution begun in the late 1980s will be short lived. Bethell is optimistic that "the hundred-year experiment in socialism is over" (p. 341). If it is not, it will be because people do not understand the essential link between secure property rights, what Bentham called "the noblest triumph of humanity over itself," and prosperity.

Terry L. Anderson
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The Story of American Freedom

Eric Foner

New York: W.W. Norton, 1998, 422 pp.

In the introduction to his new book *The Story of American Freedom*, Eric Foner, professor of history at Columbia University and past president of the Organization of American Historians, writes: "No idea is more

fundamental to Americans' sense of themselves as individuals and as a nation than freedom. The central term in our political vocabulary, 'freedom'—or 'liberty,' with which it is almost always used interchangeably—is deeply embedded in the documentary record of our history and the language of everyday life."

Indeed, who can doubt this? For evidence, just look to today's public policy debates. No matter the issue, both sides claim to be promoting freedom. Opponents of the Americans with Disabilities Act, for example, said the bill made a mockery of freedom of contract and association, while proponents said it enhanced the freedom of the wheelchair-bound, among others. Likewise, skeptics of the minimum wage say it violates the right of employers and employees to come to a mutually agreeable bargain without third-party intervention. But fans of such legislation say it enhances the freedom of laborers, by guaranteeing them a sum of money sufficient for basic necessities as well as, perhaps, some leisure.

Foner's goal is to chronicle how these different understandings of freedom came to pass—how, in other words, the term "freedom" has evolved in America since the colonial period. "Rather than discussing freedom in the abstract," he writes, "I attempt to locate it in particular historical circumstances, showing how at different periods of American history different ideas of freedom have been conceived and implemented, and how the clash between dominant and dissenting views has constantly reshaped the idea's meaning."

There can be little question, Foner argues, that the American colonists' notion of freedom was strongly influenced by their study of British history and by their own identification as British subjects. "Power and liberty were widely believed to be natural antagonists, and in their balanced constitution and the principle that no man, even the king, is above the law, Britons claimed to have devised the best means of preventing political absolutism," Foner writes.

These beliefs, combined with the idea of self-ownership, laid the intellectual groundwork for the revolution. "By the end of the revolutionary era, the concept of property had expanded to include rights and liberties as well as physical possessions," Foner notes. For instance, at the Constitutional Convention of 1787, Madison declared: "A man has property in his opinions and the free communication of them, he has property in . . . the safety and liberty of his person."

This understanding of freedom—the belief that freedom principally means the right not to be aggressed upon—led many, but not all, early American leaders to embrace the minimal state. Foner argues that remained the case until the mid-19th century, when a growing number of people became dismayed with what they saw as ever-rising income inequality. For freedom to be enjoyed by all, it was argued, a more egalitarian distribution of resources must be ensured.

What resulted was the rise of Owenite utopian communities—which aimed to fundamentally alter the relationship between the worker and

the employer—and less ambitious reform movements that championed state provision of social services and regulation of the workplace. The latter, Foner argues, were the precursors of the Progressive movement.

Foner's discussion of the late 19th and early 20th centuries is one of the most useful sections of the book. He does two things remarkably well. First, he debunks the notion—far too popular among some classical liberals—that the rise of the modern welfare-regulatory state can be traced back to the New Deal and no further. Second, he recounts the highly technocratic and often authoritarian views of the early Progressives, and shows how World War I and the Red Scare led them to rethink their unstinting faith in the goodness of the state.

Near the turn of the century, social scientists and public intellectuals such as Herbert Croly, John Dewey, and William Willoughby claimed that freedom had to be redefined. It was no longer useful to think in terms of “freedom from.” Instead, society needed to frame the debate in terms of “freedom to.”

Foner writes: “‘Effective freedom,’ wrote John Dewey, who pondered the question from the 1890s until his death in 1952, was far different from the ‘highly formal and limited concept of liberty’ as a preexisting possession of autonomous individuals that needed to be protected from outside restraint. It meant ‘effective power to do specific things,’ and as such was a function of ‘the *distribution* of powers that exists at a given time.’” Similarly, Willoughby proclaimed that Progressivism “looks to state action as the . . . only practicable means now in sight of giving to the individual, all individuals, not merely a small economically strong class, real freedom.”

At the federal level, these activists pushed for the creation of the Federal Trade Commission and the passage of the Pure Food and Drug Act, among other things. And they enjoyed even more legislative success at the state and municipal levels. Proof that Progressivism was becoming the dominant ideology of the period came in the 1912 election, when the four leading presidential contenders all called for a more activist state. The winner, of course, was Woodrow Wilson, who, foreshadowing FDR's Four Freedoms speech, argued that “freedom today is something more than being let alone. The program of a government of freedom must in these days be positive, not negative merely.”

Who was to guide this new beefed-up government? The intellectual class, which would be culled from the country's leading universities and journals of opinion. In short, people like Croly, Dewey, and Willoughby. World War I excited many of the members of the up-and-coming managerial elite, because, as Foner writes, the war “created a national state with unprecedented powers and administrative capacities.” This giddiness faded, however, when many left-wing activists were rounded up after the war for their “subversive” activities. This was the moment, Foner perceptively notes, when Progressivism slowly morphed into modern liberalism. Up to this point, large parts of the left were preoccupied with

(planned) efficiency and order to the exclusion of all else. These concerns were now modified and combined with a fervent, if inconsistent, defense of free expression and civil liberties generally.

Chapter 8, “The Birth of Civil Liberties,” is also highly valuable, for Foner points out that until the 1920s and 1930s, the idea of what constituted civil liberties was rather narrow. Political speech and the right to worship as one wished were generally defended by the courts, albeit with some notable exceptions. But when it came to other matters, particularly sexual issues, things were very different. Emma Goldman was regularly jailed for speaking about birth control, and Moses Harman, editor of the individualist newspaper *Lucifer, the Light Bearer*, was imprisoned for publishing articles questioning the morality and legality of rape within marriage. Today, such events are unthinkable.

These sections of the book, in particular, show us that American history cannot be neatly summed up. It has been characterized by neither a constant upward march toward freedom and liberty, as some would have us believe, nor a slow and steady betrayal of the libertarian principles of the revolution, as others often claim. Instead, there have been some advances and some (probably many more) declines.

The final five chapters of *The Story of American Freedom* discuss the New Deal, World War II, the Cold War, the 1960s, and “conservative freedom,” that is, the 1980s and 1990s. Foner’s treatment of these topics is knowledgeable. His analysis of the New Left—and its rapidly changing agenda, from decentralism and individualism to conventional state socialism—is especially enlightening. His analysis is far from even-handed, though. He engages in shallow hyperbole, for instance, when he says that in the 1980s “Great Society antipoverty programs were gutted.” (Though, to be fair, he also notes that “core elements of the welfare state such as Social Security, Medicare, and Medicaid remained intact.”) And one can question his claim that in the 1970s New Right “Christian conservatives (many of whose leaders proved highly adept at using the mass media to raise funds and disseminate their ideas) fully embraced the free market economics of libertarian conservatives.”

Many market liberals, I fear, will be turned off by this book before even opening the cover. Foner, it is true, is no fan of the classical-liberal legal order. He equates the “market society” with “greed, selfishness, and indifference to the welfare of others,” arguing that capitalism provides “hardly the foundation of a moral community.” What’s more, Foner seems convinced that private spending on campaigns is the paramount threat to political freedom in the United States today, and that all would be solved if the “public”—that is, government—just financed political activity. Such sentiments unquestionably color many of his interpretations, and probably account for the omission of some noteworthy events and people. Nevertheless, Foner shows a tremendous power for integrating ideas into a coherent narrative, and he should be applauded for taking on a task as

sweeping and important as telling “the story of American freedom” at a time when many historians are engaging in increasingly arcane research projects.

Aaron Steelman
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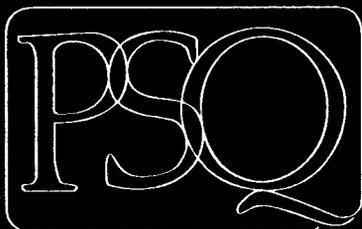
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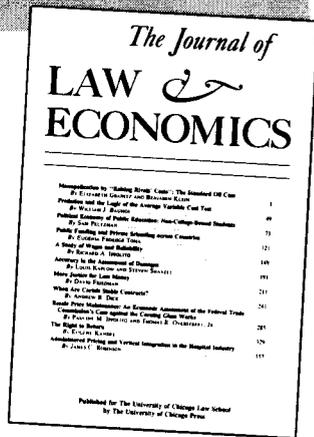
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“China Rediscovered Hayek,” *Asian Wall Street Journal*, 12 June 1998.