
BOOK REVIEW

THE CONSERVATARIAN MANIFESTO

BY CHARLES C.W. COOKE

*Reviewed by Jeremy Rabkin**

Charles C.W. Cooke grew up in England, attended Oxford, then came to America and began writing for *National Review*. Fans of his magazine articles – and I count myself among them – will recognize Cooke’s style: cool, witty, firmly judgmental. Each of the ten short chapters in this book could make for a provocative essay if published separately in an opinion magazine. Taken together, however, they don’t add up to a very compelling book.

To start with, the title conveys a misleading sense of the contents. The narrative voice is far too relaxed and reasonable for the sort of strident demands Americans associate with the term “manifesto.” Yet neither does the book offer up long lists of policy commitments in the style of a British political party’s “election manifesto.” (In the 2015 campaign, for example, the Tory “manifesto” promised to ease restrictions on fox-hunting – among other things.) The *Conservatarian Manifesto* defends familiar general perspectives rather than urging precise policies.

The intriguing term “conservatarian” might be worth a book-length explication. Debate between “traditionalists” and “libertarians” was already a staple at “conservative” gatherings in the 1950s. In 1962, Frank Meyer – the father of Federalist Society President Eugene Meyer – published a book elaborating a “fusionist” defense of freedom as common ground between contending conservative camps.

Cooke doesn’t claim credit for coining the term “conservatarian.” But he also doesn’t explore the origins of this apparently new term. He’s not very interested in the history of the American conservative movement over the past half century, nor is he very interested in the earlier history of ideas in the wider world.

Cooke remains a topical journalist in this book. The book has no footnotes. When it quotes someone else’s words, they are almost always the words of a fellow opinion journalist, a blogger, or another guest on a television talk show where Cooke has appeared.

Still, in his breezy way, Cooke tries to cover quite a lot of issues. His version of “conservatarian” embraces a range of positions that don’t usually sit under the same ideological banner. He firmly endorses the libertarian view that the “war on drugs” has been a “failure,” and urges that the federal government retreat from this field. But a later chapter defends military spending and an interventionist foreign policy. Cooke argues that same-sex marriage should be allowed, along with ready access to firearms – but he also defends restrictions on access to abortion. He also favors tough enforcement of border controls and limits on immigration. In each case, Cooke offers a quick sketch of his reasons for favoring a particular policy but these arguments remain rather... sketchy.

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The *Conservatarian Manifesto* is available for order on Amazon.com: <http://www.amazon.com/The-Conservatarian-Manifesto-Libertarians-Conservatives/dp/0804139725>

The discussion of drug legalization is somewhat representative. Cooke notes that federal regulation of narcotics began under Woodrow Wilson and gained further reach under Franklin Roosevelt and Lyndon Johnson. He then offers some figures on the high numbers of people incarcerated in federal prisons on drug charges. Then he urges that regulation of narcotics should be left to the states. He doesn’t discuss whether live-and-let-live or local-option should be applied to all recreational drugs or only to the less disabling (or less violence inducing), such as marijuana.

Why do all western countries agree that heroin and cocaine should be strictly regulated? That basic question doesn’t get explored here. If all (or almost all) states want to prohibit the most dangerous drugs, could they seek federal assistance in resisting drug trafficking across state lines or across international borders? There’s no discussion of that, either. The drug chapter strikes a libertarian posture without offering much assurance that the alternatives will prove acceptable or feasible.

So with the move to same-sex marriage. Cooke disagrees with libertarians who say the state has no business conferring special status on special kinds of relationships. He sensibly replies that every society has a residual interest in the conditions in which the next generation of citizens is reared. The extreme libertarian position, as he notes, must accept polygamy on the same grounds that it accepts same-sex marriage – and perhaps incest as well.

But Cooke himself argues that conservatives should accept same-sex marriage because “little good can come from the government’s active suppression of a social change that arose organically and over the course of decades.” That might sound soothing – but it ignores the fact that most changes in marriage law have been imposed by courts and almost all in one decade. And it still offers no ground for opposing polygamy or other deviations from traditional man-woman marriage.

The problem with Cooke’s assortment of policy positions isn’t that they are inherently contradictory. A political program must accommodate circumstances in its own time. Even advocates who want to rail against the prevailing political tides will have more chance of diverting the headwaters into safer channels if they let themselves abandon some positions as no longer feasible. A political program – even a “manifesto” – should not be judged by its logical rigor.

The problem with the “conservatarian” program, at least as Cooke presents it, is that it has no well-defined core, no evident center of gravity. The left side of the American political spectrum favors a vast range of government controls to foster what it conceives as fairness or equality – for consumers, for small business, for workers, for minorities, for women or other groups it sees as requiring extra protection. Both libertarians and more traditional conservatives tend to be much more skeptical of govern-

ment interventions in the economy. Cooke's "manifesto" gives no sustained attention to economic issues, however. It's as if one of the central themes of political debate – and one of the central cleavages in American political life – is beneath his notice.

It's true, of course, that people who share broad skepticism of government's role as an economic manager may still have strong disagreements on other matters, even other matters which affect this main concern. Libertarians tend to distrust state and local government along with the federal government and often urge courts to give more scrutiny to government controls at all levels. More traditional conservatives often embrace a populist distrust of all branches of government, which makes them suspicious of judicial activism, even for conservative causes. Cooke does offer a chapter endorsing conservative veneration of the Constitution and opposing the notion that courts can rely on their own judgments to extend a "living Constitution." But he says almost nothing about how courts should interpret the actual Constitution, which was thought to justify much judicial protection for economic liberty and property rights before progressives preached disregard for the actual Constitution. A parallel debate about how much courts should defer to determinations of administrative agencies – which does not necessarily require new interpretations of constitutional guarantees – goes entirely unnoticed.

For a book that purports to synthesize libertarian and conservative views, Cooke gives surprisingly little attention to their underlying differences. Judicial philosophy is a good example. Before the New Deal, courts were often skeptical of government controls on the economy but treated laws for the protection of "public morals" as a quite different category, which courts rarely dared to challenge. Now courts challenge such laws all the time. If you're a hard-core libertarian, you may want courts to protect sexual freedom or scrutinize government benefits to religion. If that's what judicial activism means, a lot of conservatives won't embrace it at all, even when it happens to be directed at controls on commercial activity.

One could say much the same about religion. Conservatives tend to be sympathetic to traditional government policies that give recognition to shared religious beliefs or provide accommodation to religious practice. Libertarians are wary of giving any special status to religion. Cooke has almost nothing to say about this debate. The conservatarian synthesis here seems to rest on a decision to ignore religion even as a topic worthy of thought or discussion in an overall political philosophy.

Cooke does offer a chapter on federalism, but that discussion also comes across as a ramshackle compilation of the author's personal preferences. Cooke argues that both libertarians and conservatives should recognize the benefits of keeping government close to the governed – even physically close, so different states and localities can develop policies that most suit local constituents. Invoking the claims of federalism and local choice, he scolds the congressional Republicans of the George W. Bush era for trying to outlaw partial birth abortion. Yet he ends this chapter by acknowledging historic concerns about abuse of minorities by local majorities. So, he concludes, "conservatives should be firm in their conviction that protections aimed at defending the fundamental rights of all Americans are best achieved at the national level and should not be at the mercy

of local politics." He never acknowledges that there is ongoing debate about what rights should count as "fundamental."

It may be that the collection of policies that happen to be favored by Charles C.W. Cooke will prove a winning formula for Republican candidates in 2016. Still, *The Conservatarian Manifesto* doesn't spend much time parsing opinion surveys or analyzing demographic trends to persuade readers that this is so. Cooke may well have sound intuitions about what now appeals to a majority of voters – or what might please them, without offending them. But political moods are in constant flux.

It may be, then, that *The Conservatarian Manifesto* can provide some helpful cues to candidates in next year's elections. It's not likely that people thinking about great political questions will want to give the book another look in the years after that. In Cooke's telling, at least, conservatarianism is not a philosophy for the future, but just a slogan for the moment.

