



**THE CALL IS COMING FROM INSIDE
THE HOUSE:
CHINESE CLASSICAL LIBERALISM
EATS ITS OWN TAIL**

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INTRODUCTION

Soon after then term-limited, now life-tenured Xi Jinping ascended to the Chinese presidency, the Central Committee General Office circulated Document No. 9 amongst the highest levels of the Chinese Communist Party's leadership. The communique outlined

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“seven perils” that pose existential risks to the CCP, including “Western constitutional democracy,” “universal values” of human rights, Western-inspired notions of media independence and civic participation, ardently pro-market “neo-liberalism,” and “nihilist” criticisms of the party’s traumatic past.”¹ At first glance, the dichotomy drawn by Document No. 9 between Eastern and Western values appears sound. Historically, China has been an imperial state, in which classically liberal concepts were and are alien. However, closer examination of ancient Chinese philosophies reveals a more nuanced reality.

Arguably the first classically liberal thinker *anywhere*, the sixth century BCE Chinese philosopher Laozi (also known as Lao Tzu) articulated ideas that would only be discovered again in the West more than two thousand years later, during the Scottish Enlightenment. And yet, China did not become a classically liberal society. Although Laozi’s *Dao De Jing* (sometimes written as *Tao Te Ching*) embodies a philosophy of humility, restraint, spontaneous order, and equilibrium, its primary contribution to Chinese governance was the basis it provided for Han Feizi’s deeply illiberal Legalism, as reflected in the work *Han Feizi*.² The trajectory of Daoist (also referred to as Taoist) thinking from liberty to authoritarianism,

¹ Chris Buckley, *China Takes Aims at Western Ideas* (N.Y. Times, Aug. 19, 2013) (quoting Document No. 9), archived at <https://perma.cc/7HY9-8DWK>.

² This Note does not purport to be historical analysis. It is ambivalent on Laozi’s true identity (or gender), and it recognizes the malleability of certain aspects of the *Dao De Jing*. Similarly, this Note is not meant to designate the *Han Feizi* as the one and only expression of Legalism, a movement whose beginnings predated Han Feizi’s lifetime. As with the overlap between Daoism and classical liberalism, the claims about the interactions of Daoism and Legalism are meant neither to be empirical nor exhaustive. Even if all points of contact between Daoism, Legalism, and classical liberalism are purely coincidental, they’re still revealing. Especially for an audience unfamiliar with Chinese history and philosophy, a flexible exploration that doesn’t get bogged down in exactitudes illuminates.

offers a lesson for classical liberals about the potential for classical liberalism to destroy itself.

Classical liberals must heed Daoism's cautionary tale. Ideological drift has, arguably, twisted modern classical liberalism into a purely economic philosophy. In turn, this inertia may be driving a populist backlash that, like Han Feizi's Legalism, has the potential to yank classical liberalism from the philosophical soil, root and branch.

I. LAOZI THE LIBERTARIAN

In his primer on libertarianism, David Boaz writes: "[t]he first known libertarian may have been the Chinese philosopher Lao-tzu, who lived around the sixth century B.C. and is best known as the author of the Tao Te Ching."³ Although Western Scholars tend to mark the Scottish Enlightenment as classical liberalism's birth, Boaz's assertion is accurate. As a more spiritual exploration of classically liberal themes, Laozi's writing does not so easily lend itself to the academic study of political philosophy. Nevertheless, Laozi's Dao (a verbal stand-in for *the* natural order, literally translated as "The Way") foreshadowed and anticipated the key themes of classical liberalism. Spontaneous order, the knowledge problem, limited government, and natural law each have Daoist analogues. Unlike contemporary thinkers however, Laozi was manifestly disinterested in the mechanics of institutional design. Perhaps this is what left Daoism open to Legalist capture. Regardless, Laozi deserves a rightful place in the pantheon of classical liberalism.

³ David Boaz, *Libertarianism: A Primer* 27 (The Free Press 2010).

A. WATER'S SPONTANEOUS ORDER

Daoism articulates a view of spontaneous order similar to that of the classically liberal Scottish Enlightenment thinkers: that “[s]ociety is not the product of calculation but arises spontaneously.”⁴

Eternal Tao [or Dao – the natural order] doesn’t do anything, yet it leaves nothing undone. If you abide by it, everything in existence will transform itself.⁵

To grasp Laozi’s spin on spontaneous order, one must first understand *nonaction*. The *Dao De Jing*’s central premise, if such a thing exists, is that everything must conform to its natural state. In order to do so, Laozi preaches nonaction:

In the pursuit of learning, every day something is added. In the pursuit of Tao, every day something is dropped. Less and less is done, until one arrives at nonaction. When nothing is done, nothing is left undone.⁶

Of course, despite obvious rhetorical similarities, Laozi’s discussion of nonaction is not, by itself, completely analogous to classically liberal notions of spontaneous order. The *Dao De Jing* is primarily a therapeutic text; it was designed to help adherents achieve contentment. However, it would be a mistake to think that the *Dao De Jing* is inapplicable to society at large. Throughout the *Dao De Jing*, Laozi equates what’s good for the self with what’s good for society, the planet, and the universe. Daoism is meant to apply to any level of abstraction. Nonaction is as important for a single celled

⁴ See generally Ronald Hamowy, *The Scottish Enlightenment and the Theory of Spontaneous Order*, in *The Political Sociology of Freedom: Adam Ferguson and F.A. Hayek* 39 (Edward Elgar Publishing 2005).

⁵ Lao Tzu, *The Tao Te Ching*, ch. 37 (Brian Browne Walker, trans., 1995).

⁶ Id. at ch. 48.

bacterium, as it is for a person, as it is for a planet revolving around a celestial body. Qiguang Zhao, a modern Daoist scholar, writes:

A sparrow flies in the azure sky, seemingly without effort. Hundreds of muscles are working, but the sparrow does not have to think about each one. It simply has a good habit, a habit so natural and serene that it is effortless, like bamboo that grows by a stream, the boat that floats on the river, and the clouds that slide on the sky.⁷

Thus, nonaction is equally applicable to questions of societal control: “The world is a vessel for spirit, and it wasn’t made to be manipulated. Tamper with it, and you’ll spoil it. Hold it, and you’ll lose it.”⁸ Like spontaneous order, the obvious implication of Laozi’s advocacy for passivity is that nonaction *automatically* leads to better outcomes than does action. To better illustrate this point, Laozi invokes the metaphor of water: “[t]he highest good is like water.”⁹ “Nothing under heaven is as soft and yielding as water. Yet for attacking the hard and strong, nothing can compare with it.”¹⁰ As will be demonstrated later, there is no more durable means of societal control than nonaction. Inactive government allows the people to control themselves through their naturally-occurring spontaneous order. In other words, as Qiguang Zhao explains, “the humility and weakness of water is its greatest strength: by not striving, it carves away caves and smoothes the most jagged of rocks.”¹¹

⁷ Qiguang Zhao, *Do Nothing & Do Everything* 19-20 (Paragon House 2010) (referencing the pre-production manuscript).

⁸ Lao Tzu, *The Tao Te Ching* at ch. 29 (cited in note 5).

⁹ *Id.* at ch. 8.

¹⁰ *Id.* at ch. 78.

¹¹ Qiguang Zhao, *Do Nothing* at 53 (cited in note 7).

Ordered nonaction, therefore, closely tracks Scottish Enlightenment notions of spontaneous order; “the proposition that social phenomena of a high degree of intricacy are not the product of intentional design... [but instead] the unanticipated result of a myriad of human actions operating through a process of adaptive evolution.”¹² Much of Laozi’s writing on spontaneous order, as seen above, is implicit, but he could be fairly explicit as well: “Allow order to arise of itself.”¹³ Though Laozi says so more poetically, there’s little daylight between the *Dao De Jing* and the libertarian idea that “complex systems can thrive only where they are organized according to a high degree of decentralization.”¹⁴ As Laozi wrote, “[t]he world is won by letting things take their own course.”¹⁵

B. THEORIES OF RELATIVITY & UNINTENDED CONSEQUENCES:
THE DAOIST KNOWLEDGE PROBLEM

The *Dao De Jing*’s naturalistic conception of ordered nonaction leaves little room for traditional ethics. Unlike man, the birds and the trees and the soil do not concern themselves with right and wrong. Animals and nature intertwine in Darwinian, amoral struggle. There is only the law of the jungle. Laozi therefore rejects morality as a human artifice; a way to distinguish between things that are, at core, one in the same.

¹² Hamowy, *The Scottish Enlightenment* at 4 (cited in note 4).

¹³ Lao Tzu, at ch. 3 (cited in note 5).

¹⁴ Todd Zywicki, *Epstein and Polanyi on Simple Rules, Complex Systems, and Decentralization*, 9 Const. Polit. Econ. 143, 144 (1998).

¹⁵ Lao Tzu, *The Tao Te Ching* at ch. 48 (cited in note 5).

When people find one thing beautiful, another consequently becomes ugly. When one man is held up as good, another is judged deficient.¹⁶

Since all things trace their lineage back to the Dao, the act of classification itself creates illusory and counterproductive distinctions. Human beings are neither good nor bad; they are simply human. “When people lose sight of the Tao, codes of morality and justice are created.”¹⁷ This relativity is of crucial importance in Daoism.

The meditative value of accepting good and evil as two interchangeable sides of the same coin is incalculable. And like nonaction, the repercussions of relativity bear an uncanny resemblance to classically liberal thought. As Laozi argues in Chapter 3 of the *Dao De Jing*, unintended consequences are necessarily induced by relativity:

When praise is lavished upon the famous, the people contend and compete with one another. When exotic goods are traded and treasured, the compulsion to steal is felt. When desires are constantly stimulated, people become disturbed and confused.¹⁸

Laozi accentuates this point by showing that unintended consequences are made all the more likely by the limited ability of man to affect his surroundings:

Nature is sparing with speech: a whirlwind doesn't last all morning; a rain shower doesn't last all day. What causes

¹⁶ Id. at ch. 2.

¹⁷ Id. at ch. 18.

¹⁸ Id. at ch. 3.

these? Heaven and earth. If heaven and earth can't make something furious endure, how could man?¹⁹

These three lines of reasoning—relativity, unintended consequences, and the puny capacities of man—coalesce into a type of the libertarian knowledge problem, whose conclusion is ultimately the same: humility. Although writing about economics, Hayek articulated a similar concept: the “curious task of economics is to demonstrate to men how little they know about that they imagine they can design.”²⁰

The paradox of relativity and the unintended consequences that inevitably result are prevalent in classically liberal thought. For example, Kant's questioning of the meaning of the good draws a striking parallel to Laozi's own work on the subject:

If he wills riches, how much anxiety, envy, and intrigues might he not thereby draw upon his shoulders! If he wills much knowledge and vision, perhaps it might become only an eye that much sharper to show him as more dreadful the evils which are now hidden from him and which are yet unavoidable; or it might be to burden his desires – which already sufficiently engage him – with even more needs! ... *In short, he is not capable, on any principle and with complete certainty, of ascertaining what would make him truly happy; omniscience would be needed for this.*²¹

As this excerpt illustrates, relativity/unintended consequences come naturally to man via his cognitive limitations. The “necessary

¹⁹ Lao Tzu, *The Tao Te Ching* at ch. 23 (cited in note 5).

²⁰ Friedrich Hayek, *The Fatal Conceit* 76 (Chicago 2011).

²¹ Immanuel Kant, *Happiness, though an indefinite concept, is the goal of all rational beings*, in Kelly Rogers, ed., *Self-Interest* 159, 160 (Routledge 1997) (emphasis added).

ignorance of man,"²² as Hayek termed it, is the starting point of much classically liberal and Daoist theory. Qiguang Zhao writes, "blessings turns to disaster and disaster to blessing; the changes have no end, nor can the mystery be fathomed."²³ Put more directly by Laozi himself, "Tao is beyond words and beyond understanding...Tao and its many manifestations arise from the same source: subtle wonder within mysterious darkness."²⁴ Interestingly enough, just as classical liberals sometimes err on the side of anti-rationalism,²⁵ so too does Laozi: "[i]n ancient times those who practiced Tao didn't want to enlighten people, but to keep them natural and simple."²⁶

The logical prescription in response to these intellectual limits, for both Daoists and classical liberals, is humility, which Laozi declares "the root of all greatness."²⁷ In Hayek's discussion of the knowledge problem, he argues that it "is because of this renunciation of the use of coercion for the achievement of specific ends that a free society can make use of so much more knowledge than the mind of any ruler can comprehend."²⁸ As will be described later, Laozi shares

²² Friedrich A. Hayek, *The Creative Powers of a Free Civilization*, in Felix Morley, ed., *Essays on Individuality* 259, 261 (Liberty Fund 2d ed. 1977).

²³ Qiguang Zhao, *Do Nothing* at 186 (emphasis added) (cited in note 7).

²⁴ Lao Tzu, *The Tao Te Ching* at ch. 1 (cited in note 5).

²⁵ Hamowy, *The Scottish Enlightenment and the Theory of Spontaneous Order* at 6 (cited in note 4) ("The doctrine of spontaneous order falls squarely within that tradition in social theory commonly designated as antirationalist. The epistemological underpinning of this theory rests on the notion that there exist certain social rules that are so complex that they are beyond the comprehension of any mind and hence are not discernible by reason."). See, for example, Friedrich A. Hayek, *The Road to Serfdom* 102 (Routledge 1944) ("it would be impossible for any mind to comprehend the infinite variety of different needs of different people which compete for the available resources and to attach a definite weight to each.").

²⁶ Lao Tzu, *The Tao Te Ching* at ch. 65 (cited in note 5).

²⁷ Id. at ch. 39.

²⁸ Hayek, *The Creative Powers of a Free Civilization* at 275 (cited in note 22).

Hayek's extension of humility from the personal to the national: "Governing a large country is like cooking a small fish."²⁹

And, like many classical liberals, Laozi did not confine his knowledge problem concerns to the threat of governmental arrogance alone. John Stuart Mill, for example, worried that the "despotism of custom is everywhere the standing hindrance to human advancement."³⁰ Laozi echoes this concern in saying: "[g]ive up religiosity and knowledge, and people will benefit a hundredfold. Discard morality and righteousness, and people will return to natural love."³¹ One could be forgiven for misappropriating to Laozi the following Edward Miall quote, "[n]ational churches are necessarily jealous, selfish, and, as far as the spirit of the age will allow them, tyrannical."³² Eerily similar to Chapter 38 of the *Dao De Jing*:

Those who are interested in service act without motive.
Those who are interested in righteousness act with motives
of all sorts. Those who are interested in propriety act, and
receiving no response, they roll up their sleeves and *use
force*.³³

The centrality of the knowledge problem to classical liberalism generally makes Daoism's similarities on this front all the more important. As Randy Barnett's work on the knowledge problem demonstrates, much of the theoretical basis for human liberty and

²⁹ See Lao Tzu, *The Tao Te Ching* at ch. 60 (cited in note 5).

³⁰ John Stuart Mill, *Of Individuality*, in David Boaz, ed., *The Libertarian Reader* 119, 128 (Simon & Schuster 1997).

³¹ Lao Tzu, *The Tao Te Ching* at ch. 19 (cited in note 5).

³² George H. Smith, *Atheism, Ayn Rand, and Other Heresies* 125 (Prometheus Books 1991).

³³ Lao Tzu, *The Tao Te Ching* at ch. 38. (emphasis added) (cited in note 5).

governmental nonintervention stems from mankind's cognitive incapacities.³⁴ In fact, Barnett's argument that there exists a natural balance between levels of knowledge and the proper jurisdictionalization of society³⁵ appears implicitly in the *Dao De Jing*. As Laozi wrote, "[w]hat has equilibrium is easy to maintain."³⁶ Because of the knowledge problem's primary importance within classical liberalism, alignment with Daoism on this point reflects a more substantive congruence between the two philosophies than this aesthetic similarity alone implies. This is made even more apparent by Laozi's endorsement of tolerance:

The sage...is as chaotic as a muddy torrent. Why "chaotic as a muddy torrent"? Because clarity is learned by being patient in the presence of chaos. Tolerating disarray, remaining at rest, gradually one learns to allow muddy water to settle and proper responses to reveal themselves.³⁷

Like the marketplace of ideas³⁸ or Mill's genius facilitation theory,³⁹ Laozi argues that spontaneous order will, over time, reveal

³⁴ See Randy E. Barnett, *The Structure of Liberty: Justice and the Rule of Law*, ch. 2-3 (Oxford 2d ed. 2014).

³⁵ See *id.* at 48-49 ("We may, in fact, bolster our assessment of personal and institutional competence by sampling a few decisions to see if they appear to reflect the knowledge we expect these persons and institutions to possess. A pattern of egregious decisions would call into question the competence of the decision maker... Given that no decision maker is perfect, we need to make a comparative and generalized judgement when determining the appropriate jurisdictional allocation... The concept of competence does not rest on an ability to make every decision better than anyone else; it rests on being in a better position than anyone else to make knowledgeable decisions.").

³⁶ Lao Tzu, *The Tao Te Ching* at ch. 64 (cited in note 5).

³⁷ *Id.* at ch. 15.

³⁸ See Hayek, *The Creative Powers of a Free Civilization* at 285 (cited in note 22).

³⁹ See Mill, *Of Individuality* at 125 (cited in note 30) ("Persons of genius, it is true, are, and are always likely to be, a small minority; but in order to have them, it is necessary

the correct courses of action. Thus, Daoism and classical liberalism arrive at the same conclusion in the same way: the spontaneous order must be protected as a solution to the inevitable and intrinsic knowledge problem.

C. DEATH, TAXES, AND THE *DAO DE JING*

Of course, once spontaneous order and the knowledge problem have been established, both Daoism and classical liberalism compel limited government. What stands out in the Daoist conception of limited government, however, is how direct Laozi is in his policy recommendations. Whereas his articulations of nonaction, relativity, and unintended consequences are intentionally vague and mysterious, Laozi is completely transparent and transactional in presenting his governance advice:

The best leader is one whose existence is barely known. Next best is one who is loved and praised. Next is one who is feared. Worst of all is a leader who is despised. If you fail to trust the people, they won't turn out to be trustworthy. Therefore, guide others by quietly relying on the Tao. Then, when the work is done, the people can say, "We did this ourselves."⁴⁰

Laozi is more specific still:

What makes people go hungry? Rulers eating up all the money in taxes. What makes people rebellious? Rulers who can't stop interfering.⁴¹

to preserve the soil in which they grow. Genius can only breathe freely in an atmosphere of freedom.").

⁴⁰ Lao Tsu, *The Tao Te Ching* at ch. 17 (cited in note 5).

⁴¹ *Id.* at ch. 75.

The Dao De Jing's ideal of small government is therefore familiar to that of classical liberalism. Though he doesn't delve into the finer details of *how* to limit government, and though he lacked the economic vocabulary to make arguments in the style of Hayek's *Road to Serfdom*, one gets the sense that he would've intuitively understood and accepted more modern incarnations of limited government. "When a ruler's palace is full of treasure, the people's fields are weedy and their granaries are empty."⁴² Laozi may very well have been the first thinker to characterize taxation as a form of theft.

The compatibility between Daoist and libertarian economics extends when considered in tandem with classically liberal notions of the administrative state. Laozi writes, a "leader who governs with cleverness cheats his people. A leader who governs with simplicity is a blessing to his people."⁴³ Richard Epstein's argument that the "proper response to more complex societies should be an even greater reliance on simple legal rules"⁴⁴ echoes Laozi's point: the opportunity cost of compliance has economic consequences. Epstein explains: "[c]omplex rules...require ongoing adaptations by individuals to legal rules, thereby distracting them...from productive matters."⁴⁵ Those economic consequences are exacerbated by the inevitably poor fit of rules that are "the result of hierarchical decision-making processes."⁴⁶ "Complex rules will also tend to become obsolete more quickly," making it all the more difficult for the evolving needs of the people to be met.⁴⁷ Again, due

⁴² Id. at ch. 53.

⁴³ Id. at ch. 65.

⁴⁴ Todd Zwicky, *Epstein and Polanyi on Simple Rules, Complex Systems, and Decentralization*, at 143 (cited in note 14) (quoting Richard A. Epstein, *Simple Rules for a Complex World* 32 (1995)).

⁴⁵ Id. at 147.

⁴⁶ Id.

⁴⁷ Id.

to the antiquity of his historical circumstances, Laozi does not so obviously frame these issues in economic terms. Still, his writings are quite clear on this point: “[t]he more prohibitions there are, the poorer people become.”⁴⁸

However, Laozi does not limit his arguments to the economic. In fleshing out his position, Laozi writes, “[w]hen the government is dull and sleepy, people are wholesome and good. When the government is sharp and exacting, people are cunning and mean.”⁴⁹ Not only is Laozi subtly rebuking regulatory capture by special interests, he’s also pointing out that regulation-induced litigiousness coarsens the human condition. Adherence to complex administrative regimes leads to petty squabbling and distracts from *real* life. While this nomenclature would’ve been foreign to Laozi, the phenomena it describes wouldn’t have: “[w]hen cleverness and strategies are in use, hypocrites are everywhere.”⁵⁰ The more rules promulgated through government, the more conniving the citizenry becomes. Therefore, like classical liberals, Laozi advocates policies that are imperceptible:

A good runner leaves no tracks; a good speaker makes no slips; A good planner doesn’t have to scheme. The best lock has no bolt, and no one can open it. The best knot uses no rope, and no one can untie it.⁵¹

⁴⁸ Lao, Tzu, *The Tao Te Ching* at ch. 57 (cited in note 5).

⁴⁹ *Id.* at ch. 58.

⁵⁰ *Id.* at ch. 18.

⁵¹ Compare *id.* at ch. 27, with Friedrich A. Hayek, *Made Orders and Spontaneous Orders*, in David Boaz, ed., *The Libertarian Reader* 302, 313 (Simon & Schuster Paperbacks 1997) (“It is because it was not dependent on organization but grew up as a spontaneous order that the structure of modern society has attained the degree of complexity which it possesses... To maintain that we must deliberately plan modern society because it has become so complex is therefore paradoxical, and the result of a complete

Laozi does not limit his analysis or advocacy for limited government only to domestic spheres. The *Dao De Jing* devotes a significant amount of text to issues of war and foreign policy. Though Laozi accepted the necessity of violence in self-defense,⁵² he generally advised against the use of military force. Of course, many philosophical traditions are pacifistic, but the *Dao De Jing* stands out in its similarity to classically liberal notions of war and peace. “When the world practices Tao, horses fertilize the fields. When the world ignores Tao, horses are bred for war.”⁵³ Implicit are the ruinous economic effects of war. As a Cato Institute scholar has explained,

An abhorrence of war flows from the classical liberal tradition. Adam Smith taught that “peace, easy taxes and a tolerable administration of justice” were the essential ingredients of good government. War, on the other hand, is the largest and most far-reaching of all statist enterprises. It’s an engine of collectivization that undermines private enterprise, raises taxes, destroys wealth, and subjects all aspects of the economy to regimentation and central planning.⁵⁴

Laozi’s alternative was, unsurprisingly, nonaction. Expounding upon the Daoist canon, Qiguang Zhao argues, if:

misunderstanding of these circumstances. The fact is, rather, that we can preserve an order of such complexity not by method of directing the members, but only indirectly by enforcing and improving the rules conducive to the formation of a spontaneous order.”).

⁵² See Lao Tzu, *The Tao Te Ching* at ch. 31 (cited in note 5).

⁵³ Id. at ch. 46.

⁵⁴ Christopher A. Preble, *Toward a Libertarian Foreign Policy* (Cato Institute, July/Aug. 2015), archived at <https://perma.cc/5SR5-LV87>.

we do not take action, it does not mean that we are sympathetic with evil. We should not be considered weak if we do not take immediate action. Nonaction means not to take action against nature. Human rights are one aspect of nature, so when we act for justice, we follow the course of nature. We must be sure that if we act for justice, we are not creating more problems through our actions than we would create through inaction.⁵⁵

Daoism's themes are in constant repetition; Laozi's knowledge problem makes unintended consequences the central fear in matters of foreign policy. As is the case with so many of the other issues that Daoism addresses, humility is Laozi's solution to challenges of international affairs:

[A] great country can win over a small country by practicing humility. A small country can also win over a great country by practicing humility. One wins by willingly taking the lower position. The other wins by willingly acknowledging its lower position. The great country wants to embrace and nourish more people. The small country wants to ably serve its benefactor. Both accomplish their ends by yielding.⁵⁶

Aside from the (rhetorically) outdated idea of vassal states, Laozi's prescription of yielding is highly compatible with libertarianism's opposition to interventionism:

I say, if you want to benefit nations who are struggling for their freedom, establish as one of the maxims of international

⁵⁵ Oiguang Zhao, *Do Nothing* at 101 (cited in note 7).

⁵⁶ Lao Tzu, *The Tao Te Ching* at ch. 61 (cited in note 5).

law the principle of non-intervention. If you want to give a guarantee for peace, and as I believe, the surest guarantee for progress and freedom, lay down this principle, and act on it, that no foreign State has the right by force to interfere with the domestic concerns of another State, even to confer a benefit on it, without its own consent.⁵⁷

Libertarians emphasize interventionism's costs, discount its benefits, and dwell on its unintended consequences. Moreover, libertarians focus on the effects of hubris on the exercise of power. Libertarians decry the "go-it-alone-crusaderism"⁵⁸ that has allegedly defined America's post-Cold War, unipolar moment. Laozi's criticism of nationalism resembles these libertarian doubts about the use of American power. "When the nation is reigned by darkness, patriotic advisors abound."⁵⁹ Although Laozi's writing acknowledged the reality of the nation-state, the very concept is anathema to Daoist relativity. The belief that one country is better than another is not only untrue within the Daoist mindset, but also a dangerous invitation for arrogant interventionism.

These arguments, both within Daoism as well as libertarianism, multiply when the concept of 'enough' is factored into the equation. "In a basic sense, what we [libertarians] want from foreign policy is the efficient production of national security."⁶⁰ Essentially, libertarians argue that there is a limit to how much security can possibly be attained, and therefore diminishing returns on

⁵⁷ Richard Cobden, *Nonintervention*, in David Boaz, ed., *The Libertarian Reader* 418 (Simon & Schuster Paperbacks 1997).

⁵⁸ Nick Gillespie, *After Bi-Partisan Bush-Obama Blundering: Let's Try a Libertarian Foreign Policy* (The Daily Beast, July 7, 2014), archived at <https://perma.cc/X8BY-X98W>.

⁵⁹ See Lao Tzu, *The Tao Te Ching* at ch. 18 (cited in note 5).

⁶⁰ Justin Logan, *Toward a Libertarian Foreign Policy* (Cato Institute, July/Aug. 2015), archived at <https://perma.cc/5SR5-LV87>.

investment should be considered as part of the policy calculus. This is not unlike Laozi's warnings about pressing advantages. "Just do what needs to be done, and then stop."⁶¹

D. NATURE, NATURAL RIGHTS, AND ECONOMICS

Though Daoism lacks the concept of natural rights, the grounding of Daoist thought in the natural world, at the very least, overlaps with the ideas of classically liberal natural rights theorists. In refusing to acknowledge the idea of man's purpose, Laozi consciously avoids natural law arguments in the vein of Wilhelm von Humboldt.⁶² Apart from simple existence, Daoism offers no "true end of man."⁶³ Laozi insists upon satisfaction and quietude rather than artificial drive. Like any animal, man fulfills his reason for being only by living, by dropping all pretense to higher purpose. "The world is won by letting things take their own course. If you still have ambitions, it's out of your reach."⁶⁴ With no purposive goal in mind, Laozi does not bother creating or discovering a set of inevitable, natural laws that effectuate mankind's "true end." Still, it would be a mistake to assume that the *Dao De Jing* is incompatible with all natural law thought.

Both natural law and non-natural law classical liberals believe that self-regard is intrinsic to the human condition.⁶⁵ As Pufendorf

⁶¹ Lao Tzu, *The Tao Te Ching* at Ch. 30 (cited in note 5).

⁶² See Wilhelm von Humboldt, *The Purpose of Man*, in *The Sphere and Duties of Government* 340 (1792) ("The true end of man, or that which is prescribed by the eternal and immutable dictates of reason, and not suggested by transient desires, is the highest and most truly proportionate development of his powers to a complete whole.").

⁶³ *Id.*

⁶⁴ Lao Tzu, *The Tao Te Ching* at ch. 48 (cited in note 5).

⁶⁵ See, for example, David Hume, *Some Farther Considerations with Regard to Justice*, in *An Enquiry Concerning the Principles of Morals* Appx. 3, ¶ 9 (Oxford 1998) (Tom Beauchamp, ed.) ("If self-love, if benevolence be natural to man; if reason and

explains, “man shares with all the animals that have consciousness the fact that he holds nothing dearer than himself, and is eager in every way to preserve himself...”⁶⁶ Unlike some communitarian philosophies, the starting point of both Daoism and classical liberalism is a belief that human philosophy and governance must be rooted in what man *is* rather than what idealists wish man to be. The fact that the Dao predates all physical forms, “Tao existed before words and names, before heaven and earth, before the ten thousand things,”⁶⁷ inevitably requires mankind to mold its existence around the natural order rather than warp the natural order to suit mankind’s needs. “Govern a nation by following nature.”⁶⁸

Though Laozi was not an economic theorist, at least not in the modern sense, his consonance with classically liberal economic thinkers on the interaction between human nature and law is difficult to deny. As David Hume explained, laws that are alien to human nature, particularly those relating to property and all of the economic rights that radiate therefrom, are bound to fail.

[W]ere mankind to execute such a law; so great is the uncertainty of merit, both from its natural obscurity, and from the self-conceit of each individual, that no determinate rule of conduct would ever result from it; and the *total dissolution of society must be the immediate consequence*.⁶⁹

forethought be also natural; then may the same epithet be applied to justice, order, fidelity, property, society... In so sagacious an animal, what necessarily arises from the exertion of his intellectual faculties, may justly be esteemed natural.”)

⁶⁶ Samuel Pufendorf, *On Natural Law*, in *On the Duty of Man and Citizen According to Natural Law*, Book 1, ch. III, archived at <https://perma.cc/9TVN-FCP4>.

⁶⁷ Lao Tzu, *The Tao Te Ching* at ch. 1 (cited in note 5).

⁶⁸ *Id.* at ch. 57.

⁶⁹ David Hume, *Of Justice Part II*, in *An Enquiry Concerning the Principles of Morals* ch. 3 ¶ 23 (Oxford 1998) (Tom Beauchamp, ed.) (emphasis added).

Hume worried about more than mere inefficiency; unnatural rules put human nature at odds with civilizational order, and in so doing chart a crash course from which nothing good will come. Laozi similarly abhorred all that is not natural, inclusive of contrived social convention ill-suited to mankind's default state.

Clues of Laozi's naturalistic economic leanings pepper the *Dao De Jing*. Though Laozi was critical of wealth redistribution in governmental contexts as well as mankind's tendency toward greed writ large, he also recognized the principles of productive transfer. "The way of heaven is like the bending of a bow. What is high up gets pulled down. What is low down gets pulled up."⁷⁰ Of course, Laozi is not speaking here in an economic sense, but rather in a karmic one. Nevertheless, the *Dao De Jing* is directionally reminiscent of Nozick's "entitlement theory of justice."⁷¹ Voluntary transactions, over time, result in goods flowing from those who have them to those that need them, *without* coercive redistribution. But this analogy cannot be taken too far. In fact, one of the primary classically liberal holes in Laozi's thought was his failure to adequately address property rights. Still, Laozi's desire for natural order does seem to suggest, at the very least, compatibility with a Humean notion of commerce and its accompanying economic rights.⁷²

Although Laozi's philosophy defies easy classification, the Daoist analogues to spontaneous order, the knowledge problem, limited government, and nature constitute a certain prologue to

⁷⁰ Lao Tzu, *The Tao Te Ching* at ch. 77 (cited in note 5).

⁷¹ See Israel Kirzner, *Entrepreneurship, Entitlement, and Economic Justice*, in *Perception, Opportunity, and Profit* 201 (Chicago 1979) ("If an object was originally acquired justly from nature, and if all subsequent transfers of the object have been justly accomplished, then, we will say, the present holder of that object holds it justly, and aesthetic or moral considerations concerning desirable distribution patterns can, without injustice, permit the state to tamper with the rights of the present holder.").

⁷² See generally David Hume, *Justice and Property*, in David Boaz, ed., *The Libertarian Reader* 172 (Simon & Schuster 1997).

classical liberalism. But this premeditation of classically liberal themes also presents a cautionary tale: key tenants of Daoism would later become the intellectual building blocks of Legalism, a Machiavellian governing ideology whose insights are as brilliant as their premise is flawed and authoritarian.

II. THE HAN FEIZI HIJACKING

Legalism came of age roughly three-four hundred years after Laozi died. Whereas the *Dao De Jing* advocated governing restraint, Legalism, as articulated by Han Feizi in a work bearing his own name (the *Han Feizi*), expertly modeled despotic rule. The *Han Feizi* is basically a guidebook for would-be tyrants. Put simply, Legalism stands for the notion that social harmony can be centrally cultivated by a properly calibrated “system of laws that rigidly prescribe[s] punishments and rewards for specific behaviours.”⁷³ “By such a system of laws, and the inescapable punishments that back it up, all life within the nation [could] be ordered, so that nothing would be left to chance, private judgment, or the appeal to privilege.”⁷⁴ By creating an ex ante code of behavior for every conceivable action, and by enforcing said code with rigid brutality, the Legalists hoped to shape society’s growth in order to strengthen the Ruler, and by extension the state. In one sense, Legalism’s totalitarianism provides a polar opposite to Daoism’s laissez faire. In another sense however, the two philosophies are inextricably linked:

Daoist and Legalist thought seem to have been curiously interrelated from early times, though the paucity of sources makes it impossible to say exactly why or how. Nevertheless,

⁷³ Editors of the Encyclopedia Britannica, *Legalism*, archived at <https://perma.cc/ZA7B-DPC4>.

⁷⁴ Burton Watson, *Introduction*, in *Han Feizi: Basic Writings* 7 (Columbia 2003).

one reason for the close connection can be clearly discerned. The Confucians and Mohists consistently described the ideal ruler in moral and religious terms: father and mother of the people, the man of perfect virtue, the Son of Heaven. Legalism, because it rejected all appeals to religion and morality, had to find some other set of terms in which to describe and glorify the ruler. Daoism, which likewise rejected the concepts of conventional religion and morality, provided such a set. The language used by Daoism to describe the Daoist sage was therefore taken over by the Legalists and employed to describe the omnipotent ruler of the ideal Legalist state. The Daoist sage has absolute understanding; the Legalist ruler wields absolute power. In the quality of absoluteness, they are alike.⁷⁵

Laozi's *Dao De Jing* and its later elaboration by Zhuangzi⁷⁶ were necessary theoretical precursors to Legalism's authoritarianism. In addition to Han Feizi's repeated rhetorical nods to Daoism ("[t]he Way [also called the Dao] is the beginning of all beings and the measure of right and wrong"⁷⁷), Daoism's amoral relativism and extreme and hierarchical specialization (necessarily stemming from Laozi's animalistic conception of nature) served as potent fuel for Han Feizi's thought. The interdependence of good and evil, articulated by the *Dao De Jing* and further explained by Zhuangzi, gave Han Feizi the space to rationalize self-interested, results-oriented tyranny. The Daoist recognition of the multitude manifestations of the unitary Dao justified another cornerstone of

⁷⁵ Id. at 9-10.

⁷⁶ See Cameron Sinsheimer, *Double-Edged Swords* (unpublished paper, New York University School of Law, May 2018) (on file with author) (highlighting Zhuangzi and Laozi's intellectual parallels).

⁷⁷ Han Feizi, *Han Feizi: Basic Writings* 15 (Columbia 2003) (Burton Watson, trans.).

Han Feizi's despotic government: unequal treatment of ruler, minister, and subject.

Of course, Daoism didn't create authoritarianism; it's been with mankind since our earliest days. Rather, the comingling of classically liberal Daoist thought with authoritarianism is relevant inasmuch as it sheds light on liberalism's potential to destroy itself theoretically. Classical liberalism, even with the proper institutional design, is far from intellectually self-perpetuating.

A. RELATIVITY'S UTILITARIANISM

Discard likes and dislikes and the ministers will show their true form; discard wisdom and wile and the ministers will watch their step. Hence, though the ruler is wise, he hatches no schemes from his wisdom, but causes all men to know their place. Though he has worth, he does not display it in his deeds, but observes the motives of his ministers... Thus, though he discards wisdom, his rule is enlightened; though he discards worth, he achieves merit; and though he discards bravery, his state grows powerful. When the ministers stick to their posts, the hundred officials have their regular duties, and the ruler employs each according to his particular ability, this is known as the state of manifold constancy... The enlightened ruler reposes in nonaction above, and below his ministers tremble with fear.⁷⁸

Han Feizi rejected morality, especially as it reflected traditionalism. "In general, those who disapprove of changing old ways are simply timid about altering what the people have grown used to. But those who fail to change old ways are often in fact

⁷⁸ *Id.* at 16.

prolonging the disorder.”⁷⁹ To Han Feizi, whose era was unstable to say the least, naïve clinging to traditional ethic (i.e. custom) was the primary culprit of ineffective governance.⁸⁰ Just as Laozi insisted that “all forms [are] ephemeral and transitional,”⁸¹ so too did Han Feizi recognize that “[n]o state is forever strong or forever weak.”⁸² To avoid the weakening of the state, which Han Feizi blamed for all sorts of societal woes, rulers were to focus on results above all concerns of petty, vain morality:

Though right and wrong swarm about him, the ruler does not argue with them. Be empty, still, inactive, for this is the true nature of the Way. Study, compare, and see what matches, for this will reveal how much has been accomplished. Compare with concrete results, check against empty assertions. Whether the root and base of the affair are unshaken, there will be no error in movement or stillness. Whether you move or remain still, transform all through inaction. If you show delight, your affairs will multiply; if you show hatred, resentment will be born. Therefore discard both delight and hatred and with an empty mind become the abode of the way.⁸³

In a world steeped in Confucian thought, which stressed the importance of role modeling, the idea of amoral leadership was both

⁷⁹ Id. at 94-95.

⁸⁰ Id. (“Those who have no understanding of government always tell you, “Never change old ways, never depart from established custom!” But the sage cares nothing about change or no change, his only concern is to rule properly. Whether or not he changes old ways, whether or not he departs from established customs depends solely upon whether such old ways and customs are effective or not.”).

⁸¹ Lao Tzu, *The Tao Te Ching* at ch. 5 (cited in note 5).

⁸² Han Feizi, *Basic Writings* at 21 (cited in note 77).

⁸³ Id. at 38.

radical and subversive. As Confucius said, “The character of a ruler is like wind; the character of an ordinary person is like grass – when the wind blows over, the grass is sure to bend.”⁸⁴ As dramatic as Han Feizi’s break with Confucianism was, it would’ve been doubly so had Laozi and the Daoists not already paved the way for a relativistic worldview.⁸⁵ In unshackling the restraints of conscience, the Daoists provided the Legalists with intellectual permission to discard all consideration of morality. If forms are temporary, and good and evil are mere illusions, then ethics are purely semantic. To Laozi, these realizations were a source of calming truth; to Han Feizi, a source of ruthless efficacy.

The continuity between the *Dao De Jing’s* relativity and that of the *Han Feizi* is particularly striking when considered from the governmental perspective. Han Feizi was specifically concerned with the potentially sycophantic conduct of the ruler’s ministers: “if the ruler uses his eyes, his subordinates will try to prettify what he sees; if he uses his ears, they will try to embellish what he hears; and if he uses his mind, they will be at him with endless speeches.”⁸⁶ Laozi similarly worried that the establishment of morality is itself a type of moral hazard, inciting the same behavior that was to be dissuaded.⁸⁷ The lionization of *any* trait will induce people to abandon nonaction for the corrupting influence of ambition. This idea is extended further by Han Feizi: “if the ruler reveals what he dislikes, his ministers will be careful to disguise their motives; if he shows what he likes, his ministers will feign abilities they do not

⁸⁴ See Wejen Chang, *In Search of the Way: Legal Philosophy of the Classic Chinese Thinkers* 55 (Edinburgh 2016) (internal citation omitted) (quoting Confucius).

⁸⁵ See Part I.B.

⁸⁶ Han Feizi, *Basic Writings* at 26 (cited in note 77).

⁸⁷ See Lao Tzu, *The Tao Te Ching* at ch. 3 (cited in note 5).

have.”⁸⁸ Just as the way of Han Feizi’s ruler “is to treasure stillness and reserve,”⁸⁹ so too was the way of Laozi’s Sage “learned by being patient in the presence of chaos.”⁹⁰

Without Laozi to establish that good and evil are mirror images of one another, not to mention the transiency of all things, Han Feizi may not have been able to *philosophically* justify the mercilessly pragmatic approach of his ideal leader. Since much of the *Han Feizi* is dedicated to strengthening the ruler (to solidify the state and dispel anarchy), without the core assumption that right begets wrong and wrong begets right, Han Feizi’s entire theory is revealed to be naked, political self-interest. The stability justifying the Legalist approach can *only* be had by Laozi’s assurance that the “Tao of heaven is impartial.”⁹¹ For if the Dao chooses a side (in the form of moral calculus), then the ruler would be *jeopardizing* the very stability he seeks in discarding with all ethical codes. In the absence of Daoist amorality, therefore, Legalism would be self-undermining.

B. SPECIALIZATION

Things have their proper place, talents their proper use. When all are in their proper place, then superior and inferior may be free from action. Let the cock herald the dawn, let the cat catch rats. Each exercises his ability, the ruler need do nothing. If the ruler tries to excel, then nothing will go right...If superior and inferior try to change roles, the state will never be ordered...He assigns them tasks according to their ability and lets them settle things for themselves...He

⁸⁸ Han Feizi, *Basic Writings* at 34 (cited in note 77).

⁸⁹ *Id.* at 18.

⁹⁰ Lao Tzu, *The Tao Te Ching* at ch. 15 (cited in note 5).

⁹¹ *Id.* at ch. 79.

establishes the standard, abides by it, and lets all things settle themselves.⁹²

Authoritarian traditions, such as Legalism, require hierarchical mentalities. If ultimate authority rests in the hands of a single person, then it *must* be that this person has qualities unlike those of his underlings. For this reason, Han Feizi, on multiple occasions, specifies that rulers must appear “godlike.”⁹³ The *Han Feizi* does not confine its hierarchical prescriptions to the leader alone. The “ruler employs each according to his particular ability.”⁹⁴ In fact, Han Feizi expands this a bit further, likening governmental ministers “to a hand, which reaches up to serve the head or reaches down to tend the foot.”⁹⁵ Reading the *Han Feizi*, one gets the sense that Han Feizi is picturing human civilization as “a machine, well designed and oiled,”⁹⁶ in which every person is nothing but a cog or spring.

These ideas of ultimate specialization and infinite divisions of labor also find their origins in Daoism. As the “unlimited father and mother of all limited things,”⁹⁷ the Dao can be thought of as an all-encompassing, Darwinian ecosystem – whether microscopic or cosmic – in which all beings play a unique but interconnected part. As Zhuangzi, a Daoist philosopher living between Laozi and Han Feizi, illustrates:

If a man sleeps in a damp place, his back aches and he ends up half paralyzed, but is this true of a loach? If he lives in a tree, he is terrified and shakes with fright, but is this true of a monkey? Of these three creatures, then, which one knows

⁹² Han Feizi, *Basic Writings* at 36 (cited in note 77).

⁹³ *Id.* at 39.

⁹⁴ *Id.* at 15.

⁹⁵ *Id.* at 25.

⁹⁶ Chang, *In Search of the Way* at 447 (cited in note 84).

⁹⁷ Lao Tzu, *The Tao Te Ching* at ch. 1 (cited in note 5).

the proper place to live? Men eat the flesh of grass-fed and grain-fed animals, deer eat grass, centipedes find snakes tasty, and hawks and falcons relish mice. Of these four, which knows how food ought to taste? Monkeys pair with monkeys, deer go out with deer, and fish play around with fish. Men claim that Maoqiang and Lady Li were beautiful, but if fish saw them they would dive to the bottom of the stream, if birds saw them they would fly away, and if deer saw them they would break into a run. Of these four, which knows how to fix the standard of beauty in the world? The way I see it, the rules of benevolence and righteousness and the paths of right and wrong are all hopelessly snarled and jumbled.⁹⁸

But the parts played by each of the 'ten thousand things' are equal only in their fundamental sameness as constituent parts of the same, larger whole. This core equality does not end nature's inequities, but rather emphasizes them. The tiger and the monkey, as two of the 'ten thousand things,' may be equal in a Daoist sense, but this doesn't stop the tiger from eating the monkey. The inequities that arise from the unequal forms of all equal things create natural hierarchies, as Zhuangzi's discussion of differential utility shows:

A beam or pillar can be used to batter down a city wall, but it is no good for stopping up a little hole – this refers to a difference in function. Thoroughbreds like Qiji and Hualiu could gallop a thousand li in one day, but when it came to catching rats they were no match for the wildcat or the weasel – this refers to a difference in skill. The horned owl

⁹⁸ Zhuangzi, *Zhuangzi: Basic Writings* 41 (Columbia 2003) (Burton Watson, trans.).

catches fleas at night and can spot the tip of a hair, but when daylight comes, no matter how wide it opens its eyes, it cannot see a mound or a hill – this refers to a difference in nature.”⁹⁹

Just as “Tao and its many manifestations arise from the same source,”¹⁰⁰ so too do all individuals in Han Feizi’s conception of society serve the same communal organism. If Laozi thought that the ‘ten thousand things,’ though superficially and practically different, are still equally representative of the same underlying truth (i.e. the Daoist spontaneous order described in Part I), then Han Feizi believed that all people, though differential in respective capacity, are equal in their potential to be utilized by a sagely ruler. The ‘ten thousand things’ are manifold expressions of the same Dao, the ten thousand subjects are myriad pawns on the ruler’s Weiqi board. Of course, like most of the aspects of Daoism incorporated into Legalism, Han Feizi exaggerates into absurdity this hierarchical specialization:

The keeper of the royal hat, seeing that the marquis was cold, laid a robe over him. When the marquis awoke, he was pleased and asked his attendants, “Who covered me with a robe?” “The keeper of the hat,” they replied. The marquis thereupon punished both the keeper of the royal hat and the keeper of the royal robe. He punished the keeper of the robe for failing to do his duty, and the keeper of the hat for overstepping his office. It was not that he did not dislike the cold, but he considered the trespass of one official upon the duties of another to be a greater danger than cold.

⁹⁹ Id. at 103.

¹⁰⁰ Lao Tzu, *The Tao Te Ching* at ch. 1 (cited in note 5).

Hence an enlightened ruler, in handling his ministers, does not permit them to gain merit by overstepping their offices, or to speak words that do not tally with their actions. Those who overstep their offices are condemned to die....If the ministers are made to stick to their proper duties and speak only what is just, then they will be unable to band together in cliques to work for each other's benefit.¹⁰¹

Although Han Feizi is primarily focused on avoiding dangerous factionalism here, this strict and extreme division of labor embodies a perspective indicative of the Daoist 'ten thousand things.' While Laozi and the Daoists do not view the 'ten thousand things' so opportunistically, their recognition of the interconnectedness and interdependence of nature provide fertile ground for Han Feizi's totalitarian attitude to take root.

Moreover, the sagely detachment advocated by Laozi ("[h]e holds himself outside, and thereby remains at the center"¹⁰²), when combined with the Daoist acceptance of nature's hierarchies, midwives a certain callousness, an excuse to be numb to the suffering of those lower in the natural hierarchy. But despite its aloofness, the *Dao De Jing* is not itself closed off from emotionalism: "with Tao, he who seeks finds, and he who has flaws is forgiven. This is why it is the treasure of the world."¹⁰³ Nevertheless, it is unsurprising that authoritarians would be heartened by the cold omnipotence of Laozi's Sage: he "who accepts the dung of the nation becomes the master of soil and sustenance. One who deals with the evils of the nation becomes king under heaven."¹⁰⁴ If "evil" is a necessary

¹⁰¹ Han Feizi, *Basic Writings*, at 31 (cited in note 77).

¹⁰² Lao Tzu, *The Tao Te Ching* at ch. 7 (cited in note 5).

¹⁰³ *Id.* at ch. 62.

¹⁰⁴ *Id.* at ch. 78.

constant of the Way, and all things, inclusive of society, are a reflection thereof, then it stands to reason that Zhuangzi's division of natural labor applies equally to human civilization. Evil can therefore be considered the purview of an authoritarian ruler, who wields it so that the rest of society can be free from its effects. If evil is endemic to humanity, then only those willing to deal in it will be worthy societal stewards. As Laozi wrote, "[g]ood rests on bad. Bad hides within good. Who knows where the turning point is?"¹⁰⁵ This is the closest that Laozi gets to veering into authoritarianism, but as will be shown below, too much of the *Dao De Jing's* remainder pushes back against coercion to interpret this statement as such. Regardless, authoritarians seized upon the Daoist belief that all things are pieces of one giant, cosmic spontaneous order to justify the elevation of the few in exchange for the oppression of the many.

C. LAOZI WASN'T AN AUTHORITARIAN

Due to the relative syncretism of Daoism and Legalism, some may be tempted to assume that Laozi was a stealth authoritarian himself. The problem with this view is that it ignores a crucial contextual aspect of *both* Daoism and classical liberalism more broadly: humility. Putting aside the speculative question of Laozi's true end, there remains the obstacle of means to that potential end. Laozi was quite forceful in his belief of man's incapacity to centrally plan. Without such an ability, the Daoist knowledge problem renders authoritarianism impossible, not to mention undesirable.

Zhuangzi was even more elegant in describing these incapacities, "[d]on't you know about the praying mantis that waved its arms angrily in front of an approaching carriage, unaware that

¹⁰⁵ Id. at ch. 58.

they were incapable of stopping it? Such was the high opinion it had of its talents.”¹⁰⁶ *Real* Daoists do not have the disposition for utopian thinking, for it requires arrogant disregard of the knowledge problem. They steer clear of the Legalist corruption of their ideology not by disavowing the shared aspects of the two philosophies, but rather by their stubborn and noble refusal to forfeit passivity. To use Daoist insight to attempt to manipulate society is to be the mantis playing chicken with the civilizational carriage. “If you still have ambitions, it’s out of your reach.”¹⁰⁷

Moreover, the *Dao De Jing* contains numerous conceptual guardrails to cabin the exercise of authority. But, even before the need for such safeguards, the *Dao De Jing* puts its faith into a more basic protection against tyranny: its redundancy. Authoritarian coercion is ultimately unnecessary: “[e]ternal Tao doesn’t do anything, yet it leaves nothing undone. If you abide by it, everything in existence will transform itself.”¹⁰⁸ In describing Laozi’s view of order, Professor Chang, a Laozi critic, writes, “he saw that life in various forms came into being spontaneously.”¹⁰⁹ Thus, coercion is irrelevant to the Daoist ideal, if such a thing exists. Daoism and authoritarianism are therefore opposites. A *genuinely* Daoist utopia renders force superfluous. Each and everything *is already* doing what it’s supposed to, thereby eliminating the need for force of any kind. Moreover, as Laozi wrote, those “who wish to use Tao to influence others don’t rely on force...Force rebounds.”¹¹⁰ Besides, if “people fear your power, then you don’t really have any.”¹¹¹

¹⁰⁶ Zhuangzi, *Basic Writings* at 58 (cited in note 98).

¹⁰⁷ Lao Tzu, *The Tao Te Ching* at ch. 48 (cited in note 5).

¹⁰⁸ *Id.* at ch. 37.

¹⁰⁹ Chang, *In Search of the Way* at 81 (cited in note 84).

¹¹⁰ Lao Tzu, *The Tao Te Ching*, at ch. 30 (cited in note 5).

¹¹¹ *Id.* at ch. 72.

Laozi advocated nonaction above all else. It is one thing to say that Laozi believed that the world would be a better place if the people shed their pretense of knowledge and were transformed into “infant-like simpletons.”¹¹² It is quite another to suggest that Laozi would’ve been comfortable with the use of coercive force to achieve such an outcome. This is why Laozi says, “A leader who governs with cleverness cheats his people. A leader who governs with simplicity is a blessing to his people.”¹¹³

D. CLASSICAL LIBERALISM WITHOUT OPTIMISM

Han Feizi’s extrapolation of Daoist ideas demonstrates the danger of disproportion. By de-contextualizing the Daoist concepts of amorality and societal specialization – key elements of the classically liberal spontaneous order – Han Feizi created an ideology whose illiberalism betrayed and dwarfed its classically liberal roots. However, Han Feizi’s willingness to engage in bad faith philosophizing shouldn’t surprise anyone.

Han Feizi lived during China’s Warring States Period, a time of immense civil strife.¹¹⁴ “[T]raumatized by the brutal struggles between the warring states of his time...he saw history and his contemporary world with jaundiced eyes.”¹¹⁵ This Hobbesian state

¹¹² Chang, *In Search of the Way* at 86 (cited in note 84).

¹¹³ Lao Tzu, *The Tao Te Ching* at ch. 65 (cited in note 5).

¹¹⁴ J.M. Norton, *Why Chinese Study the Warring States Period* (The Diplomat, Dec. 12, 2013) (“Although scholars debate the exact start date and duration of the era, the general consensus is that the period spanned from around 475 BC to 221 BC. Put simply, the era consisted of interstate conflict in which the leaders of independent states (and sub-states) vied for hegemony. The leaders engaged in a series of conquests and annexations, power and territorial consolidations, and shifting alliances.”), archived at <https://perma.cc/TA7M-CJ8W>.

¹¹⁵ Chang, *In Search of the Way* at 453 (cited in note 84).

of nature provided Han Feizi with understandable motivation to give in to the dark side of political theory.

After all, the ugly impulses of authoritarianism are not foreign to the human experience. A key tenant of classical liberalism is a recognition that the illiberal aspects of human nature are immutable and therefore must be harnessed productively rather than ignored.¹¹⁶ Authoritarianism cannot be imagined away; it must be countered by institutional checks and balances *and* a culture of restraint and tradition. Better to coopt these spirits into democratic and capitalistic competition rather than military conquest.¹¹⁷ And yet, this clear-eyed

¹¹⁶ See Jonah Goldberg, *Suicide of the West* (National Review, Apr. 12, 2018) (excerpt) (“Modernity often assumes that we’ve conquered human nature as much as we’ve conquered the natural world. The truth is we’ve done neither. We simply restrain each from generation to generation. If you’ve ever owned a boat, car, or house, you know that nature needs only time and opportunity to reclaim everything. Rust doesn’t sleep. Termites respect a grandfather clock no more than an outhouse. Abandon a car in a field, and all nature requires to turn it back to the soil is time. Preventing decay and entropy from reclaiming everything built by human hands requires vigilant upkeep. As Horace said, “You may drive nature out with a pitchfork, but she will keep coming back.” What is true of physical things is also true of civilizations... Nearly all of our laws and customs, from marriage and prohibition of murder to the concept of merit, restrain human nature. For instance, nepotism and favoritism are natural. People prefer family and friends in every society that has ever existed. Westerners often consider developing countries such as Afghanistan corrupt because their political systems proceed from tribal reciprocity. But Afghans and others argue that their ways are ancient and natural. And they’re right. Our system of merit, contracts, blind bidding, etc. is what’s unnatural. The story of Western civilization, and really civilization itself, is the story of productively sublimating human nature. The Catholic Church had to establish elaborate rules against familial favoritism. We get the word “nepotism” from the Italian nepotismo, which referred to popes’ and bishops’ installing “nephews” (their children and other relatives) in powerful positions throughout the Church. The Chinese and the Turks castrated bureaucrats and slave soldiers, vainly hoping to constrain human nature.”), archived at <https://perma.cc/62BM-LJ4G>.

¹¹⁷ See George H. Smith, *Atheism, Ayn Rand, and Other Heresies* 119 (Prometheus Books 1991) (“Go into the London Stock Exchange – a more respectable place than many a court – and you will see representatives from all nations gathered together for the

acknowledgement of the human condition, when the world moves from optimism to pessimism, can also become a mandate for authoritarian protection. When societal trust breaks down, when people feel at the mercy of forces outside of their control, they instinctively reach for strongmen. What qualifies tyrants to rule is exactly what motivated classically liberal theorists such as Laozi: a hard-nosed understanding of the tragic realities of mankind. The Warring States Period's explosion in scarcity gave rise to the optimism/pessimism inflection point of Han Feizi's era.¹¹⁸ Given the contemporary drift away from classical liberalism globally (populist debates within the West, illiberalism on the upswing in Eastern Europe, Turkey, and the Philippines, China's regression to a lifetime presidency, etc.), what is it about today that has resulted in a similar inflection point?

III. CLASSICAL LIBERALISM AND THE POPULIST TIDE

A. THE MONOLOGUE THAT LAUNCHED A THOUSAND TWEETS

On January 3rd, 2019, Tucker Carlson delivered the Monologue Heard 'Round the World...or at least heard 'round Conservative Twitter. The Fox News Host provided Conservatism, Inc. with a fifteen-minute Rorschach Test that had *every* strand of the conservative movement finding its own needle in the proverbial haystack. Thinkpieces and hottakes were published en masse. By the end of the week, it was clear that Carlson had *either* uncovered the root of *all* of modern conservatism's problems *or* had embodied them in his own reckless scapegoating. MAGA Hat populists rejoiced

utility of men. Here Jew, Mohammedan and Christian deal with each other as though they were all of the same faith, and only apply the word infidel to people who go bankrupt.") (internal citation omitted) (quoting Voltaire).

¹¹⁸ See Han Feizi, *Basic Writings* at 98 (cited in note 77).

while the Brothers Koch spat out their expensive scotch in stunned disbelief. At heart, Carlson's provocation was straightforward: is the free-market a means to an end or an end unto itself? Is Capitalism a utilitarian tool or something more? Are you "a fool to worship it?"¹¹⁹

Although the GOP can hardly be called doctrinaire, it has nonetheless been home to classical liberalism in America's contemporary political landscape. Hearing Carlson, once a general in the bowtie brigade of conservatarianism, evangelize such a skeptical view of The Market induced a certain amount of whiplash in Republican circles. How did the party of personal responsibility and rugged individualism succumb to the victimhood politics of blaming elites for all of society's woes?¹²⁰

The populist departure from classically liberal attitudes on The Market is an increasingly worrisome sign of the political health of the country. The Market is not any one thing, but rather a symphonic amalgam of people, choices, crazy dreams, bitter truths, institutions, striving entrepreneurs, down-on-their-luck workers, charities, temples, businesses, hucksters, families, and more. Like the Dao, The Market is an abstraction; a stand-in for the immutable rules of reality and an expression of the 'ten thousand things' pursuing their interests and acting upon their natures all at once. The spontaneous order that The Market facilitates each and every day is beyond the powers of comprehension and planning; for it is indeed the solution to Hayek's knowledge problem – the "problem of the utilization of knowledge which is not given to anyone in its totality."¹²¹ It is moral

¹¹⁹ Tucker Carlson, *Mitt Romney Supports the Status Quo. But for Everyone Else it's Infuriating* (Fox News, Jan. 3, 2019), archived at <https://perma.cc/M82F-YFYL>.

¹²⁰ See David French, *The Right Should Reject Tucker Carlson's Victimhood Politics* (National Review, Jan. 4, 2019), archived at <https://perma.cc/9JPH-M7EB>.

¹²¹ Friedrich A. Hayek, *The Use of Knowledge in Society*, XXXV *Am. Econ. Rev.* 519 (1945), archived at <https://perma.cc/6K7Y-Y546>.

because it is natural; it is the byproduct of human liberty. Of course, these truths result in The Market's utilitarian benefits. It *does* serve more human interests more of the time than any other system. But that is not the extent of its moral worth. It is good because it is reality.

So then, how come Tucker's populism "sounds far more like Bernie Sanders or Elizabeth Warren than it does Ronald Reagan or Milton Friedman?"¹²² Why are there so many odd similarities between President Trump and Bernie Sanders?¹²³ More interesting than the unexpected tactical convergences between Left and Right on market interventionism is the philosophical basis for such parallels. Classical liberals have a keen awareness of the threats the Left poses to human liberty via its socialist proclivities, but the populist turn on the Right hammers home the clear need for conservatives to police their own. As Laozi and Han Feizi show, the philosophies of classical liberalism are *themselves* intellectually vulnerable to undue extrapolation that can pervert them into something else, something darker. If conservative populists are turning away from classical liberalism, corrupting it as did Han Feizi Daoism, should classical liberals respond with rejection or synthesis?

B. RECONCILING CLASSICAL LIBERALISM AND POPULISM?

Whether in the form of academic works such as Charles Murray's *Coming Apart* or Tim Carney's *Alienated America*, memoirs like J.D. Vance's *Hillbilly Elegy*, or societal phenomena like the Opioid Crisis, there is widespread agreement within the conservative movement that *something* is wrong with the country socially.

¹²² Ben Shapiro, *America Needs Virtue Before Prosperity* (National Review, Jan. 8, 2019), archived at <https://perma.cc/3FCQ-FCHN>.

¹²³ Tamar Keith, *5 Ways Bernie Sanders and Donald Trump Are More Alike than You Think* (NPR, Feb. 8, 2016), archived at <https://perma.cc/N4XC-5E8K>.

Following from this rough consensus, Carlson's Monologue argues, "[t]he goal for America is both simpler and more elusive than mere prosperity. It's happiness. There are a lot of ingredients in being happy: Dignity. Purpose. Self-control. Independence. Above all, deep relationships with other people."¹²⁴

This banal observation may actually prove capable of uniting the seemingly illiberal, anti-market populists with traditional classical liberals. On a recent podcast, Jonah Goldberg noted the following:

It's disastrous to treat the larger society like a family or tribe... And treating your family like a contractual society destroys the family. And, both are really, really bad. And I agree that it's not just that we are Socialist. I mean, the way I always put it is: We are literally Communist, in the sense that in my family it is: From each according to his ability, to each according to his need.¹²⁵

Building off of the themes of the micro-cosmos and the macro-cosmos in Hayek's *The Fatal Conceit*,¹²⁶ Goldberg's argument offers a potential offramp for the apparent clash between conservative populists and classical liberals.

¹²⁴ Carlson, *Mitt Romney Supports the Status Quo. But for Everyone Else it's Infuriating* (cited in note 119).

¹²⁵ Jonah Goldberg on *The Suicide of the West* (EconTalk, Apr. 23, 2018), archived at <https://perma.cc/9XYW-37WV>.

¹²⁶ Hayek, *The Fatal Conceit* at 18 (cited in note 20) ("Part of our present difficulty is that we must constantly adjust our lives, our thoughts and our emotions, in order to live simultaneously within the different kinds of orders according to different rules. If we were to apply the unmodified, uncurbed, rules of the micro-cosmos (i.e., of the small band or troop, or of, say, our families) to the macro-cosmos (our wider civilization), as our instincts and sentimental yearnings often make us wish to do, we would destroy it. Yet if we were always to apply the rules of the extended order to our more intimate groupings, we would crush them. So we must learn to live in two sorts of worlds at once.").

The central problem of non-classically liberal ideologies is that they zero in on one constituent aspect of human nature and extend it to the point of caricature. Han Feizi exploited Daoist observations to destroy the very liberty that they implicitly espoused. Fascism inflated the societal need for order and belonging until it eclipsed all else. Communism took the understandably human desire for equality and fairness and blew it up into a Frankenstein's Monster with little regard for any other aspect of humanity. Classical liberalism's spontaneous order avoids this fate by providing space for an equilibrium between competing human needs to emerge. But what if, as Patrick Deneen has suggested, that same equilibrium creates a culture that erodes the original social undergirding of classical liberalism itself?¹²⁷ Just as Han Feizi warped Daoist ideas by decontextualizing them, perhaps modern classical liberals have done the same through market idolatry. What if the culture created by classical liberalism destroys the conditions that gave rise to it in the first place?

'Liberty' is a very old word. It goes back to the Latin 'libertas.' And, in a classical, and then in the Christian tradition, 'liberty' meant the condition of ruling oneself according to what is understood to be good. And always had a kind of understanding that the life of liberty was a life lived according to virtue. So that there was a kind of self-limitation and an orientation toward the understanding of the good. That was the ground condition for what constituted liberty. And in the early modern period, in the beginnings of the liberal project, the word 'liberty' was continued to be used. But the definition became really rather different. And one

¹²⁷ See *Patrick Deneen on Why Liberalism Failed* (EconTalk, July 19, 2018), archived at <https://perma.cc/BWY6-9VL6>.

sees it originally in a proto-liberal thinker like Thomas Hobbes. And then a fully, kind of full-blown liberal thinker like John Locke. That, liberty becomes understood as the absence of obstacle to the fulfillment of our desires, or will, or appetite. So that it becomes *redefined* as the absence of external constraint. And, as a political matter, then, you can see how this would really transform our understanding of what the ends and purpose of government is and what they should be.¹²⁸

Admittedly, Carlson framed his screed in hostile opposition to traditionally classically liberal ideas. But perhaps he meant to suggest something more in line with Goldberg's observation about the conflation of the macro and the micro; that the modern conservative movement has let the public bleed into the private and in so doing threatens, as Deneen suggests, to undo the restrained edifice upon which classical liberalism is built.

Although Daoism lacks this macro/micro distinction (no single thinker could be fully representative of every classically liberal idea), Han Feizi's unmooring of Daoist thought from its restraining passivity highlights the need for nuance in meeting the complexities of the real world. Especially in the case of spontaneous orders, truth is often "this *and* that" rather than "this *or* that." By reducing the complexity of Daoism to only a couple of key takeaways, Han Feizi

¹²⁸ Id. See also Ben Shapiro, *America Needs Virtue Before Prosperity* (cited in note 122) ("Typically, religious thinkers, as well as our founding fathers, recognized that prosperity could not exist without freedom, and that freedom could not exist without virtue. Free markets, in fact, were a result of certain virtuous underpinnings and fundamental conceptions about the value of individual human beings: Human beings were made in the image of God, had special value, were masters of their own labor, and could freely alienate that labor in voluntary transactions with others. Separating freedom from virtue would undercut freedom itself — we would inevitably begin to twist freedom to harm others as well as ourselves.").

squeezed the philosophical balloon, forcing air into where it was never meant to flow, and in so doing, justified nakedly authoritarian rule.

Just as Han Feizi dangerously exaggerated key Daoist concepts, maybe the current Republican Party has allowed The Market to assume an outsized influence on policy making. It isn't that The Market (i.e. the *economic* spontaneous order) is bad per se, but rather that it isn't the only reflection of the broader, societal spontaneous order. Every policy goal represents an opportunity cost. Perhaps increasing the rate of economic growth by a couple tenths of a percentage point represents a lower return on investment in bolstering the *overall* spontaneous order than, for example, social safety net reform aimed at decreasing the dependency that's proven so hostile to family formation.

The stability of civic, religious, and familial associations is just as surely part of the overall spontaneous order as is the dynamism of commercial relationships. Traditional social institutions (local community, the common law, organized religion, national borders, etc.) have earned durable places in the spontaneous order through millennia of natural trial and error. A society completely free from the past's legacy can no more be artificially engineered than the price of wheat can be centrally planned. Although change and evolution must be allowed to occur organically, these inherited civilizational building blocks should neither be actively discarded by government fiat nor be left to the whims of ascendant cultural chauvinists who reflexively tear down anything connected to the past.¹²⁹ The freedom

¹²⁹ See Senator Josh Hawley, *Speech at the National Conservatism Conference*, July 18, 2019, archived at <https://perma.cc/5RNB-GUJT> ("We have been governed by a political consensus forged by a political class that has lost touch with what binds us together as Americans. And it has lost sight of the basic requirements of liberty. Since the days of the city-state, the republican tradition has always viewed self-government

to lead a traditional life ought to receive similar political concern as does the freedom to contract. When spontaneity in one sphere implies or necessitates de facto conformity in another, economic spontaneity should not *automatically* be privileged. After all, human nature is not purely material. Trade policy, immigration laws, public school curricula, the scope of religious freedom afforded within the public square, etc., can all be rethought to mitigate their accidental (or in some cases intentional) effects on the *overall* spontaneity of the nation's order, rather than just its economy. When reframed in this more charitable fashion, the populist turn seems a validation of the wider classically liberal oeuvre rather than a refutation of it.

However, the conservative populist resurgence shouldn't be seen through rose-tinted glasses. While status quo classical liberalism's trajectory poses its own risk to the nuance of the movement, populism's wrecking ball harbors dangers greater still. The proper response to a creeping, Han Feizi-like decontextualization/exaggeration is not a Han Feizi-like overcompensation in the opposite direction. Even accepting capitalism's tendency to marginally undermine social conservatism (family, community, faith, etc.), these tradeoffs pale in comparison to those that would be induced by a categorical rejection of spontaneous

as a project bound to a particular place, practiced by citizens loyal to that place and loyal to the way of life they share together. But the reigning political consensus shows little interest in our shared way of life. Worse than that, it denigrates the common affections and common loves that make our way of life possible. It undermines the kind of labor and economy on which our way of life depends. For all intents and purposes, it abandons the idea of the republic altogether... The cosmopolitan elite look down on the common affections that once bound this nation together: things like place and national feeling and religious faith. They regard our inherited traditions as oppressive and our shared institutions - like family and neighborhood and church - as backwards.").

orders writ large. Of course, these frictions aren't new, but have been with the conservative movement since its inception:

And yet, markets and a traditional moral order characterized by commitments to family, faith, community, and country can also be in very great tension with one another. The market values risk-taking and creative destruction that can be very bad for family and community, and it rewards the lowest common cultural denominator in ways that can undermine traditional morality. It seeks the largest possible consumer base in ways often hostile to national boundaries and loyalties. Modern markets can also encourage consolidation in ways that are very far from friendly to civil society. Traditional values, meanwhile, discourage the spirit of competition and self-interested ambition essential for free markets to work, and their adherents sometimes seek to enforce codes of conduct that constrain individual freedom and refuse to conceive of men and women first and foremost as consumers.

The things we value are therefore sometimes in tension with each other. When that tension arises, we have to prioritize, and that prioritization has to be guided by an idea of human flourishing that lets us roughly figure out in individual instances when and how far the demands of market competition need to be met and when and how far those of family, faith, community, or country need to be met. There is no perfect formula for doing this, obviously. But there are better and worse ways to do it, and our society has not been

doing it well enough in this century, which has left a lot of ruin in a lot of people's lives.¹³⁰

Hopefully this populist moment is a cry for a subtle re-prioritization to account for the social ills identified by Carlson, Deneen, Murray, and others, rather than a more radical turn away from traditionally classically liberal ideas.¹³¹ As Senator Mike Lee put it in a recent headline: "More Populist, More Conservative."¹³²

Of course, government is capable of less when the problem is primarily cultural.¹³³ Still, this is no excuse for inaction. The battle of ideas, after all, only tilts toward classical liberalism when classical liberals make the case for their own beliefs. A promising example of how classical liberals might reassert themselves in the context of the 21st century American Culture War is Jonathan Haidt and Greg Lukianoff's new book, *The Coddling of the American Mind*. Although not traditional classical liberals themselves, or at least not conservative ones, Haidt and Lukianoff rigorously diagnose the effects of over-parenting and social media on the socialization of children. In concluding that a lack of childhood free play stunts the

¹³⁰ Yuval Levin, *The Populism Debates* (National Review, Jan. 7, 2019), archived at <https://perma.cc/P6X9-ZYZM>.

¹³¹ See Jason Willick, *Conservatives and the Politics of Work* (Wall St. J., Nov. 23, 2018) (interview with Oren Cass) (advocating economic policies aimed at workforce participation rather than overall economic growth, because "Technocrats haven't yet figured out how to redistribute self-esteem."), archived at perma.cc/Y4KE-ECF2.

¹³² Mike Lee, *More Populist, More Conservative* (National Review, Jan. 11, 2019), archived at perma.cc/QJZ3-ECKW.

¹³³ See Ross Douthat, *An Age Divided by Sex* (N.Y. Times, Sep. 29, 2018) ("Rather it was a world where a social revolution had ripped through American culture and radically de-moralized society, tearing down the old structures of suburban bourgeois Christian morality, replacing them with libertinism."), archived at perma.cc/75MD-22EX; Author Charles Murray: *Elites Should Teach Working Class How to Live*, PBS (Mar. 20, 2012) (transcript) ("We have right now an upper class that will not say out loud, as elites really need to do in any society, this is a good way to live. This doesn't mean they're passing laws. It doesn't mean they're forcing people. They are setting a standard."), archived at perma.cc/M2GR-GNN4.

interpersonal skills necessary for limited government, Haidt and Lukianoff model a path that classical liberals of all stripes may take in advancing their ideas:

It's easy to see how overprotection harms individuals, but in a disturbing essay titled "Cooperation Over Coercion," the economist Steven Horwitz made the case that play deprivation also harms liberal democracies. He noted that a defining feature of the liberal tradition is its desire to minimize coercion by the power of the state and maximize citizens' freedom to create the lives they choose for themselves. He reviewed work by political scientists showing that self-governing communities and democracies rely heavily on conversation, informal norms and local conflict resolution procedures to manage their affairs with minimal appeal to higher authorities. He concluded that self-governance requires the very skills that Peter Gray finds are best developed in childhood free play.¹³⁴

An updated social conservatism in the mold of Haidt and Lukianoff may prove capable of bridging the populist/classical liberal divide. By offering populists the nuanced vocabulary to voice their concerns within the lexicon of classical liberalism rather than in opposition to it, and by expanding the policy horizons of purely economic classical liberals beyond transactional liberty alone, a new social conservatism might provide the coalitional ballast necessary for a 21st century conservative fusionism. As Jonah Goldberg describes the challenge in *The Suicide of the West*:

¹³⁴ Jonathan Haidt & Greg Lukianoff, *How to Play Our Way to a Better Democracy*, The N.Y. Times (Sep. 1, 2018), archived at perma.cc/8EBP-Z2US.

People learn virtue first and most importantly from family, and then from the myriad institutions family introduces them to: churches, schools, associations, etc. Every generation, Western civilization is invaded by barbarians, Hannah Arendt observed: "We call them children." Civil society, starting with the family, *civilizes barbarians*, providing meaning, belonging, and virtue.

But here's the hitch. When that ecosystem breaks down, people still seek meaning and belonging. And it is breaking down. Its corruption comes from reasons too numerous and complex to detail here, but they include family breakdown, mass immigration, the war on assimilation, and the rise of virtual communities pretending to replace real ones.¹³⁵

Real or imagined, the social disintegration in which America is currently embroiled is tantamount to a cultural Warring States Period. If not addressed, the conservative populists' worries may metastasize into something worse. As Daoism was perverted to suit the perceived authoritarian needs of Han Feizi's time, so too might our own classical liberalism be undone by our contemporary social angst. Since progressive populists have been beholden to neo-authoritarian tendencies for decades, conservatism cannot be lost to the same rage. Han Feizi shows what happens when classical liberalism fails to provide societal stability. We cannot afford to find out what results if classical liberalism similarly fails to address the happiness/meaning/belonging deficit.

"More Populist, More Conservative."¹³⁶

¹³⁵ Jonah Goldberg, *Suicide of the West* (cited in note 116).

¹³⁶ Mike Lee, *More Populist, More Conservative* (cited in note 132).