

“Most particularly in an age of illiberal populism, ‘liberalism’ urgently needs redefinition, away from its bizarre US definition as yet another collectivism. Chartier’s brilliant and wide-ranging book defends a new, and old, liberalism in detail. It is, as he says, ‘a confident reassertion of liberalism,’ but willing to listen to the other side, and to consider. His ‘radical’ liberalism is in fact a modest and reasonable program for a flourishing world of natural law equals.”

DEIRDRE N. MCCLOSKEY, *University of Illinois at Chicago*

“I can’t name a higher intellectual priority than reframing and reviving liberalism. Chartier does just this in his humane, learned, and erudite manifesto. His liberalism seeks appealingly to foster the good life and universal ennoblement through voluntary means—in a way consistent with human rights and social harmonies. Read it. Believe it.”

JEFFREY A. TUCKER, *American Institute for Economic Research*

“This book is a rich exploration of two strands of natural law theory and how they contribute to flourishing for us all. Linking his preferred natural law view with the broad liberal tradition, Gary Chartier shows how ‘natural law liberalism’ might shed new light on a wide range of issues.”

JOHN HAGEL, author, *The Power of Pull*

“This is a masterful work. Drawing on a version of Aristotelian natural law theory and Scottish Enlightenment insights into spontaneous order, Gary Chartier elaborates a natural law position that supports liberal social and political views. But Chartier takes his arguments in unexpected directions, and in so doing illuminates issues of genuine theoretical and practical significance. In each case, Chartier’s analysis helps to elaborate and defend his theoretical framework. *Flourishing Lives* is philosophy at its best—advancing our understanding of natural law and drawing on this understanding to support timely and provocative conclusions.”

JAMES STACEY TAYLOR, *College of New Jersey*

Cambridge University Press
978-1-108-49304-8 — Flourishing Lives
Gary Chartier
Frontmatter
[More Information](#)

Cambridge University Press
978-1-108-49304-8 — Flourishing Lives
Gary Chartier
Frontmatter
[More Information](#)

FLOURISHING LIVES

This book elaborates, illuminates, and illustrates a confident and attractive account of social and political liberalism in light of a rich understanding of flourishing and fulfillment rooted in a version of natural law theory. Examining issues in ethics, law, and politics—including consumer responsibility, the assignment of grades by teachers, deception by lawyers, war and empire, and the use of victim-impact statements in parole decisions—Gary Chartier shows how natural law theory can effectively support pluralism, diversity, social equality, integrity, peace, and freedom.

Gary Chartier is Distinguished Professor of Law and Business Ethics and Associate Dean of the Tom and Vi Zapara School of Business at La Sierra University.

Cambridge University Press
978-1-108-49304-8 — Flourishing Lives
Gary Chartier
Frontmatter
[More Information](#)

Flourishing Lives

EXPLORING NATURAL LAW LIBERALISM

GARY CHARTIER

*Tom and Vi Zapara School of Business
La Sierra University, California*



CAMBRIDGE
UNIVERSITY PRESS

Cambridge University Press
978-1-108-49304-8 — Flourishing Lives
Gary Chartier
Frontmatter
[More Information](#)

CAMBRIDGE UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom
One Liberty Plaza, 20th Floor, New York, NY 10006, USA
477 Williamstown Road, Port Melbourne, VIC 3207, Australia
314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025,
India
79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781108493048
DOI: 10.1017/9781108675253

© Gary Chartier 2019

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2019

Printed and bound in Great Britain by Clays Ltd, Elcograf S.p.A.

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloging-in-Publication Data

NAMES: Chartier, Gary, author.
TITLE: Flourishing lives : exploring natural law liberalism / Gary Chartier.
DESCRIPTION: Cambridge [UK] ; New York, NY : Cambridge University Press, 2019. | Includes bibliographical references and index.
IDENTIFIERS: LCCN 2019008052 | ISBN 9781108493048 (hardback)
SUBJECTS: LCSH: Liberalism. | Law – Philosophy. | Natural law.
CLASSIFICATION: LCC K487.L5 C43 2019 | DDC 340/.112–dc23
LC record available at <https://lccn.loc.gov/2019008052>

ISBN 978-1-108-49304-8 Hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

Cambridge University Press
978-1-108-49304-8 — Flourishing Lives
Gary Chartier
Frontmatter
[More Information](#)

For
Elenor Louise Andromeda Persephone
Levitas Babette Barbara Webb
and
Nicole Regina

Cambridge University Press
978-1-108-49304-8 — Flourishing Lives
Gary Chartier
Frontmatter
[More Information](#)

Contents

<i>Acknowledgments</i>	<i>page</i> x
Introduction: Liberals	1
1 Boycotts	32
2 Lies	69
3 Grades	86
4 Adversaries	127
5 Lawyers	155
6 Victims	162
7 Believers	191
8 Interventions	221
9 Anarchists	252
Conclusion: Radicals	279
<i>Index</i>	288
<i>About the Author</i>	295

Acknowledgments

I welcome the occasion the publication of this book affords to say “thank you” to many people.

Thanks are due, of course, to the usual suspects—A. Ligia Radoias, Aena Prakash, Annette Bryson, Alexander Lian, Andrew Howe, Carole Pateman, Charles Teel, Jr., Christopher C. Reeves, Coco Owen, Craig R. Kinzer, David B. Hoppe, David Gordon, David R. Larson, Deborah K. Dunn, Donna L. Carlson, Elaine Claire von Keudell, Elenor L. Webb, Eva Pascal, Fritz Guy, Gen Mensale, Jeffrey D. Cassidy, Jesse Leamon, John Thomas, Kenneth A. Dickey, Kirsten Rasmussen, Lalé Welsh, Lawrence T. Geraty, Maria Zlateva, Michael Orlando, Nabil Abu-Assal, Nicole Regina, Patricia M. Cabrera, Roger E. Rustad, Jr., Ronel S. Harvey, Sheldon Richman, Stephanie Burns, Trisha Famisaran, Varsha Pravinsih, W. Kent Rogers, Wonil Kim, and Xavier Alasdhair Kenneth Doran—for the usual reasons.

I am glad to have been able to engage with Elenor Webb, Alexander Lian, Chris Tollefsen, Craig R. Kinzer, David Gordon, Elias Rizkallah, Eugene Volokh, Fritz Guy, Jeffrey D. Cassidy, John W. Webster, Lee H. Reynolds, Mark C. Murphy, Nathan C. Nobis, Robert D. Goldstein, Robert L. Beshara, Sheldon Richman, Stephen R. L. Clark, Stephen R. Munzer, Vernon Howe, and Zachary Woodman regarding materials included or projected for inclusion in the book. David, in particular, commented on the entire manuscript in draft and offered many helpful observations. It will be clear—no doubt to him, but also, I suspect, to other readers—that much more needs to be said in response to a number of his pointed queries. I am grateful for opportunities for dialogue and exchange with Nicole Regina, Brian Hebblethwaite, John Hick, Seana Shiffrin, Annette Bryson, Steve Munzer, Fritz Guy, Richard Rice, Ken Dickey, David Gordon, Sheldon Richman, Stephen Clark, and David Larson, all of whom have helped me to develop as a philosopher; none of them is, of course, liable for any errors in this book. I am happy to acknowledge the roles that philosophers including John Finnis and Charles Fried have played in inspiring my work in legal philosophy, in particular, even if none would likely embrace many of the things I’ve said here. Germain Grisez died early in 2018; while he would have disagreed vigorously with many of my conclusions, I learned

a tremendous amount from him and I deeply respect his integrity and intellectual rigor. More broadly, the New Classical Natural Law theorists—Grisez and Finnis, but also, notably, Robert P. George, Joseph M. Boyle, and Chris Tollefsen—deserve immense credit for their rigorous development of the natural law tradition and the stimuli their work has provided for mine. In different ways, Alexander Lian, Arthur Isak Applbaum, Deborah K. Dunn, Elissa Kido, Fritz Guy, Mark C. Murphy, Peter Beinart, and the late Richard Rorty spurred me to write earlier versions of several of this book's chapters, and I'm grateful. My comrades at the Center for a Stateless Society—including Sheldon Richman, Roderick T. Long, Charles W. Johnson, Kevin Carson, Joseph R. Stromberg, William Gillis, and James Tuttle—can hardly be held responsible for my idiosyncratic views, but dialogue with them has certainly helped to shape my thinking about a number of topics in moral, legal, and political philosophy. And of course I'm thankful for the stimulation and challenge offered by a number of academic compatriots—among them David Schmidtz, R. Kevin Hill, Neera Badhwar, Aeon J. Skoble, Matt Zwolinski, Fernando R. Tesón, James Stacey Taylor, Edward P. Stringham, Tony Gill, Chris Coyne, Peter T. Leeson, Kevin Vallier, Douglas R. Rasmussen, Douglas Den Uyl, Jason Brennan, and Guido Pincione.

La Sierra University served as the context for my research and writing. I thus want to thank John Thomas, Randal Wisbey, Joy Fehr, and Elias Rizkallah, among others, for enabling me to work on this book during my time at La Sierra. Libraries, of course, contribute indispensably to almost all varieties of research, and mine has been no exception. So I am happy as always to thank multiple members of the La Sierra University Library's faculty and staff—including Jeff de Vries, Hilda Smith, Jill Start, Sandra Hartson, and David Ramos—for their assistance. I finished writing this book in Riverside's Back to the Grind; I am more than pleased to express my appreciation to Darren Conkerite for maintaining this welcoming—thoroughly liberal—space.

I owe an obvious debt of gratitude to John Berger and Finòla O'Sullivan at Cambridge University Press for supporting the publication of this book, and to Emma Collison, Silvia Glick, Karthik Orukaimani, Beth Hamer, Danielle Menz, and the typesetting team at Integra for help at various stages of its production. (Silvia and Emma deserve particular praise for their eagle-eyed attention to detail.) I also acknowledge my appreciation for the approvals that I received for my reuse in this book of material that first appeared elsewhere,¹ and for the willingness of Deirdre

¹ The relevant publications (I'm the sole author of each): [*Consumers, Boycotts, and Non-Human Animals*,] 12 *BUFF. ENVTL. L.J.* 123 (2005) (University at Buffalo); *Contested Practices: Arthur Isak Applbaum's Ethics for Adversaries*, 10 *JAHRBUCH FÜR RECHT UND ETHIK* 254 (2002) (Duncker & Humblot); *In Defence of the Anarchist*, 29 *OXFORD J. LEGAL STUD.* 115 (2009) (Oxford University Press); *Libertarianism and the Varieties of Virtue*, *BLEEDING HEART LIBERTARIANS*, June 10, 2016, <http://bleedingheartlibertarians.com/2016/06/libertarianism-and-the-varieties-of-virtue/> (Bleeding Heart Libertarians); *Niebuhr's Ghost?*, 5 *CONVERSATIONS IN RELIGION & THEOLOGY* 91 (2007)

McCloskey, James Stacey Taylor, Jeffrey A. Tucker, and John Hagel to endorse the book. (Professor McCloskey's rapidity and graciousness, in particular, led me unequivocally to support her beatification.)

As usual, I will donate the author royalties I receive for this book to AntiWar.com. I am grateful to this exceptional source of news and inspirer of activism for its role in fostering peace and freedom. I encourage all of my readers to consider supporting it. And, to Nicole: je t'aime et je t'adore.

(Wiley-Blackwell); *Norms that Encourage Diversity*, CATO UNBOUND, July 20, 2016, <http://www.cato-unbound.org/2016/07/20/gary-chartier/norms-encourage-diversity> (Cato Institute); *On the Threshold Argument against Consumer Meat Purchases*, 37 J. SOC. PHIL. 235 (2006) (Wiley-Blackwell); *Richard Rorty's American Faith*, 85 ANGLICAN THEOLOGICAL REV. 255 (2003) (Seabury); *Self-Integration as a Basic Good: A Response to Chris Tollefsen*, 52 AM. J. JURIS. 293 (2007) (Oxford University Press); *The Naked Truth about Libertarianism*, CATO UNBOUND, July 11, 2016, <http://www.cato-unbound.org/2016/07/11/gary-chartier/naked-truth-about-libertarianism> (Cato Institute); *Toward a Consistent Natural Law Ethics of False Assertion*, 51 AM. J. JURIS. 43 (2006) (Oxford University Press); *Truth-Telling, Incommensurability, and the Ethics of Grading*, 3 B.Y.U. EDUC. & L.J. 37 (2003) (Brigham Young University); *Two Faces of the Right to Privacy in Litigators' Ethics*, LITIGATION ETHICS, Spring 2006, at 1 (American Bar Association); *Victims and Parole Decisions*, 11 JAHRBUCH FÜR RECHT UND ETHIK 405 (2003) (Duncker & Humblot).