



Written by [Joe Wolverton, II, J.D.](#) on July 11, 2013

N.Y. Times: Libertarians Soft on Slavery, Confused About Civil War

As part of the establishment media's ongoing project of gerrymandering the liberty movement in advance of the 2016 presidential campaign, the *New York Times* has published an article purporting to expose some libertarians' "embarrassing" interpretation of the Civil War.

"In fact, libertarians have spent years trying to deal with the sliver of their movement that is focused on re-litigating the Civil War. Yes, the Civil War, which officially ended 148 years ago," declares the *Times'* Rachel Weiner.



As one slogs through Weiner's repetitive and meandering article, the not-at-all-subtle subtext jumps off the page and slaps the reader. The between-the-lines battering ram: Libertarians are racists. Well, except for the establishment-approved libertarians.

Proof of the latent "neo-Confederate" racisms, according to Weiner, is the libertarian criticism of Abraham Lincoln. "And there are some ideological similarities that explain the gravitation of the anti-Abraham Lincoln crowd to the pro-liberty movement," Weiner writes.

What could libertarians possibly have against the founder of modern centralization, a man who viewed the United States less as a union and more of a nation — an opinion, by the way, that would have resulted in immediate excommunication from the Constitutional Convention of 1787.

As libertarian and nullification expert Tom Woods [wrote a recent blog post](#):

The precedents set by Lincoln during the war have been exploited ever since by left-liberals and neoconservatives, who are all too glad to respond, when you object to some enormity of the War on Terror, "Why, even Lincoln did these things!"

In every other country in our hemisphere in which slavery was abolished in the nineteenth century it was done peacefully, without 1.5 million people dead, wounded, or missing.

The Lincoln legacy involves glorifying wars of nationalism and demonizing efforts at secession, wherever they may be and whatever the circumstances. To this day, Americans are taught to sympathize with central governments trying to keep territories from breaking away, and to look with disgust at smaller units seeking self-government.

Of course, to the water carriers of consolidated government such as the *New York Times* and *Reason* magazine (this "libertarian" outlet is sequestered from their racist colleagues. In her article, Weiner informs readers that *Reason* is "firmly in the anti-neo-Confederate camp," citing their criticism of Ron Paul for "allying himself with that strain in libertarianism"), anyone who makes the mistake of supporting states' rights also supports slavery.

"Libertarians are anti-war and in favor of market-based solutions, and some [argue](#) that even though



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slavery was abominable, it would have ended for economic reasons with far less bloodshed if the North had allowed the South to secede," Weiner says.

Weiner's inability to wrap her head around complex issues is on display best in the following selection from her article:

"Though I think Lincoln was the worst tyrant in U.S. history and his war was illegal, immoral, unconstitutional, I do not think the [Confederacy] was some quasi-libertarian bastion of freedom or justified," said Stephan Kinsella. "The real enemy is, as always, the State — whether it be the USA or the [Confederate States of America]."

That thread of thinking makes it hard to know where to draw the line when some self-described libertarians edge over from criticizing the Union to celebrating the Confederacy.

Could Kinsella have been any clearer in his condemnation of all statist attempts to curtail liberty?

Overall, Weiner and the libertarians she shields from her racist smear believe that the United States is a consolidated nation and that the states are obstructionist at best.

The right to secede, according to this set, does not exist, and the Civil War settled that question once and for all.

The Civil War made one thing clear: The federal government believes (and the Confederacy was forced to concede) that might makes right. The Union army defeated the army of the Confederacy; therefore, so the thinking goes, secession is no longer a constitutional remedy available to states. Might makes right.

Only it doesn't. Think of it this way. Assume my neighbor and I disagree over the exact location of the boundary line between our properties. One day, while I'm out building a shed that my neighbor believes encroaches on his property, we start arguing and the argument escalates to a full-fledged fist fight and I knock out my neighbor. Does that mean that the location of our mutual property line has been settled? Does the pummeling of my neighbor make my opinion of the location of that line the legal boundary? Of course not. Might, it seems, does not make right, neither in boundary disputes regarding land nor in similar conflicts over state sovereignty.

One more analogy to help Weiner and others understand secession.

Assume that a number of homeowners in a neighborhood get together to improve the security, safety, and prosperity of the neighborhood by forming a homeowners association (HOA). The neighbors draw up a covenant and grant to the HOA certain enumerated powers. The new HOA is authorized to pass rules restricting the parking of cars on the street, the length of a lawn, the color a house in the group can be painted, and how tall a home can be built.

Let's assume that our imaginary HOA has a covenant granting oversight of just those few areas to an HOA council. Present and future homeowners are made aware of the covenant and they are bound to conform to its mandates.

Imagine if one day, the HOA council passes a resolution mandating that every resident of the neighborhood purchase a Toyota — a green Toyota Camry, to be precise. Inspectors hired by the HOA council are sent out to watch every house, check every garage, and verify vehicle registrations to make sure the edict is obeyed.

Would the homeowners be required to heed this resolution? Additionally, in whom would be the right to



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decide if adoption of the car mandate was within the power of the HOA? The homeowners, of course!

Do you think the homeowners would recognize the right of the HOA council to decide the legitimacy of its car mandate? When property owners began complaining about the obvious overreach at the next general meeting of the HOA council, do you think they would be assuaged by the council's reassurance that the dictate was perfectly within its covenant authority?

What would happen if the council then insisted on the purchase and ratified its own ruling? Can you imagine a single homeowner who would accede to that sort of ordinance inanity?

Assume, for argument's sake, that one or more of them ran down and traded in their cars in order to conform to the car mandate. Would that affect the HOA agreement? Would the HOA have those powers? Would one homeowner's refusal to obey the mandate, moreover, have any bearing whatsoever on a neighbor's compliance?

Somehow the simplicity of this elementary lesson in contract law is lost on establishment-friendly libertarians (Tom Woods calls them "sweetie pie libertarians"). Perhaps it is not lost on them, but the heft of the logic is outweighed by the seductive siren call of establishment favor.

Finally, the circular, self-aggrandizing reasoning of this clique of journalists is no better displayed than in the last sentence of the *New York Times* article.

"All of which is a sign that this tension within libertarianism is not going away any time soon," writes Weiner.

Liberty is larger than labels, though, and those who are engaged in the fight to restore constitutionally protected freedom and limited government to Washington, D.C. will not — any time soon — fall for the establishment's [balkanization](#) of their ranks and the construction of [ghettos](#) within the expanding landscape of the liberty movement.

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