

The Modern Political Tradition: Hobbes to Habermas

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College of the Holy Cross



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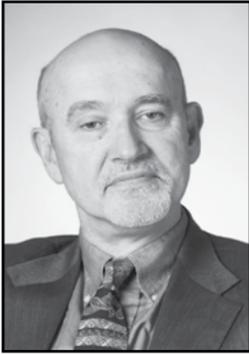
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For The Great Courses, Professor Cahoone has also taught *The Modern Intellectual Tradition: From Descartes to Derrida*. ■

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The Modern Political Tradition: Hobbes to Habermas

Scope:

The power and danger of great political ideas cannot be overestimated. Philosophers from Locke to Montesquieu to Jefferson essentially designed the modern democratic state. A moral philosopher, Adam Smith, formulated the “invisible hand” that has guided our economic lives. Its major competitor in the 20th century was designed by another philosopher, Karl Marx. And yet the great political ideas—freedom, equality, justice, rights, the common good—have been used in so many different ways as to be deeply confusing. This course will help us navigate the labyrinth, tracing modern Western political and social thought from the 16th century to the end of the 20th. We will explore the roots of modern democracy; the arguments for and against capitalism, liberalism, conservatism, nationalism, anarchism, and communism; issues of economic justice and the proper function of government; warfare and ethics; and such recent movements as feminism, multiculturalism, postmodernism, and environmentalism.

Our unifying thread will be the history of liberal republicanism, or “democracy,” the society in which the people are sovereign, and its major competitors. We will see that this tradition rests on multiple key values that are often in tension. Its history falls into three phases: the formative phase, the 16th through the 19th centuries; the great crisis, from 1914 to 1953; and the period of triumph and growing pains, from 1950 to 2000.

Lectures 3 through 16 explore the formative phase of liberal republicanism, from the 16th through the 19th centuries. After a lecture on Plato and Aristotle, the Roman Republic, and medieval Christian feudalism (which modern thought partly embraced and partly revolted against), we will begin with Machiavelli, the first modern political theorist. Then, we will examine the social contract theory of Hobbes, Locke, and Rousseau; Kant’s ethics and Smith’s classic explanation of capitalism; and the thinkers of the American Revolution, influenced by Montesquieu. There are four lectures on the French Revolution and its intellectual legacy, from Maistre and Burke to Hegel, Tocqueville, Wollstonecraft, and Clausewitz. In passing, we will see

the development of nationalism and the two contrasting models of a free, equal society, liberal republicanism and civic republicanism. Finally, we will examine three key 19th-century developments: Marx's socialism; J. S. Mill's work on utilitarianism and liberty; and the new German social theorists, from Weber and Nietzsche to Freud, whose critical analysis of modern society was to be so influential.

In Lectures 17 to 20, we will look at the great crisis of liberal republicanism, the period from 1914 to 1953, the start of the First World War to the death of Stalin. Liberal capitalism began to reform at the beginning of the 20th century, with the progressive movement. But at the same time, the Great War broke out, helping to inspire communist revolution in Russia and, eventually, nationalist forms of socialism in central Europe, leading to yet another, more destructive world war. We will examine the ideas behind fascism and communism, the novel form of political organization called totalitarianism, how the ethics of war changed, and how political philosophers reacted to the worst 30 years in human history.

Finally, in Lectures 21 to 35, we will examine the triumph and growing pains of liberal republicanism, from 1950 to 2000. Lectures 21 to 24 present important political theorists during the early Cold War, from right to center to left through the 1960s: Oakeshott, Hayek, Strauss, Arendt, and Marcuse. Lectures 25 through 33 trace largely domestic political arguments of the 1970s through the 1990s, which remain our framework for current political debates. We start with the "classic" liberal theories of distributive justice of the 1970s, whether supporting the welfare state (Rawls) or minimal government (Nozick). These produced a series of reactions starting in the 1980s: communitarians warning against excessive individualism (Sandel, Walzer); feminists and multiculturalists proposing a new politics of identity (Okin, Gilligan, Taylor, Kymlicka); environmentalists raising the value of nonhumans for human politics (Singer, Rolston); postmodernists undermining all traditional foundations for political theory (Rorty, Foucault); and finally, Habermas's response to both postmodernists and communitarians. The end of the Cold War in 1989 inspired a host of new international challenges, especially the "clash of civilizations" (Huntington), with militant Islam, the response to terrorism, and changes to the ethics of

war this involves. The concluding lecture will discuss ongoing issues likely to continue to test liberal republicanism in the future.

Philosophers do something very particular to politics: They thoroughly examine its ideas. Political debate may be motivated by interests, but the currency of its arguments is ideas. No one can get far in political debate without them. Our goal is to understand the logic, implications, and arguments for and against those ideas on all sides—because using political ideas without knowing where they lead or where they came from can be dangerous.■

Origins and Conflicts of Modern Politics

Lecture 1

Political philosophy or political theory concerns the normative question: What ought our political arrangements be? Some of the questions political philosophy explores include the following: What is the justification for our form of politics? What is the right balance of community good versus individual rights? How do we manage modernity or social change? What is the relationship of politics to cultural identity? This course will provide an overview of the experiment of modern liberal republicanism from the 17th through the 20th centuries and explore its conflicting values.

Defining Political Philosophy

- Political philosophy is the part of philosophy that is most influential in the real world. We use political ideas or slogans or parts of classical political theories without actually knowing what their implications are, where they lead, or what they have led to in the past. We all use political philosophy; the only question is: Are we using it well or badly? Do we know what our own ideas mean?
- Our job in this course will be to understand these ideas, where they came from, and the arguments for and against them to enable us to make more informed decisions about what they imply and whether or not we agree with them.
- Two problems crop up in political philosophy.
 - First, because political theory is historical and involved in social life, it tends to erect a Tower of Babel. It is the nature of politics constantly to multiply political positions. We might call this the *political continuum hypothesis*: Between any two political positions or theories, another will be invented. Further, the meanings of key terms, such as *liberal*, *democratic*, *right*, *left*, and so on, vary among these different positions.
 - Second, political philosophy explores the justifications for many different political views. In this course, we will see

arguments both for and against the welfare state, communism, fascism, war, and peace. Our goal is to understand why people believe or believed in these views. As you know, such discussions tend to ruffle feathers, but the job of political philosophers is to explore the arguments behind political views.

- Although there are many different definitions of *political philosophy*, this one will serve as our starting point: The *political* can be defined as social decision making, that is, making and enforcing decisions for and about society. *Philosophy* is the most general form of inquiry, that is, the attempt to say what is true and why. Thus, *political philosophy* reflects on social decision making. But it is normative, not descriptive.

- The goal of political science is to describe different political systems and facts.
- In contrast, the goal of political philosophy is to make normative claims: What is the best political system? What is the chief good of political society? What is justice? How should we live together?



Political philosophy reflects on social decision making in order to make normative, as opposed to descriptive, claims.

Defining Democratic Concepts

- Our course will explore many kinds of modern Western political thought, but its focus will be the modern form of a free, equal, self-ruling society that many people think of as *democracy*.
- Modern democracies are *republics*. The term *republicanism* arose in opposition to *royalism*, that is, rule by a special few whose power was directly invested in them. Historically, a republic is a society in which the political authority of government flows from the people, not the king or queen.
 - A republic requires at least *popular sovereignty*—the belief that the people are the sovereign. Of course, the *sovereign people* refers to the *citizens*, and many residents may not count as citizens with political power.
 - Remember also that the *source* of political authority might be the people, while the *agency* that exercises the authority—the government—could be a much smaller group.
 - We will also see that republics come in two very different flavors, one ancient and one modern. This was a major issue for political theorists in the 17th and 18th centuries, who were trying to find a model for republicanism in their rejection of royal power.
- It might seem as if *democracy* and *republic* mean the same thing, but they are different. Etymologically, *democracy* means “rule by the people.” But given that people disagree, how can they rule?
 - In practice, *democracy* must mean majority rule, which usually appears among the citizens in a republic. Thus, any republic has some democratic body that votes on government or laws.
 - But republics can include various limits on democracy or majority power. First, the majority may elect representatives to pass laws rather than passing them themselves. Second, there may be a constitution—written or unwritten—that aims to limit government, including the power of Congress or Parliament.

Third, there may be guarantees of individual rights, of what majorities can't do to minorities. All these are nondemocratic.

- Thus, *republic* is the broader term for a system of rule by the people, which must have some democratic majority rule by citizens in it but may include nondemocratic structures. The term *democracy* refers to direct egalitarian power of the majority of the people, which a republic usually limits.
- Sometimes, our system is called a *liberal* republic, which further confuses the issue. *Liberalism* classically refers to a republic with a high degree of individual liberties and a free-market economy. Classical liberalism generally requires limits both on government power and on the majority's ability to restrict the individual's freedom. Thus, liberalism and democracy are in tension: Democracy wants to give all power to the people; liberalism wants to limit the amount of power there is to have.
- One of the ways to guarantee individual liberty is to believe in *natural rights*, a term referenced in the Preamble to the Declaration of Independence.
 - Jefferson's rights were "natural" in that they were given by God, not by human agreement. But that is not the only way to grant liberty.
 - Jeremy Bentham, a utilitarian philosopher and social reformer, will say that natural rights are nonsense, and imprescriptible or unalienable natural rights are "nonsense on stilts." John Stuart Mill, who wrote the most famous defense of individual liberty, did not believe in "natural" rights at all.
- What about *equality*? Modern republican societies are historically egalitarian, but there are several kinds of equality: equal political power, equality before the law, equal opportunity, and equal holdings or equal wealth. These are all very different.

- It is true that there is conflict between the ideals of equality and liberty, but the real question is: Which kind of equality is compatible with, and necessary for, liberty?
- All this leads to one of the most contentious issues of political theory, the problem of distributive justice: What distribution of wealth among citizens is just?

Politics and Ethics

- Politics has a complex relation to ethics, which is itself controversial.
 - Most recent political philosophers base their political philosophy on some kind of ethics, but others claim that politics is intrinsically immoral or amoral, that it is sometimes right to do in politics what is morally wrong. Others doubt that there are any objectively, universally “right” political or moral principles because their validity is relative to society and culture.
 - This is the problem of moral realism versus moral relativism: Moral realism believes that the morality or immorality of acts has an objective status that we can know. Moral relativism believes that good and evil are relative to who is judging them or the society of the judge; thus, an act or event can be good for X but evil for Y.
- Relativism of any kind means that something is relative to something else. Relativism in philosophy means that the truth, moral goodness, or political rightness of a statement or act is relative to something other than what it’s about, usually something about the people making the statement.
 - If you think truth is relative to social convention, then you must believe that when people thought the sun revolved around the earth, it really did for them; the truth is relative to what society believes.
 - But even if truths about facts are not relative, some people think that value statements, such as morality, are relative.

- The statement “No one or society may impose their moral strictures on another” is not relativism but realism. It asserts a universal rule of tolerance that holds whether people believe it or not. The relativist claim would be: “Whether it’s wrong to impose your society’s values on others depends on your society’s values; if your society thinks it’s right, it is right for you.”
- Most of the philosophers we will study are moral and political realists, not relativists. That is, they think there is some way or principle or set of institutions that all humans ought to follow, a “right way” for the *polis* to live.

Phases of Modern Western Political Theory

- The story of modern Western political theory can best be viewed as the rise of liberal republicanism and its competitors. This history can be divided into three phases: its formation or rise, its greatest challenge, and its triumph and growing pains, which includes our contemporary period.
- The formative phase took place from the 16th through the 19th centuries—from Machiavelli through the social contract theory, the American and French revolutions, and the development of capitalism, nationalism, socialism, and progressivism.
- The greatest challenge of liberal republicanism took place during the years 1914 to 1945. This period witnessed two world wars, the Great Depression, and challenges from communism and fascism.
- Finally, from 1945 to the present, liberal republican countries enjoyed a high degree of economic success and passed into their mature contemporary form. But success meant dealing with such problems as the issue of distributive justice, the extent of personal liberties, the changing nature of warfare, and more.

Modern Republican Values

- The organization we call *modern republicanism* is based on multiple values and principles that conflict. We can identify at least

five basic values of most modern republican political theories: (1) popular self-governance by the political community, (2) individual liberties from government and social interference, (3) equality, (4) communal or national preservation, and (5) economic and material modernization.

- All these values matter, but they also conflict, and if we consistently emphasize or choose one over all the others, we move toward an exclusive political view of one kind or another.
- It's also true that the nature of our political system is bound up with social, economic, and technological modernity, which is constantly changing. All political discussion in the modern era takes place in societies undergoing unprecedented change. Consequently, some of what we may not like in contemporary society may not be open to political control or change.

Suggested Reading

Cahn, *Classics of Modern Political Theory*.

Questions to Consider

1. What is politics, as opposed to society, culture, economics, or religion?
2. Is politics a mere instrument for achieving goods (thus, a society where everything was set up just right wouldn't need any politics at all), or can it be an activity that is good in itself and gives meaning to human existence?

Ancient Republics, Empires, Fiefdoms

Lecture 2

The bases from which modern political theorists began included Plato, Aristotle, the Roman Republic, and Christianity. Plato recognized the problematic relationship of philosophy and politics, and Aristotle gave the earliest republican theory. Early Rome was their model for a republic. The decentralized feudal system, with nonabsolute monarchs and an empowered aristocracy, along with Christian ethics, was the background for the development of modern politics. In this lecture, we will gain some knowledge of the history of human political organization leading up to the European 16th century, looking at several snapshots: (1) the development of ancient political organization; (2) Plato and Aristotle, the first Western political theorists; and (3) medieval feudalism and the contribution of medieval philosophy.

Early Political Organization

- Modern forms of political organization are possible only in certain kinds of societies. For the approximately 200,000 years that *Homo sapiens* have been in existence, they lived almost entirely in small hunter-gatherer societies. Such societies were often highly egalitarian, meaning that except for strict gender roles, all males had similar status and all females had similar status, with perhaps a council of elders or a chief. Private property differences were limited, simply because there was not much to own.
- About 12,000 years ago, the Neolithic Revolution, which saw the invention of agriculture and writing, ushered in a new world. Food could be stored in the form of dry grain, and knowledge could be stored in writing. People needed to defend their grain stores, herds, and the best lands and planted crops.
- About 5,000 years ago, cities arose, mostly in productive riverine valleys and littoral (coastal) areas that developed trade. This development created its own conflict between rural farming

communities and urban areas—centers of commerce, education, and political authority.

- As cities grew into the seats of powerful empires, a new division of labor and class emerged; people were categorized as those who work (agrarian workers), those who fight (warrior-landowners), and those who pray (clerical scribes who could read ancient texts).
- In these societies, political legitimacy was highly traditional and nonegalitarian because of the great distinction between workers and warrior-landowners. The authority of the landowners came from their own aristocratic nature, inherited from their ancestors or from the gods or God. From the ancient world through medieval times, the great agrarian empires did not believe in political equality.

Plato's Just Society

- The first great work of political philosophy in Western history is Plato's *Republic*. The Greek title was a form of *polis*, which simply meant the "sovereign city" or "city-state." Plato wrote dialogues in which his teacher, Socrates, is the main character.
- In Plato's day, the Athenian polis alternated between democracy and oligarchy, always with only propertied males participating as full citizens. It is commonly said that the Athenians invented democracy, but if so, it was a democracy of the privileged.
- Plato was interested in the question: What would a just society look like, and what virtues must the people and the rulers have to make it just?
- Plato distinguished five types of regimes: (1) aristocracy or monarchy, with rule by the seekers of wisdom, the best and highest virtue; (2) timocracy, with rule by honor-seeking guardians or warrior-civil servants, driven by the "spirited" part of the soul, *thymos*; (3) oligarchy, with rule by the wealthy, driven by necessary or stable appetites; (4) democracy, with rule by the many or the

poor, driven by unnecessary or unstable appetites; and (5) tyranny, with rule by an evil monarch, driven by bestial appetites.

- Notice that this correlation of regimes with parts of the soul is the first example of the *organic* or *organismic* metaphor, which holds that the state should be organized in the manner of a person or organism, with the higher parts ruling the lower.
- Most important in Plato is that each part performs its proper function and does not try to take over the whole. The philosophers will rule. Their decisions will be carried out by the guardians, a highly controlled, educated caste of warrior-civil servants. Both classes are virtuous, more concerned with wisdom or honor than with personal gain. The guardians control the commoners, whose life is devoted to economic concerns and who produce what is needed by all members of society.

Aristotle's Republican Theory of Politics

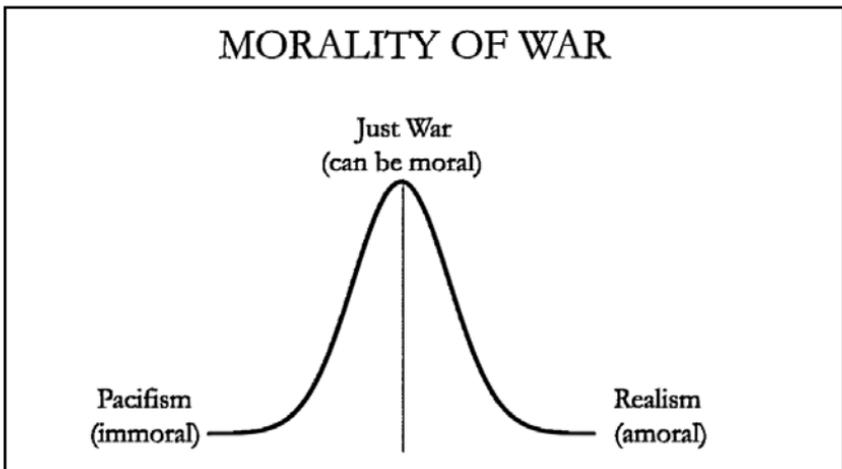
- Plato's greatest student, Aristotle, disagreed with him deeply. Aristotle presented the first republican theory of politics. In his *Politics*, he distinguished different levels of human association. Family is a natural association for daily needs provided in or on the lands owned by a household (the *oikos*); the village is an association of families for nondaily needs; the *koinonia politike* (later, in Latin, *societas civilis*, or "civil society") is an association for living excellently or virtuously. It is the smallest self-sufficient social unit. That's the polis.
- Man is by nature a political animal. Only "beasts or gods" live outside the polis. When completed by good polity, humans are the best of animals; without law and polis, they are the worst.
- Aristotle thought that by definition, political society is self-rule among equals, and self-rule requires face-to-face meeting. Thus, the polis cannot be too large. Citizens share in ruling and rotate through offices. Each citizen must be capable of ruling and being ruled.

- The polis is neither an alliance nor the result of a compact for interests; it is “the partnership for living well,” meaning virtuously or excellently. In Aristotle’s *Ethics*, the ultimate human good is *eudaimonia* (“well-being”), attained when the activities of soul—both intellectual and practical—are performed virtuously. Virtue is excellence. The excellently functioning human has the best life, and this can be achieved only in the good polis, among and with others.
- Aristotle distinguished three types of good government: (1) monarchy (rule by one), (2) aristocracy (rule by the few), and (3) polity (rule by the many). This may seem confusing: Aristotle is offering a political theory that seems to be republican, but he allows government to be a monarchy or an aristocracy.
 - This is the first case of a common issue that we must understand: Where the political power comes from—its source—is separate from, and more fundamental than, the type of government that exists.
 - In a republic, all citizens have political power and can choose their government to be a monarchy, an aristocracy, or a polity. A political system and the government are not the same thing; government is one part of the political system.
- For Aristotle, the vicious alternatives or bad governments are tyranny, oligarchy, and democracy, in which the majority rules for its own interests.
- Plato’s state was too unified; it is a household or a human being. The parts are not free. This is a damning criticism: Plato had not even started to discuss political philosophy. His polis is more like a village, a household, or even a person than a true polis.
- Despite their disagreement, Plato and Aristotle both approach politics in the same way: They are seeking a polis that is both just and embodies the virtues. And they believe that this can come about only if some group of people in the polis are themselves virtuous—the leaders for Plato and the citizens for Aristotle.

Feudal Society

- For about 1,000 years after the fall of Rome, medieval Christian European society was feudal. Feudal polities were decentralized. All power belonged to landowning warrior-aristocrats or nobility. The highest noble, or king, granted *fiefs*, or parcels of land, to his noble vassals in return for their service in time of war. Knights were a lower class of mounted nobility. The land was worked by peasants, and the clergy was in charge of everyone's souls. Small numbers of merchants sold wares in towns.
- There were literally no public lands, roads, or institutions; government was in the private hands of the local lord. All people were bound to each other by complex religious-legal obligations, but they were legally unequal.
- The medieval “king” was merely the first or most powerful of the aristocrats, who preserved order among them. In some countries, the nobles met in councils, but no one had absolute power; all had traditional duties to one another.
- Culturally, society was highly unified by Roman Catholicism, but the medieval world had inherited three somewhat conflicting sets of values: the Christian virtues of benevolence, equality, and guilt; the quite different “classical” (Greco-Roman) aristocratic virtues of pride, honor, and shame; and central/northern European tribal structures.
- In the Middle Ages, the dominant political theorists were Saint Augustine at the beginning and Saint Thomas Aquinas toward the end.
 - Among the legacies of the medieval philosophical tradition to Western political theory was the idea that the state is independent, but it must be sanctified, that is, approved by the church. The church and state interact—the church can affect politics, and the head of state may have a religious role—but they are not the same institution.

- Medieval philosophy also passed on the *natural law* tradition. Originally from Greek and Roman Stoicism, for medieval Christians, natural law was the application of God's eternal law or will to human nature, distinct from what we know from revelation and from positive human law.
- One other idea from medieval political theory that has had a lasting impact is *just war theory*.
 - There are, essentially, three philosophical positions on the rightness or wrongness of warfare in the Western tradition, conceived along a continuum. At one end is pacifism, which holds that all violence, even defensive war, is immoral. At the other end is realism, which holds that the ethical standards of morality cannot be applied to warfare. In the center is the idea of *just war*, first formulated by Saint Augustine and put in its canonical form by Saint Thomas Aquinas.
 - The just war view is simple: Some wars and acts of war are just; some are not. The idea grew out of the need to defend existing Christian societies. Just war has a series of rules for *jus*



Just war theory boils down to a simple continuum with three views: pacifism, just war, and realism.

ad bellum (“justice in going to war”) and *jus in bello* (“justice in waging war”).

- Just war theory does not aim to prevent but to limit war. It wants to moralize war, which is why pacifists object to it, and to limit what can be done in war by more than military rules, which is why realists object to it.
- The modern revolution in political theory is part of the long breakdown of the medieval world, brought on by a decline in power of the landed aristocracy, the discovery of a new hemisphere in 1492, the emergence of Protestantism, and the development of Italian cities as centers of commerce and banking. It is in Italy that we will meet Machiavelli, the first modern political thinker.

Suggested Reading

Aquinas, *Summa theologiae*, Part II, question 40, “Of War.”

Aristotle, *Politics*.

Augustine, *City of God*, Book XIX.

Plato, *The Republic of Plato*.

Questions to Consider

1. What are the differences between Plato’s and Aristotle’s notions of a political community?
2. What does modern republicanism take from ancient thought, and what does it take from the medieval?

Machiavelli's New Order

Lecture 3

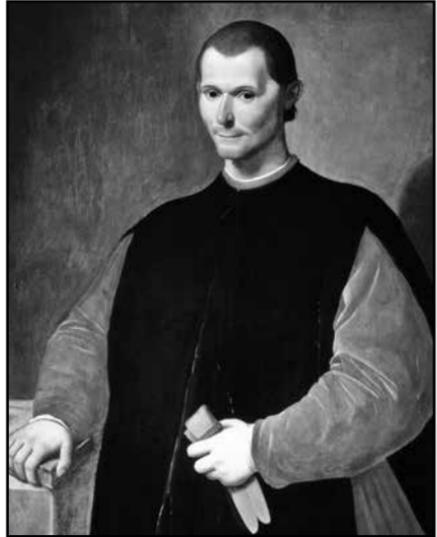
The Florentine philosopher and statesman Niccolò Machiavelli broke with the classical virtue politics of Plato, Aristotle, Rome, and medieval Christianity. Although he is most famous for his amoral *The Prince*, Machiavelli also wrote the *Discourses*, which supported republicanism. Machiavelli was a political realist, but he admired civic republicanism. His lasting contribution, though, was to turn political theory from a description of the ideal polity to the functioning of actual states and to raise the question of whether political leadership can be moral at all.

The Prince

- Niccolò Machiavelli (1469–1527) is arguably the first modern political philosopher and political scientist. He lived in the competitive commercial city-states of Catholic Italy. He was a Florentine, from a prominent family, and he received what was then called a humanist education, focusing more on the classics than Scholasticism.
 - Machiavelli held many posts in a time of convulsive politics, when the pope was an explicitly political figure, the Italian city-states were jostling for power, and Italy faced invasions by France, Spain, and the Holy Roman Empire.
 - When the Florentine republic was overthrown by the Medici family in 1512, Machiavelli was imprisoned and tortured, then exiled, at which point, he wrote his two most famous works, *The Prince* and the *Discourses*.
- *The Prince* was published in 1532 after Machiavelli's death. In it, he explicitly states that he is providing advice to princes for dealing with reality, not for forming an ideal state. This was already a break from ancient and medieval political theory, the aim of which was to describe the virtues of a just society and its ruler. In *The Prince*,

Machiavelli studies famous historical cases and draws conclusions about what tactics are most effective.

- The main concern of a prince is to gain and remain in power. Machiavelli is famous for holding that “the ends justify the means,” which seems to justify power politics without morality. For example, when an unpopular task must be done, Machiavelli suggests appointing a special advisor to make needed changes; if the people hate the changes, the ruler can claim ignorance of the advisor’s activities and execute him.



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- Machiavelli emphasizes the importance of *virtù*, meaning “excellence,” not necessarily moral virtue. He also recognizes that different circumstances demand different actions, and all depend on luck, or *fortuna*. Princes strive for glory above all, but whether they achieve it is half dependent on their virtue or ability and half on *fortuna*.

Machiavelli invented a new, realistic way of looking at political theory, which shaped all later thought, but he also raised questions about the inherent immorality of politics.

- Clearly, this is political realism, which holds that warfare is a reality in the relations among political communities and leaders to which the ethical standards of civic morality cannot be applied. Realism is at least as old as the “Melian Dialogue,” which takes

place in chapter 17 of the Greek historian Thucydides's *History of the Peloponnesian War*.

- Thucydides describes a meeting between the leaders of Melos and the Athenian generals who were threatening the Melians with a superior force. The Athenian leaders demand surrender, based solely on the fact that they are stronger than the Melians. The Melians refuse to surrender but are defeated after a siege, and the Athenians inhabit Melos with their own colonists.
- Much later, in the early modern period, the Athenian's attitude would be called *raison d'état* ("reasons of state"), meaning that the national interest and state behavior cannot be subjected to normal or civil moral standards.
- *The Prince* is undeniably the most famous classic of political realism and represents one of the first applications of international realism to domestic affairs, that is, to ruling a state. Leaders had, of course, acted in this way in the past, but philosophers had not advocated and justified it. Machiavelli explicitly states that he is talking about real, not ideal, politics, about what must be done in the real world. Stable rule, not justice, is what matters. He calls this his "new order" of political thought.

Discourses on Livy

- Machiavelli's other famous book was his *Discourses on the First Ten Books of Titus Livy* (1531), that is, the Roman historian Livy's famous account of the history of republican Rome. *The Prince* can rightly be regarded as one part of a larger perspective that is given in the *Discourses*.
- Governments are either hereditary principalities or republics. Which a society ought to be depends on its circumstances. All of Aristotle's types of government are brief and changeable, and all are subject to fortune. All states endure "improvement or decline," Machiavelli says, not stasis. Principalities are right for some societies in some periods of time but not for others. Republics are right for other societies and times.

- Machiavelli believes in “either/or”—that there are strict types of regimes and circumstances. Laws, social conditions, and government policies must cohere to one type or another; the virtues of divergent types of political authority cannot be combined. The middle course is always bad. The ruler must be either perfectly good or “magnificently bad.”

Machiavelli’s Republican Model

- Machiavelli’s model of a republic is clear: Rome. Early in its history, from 509 B.C.E. to around 27 B.C.E., Rome was a republic, with a host of special political institutions that spread power, before the Senate eventually lost power to the emperor. This matters for us because in law and politics, republican Rome would later be regarded as a model republic by nearly all early modern philosophers.
- Roman law distinguished *ius privatum* from *ius publicam*, or what we call civil law from criminal law. Criminal law concerns offenses against the state, while civil law concerns private offenses or complaints among citizens. *Civil* also distinguished associations of citizens from the military, the government, and eventually, ecclesiastical institutions. This is the background for what in the 18th century would be called civil society.
- Machiavelli thought that the Roman Republic was indeed great. Its multiple institutions allowed it to balance power; it managed to encourage virtue and public spiritedness in its leaders; and it maintained its military vitality for a long time. But like all things, eventually, Rome declined.
- Here, Machiavelli joins the modern civic republican tradition, which believed that citizens (free male property owners) should govern themselves, as in Aristotle, and that they could do so only if they all retained the virtues of republicanism, honor, and a willingness to fight.

- This is the old notion of the warrior-aristocrat, which was familiar from feudalism and from Aristotle. And Machiavelli was aware, as other historians were, that such martial virtue can be periodically lost.
- This is similar to the view of the medieval Arab sociologist Ibn Khaldun (1332–1406). A century earlier, in his *Muqaddimah* or *Prolegomena*, he gave an account of Arab and North African society. He argued that tribal, martial, and evangelical social solidarity thrives in nomadic tribes but decays after conquest of a city because commercial city life is individualistically competitive and inimical to martial virtue.
- This is part of the civic republican tradition; a republic is an association of political, active citizens, who both own property and are capable of self-defense. Property ownership and defense are linked because property owners have land to defend and have the money to buy weapons and armor, which commercial interests are apt to undermine.
- Machiavelli also openly criticizes the effect of Christianity. The Church of Rome had harmed Italy. Christianity had reduced “vigor” and martial virtue.

Conclusions about Republics

- In the *Discourses*, Machiavelli takes a broader view that puts *The Prince* into perspective. Because the world is not mostly good, human nature is both good and bad; history does not progress; and the political cannot be determined by ideal virtue.
- Republics are fragile, but when they are possible, they are morally superior to principalities. Machiavelli agrees with Livy that the masses are fickle and prone to unlawful behavior, but he takes a more modern view, noting, “anyone who does not regulate his conduct by laws will make the same mistakes as the masses are guilty of.”

- What the populace is good at is not so much knowing the right policy to take but listening to arguments for opposing policies and picking the more trustworthy argument. Thus, “government by the populace is better than government by princes,” but it usually takes a prince to establish or reform a republic; that, the people cannot do.
- Based on the *Discourses*, it seems that Machiavelli does not throw out political ideals exactly; he merges the ideal into the real and asks about the real costs and effects of acting according to ideals. In politics, what matters is the kind of state that is created and maintained. It must be secure and orderly; it ought to be just and virtuous. But whatever must be done to create such a state is legitimate.
- Still, the world being what it is, all will decline. The great danger for both princes and republics is not the commoners but the jockeying of ambitious, rich, and powerful men.

Machiavelli’s Legacy

- Perhaps Machiavelli’s primary legacy for us is his realism: We do not assume the rightness of civic moral norms in the political realm. He also raises the problem of “dirty hands”: Is politics such that one inevitably acts immorally? The realist answers yes, which means that morality ought not to be applied.
- Many people believe that Machiavelli is amoral, but his view is more complicated than that. To say that the ends justify the means is not necessarily amoral or immoral.
 - If, for example, you are a moral consequentialist—if you think an act is good when its good results outweigh its bad results—then the end can indeed justify the means. The most famous kind of consequentialism is utilitarianism, according to which morally right acts are those that provide the greatest benefit to the greatest number.
 - Is Machiavelli a moral consequentialist or even a utilitarian? The answer is: not quite. He says that in politics, one cannot

simply follow civic duty but must do what will lead to the best outcome. But he also takes the ultimate end—what counts as the best outcome—to be something like stable rule with, if possible, glory.

- The goal is a practical political goal, which transcends the kinds of virtues the ancient philosophers and the Scholastics were concerned with. But the danger of loss of rule, conquest, or disorder trumps everything and justifies anything.
- Machiavelli is the beginning of the eclipse of the ancient and medieval tradition that only moral virtue can form a good or just polity. From Plato through the medievals, the idea that a just society could be constructed without virtuous citizens or virtuous rulers would be insane. But Machiavelli finds that political society often has to get along without moral virtue and find a way to be just and stable without it.

Suggested Reading

Machiavelli, *Discourses on the First Ten Books of Titus Livy*.

———, *The Prince*.

Pocock, *The Machiavellian Moment*.

Strauss, *Thoughts on Machiavelli*.

Questions to Consider

1. How can Machiavelli be a republican and, at the same time, write *The Prince*?
2. Can the politically right and best decision be immoral? Or, if it is immoral, is it by definition not the right and best decision?

Hobbes, Natural Law, the Social Contract

Lecture 4

English Philosopher Thomas Hobbes was a member of the 17th-century scientific revolution and the first to attempt a modern theory of society. Hobbes based his view on moral relativism and a pessimistic state of nature—a war of all against all. He formulated the concept of political authority as based on a social contract among rational, self-interested individuals for the sake of personal security. There are almost no limits on state power because fear of one almost-all-powerful sovereign is better than fear of all one's neighbors. In this lecture, we will explore this first version of the social contract theory.

The Post-Feudal State

- The modern, centralized, post-feudal state was conceived in the 16th century. That means a single central political authority with, as Max Weber would later define it, a monopoly on the use of force over a large region.
- From 1517 to 1648, central and western Europe experienced continual religious warfare. To end this warfare, new political thinkers sought to support the state on nonsectarian grounds. Many of them specifically needed to establish a Protestant foundation for politics and looked back to the only non-Catholic, non-medieval model they had: the ancients, above all, the Roman Republic.
- Desperate to surpass the economic power of the Dutch while struggling with religious change, England had two revolutionary periods in the 17th century.
 - After Elizabeth's death in 1603, James I ascended to the throne, himself a believer in absolute monarchy. His son Charles I succeeded him in 1625. Conflicts with Parliament and between Presbyterians and Puritans led to a series of civil wars, sometimes called the Great Rebellion (1642–1651). Charles I was beheaded; Charles II escaped England; and the

Puritan Oliver Cromwell ruled as Lord Protector of the Puritan republic in 1649. He dissolved Parliament in 1653.

- After Cromwell's death, Charles II returned to the throne in 1660. The Puritan Revolution left a bad aftertaste; it seemed to convince the English that religious zealotry should be allowed to mix into politics.
- The second revolutionary period, the Glorious Revolution, would come in 1688.

Thomas Hobbes and *Leviathan*

- Like other Protestant thinkers, Thomas Hobbes (1588–1679) adapted Aquinas's notion of natural law to Protestantism. Natural law, given by God but discoverable by reason, lies in between God's laws revealed in revelation and the church and the positive laws made by humans.
 - But Protestantism insisted on the practical and institutional discontinuity of God, who can be contacted only internally, through faith, not through a worldly institution (the church). That leaves us to ground our politics not on revelation or church authority but solely on the natural law that God has left us.
 - Hobbes sought to use natural law to justify a strong centralized government, one immune to civil war, with virtually no religious references at all.
 - Hobbes's *Leviathan* (1651) is the first attempt at an account of society that could be compared to the new sciences of nature. It presents the first version of the social contract theory, which we will also see in Locke and Rousseau.
- *Leviathan* begins with materialism. Hobbes tries to do for the social sciences what Galileo and, later, Newton would do for the natural sciences. All worldly reality, including human beings, is matter in motion.

- Thus, Hobbes is a particular kind of materialist: a mechanist. The human being is a machine, as are all living things.
- The difference between humans and animals is that humans are rational machines. We are capable of making rational decisions related to our passions, which are the sole source of our actions.
- For Hobbes, the justification of society must be rooted in human nature, independent of any form of social life, history, or tradition. His method will be the *social contract*, one of the most powerful of modern political ideas. The basic idea of this theory is as follows: That regime is just that would be chosen by rational, self-interested individuals in a pre-social state of equality, a state in which they are governed only by natural, not any human, power.
- To work this out, Hobbes produced the four parts of all subsequent social contract theories: (1) a description of the state of nature; (2) the formation of a social contract among individuals to leave the state of nature, where each gives up some right or liberty previously held; (3) the political community formed by the contract; and (4) the selection of a government to rule the political community. Again, the source of political authority is the community, but the agent who wields the authority is the government.

The State of Nature

- Hobbes argued that all “voluntary” (as opposed to “involuntary” or “automatic”) human action is motivated by passions, divided into appetites and aversions. We are pulled and pushed by passions. We are also rational, but reason is a means for adjudicating passions and achieving their ends. All action is due to passion. This is a non-classical, non-medieval view.



Hobbes delineated the four parts of all later social contract theories: the state of nature, the contract, the political community, and the government.

- The natural primitive condition of humankind—meaning pre-governmental and pre-social—Hobbes famously described as follows: Because people are of roughly equal powers and want the same things in a nature where such things are scarce, all must compete over the same ends and must constantly seek possession and any power that might be needed in the future competition.
 - In this condition, nothing can be unjust; force equals validity: All have the right to whatever they judge necessary, including the lives of others. As a result, the state of nature is a horrible place—a war of all against all.
 - In this state, there can be no progress because the overriding concern of each person is merely to live through the night.
- For entirely rational, self-interested reasons, individuals will come to the conclusion that if they can leave this condition, they ought to.
 - Hobbes says that there is a natural right and a natural law or obligation. The natural *jus* (“right”) is: Each is free to preserve himself or herself. The natural *lex* (“law”) is: One has an obligation not to destroy oneself. That’s why each person has a right to anything he or she judges necessary to those ends.
 - But also as rational creatures we derive from these a general rule of reason that contains both: Seek peace as far as it can be hoped, and if peace fails, defend yourself by any advantages of war.
- There is also a second natural law, discoverable by reason, and this is the social contract: “that a man be willing, when others are so too, as farforth as for peace and defense of himself he shall think it necessary, to lay down this right to all things, and be contented with so much liberty against other men, as he would allow other men against himself.”

A Sovereign Power

- But covenants have no validity without a common power to enforce them. For Hobbes, all power must be conferred on the sovereign or

government; this is derived directly from what the citizens give up in the social contract, their “right to everything.”

- The community and, subsequently, the government can be given only those powers that the members have given up in the contract. We each give up our right to everything to the sovereign, not the community. Without a sovereign, there is no legal political community at all; the existence of government makes things right and wrong. Now, the standard of good and evil is relative to what the sovereign decides, not the passions of individual citizens.
- The sovereign can take any of three forms: monarchy, aristocracy, or democracy. Hobbes clearly prefers a monarch, because the smaller the number of people with power, the greater the power and freedom of action of the government. The conferring of power reduces all wills to one will.
- The sovereign’s power can arise by election or by conquest. How much power does the sovereign have? Notice that there is no covenant between the sovereign and the people. The sovereign cannot be bound by the law because he is the legitimation of the law.
 - The sovereign cannot unjustly injure a subject; whatever the sovereign does is just. In fact, there is no greater crime than to presume to judge the sovereign.
 - Property rights are not absolute. But remember, in the 17th century, a sovereign would have neither the means to, nor interest in, taking vast tracts of property.
 - Sovereign power cannot be divided. Division weakens power.
 - Only the sovereign can appoint a successor. Conflicts over succession are perhaps the most potent forces for disorder.
 - Freedoms in this state are whatever the sovereign does not prohibit.

- The sovereign must, however, act by laws applied equally to all and must protect all, except those who violate the law.
- The sovereign may kill a citizen but may not force citizens to kill themselves; that would violate the law of nature against self-harm.
- This is all obligatory unless the sovereign divides his own power and, thus, becomes unable to protect his subjects. This is the dissolution of the state and a return to the state of nature. Without a sovereign, the political community ceases to exist.

Summarizing Hobbes

- Hobbes seems draconian to us, but his justification is clear: civil war. For Hobbes, all life is fear. The question is: Who do you want to fear, the one sovereign power, who acts predictably by law, or all of your neighbors? The sovereign alone, with maximum power, without checks and balances, can stop the development of factions and ambitious men that would throw us into civil war.
- There is no “right” to revolt in Hobbes, but if a revolt were to succeed and establish a new sovereign power that prevented further revolt, then it would be the legitimate sovereign. The former sovereign was illegitimate because he was weak. The fact of power makes itself normatively legitimate.
- Where does Hobbes fit into our later political notions? Hobbes justifies the essence of political sovereignty: There must be rule of law, hence, a sovereign power. In some ways, this is the most basic justification of modern political community and one chosen by all the citizens, hence, a republic.
- Most important in Hobbes, we see the clearest example of a design for a just political society that is based not on the virtue of citizens or rulers but on the self-interest of the citizens and a structure to express and limit that. Justice comes from the structure that selfish citizens freely impose on themselves. We have completely left

behind classical and medieval notions of virtue. This doesn't mean politics is amoral but that certain kinds of virtues have been left behind, regarded as unnecessary or politically dangerous. Justice is the structure in which rational animals rightly cage themselves.

Suggested Reading

Hobbes, *Leviathan*.

Oakeshott, *Hobbes and Civil Association*.

Questions to Consider

1. To what extent and in what way is Hobbes the father of modern liberal republican societies, despite his all-powerful sovereign?
2. What does it mean to ground all political values on what is "natural"?

Locke on Limited Government and Toleration

Lecture 5

John Locke wrote two works central to the development of modern political thought: *Two Treatises of Government* and *A Letter Concerning Toleration*. His work justified the Glorious Revolution of 1688. He formulates a more “liberal” notion of the state of nature and the social contract, what might be called civic republicanism reinterpreted in terms of property. Locke conceives property in terms of “labor.” With his concepts of natural law, “fiduciary” government, and revolution, government is made a servant of the political community. Locke’s *Letter Concerning Toleration* argues for a novel (but limited) separation of religion and political authority. He was one of the brightest lights of the “political century,” the period from 1688 to 1789 that spawned modern republicanism.

The Glorious Revolution

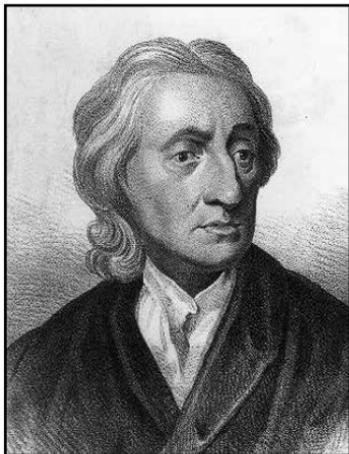
- The late 16th and 17th centuries saw the rise of absolute monarchy in Europe. As the aristocracy declined, the middle class developed and benefited from the royals’ power to embody the new sovereign state against the local power of feudal lords. Kings started making inroads into the power of the estates, and new theories emerged to justify this new power, including Robert Filmer’s (1588–1653) theory of the “divine right of kings.”
- In England, Charles II made overtures to Catholics and to the French. His younger brother James converted to Catholicism, raising the possibility of a Catholic king. New political parties emerged: The Tories supported James and Charles, but the Whigs wanted James excluded from possible ascension. When James took the throne in 1685, the result was a tense situation in predominantly Protestant England and Scotland.
- When James’s queen bore him a child and baptized him, the Tories joined the Whigs. In 1688, in the almost bloodless Glorious Revolution, Parliament invited a foreign royal, Protestant William

of Orange of the Netherlands, to invade and take the throne. William accepted the supremacy of Parliament. The revolution showed that in England at least, Parliament, not the monarch, was supreme.

- John Locke (1632–1704) was perhaps the greatest English philosopher of the 17th century. As we will see, Locke’s *Two Treatises* sought to defeat Filmer’s divine right of kings and, in effect, defended the Glorious Revolution, but scholarship has shown that these works were written long before the revolution.

Second Treatise on Government

- The first section of the *Second Treatise on Government* gives us the main point of the entire book. Locke denies any notion of political rulers as father, husband, Lord, or religious leader. The political domain, which is the relation of “magistrate”—the general name for any official—to citizen is unique and unlike all others.
- Locke uses a contract theory, like Hobbes, but argues that the rational self-interest of signatories to the contract will lead them to give only limited powers to government and to justify revolution. Locke is the classic modern theorist of limited government.
- Locke’s state of nature is fundamentally different from what Hobbes describes. First, like Hobbes, he accepts that all are free and equal in nature. But he regards this state also as one of peaceful independence. Most people in nature will quietly pursue their own self-interest.



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Locke’s *Second Treatise on Government* and *Letter on Toleration* established the heart of the Anglo-American version of modern republicanism.

- Locke claims that there is a moral law of nature: “No one ought to harm another in his life, liberty, or possessions.”
 - Any rational person can know, by rational intuition, that this law is valid and obligatory for all humans. Like any law, it has a legislator: God. The law binds each person to preserve the self and as “much as he can,” the rest of mankind.
 - Thus, in the state of nature, when someone violates the law, anyone is obliged to enforce it by punishing the violator, and the victimized party is due reparation for the injury.
 - This also means that there is lawful private property in the state of nature. Private property justly exists whenever someone removes property from the collective granted to mankind by God through “mixing” his own labor with it to use or enjoy.
- In the state of nature, individuals and families generally pursue an agrarian lifestyle without interference. But now and then, someone violates natural law, “seek[ing] absolute power over another.” When that happens, a state of war exists. Thus, Locke admits that the state of nature is insecure. Further, there will be inevitable injustice in one part of executing the law of nature, namely, that individuals must serve as judges in their own cases for reparations, which is unjust.

Locke’s Social Contract

- To remedy this injustice and insecurity, all rational individuals out of self-interest choose to join in a social contract. All rationally choose to give up the right to execute the law of nature (and judgment on reparations) to the community. The community operates through majority rule to execute the law of nature.
- Locke thinks this contract solves the problem of how civil society can be as free or desirable as the state of nature. Although people give up a right when they leave the state of nature, they participate in making the law that they obey; thus, people obey themselves and have a freedom equivalent to what they enjoyed before.

- For Locke, the goal and purpose of this commonwealth is the preservation of property, including individual life, liberty, and estates. But he also writes, “all this to be directed to no other end, but the peace, safety and publick good of the people.” Locke must believe that preservation of property and the public good are one and the same. This explains why Locke is thought of as a proto-capitalist and enemy by some socialists.

Government under the Social Contract

- The community can choose monarchy, oligarchy, or democracy to perform the functions of government, which are: legislative (supreme power), executive, and federative (foreign relations). Communities may also have a “mixed government.”
- The most important idea for our purposes is Locke’s description of the supreme power of government (the legislative). The key here is that the legislative power is “only a Fiduciary power to act for certain ends.” In other words, the supreme power is a kind of trustee, and if it performs badly, it can be removed. This is Locke’s account of the right to revolt.
- Notice that all political power is limited, both the community’s and the government’s. The source and limits on community and governmental power are as follows: (1) The government and community have only those powers given up in the contract; (2) government must use those powers for the common good or protection of property; (3) the community and government must always obey natural law; and (4) the government has a series of legal, technical restrictions; for example, it can act only through public standing laws.
- There is no account of individual rights and liberties per se in Locke’s treatise, but their justification is clear in the law of nature: Neither community nor government can harm individuals in their lives, liberty, or possessions without their consent. There is, however, the prerogative of executive power, even to violate law for the public good over a limited time.

- Failing to wield power according to its proper role, “the government dissolves itself,” and power reverts to the community. The community can exist temporarily without a government.

Letter Concerning Toleration

- Locke’s *Letter Concerning Toleration* is a set of arguments for the separation of civil law and authority from sectarian religious ends. Locke claims that civil authority is solely concerned with life, liberty, and property, whereas religion is concerned with truth and salvation of the soul. This is a crucial distinction. It implies that the political order is not concerned with the inculcation of all human virtues.
- Locke further argues that sincere belief is internal and cannot be judged; thus, there is no fair and accurate way to enforce religious edicts. In addition, church membership is voluntary; unlike in civil society, no is born a member.
- The truth as to which church is correct is “irresolvable.” In civil life, we use reason, as opposed to faith, and reason cannot determine which church is correct.
- Hence, says Locke, there is “no such thing as a Christian commonwealth.” By definition, a commonwealth is nonsectarian and not a religious entity. All the members could hold one religion, and still the commonwealth that is their political relations would not be characterized by their religion.
- Still, we must recognize that Locke’s toleration had definite limits, acknowledging some beliefs and practices that may be prohibited.

Locke and Later Political Traditions

- Locke’s views are central to modern Anglo-American liberal republicanism.
 - Natural law means that there are limits on community and government powers. All power has limits that are built into the moral structure of human existence by God.

- Protection of individual liberty is roughly the same thing as the community good. Locke feared government power as the greatest threat to individual liberty and property. The basis for individual liberties is that government has no power to take away our liberty or property, except with our consent.
- Locke has an optimistic and benign view of human beings. This is the core of modern republicanism, even when liberal, as opposed to civic: The people's rationality is trusted to determine that the elites who rule them are or are not legitimate, are or are not following the natural law, have or have not violated their office. Revolution is morally legitimate.
- Locke is, however, anathema to civic republicans, progressives, and socialists.
 - Political activity is not natural for Locke; it is necessary only to preserve natural rights. Locke is more liberal than civic republicans, perhaps best called a proto-liberal.
 - As J. G. A. Pocock argues, Locke was part of a change in England and other Western countries by which some of the features of republicanism were being transferred from aristocratic-military citizens to the middle classes. The martial concern with honor in traditional republicanism was being replaced by the propertied sense of responsibility. The result, by the time we get to the late 18th and early 19th centuries, would be liberal rather than civic republicanism.
 - Locke's emphasis on the protection of private property has made him the target of Marxists, socialists, and social democrats or progressives. That is, he makes it appear that the interest of the community can never trump private property, although there are some limits to this.
 - Finally, property is justified by one's use and enjoyment of it. Locke does not go into detail, but this implies there is no entitlement to waste property, which meant of course, waste

land. Here, Locke is on the side of the new commercial bourgeoisie and against the old landed nobility.

- Among the contract theorists, Locke is clearly the most proto-liberal and the most relevant to what became liberal republicanism, especially in English-speaking countries. The core of liberalism in the late 18th and 19th centuries became limitation of political and governmental power.

Suggested Reading

Locke, *A Letter Concerning Toleration*.

———, *Second Treatise of Government*.

Questions to Consider

1. In the social contract, who gives up what power to whom and for what reason?
2. What are the several sources of limitations on the political power of the community and the government in Locke?

Rousseau's Republican Community

Lecture 6

The Enlightenment was an explosion of learning and changed cultural attitudes. Its greatest dissenter was Jean-Jacques Rousseau, who argued that progress in the arts, sciences, and economy yields no progress in morality or happiness. He famously had a positive, perhaps Romantic, view of the natural or precivilized condition of humankind. Rousseau presents yet another social contract, different from Hobbes and Locke. He justifies radical direct democracy but, at the same time, cultural uniformity. Rousseau's is the canonical egalitarian and communitarian version of republicanism. Paradoxically, his work encouraged the greatest political change of the late century: the French Revolution.

Rousseau's *Discourses*

- Jean-Jacques Rousseau (1712–1778) was a strange and troubled fellow, uncomfortable in modern, urban, educated, commercial society. The essay that first brought him attention was his *Discourse on the Sciences and Arts* (1750), in which he argued that progress in the arts and sciences does not lead to progress in morals. This was his first salvo against the Enlightenment: Modernity gives us more things and knowledge but doesn't make us better or happier.
- His next essay, *Discourse on the Origin of Inequality among Men* (1755), made Rousseau infamous. In it, he argued for the superiority of primitive man and the state of nature.
 - His main point was that primitives were more independent, self-sufficient, and equal, hence, morally and politically better off.
 - In modern society, people had become mutually dependent, and all competed and compared themselves to others, losing their independence and developing vices.

- Rousseau was perhaps being Romantic and exaggerating, but he was right in some of his arguments, particularly the idea that progress means greater dependence.
- Rousseau explicitly charged Hobbes with the mistake of reading the ills of civilization into the state of nature. Only in civilization, where people become acquisitive and have a money economy, do humans strive for more than their neighbors. In the primitive existence, there are no neighbors and no competition. Hobbes's "war of all against all" is not the natural state but what civilization does to man.
- The great evils for Rousseau are private property and inequality. And desire for property, hence, inequality, is motivated less by material needs than by a kind of self-love.
 - Rousseau described two kinds of self-love: *amour de soi*, or love of self and desire to preserve the self, and *amour propre*, love of self as it is seen by others, leading to envy and inequality. The artificial desire to have more than others to enhance *amour propre* flourishes in modernity.
 - The nature of man is good, but social institutions of civilization make him unfree and unequal and, hence, evil.
- Despite all this, Rousseau did not, in fact, call for abandoning modern political society. His problem was to find a way to structure modern civil society so that we might recapture the independence and equality of primitive society but in a modern form.

Rousseau's Social Contract

- *The Social Contract* (1762) was Rousseau's main work of political theory. In it, he describes the state of nature as one of freedom and equality, where none has authority over others. There is, however, no natural moral law.
 - Rousseau insists that the first moral or political norm must be a convention, an act of agreement. Human nature is benign, but

the state of nature is insecure. People want to establish society out of self-interest.

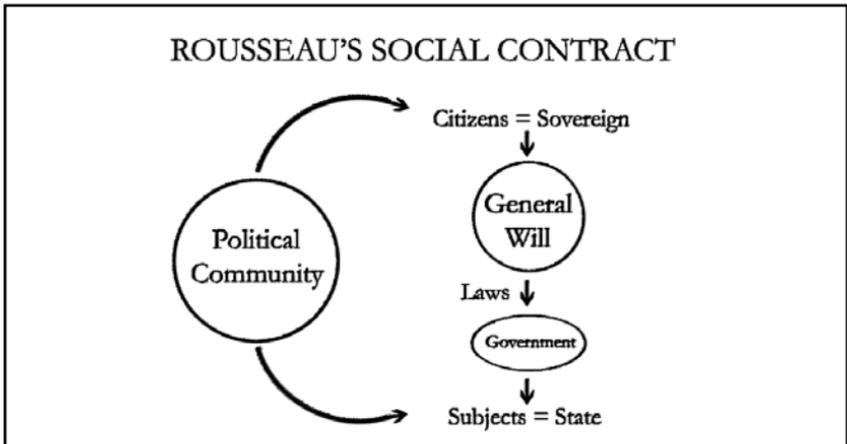
- Forming society means giving up some freedom because to be a social member, there must be laws and government to obey. The chief philosophical problem for Rousseau is: How can humans create society yet remain as free as before?
- Rousseau believes he has the answer: by each person giving up all rights to the community of equals of which they are members. Because each gives up everything to no one—no special group—no individual gets power over others, and all remain as free as before.
- This contract has several key features. First, it establishes a “common *moi*,” a “common me” or “self.” This communal self has a *volonté générale*, a “general will,” perhaps Rousseau’s most famous political concept.
 - The general will is, by definition, aimed at what is best for the community as a whole. It is distinct from the factual “will of all,” or the amalgamation of all private, self-interested wills. That means an actual vote of all members—the will of all—might not coincide with the general will, although it ought to.
 - The will of each citizen is divided into the private, corporate, and general. When society is virtuous, the will of all correctly coincides with the general will. The general should have priority over the corporate and the private. In fact, Rousseau regards voting as predicting what is in the general interest. If the community is virtuous, then those in the minority were mistaken.
 - The danger is inequality and faction. Every citizen should act independently, which will yield the general will.

Rousseau’s Government

- Rousseau rejects representative legislation, or “indirect democracy.” If we vote for representatives to make our laws, we are slaves at all times except during that vote. Laws are the utterances of the

general will, formed in direct democracy, where all citizens vote on the laws. This is pure republicanism: The people come together to make their own laws.

- The political community is the source of all power. On the one hand, the members make the law, which means that the people are sovereign. It is as sovereign that they produce the general will that decides on laws. On the other hand, the people must obey the laws they pass. In that sense, they are simultaneously subjects. The government, the power of executing the laws, is an intermediary between the people as sovereign and the people as subjects. It is a “commissioned minister” serving that function.
- It is crucial to remember that *government* for Rousseau is solely executive and judiciary; it executes the law made directly by the people. It can come in the same three classical forms we have seen before—democracy, aristocracy, or monarchy—or can be mixed. Rousseau also advocates a tribuneship to mediate among the government, the laws, and the people—something like the Supreme Court.



In Rousseau's scheme of government, the people are both active and passive, both sovereign and subject; the government is the intermediary between the two.

- Inevitably, government contracts over time to concentrate its power and eventually usurps the power of the people. This justifies revolution, which returns executive power to the people until they establish another government.
- The Rousseauian model of direct democracy is the purest form of popular sovereignty. It places no liberal, constitutional limits on the power of the majority to pursue its interests and makes no individual rights guarantees or restrictions on community power. It allows no indirect representation, whereby elected legislators are supposed to temper the interests of their constituents with other concerns. And government, as purely executive, is meant to put those interests into practice.
- Rousseau is also concerned with the virtue and culture of society, not just the political and government structures. Only virtue and the right culture can encourage citizens to prioritize the general will over the corporate and private wills. He proposed additional governmental institutions and a civic religion to reinforce independence and virtue and keep the will of all as close as possible to the general will.

The Nature of Freedom in Rousseau

- In Book I, chapter 7, of *The Social Contract*, Rousseau famously remarks that those who try to disobey the general will must be “forced to be free.” In other words, he seems to say that obedience is freedom.
- As Benjamin Constant would point out a generation later, there are two prominent notions of freedom in the modern West: that liberty is the absence of coercion or that liberty is self-determination. In the 20th century, Isaiah Berlin would later call these notions “freedom from” and “freedom to.”
- Those who accept self-determination as the definition of freedom typically distinguish the true or higher self from the false or lower self. Liberty occurs only when the higher, true self determines one’s

acts, not when the lower self is in charge. Freedom is not just the absence of coercion; it is when the higher self acts, rather than the petty, vicious, or immoral desires.

- Rousseau not only accepted liberty as self-determination, but he then identified a person's true self with the community. True freedom, he reasoned, was determination of one's acts by one's true or highest self, and that self is the part of the citizen that is identified with the good of the community.
- This leads to a startling conclusion: True freedom is obedience to the general will. When people violate the general will, it is legitimate to coerce them into obeying it. Further, when the community brings these people back into line, it is not coercing them but making them free because freedom is obedience to the general will.

Summing Up Rousseau

- Rousseau is the most interesting of the social contract theorists because he is, in a sense, the most ambiguous and most troubling.
- He is closest to the civic republican tradition, which he democratized to average citizens. The group rules, and the people are to be actively engaged in self-rule. He is, to use a 20th-century term, the most communitarian, insisting on the individual's loyalty to the communal will.
- Rousseau embodies the egalitarian streak in modern liberal republicanism, the insistence that to be free means not to be dependent on another or subordinate to another; this requires what we will call factual or outcome equality. Extremes of income are not politically neutral; they mean that some are dominated by others.
- Thus, Rousseau is the purest democrat among the classical founders of the republican tradition. Democracy is direct self-rule. There is no block or limit on the power of the majority to make law. Among the American Founders, he is the closest to Jefferson, who thought there should be a revolution and new constitution every generation.

- Rousseau is also a major source of socialism, particularly anarchist socialism, valuing equality over individual liberty. The greatest threat to the justice of society for Rousseau is selfishness, *amour propre*, the urge of one citizen to have more and think better of himself or herself than others. Socioeconomic inequality is incompatible with political equality.
- After influencing the authors of the French Revolution, Rousseau was heavily read by the German Enlightenment, from Kant on, and his notion was woven into German thought. The perhaps difficult point is this: The Anglo-American notion of freedom tends to be the negative notion of absence of obstacle; it is the morally more profound notion of freedom as self-determination that has led to political unfreedom—not that it has to, but it can.

Suggested Reading

Berlin, “Two Concepts of Liberty.”

Rousseau, *The First and Second Discourses*.

———, *On the Social Contract*.

Questions to Consider

1. How can one be “forced to be free,” and what conception of freedom does that imply?
2. What side is Rousseau on in the conflict between liberalism and civic republicanism?

Kant's Ethics of Duty and Natural Rights

Lecture 7

There are many theories of ethics in Western philosophy, but the two most influential for the last 200 years are deontological ethics and utilitarianism. The most famous version of the former is by the great German philosopher Immanuel Kant. Kant argues for a pure, *a priori* ethics of rational duty. The categorical imperative is his ultimate moral rule. Kant wants his conception of ethics to cohere with freedom as autonomy. In its application to politics, the ethics of duty informs the modern notion of natural rights. In this lecture, we will see Kant's analysis and its political implications.

Kant's *Fundamental Principles*

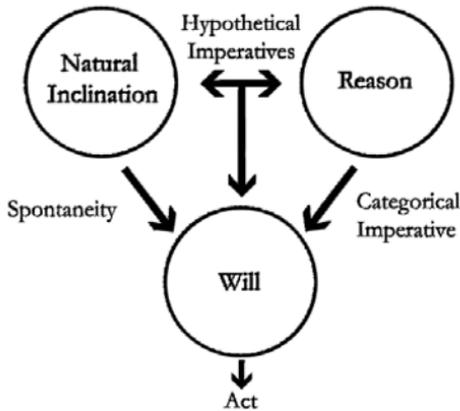
- In the *Fundamental Principles of the Metaphysics of Morals* (1785), Prussian philosopher Immanuel Kant (1724–1804) seeks a single, universal, *a priori* law of moral action dictated by reason alone. *A priori* means that it must be knowable and justifiable by reason independent of experience.
- To be *a priori*, Kant argues, the ultimate moral rule must be a law of action independent of any good or aim. As he writes, “There is no possibility of thinking of anything at all in the world, or even out of it, which can be regarded as good without qualification, except a good will.”
- This abstract statement is full of meaning. No object, goal, or state is intrinsically and universally good—not happiness, love, intelligence, or health. All are compatible with moral wrong. Kant is setting up a major division in moral and political theories between those based in the right and those based in the good or some ultimate good or value that our actions ought to maximize. Morality cannot be based on the goal or good of love, happiness, or anything else.

- Therefore, the morally right must not be understood in terms of what action achieves but in terms of conformity of act to a rule. We must do what is right because it is right, not for any other reason or end. We must act not merely according to duty but from or because of duty. Consequences are morally irrelevant. We can't judge the morality of an action or social policy based on its likely consequences.

Kant's Moral Law

- How can we summarize all our duties in one formulation? The ultimate moral law must be derived from reason alone and must be abstract, capable of application anywhere, anytime. Kant believed that other fundamental moral principles, such as Aristotle's *eudaimonia* or Hume's notion of utility, were not fundamental enough, not sufficiently independent of contingency. He wanted a more general, universal, and fundamental principle.
- Like Aristotle, Kant conceives of humans as the only rational animals, and he understands rationality as the faculty that can subsume particulars under rules. Unlike Aristotle, Kant believes he can derive a moral principle from sheer reason or rationality alone—not from a rule but from the sheer ability to subject behavior to rule. If he can do so, his conclusion would be independent of any empirical or natural conditions.
- Kant thought of action in terms of the interaction of three faculties, resulting in two kinds of “imperatives,” or rules we might give ourselves. Our will is the faculty of choice. It can be guided by inclination or desire, the natural or animal part of us; by reason, the faculty that gives laws to our will; or by some combination of the two. He then distinguishes two kinds of commands or imperatives that reason could give the will.
- In hypothetical imperatives, reason commands the merely conditional necessity of an action intended to achieve an end given by inclination or desire. There are two kinds of hypothetical imperatives.

THREE WAYS TO DETERMINE THE WILL IN KANT



Kant relates three faculties of the human mind—reason, desire, and will—to two kinds of imperatives—hypothetical (deriving from conditional necessity) and categorical (deriving from unconditional necessity).

- If the desire is “problematical,” or merely possible, the rule is a “rule of skill.” For example, if you want more money, you need to get a better job. The necessity of the command here is conditional.
- If the desire is more or less universal, or “assertorical,” or actual (it applies more or less to everyone), the command is a “council of prudence.” For example, Aristotle tells us that if we want to be happy, we should be moderate in our desires.
- In a categorical imperative, however, reason alone commands the unconditional necessity of an action, regardless of desire, purposes, or consequences. The action is just necessary. This means that reason alone is giving the command to the will without any inclination being involved.

- We can understand the two kinds of imperatives better by relating them to three faculties of the human mind. The will can be guided or determined by some combination of two other faculties.
 - When we follow a hypothetical imperative, reason and desire jointly determine the will. Desire gives the will a goal or end, and reason gives the will a rule for proceeding to achieve the goal or end.
 - We can also imagine cases where desire alone determines the will, when we spontaneously leap at something we want without thinking or using reason.
 - Finally, there are cases when reason alone determines the will. Reason has a rule for the will that is not dependent on any goals or ends dictated by desire, an independent, rational rule. In that case, the act would be unconditionally necessary.
 - For Kant, whatever the ultimate moral law is, it must be a categorical imperative—the unconditionally necessary command of reason alone, uninfluenced by desire, inclination, consequences, or hypothetical imperatives.

The Categorical Imperative

- Kant argues there is only one categorical imperative: Act so that you can will the maxim of your act (your decision stated in general terms) to be universal law.
 - Note that the categorical imperative is the abstract product of reason alone, the faculty that dictates and discerns universal rules or laws. If reason alone dictates the moral law, it must be “act according to universal law only,” or “act only according to maxims you can universalize.”
 - In effect, Kant is drawing a moral rule from the very idea of rule-governed behavior—not telling us which rule to follow but, instead, “You must act according to a rule of reason; you figure it out.”

- There is practical human insight in this theory, as well. Kant seems to imply that the essence of moral action is a denial of exceptions; you can act only as you would will all others to. It sounds like the Golden Rule, but Kant would say that the reason the Golden Rule is right is that it is based in the categorical imperative.
- Kant insists that there is only one categorical imperative, but it can be stated in several ways. If you act in conformity with one of these formulations, you are obeying all of them.
 - The second version is: Act so as to treat rational beings as ends in themselves, never solely as means.
 - The third version is: Act only in accord with the idea that every rational will is a universally legislating will. Treat every person, including yourself, with the respect owed to someone who is a universal moral (not political) legislator. Notice how close this is to an endorsement of modern republicanism.

Problems with Kant's View

- There are two problems with Kant's view. The first is that the answer to a moral question depends on how broadly the maxim is formulated. The second is that the categorical imperative completely ignores consequences.
- For example, according to Kant, you can't lie to an SS officer who knocks on your door and asks if you are hiding Jews in your attic. The first version of the categorical imperative always forbids lying. Further, you cannot know with certainty what consequences your answer to the SS officer will have.
- We cannot allow our moral decisions to hang on empirical, uncertain conditions. Is murder wrong? Should a murderer be able to argue that the world will be much better off without the person murdered? That might turn out to be true, but for Kant, it's irrelevant because morality is about duty.

- Some philosophers believe that if something is morally wrong, it's wrong. Morality governs human action in the broadest sense. It makes no sense to say, "It's wrong, but I should do it." When people say such things, they are usually contrasting two different notions of morality, not morality with immorality. They are saying: "I realize I have a Kantian moral duty not to lie, but the consequences of not lying in this case will be so horrible that I have a higher moral duty to lie." That's the conflict between Kant and Mill, and we are almost always stuck with it.

Political Significance of Kantian Ethics

- As we noted, the third version of the categorical imperative is close to republicanism. As in Locke and Rousseau, Kant believes that all are free while they obey if they make or participate in making the laws they obey. And that's what we do when we follow Kant's first version. We have universal moral obligations to all rational beings; we are to be cosmopolitan citizens of a universal "kingdom of ends."
- Further, for Kant, freedom is autonomy, or the rational self giving itself the law, and morality is also the rational self giving itself the law; thus, freedom and morality are the same thing. You are free only when you are acting morally.
- In his essay on universal history, Kant says that the great problem of civil society is the "unsocial sociability" of man, which makes us inherently social but always puts us in competition and conflict, making for progress. Republicanism is the right container for such a creature and his or her freedom.
- Most importantly, republicanism must inevitably become universal. The existence of war between states undermines republicanism and violates the inherent goals nature has for humans. A federation of all republican states will be the guarantor of world peace.
- Kant's greatest influence on political theory comes from the fact that much of political theory, especially starting in the 19th century, has been based on ethics, either his or Mill's. If the fundamental

basis of politics is in ethics and Kant is right, then something like the categorical imperative must be the fundamental rule of politics.

Suggested Reading

Kant, “An Answer to the Question: What Is Enlightenment?”

———, *Critique of Practical Reason*.

———, *Fundamental Principles of the Metaphysics of Morals*.

———, “Idea for a Universal History with a Cosmopolitan Intent.”

———, “Perpetual Peace: A Philosophical Sketch.”

Questions to Consider

1. Why does Kant deny that consequences can play a role in deciding moral claims?
2. How does Kant’s view fit with the notion of “natural rights”?

Smith and the Market Revolution

Lecture 8

Inspired by the commercial success of Holland and England, a number of thinkers argued that a commercial society of self-interested producers is good, despite its flaunting of traditional, classical, and Christian virtues. In his famous description of capitalism, Adam Smith argued that only a free-market economy can bring the utility of “universal opulence,” as well as encourage prudential virtues. Smith presented the “invisible hand” as guiding private self-interest to produce public benefit. While arguing for free trade and government noninterference, Smith diagnosed the social problems of capitalism and justified government action in response. But afterwards, Thomas Malthus made disturbing predictions that food supply puts a permanent limit on progress. In this lecture, we enter the age of economic philosophy.

The Market Economy and Beneficent Order

- At least as long as there have been cities, there have been markets, places where private owners of goods and providers of services conduct trade with those who want their goods and services in a relatively free way.
 - But most economies in history have been dominantly run by tradition, in which labor, production, prices, and consumption are set by traditional practice. Another way of managing economics is by state action and control: The government sets prices and production targets.
 - In a market economy, neither tradition nor the state manages wages, prices, and the selection and production of goods and services. Nothing manages them; they are the outcome of innumerable interactions between producers and consumers.
 - This system emerged over the centuries since the Renaissance, and by the 18th century, it was in full flower in England. It was becoming the modern economy.

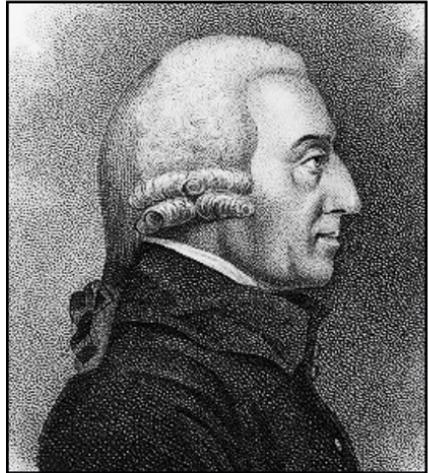
- There is also a philosophical side to this: the idea that beneficent order can be the result of unplanned, free activity. This would make no sense to Plato, Aristotle, or Aquinas. For them, good order requires intelligent design. Even worse than the idea that the free market implies undesigned actions producing good is that self-interest, even greed, is good—what it produces is useful.
- This was argued by several 18th-century thinkers, including Bernard de Mandeville (1670–1733), who published a book entitled *The Fable of the Bees: Or, Private Vices, Publick Benefits*. Mandeville argued that ascetic, religious ideals were harmful for society because holiness encourages people to want less and discourages worldly ambition. In contrast, public benefits, such as new production methods, are generated by private vices, such as ambition, greed, and dishonesty.
- Another supporter was the most famous Enlightenment intellectual of all, François-Marie Arouet, known as Voltaire (1694–1778). In his *Letters Concerning the English Nation*, he argued that commerce encouraged peaceful trading relations between otherwise belligerent cultural and religious enemies.
- The most striking writing on the new commercial society came from writers of the 18th-century Scottish Enlightenment, including Francis Hutcheson (1694–1746), Adam Ferguson (1723–1816), David Hume (1711–1776), and Adam Smith (1723–1790).
 - Like Hume, for Smith, all human morals are rooted in the sentiment of sympathy for others, in particular, our ability to sympathetically place ourselves in the perspective of others. Ultimately, we observe ourselves from the standpoint of an “impartial spectator.”
 - This allowed Smith to account for the difference between what were regarded as two major classes of virtues: the virtues of self-command, such as honor, cherished by the Roman Stoics, and the amiable virtues of Christianity, such as benevolence. For Smith, the former occurs when an agent takes the attitude

of the spectator, and the latter, when the spectator takes the role of the suffering agent.

- In his *Theory of the Moral Sentiments* (1759), Smith first noticed the human love of aesthetic utility, the fitness to purpose of devices, the love of “system.”

He points out that inventors and investors pursue such fitness even if they are deceived about

the actual benefit to themselves. The selfishness and industry of the few is, thus, “led by an invisible hand” to make more widespread benefit. God, or nature, seems to have arranged things in such a way that the industry of selfish individuals often serves a goal they did not anticipate: usefulness to society at large.



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Adam Smith's *The Wealth of Nations* remains one of the most complete analyses of the benefits and dangers of free-market economics.

The Wealth of Nations

- In 1776, Smith published *An Inquiry into the Nature and Causes of the Wealth of Nations*. Here, he describes the core mechanisms of free markets as the impulse to exchange and the division of labor. The impulse to exchange is ancient, but the division of labor or specialization is a modern development that leads to the greatest productivity.
- In Smith's analysis of free exchange, supply (the total of what is brought to market) and demand (how many people are willing to buy at the available price) lead the market price to naturally move

toward the lowest cost for producing the good or service for a considerable period of time (the “natural price”).

- When supply goes up relative to demand, consumers bid prices down, producers leave the market to sell something else, supply diminishes, and prices tend to rise again; conversely, when demand rises relative to supply, producers bid prices up, consumers slow their buying, and prices tend to come down.
 - When supply and demand are equivalent, market price and natural price are equal. Under conditions of free competition—what Smith called “perfect liberty”—with the absence of monopoly or regulatory interference, the market price will naturally tend toward the natural price.
 - Because the natural price is the lowest price at which production can be continued, this also means the greatest volume or productivity. More people can afford to buy the commodity. At the same time, high productivity puts money in the hands of the laborer.
- Smith categorized the “factors” or components of production—and, hence, the components of price—as stock, meaning capital investment, including machinery, which yields a profit; labor, whose cost is wages; and land, whose cost is rent and/or interest.
 - He also distinguished use value and exchange value. Water is far more useful than diamonds but brings a much lower market value. Smith accepted the labor theory of value: The value of a thing is the quantity of labor required to produce or bring it to market; water is easier to get than diamonds.
 - Smith extolled the goodness of a commercial society, in which every man is a merchant of his own labor. Like Voltaire, he believed that commerce brings liberty, peace, and prosperity. Like other 18th-century thinkers, he recognized commercial society as a new stage in history.

- Smith's justification of the free market is clearly utilitarian, not based on natural rights. The market is proving more productive and will spread wealth and promote pacific virtues at the cost of inequality and enhanced division of labor.
- Smith specifically championed free trade against mercantilism, the common view in Europe at the time that commerce ought to be regulated for national ends, resulting in protectionism. Smith points out that a tariff on imported shoes to protect domestic shoe manufacturers from being underpriced by foreign producers does no overall benefit to society; it protects only a few manufacturers and their workers at the cost of all domestic consumers paying more for a commodity than they otherwise would.

Limits and Dangers of the Free Market

- Smith was entirely aware of the limits on, and dangers of, a free-market economy. He recognized that several social assets cannot be managed by the market, including the military, the courts, public works, and some markets, such as financial institutions, banks, and insurance.
- He also recognized that free markets increase inequality by making some producers rich. But that is the price of universal opulence.
- For Smith, the greatest danger of the free market is that the division of labor will destroy the minds of the workers with the numbing uniformity of increasingly minute tasks. To prevent this outcome requires public education.

The Malthusian Trap

- In *An Essay on the Principle of Population* (1798), Thomas Malthus (1766–1834), an English economist, raised a dire objection to the optimistic Enlightenment belief in indefinite future progress. He famously pointed out that the ability of the earth to increase food supply through agriculture is limited by the amount of land that can be put to production. The food supply can grow only arithmetically.

However, every increase in food generates population growth, which advances geometrically.

- Malthus argued that any increase in food supply will result in population growth that will outstrip the food supply, causing starvation and illness, until population growth is brought into line. He made this argument to say that population will be checked, either by limits on food supply or by morals (that is, delayed marriage and child rearing among the masses). This “dismal” conclusion would later be called the *Malthusian trap*.
- In fact, humanity was limited by the Malthusian trap until the 18th century. Since then, it has become clear that agricultural productivity is not arithmetically limited. Land is limited, but food supply can increase nevertheless because of commercial and technological improvements in agriculture. Growth has limits, but they are not what Malthus thought.

Intellectual Impact of the Free-Market Model

- The philosophical and intellectual impact of the free-market model of economics cannot be overestimated. First, it introduced the notion of spontaneous order: that good or beneficial order can come from massive numbers of local interactions without centralized coordination. If one novel idea is at the heart of modernity, it is this one. It even turned out to be crucial for Darwinian evolution.
- Smith was also one of the moderns who explicitly endorsed the notion that property, education, and opportunity serve as the commercial version of the “martial spirit of the great body of the people.” Smith held that we can have a kind of public spiritedness, a willingness to support the community, in a commercial society, although it will particularly require education. The social bond will be less martial than in shared self-interest among educated property owners, busy with the improvement of their lives, families, and communities.
- With the acceptance of the market, the rejection of the ideals of virtue that dominated political theory before Machiavelli and Hobbes was

pushed further. Self-interest is good, and even avarice is beneficial. There is no precedent for this in the premodern tradition.

- Finally, Smith's recognition that not merely the ambition to truck and barter but the division of labor vastly increases productive capacity was also new and would be central to the development of modern economy and society. As Emile Durkheim, the French sociologist, would later say, the division of labor is an entirely new way of connecting people into a social whole. And all this would shift and complicate the notion people have of themselves, of society, and of the aim of human life.

Suggested Reading

Ferguson, *An Essay on the History of Civil Society*.

Malthus, *An Essay on the Principle of Population*.

Mandeville, *Fable of the Bees*.

Muller, *The Mind and the Market*.

Smith, *A Theory of the Moral Sentiments*.

———, *The Wealth of Nations*.

Voltaire, Letter VI, "On the Presbyterians."

Questions to Consider

1. How can Smith's promotion of self-interested capitalism cohere with his account of the moral sentiments, chief among which is sympathy?
2. What are the proper roles of government for Smith?

Montesquieu and the American Founding

Lecture 9

With this lecture, we enter the most revolutionary period of the most revolutionary century, when philosophical ideas had a major impact on the founding of new republics in America and France. The French philosopher Montesquieu's notion of the separation of powers was crucial for the American Founders, who were in brilliant conflict with one another. Jefferson declared independence based on natural law and natural rights and supported active, decentralized self-government. Hamilton argued against Jefferson for an economically active, centralized state. Madison expanded Montesquieu's separation of powers with federalism. The complexities of the American Constitution and system of government are a consequence of these disagreements.

Montesquieu

- The French philosopher Montesquieu (1689–1755) published *The Spirit of the Laws* in 1748, presenting a largely dispassionate analysis of types of government. Laws of nature played no significant role. He analyzed forms of government as to their propriety for climate, population, culture, and so on. Two claims he made were crucial to the revolutionaries of 1776.



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Montesquieu's massive *Spirit of the Laws* influenced all political thought in the second half of the 18th century.

- First, Montesquieu divided government into three types, each of which operates through a characteristic principle: republics, which can take aristocratic or democratic forms; monarchies; and despotisms.
 - The two types of republics, aristocratic and democratic, along with monarchies, correspond to Aristotle’s three kinds of virtuous government, and despotism signifies his vicious types of government. The principle by which despotism rules is fear. The principle required for monarchy is honor.
 - Republics, however, need virtue. In the case of aristocratic republics, ruled by an election from among a noble class, moderation is the key virtue. For democratic republics, in which all share in rule and one learns to obey and command equals, a public-spirited love of the republic must be inculcated through education.

- Second, Montesquieu admired England as the most politically free and advanced nation in Europe. He particularly emphasized a structural feature of the English constitutional system: mixed government with a separation of powers.
 - Montesquieu advocated the separation of executive, judicial, and legislative powers and a bicameral legislature. He suggested that the executive should be able to veto legislation but not establish it and the legislature should review executive power but not disarm it.
 - The result is four agencies—the executive, judiciary, House of Lords, and House of Commons—all acting as “checks” on one another.
 - Montesquieu was the most famous promoter of the notion that the liberty of the citizens requires a government with internal political limits whose parts are in competition. He also suggested that in republics, size corrupts, meaning that they must not be too large, unless they take the form of a federal

republic, meaning a federation of small republics, which curbs the drawbacks of size.

Ferment in North America

- In the lead-up to the American Revolution, wars between Europeans for control of North America produced ferment. The English claimed the East Coast to the Appalachian Mountains; the French, a huge area from northeast Canada through the Great Lakes down to Louisiana; and the Spanish, Florida.
- The Seven Years' War broke out in 1754 between the French and the English. After its conclusion in 1763, the English Parliament began imposing direct taxes on the colonies. Of course, this led to the Boston Tea Party, the formation of local ruling committees of correspondence, and eventually, the First Continental Congress. Fighting between the British and the colonists began in 1775, culminating in the expulsion of British forces and the declaration of American independence on July 4, 1776.
- The Continental Congress met on and off from 1774 to 1789. It first produced the Articles of Confederation, stipulating a loose confederation of the 13 states. It then proposed a new federal Constitution in 1787, which was ratified in 1789. It was the fight over ratification that staked out the divisions among our Founders.

Thomas Jefferson

- Thomas Jefferson (1743–1826) wrote several significant works, including his *Summary View of the Rights of British America* (1774), but of course, he is most well known for the Declaration of Independence. The preamble is perhaps the most famous political writing of the modern age and clearly invokes natural rights.
- The Declaration is Locke with an edge: God's law of nature; government instituted to secure rights to life, liberty, and—instead of property per se—the pursuit of happiness; the powers of government derived solely from the people's consent; and the right to revolt. Politics and government are instrumentally valuable

only. The added edge is the emphasis on rights in addition to individual property and interest. America would become the great land of rights talk; that is, we tend to conceive our political battles as battles about rights.

- Among the Founders and as Washington's secretary of state, Jefferson was best known as a radical republican: He supported active, decentralized self-government by independent farmers. The ratification fight separated him from Hamilton and John Adams.
 - Whoever supported the new Constitution was a federalist, but there were different kinds of federalists. Jefferson regarded himself as a republican federalist rather than a monarchical federalist, as he called Hamilton and Adams.
 - And Jefferson was a radical republican. Referring to Shays's Rebellion in western Massachusetts in 1786, a revolt over taxation and debt collection, he wrote, "God forbid we should be twenty years without such a rebellion."
 - In a famous letter to Madison in 1789, Jefferson further stated: "Every constitution then, and every law, naturally expires at the end of 19 years. If it be enforced longer, it is an act of force, and not of right."

Alexander Hamilton

- Alexander Hamilton (1755–1804), Washington's secretary of the treasury, was Jefferson's enemy. Hamilton was particularly concerned with America's economic progress in what he regarded as both a commercial and a manufacturing age. He was the first to systematically argue that although Adam Smith's attack on protectionism was right in the long run, in the short run, it had too many disadvantages for an underdeveloped economy.
 - Hamilton's *Report on Manufactures* (1791) argued that an underpopulated agrarian society, such as the United States, could not compete with England and other West European economies on manufacturing.

- Consequently, government must act to support domestic manufacturing, including building physical and financial infrastructure and establishing protectionist tariffs. His view won the day after his death.
- Hamilton was responsible for a host of institutions that would protect and promote American industrial trade, including the mint, the first national bank of the United States, the U.S. Coast and Geodetic Survey, the Army Corps of Engineers, and the Patent Office.
- Hamilton’s aim was “one great American system,” an empire across the continent. For him, the Articles of Confederation left the United States a loose confederation of weak states. He already feared factionalism between North and South. He wrote of the danger of “petty” republics without any shared, unifying purposes.
- Jefferson was not wrong in calling Hamilton a monarchical republican; Hamilton had argued that the presidency should be a kind of elective monarchy. He feared the violation of one person one vote by the equal voting rights of states under the Articles. He also opposed the Bill of Rights and the first 10 amendments to the Constitution, which were adopted by the Convention because of the insistence of anti-federalists.

James Madison

- James Madison (1751–1836) was the author of the famous concluding section of the Constitution and crafted the Bill of Rights. Along with Hamilton, he wrote the great majority of *The Federalist* papers.
- Madison gave the most sophisticated analysis of what he regarded as the danger of democracy: factionalism. The Constitution must limit the power of local majority factions that would use government to serve their special interests. Because of this, Madison favored a republic, which he took to be large and representative, rather than a democracy, which must be direct and small, as in Rousseau.

- Madison followed Montesquieu’s principle of the separation of powers very seriously. There is no liberty if executive, judiciary, and legislative are in the same hands. Popular self-rule is not enough; in practice, it means majority rule. Tyrannical rule by a majority is just as dangerous as rule by a tyrannical monarch, and factions can come to control the majority. All power, including power of the majority, must be limited by a constitutional structure that divides it among government institutions and pits them in competition.
- One of the major issues in forming the Constitution was the question of equity of political power in Congress among states of differing populations. In *The Federalist* papers, Madison described the compromise to address this question—and the entire federated structure—as an advance in republican design. He then used the difference between federal and state levels as a further balance and limit on power. Thus, Madison showed that a larger country can be freer—more “republican”—than a smaller, more “democratic” republic.

Results of the Founders’ Disputes

- The political system created by the Founders is a mixed bag, but in politics, it can be good to recognize the necessity of balancing competing values, principles, and institutions. One of the questions for the founding generation was: Which is the freer polity, a direct democracy that must empower majorities or a republic with institutional structure to keep local majorities or factions from dominating government? At the same time, the Founders were concerned with the realities of managing an economy that could survive in a North Atlantic world of powerful trading states.
- The results of the Founders’ disputes may have turned out well for the United States but not in the short run for the principal antagonists.
 - Jefferson the Francophile and Hamilton the Anglophile fought as Washington’s secretaries of state and treasury. Fearing the monarchical federalism of Hamilton, Jefferson and Madison

formed the Democratic-Republican Party to run against John Adams, who was the Federalist Party candidate in 1796.

- Adams won, with Jefferson serving as his vice president. During Adams's presidency, Jefferson was so discontented that he helped draft a secession threat by the state of Kentucky; he was willing to destabilize the Union.
- Jefferson was elected president in 1801 with Aaron Burr as his vice president. In 1804, while still in office, Burr shot and killed Hamilton in a duel. Jefferson dropped him from the ticket before his own reelection.
- Jefferson, the opponent of Hamilton's imperial America from coast to coast, wound up making the largest single addition to any American empire: the Louisiana Purchase, in 1803. He also passed the Embargo Act, a protectionist tariff, in 1807, against his apparent principles. Jefferson and Adams eventually reconciled and maintained a correspondence until death. They were a crucial component of the century of political brilliance, from 1689 to 1789, that created modern republicanism.

Suggested Reading

Constitution of the United States of America.

Declaration of Independence.

Hamilton, *Report on the Subject of Manufactures*.

Jay, Hamilton, and Madison, *The Federalist*.

Jefferson, *Thomas Jefferson: Writings* (letters, autobiography, *Notes on the State of Virginia*, and addresses).

Montesquieu, *Spirit of the Laws*.

Questions to Consider

1. Why did some of the Founders fear and want to limit “democracy”?
2. What are the underlying conflicting principles built into the American political system?

Debating the French Revolution

Lecture 10

The greatest political event of the 18th century, the French Revolution, inspired numerous political thinkers. In this and the next three lectures, we will trace its philosophical impact. The first round of political argument was the Anglo-American battle of the pamphlets. Englishman Richard Price published a discourse approving the revolution as an expression of English political principles. Edmund Burke, the classic source of conservatism in Anglo-American politics, argued against Price that the revolution was a violation of English principles. Thomas Paine, the most famous political pamphleteer in American history, supported the revolution against Burke, as did Mary Wollstonecraft. In this lecture, we will follow the battle of the pamphlets, the first intellectual skirmish over the meaning of the revolution.

The French Revolution

- The French Revolution was the most important political event of the late 18th century, far more influential than the American Revolution. What made this revolution particularly influential were the waves of increasing radicalism that ultimately led to its undoing.
- Starting in June and July of 1789, the bourgeoisie and workers in France rebelled against King Louis XVI, abolishing feudal privileges and the privileges of the Catholic Church and establishing a constitutional monarchy. Later, in 1792–1793, a republic was declared; other European powers attacked France; and the king was executed.
- In 1789, the French Constituent Assembly issued the Declaration of the Rights of Man and of the Citizen, in many ways similar to the American Declaration of Independence and Bill of Rights. But in 1793, the radical Jacobin party took control and, under Robespierre and the infamous Committee of Public Safety, executed tens of thousands of suspected traitors in the Reign of Terror.

- The Jacobins were replaced in 1795 by the oligarchic Directory, which lasted until 1799, when Napoleon took control of the state, establishing himself as emperor in 1804. During this period, France was at war at one time or another with all the other major powers of Europe. Napoleon was finally defeated in 1815, and the Bourbon monarchy was restored.

The Battle of the Pamphlets

- In the month immediately after the start of the revolution, intellectuals were forced to take a stand for or against it. One famous tempest was the so-called battle of the pamphlets, involving Richard Price, Edmund Burke, Thomas Paine, and Mary Wollstonecraft.
- In *A Discourse on the Love of Our Country* (1789), the English philosopher and cleric Richard Price (1723–1791) praised the revolution, believing that the French had fulfilled the promise of the Glorious Revolution of 1688 more completely than the English had done. Price decried excessive fealty to the king and declared that the king’s crown depends on the choice of the people, who have the right to choose their governors and “cashier” them for misconduct.
- These views provoked the father of modern conservatism, Edmund Burke (1729–1997). His *Reflections on the Revolution in France* (1790) was a response to Price, but it became the source of traditionalist conservatism in Anglo-American politics.
- Burke disavowed the revolution and any similarity with England. England is free, he said, because of its traditional institutions.
 - He accepted the view that England’s freedoms depended on a set of balancing institutions—royalty, nobility, Parliament, the church, and the traditional rights of the people.
 - But the proper balance is the result of historical learning, not a philosophical argument from natural rights. History grants traditional freedoms and responsibilities to all citizens and to their rulers, including the king.

- England's political norms are not deduced from reason or philosophical principles; they are embodied in its historical practices and institutions.
- Burke rejected democracy and republicanism for England. He denied that government should depend on explicit consent—elections. All have rights but not natural rights; they have the rights that British tradition has historically granted to its people. It is true that the people “have” the ultimate power. But the people want to be ruled and do not want to see their rulers as elected “servants,” as Price had characterized them.
- Burke also denied legal equality. The estates have different legal statuses. It's true that all have equal rights but “not to equal things.” Each estate or class has its traditional prerogatives, all of which presume obligations and duties.
- Burke particularly criticized the social contract theorists. Society is not the product of a moment's choice. If there is a “contract” among the people, it is eternal and unstated and includes the dead and the yet unborn. Political society is like an organism that exists over time. It has traditions that give it legitimacy. The local loyalties of the people—family, neighborhood, and church—are what hold the organism together.
- What Burke most objects to is the attempt of intellectuals, backed by men of new money, to reform society according to abstract principles of reasoning, without concern for tradition.
 - The rule of “reason,” as it was understood by supporters of the revolution, is actually a kind of despotism. That is, thinkers in their armchairs cannot derive a small set of “rational principles” to reform all of society.
 - Prejudice, for example, is a good thing. It is pre-judgment, learned through social tradition. Not all matters can be open to rational decision and inquiry. The cultural meanings of authority

are essential, even if they are not rationally demonstrable, and must be passed from generation to generation.

- The essence of Burke's conservatism can be described as follows: Authority, rank, and inequality are good when deserved and legitimate. Social life is made possible by a cultural softening of the harsh facts of power and nature. Submission to the elegant and dutiful is a virtue, and each finds respect in that unequal relation. The new bourgeois men want to reduce us to animal equality and tear away the drapery that makes life livable and honorable.
- Burke was conservative but not rigid, believing that change is inevitable. His conservatism was devoted to maintaining the goods of current society, which will be different when applied to different societies. He approved of the American Revolution, believing that the crown had violated the traditional rights of Americans. He also disapproved the treatment of India by the British East India Company. And he accepted Smith's view on the economy and the desirability of free trade over protectionism.

Thomas Paine

- Like Jefferson, Thomas Paine (1737–1809) was a Francophile. His critique of Burke in his *Rights of Man* (1791) was straightforwardly liberal, egalitarian, antiroyalist, and vociferous. The true origin of rights is God and nature; history is irrelevant. The social contract is the agreed-upon constitution, and the government is its subsequent tool.
- *Natural right* pertains to man in “right of his existence”—this is according to reason—as opposed to governments, which arise out of “superstition or conquest.” *Civil rights* pertaining to man are all based in the natural rights. The national assembly, the “tiers” estate, is the nation and holds all rights. All hereditary rights and all mixed government are irrational violations of the rights of the nation. It is utterly clear that hereditary monarchy can make no claim to putting authority in the hands of the most merited, virtuous, or talented.

- Perhaps the core of Paine’s difference with Burke is that he believes that reason and history are in conflict. Burke is literally irrational, Paine argues, believing in emotion and sentiment and historical contingencies above argument. Tradition is bad; it cannot bind future generations because each generation is free according to natural law.
 - The rational, enlightened view is to put power in the hands of living persons to exercise their reason as to what persons and policies will best rule their futures. Like Jefferson, Paine believes that the past is dead and should not weigh on the living. Freedom and historical continuity are incompatible.
 - The origin of rights, which is the basis of government, is not history but God’s grant of them to our nature by natural law. Every person is equal because related in the same degree to God and “derives his existence from God.” No generation possesses the right or power “of binding or controlling posterity.” There can be no hereditary power, of kings or aristocracy or of a historical decision.

Mary Wollstonecraft

- Mary Wollstonecraft (1759–1797), an independent writer and educator, published her response to Burke, *A Vindication of the Rights of Men*, in 1790. It was followed in 1792 by her *Vindication of the Rights of Woman*.
- In the first *Vindication*, Wollstonecraft’s arguments were straight from the liberal republican tradition, that is, a combination of commitment to liberty and a republican commitment to the virtues of self-rule. She endorses the French Revolution, although she is even a bit more egalitarian than Paine. She links hereditary rights to property rights. Burke, she says, is inconsistent; he must condemn all revolutions against hereditary power, which he does not do. Equality, universal education, and the breaking up of the hereditary estates and the church’s property and monopoly on education would completely redistribute property and would make of England an “Eden.”

- The property of the great is a motivation for all to “ape” the highest class. But she accepts that property “should be fluctuating,” implying that it is the locking up of property in inheritance that is the problem. She accepts that “the only security of property that nature authorizes and reason sanctions is, the right a man has to enjoy the acquisitions which his talents and industry have acquired; and to bequeath them to whom he chooses.” This is against the “luxury and effeminacy” of inherited wealth.



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Wollstonecraft wanted not only change in government but also social change—change in the way people lived and worked, how they were formed by education and child rearing, and what government’s role in that might be.

- Wollstonecraft’s second *Vindication* is of greater interest because of its uniqueness. In it, she points out that half the human race has been denied the new rights of man. Women have been systematically educated not to be free or independent. This is a violation of both rights and utility. It is ruinous for society, making women inferior wives, mothers, and citizens.
 - Her positive argument is simple. There is only one God and, hence, one hierarchy of virtues for God’s image on earth: humanity. Male and female serve the same God and must seek to model themselves after the same standards. All humans must be taught honesty, industry, courage, independence, knowledge, and self-denial.
 - But in the current system, women are systematically prevented from the education of the mind and independence and educated instead for dependence and childishness. The chivalrous uplift

of woman as the more refined sex functions to degrade them. The inculcation of personal reserve and modesty prevents any passion for ideas, social justice, or artistic creativity.

- We are educating half the human race not to develop their capacities or potential contribution to society. This miseducation slows the advance of mankind, renders women's own raising of children inadequate, and makes their marriages, once the fires of early romance die, fall to nothing.

Suggested Reading

Burke, *Reflections on the Revolution in France*.

Paine, *Rights of Man*.

Price, *A Discourse on the Love of Our Country*.

Wollstonecraft, *A Vindication of the Rights of Men*.

———, *A Vindication of the Rights of Woman*.

Questions to Consider

1. What are the essential arguments of Burke against the French Revolution?
2. How do Wollstonecraft and Paine argue against traditionalism and for the revolution?

Legacies of the Revolution—Right to Left

Lecture 11

The politically polarizing influence of the French Revolution set up the spectrum of political views in Europe for the rest of the 19th century. On the right were supporters of royalism and the traditional power of the church; on the left were anarchists and socialists. Liberal republicans, supporting popular sovereignty and individual liberties but with strong property rights and a growing capitalist economy, were in the middle. In this lecture, we will explore powerful thinkers on the right and left who helped create a more extreme conservatism and anarchist socialism that lasted throughout the century.

The Right

- In addition to Burke's, other conservative responses to the revolution included those of the French theocratic counterrevolutionaries.
 - Hugues-Félicité-Robert de Lamennais (1782–1854) and Louis-Gabriel-Ambroise de Bonald (1754–1840) were religious traditionalists, supporting *ultramontanism*, that is, acceptance of the superior political authority of the pope and a restoration of the prerevolutionary authority of the Catholic Church.
 - Lamennais insisted that the state cannot be indifferent to matters of religion and that the Vatican must have some authority over the state because religion is essential to right political order.
- Perhaps the most striking conservatism came from Joseph-Marie, comte de Maistre (1753–1821). Early on, Maistre was sympathetic with progressive reform, but by 1789, he had come to support the restoration of the monarchy and a balance of power among the traditional estates.
 - Maistre's reasoning for his conservatism was far more radical than Burke's. For him, all nature is evil and drenched in blood. Humans, like other animals, must kill to live. Man can be

controlled and made tolerable only by submission—of his soul to God and his body to the state, which rules by force and power. Power is ultimately from God, and when humans alter his plans—as in the revolution—it can only generate terrible adverse consequences, such as the Terror.

- For Maistre, the order of the world, which is dictated by an incomprehensible God, is not rational. Man's reason is puny; nothing important can be based on it. Power, fear, and tradition are in place for a reason; human order is impossible without them. This is the counter-Enlightenment with a vengeance. Maistre is perhaps the most powerful critic of reason and its expanded role in human affairs of the 18th century.
- Still, Maistre believed in the rule of law and in peace, but he insists that the traditional arrangement—in which humans are surrounded by, and submit to, authority—is necessary. Without it, there results wild and excessive bloodletting, the price nature imposes for man slipping the yoke. Maistre's practical policy arguments are not far from Burke, but his rhetoric was extreme.
- It is arguably one of the features of conservatism that unlike liberalism, it works less on principle than on attachment to history. Conservatives wish to prevent liberal or radical principles from remaking traditional society. But conservatives must differ on what period of society and what kind of society they wish to preserve or return to.
 - As noted, Burke was a conservative of the most liberal, modern constitutional monarchy in Europe. But Maistre, Lamennais, de Bonald, and other continental conservatives had a more purely *ancien régime*, more elite-driven society to preserve.
 - Along with de Bonald and Lamennais, Maistre spoke for a natural conservative constituency encompassing the combined traditional authorities of king, Catholic Church, and inherited wealth or ruling class. This view would not completely disappear until the second half of the 20th century.

The Left

- Anarchism and socialism emerged during and after the French Revolution. Anarchism is a vision of socioeconomic equality without private owners of capital or without state ownership of the means of production.
- Long before the French Revolution, Burke, in response to the anti-Church of England writings of Lord Bolingbroke, had published *A Vindication of Natural Society* (1756). In it, he argued that if Bolingbroke's arguments against the church were valid, they were equally valid against government itself. The bulk of Burke's pamphlet rails against government as the source of war, evil, and corruption, but it was a satire, as he later admitted.
- Burke's *Vindication* was read by William Godwin (1756–1836), the first anarchist of political theory. In his *Enquiry Concerning Political Justice* (1793), Godwin agrees with Burke's tongue-in-check arguments against the state.
 - Godwin is generally utilitarian or consequentialist, meaning that the ultimate moral rule is to promote the good of society. Like several other Enlightenment thinkers, he believed in the perfectibility of humankind. But the moral goodness of any act's contribution to society can come only from the free decision of the individual in response to his or her own reason. A commanded person's act reflects no moral goodness; thus, all political control undermines society's moral life.
 - Godwin adds that all the greatest evils in human life come from government, including war and material inequality, because government mainly serves to protect the property of the rich. Without government, men would be equal and capable of the moral improvement that is the whole purpose of our existence. Human reason alone is sufficient to the guidance of human cooperation and conduct.
 - Godwin's views also mean rejecting marriage and established religion, any moral institution enforced by positive law.

Moral individualism is the key for Godwin; individual self-sufficiency and moral self-direction of independent farmers is the ideal society.

- Godwin also rejects the social contract. Partiality is immoral; universal benevolence toward all is the rational moral law.
- Godwin was not a violent revolutionary; he expected that government would inevitably wither away as man improved through egalitarian, free self-decision. This is how anarchism and socialism began—as a kind of utopianism.
- The Frenchman Pierre-Joseph Proudhon (1809–1865) was the first to call himself an anarchist. In his *What Is Property?* (1840), Proudhon says that property is theft and homicide, is completely incompatible with the equal natural rights of man, and hence, is self-contradictory.
 - Proudhon distinguishes property from mere *possession*, meaning the act of occupying a piece of land or using tools that produce what one’s family needs. He recognizes the rights of living persons to live and work and to have possessions. However, the alleged *property right*—understood as a right to do whatever one wishes with a property—is wrong and unjust and makes for an irrational, unequal system of society.
 - Anything over which one claims absolute dominion is wrong. There is no right to property nor can there be; if there were, then property taxes would be wrong. Further, no right can go beyond death, which means that passing on a property right makes no sense. Why should right to a property entail a right to profit from it, thereby inventing new value out of nothing? It is all intrinsically unjust.

Early Socialism

- In political economy, virtually all anarchists are socialists, but they refuse state socialism, that is, state ownership of the means of production. Some early socialists were not anarchists but not

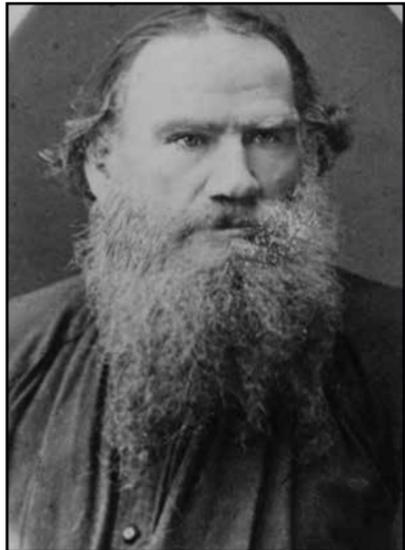
quite state socialists either: Robert Owen, Charles Fourier, Louis Blanc, and Henri de Saint-Simon all tried to justify and establish small, decentralized, worker-controlled business towns, with a high level of equality and joint ownership of profits but not necessarily complete equality.

- Each tried to work out a vision of society as small and decentralized; they criticized rent, interest, wages, and profits, all of which they believed created large differences in wealth and made one man dependent on another.
 - They did not all reject property in the sense of personal possessions, the family home, and the tools of one's trade. The justification is highly moralistic and based in natural law: Each individual is the judge of right and wrong and can live a moral and religious life before God only if economically independent and the sole judge of his or her own life.
- In effect, in the mid-19th century and even later, a host of reforms was called "socialist": trade unions, profit sharing, and stock ownership by workers—anything that put the means of production to some extent into workers' hands.

International Spectrum from Left to Right

- The consistent locus of revolutionary activity in 19th-century Europe was France. After the defeat of Napoleon in 1815, the Bourbon monarchy was restored in the person of Louis XVIII, later succeeded by his brother Charles X. The liberal July Revolution of 1830 overthrew Charles and installed a constitutional monarchy somewhat like that of England under Louis-Philippe, another Bourbon.
- The revolution and its aftermath, the Napoleonic wars, set up the international spectrum of conservatism on the right, some kind of socialism on the left, and a mix of liberal and civic republicanism in the middle.

- Then, in 1848, came a widespread international revolt in the German states, Austria, Hungary, Poland, and many other countries, in which socialism and a fear of worker revolt played a role. In Paris, this ended in the election of Louis-Napoleon Bonaparte to the presidency of the Second French Republic; he then declared himself Emperor Napoleon III in an 1851 coup.
- The 1870 revolt brought the abdication of Louis-Napoleon and the Paris workers' Commune of 1871, where a red socialist flag flew for two months. After extensive fighting in the working-class areas of Paris, the Commune was brutally put down. Eventually, the Third French Republic was installed, which lasted until the Nazi occupation of 1940.
- State socialism in the form of Marxism ultimately won out as the anticapitalist, anticlerical party in most countries. But anarchists remained here and there, especially among Russians, including Mikhail Bakunin (1814–1876) and Pyotr Kropotkin (1842–1921).
- The most famous socialist anarchist would be explicitly religious, although still anti-church. That is the great Russian novelist Leo Tolstoy (1828–1910), author of *War and Peace* and *Anna Karenina*. Tolstoy's anarchist pacifism is fully described in *The Kingdom of God Is within You*.
 - The basis of his thought is a rationalist interpretation of



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Tolstoy echoes Kant in his belief that we can never know consequences with certainty; thus, we cannot use them to justify violence.

Christianity. No act of violence is legitimate, even in self-defense, because violent action is always evil.

- But states and churches are worldly organizations built on exclusion and violence. They are immoral in principle. States send innocent strangers to kill innocent strangers on the basis of patriotic lies, and churches stand by or bless the war effort. Tolstoy's pacifism drives him all the way to anarchism.
- Eventually, we will see nonpacifist and even violent anarchism. The Russian Bakunin began to rhapsodize violence, and the Frenchman Georges Sorel (1847–1922) endorses a violent “anarcho-syndicalism,” with power devolving to labor unions. The “propaganda of the deed,” as it was called, led to assassinations. Thus, the term *anarchist* in the 20th century would come to mean something like a renegade socialist without a party.

Suggested Reading

Burke, *A Vindication of Natural Society*.

De Maistre, *Considerations on France*.

———, *St. Petersburg Dialogues*.

Godwin, *An Enquiry Concerning Political Justice*.

Proudhon, *What Is Property?*

Tolstoy, *The Kingdom of God Is within You*.

Questions to Consider

1. How does the conservatism of Maistre and the ultramontanes differ from that of, for example, Burke?
2. Where did anarchism come from, and how was it originally linked to socialism?

Nationalism and a People's War

Lecture 12

Part of the legacy of the French Revolution was the development of two novel phenomena: nationalism and the modern way of warfare. The doctrine of nationalism—for every nation, a state; for every state, a nation—developed along with modern republicanism. The Napoleonic wars following the French Revolution intensified nationalism—in France and in conquered lands—and initiated the first modern war. The great military theorist Carl von Clausewitz recognized that Napoleon changed war forever. In this lecture, we will examine the meaning of these two great changes.

Defining Nationalism

- Nationalism is a modern phenomenon. It's true that humans have always lived in groups that shared a common culture, religion, ethnicity, or race, but those were not states. They were predominantly local, kin-based associations, perhaps with a dialect of a language spreading over a number of villages a short distance from one another.
 - The great agrarian empires, such as Rome, regarded subjects of vastly different ethnic and cultural heritage to be equally subject to aristocratic and central authority. The legitimacy of the king or aristocracy had nothing to do with what language they spoke.
 - Nationalism means a sovereign state that itself represents one culture or ethnic group over a large area and the belief that this ethnic group or people ought to be self-ruling.
- Using Ernest Gellner's definition, *nationalism* means: to each people, a state; to each state, one people. Peoples have a right to self-rule; that doesn't mean democracy but that government, to be legitimate, must share and express the culture of a people.

- Nationalism is historically connected with national self-rule. To say, for example, that it is wrong for Algerians to be ruled or colonized by the French because Algerians should rule themselves is nationalist. In fact, at the end of World War I, when Woodrow Wilson insisted on breaking up colonial empires, he was being a democratic nationalist. The two can easily go together.
 - In feudal society, an aristocratic French speaker had far more in common with an aristocratic German speaker than with a French peasant.
 - To become a nationalist is to say to that the French aristocrat and the French peasant share something in common that is much more important than their differences: their “Frenchness.” Nationalism promotes intranational equality rather than international equality.
- Notice also that nationalism goes along with centralized rule in the modern state or nation-state. It requires literacy and widespread education, because the people over a large region must know that they share a history and probably a literature. Nationalism with a centralized government provides an open trading environment with common laws and a common language and is, thus, good for business.

Emergence of Nationalism in Europe

- France did not invent nationalism, but the French Revolution intensified it. The destruction of inequality and the need to rally citizens around the new government, of course, encouraged nationalism in the French themselves. But just as important, the French conquest encouraged nationalism among the peoples conquered.
- This was especially true in the German states of central Europe. One of the most prominent German philosophers, Johann Gottlieb Fichte (1762–1814), published *Addresses to the German Nation* in 1808.

- He called on Germans to be proud as Germans and to recognize the German idea of *Bildung*—inner ethical cultural formation—that was evident in German arts, letters, and philosophy.
- Germany, he believed was unique in its egalitarianism, its concern for educating the “whole” person, and its spirituality versus the abstract, intellectual, materialistic, mechanistic realism of the “enlightened” French, English, and Dutch.
- Fichte had been influenced by Johann Gottfried von Herder (1744–1803), also a contemporary of Kant’s, who had argued that every culture is a partial reflection of the glory of God and only all together do they reflect God as a whole. That was one of the earliest expressions of the Romantic celebration of diversity and difference, against cosmopolitanism, the notion that we are or ought to act like “world citizens.”
- Following Herder, Fichte claimed that a nation is: “a totality that arises together out of a certain special law of divine development.” Each people develops with its own quality reflecting an aspect of divinity and is a mirror of divinity, thereby developing its “worth, merit, virtue.” This leads to endless inner progress of spiritual, communal formation. But mixing of cultures leads to friction, flatness, separation from one’s spiritual nature, and “uniform and conjoining destruction.”
- Fichte believed that Germany was a nation that would be tolerant of others’ uniqueness. The state is merely a means to rebirth; the method is not political or military but educational, requiring a truly German education of the whole person. Germany must resist Napoleon through the methods of education and cultural formation. Each German state must develop its own methods toward this end.

Varieties of Nationalism

- A *nation* can be defined in different ways; there can be civic nationalism as opposed to ethnic or racial nationalism, and there can be aggressive forms of nationalism as opposed to merely

republican or liberal, self-ruling forms of nationalism. The dividing line between types of nationalist states rests on two issues: how they define their people and how they treat those who don't satisfy the criteria.

- The Nazis, for example, used racial criteria and killed people for not fulfilling them. Others use ethnic criteria, such as a shared history, language, or cultural tradition. In today's France, membership rests on the French language and knowledge of the



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Some kinds of nationalism are, indeed, evil, but others are not, and some have been essential to modern democracy.

republican and cultural history of France. Today's United States, an immigrant society, arguably has an even thinner or more minimal notion of its people: a civic identity that is not tied to a language or a cultural history but, rather, a shared set of civic ideals.

- Nationalism increasingly became allied to liberal republicanism during the 19th century. By the time of the Treaty of Versailles, Woodrow Wilson, a progressive, championed nationalism against the power of the great European empires. Remember, nationalism means that a people should rule themselves; it was only fascism and Nazism in the middle of the 20th century that made nationalism seem anti-liberal and anti-democratic.
- This all touches on the philosophical question that will be raised later by multiculturalism. To respect different peoples for their differences—including their right to govern themselves—also

means respecting their right to stay different, which will likely mean restricting the rights of some members to maintain their distinctiveness. The more interaction of individuals across groups, the more those individuals are treated as free, cosmopolitan individuals and the more, as Fichte says, “friction” will wear away or flatten group differences.

Changing Nature of Warfare

- Warfare has always had customary rules among given peoples, concerning when opponents may fight, who may fight, and how they may fight. Premodern warfare was often highly stylized and restrained. This doesn't mean it wasn't bloody, especially when ethnically and culturally different peoples were involved. But throughout medieval times, warriors had to buy and own their own equipment, which meant that not many could be warriors. Standing armies were unusual because they were expensive.
- In ancient republics, there was a strong tradition that the citizen was also a soldier. Ancient republicanism was martial. In medieval feudalism, a similar system was in place in that landowners were warriors, and nobody else was a citizen at all. The king would call on people to fulfill their feudal obligations and reward them. Again, wars were limited and controlled by rules and chivalry, which did not apply to commoners.
- Fighting between fellow aristocrats was an affair of honor, but treatment of non-Christians, as in the Crusades, was often unregulated, and treatment of Christian peasants depended on circumstances. This was particularly true in sieges of towns, which were by definition full of commoners; if a town refused to surrender to a noble, the town was besieged, and if the siege was successful, all property and lives were considered forfeit.
- The early modern period was predominantly realist regarding the morality of war. It held that warfare is a reality in the relations among political communities and leaders and that the civil standards of morality cannot be applied to warfare. In the early

modern period, this was called *raison d'état* (“reasons of state”), meaning that the reasons requiring bloodshed cannot be subjected to civic moral standards.

- The French Revolution and Napoleonic wars changed warfare forever. The French army, which eventually had to fight most of Europe, had to employ conscription. Coupled with France’s new democracy and budding nationalism, this became the first mass “people’s army,” a vast mobilization of average citizens to fight “for France,” not for a class, for nobles, or for a king. It was the largest army in history, dramatically increasing the capacity to wage war.

Carl von Clausewitz

- The transformation of warfare was reflected in perhaps the first modern European work on military theory that could be called philosophical, *On War* (1832), written by the Prussian officer Carl von Clausewitz (1780–1831).
- Clausewitz defined real or empirical war as “the continuation of policy by other means,” distinguished from pure or ideal war, defined as “an act of force to compel our enemy to do our will.” Pure war involves only the military aspects of war, such as troop deployments, terrain, methods, and so on. These must be analyzed and conceived separate from political considerations, which can change and muddy military analysis. Clausewitz recognized that real war is political, which means that both the end and the practice of war are constantly altered by political considerations.
- His point was to distinguish war proper from the realities warfare serves and cannot escape, but he also had a historical point to make. The implication is that modern war—war starting with Napoleon and the new armies of nation-states—will tend more toward pure war because the resources of the modern state will outstrip all earlier considerations. Wars will be more pure, less ritualized, more violent, and less restricted by secondary political considerations.

- Clausewitz saw that the modern nation-state was destined to become an entity in which human equality and democracy would flourish, but it would also put more resources in the hands of a now-national military, making the modern state the most dangerous entity in human history.

Suggested Reading

Clausewitz, *On War*.

Fichte, *Addresses to the German Nation*.

Gellner, *Nations and Nationalism*.

Howard, Andreopolous, and Shulman, *Laws of War*.

Keegan, *A History of Warfare*.

Tamir, *Liberal Nationalism*.

Questions to Consider

1. What is nationalism, and how is it different from traditional ethnocentric political community?
2. What are the changes in warfare brought about by the French Revolution?

Civil Society—Constant, Hegel, Tocqueville

Lecture 13

Two Frenchman and one German, both charting the long-term political impact of the revolution, made major contributions to political theory by examining the idea of freedom. Benjamin Constant was the first to distinguish “ancient” and “modern” concepts of liberty—hence, civic republicanism and liberalism—arguing that the former is inapplicable to modern society. Hegel, who both admired and feared the revolution, attempted to locate the individual in communitarian networks of ordered liberty. In a similar vein, fellow Frenchman Alexis de Tocqueville called attention to nonstate voluntary associations in his analysis of the conflict of equality and liberty in America.

Blueprints for a Free Society

- One more aspect of the French Revolution’s legacy became clear to early-19th-century political thinkers: There are competing blueprints for a free and equal political society, the two most prominent of which are liberal republican and civic republican.
 - After 1800, the term *liberal* was used to mean a radical form of republicanism that maximized individual private liberty and minimized the power and purview of government. This version was directly connected to capitalism and noninterference in private property and the markets.
 - *Civic republican* is the name given to the tradition formerly just called *republican*. Minimally, it held that freedom means freedom to participate in politics or self-rule.
- Essentially, modern liberal republicanism evolved out of the modern reprise of ancient civic republicanism. Ownership of property became the substitute for martial honor. Subsequent civic republicans tended to drop any reference to their martial heritage, but they still emphasized public spiritedness and political

action over the freedom to be left alone to pursue private profits, or liberalism.

Ancient versus Modern Liberty

- The French political thinker Benjamin Constant (1767–1830) was the first to argue explicitly that the liberty of the ancient republics is not the same as the liberty of the modern republics.
 - Modern liberty, Constant says, is the right to express one’s opinions, choose professions, dispose of property, associate with others, and practice religion, plus the right to exercise some influence on government officials, all subject only to law rather than to those in power. It is sovereign or politically active “only in appearance.”
 - Ancient liberty is, by contrast, the direct collective exercise of sovereignty. It was compatible with complete absence of freedom of opinion, religion, and personal behavior—the “complete subjection of the individual to authority of the community.”
 - Ancient liberty was fit for small slave-holding republics that were martial, requiring constant participation in politics and substantive virtues on the part of citizens. Modern liberty is characteristic of large commercial, pacific states, where “commerce replaces war,” where all citizens work, there are no slaves, and none or few have leisure (meaning equality rather than aristocracy).
- According to Constant, “We can no longer enjoy the liberty of the ancients.” In fact, modern mass commercial society makes ancient republicanism dangerous. It was this concept of liberty that was applied, he believed, in the Terror.
- What Constant called “modern liberty,” the 20th-century political philosopher Isaiah Berlin called, “negative,” meaning, “freedom from” something, liberty as the absence of obstacles. Constant’s “ancient liberty” Berlin called “positive,” that is, “freedom to”

THE TWO LIBERTIES

Liberal Republican

Civic Republican

Modern Private Liberty (Constant)
Negative: “Freedom From” (Berlin)



Ancient Political Liberty (Constant)
Positive: “Freedom To” (Berlin)



“Liberalism”



“Republicanism”

We are still debating the right mix of liberalism (Berlin’s negative liberty) and republicanism (positive liberty).

do something, which essentially means self-determination or the ability of the self to determine its own course of life.

- Negative liberty fuels liberalism, and both require a world in which we deny the “unity of the Good.” There is not one all-encompassing Good; there are many competing goods. That’s why we need a pluralistic society, not a community devoted to one Good.
- Democracy is linked to positive liberty, which means linked to civic republicanism or the ancient notion of liberty.

Hegel’s Metaphysics

- Georg Wilhelm Friedrich Hegel (1770–1831) aimed to construct a metaphysics in which freedom was fundamental but ensconced in reason. He produced a system of the Whole in the grand style of all reality, which for him is historical and evolutionary. All reality is God, the absolute, pure spirit. But God is evolving, and human beings, who embody that spirit, must go through historical stages

in order to reach the right perspective for understanding the Whole. Hegel believed that stage of full development had been reached.

- Hegel's *Phenomenology of Mind* (1807) is supposed to trace the logically inevitable forms of spirit or mentality available to human beings. He tracks the most limited perspective the human mind can take, then follows its dialectical conflicts until it reaches the most comprehensive perspective, the perspective of concrete, ethical reason and freedom. This movement of spirit continues from our objective consciousness of things to human self-consciousness.
 - Hegel makes the important claim that human self-consciousness can be achieved only in relation to another self-consciousness—in being acknowledged by another.
 - Throughout most of human history, this achievement has been prevented from reaching its proper point because of rigid inequality; for example, in the ancient world, the relationship between aristocratic lord and slave or serf prevented this mutual recognition. The slave sees himself as an unfree object, and the master sees himself as free but only abstractly, unable to work on or transform nature—a purely negative freedom.
 - History is, in part, the story of the slave coming to recognize his free will by braving death and the lord coming to recognize that he is not a mere omnipotent negative power but must deal with the slave—hence, work—on equal footing with another independent self. They come to realize their combined freedom in dependence and turn in their mutual “unhappy consciousness” to worship the external cross as the unification they lack.
 - Thus does the ancient world become Christian, in which life is recognized in service, work, and obedience. It would take another 1,000 years, until the French Revolution, where equality was proclaimed and the aristocracy abolished, to bring to completion the unification and mutual respect of lord and slave.

- But later in the same book, in the section called “Absolute Freedom and Terror,” Hegel argues that the concept of freedom utilized in the revolution was partial and incomplete. Its concept of the individual was an uncomprehended particular, an abstraction, that regards the world as nothing but “its own will, and this is a general will.”
 - The “enlightened” self, thinking of itself as a pure individual, regards all society and nature as nothing but a limit on its freedom and tries to destroy it.
 - The French–English “advanced” notion of enlightened freedom is faulty; it leads to a self without limits that seeks to destroy the other.

Moralität and Sittlichkeit

- It is in Hegel’s “Germanic” correction of the abstractness of the revolution that the complete human mutual recognition is found. The political requirements for this he outlined in his *Elements of the Philosophy of Right* (1821). He identifies the forms of social life in which free consciousness is rightfully embedded.
- Hegel distinguishes *Moralität*, “abstract duty,” and *Sittlichkeit*, “customary morality.” *Moralität* is abstract rules of duty that apply equally to all. *Sittlichkeit* is the morality of actual persons holding offices or roles in a community. The latter is higher, more complete, and less one-sided than the former. It is, we might say, communitarian.
- Hegel’s account of politics has a hierarchical, developmental organization. In customary ethical life, there are three levels or stages of organization: First is the private sphere of the individual and the family. Second is *Bürgerliche Gesellschaft* (“civil society”), a system of economic provision of needs and administration of justice. Third is the *Rechtsstaat*, or “constitutional state of laws,” rather than rule by individuals.
- For Hegel, the state is an ethical organism, that whole into which the truly free individual is integrated with his fellows. Hegel approved

a constitutional monarchy. The legislature and the executive give shape to the otherwise “formless mass” that is the mere collection of individuals. Democracy by itself lacks form.

- Hegel’s immediate political influence was conservative. The individual rationality and freedom of the Enlightenment is a necessary but incomplete stage of consciousness. Completion is the inclusion of the free individual in family, in community, and under state law. The modern constitutional state is the embodiment of reason.

Alexis de Tocqueville

- One other distinctive contributor to civic republicanism was Alexis de Tocqueville (1805–1859), author of *Democracy in America* (1835–1840). Tocqueville believed that the French and American revolutions had shown that equality was the theme of the emerging age, but the Americans had gone further; to understand the future, it was, therefore, necessary to understand America.
- Tocqueville found that in America, virtually all traditional European institutions of inequality were absent. Furthermore, social arrangements and culture were highly egalitarian compared to Europe. Tocqueville found this equality on the whole admirable, but he also famously wrote that it raises a danger: the “tyranny of the majority.”
 - Psychologically, people in democracy value equality more than liberty. People don’t want to appear to believe that they are better than others, but they can’t tolerate others appearing to believe they are better either. This is an enormous force in promoting conformity.
 - Aristocratic institutions defended privilege but also protected individuality. They preserved the ability to avoid the control of public opinion and the majority will. Those traditional arrangements also connected people; the aristocrat and peasant had traditional mutual obligations.

- Equality and democracy put an end to all that. Democracy is actually isolating and conformist at the same time. Democratic citizens are independent, free, and equal but, therefore, alone. Such individuals are weak in the face of the overwhelming power of the majority and the state.
- Indeed, Tocqueville warns that democracy, however beneficial, threatens to create a new despotism of a gentle, paternal state and “immense protective power.” With fewer places to go for help, citizens will demand that government do for them what feudal and guild institutions once did. Society will become thinner, tradition will be eliminated, and connections will be reduced—all to give freedom and equality.
- For Tocqueville, Americans seem to have evolved a way of mitigating this danger: the “art of association.” Lacking hereditary institutions, they join, invent clubs, go to meetings, and politically organize.

Competing Structures

- We now have at least four competing ideas and structures: (1) the liberal commitment to minimal government, (2) the civic republican and direct democratic commitment to funding the community with political power to enhance political participation, (3) the conservative state and moral community, and (4) the pluralistic, mostly voluntary associations of civil society. Which would be definitive for free republican society?
- In the 19th century, liberalism won over civic republicanism and, in most cases, eventually over the conservative or communitarian state. This does not mean our system today is not a mix of all four; it is. But the kind of republicanism that came to dominate in the 19th century, reformed itself and faced enormous challenges in the mid-20th century, and seems more or less secure in the late 20th and early 21st centuries is liberal republicanism.

Suggested Reading

Berlin, “Two Concepts of Liberty.”

Constant, “The Liberty of the Ancients Compared to That of the Moderns.”

Hegel, *Outlines of the Philosophy of Right*.

———, *Phenomenology of Spirit*.

Pinkard, *Hegel*.

Pocock, *The Machiavellian Moment*.

Schmidt, “A Raven with a Halo.”

Tocqueville, *Democracy in America*.

Questions to Consider

1. What is more central to a “free” society, private liberty or political self-rule?
2. What are the dangers of private liberty, on the one hand, and widespread equality, on the other?

Mill on Liberty and Utility

Lecture 14

Utilitarianism was invented by Jeremy Bentham (1748–1832) and James Mill (1773–1836), who adapted notions from the 18th-century Scottish tradition, particularly utility or social benefit and the idea of sympathy. As a philosopher of law, Bentham was critical of the British tradition of common-law precedents. He wanted a modern, scientific reform of the law. He rejected the social contract theory as a fiction and the notion of natural rights as “nonsense.” The criterion that ought to be used to evaluate a proposed law was general utility: actual anticipated social benefit, understood as the quantity of happiness or pleasure that would likely result from adopting the statute.

Mill’s Hierarchy of Pleasures

- Like Bentham and his father, John Stuart Mill (1806–1873) takes an inductive and empirical approach to ethics. We can determine what is right or good only by observing what people actually do. Reason devoid of observation cannot determine the moral good.
- Happiness or pleasure, as the ancient Greek Epicurus said, is the ultimate good. We know this because it is what all people actually value as the highest good. An act is right insofar as it is likely to increase pleasure or happiness.
 - Thus, it is the consequences of an act that make it right. That is what we value and praise in the acts of others: not mere good intentions but the production of good effects.
 - The ultimate moral rule is, therefore, the greatest happiness principle, also called the principle of utility: Act so as to maximize general happiness.
 - Each individual’s happiness, including one’s own, counts equally in the calculation as to what act maximizes happiness.

- The major difference between Mill and Bentham (and James Mill) was that Bentham, trying to turn ethics into a science, made differences between pleasures solely quantitative. Any pleasure you might experience could be equaled by a larger quantity of another pleasure. In principle, eating enough ice cream could equal the pleasure of writing a poem, falling in love, or being elected president.
 - Mill rejected this. There are both quantitative and qualitative differences between pleasures, arranged in a hierarchy. Humans have a variety of capacities for pleasure, and some are “higher” than others.
 - How can Mill justify this hierarchy of pleasures? Because, he says, people in fact choose the higher-quality pleasures once they have access to them and are familiar with them. This was also a social point: The poor, if they had access to higher culture, would want it.
- How do we apply this principle? Regarding any prospective moral or immoral act, we ask ourselves: What is the total set of people likely affected by it, and what is the likely effect on each of them? We must add up all the increases and decreases of every different quality of pleasure for each affected person or class of person.
 - Mill answers the charge that this would be absurdly laborious by saying that we have many “secondary principles,” moral rules all of us have been taught by society, that are handy guides to what promotes general happiness, such as don’t cheat, steal, or kill and so on.
 - Is lying wrong? Mill would answer that it generally is, because lying is usually done to satisfy some personal interest and harms others. But when the doctor tells you that your grandmother has only a few days to live, and you fear that telling her the truth will make her unhappy, should you tell her? Perhaps not.
- There are external and internal sanctions for the principle, but the most important is an internal sanction: sympathy. All utilitarians believe that we are hardwired to feel with others. This can be

overridden by experience, but it can also be magnified and widened by education.

Problems with Utilitarianism

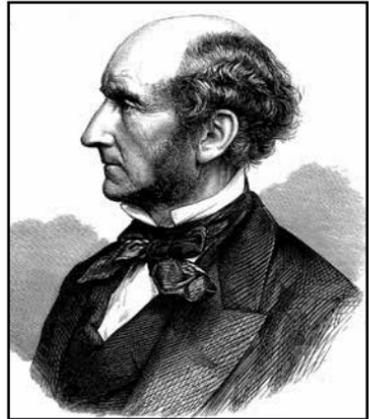
- There are two problems with utilitarianism. First, utilitarians after Mill distinguish two ways of understanding his principle of utility; they differ on what the utility is to be applied to.
 - The simpler theory is act utility: Whatever particular act maximizes happiness is right.
 - But when Mill mentions secondary principles, he opens the door to rule utility: Whatever rule of action maximizes happiness is right. If the question is “Will lying to my dying grandmother maximize general happiness?” the answer might be yes. But the answer also has to be yes to the question “Will the rule ‘don’t lie’ maximize general happiness?” That is, the general rule wipes out the extremes of utilitarianism.
- The second problem with utilitarianism is that seems as if the philosophy would make it morally acceptable or even obligatory to harm a minority or an individual if doing so benefits the majority.
 - For example, what if it would make the majority happier to expropriate the property of the rich or to turn a minority into slaves? It seems as if utilitarianism could lead to violations of rights.
 - A smart utilitarian can try to avoid this problem. Harming the minority might actually harm all society, including the majority, in the long run. Perhaps belief in individual rights will usually maximize general happiness.

The Harm Principle

- Like Tocqueville, Mill also feared the tyranny of the majority in democratic society. In a free society, what are the rightful limits on individual freedom? In his classic essay “On Liberty,” Mill answered with the principle of liberty (since called the *harm*

principle): Society may interfere with the liberty of a member only for self-protection.

- One implication of this is that self-regarding actions cannot be sanctioned.
- Equivalently, paternalism—limiting an agent’s liberty for the agent’s sake—is prohibited. To limit an agent’s liberty, it must be shown that his or her liberty is likely to harm others.
- Mill gives arguments for this in applying it to, on the one hand, liberty of tastes, pursuits, and association, and on the other hand, liberty of consciousness, sentiment, and expression or opinion.
 - First, thought and discussion can never be restricted. Mill’s argument goes like this: Imagine a minority opinion hated by the majority. Now imagine that the minority is right. Should their expression be sanctioned? No, because truth improves society.



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- But suppose the minority is wrong. Mill argues that even then, their expression of the wrong view is an improvement to society, by encouraging the correct majority to refine its understanding. The conflict of ideas improves discussion. Even Christian morals as put forward in the New Testament are not complete, Mill writes, and must be debated in order to be expanded and applied to new situations.

John Stuart Mill recognized that democracy brings with it the power of public opinion and majority rule to enforce conformity.

- For more or less the first time in Western history, social diversity of opinion is claimed as a good. Mill accepts that “the free development of individuality is the most important work of man.”
- The realm of tastes, pursuits, and association is more difficult because, here, an individual’s actions may have a direct effect on others. To interpret it, we need to see how Mill applied it.
 - The precise formulation by Mill is that society can interfere with individual liberty only when it threatens direct harm to definite others. Further, the harm must be a violation of a moral norm, not merely “constructive” harm. Mill also says that if the harm is to someone’s rights, such as theft, the proper sanction is legal; if the harm is to someone’s interests—for example, your neighbor is surly—the proper sanction is social disapprobation.
 - Mill outlaws paternalism. But people often claim that society is harmed by, for example, pornography or offensive speech. If that were true, then Mill’s principle would have to permit the sanctioning of such behavior. But Mill rightly says that would be an unfair and unreasonable application of his principle.
 - We cannot accept the claim that immoral behavior harms society in general; such an interpretation would make liberty impossible. For example, if a Muslim society can argue legitimately that someone eating pork in private is harming society, then nothing we do can ever be considered self-regarding and immune to prohibition.
 - Thus, drinking, smoking, gambling, and fornication cannot be punished—either by law or public opinion! And as we saw, all manner of public opinion, speech, or unorthodox thought cannot be sanctioned because it does no real harm. But private acts performed in public can be prohibited because such acts, in effect, close the public realm to others.

Mill and Socialism

- You may notice an apparent contradiction between Mill's utilitarianism and his liberalism. Sometimes, the happiness of the majority might be increased by limiting the liberty of minorities or individuals. Mill's response is simple and empirical: He is convinced that the society that allows the most experiments of individual freedom will yield the greatest happiness for the greatest number. Utilitarianism supports the principle of liberty.
- Mill's commitments fed into neoliberalism and libertarianism. The harm principle and the rejection of paternalism, the love of individuality, and the fear of conformity are libertarian, that is, heartily believed by people who want minimal government, the lowest possible taxes, and maximum individual liberty.
- But then in his *Autobiography*, Mill wrote that as his beliefs had evolved, he could be classed "under the general designation of Socialists"! This is reflected in the later editions of his *Principles of Political Economy*. How can Mill be a socialist and a proto-libertarian? The clarification comes in an unfinished work titled "Chapters on Socialism" published after his death by his stepdaughter.
 - Mill had always been upset that English life was dominated by "bequests" or inherited wealth, which he thought unjust. He argued that property rights were historically highly variable and should be decided by social utility. He believed that the problem of production had been solved by the market economy but not the problem of distribution, and government action was necessary for redistribution, especially in education and old-age pensions. He was not a modern libertarian.
 - Still, he utterly rejected state-centralized socialism as an economic "chimera." Production requires a division of labor; competition and differential wages or rewards are just and necessary as incentives. Taking away the capitalist's profits or return on interest would do little for the worker and would destroy production. He continued to argue against state

paternalism. But he was open to local experiments in what some have called *industrial democracy*.

- For Mill, *socialism* meant local worker’s co-ops, worker-management cooperation, and some of what we would later call *progressive* or *new liberal* social legislation. And he emphasized its experimental, empirical character, whose outcomes would have to be judged over time. He claimed that “revolutionary” socialism would be a disaster for all.

Suggested Reading

Bentham, *An Introduction to the Principles of Morals and Legislation*.

Mill, “Chapters on Socialism.”

———, *On Liberty*.

———, *Utilitarianism*.

Smart, “Utilitarianism and Justice.”

Questions to Consider

1. Can utilitarianism be saved from condemning an innocent man in order to save 10 others?
2. What is Mill’s ultimate principle of liberty, how does he justify it, and how do we apply it?

Marx's Critique of Capitalism

Lecture 15

Among the socialist critics of capitalism, the most influential was the German philosopher Karl Marx who, with his collaborator, Friedrich Engels, adopted Hegel's dialectical account of historical evolution but placed it inside economic materialism. Marx regarded his as the first science of history and the only scientific socialism. Human history is determined by the struggle between economic classes and fueled by changes in the technologies of production. Marx's critique of capitalism and vision of communism went unapplied until 1917, in Russia. Although it never inspired the revolutions Marx predicted in the most advanced countries, his notion of scientific social critique, his analysis of alienation, and his dialectics of history would have widespread impact among intellectuals in the 20th century.

Marx as a “Left” Hegelian

- The version of socialism produced by Karl Marx (1818–1883) and his collaborator, Friedrich Engels (1820–1893), was a significant threat to liberal capitalism and affected the geopolitical world for a century and a half.
- Marx was influenced not only by Hegel but by a group of “young” or “left” Hegelians, who produced a less Christian version of Hegel. As a Hegelian, Marx believed that human history is rational and goes through necessary stages in which the limitations and partiality of earlier eras are surmounted. As a left Hegelian, he avoided Hegel's Christianity and idealism, seeing the logic of history as solely due to concrete human activity.
 - But unique among the left Hegelians, Marx came to believe that the physical productivity of humanity—and, hence, economics—is the true human essence; thus, economic history is the key to what humanity has been and to the reform of society that must come.



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The version of socialism produced by Karl Marx and Friedrich Engels claimed to be scientific, unlike the utopian versions that preceded it.

- With that insight, he began to formulate the “historical materialism” that would “stand Hegel on his head.” He incorporated the Hegelian evolutionary dialectic into a materialist, economic philosophy, an anti-idealist philosophy. Marx consistently used Hegel’s notion of civil society but now in a wholly negative sense to mean “capitalism.”

Marx’s Complaints against Capitalism

- Capitalism is ownership of the means of production—meaning investment capital and/or industrial resources, factories, and so on—by a class (the bourgeoisie) that employs industrial workers (the proletariat).
- In his early *Economic and Philosophic Manuscripts of 1844*, Marx focused on alienation: Capitalism makes the workers *entfremdung*, “alien to themselves.”

- Productive work is the creative essence of human being. In selling his labor power to the bourgeoisie for a wage, the worker is selling his species essence, the core energy and activity of his self.
- Then, at the end of the production process, the bourgeoisie owns the product of the worker's labor, sells it at a profit, and uses that profit to enslave more workers. In this way, the worker's own human essence is used against him.
- Marx, like Smith, accepted the labor theory of value. All value in the product comes from the worker's human "capital." The "surplus value" of the product, which is what gives the capitalist profit, is nothing but the creative labor of the worker. The capitalist must steal this value from the worker to make a profit.
 - And the profit margin of increasingly competitive capitalists will be determined by the need to continually lower wages toward the subsistence level. The rational self-interest of the owner will lead to the progressive degradation of the proletariat.
 - As a result, capitalism is the most brutal and destructive of all the unjust economic systems of human history.
- Further, capitalism is irrational because it substitutes exchange value for use value. The value of a thing for capitalism lies not in how it satisfies human needs (use value) but in what price the bidding of capitalists drives it to (exchange value).
- Individual capitalists are driven by rational self-interest, but the system as a whole is the most irrational way of allocating resources for human needs. No one in it is a whole human being; no freedom is real; all relations are determined by money; all human values are distorted.

Materialist Theory of History

- The core of Marxist theory is its economic or materialist theory of history. Metaphysically, reality is material, not spiritual, mental, or ideal. Applied to society, this means that the economic organization of society causes its social structure or relations, which in turn cause the forms of consciousness or culture of social members. The means of economic production of a historical period dictate the class structure of that period, which in turn dictates the culture or mentality of the classes. Economics causes society, which causes culture.

- The historical evolution of human society is based in the struggle of technology-bearing classes.
 - In each period, one class is victorious and owns the most important means of production; another labors for them, with other classes playing marginal roles. The ruling class sets up government and laws that serve its interests and promotes a culture that does the same.

 - As the means of production evolve, a crisis is reached, in which a new technology-bearing class cannot advance because of the political-legal-cultural structure and, thus, must revolt against it. If the new class wins, its members come to power, and a new technological period begins, dominated by a new means of production.

- In the medieval world, the means of production was agricultural land; the ruling class was the aristocratic owners of that land; and the workers were the peasants. Over time, the commercial, merchant class of the towns improved its means of production, gaining wealth and power. But their ascent was blocked by the governmental and legal structures the aristocracy had set up to serve its own ends.
 - Eventually, the merchant class gained enough power to stage revolutions against the landed aristocracy. These took place in Holland, England, America, and France in the 16th through 18th centuries.

- A new regime was ushered in, in which the bourgeoisie ruled and set up new governmental and legal structures to enhance its power. Modern capitalism was born.
- But capitalism creates the conditions of its own destruction, which will then lead to the communist society, the final stage of human history. In that sense, capitalism is actually the necessary precursor to the good society.
 - In a famous passage from *The Communist Manifesto*, Marx says that capitalism coarsens life, showing the power relations among men to be what they really are: naked exploitation.
 - In all earlier periods, the ruling class attempted to prevent change. But capitalism lives on promoting change; ceaseless dynamism is its method.

The Destruction of Capitalism

- Marx claimed to have discovered certain inevitable tendencies in capitalism. First, as capitalism develops, capital is concentrated in fewer hands, driving more former capitalists and members of other classes into the proletariat. The rich get richer and fewer. Second, wages are suppressed toward the lowest subsistence wage; the poor become poorer and greater in number.
- Marx believed that concentration of capital in fewer hands would make the business cycle more extreme: Each new high would be higher; each new recession would be worse. At some future inevitable recession, the workers, told they are laid off, would refuse to leave the factory. Violence would spread, and the communist party intellectuals would seize the moment to direct the violence. At some point, the military, themselves proletarians, would take sides.
- Once this happens in one country, it will spread to all. Marxism is explicitly an internationalist theory: Nations do not matter; only classes do. Capitalism will destroy itself for purely economic reasons, leading to a bloody revolution of the proletariat, which

as the largest class in history will end all class differences in a communist utopia.

Engels's Contributions to Marxism

- In *Socialism: Utopian and Scientific* (1880), Engels presents a useful formulation of Marx's position. In industrialism, production is entirely social. The factory system is highly cooperative, and that makes for production at the highest level. But that stops once the product is completed because ownership is then not social; it is the private property of the capitalist. Marxism is the attempt to bring consistency to ownership and the process of production.
- Perhaps more interesting, Engels's *The Origin of the Family, Private Property and the State* (1884) accepted the then-recent theory that there had been primitive matrilineal societies preceding patrilineal society. Marx and Lenin thought this may have corresponded to "primitive communism," the earliest phase of human society. In his book, Engels gives Marxism some claim on concern for the liberation of women.

Marx's Communist Utopia

- Marx had relatively little to say about the communist utopia, but a few points are clear:
 - It must be classless.
 - The engine of history is class struggle. With no classes, the engine stops. Thus, communism will be the final period of human history.
 - All humans will engage equally in practical and creative activities. The division of labor will cease.
 - The distributive principle will be: "From each according to his abilities, to each according to his needs."
 - There can be no government because government exists only as a tool of the ruling class. In communism, government is

replaced by “administration.” The implication is that politics must also disappear because humans will no longer be divided into groups with distinct political needs. Man himself will be human for the first time.

- Even Marx did not think the revolution was a brief event. Rather, it is a process. The initial stage of the revolution is the coming to power of the proletariat. There will follow a period in which the proletariat will have to use governmental power systematically to reform society. The success of this “dictatorship of the proletariat” will then mean the achievement of the classless society.
- Marxism was an Enlightenment scientific theory. It calls for more efficient, more scientifically advanced industrial production. It is universalist and cosmopolitan in that nations, cultural differences, and racial identity are pointless distractions from class struggle.

Fortunes of Marxism

- In 19th-century Europe, Marxism overwhelmed the so-called utopian socialists and became indistinguishable from revolutionary socialism. By the end of the 19th century, *socialism* often meant “Marxism.”
- Although there would be brief socialist revolutionary governments in Bavaria and Hungary around the end of the First World War, it was the Russian Revolution of 1917 that permanently changed the profile of Marxism. Marxist-Leninism eventually spread through large parts of the world and led to many offshoots.
- The major distinction among Marxist political thinkers in Europe and America in the 20th century would be whether Marxism was compatible with democracy. Thinkers in Western Europe tried to formulate a “Western” Marxism, meaning still with free elections and individual freedoms, unlike Russia. As people eventually came to see Russian communism as totalitarian, the question became: Who did it? Was the destruction of freedom in Russia set up by Stalin or Lenin, or is it inherent in the Marxist system?

Suggested Reading

Marx and Engels, *Economic and Philosophic Manuscripts of 1844*.

———, *Manifesto of the Communist Party*.

———, Preface to *A Contribution to the Critique of Political Economy*.

Questions to Consider

1. What is the relation of consciousness and material life?
2. What is alienation, and how does capitalism cause it?

Modern vs. Traditional Society

Lecture 16

The classic social thinkers of the late 19th and early 20th centuries recognized the unique impacts of science, individual liberty, capitalism, industrial technology, growing social equality, and urbanization. Classic sociologists (mostly German) called attention to the loss of community and tradition in modern liberal society. Many were influenced by Nietzsche's "death of God" and reversion to the "will to power." Freud saw in civilization the accumulation of guilt due to the progressive restriction of instincts. Perhaps the most influential of these thinkers was Max Weber, who analyzed the unavoidable rationalization, pluralism, freedom, and alienation of modern society.

Understanding Modernity

- The new sociologists of the late 19th and early 20th centuries recognized that contemporary society was novel. Traditional society related individuals through statuses or roles in local and kin groups that defined their nature or essence, in societies whose parts were highly similar in function. Modern society increasingly related individuals through explicit legislation governing individual contracts, hence, voluntary associations, in which society is characterized by a high degree of division of labor.
- Henry Sumner Maine (1822–1888) argued, in his *Ancient Law: Its Connection with the Early History of Society, and Its Relation to Modern Ideas*, that ancient law understood individuals as falling under a status or role, integrating them in that way, whereas modern society increasingly relates individuals via contract.
- Ferdinand Tönnies (1855–1936) proposed, in his 1887 *Gemeinschaft und Gesellschaft*, that modern contractual *Gesellschaft* ("society") had emerged from traditional *Gemeinschaft* ("community").
 - *Gemeinschaft* determines the *Wesenwille* ("essential will") of the individual, with an implicit morality to which all must conform.

In *Gesellschaft*, the *Kürwille* (“arbitrary will”) depends on voluntary joining of groups for some particular purpose.

- Loss of community is the essence of modernity. The unity of local association rooted in the essential individual is lost in favor of a looser kind of association dependent on voluntary choice.
- Émile Durkheim (1858–1917) saw the most powerful feature of modernity as the ever-increasing division of labor. In his 1893 *The Division of Labour in Society*, he distinguished “mechanical” from “organic” solidarity.
 - Traditional “segmentary” societies exhibit mechanical solidarity, meaning that each part of society is similar. What holds society together is the resemblance of its parts.
 - But in modern societies, solidarity is organic; it is similar to a biological system, in which the parts have highly differentiated functions, all necessary to the whole.
- Georg Simmel’s (1858–1918) *Philosophy of Money* (1900) argued that the new commercial society, which understood everything in terms of monetary exchange, had altered our understanding of life. The application of money to more of social life as the symbolic medium for exchange leads to unprecedented equality and freedom and makes it possible to join associations without sacrificing individuality. But the human yearning for satisfaction can never be fulfilled in this new world. Money “depersonalizes” and intellectualizes, making all things emotionally equivalent.

Max Weber

- Of all these thinkers, the most comprehensive was Max Weber (1864–1920). In *The Protestant Ethic and the Spirit of Capitalism* (1905), Weber argued that capitalism evolved and thrived only in Protestant countries, where Calvinism had made worldly accomplishment a sign of membership in God’s elect.

- For Weber, in modernity, all activities, institutions, and areas of life tend to be “rationalized,” that is, subjected to rational improvement in terms of their efficiency, productivity, or truth.
- Rational self-control replaces tradition or custom. Each enterprise tries to make itself more efficient and, hence, independent of the social whole. This requires the separation of facts from values; to make your business more efficient, you must ignore or replace old ways of doing things that embody other values, such as traditions or social interaction among workers.
- At the same time, social authority changes from charismatic and traditional to legal. Traditional authority is the authority of parents, tribal leaders, elders, institutions, and the transmitted culture. Charismatic authority is the uniquely commanding and expressive power of an individual, such as a religious leader or business entrepreneur. Last is the one rationalized or rationalizable form of authority: law. In modernization, charisma and tradition tend to be replaced by law.
- In his 1918 lecture “Science as a Vocation,” Weber develops a rather philosophical extension of this analysis. Rationalization leads to value pluralism. Human values are polytheistic, meaning that we have no way to integrate them. The aims or ends of life are in competition, and we must simply choose among them. There is no comprehensive or unifying perspective unless we adopt an all-encompassing religious view.
 - Religion was the unifying factor, reflected in a changeless life guided by tradition. Progress, although some take it to provide meaning, actually undermines meaning.
 - The biblical Abraham could die “satiated” with life, having done all that a man of his time could do. But today’s scientist, athlete, or architect must know that those who follow will destroy and improve on his or her achievements.

- In his companion essay, “Politics as a Vocation,” Weber distinguishes between what he calls the ethics of ultimate ideals and the ethics of responsibility. The former seeks the ultimate goals announced by political movements without concern for the concrete steps that must be taken to achieve them or for their unintended consequences. The latter requires that leaders not ignore such consequences. As a result, politics is not a matter of self-righteous positioning; it is a “slow boring of hard boards.”
- Weber likened the combination of instrumental rationality and the urge to ever-greater efficiency in bureaucratic structures to living in an “iron cage.” Scientific and economic rationality, individual freedom and equality, and material progress all come at a price: alienation. In response, Weber saw only two options: “bear the fate of the times like a man” or return to the “open arms” of the old churches.

Sigmund Freud

- Sigmund Freud’s (1856–1939) theory famously held that consciousness is driven by unconscious instincts, particularly sex and aggression. The ego or self must, while trying to deal with reality, defend itself from both the instincts and the superego, the internalized censorial voice of our parents. The instincts are dangerous to the ego, and it resists them through a variety of defense mechanisms while expressing them in sublimated or displaced forms.
- Freud was no libertine: Repression of instincts is good and necessary, but if it is too extreme, neurotic illness results. The general picture is of the human psyche in permanent conflict; the “low” origins of “high” human activities (for example, cultural activities) are sublimations of base instincts, ways of getting partial sexual and aggressive satisfactions otherwise blocked.
- In one of his last books, *Civilization and Its Discontents* (1930), Freud argued that the growth of civilization must bring with it an ever-increasing sense of unhappiness due to guilt. The reason for this is that social advances require more complete suppression

of instincts, particularly aggression. The unconscious psyche, however, remains aware of the now-unfulfilled instincts. This awareness causes the superego to generate guilt, redirecting the aggression toward the self.

- The great blow of Freud's overall work is against the self-image of 19th-century Victorian man, increasingly master of nature, science, and the world but not his own soul.

Friedrich Nietzsche

- The bulk of Friedrich Nietzsche's (1844–1900) mature work is an unrelenting critique of Judeo-Christian morality. He attacked the religious tradition and its morality as injurious to the greatness, power, and health of Western civilization. Nietzsche contrasts aristocratic morality with slave morality, the morality of honor and power versus the morality of meekness, for which power itself is evil.
 - The slave morality, which invents the term *evil* as a label for those it fears, is fueled by resentment. It creates God as a beloved judge who will reward the weak and downtrodden in the next life and torture the powerful eternally in the fires of hell.
 - This view gives the slaves and the poor a meaning for their suffering and a way to live with it. Those defeated by life, those lacking in strength or creativity, must find a meaning



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Freud was a medical doctor and psychiatrist, not a historian, but his theory of human nature affected all social and philosophical studies.

that will make their suffering bearable—hence, Judaism and Christianity.

- Nietzsche’s philosophy is sometimes associated with nihilism, or the rejection of all values, but Nietzsche claims that it is Judaism and Christianity that are nihilistic; they devalue humanity, nature, and life. They are anti-life, against the will to power or expression of instincts that is the essence of life. For Nietzsche, the greatest nihilism is devaluing man, considering human beings incapable of greatness. This is the doing of Judaism and Christianity, the “slave” religions, and they have made Western society sick.
- Nietzsche was virtually the first major intellectual to see that Western society was abandoning God. He famously wrote, “God is dead.” But what values will replace Christian values?
 - One of Nietzsche’s most compelling notions was the eternal recurrence, an idea drawn from the thermodynamics of his day: If matter is finite and time is infinite, then sooner or later, every possible combination of atoms will occur, in fact, will repeat endlessly. That means your own life will endlessly recur, with no change or progress. Could we look upon this with joy—say “yes” to the eternal, pointless return?
 - Nietzsche thought it could be done. He hoped for the *Übermensch*, the “overman” or “superman,” who could live with this and affirm it, create meaning and value despite it. He imagined the prophet of the overman as his character Zarathustra in his anti-Christian mythical tale, *Thus Spoke Zarathustra*. Zarathustra is the spokesman for finding meaning in the cold world of power without any telos or God.

Social Thinking and Politics

- The modern world brought higher standards of living, unprecedented scientific knowledge and technological achievements, more rational law and politics, and widespread literacy. It remade the world. But it also generated constant change, the undermining of tradition, and the loss of community for many.

- In the midst of such change, Freud and Nietzsche told us that the belief in unlimited progress, in the rational perfectibility of man, is an illusion, that in our hearts or unconscious, we are still primitives. They undermined the Victorian conception of rational man and endless improvement of society.
- Freud and Nietzsche and, to some extent, Weber took the discontents brought by change and explained them with a new pessimism about the limits of reason. These thinkers reflected the unease many people felt about modernization and explained it with a new background pessimism that would fuel political movements in the decades to come.

Suggested Reading

Durkheim, *The Division of Labor in Society*.

Freud, *Civilization and Its Discontents*.

Maine, *Ancient Law*.

Nietzsche, *Beyond Good and Evil*.

———, *The Gay Science*.

Simmel, *The Philosophy of Money*.

Tönnies, *Community and Society*.

Weber, *The Protestant Ethic and the Spirit of Capitalism*.

———, “Science as a Vocation.”

Questions to Consider

1. What is in common among the great German sociologists’ analysis of the new way of life we call modern?
2. What implications do Nietzsche’s critique of Judeo-Christian morality and Freud’s basis of human behavior in the irrational have for politics?

Progressivism and New Liberalism

Lecture 17

Laissez-faire capitalism began to erode as a result of monopolization, popular pressure, nationalism, and later, war. Politicians and thinkers argued that the new age of big business or monopoly required changes in liberal politics and economics. In England, Leonard Hobhouse outlined the new liberalism, which tried to incorporate much of socialism into a liberal republican structure. From 1900 to 1920, American progressives, such as Woodrow Wilson, Theodore Roosevelt, and the philosopher John Dewey, argued for an organic view of society against the natural rights, atomistic individualism, and limited government of the 19th century. Progressives had a major, permanent impact on America and provided arguments for the New Deal and, later, for egalitarian liberals.

The New Liberalism

- In the 1890s and the first decade of the 20th century, the dismantling of laissez-faire capitalism began, mainly because of two factors: (1) changes in the economy and how people saw it and dealt with it and (2) moderation among the opponents of capitalism. On the continent of Europe, the idea that socialist policies could be incorporated into capitalism would develop into social democracy, a left-wing movement, but in England and America, it created a new, more egalitarian version of liberalism.
- The fullest expression of the English new liberalism came from Leonard Trelawny Hobhouse (1864–1929), who published a long essay, “Liberalism,” in 1911.
 - Hobhouse argued that earlier liberalism, meaning 19th-century laissez-faire, was negative and mechanical, but liberalism must be conceived positively. In reality, liberalism “founds society on the self-directing power of personality,” not the absence of state coercion.

- Hobhouse was inspired by utilitarianism, rather than a theory of rights, but he later argued that earlier utilitarianism failed to understand the interdependence of individuals. Liberalism is right and he supports it, but it is justified by its benefit to society as a whole, not natural rights. And it is fully compatible with nationalism.
- A modern organic (not mechanical) liberalism must recognize that the individual depends on special social conditions to develop personality and liberty. That is, greater equality of social conditions is necessary for the individual freedom liberalism needs and wants. Individual liberty depends on society and cannot be guaranteed merely by eliminating state or social controls on the individual.
- We also need a “social conception of property,” Hobhouse claimed, and some degree of redistribution. All capitalist profits depend on social conditions; hence, the capitalist owes society and should be taxed accordingly. At the same time, all citizens should have the opportunity to contribute to society. This leads to what Hobhouse called “socialist liberalism.”
- Hobhouse also admitted that liberty itself is “not fundamental, it is means to an end.” But what he seems to mean by this is that negative liberty (absence of coercion) is not fundamental. At the same time, he says that there is no purely “self-regarding conduct” in Mill’s sense. The point is that the individual is fundamentally social and socially formed; thus, its “self-directing power of personality” requires a particular social context.
- The basic notion here is, in fact, anthropological: The human individual is a product of, and always dependent on, social conditions. Liberty, therefore, must be understood as positive liberty. The individual cannot be free without benefiting from and making a social contribution. Likewise, those who have benefited from the market owe society for the ways in which they have benefited from the social whole.

American Progressivism

- American progressivism began with the Populist Party movement, founded around 1890. Populism and progressivism were championed by three figures in particular: William Jennings Bryan (1860–1925), Theodore Roosevelt (1858–1919), and Woodrow Wilson (1856–1924). Progressives held the presidency for almost 20 years, from 1901 to 1921, with the exception of 1908 to 1912.



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Theodore Roosevelt and other American progressives called for institutional changes to magnify the power of the presidency.

- Roosevelt argued that the economic world had changed since the American founding and the early 19th century. He claimed that the country faced large, monopolistic corporations whose power was too great. The suffering of the poor was the result. Unlike in Mill's time, in the new century, we witnessed a "tyranny of minorities," namely, the wealthy few and their representatives. In response, we needed a new version of the three R's: reform, regulation, and redistribution.
 - Roosevelt called his program the Square Deal and the New Nationalism. Although he insisted that he was no opponent of capitalism, his rhetoric implied some principled limitations on it. We must remove unearned possessions and privileges and promote practical equality of opportunity. Property rights are good but only when they benefit society.

- Roosevelt and other progressives argued that the power of the presidency should be magnified, especially against the Supreme Court, which was protecting property rights of major corporations. Roosevelt believed that the president should be able to act in any way for the public good that is not “forbidden” by the Constitution, as opposed to possessing only those powers explicitly granted by the Constitution. Progressives wanted more democracy, but in their time, this meant more power in the executive branch.
- Wilson was equally clear about his ideological objections to the older ways. In his book *The New Freedom*, he specifically criticized the “mechanical Newtonian” view of politics characteristic of *The Federalist* papers. The division of powers and checks and balances are too mechanical and make the executive power too weak to serve the best interests of the nation.
 - In place of this “mechanical balancing,” we need a biological, Darwinian, evolutionary conception of politics that recognizes political society as a functioning organic system. Likewise, we must regard the Constitution as a living document. The system needs greater centralized direction. We need to reconstruct the balance of power.
 - In practice, this meant two major shifts: The president is the sole national representative and, as such, must have more power, and the Supreme Court has too much power. The Supreme Court was enforcing the 18th-century Constitution in such a way as to prevent the executive from flexibly dealing with the needs of the new age.

John Dewey

- The most famous philosophical progressive was John Dewey (1859–1952), whose persistent interests were democracy and education.
 - In political philosophy, Dewey opposed the old “asocial individualism.” Individuals develop through interaction based on social conditions, especially education. They are formed

by, and remain dependent for growth upon, interaction with others. The old liberalism is “static” and sees individuality in conflict with social action. But individuality and sociality are coordinated, interactive, and symbiotic.

- Dewey is not against individuality, but he gives it a social definition as the unique contribution the individual makes to society. Society is not fixed either; it is a result of the interactions of masses of individuals and is rightly changed by them.
- For Dewey, democracy is, above all, a process of ever-increasing interaction or communication between social elements. It is democracy that permits the widest possible range of interactive experiences and, hence, the greatest possible learning. Democratic freedom means breaking down the barriers to novel and wider experiences and encouraging opportunities for growth.
- National economic life needs planning through intelligence, Dewey believes, not laissez-faire policies. Dewey sometimes said that he was a socialist, but today, we would say that he was a progressive or, perhaps, a social democrat in the European sense.

Effects of the New Liberalism

- Progressivism was largely successful and responsible for some reforms to which virtually no one today objects. Its effects included: legislation and government agencies for trust-busting; the creation of the income tax (Sixteenth Amendment); a higher level of democratic participation and direct election of senators (Seventeenth Amendment); the eight-hour work day, minimum wage, worker’s compensation, and social insurance for the elderly, disabled, and unemployed; and votes for women (Nineteenth Amendment).
- The whole later history of the left in the United States, all later egalitarian or welfare-state liberalism, has used progressive arguments. The New Deal of Franklin Roosevelt and the post–

World War II welfare-state or egalitarian liberalism of the late 1960s and 1970s are both indebted to progressivism.

- In marking progressivism as the beginning of the “welfare state,” we should note that there are various forms and degrees of welfare provision.
- In *The Three Worlds of Welfare Capitalism*, Gøsta Esping-Andersen described three: liberal, corporate or Christian democratic, and social democratic. All three developed in the 20th century, and new liberalism and progressivism were indeed steps toward at least the liberal welfare state.
- Christopher Lasch (1932–1994), a left-wing American historian, in *The True and Only Heaven: Progress and Its Critics*, faulted the progressive movement and its descendants for an overreliance on experts. Turning to the executive branch to manipulate the economy and social welfare inevitably required solving social problems by hiring educated experts to manage society, instead of the earlier impulse of populism, which was concerned with empowering the rural and urban poor with some manner of direct and participatory democracy.
- Some think of the issue among laissez-faire capitalism, progressivism, and socialism as a battle between the values of liberty and equality. It can be. We have noted that modern liberal republicanism places a high value on both equality and liberty, and they can conflict. But the conflict is complex.
 - First of all, equality has different types. All modern liberal or civic republicans must believe in equality before the law. Outcome equality—the idea that individuals should end up with the same amount of money or resources—is completely different and requires some kind of socialism.
 - In between the two is what some call “equality of opportunity.” What is meant by this term is the attempt to overcome vast differences in birth-status advantages where possible through education, health care, and so on.

- The new liberals and progressives argued that inherited wealth is unfair and, thus, rightly taxed and that those who lack the means for proper education, health care, and retirement don't have the material resources required for liberty. Furthermore, they made the argument that some degree of equality beyond equality under the law is necessary for any truly positive liberty.
- Note that the argument about what kind of equality is desirable or legitimate is simultaneously an argument about the concept of liberty. The positive notions of liberty as self-determination, fulfillment of purposes, or actualization of potentialities can all be used to justify communal or governmental adjustment of the outcomes of the free market. The negative notion of liberty as absence of coercion tends to be connected with less government intervention. We have been arguing about this issue ever since the progressive/new liberal era.

Suggested Reading

Dewey, *Individualism Old and New*.

———, *Liberalism and Social Action*.

———, *The Public and Its Problems*.

Hobhouse, *Liberalism and Other Writings*.

Pestritto and Atto, *American Progressivism*.

Questions to Consider

1. On what ethical basis do progressivism and the new liberalism argue for changes to liberal republicanism?
2. What model of the self did the progressives employ?

Fleeing Liberalism—Varieties of Socialism

Lecture 18

The growth of capitalism caused a growth in various kinds of socialism. Germany in particular underwent amazing economic expansion between 1870 and the First World War, becoming a major industrial power in three decades. The result, with the increase in concentration of oligopolies, was the development of a strong socialist movement. The theory of Marxism had long since co-opted almost all socialism. Now, Marxists had to face a persistent question: Why hadn't capitalism yet collapsed? The answer led in two directions: a milder, "evolutionary" socialism in Western Europe and a more radical, authoritarian communism in Russia. An intermediate version of "Western Marxist" political theory developed in between, which in practical terms, might swing either way.

Bernstein and Social Democracy

- Eduard Bernstein (1850–1932) was one of the founding theorists of the German Social Democratic Party (SPD). His 1899 *The Preconditions of Socialism* is a classic work of European social democracy, signaling a major change in socialism as it then existed.
- First and foremost, Bernstein wrote to his fellow socialists, we must admit that the conditions of the working class have greatly improved in recent decades, partly through the trade union movement and advances in suffrage in parliamentary democracy. Despite the fact that such improvements were the aim of socialism, capitalist society was moving toward "rule by the proletariat"!
- For Bernstein, this meant that socialists were witnessing and could contribute to the process of evolving socialism. Socialism was coming, as Marx had said, but it was evolutionary, not revolutionary. Bernstein adopted a pragmatic line; he disavowed concerns about the eventual socialist utopia and called on socialists to support and expand the improvements that were occurring. Socialists could be insiders and reformers, not merely outside revolutionaries.

- Bernstein favored productive cooperatives but accepted that these would be hierarchical; equality would be political—as citizen, not as worker. There cannot be strict equality in the economic realm, but there does not need to be either. In effect, Bernstein gave up the communist utopia and claimed that the best possible state for workers was some kind of capitalism with socialist characteristics.
- Bernstein was in favor of socialism with parliamentary democracy and civil liberties, a high degree of worker control of industries, and high taxes on the wealthy. This would become the baseline model for what many on the left, especially in Western European countries, called for: democratic socialism without the abolition of commercial society or private property.
- But the First World War changed everything. International socialism was partly responsible for the first successful socialist revolution, which was indeed an extreme form of socialism.

Extreme Socialism in Russia

- Czarist Russia had more than its share of revolutionaries, some anarchist socialists, and some state socialists, many of whom were exiled after an abortive revolt in Petersburg in 1905. Then came the First World War, which would destroy the Austro-Hungarian and Ottoman empires and spark local socialist revolutions in Bavaria and Hungary. In March 1917, with Russia losing the war, food riots led Czar Nicholas II to abdicate, and in the midst of revolutionary agitation, he was replaced by a provisional liberal republican government with universal manhood suffrage.
- But things began to fall apart in the fall of 1917. In November, with the war still raging, the Bolsheviks, the radical faction within the socialist party, seized power; the Petersburg soldiers supported them, and the navy turned its guns on the Winter Palace.
- The constituent assembly was eventually disbanded by the Bolsheviks, and their Congress of Soviets declared Lenin the

premier and head of the Politburo, the central committee of the Communist Party. They immediately pulled Russia out of the war.

Lenin's Leadership

- Vladimir Ilyich Lenin (1870–1924) became the leader of the first successful Marxist socialist revolution. Lenin was, in most respects, an orthodox Marxist. But he had to make some changes to Marxism to fit the new reality.

- First, socialists had the problem that a Marxist revolution should, theoretically, have begun in the most highly developed capitalist economies, not the partly industrial but mostly rural Russia. But Lenin had accepted the view that socialism could arise in Russia in a two-stage process: a liberal bourgeois revolution, resulting in further capitalist development, followed by a true proletarian revolution. Lenin pressed this further; the capitalist development can occur under the dictatorship of the proletariat before the true communist society is achieved.

- The second change Lenin took from an Englishman, John A. Hobson (1858–1940), who argued that capitalism had entered a new, brutal phase, which explained why it had not yet destroyed itself.
 - Hobson distinguished traditional colonialism from the new imperialism of the late 19th century. Colonialism involved conquering a population and transplanting conquering nationals to rule it and live in it. But imperialism is a foreign minority ruling a majority of alien workers for economic ends.

 - Hobson's distinction is at least partly true. From 1850 until World War I, European countries dominated the productive capacity of much of the world. Hobson explained that the new imperialism was based on economics: armaments manufacture, export markets for manufactures to the undeveloped colony, cheap raw materials and labor from the undeveloped colony, and so on. Imperialism is the safety valve that had allowed capitalism to hang on for so long.

- Lenin, in his 1916 book *Imperialism: The Highest Stage of Capitalism*, argued similarly that capitalism had reached its monopoly phase, in which its surplus capital must be exported. The reason capitalism had not already collapsed was that imperialism had extended its life. But the time of capitalism was running out.
- Most practically, Lenin reconceived the role of the Communist Party in Marxism and, hence, the nature of revolution.
 - In Marxist theory, the revolution will happen in its own time for historically deterministic reasons. Communist intellectuals will aid the workers in their inevitable success, providing guidance at key points.
 - But for Lenin, capitalism had so successfully smothered the revolutionary intelligence of the proletariat that the party must take a stronger lead. The Bolsheviks took the position that party membership requires full-time organizing activity under a central command; the socialist intellectuals must make the revolution happen.
 - In this fight, absolute party discipline was necessary. There could be no freedom without the downfall of capitalism; thus, there was no point in worrying about intellectual freedom. Notions of legal equality and rights were bourgeois delusions.
 - Lenin had no patience for “opportunist” social democrats, such as Bernstein. The bourgeois state must be “smashed.” It would then be replaced by a ruthless proletarian dictatorship to purge society. Eventually, the proletarian state would “wither away” into ideal communism.
- Lenin’s Communist Party ruled in an authoritarian fashion and produced “left” deviations in Marxist-Leninism. This essentially meant either some anti-state or anti-centralizing socialism or a demand for continuous revolution rather than the defense of the centralized power of the Soviet bureaucracy. Here, the term *left*

means not so much socialism or non-socialism but the degree of radicalism versus the preservation of institutions.

Western Marxists

- Between Lenin and Bernstein, there were still more socialist theorists in Central and Western Europe in the early decades of the 20th century, especially in Germany. These have been called “Western Marxists,” implying greater openness to Western (versus Russian) values of individualism and democracy.
- We can take the Hungarian György Lukács (1885–1971) as an example, famous for his *History and Class Consciousness* (1923). Lukács used Hegelian process philosophy (versus mechanistic economic determinism) to explain the failure of the working classes to adopt Marxism; he is more cultural and less economic.
 - In Hegelian perspective, he said that the totality of the social-intellectual-cultural system subordinates parts to the whole. The domination by capital is not solely economic; it infiltrates all of society and culture, which serve as their own forces to suppress social critique.
 - The emphases on the early Marx and his notion of alienation and on Hegel were more amenable to Western philosophers, many of whom found the apparent economic determinism of the later Marx to leave no room for human freedom or culture. A more “Western,” Hegelian-friendly Marxism seemed able explain the workers’ resistance to the appeal of Marxism.
 - Lukács’s main point was an analysis of the culture of mass capitalist society as an all-encompassing environment that prevented workers from perceiving the injustice of capitalism. Workers lived in a “totally reified” culture, robbed of any free reference point for their consciousness to criticize the system. Capitalism succeeds in commodifying all the parts of culture and consciousness, leaving nothing outside its system that can be used to criticize it.

- The search for a Western Marxism—in effect, a democratic Marxism—would last up through the 1970s. The members of the Frankfurt School seemed to insist on a liberal, democratic version of socialism, but their critique could be quite radical.

Defining Socialism and Capitalism

- The following chart shows general statements about capitalism and socialism.

Socialism	Capitalism
<p>Public ownership and control of the means and factors (land, labor, capital) of production,</p> <p>where production and distribution are determined by collective decision (with highly constrained property rights and controlled prices, volume, distribution)</p> <p>to achieve material progress with a high degree of material equality.</p>	<p>Private ownership and control of the means and factors (land, labor, capital) of production,</p> <p>where production and distribution are determined by private contracts (with minimally constrained property rights) in a free market regulated by a spontaneous price mechanism</p> <p>to achieve material progress with a high degree of individual liberty.</p>

- But note that there are many ways of tempering, or even dropping, several parts of each description. For example, starting with a pure laissez-faire capitalism (a theoretical ideal), an economy might move to 19th-century laissez-faire conditions: a highly free market economy but with public property and blocked exchanges, no welfare, no union legislation, and so on. A nationalist economic policy, such as Alexander Hamilton’s, moves a further step away

**Maximum
Socialism****Maximum
Capitalism**

8. Communism	1. Minimal state
7. Socialism	2. Laissez-faire capitalism
6. State capitalism	3. Economic nationalism
5. Social democracy	4. Progressivism

Socialism and capitalism exist along a continuum; there are several degrees of intensity of each.

from the starting point. Anything between the two extremes can be called a “mixed economy,” with elements of both.

- By 1920, socialism in its Marxist communist form had taken root in Russia. But the war left great wounds, particularly in the countries that had been defeated, and some were turning against the Western liberal republican system. Then came the Great Depression and massive unemployment. Large numbers of people began abandoning the center, that is, liberal republican capitalism, toward the extremes. We’ll turn to one of these extremes in the next lecture.

Suggested Reading

Bernstein, *The Preconditions of Socialism*.

Hobson, *Imperialism*.

Lenin, *The Lenin Reader*.

Lukács, *History and Class Consciousness*.

Questions to Consider

1. How did Lenin alter Marxism?
2. What are the differences between the “evolutionary” socialists or social democrats and the “revolutionary” socialists?

Fleeing Liberalism—Fascism and Carl Schmitt

Lecture 19

The roots of fascism, like Bolshevism, lie in the First World War. The war provoked dissatisfaction with the status quo but also gave large numbers of rural peasants and low-wage urban workers the experience of serving a nationalist cause on equal footing with others of their nationality. Many people in the years 1918 to 1933 became convinced that liberal capitalism and parliamentary democracy were unjust and inadequate, a view that was exacerbated by a worldwide economic depression starting in 1929. The Weimar Republic, the German democratic regime between the wars, was buffeted by disaffection on the right and left. Many accepted a socialist critique of liberal capitalism and joined socialist parties, but some turned to a nationalist version of socialism.

The Rise of Fascism

- During the interwar years, especially in the Weimar Republic, the critique of limited government, representative institutions, and civil liberties was intense from right and left. Constitutional governments in many countries were weak, and many factions competed for power, including communist and new nationalist parties.
- An intellectual defense of extremism and even violence seemed attractive. Even before the war, Frenchman Georges Sorel (1847–1922), in his *Reflections on Violence* (1908), had supported “anarcho-syndicalism” or “revolutionary syndicalism.” Sorel specifically approved revolutionary violence against parliamentary socialism.
- The new answer to the malaise of the war first took concrete shape in Italy. Benito Mussolini and his Fascists took power in 1922. As he argued later in “The Doctrine of Fascism” (1932), fascism is a spiritual doctrine. The individual must devote himself to a higher goal, which can only be the nation.

- Marxism is wrong because it is a merely economic doctrine and because it is internationalist. It was clear that the international Allied powers could not be trusted.
- Fascists endorsed the term *totalitarianism*. The state and commitment to it should be total; only that would satisfy the spiritual needs of the people.
- The war and its aftermath convinced many socialist critics of the status quo that a nationalist rather than internationalist form of socialism was the answer.

Carl Schmitt

- Carl Schmitt (1888–1985) was the most serious of the German political theorists who supported Nazism. He joined the party in 1933 when Hitler became the German chancellor, but long before then, starting in the early 1920s, he had begun to lay out the rationale for a kind of politics that was incompatible with the struggling liberalism of the Weimar Republic.
- Schmitt presented a critique of liberal republicanism, or what he called “parliamentary democracy.” First of all, he pointed out that parliamentarism is not, as its advocates believed, a discussion about truth; it is a negotiation over interests.
- He recognized that democracy and parliamentarism (or liberalism) are in conflict. Democracy is about power, and its purest form is direct democracy. Parliamentarism is about limiting power.
- Schmitt accused liberal parliamentary government of relativism; that is, it relativizes all interests and claims. He quoted Karl Kautsky: “The awareness of relative truths never gives one the courage to use force and to spill blood.” The implication here is that politics is about making an ultimate decision, declaring an absolute commitment. Liberalism pretends that politics can avoid such decisions.

- Schmitt argued that parliamentarism was (in 1923) bankrupt, destined to be superseded in one of two directions: by Marxism or by the viewpoint of Sorel and Mussolini. Marxism, he claimed, is a rationalist Enlightenment educational dictatorship; Mussolini's is an irrationalist, mythical approach to politics.
- At this point, Schmitt was, before the Nazis, a supporter of the temporary dictatorial powers of the president, not to supplant but to protect democracy. His practical goal was to increase executive power against Parliament, which he saw as unable to deal with Germany's problems.

Foundations of Politics

- Liberals tend to think of politics as a servant to economics; parliamentarism considers the essence of politics to be law. But Schmitt argued that the very concept of the political is not moral, legal, social, or economic. Politics is deeper and more profound than all of these.
 - In an interesting argument, Schmitt says, "Sovereign is he who decides on the exception." Even proto-liberals, such as Locke, admitted that the executive must be permitted the power to suspend the laws if necessary for the good of the polity, particularly in an emergency. The concept of prerogative was seen in the republican tradition as a kind of safety valve for use in occasional extreme cases.



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In the Roman Republic, the role of the dictator was to suspend laws if necessary in an emergency.

- But Schmitt takes this more seriously. To alter the laws or suspend them in an extreme situation is an awesome power. Schmitt suggests that whoever decides the exception and can impose that decision on the polity is, in fact, the sovereign. Everything else is window-dressing and mere discussion. For Schmitt, the limit or border of the political constitutes what politics is.
- What if we press the argument another inevitable step: Who gets to decide when there is an emergency? Schmitt says, that, too, must be the sovereign. The implication is that the essence of political power is the ability to suspend normal law and declare martial law.
- For Schmitt, the law is not sovereign. We are not ruled by laws; we follow laws and are obligated to do so in normal social conditions. But that is not “ruling.” For the sovereign, the answer to “Who decides the exception?” is the precondition of the law being obligatory and being, in fact, obeyed.
- Schmitt is searching for foundations for everyday politics and finds them not in natural law or rational ethics but in those ultimate decisions that initiate and maintain the state. He is also pushing the notion of the political to the point of a pre- or nonrational existential decision on which all other political rationality, law, and structure are based.
 - Rational arguments are always based in premises or presuppositions. What gives us the truth of the presuppositions? Presumably another argument, with other presuppositions. But what comes first?
 - Whatever it is cannot be the product of a rational argument. The first presupposition can only be a nonrational decision, a pure commitment without argument. Schmitt is saying that the constitutional legal state must ultimately be based in something pre-constitutional, pre-legal, and pre-rational.

- If nonrational, this begins to sound a bit like religious faith. And indeed, in his essay “Political Theology,” Schmitt argues that modern political concepts are essentially earlier theological concepts secularized. That is, the politics of the modern sovereign state takes the place of religion in declaring the fundamental grounding and legitimation of any social form of life.

What Is Politics?

- Finally, in his essay “The Concept of the Political,” Schmitt deals with the interstate context of sovereignty. What is politics itself? It is not economics, culture, law, or society. It has its own unique character, which has something to do with power and something to do with membership in a political community.
- Politics, Schmitt claims, is the relation to a public enemy; it is based in the will to fight for one’s existence. This is a real relation to a real outside power. The two communities are mutually exclusive; the question is: Which will continue to exist? That is politics.
- Politics is inherently dangerous because human beings are “evil,” by which Schmitt means “dangerous and dynamic.” They are not pacific or law-governed. Without a willingness to fight, there is no politics.
- Failing to recognize the true nature of politics, liberal internationalist parliamentarians, who try to decide all questions by law, try to defang and tame politics, but in so doing expose the state to the dangers of factions, such as Bolsheviks and fascists. Schmitt is literally arguing that liberal republicanism is not a political doctrine or view; it is a negation of politics, an attempt to replace politics itself with law, morality, or economics.
- In fact, Schmitt argues, liberal parliamentarians are more brutal and exclusive without admitting or recognizing that fact. Because they regard themselves as representing moral, legal humanism, liberal

societies regard their enemies as anti-human—to be treated as enemies of all of humanity.

- Schmitt is one of a short list of 20th-century political philosophers obsessed with the deep issue of what grounds or validates politics itself, given the rejection of any natural law tradition. In effect, what justifies it is something like Nietzsche's will to power. Schmitt goes outside the modern tradition that has based itself in finding ways to limit the political to yoke the political to the service of society in definite ways. He wants to release the political; the political is the power to create or change society.

The Appeal of Fascism

- The combination of constitutional republicanism with regular submission of party officials to free elections; government limited by, and subjected to, the rule of law; a largely free-market economy; and broad civic freedoms of individuals and civil society associations makes liberal republicanism appear weak and ineffectual.
- Theoretically, liberal republicanism seems groundless. The search for a ground to political life leads to power, existential decision, and a theology of the nation-state that is unlimited. This is to some extent Hobbesian in that all political community, political power, and law are rooted in the absolute power of the sovereign. But Hobbes did not found the sovereign on a nonrational basis; for him, the sovereign is the creation of rational, self-interested people.
- As sociologist Edward Shils wrote later, fascism was nationalist but not simply nationalist. Shils believed that fascism transcendentalized the nation, treated the nation as if it were a transcendent, divine source, unifying the two. This is a nice reflection of Schmitt's notion that sovereignty is a quasi-theological idea; the political community, as sovereign, is a theological notion of the nation-state.

- The martial aspect of fascism is somewhat reminiscent of civic republicanism, except now in a bureaucratic, nonegalitarian, and far more extreme form. As noted by Peter Drucker, the fascist response to the inadequacy of socialism or Marxism to cure capitalism's ills is to put the nationalist, military life above the economic. Economics is now in service to a higher ideal. Totalitarianism, Drucker says, is a *Wehrwirtschaft* ("war organization") of the business of society. This will bring a new equality of all citizens as soldiers in the national fight.
- We should remember that fascism and Nazism had two roots, one idealist and one realist, in the political sense.
 - The realist is easy to see: The world is made by power; all political order is based in an act of power; and liberalism cannot "defang" the political world.
 - But at the same time, in the demands made on citizens, fascism and Nazism are highly idealistic. They are calls to sacrifice, to turn away from petty personal demands, to the glory of the whole.

Suggested Reading

Drucker, *The End of Economic Man*.

Mussolini, *The Doctrine of Fascism*.

Schmitt, *The Concept of the Political*.

———, *The Crisis of Parliamentary Democracy*.

———, *Political Theology*.

Sorel, *Reflections on Violence*.

Questions to Consider

1. What are the similarities between the socialist/communist and the emerging fascist criticisms of liberal bourgeois society?
2. What makes the fascists different?

Totalitarianism and Total War

Lecture 20

Totalitarianism, fascist and communist, is an intrinsically modern form of social organization. Coupled with Japanese authoritarian militarism, nations operating under these doctrines conquered much of the developed world and killed untold millions between the 1920s and 1953, the year Stalin died. And, of course, Mao and others were just getting started. The Second World War is the only truly “total” war in modern Western history, in which all sides violated just war doctrine. Hannah Arendt provided the most famous analysis of totalitarianism and the “banality” of evil in the Holocaust. Adorno and Horkheimer even more darkly saw fascist barbarism as a self-negating result of the Enlightenment in their *Dialectic of Enlightenment*.

Lead-up to World War II

- The years 1933 to 1953, from Hitler’s ascension to the chancellorship of Germany to the death of Stalin, were arguably the worst 20 years the human race has experienced.
- Fascism ruled in Italy starting in 1922, then in Germany in 1933. Fascist parties and near-fascist parties surged in many countries. Hitler manipulated the Western powers and Russia, remilitarized the Rhineland, and rearmed for war. He signed his Nonaggression Pact with Stalin in August 1939 and invaded Poland one week later, officially beginning World War II. By the fall of 1941, most of Western and Central Europe was ruled by Hitler, Mussolini, and their allies or puppet regimes.
- At the same time, parts of Eastern Europe had been occupied by Stalin. The Japanese empire, close to fascist itself, conquered China and most of East Asia. In those days, an impartial observer of international politics might well have concluded that liberal republicanism was over.

Arendt on Totalitarianism

- The most famous philosophical analysis of totalitarianism is by political philosopher Hannah Arendt (1906–1975), found in her *Origins of Totalitarianism* (1951) and *Eichmann in Jerusalem: A Report on the Banality of Evil* (1963).
- In *Origins of Totalitarianism*, Arendt points out that the totalitarianism of Hitler and Stalin was unlike any earlier political regime. Dictatorship and tyranny have always been with us, but totalitarianism is the total organization and mobilization of society in service of the state. Economics, religion, culture, and society all become political. There is no difference among these spheres; the state embodies and rules all.
- Totalitarianism requires that the majority of citizens be previously *atomized*, that is, not involved in political parties or active in politics. The totalitarian state aims to embody a direct relation to each citizen that transcends any other relations the citizens may have to family, locale, church, profession, or party.
- In totalitarianism, life must be turned upside down, which means that nothing can be assumed. “Truth,” including all empirical truth or concept of the “facts,” is completely relativized to the needs of the party or state. Nothing is too ridiculous or farfetched to be believed, including confessions coerced under torture.
- Totalitarian movements and states inherently insist that their goal is to conquer and remake the world, not merely their own states. As Arendt notes, they conduct foreign policy as if every foreign state is a potential territory. And their use of power is deeply nonutilitarian; short-run consequences, once power is secured, do not matter. The long-term ideal goals are what matter.
- Further, Arendt claims that places of complete terror, such as the Nazi extermination camps and the Soviet labor camps, are necessary. Their point is not so much to kill human beings but to

establish a form of nonexistence, in which humans are no longer treated or seen as humans at all.

- In effect, Nazism and Stalinism sought to render everything human transparent to the forces of nature or history, which simply “blow through” humanity in a complete and continual process of change, rushing toward the ideal. The essence of government became motion. Law, ethics, all forms of tradition, and the integrity of the human body are no longer limitations on the motion.
- Arendt’s later *Eichmann in Jerusalem: A Report on the Banality of Evil* was controversial. She was attacked for calling Eichmann’s evil “banal,” as if that were an apology or a minimization of the Holocaust. But her point was that Eichmann could not see beyond his role; he was guilty of the most profound of crimes but had no profundity in himself.

Targeting Civilians

- World War II was a “total war” in a new sense—because masses of civilians were intentionally killed by all sides.
- Although there were undoubtedly atrocities in the First World War, the massive death tolls of major battles in that war were generated by the fact that military tactics had not caught up with new technologies. Generals could think of nothing better than sending ever-larger numbers of foot soldiers “over the top” of the trenches, only to see machine guns cut most of them down. This continued for four years of relative stalemate.
- Between the wars, military thinkers, partly on moral grounds, decided that such a war could not be fought again. War needed to regain its mobility and ability to be decisive. This idea is compatible with just war theory.
 - If war is to be morally acceptable when necessary, wars must end. Continual indecisive combat kills soldiers for no reason. An act of war that does not hasten the end of the war is, in effect, immoral. And from a military point of

view, the aim is not to inflict maximum casualties but to win decisive engagements.

- Thus, theorists between the wars put their trust in the new inventions of the tank and the airplane and hoped that the next war would be more decisive and shorter.
- But interwar theorists also promoted something else. Giulio Douhet (1869–1930), an Italian, ominously predicted that the next war would involve aerial bombing of civilians because civilians participate in the industry of war, producing armaments.
- Despite Douhet, the interwar military conventions continued to hold, prohibiting the targeting of civilians. But early in the Second World War, a German plane bombed London by mistake. In retaliation, the British bombed residential areas of Berlin five times in 14 nights. The Germans bombed London in retaliation. This broke the dam; the international norm collapsed. All sides with the technical capacity engaged in intentional mass bombing of civilians.

Philosophers in the War

- In England and the United States, some philosophers, such as W.V.O. Quine and Alan Turing, joined the war effort. The most famous French philosophers, Jean-Paul Sartre, Maurice Merleau-Ponty, Albert Camus, and Simone de Beauvoir, were all active in one way or another in the French Resistance.
- Many European philosophers, especially Jews or left-wing thinkers, emigrated from Germany and other lands to England and the United States. The Frankfurt School thinkers on the left, the neoliberal Vienna School, and Hannah Arendt all came to England or America. These émigrés and many others worked a major change in American philosophy in particular, seeding American academe with first-rate European thinkers.

- Some took another path. Giovanni Gentile became Mussolini's official philosopher. And Martin Heidegger, the most important German philosopher of the 20th century, joined the Nazi Party as rector of Freiburg University and made a number of pro-Hitler speeches. After the war, he never recanted.

A Fundamental Question

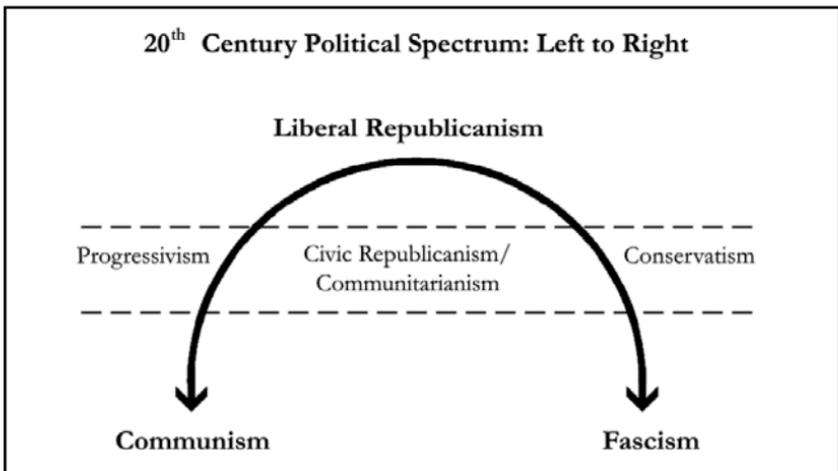
- How could the most advanced civilization, with the most humane values, scientific thought, and liberal republican politics, have thrown it all away for the most brutal, primitive political movements and self-destruction? One of the most interesting but extreme responses came from two of the Frankfurt School thinkers, Theodor Adorno (1903–1969) and Max Horkheimer (1895–1973). As exiles in California, Adorno and Horkheimer composed their radical *Dialectic of Enlightenment*, a deeply pessimistic answer to the fundamental question.
- They argued that since the time of Homer, the differentiation of the aristocratic ego from its body, women, slaves, and the rest of nature had been the way of enlightenment. That is, progress, whatever good it brought, came at a price: the necessary separation of the rational self from all other aspects of the person. And they argued that the social elites identified socially oppressed or marginal groups with those repressed aspects of their selves.
- But modern scientific rationality since the 18th century had performed a critique of this ego or self, emptying it of concrete values, sentimental commitments, and religious metaphysics, leaving only a supremely powerful, instrumentally rational center, whose sense of self flourishes in separating from all others. In short, we are left with an ego that can do anything but believes in nothing. The ultimate freedom and mastery of this ego is to treat other humans as material for its ends.
- The unhappy conclusion of Adorno and Horkheimer is that the enlightened self, in achieving freedom from tradition and power over nature, in shedding the trappings of religion, inevitably

becomes the fascist self, capable of any act of subjugation of others. The implication is that social freedom is dependent on enlightened thought, but enlightenment must eventually destroy itself.

- This argument was an extreme version of a recurring theme among theories of the modern age: the idea that liberal capitalist republicanism is based on a set of principles, attitudes, or institutions that this system itself undermines as it progresses. Economic historian Jerry Z. Muller had called this the “eroding foundations” thesis.

The Postwar World

- The war and its resolution created a new world for the second half of the 20th century and, hence, for political theory.
- The period from 1922 to 1945 created our familiar 20th-century spectrum of international politics, with communism on the far left, liberal republicanism in the middle, and fascism on the far right. Note that each position tends to see the continuum in a different way. Fascism saw liberalism as a weak-kneed fall guy for



The 20th-century arc of international politics can be viewed as an incomplete circle, in which the extremes tend to get closer to each other.

communism; the left saw fascism as an intensification of liberal capitalism; liberals saw fascism and communism as equally distant from a free society

- But fascism was destroyed as a political movement, rarely to arise again. European world power was severely truncated, leaving the United States and the Soviet Union as the “winners.” In 1949, the Soviets acquired the atomic bomb, and the Chinese Communist Party, headed by a Stalinesque figure, Mao Zedong, won its revolution. Communism ruled from the Elbe in Germany across Eurasia to the Pacific, dominated by two criminal totalitarian personalities with nuclear arms. The Cold War between the U.S.-led West and the Soviet-led East would last for 44 years.
- There are many lessons to take from the years 1933 to 1953, but one is simple: No matter how difficult our problems seem today, no matter how much brutality and suffering we see in the world, things have been much worse. We may disagree about the nature of the Good, but we already know what Evil looks like, all too well.

Suggested Reading

Adorno and Horkheimer, *Dialectic of Enlightenment*.

Arendt, *Eichmann in Jerusalem*.

———, *Origins of Totalitarianism*.

Gray, *The Warriors*.

Questions to Consider

1. How can we explain how the most “enlightened” civilization, with the highest level of science, political equality, and widespread material well-being, led to totalitarianism?
2. Is the mass killing of civilians justified if they are being led by the devil?

Conservative or Neoliberal—Oakeshott, Hayek

Lecture 21

From the viewpoint of conservatives and classical liberals, the source of the horrors of the mid-20th century was clear: the granting of overwhelming power to the modern state, partly through the abandonment of individual liberty in favor of a paternalistic governmental power to organize society and economy and partly through the commitment to immense military power, which always enhances the state. This discussion is the central background for the political arguments of the late 20th century. In this lecture, we will see the postwar basis for conservatism and libertarianism or neoliberalism.

Michael Oakeshott

- The most thoughtful English conservative of the 20th century was Michael Oakeshott (1901–1990), whose most famous political work is his 1947 essay “Rationalism in Politics.”
 - The essay describes the belief that political behavior can be deduced from abstract, universal principles discoverable by unaided reason. This belief asserts the independence of the individual’s reason and seeks to engineer social improvement. It believes armchair political theorists should decide what principles are best for any society and impose them.
 - This attitude is what Oakeshott is against. Oakeshott insists that politics is not the kind of thing that can be engineered. It is a particular set of practices and habits of a given society, rightly guided by practical knowledge.
- Rationalist claims should be understood as “abridgements” of practical knowledge.
 - Consider the analogy of a recipe. Recipes are useful to the expert cook as reminders. But those with no cooking skills cannot produce what the chef does by merely following the

recipe. Recipes are useful, but the danger is in forgetting the recipe's inadequacy.

- The same is true of abstract political principles, such as “political power derives from the consent of the governed”; they are mere abridgements.
- Moral ideals have significance only in a tradition of behavior. A morality is “like a language.” History is the context of human affairs. Theoretical knowledge is inadequate to human affairs because of the dependence of issues on one another; that is, what we politically ought to do in the current situation in a given place is dependent on what was done yesterday and the day before. Human action in general and political action in particular are historical. The kind of intelligibility human events have is called *contingency*.
- The rules of conduct in a civil society are “adverbial,” stating how to pursue goals, not which goals to pursue. In a republican society, the rules of conduct are the adverbial rules of civil society, how citizens relate to each other as they pursue their goals. The function of the law and legislation is to codify, adjudicate, and apply such rules, especially in difficult cases. Oakeshott is, in effect, a conservative civil society theorist.
- For Oakeshott, politics is the practice of “attending to the arrangements of a given society”; the definition is vague, with no goal and no principle, as it should be for Oakeshott.

Friedrich von Hayek

- The most famous defender of classical liberalism—hence, free-market capitalism—was the economist Friedrich von Hayek (1899–1992). Hayek achieved fame with *The Road to Serfdom* (1944), an analysis of socialism, but *The Constitution of Liberty* (1960) is his greatest contribution.
- Hayek's thought was heavily influenced by the theory of Ludwig von Mises (1881–1973), who asserted that socialist central planning

is not merely wrong or immoral but impossible. A free economy is millions of local decisions made by producers and consumers, which generates a continually changing set of prices. The price mechanism stores and summarizes the “knowledge” embodied in all those decisions. No central planner can have that knowledge without the freely moving price mechanism.

- Hayek agrees. He argues for a liberal free market. Liberalism is a political order that aims “to make best use of spontaneous forces of a free society.”
- But Hayek specifically rejects laissez-faire. That was a mistaken self-description of some 19th-century liberals. Free-market liberalism requires an institutional framework, most obviously, the rule of law, which Hayek always emphasized.
- This means that the Right, or a legal, neutral framework, has priority over the Good or centrally planned state ends. It means citizens should enjoy formal equality—equality before the law—not substantive, material, or outcome equality.
- Like Peter Drucker, Hayek blamed fascism on socialism. Socialism provoked the belief in a society where risk is eliminated and equality guaranteed, but this could be approached only in a nationalist, militarist form.

Hayek’s Basic Ideas

- Unlike many other libertarians or minimal state supporters, Hayek is an avowed anti-rationalist. Knowledge is always limited, and progress in civilization depends on allowing huge numbers of people to deploy their local knowledge as they see fit. Central planning can never be as intelligent or produce as much social evolution as local freedom.
- Free society is based, in part, on “spontaneous” or “polycentric” order versus the “rational planning” of the French tradition and the utilitarians. Hayek rejects these as models of top-down

administration. He says that the English notion is, essentially, trial and error and selective retention of what is successful. But we can only know after the fact, experimentally, what is most beneficial. We discover it and advance only in granting freedom to all.

- In justifying free markets, Hayek makes clear that we must take the good with the bad. There will always be inequality. Those with more resources are freer to experiment, producing novel uses of their knowledge and benefiting all. We can always take action to improve the conditions of those who fare less well, but we cannot eliminate inequality.

Hayek on the Nature of Freedom

- Hayek sought to clarify the nature of freedom and the value of the market society. Freedom is the liberty to pursue one's aims or purposes, based in responsibility and resourcefulness.
- Hayek held that there are no solely economic values. Rather, economics is the means of achieving values in life. This implies that egalitarian or progressive liberals are wrong when they try to affirm liberty in politics and personal life but then say that economics is to be governmentally controlled. To control economics is to control the means by which people pursue any goals; hence, it interferes with all freedom.
- Hayek points out that equality before the law and factual or outcome equality are incompatible.
 - To establish outcome equality between two people, they must be treated equally; for example, the higher achiever must be regulated, and his or her income must be redistributed. To treat people equally before the law guarantees that different people, with different talents, skills, levels of ambition, interests, and purposes, will become factually unequal.
 - Law, therefore, must be formal; it must not dictate ends but how ends may be pursued. Freedom is obedience to merely



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If financial reward were proportional to merit, money would have to be redistributed from the entrepreneur to the cancer researcher, but that would mean relinquishing a free society.

formal rules. Freedom isn't un-ruled; it is ruled abstractly, by form or adverbial constraints.

- Hayek makes the point that a liberal capitalist society is not a meritocracy. The only way to enforce a meritocracy would be to have a committee of experts that judged people's merit. Making money is partly merit, but it may also be luck, inheritance, or unequal circumstances. Instead of merit, the principle of distribution in a free society, Hayek says, is value. *Value* means whatever someone else is willing to pay for the service or good you produce—in other words, value to others.
- But Hayek doesn't argue for total absence of government intrusion in markets. First, government must enforce law and prevent

monopolies. Second, state enterprise is inevitable in some fields, such as sanitation, health, and public works.

- Unions are fine for Hayek if not granted monopolistic legislation. Again, the danger is not that groups organize for their interests but that they may petition government to coerce others to buy from them.
- As to social welfare, Hayek’s view is practical and nuanced: “There is a strong case for reducing inequality of opportunity without destroying” its personal and chance character. And there is no reason that welfare, including health care and other service payments, should not increase as society becomes richer.
- The worst thing is for government to fix prices, wages, or production schedules or grant monopolies to a set of workers or producers, all of which would make the economic process immune to the knowledge that emerges only in spontaneously ordered markets.

Conservatism

- In recent decades, the term *conservative* has come to refer to anyone who wants less government intervention, especially in the economy or in redistributing income.
 - But this term includes different positions: free-market liberals (libertarians) or neoliberals, such as Hayek; traditionalist conservatives, sometimes called *paleoconservatives*, such as Oakeshott; and religious and evangelical conservatives who are concerned with moral and cultural values.
 - These three groups can agree on some issues, but definitely disagree on others. Hayek saw this and discusses it in the postscript of *The Constitution of Liberty*, titled “Why I Am Not a Conservative.”
- Hayek shares Oakeshott’s anti-rationalism, just as Oakeshott shares belief in the value of spontaneous order. And both object to

government intrusion into traditionally self-organized institutions and domains of social life.

- But Hayek objects to conservatism for its apparently mystical as opposed to skeptical attitude, its fear of spontaneous change, its love of authority and elites, and its antipathy to new knowledge.
- Hayek is a kind of classical liberal, sometimes called a neoliberal, and Oakeshott is a traditionalist conservative. But they have a common opponent: activist progressive government. These two viewpoints have fueled conservative politics ever since.

Neoliberalism

- What would the neoliberal or libertarian position actually do? Milton Friedman's *Capitalism and Freedom* (1962) is a good example, more concerned with policy than Hayek.
- In principle, the government's job is to handle security, the courts, and the printing of money; all else is to be done by free contract. However, in practice, economic libertarians, such as Friedman, saw government interference as a matter of degree: Government monopoly provision of a service is the worst; government non-monopoly provision is less bad; and so on.
- There should be no closed union shops, that is, legislation requiring employees to join a union; that is just a monopoly. Instead of occupational licensure, the government could keep a registry of educational certification for those providers who have earned educational credits or passed an exam.
- Like Hayek, Friedman recognized that some utilities must be regulated because they tend to "technical monopoly." Government may have to own certain pieces of infrastructure, such as roads.
- Most of the functions of the federal and state government would disappear, but so would the military draft, drug laws, punitive taxes on smoking, and so on. And some libertarian views cut

against business; Friedman argued that all corporate profits should be taxed as individual income. The point is to regulate economic activity through a freely moving price mechanism as much as is practically possible.

Suggested Reading

Hayek, *The Constitution of Liberty*.

———, *The Road to Serfdom*.

Oakeshott, *On Human Conduct*.

———, “Rationalism in Politics.”

Questions to Consider

1. Is the greatest threat to a free society the reliance on the state to impose solutions on social problems?
2. What degree of equality is compatible with freedom?
3. How do Hayek and Oakeshott represent two different forms of conservatism?

Reviving the Public Realm—Hannah Arendt

Lecture 22

Many thinkers have endorsed the view that a free and pacific society of progress is linked to economics, in particular, commerce. “Economic man,” the notion of human beings primarily concerning themselves with the material welfare of themselves and their families, is seen as a good thing, in part because it keeps their minds off martial pursuits. Peter Drucker, in one of the first analyses of fascism, referred to it as the rejection of economic man. For Drucker and others, political man is dangerous. Not only is economic man good for spreading wealth and creating material progress, but he doesn’t get into the worst sorts of mischief. Hannah Arendt thought this was exactly wrong.

Labor, Work, and Action

- In 1958, at the height of the Cold War, Hannah Arendt published *The Human Condition*, in which she argues that modern politics, Western and Eastern, has forgotten the lessons of the ancient Greeks and devalued politics itself.
 - Arendt distinguishes three forms of the *vita active* (“active life”): labor, work, and action. Labor is the repetitive activities required by life or biological existence. It is the most natural part of human life, and it produces no lasting product. The stereotypical example is subsistence farming.
 - Work is the creation of durable objects. These objects constitute the “world” of human society, meaning the humanly made world of cultural artifacts. They are fabricated to structure the human environment and include all products of building and engineering but also poetry, sculpture, literature, and art, as well as the results of such activities as making clothes or fixing the car.
 - Last is action. Action is the deeds and speeches of individuals in the public domain. Action is politics.

- Arendt points out that in the ancient Greek world, *oikos* (“household”) was understood to be private, the arena of satisfaction of biological needs. Economic activity took place on estates, and the fruits of that activity were consumed in the home. Most economic activity was literally not in public view. Economics was private. Politics was public.
- Work is different because in it, *Homo faber* (“man the maker”) constructed enduring objects that have meaning. Work is fabrication and reification—things that the Western Marxists thought were bad. Work introduces the means-ends distinction, the distinction between tools and the end product. This contains a paradox; the end, if treated like a means, loses its meaning, and we get the anthropocentric devaluation of all nonhuman things. The market of exchange is the traditional place for *Homo faber*. Work is already a world of meaning.
- But the highest meaning of human activity is the political. It is in politics that we present or construct an identity in front of our peers and do and say things that matter to ourselves and others.
 - Arendt is not saying that politics is the meaning of life; there are other parts of life, such as the contemplative. But politics is that form of the active life that creates meaning.



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The political animal needs *Homo faber* to be remembered and known outside the small circle of the contemporary.

- Politics is intrinsically worthy, not a means to some other end. The citizen leaves the merely necessary private world of needs and goes into the identity- and meaning-constructing public realm whenever possible because that realm fulfills the individual's most human part.
- To make politics a servant to a private end is to rob it of its meaning because the private realm of natural and economic processes is meaningless. It merely continues the life process.
- What do the artifacts of work embody and commemorate? The ancient artist constructs enduring objects whose function is to commemorate the great citizens and their actions.

Arendt's Critique of Modernity

- Writing in the 1950s, Arendt argued that both the liberal capitalism of the West and the Marxism of the East had made politics the servant of economics and regarded public life as nothing but the organization of the public household or collective economy. They had, in fact, increasingly reduced action to work and work to labor.
- For Arendt, the meaning of human existence cannot lie in nature or biological needs but in two things: the free action of human agents in the polis and the construction of durable cultural objects that provide us with a meaningful artifactual environment. Nature is meaningless; only human creation or creative activity gives life meaning.
- Arendt uses the term *society* in a highly peculiar way, to mean a particular historical phenomenon: the “public household,” or the polis treated as an economic household to be publically managed. Society is a modern creation. It is the “public household” or association of needs, a “public organization of life-processes” that must be managed.
 - She admits that if our polis is actually a large household, then it would make sense that it be managed, indeed, that it exert authoritarian power over individuals.

- Such authority makes sense in a domain of provision of needs because any disruption of such provision leads to death. Modernity brings the “triumph of the social” over the political.
- We can see how Arendt would criticize Marxism. Marx wants to return us all to labor; he regards the laboring power as our very essence. Marxism opposes private property but utterly accepts the economization of human society. Economy is the basis for all, and all should labor, equally if possible. And, of course, politics for Marx is intrinsically bad. There will be no government or politics in the ideal classless society.
 - Arendt turns around a Marxist concept to criticize both liberalism and Marxism. Today, we see not the alienation of the self but “world alienation.” What is lost or alienated is the meaningful environment of objects that gives the self meaning.
 - We tend to understand action in terms of work and work in terms of labor. That means understanding politics in terms of making and making in terms of biological needs. Hence, the “world” created by culture is robbed of its independence; the great building is not a meaningful part of our environment but someone’s labor for biological satisfaction, its worth measured in dollars.
- Arendt’s analysis of work brings her to a subtle position. Ever since Weber, the idea that modern humanity is dominated by “instrumental rationality” has been a central theme of cultural criticism. Arendt recognizes that instrumental rationality—treating some things as means to try to produce something else as efficiently as possible—is an essential trait of work. The danger is not instrumentality itself but the “generalization of the fabrication experience in which usefulness and utility are established as the ultimate standards.”

Mobilizing Greek Notions

- On a variety of issues, Arendt tries to insert ancient Greek notions into a modern democratic context, in contrast with the economic views of both liberalism and Marxism.

- Property, she argues, is essential to the political life of the individual. Property is the home where the individual retires from public life and takes care of biological needs. This is entirely legitimate.
- But wealth accumulation is different. The task of wealth accumulation treats physical property as a fungible marker in a game, removing its permanence. Wealth accumulation, or the exchange value of the market, undermines the durable worth of actual property, or the result of work.
- Authority, Arendt says, is a good thing, and power can be. She distinguishes force, power, and authority.
 - Force is something in nature; violence is the use of force. Authority is a particular justification of rulership or command; it cannot rely on force. Authority is intrinsically legitimate and human but not particularly political. Its proper location is outside politics in domains of ruling and being ruled.
 - Power is political, and it rests on widespread or public assent. No one has power alone; a person has power because of who he or she leads. Power is not isolating; it depends on bringing people together. In fact, tyrants do not have power; they have force, and their use of force isolates and atomizes citizens.
- But there has always been a problem in politics: Freedom is a great burden. The political domain is a real-time scene of action whose conditions are always unique because they are always changing. Action is unpredictable and irreversible.
 - Arendt makes the point that legislating was not political for the Greeks; it was a craft of making the polis. In political action, one acts on one's best guesses, always with uncertainty. And, as she writes elsewhere, it is entirely natural for some to be more active and others, less so; leaders will emerge.
 - This is a somewhat existentialist view of politics. Existentialists emphasize that human beings flee from the anxiety and

difficulty of the most authentically human parts of their own lives, especially from freedom. For Arendt, that is politics, and we flee from it for good reason, because it is so difficult, unpredictable, and fraught with danger.

- We get a hint of Arendt’s preferred political arrangement in a later essay, “The Revolutionary Tradition and Its Lost Treasure,” in which she discusses local self-rule during the French and Russian revolutions. It is here we see Arendt’s endorsement of civic republicanism.

Summing Up Arendt’s Critique

- For Arendt, man is not primarily “economic,” and she is arguably right that the dominant political and economic views of the second half of the 20th century “economized” human nature and treated politics as an instrument to economic management. The claim that the objects of the world or culture are equally debased by economics is also plausible. Arendt’s argument that this was equally true of the Marxists and the capitalists was prescient.
- Note how classical her values are. Arendt implies that human involvement in natural cycles is meaningless. Process, she says, is “de-worlding” or subjectivizing; this is quite different than the attitude that fears the self is alienated in contemporary society—that society alienates and nature is good. Nature does not give meaning and value; meaning and value are in the polis.
- Is there any such thing as a political regime, including a highly participatory one, in which economics is not a main concern? Arendt probably doesn’t think so. The content of political deeds and speeches may indeed be economic, but a polity is following her civic republican model as long as the deeds and speeches retain an intrinsic value for the participants and the audience and are not a mere instrumentality for provision of economic needs.
- Is economic liberalism really, then, a great error, and is civic republicanism superior? In practice, Arendt seems to call for

an infusion of the attitudes and some of the practices of civic republicanism into liberal republicanism. Arendt therefore stands against Constant and Berlin, recognizing that we need some greater incorporation of civic republican attitudes. Otherwise, economism, the reduction of politics to work and work to labor, will undermine all meaning in the world of our active life.

Suggested Reading

Arendt, *The Human Condition*.

———, “Introduction into Politics.”

———, “The Revolutionary Tradition and Its Lost Treasure.”

Questions to Consider

1. What is the problem that liberalism, or bourgeois society, shares with communism?
2. What is the relative value of the political in the meaning of human existence?

Philosophy vs. Politics—Strauss and Friends

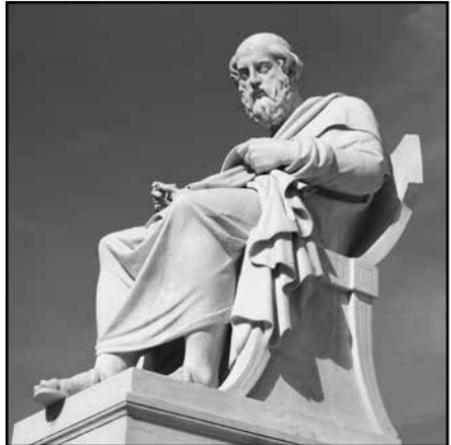
Lecture 23

Like Arendt, Leo Strauss turned to the ancients for an approach to politics that avoids what he saw as the blind alley into which modernity leads. But his conclusion was unique: Politics and philosophy are intrinsically in conflict. Strauss presented a critique of modern natural law and rights from the perspective of what he called the “classical rationalist tradition,” claiming that the former eventually leads to historicism, relativism, and nihilism. His controversial theory of “esotericism” in *Persecution and the Art of Writing* argued that political philosophers face the need to dissemble in their public works. Strauss’s work has had a major impact on neoconservatism in the United States.

Background to Strauss

- Leo Strauss (1899–1973) was a scholar of the history of political thought, who developed a distinctive view and, eventually, a controversial political reputation. Through his students, he played a role in political theory and even the U.S. government of the late 20th and early 21st centuries.
- Strauss’s work is driven by this question: On what are the legitimacy and justice of a political order, in particular, the liberal republican constitutional regime, to be based? Philosophy must try to answer this question, but the answer must lie outside the political domain. In other words, there must be a nonpolitical foundation or justification for any political regime.
- Strauss believed that the dominant modern answers to this question were inadequate and, in a sense, ignored the question. These answers eventually led to troublesome implications, such as relativism, which denied the real value of political norms. In contrast, he felt that ancient and medieval thinkers had addressed the question better and had been driven to a plausible answer, which he wanted to revive.

- Do the problems of relativism—the absence of an adequate foundation for politics—point to the fact that modernity or the Enlightenment was already a wrong turn? Strauss critiqued the modern rationalist tradition of political philosophy in favor of an older rationalism from Plato to Machiavelli.



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All of Strauss's thought is based, in part, on a certain reading of Plato's dialogues.

Strauss's Analysis of the Modern Age

- Strauss's analysis of the modern age is given in his most famous book, *Natural Right and History* (1950). Strauss believed that modern political thinkers, such as Locke, rested their views on a totally different basis than the ancients: reality rather than moral ideals.
 - Modern science accepts a nonteleological universe, unlike either Aristotle or the religious medieval thinkers. For those philosophers, the universe and everything in it is purposive; humans have some telos, and to achieve it, they must acquire virtues.
 - Traditional political philosophy believed that political society could rarely be good and was prone to decline because a just and good regime requires virtuous rulers and virtuous citizens—ideals that are difficult to actualize.
 - Political philosophers could describe the necessary conditions but not produce them. Thus, they accepted the distinction between the real and the ideal and used the ideal

as justification and guide, even though the real could never fully actualize the ideal.

- After Machiavelli, modern political philosophy tried to design procedures that would lead to a just outcome without presuming virtue on the part of officials or citizens. But to do so meant lowering the ideals. Political society was to be based only on rational self-interest and “natural law,” meaning that nature—human nature—is sufficient for a just or good society. Modern liberal republicans believe that the ideal society can be actualized, but only because their ideal is not very ideal.
- But the idea of “natural law” didn’t make sense after Newton because modern science and metaphysics regard nature as value neutral. Modernity believes that values arise in human experience and history. Thus, Strauss claims, the modern political tradition was gradually forced, in its internal self-criticism, to undermine any notion of natural law, leaving it with nothing but historicism.
 - Historicism, in this sense, is a kind of relativism; it just means that the answer to the question “What is good or right?” is whatever some society at some point in history says is good or right. In effect, it is power that determines what is good or right because it is those with power who determine what society says.
 - In fact, the modern tradition went down a road that ended with positivism, which denies the possible truth or falsity of value claims; historicism, which make values relative to historical period; and nihilism, the claim that all is power.
 - Modern political theory ends up undermining its own ultimate notions of the norms of political life. Strauss’s political lesson is: Modern natural law won’t do; we need some kind of premodern notion of the virtues, as in Aristotle.

Lies of the Past

- Strauss’s careful reading of the old political tradition, from Plato to Machiavelli, revealed a deeper subplot to this story. In his

controversial *Persecution and the Art of Writing* (1952), Strauss argued that ancient and medieval philosophers could not be honest because they had to protect themselves from political authorities. Political philosophers had to write in a double fashion, with an exoteric meaning for most readers and an esoteric, truer reading for the few who could read between the lines.

- Strauss's argument starts with Plato, where his view gets strong textual support. In the dialogues, Plato can have a character say something while he himself may be saying something different, discernible by the conditions in which he puts the character.
- In addition to social danger, there is also a philosophical reason that political philosophers will inevitably say something that others won't like: Philosophy is *zetetic*, meaning "skeptical," "inconclusive." Philosophy is an attempt to know the Whole, the context of all things, hence, the foundation of everything. Political philosophy seeks to know the role of political life and the regime in the Whole, hence, its foundations. The inquiry of philosophy is inevitably interminable and incomplete; philosophy seeks but can never know the Whole.
- This explains why Strauss is ultimately a follower of Plato read in a certain way. Most of Plato's dialogues end in an *aporia*, an undecidable situation. Even in dialogues where a conclusion seems to be reached, Strauss believes that there are clues showing that Plato does not wholly believe the conclusion.
- Strauss is saying that if we attempt to both be political (which all citizens, including the philosopher, must be) and do philosophy (which mostly only philosophers do), we are trapped. We seek to live the good life and to live in the good society. To do so requires knowing what the good and the good society are. That knowledge, rationally pursued by philosophy, is shown to be ultimately unavailable. By nature, philosophy reveals the lack of known foundations for our necessary political activity.

- Strauss's historical and political point is that the ancient and medieval philosophers found a way to live with an unbridgeable gulf between a virtuous, controlled form of political life that referred to a transcendent set of norms that could be neither known nor achieved. They did not solve the problem but lived with it and wrote in a dual fashion, exoterically and esoterically.
 - They pursued philosophical knowledge of the good and showed that it was unavailable esoterically but simultaneously expressed a public commitment to a set of moral and political norms and values.
 - Strauss thinks their way of living with this unbridgeable contradiction was better than the modern way of trying to leap over and solve the contradiction by attempting to merge the ideal with the real, which leads to a lowered ideal, a reality without the discipline of unactualizable ideals.
- From a Straussian point of view, Plato faces the deep problem of the contradiction between philosophy and politics, but Aristotle does not.
 - Aristotle describes the virtues that the well-dressed Athenian gentleman ought to have to make a society in which people are likely to achieve happiness. From a Platonic point of view, this already skirts the real philosophic problem, which is whether happiness is the Good.
 - Nevertheless, a virtuous society ought probably to be left to "Aristotelian gentlemen," who have a premodern understanding of the virtues and their inculcation, rather than a modern natural rights view that undermines itself, and do not make their rules of living dependent on the uncompletable philosophical quest, while leaving room within the polis for philosophy to continue its impossible task.

Strauss and Kojève

- Strauss corresponded with, among other prominent philosophers, the Russian-born Alexandre Kojève (1902–1968), who had

enormous influence on the development of French philosophy from 1940 onward.

- Kojève's thought was based on a reading of Hegel through the master-slave dialectic of the *Phenomenology*.
 - Hegel believed that history ended in 1806 when Napoleon marched into Jena and he, Hegel, completed the *Phenomenology*. All the necessary stages of mental and political evolution human beings had to go through were completed by that point.
 - In effect, Napoleon brought to Jena a society of freedom, law, and equality based in science, not religion. There would be no more major qualitative changes in human mentality and politics.
- Kojève provided a de-Christianized, nonidealist, atheist Hegel and a philosophy of human history that led to a position that was curiously indifferent to the differences in political economy among liberalism, social democracy, and Marxism.
- Strauss and Kojève agreed that the central issue of political philosophy is: On what can the constitutional state be grounded? They also agreed that the ultimate choices were: (1) Strauss's esoteric, religion-friendly skepticism; (2) modern historicism, relativism, and nihilism, in which no one can believe in any ideals; or (3) Kojève's view that history has a definitive, objectively true direction and internal goal. There is no transcendence, but there is an immanent law of human history.

Strauss and Neoconservatives

- Strauss and Straussians are credited with influencing recent neoconservatives, but it's important to note that the term *neoconservative* has been used to refer to two different groups.
 - First was a group of socialists from the 1930s and 1940s who eventually were driven to the right by some combination of revulsion at the Soviet Union and revulsion against the

student revolts and race riots of the 1960s. These thinkers were influential from the 1960s through the 1980s.

- The term was then revived by many to refer to members of the George W. Bush administration and others in the early 21st century, who advocated the muscular use of American power to create and enforce democracy overseas. It is this group that Strauss has influenced.
- But many political theorists of the last 20 years who have a communitarian or more realist version of liberalism have also been influenced by Strauss and Straussians. Strauss has fostered a mildly conservative version of liberal republicanism: liberal republicanism with a conservative spirit behind it.

Suggested Reading

Kojève, *Introduction to the Phenomenology of Hegel*.

Strauss, *Natural Right and History*.

———, *Persecution and the Art of Writing*.

Questions to Consider

1. Is it possible or advisable for philosophy to come to conclusions that can and ought to be actualized in the organization and activity of the political community?
2. If we find that the ideal cannot be known or actualized and that any attempt to do so will lead to evil, then how ought our philosophical conclusions affect how politics is organized?

Marcuse and the New Left

Lecture 24

After the war and the success of the Marshall Plan in rebuilding Europe, advanced societies entered the postindustrial or knowledge economy, with unprecedented economic growth, especially of the educated middle class. While the “old” left was on a long decline in the West, the European left attacked American-led “imperialism.” Derived from the Western Marxism of the Frankfurt School, Herbert Marcuse criticized “advanced” capitalism in its seduction of society through the welfare state and the culture industry. Marcuse accused capitalist mass culture of “repressive desublimation,” keeping the masses quiet through sexual permissiveness. He became the intellectual leader of the new left and its worldwide student revolt of *Mai soixante-huit*.

Social Theory in the 1960s

- The international situation of the 1960s was dominated by the continuing death throes of the older colonial empires as emerging nation-states chose sides in the Cold War. Central/West European imperialism and intra-European conflict were replaced by a dualistic Cold War world.
- At the same time, the United States, Japan, and Western Europe saw unprecedented economic growth. A new generation grew up in the midst of great plenty, swelling the skilled working and middle classes. Of course, racial segregation was still the norm in such countries as the United States and women had moved to suburban domesticity from wartime jobs, but it was no longer the prewar world in material and economic terms.
- It was in this context that American sociologist Daniel Bell (1919–2011) published *The End of Ideology* (1960) and *The Coming of Post-Industrial Society* (1973). The point of the first book was that ideological disagreement would, in the future, take a backseat to administrative and technical improvements in society. The point

of the second was that after the Second World War, in the burst of affluence of the Western capitalist societies, capitalism was changing. The proletariat was shrinking, profitability increasingly rested on knowledge and the provision of services, and wealth was spreading horizontally.

- Politically, great changes would come in the 1960s, sparked by the American civil rights movement, student radicalism, and American escalation in the Vietnam War, culminating in an almost worldwide student revolt in 1968.

Herbert Marcuse

- In this postindustrial environment, the Frankfurt School thinker Herbert Marcuse (1898–1979) had a significant impact. Marcuse was a German philosopher who studied phenomenology with Heidegger.
- Like most anti-fascist German intellectuals, in his earliest work, Marcuse tried to explain how Nazism had gained such widespread support. As a reader of Freud and member of the Frankfurt School, he argued that there was a psychosexual angle to this: In some ways, the Nazis liberated social members to express basic instincts, including sex and aggression, that civilized society had repressed. Marcuse pointed out that it was possible to combine political repression with instinctual liberation.
- Marcuse became a major contributor to the social use of Freud in his *Eros and Civilization: A Philosophical Inquiry into Freud* (1955). The work argues that modern capitalism is an unnecessary repression of instinctual human nature, although, taking Marx into account, the problem is the alienated version of labor, not merely the reality principle. The implication is that repression is a historical economic phenomenon and can be overcome. Marcuse was still a Marxist opponent of capitalism, but he was “Freudianizing” the concepts of alienation and repression—personalizing them.

- In *Eros and Civilization*, Marcuse goes back to the German Romanticist Friedrich Schiller and his *Letters on the Aesthetic Education of Man* (1794), but what he takes from it is the merger of Freud and Marx.
 - In *Eros and Civilization*, Marcuse envisions a “non-repressive” social order. In such a world, the play impulse and imagination would not be in contradiction to the reality principle. The reason for a psychologically repressive society is social and economic, not psychological. Freud failed to see that; Marx did not. The system of production that forces humans into mere labor for necessities is at fault.
 - In Schiller’s *Letters*, Marcuse finds “the direction of the change toward a non-repressive order.” This requires “the transformation of toil (labor) into play” and the “self-sublimation of sensuousness and the de-sublimation of reason in order to reconcile the two basic antagonistic impulses.” That is, sensual life will become more refined and infused with reason, and human reason will cease to be a repression of the sensuous. This is now possible because we live in a society of material abundance.
 - Here, Marcuse says, the idealistic (Schiller) and materialistic (Marx) critiques of culture meet. We will go beyond labor. He wrote, “Play and display, as principles of civilization, imply not the transformation of labor but its complete subordination to the freely evolving potentialities of man and nature.”
- Marcuse seeks the meeting place of Freud and Marx. The result is that liberation in the classless society will mean an end to repression and a healing of the wounded, bifurcated nature of human being.

Marcuse on Capitalism

- As a socialist, Marcuse sought to explain why the working class had not opposed capitalism and why capitalism had not destroyed itself. His answer was that advanced capitalism had become more significant and worked with government to control society.



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According to Marcuse, capitalists have learned to provide workers with higher incomes to make them better consumers.

- Capital and government had combined to create needs, force work and consumption, and provide necessary therapy, all for the sake of power and profits.
- At the same time, the military-industrial complex circulates capital from weapons manufacturers through taxes (and campaign contributions) through the government and back into more orders for more weapons, some of which are used to control access to raw materials and markets in the Third World. The system is “totally administered.”
- Marcuse’s most famous work, *One-Dimensional Man* (1964), offered a critique on “advanced capitalism” that in some ways mirrored what Lukács had done decades earlier; it provided a basis for criticizing even what appeared as gains in economic equality.
 - Marcuse argued that the new culture of advanced capitalism rids itself of any element of antagonism. In early capitalism, culture sought to provide a respite from, and sometimes a

critical perspective on, the capitalist world of work. That was no longer true.

- Now, all culture serves the economy. Nothing is allowed to transcend the system; everything flattens. No one has an imagination or hope of anything outside the system; everyone just wants a piece of it. Art and culture, for Marcuse, cease to be the imagination of an ideal and alternate world.
- Liberty becomes an instrument of domination. There is a flattening out of conflict that reduces the ideal to the real and destroys the capacity to imagine a different society. “Domination is transfigured into administration.” Advanced capitalism is literally totalitarian, meaning, “total,” precluding effective opposition.
- Marcuse wrote, “When this point is reached, domination—in the guise of affluence and liberty—extends to all spheres of private and public existence, integrates all authentic opposition, absorbs all alternatives.” Thus, “Democracy would appear to be the most efficient system of domination.”
- Marcuse holds the openness and tolerance of postindustrial 1960s society against it. Instead of being banned, Marx and Freud are now found everywhere. All ideas are equally available, hence co-opted, meaning included into capitalism so that their revolutionary potential is eliminated by absorption.

“Repressive Desublimation”

- It certainly seemed that mass culture in the 1960s was becoming more permissive and less repressive. Marcuse reiterates the point he made earlier about the Nazis: The new erotic permissiveness of culture was enabling capitalism.
- His core idea is “repressive desublimation.” Freud had pointed out that one of the defensive mechanisms by which the ego represses the unacceptable instincts of the id was to allow them

expression in a refined, goal-inhibited end. That is sublimation, or refinement. Marcuse argues that late capitalism “desublimates,” that is, allows a more direct and less refined satisfaction of the instincts. Premarital sex loses its stigma, we go to erotic and violent movies, and we play violent sports, but these activities are not liberating; they are repressive.

- According to Marcuse, the pleasure principle in our time absorbs the reality principle.
 - The pleasure principle for Freud governs the id’s relation to the world and must be supplanted as we mature by the reality principle so that our rational ego can manage our desires practically.
 - For Marcuse, advanced capitalism has found that it can make more money out of the pleasure principle. Contemporary mass culture wants people to focus on their pleasures, dreams, and fantasies and forget their economic situation and who has the power.
- In practice, Marcuse advocated a centrally planned economy, direct democracy, and pacification. He hoped for a democratic socialism with the end of Western imperialism, hence, a social world without a military-industrial complex. He also imagined that the postcapitalist world would be one where work was play and where personal psychological repression would disappear.

The New Left

- Marcuse’s writing, especially *One-Dimensional Man*, was almost the Bible of the new left of the late 1960s. The old left meant orthodox Marxist-Leninism or some version thereof and looked to the Soviet Union or China for models. It had little to do with personal or psychological experience and everything to do with the iron laws of history.
- The term *new left* was used to describe almost an American version of socialism, imagined to be compatible with an end to industrial

production, a return to the land, erotic freedom, the end of authority and the obligation to be efficient in production, and so on.

- The new left had, to some extent, a modified enemy: Government institutions were now in league with capitalism. Class struggle was not its core. Its vision of success was heavily influenced by the need for racial equality and an almost libertarian sense of individual liberty. Some combination of liberalism, participatory democracy, and socialism that rejects the “warfare state” and racism and acts for the alleviation of poverty is desirable.
- The new left seemed to combine the early Marx of the Western Marxists with Freudian psychoanalysis and existentialism. There was a general view that the “system” of capitalism plus government bureaucracy is alienating to the self or human subject and anti-nature. Alienation of the self was the key. The solution may be socialist, but it is equally anti-authoritarian and pro-imagination, eroticism, and individualism and, thus, utterly non-Leninist.
- Arguably, the old Marxists were right about one thing: Freud was essentially bourgeois and not at all a utopian. Freud liked repression; he just didn’t want it to be too severe. But Marcuse helped to create what was sometimes called a *Freudian left*, which lasted, in intellectual circles, for some time. It would be overcome politically by a turn to the right in the 1980s and, among European philosophers, by the development of French poststructuralism, a generation whose authors were just beginning to do their work in 1968.

Suggested Reading

Bell, *The Coming of Post-Industrial Society*.

Marcuse, *Eros and Civilization*.

———, *One-Dimensional Man*.

Solzhenitsyn, *The Gulag Archipelago*.

Touraine, *The Post-Industrial Society*.

Questions to Consider

1. How can permissiveness and increased tolerance be tools of oppression?
2. How can Freud, Marx, and existentialism be combined into a political theory?

Rawls's *A Theory of Justice*

Lecture 25

Suppose you are out walking, and you see a prosperous young man in an expensive convertible. You also notice a disheveled man rooting through a garbage can. Is this disparity of wealth just? There are two ways to approach this question: An outcome or end-state approach says that the disparity between the two men is unjust. A procedural or historical approach says that whether the disparity is unjust depends on history. Progressives and socialists tend to take the outcome approach; neoliberals and libertarians, the historical approach. In *A Theory of Justice*, Harvard philosopher John Rawls tried to combine these approaches: On procedural grounds, rational people would choose a partly outcome approach.

A New Version of the Social Contract

- We have seen that traditional utilitarianism can justify redistribution. The progressives used some version of utilitarianism and an organic theory of the self from German Romanticism. But the problem of utility is that it seems to justify violation of individual rights, and the positive notion of liberty seems to threaten similarly.
 - Deontological natural rights protect all individuals from harm, including harms that would benefit others. Rawls proposes a new path: He uses a deontological natural rights theory to argue for the welfare state over libertarianism (“natural liberty”).
 - Rawls wants to advance the progressive views of Hobhouse and others but with Kant, not Mill. Rights can get you to welfare. Rawls will accept the priority of Right (rules of association) over Good (end, collective goal)—hence, neutralism: government neutrality with respect to private notions of the Good. The government just enforces the right rules of association.

Rawls's New Egalitarian Liberalism

Deontological Ethics/Rights
(no individual rights violations)



Natural Liberty/Libertarianism
(can't harm rich to benefit poor)

Utilitarianism
(greatest good for greatest number)



Progressive/Egalitarian Liberalism
(tax the few to help the many)

John Rawls's "justice as fairness" theory proposed a new approach to answer the question: **What distribution of goods and services in society is just?**

- The core of Rawls's theory is a new version of the social contract: Those principles of justice are right that would be chosen by free, rational, self-interested agents in a condition of equality.
- We will look at three components of this theory: the original position, Rawls's version of the state of nature—the two principles of justice that would be chosen in the original position—and the reasoning for those principles.

Understanding Rawls's Justice

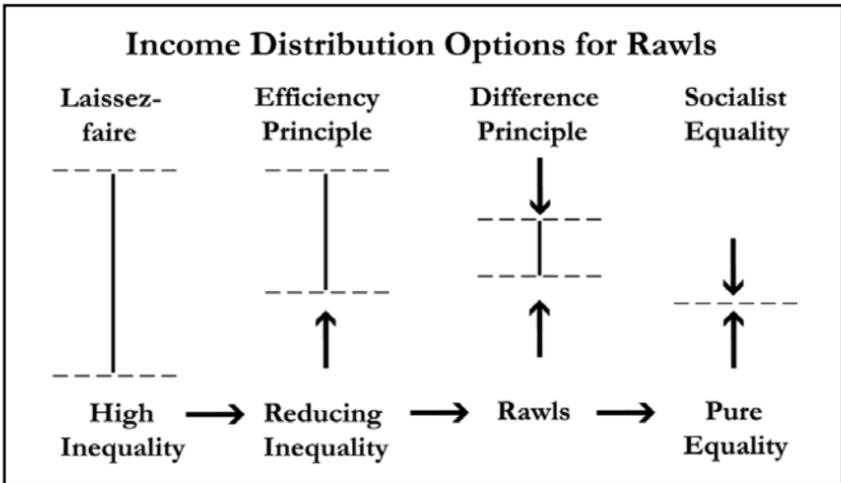
- Rawls begins with a modern social contract theory. That is, he admits that there never was a state of nature. Humans have always been social and political. But the idea behind the contract theory is right: That rational, selfish people would choose a system is the test of the system's validity. Thus, he asks us to imagine the "original position," a hypothetical condition of equality among rational, self-interested persons. These imaginary people will choose the principles of justice. He posits the following constraints on them and their choice:

- There are some formal constraints: It will be a one-time only decision; no one can propose principles that no one else could accept; and we assume that everyone finds good certain things that anyone would need, whatever his or her theory of the Good might be, that is, income, rights, opportunities, and so on. (This is Rawls’s “thin theory” of the Good.)
- More important, the imaginary people are instrumentally rational, able to pick or plan what best accomplishes their aims; they are mutually disinterested, or selfish (except for concern about some members of next generation); and crucially, they operate under a veil of ignorance—with no knowledge of society, others, or one’s own self allowing any inference as to where one might individually fall in any distributive scheme.
- Rawls argues that these imaginary people would pick two definite, particular principles of justice:
 - Maximum equal political liberty—basically, all personal, civil, and political liberties in the Bill of Rights and the Constitution.
 - The idea that socioeconomic inequalities are just if they attach to positions “open to all” and that “benefit all.”

Testing Rawls’s Theory

- Let’s first consider the principle “open to all.” Imagine that Mary the neurosurgeon makes \$200,000 a year, and Fred the bus driver makes \$30,000. Under what conditions is that difference just or unjust? This inequality is open to all if Fred could have become a neurosurgeon. There are three possible sources of inequality that could prevent him from doing so: law, birth status, and talent and/or effort.
 - Natural liberty (libertarianism) would reject only legal inequality (yielding careers “open to talent”).
 - Rawls says that the inequality is also unjust if birth status, which is nothing but a natural lottery, made a difference.

- Only talent/effort is permitted. This is “fair opportunity.”
- Second, inequalities must “benefit all.” Rawls interprets this phrase through the “difference principle”: Remove inequalities to the point where more removal would harm the least advantaged.
 - Natural liberty would choose Italian economist Vilfredo Pareto’s “efficiency principle”: Lift all boats harming no one up to the point where bettering someone by reducing inequality would harm someone.
 - Rawls’s difference principle goes much further. Socioeconomic inequalities must benefit the least advantaged to be just.
 - Thus, the Mary/Fred inequality is just only if the neurosurgeon’s advantage benefits the bus driver either in producing more qualified neurosurgeons (to operate on bus drivers) or to drive economic productivity (which benefits bus drivers).
- If we look at all four ways to combine the two different ways of interpreting the second principle, “justice as fairness” picks “democratic equality” (fair opportunity plus the difference principle), not “natural liberty,” or neoliberalism/libertarianism. Justice requires that the only thing keeping Fred from earning Mary’s \$200,000 is talent or effort, not his birth status, and that Mary’s extra \$170,000 actually benefits Fred and people like him.
- Why would rational, mutually disinterested persons under the veil of ignorance pick these principles? The first principle is easy: People want a civil and political system where they are as free as they can be and where they have as much say in who governs as they can.
- The second principle is the key. As rational beings, we will use the maximin rule, which says: Choose the option whose worst case is better than the other options’ worst cases.
 - Because we cannot predict where we will fall in any of the possible income distributions, we take no chances. We choose



With four choices for income distribution, Rawls's "justice as fairness" theory predicts that rational people would choose the option that operates on the difference principle to remove inequality.

the distribution under which the poorest are better off than in any other distribution. That is, we modify a presupposition of equality as the most rational choice.

- We will pick whatever system provides the best conditions for the least advantaged (the poorest). If perfect equality does that, we'll pick perfect equality, but it probably won't. If a society with capitalist inequality does it, we'll pick that. Why? Because it is in our self-interest, in a one-time-only choice, where we have no reason to believe we won't be last—we might end up being the poorest. Thus, we pick both fair opportunity and the difference principle, which makes the poorest better off than in any other distribution.
- What does this mean in practice? One answer is high taxes on Mary to make sure that Fred's schools, housing, health care, and so on are as good as hers. Mary gets to keep only that portion of her higher income that, if we took it

away, would make Fred worse off, for example, by ruining economic productivity.

- Why is this approach not unjust to the more advantaged?
 - First, because of the moral arbitrariness of the “natural lottery.” No one deserves, nor can have a right to, what is morally arbitrary, such as what we are born with (health, talents, family advantages, and so on). Advantages must be morally deserved, not morally arbitrary.
 - Second, Rawls adopts the legal theorist H. L. A. Hart’s “principle of fairness”: Those who voluntarily benefit from a cooperative scheme in which others have accepted restrictions or disadvantages owe a similar obligation.
 - Imagine the contractor who says he pulled himself up by his own bootstraps and resents giving money to welfare programs. But did he go to public school? Does he drive his trucks on publicly created roads? Virtually all advantages imply a social contribution. No one, except the poorest, doesn’t own society. Thus, it is morally acceptable to take a portion of everyone’s income or wealth.
- What this all means is that rational, self-interested persons would choose to “share each other’s fate” not because they are morally good—they aren’t—but because they want it for themselves.

Rawls in Practice

- In practice, Rawls wants us to scour society for all those cases where an inequality is not due solely to talent/effort alone and does not benefit the least advantaged. All others are to be taxed away to raise lower-income groups. In effect, this is the Scandinavian social democratic model: capitalist but with high taxes; relatively low inequality; and with governmental health care, day care, education, housing, and so on.

- In our scenario, we might tax Mary, say, down to \$100,000 net, and raise Fred's net benefits to \$50,000 with improvements to his school district, health care, and other services up to the point that an additional reduction in Mary's income will destroy the competitiveness of neurosurgeons as a profession or the economic investments they make, which might drive Fred's benefits down.
- Rawls achieves a progressive welfare state agenda by starting with a Kantian natural rights foundation rather than utilitarianism. Rawls's combination of rights theory and the welfare state or egalitarianism became the classic egalitarian liberal theory of the post-1960s. But it produced a reaction just down the hall in the Harvard philosophy department. Robert Nozick, the most philosophically sophisticated libertarian, or minimal state liberal, would take his turn next.

Suggested Reading

Ackermann, *Social Justice in the Liberal State*.

Dworkin, *Taking Rights Seriously*.

Hart, "Are There Any Natural Rights?"

Nagel, *Equality and Partiality*.

Rawls, *A Theory of Justice*.

Questions to Consider

1. How does Rawls argue from the original position (his version of the state of nature) to his two principles of justice?
2. How does Rawls argue against natural liberty or neoliberalism?

Ayn Rand, Robert Nozick, Libertarianism

Lecture 26

The Austrian or Vienna School of von Mises, Hayek, and other neoliberals begot libertarianism, particularly in America. Libertarians come in two major clans: economists and philosophers. The economists typically argue for maximum individual liberty and minimal government interference through a utilitarian economic argument: that free markets bring the greatest utility or benefit to society. Philosophical libertarians have prominently been ethical natural rights theorists, claiming that capitalism is morally required, independent of its consequences. Ayn Rand has had great influence on political libertarians. The most prominent academic philosopher to defend libertarianism was Robert Nozick, whose *Anarchy, State, and Utopia* (1974) became the libertarian bookend for distributive justice theories, with Rawls on the other end, for the rest of the century.

Ayn Rand's Objectivism

- Ayn Rand (1905–1982) was a novelist and screenwriter, as well as an author of philosophical essays. Her viewpoint is called *objectivism*. Its basis is a naturalistic Aristotelian conception of human nature, leading to a rather Nietzschean critique of altruistic Christian ethics in favor of a rational egoism.
- But this is not an egoism that says do whatever you want. For Rand, all value is based in life—survival—and reflected in animal emotions, pain, and pleasure. But humans are alone rational and must think for themselves in order to survive as rational, self-dependent beings.
 - Rand's notion of freedom mixes the positive and the negative: My freedom is purposive, but the obligations of others to respect it are purely negative. There is an "objective" standard of value, hence, an objective ethics.
 - Rights are how that ethics is applied to society. Thus, this is a theory of natural rights. Note that rights are primarily not to

own things but to one's self and one's own life, which yield rights to pursue interests and purposes. But on that basis, property rights are essential.

- Rand hates altruism; that is, she hates the tendency, first, to take as the ultimate moral standard the effects of one person's acts on others and, second, the belief that the highest moral act is self-sacrifice. This is destructive of all good things and of the nature of man.
- The standard of morality is concern for self, or rational selfishness. Selfishness is the concern for one's own interests, but it is not incompatible with love. Rational selfishness is very particular; it determines its interests by a rational examination of its desires and an assertion of rational purposes.
 - Rational selfishness is not about pleasure or desire. It does not seek unearned satisfaction, just as it does not seek the sacrifice of others. It accepts that, in society, free trade is the only just (rational) relation. A free person is a trader. Capitalism is, then, the only just socioeconomic system.
 - For Rand, "The rational interests of men do not clash." The rational man does not desire what his means cannot attain and takes responsibility for the process of realizing his aims. Any other process is immoral because it enslaves someone.
 - Rand dislikes Kant because of his theory of knowledge, but she explicitly repeats that every human being is, and is to be treated as, an end in itself, not a means to an end. Hers is a rational Kantian selfishness.
- Rand endorses laissez-faire capitalism: no government activity whose aim is more than to protect individuals and their property. She wants a voluntary system of taxation above mere provision of military and police.
- But the human race improves its lot by allowing maximum freedom so that a few individuals who are able to produce greatly are

allowed to benefit others in greater proportion than themselves. The few drive production and change.

- There is a strong Nietzschean tone in Rand—not in the sense of power as power over others but a humanism based in belief that a few individuals can be great and that a society is great if it is one that permits the few to create greatness.

Robert Nozick's Minimal State

- The theory of Robert Nozick (1938–2002) in many ways parallels Rand's. His *Anarchy, State, and Utopia* (1974) is a direct criticism of Rawls's *Theory of Justice*, and he, too, uses a version of the social contract, although to argue for a minimal state.
- Imagine humans living in a pre-political state of anarchy, or a state of nature. Why wouldn't they stay there? Nozick presents what he calls an "invisible hand explanation," a process version of the social contract theory.
 - The theory is based on the presumption of what Nozick calls "moral side constraints." The central moral side constraint is: No one may be harmed without his or her consent. Nozick understands this as a Kantian deontological rule.
 - Because people living in a pre-political state are subject to harms from others and interference in their liberties, they tend to form voluntary protective associations (PAs) to safeguard themselves from both outsiders and violations by other members. PAs hire enforcers ("goons") to provide protective services. They also agree internally on what rules the goon should enforce.
 - If there is a conflict between PAs, rational, self-interested members of one PA may join the PA of the winning goon. There will be, in effect, a competition among goons and, hence, among PAs.

- This will lead (by an invisible hand) to a monopoly in each region, that is, one dominant PA with the best goon. Members in the region pay a fee to the dominant PA to have the rules stating their rights enforced. Nozick calls this the ultra-minimal state.
- Nozick argues that the moral side constraints make this level of state not yet morally adequate, because at no point have we said that all residents of the region must receive protective services.
 - Some people may not have joined any PA. Nozick says that it is immoral for someone to have his or her liberty curtailed without receiving some benefit in return. But nonmembers in the dominant PA's region will have their risky behaviors prohibited by the goon, whose only obligation is to members. In short, as things are now, injustice will be done to nonmembers.
 - According to the “principle of compensation,” these nonmembers must get something in return. For Nozick, the only sensible answer is that all residents must receive protective services even if they cannot pay for them. The alternative is morally unacceptable.
- The minimal state for Nozick, is a dominant PA in a region that also extends protective services to all residents, even if they are unable to pay. That is the least amount of state morally required.

Distribution for Nozick

- The bulk of Nozick's book aims to show that any more government than the least amount is morally wrong. Any more than a minimal state, especially a redistributive state, violates the moral side constraint by harming someone without his or her consent. Further, all patterns of distribution require continuous government coercion because free people constantly interfere with the pattern, even if they like it.
- Nozick targets Rawls's principle of fairness that whoever voluntarily accepts benefits from a cooperative scheme owes it, and he attacks Rawls's veil of ignorance. The veil of ignorance purposely rules



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In an emergency, what matters is survival, and each has an equal claim on the hope to survive, but is an emergency the correct analogue for a functioning society?

out considerations about how persons come to possess things. It guarantees that people will choose distributive principles that ignore and are incompatible with the fact that all things of value must be produced by some historical process.

- Do people morally deserve their natural assets and birth status, as Rawls asks? For Nozick, this is the wrong question. The right political question is: Are people entitled to these assets? Moral desert is, in principle, the wrong criterion; entitlement is the right one.
- What pattern of distribution is valid? For Nozick, only an unpatterned distribution is just. Every other pattern must be enforced by coercion.
- Thus, the principle—not pattern—of distribution is the principle of entitlement: A distribution is just when all members are entitled to their holdings. They are entitled to them when their holdings conform to the rules for justice in acquisition and transfer.

Nozick's Utopia

- The last part of Nozick's book makes the (perhaps tongue-in-cheek) claim that the minimal state is a utopia. In the minimal state, any group of persons can voluntarily join together to live in any way they wish; the rules of the minimal state prohibit almost nothing.

- The final section of the book has a fascinating thought experiment. Imagine a society in which, instead of suing people (using civil law) for harming you, you used Hart's and Rawls's principle of fairness. What if, instead of internalizing negative externalities (making people pay for harming others), we internalized positive externalities (got people to pay for being benefited)?
 - In other words, imagine making money by inventing new ways to benefit people and demanding payment. Suppose you paint your house in a color that your neighbors like, then get them to pay you. Eventually, to make more money, you could sell shares in your life, each granting a vote in deciding what you should do. This would ultimately lead to the opposite of a free society: slavery.

 - Submitting your liberties to decisions by a democratic society is slavery, just as much as submitting them to a single plantation owner. This is true of occupational licensure, laws against drugs, laws giving unions power over production and hiring, progressive taxation, and so on.

Caveats Regarding Nozick

- First, like all libertarians or neoliberals, Nozick is against monopoly. He refers to what he calls the "Lockean proviso": Appropriations of unowned property are valid as long as there is, in Locke's words, "enough and as good left in common for others." A person "may not appropriate the only water hole in a desert and charge what he will." But this is just the liberal opposition to monopoly.

- Second, when a class of people has, over the years, been subjected to injustice and has not received reparations and if that class is

sufficiently large, then state action to rectify the injustice and benefit members of the class might be the only practicable, just option.

- But also notice what Rawls and Nozick have in common. They are both social contract theorists; they both think those principles of distributive justice are right that free, selfish, equal, rational persons would choose. They are also rights theorists and Kantians; that is, the basis of each theory is strict rules of duty. They are both anti-utilitarian because they fear utilitarianism might undercut rights. They are both liberal in a broad sense. They differ only on economics.
- Nozick wrote much after *Anarchy, State, and Utopia* but very little on politics. A year before his death in an interview, he said that he was no longer “as hardcore a libertarian” as he had been when younger. He was still was a libertarian—just less hardcore.

Suggested Reading

Nozick, *Anarchy, State, and Utopia*.

———, “On the Randian Argument.”

———, “The Zigzag of Politics.”

Rand, *Atlas Shrugged*, particularly “This is John Galt speaking,” Part III, chapter VII.

———, *The Virtue of Selfishness*.

Rothbard, *For a New Liberty*.

Questions to Consider

1. How does Rand justify her libertarianism, and how is it different from Hayek and others?
2. How does Nozick justify his libertarianism, and how is it different from Rand, Hayek, and others?

What about Community?

Lecture 27

There was a reaction against Rawls, Nozick, and other neutralist liberals over the next decade or so, a reaction that could take either view on distributive justice. Communitarians and others rejected the priority of the Right and the neutrality of government regarding any (private) account of the Good. Michael Sandel in particular argued against “deontological liberalism.” Some, such as Alasdair MacIntyre, turned to a “premodern” communitarianism of Aristotelian virtues. Some perfectionist liberals, such as William Galston, developed a full notion of virtue. Judith Shklar supported liberalism through its discouragement of “ordinary vices.” Others, such as Robert Putnam, argued for a revitalization of civic association.

Michael Sandel

- Deontological liberalism holds to two ideas: (1) that justice is the primary virtue; no other goods can justify a tradeoff against justice, and (2) that the liberal self is prior to its ends, meaning that it is completely free to choose its ends, values, goals, and theory of the Good. The Harvard political theorist Michael Sandel (b. 1953) argues against both of these ideas.
- For Sandel, Rawls’s notion that an individual does not deserve whatever he or she receives through the natural lottery is a mistake. Because all your talents and advantages are in your body itself, then, in effect, Rawls’s idea means that you do not deserve anything, including your own self. Whatever contents of yourself that are not the product of your own doing or choosing must be part of your possessions, which are subject to redistribution.
- Further, Rawls argues that you don’t deserve your advantages, but then he merely assumes that society deserves them; thus, they must be redistributed according to the difference principle. He never argues for this. In fact, his argument leaves us saying that nobody

deserves anything. To avoid that conclusion, Sandel says that Rawls smuggles in the idea of community ownership of assets.

- In effect, Sandel is saying that both Nozick and Rawls are wrong, but Nozick is more consistent. Both start with rational, self-interested individuals subject only to deontological rules. From this, Nozick consistently draws libertarian conclusions, but Rawls illegitimately and inconsistently blocks that result with the veil of ignorance and the natural lottery and inserts the notion that the community deserves what no individual deserves.
- Both Nozick and Rawls are wrong because the notion of a self independent of all its ends is impossible—it would have no ends with which to choose other ends. Some of the content of the self must be intrinsic—present as soon as a self is present—and be unchosen. We make our free choices on the basis of that. The self is, in fact, partly constituted by the community, including family, and that constitution creates our ability to make subsequent choices.
- If that is so, we cannot say that justice, the Right, is the untrumpable moral norm. Some goods or ends are given and necessary because without the community contribution to the self, there would be no liberal individual self later to make any free choices.
 - Some goods must logically and temporally precede and have priority over the Right. That means government and law cannot be completely neutral about those goods, because they are preconditions for everything else and all other choices.
 - At once, Sandel is throwing out governmental and legal neutralism, the priority of the Right over the Good, a self that is independent of community, and insistence on maximum individual liberty.

Alasdair MacIntyre

- Another version of moral communitarianism comes from the philosopher Alasdair MacIntyre (b. 1929) and his *After Virtue* (1981). For MacIntyre, modern liberal individualist society suffers

from the interminability of moral discourse. We are unable to solve or progress in handling moral issues. We take moral stands but ultimately justify them nonrationally, as sheer commitments or by counting the votes of supporters.

- MacIntyre thinks there is a historical reason for this. The 18th-century Enlightenment and, consequently, the moral theorists of modernity attempted to reject all traditional bases for moral reasoning as cultural, desiring instead to ground moral claims on some part of human nature, such as reason or desire, without any notion of a human telos, or goal.
 - In fact, MacIntyre believes, individuals gain intelligibility in their lives only narratively, by seeing their lives as stories aimed at some goal.
 - People construct their narratives from thematic elements they get from the cultural tradition of which they are a part. Thus, moral reasoning, MacIntyre argues, can occur only in an “inquiry-bearing tradition,” in which members continually disagree and debate in terms of some overall shared telos, described by shared canonical texts. He is at pains to show this does not amount to relativism because the traditions are not insular, can progress rationally, and can borrow from and even judge other traditions as superior.
 - MacIntyre’s point is that there is no moral reasoning outside membership in a community and a tradition. The Enlightenment tried to solve moral problems without such membership, but it isn’t possible. Without tradition, we are left with “bureaucratic liberalism.”
- Our modern post-Enlightenment languages, that is, the languages of the most advanced countries, have become “decontextualized” from any ethical tradition. They are “context-less” modes of communication. Therefore, they lack the resources for resolving ethical questions. It is in such languages that the philosopher’s

“fact-value dichotomy,” or the claim that value judgments have no rational justification, can make sense.

- Modernity has invented a tradition-less, rootless, and value-less method of communication, and in such a mode of communication, it is never rational to assert a substantive Good. Moral discourse becomes bargaining over interests, which can only lead to relativism and nihilism, meaning that power determines which interests hold sway.

- That, MacIntyre believes, is where Nietzsche comes in. If the Enlightenment has come to a dead end, the choice is: Nietzsche or Aristotle? Because Nietzsche is part of the inspiration for what is called postmodernism, that choice is the same as saying: If Enlightenment or modernism is at a dead end, we must choose postmodernism or premodernism. MacIntyre chooses the latter.

Non-Neutralist Liberals

- Non-neutralist liberals are those who want to maintain liberal (usually egalitarian or progressive liberal) policies but assert that there are goods to which liberalism is committed.

- Harvard political theorist Judith Shklar’s (1928–1992) *Ordinary Vices* (1984) argued that one can distinguish political theories by their posited vices. Cruelty is the great vice for liberalism, and liberalism seeks to minimize cruelty. Shklar tries to support negative liberty, toleration and limited government, but in a non-neutral way, as the attempt to avoid a Bad instead of pursuing a Good.

- British political theorist Brian Barry (1936–2009) agreed that liberalism can’t be neutral but insisted that its aim is to maximize autonomy. Liberalism must be based in what he called a “liberal outlook” as a “necessary condition” for endorsing liberal institutions. He is not so much promoting this outlook as denying that anyone neutral regarding it could justify liberalism.
 - Fear, peace, prudence, efficiency, progress—none of these commitments necessarily leads to endorsing liberalism.

Liberalism requires fundamental equality, that all beliefs are open to critical scrutiny, and that no religious dogma is certain.

- Barry is saying that liberalism is based in a kind of critical skepticism, which leads to necessary institutions, such as a free press, religious toleration, and legal equality. Liberalism presupposes skepticism regarding ultimate religious and metaphysical issues. Autonomy is a good, and you must believe it is—and disbelieve worldviews that deny this idea—in order to support liberal society.
- Martha Nussbaum (b. 1947) is an ethicist whose work propelled her into political philosophy. Like MacIntyre, she argues for an “Aristotelian social democracy.” She accepts that we can’t avoid formulating a theory of the Good; the Good is prior to the Right. But she argues that egalitarian liberalism is the society best suited to enable each individual to achieve Aristotelian “flourishing.”

William Galston

- William Galston (b. 1946), a Strauss-influence political theorist, asserts that liberalism is not neutral and has never been neutral. It has always supported and promoted some lifestyles rather than others. Thus, it can only be justified by some goods and not others. Liberalism is not supported either by mere skepticism or by fear of power. It actually promotes certain goods.
- Liberty is a good among a list of plural goods to which liberalism is devoted. This means that liberty is to be conceived in a positive way, as a capacity that must be constructed with community resources. Further, because there are plural goods, these must be balanced. One can be traded off against another. The scope of individual liberty, then, is less than in a neutralist liberalism because individual liberty does not always trump other values.
- Liberalism for Galston is a form of “rationalist humanism,” for which the triad of ultimate values is: life itself, fulfillment of purposes, and practical rationality.

- Liberalism is secular and this-worldly. This life matters; it values individual choices in achieving goals as central to the meaning of existence; and it values the self-mastery of practical reasoning as a means for achieving those goals.
- Liberalism pays particular attention to the individual's freedom to pursue his or her own goods; liberal society is a "cooperative attempt to sustain circumstances for individuals' pursuit of their goods."
- Based on the three ultimate values, the particularly liberal goods are: life, the development of capacities, the fulfillment of interests, freedom, rationality, society or relation, and subjective satisfaction.
- The list rules out irrationalism, nihilism, fundamentalism, and moral monism. That is, no one can argue that liberalism should be neutral with respect to, for example, suicide or fundamentalism. Liberalism is against these, even if it permits them for individuals.
- Is liberalism intolerant of people who don't share its theory of seven goods? The tolerance of liberalism is provided not by the absence of a theory of the Good but by its valuation of interests and freedom, its pluralism, and limitations on the way the theory is imposed. A liberal society is not neutral or absolutely tolerant, but it resorts to coercion less than any other kind of polity.
- Galston makes clear that individuals can make claims on society to help them satisfy needs where through no fault of their own, they cannot provide for themselves. But our ability to do this is limited by the fact that we cannot impose too great a degree of government control over society or individuals. Because liberal societies are constituted by a predominantly market economy, popular-constitutional government, diversity of opportunity, and a sphere of private rights, they must promote courage, loyalty, and lawfulness,

as well as a work ethic, independence, tolerance, and a valuation of or discourse.

Suggested Reading

Barry, “How Not to Defend Liberal Institutions.”

Galston, *Liberal Purposes*.

MacIntyre, *After Virtue*.

Nussbaum, “Aristotelian Social Democracy.”

Putnam, *Bowling Alone*.

The Responsive Community.

Sandel, *Liberalism and Its Critics*.

———, *Liberalism and the Limits of Justice*.

Shklar, *Ordinary Vices*.

Questions to Consider

1. Is there some kind of connection and interaction among citizens, necessary both to sustain a vibrant liberal republic and to make society a good place to live, that is missing in our society?
2. How can community be enhanced without reducing liberty?

Walzer on Everything Money Shouldn't Buy

Lecture 28

Michael Walzer is one of the most interesting political philosophers of recent decades. He is best known for his work on the ethics of warfare, *Just and Unjust Wars*, but he also created perhaps the most interesting alternative to the distributive justice theories of Rawls and Nozick in his *Spheres of Justice: A Defense of Pluralism and Equality* (1983). His theory reaches out, not to economics and economic rationality, but to anthropology and history. Strangely enough, Walzer developed many of these ideas while team-teaching a course at Harvard with Robert Nozick! We have to say that Walzer's is, in contrast to those of Rawls and Nozick, a communitarian theory of distributive justice.

Walzer's Distributive Justice

- According to Michael Walzer (b. 1935), the just distribution of a good ought to and usually does depend on the meaning of that good—what it means to people in that culture. The just, right, or fair distribution of food, swimming pools, and political power might be different, depending on what each means. We can't just call all goods "income" or "wealth" and ask how to distribute it.
- For Walzer, strict equality makes no sense because it treats all the different parts, activities, and things in life the same. Walzer says, however, that we can claim that some things should be distributed equally, others by the free market, and others by merit. Whereas Nozick said that the principle of distribution should not be equality, need, merit, the difference principle, or virtue, Walzer says that all of them should be. The question isn't how to equalize or nearly equalize income; the question is how to render the inequality of income harmless.
- How do we decide what the just distributive principle is for each good? Walzer's answer is that it must be the socially accepted meaning of that good, which in effect is its cultural meaning. A

culture has a view of a good, of its value and role in the form of life characteristic of members. That's the meaning, and that must be what determines the just distribution.

- What's bad about income inequality is the dominance of one good over another. Dominance occurs when possession of one type of good—hence, one sphere—is allowed to dominate and override the culturally justified distribution of another good. Walzer's distributive principle of justice is: No social good X should be distributed to those possessing some other good Y for that reason (their possession of Y) and without regard to the meaning of X.
- The problem with financial inequality is not that some people have so much money and some have so little. The problem is what money can buy; that is, possessing a huge advantage in money gives people access to security, political power, health care, better legal representation, better education for their children, and so on.
 - There is and will always be inequality in the distributions of all sorts of goods. That's bad when access to one good invades the sphere of another good, violating the distinctive cultural principles of distribution for the second good. For example, inequality is bad if how much money you have determines whether your child's little league team wins a game.
 - For Walzer, the point is not to equalize money, but to make money inequalities harmless.
- Walzer's *Spheres of Justice* outlines 11 goods: membership, needs, money, offices, work, leisure, education, kinship and love, grace, recognition, and political power. We'll look at membership, needs, money, and political power. He characteristically uses examples from history, not economics.

Walzer's Goods

- To work out his scheme, Walzer must try to tease out what he thinks our culture thinks about a series of goods and what their proper cultural principle of distribution is.



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Commutation fees were discontinued during the Civil War, probably because American culture holds that money should not make a difference in the obligation to serve one's country.

- The first and most important good any community distributes is membership. People must have a place in a political community. And the community has a right to control immigration. There must be controls because there must be distinct political communities. Still, Walzer believes that if people are allowed into a community on an ongoing basis to work and live, they must be offered citizenship because they have become residents.
- Walzer also argues that security and welfare, which are in the sphere of needs, must be communally provided. His argument is that membership requires the communal provision of needs where individual members can't provide for themselves. Otherwise, they are not members in any significant moral sense and would not feel like members or be recognized as such by others. What is a need is a historical, social matter, and only what can be provided must be.
 - If your neighbor's child is dying of a curable disease for want of money while you are building a swimming pool, do you owe

your neighbor help? If you do not and the child dies, then, in Walzer's reasoning, you and your neighbor cannot have any reason to believe that you share a political community of rights and obligations.

- But society needs you to feel such obligations. Membership requires that when members can help other members to satisfy needs (not wants) they cannot satisfy for themselves, they do so. Society does not have the obligation to provide something unless it has become a need.
- Walzer takes a historical, even anthropological rather than an economic approach to money and commodities.
 - All traditional societies had bazaars where people bought and sold. A traditional rule of such markets is: Let the buyer beware. And there is nothing wrong with that rule in the bazaar, but it must not be allowed to invade all spheres.
 - This is the danger in modern capitalism: not inequality of income and commodities but the fact that such income is often allowed to dictate the distribution of all other goods, riding roughshod over their traditional cultural meanings. Government restrictions and redistribution are required for “boundary revision.”
- Whether you own a swimming pool, how nice a suit you have, what kind of car you drive—all these are rightfully determined by how much money you have. Walzer calls those things that are rightly purchased in the market without restrictions “commodities.” But things that are not commodities ought not be exchanged in a market. And, in fact, we block many exchanges, such as the buying and selling of votes, people, certain drugs, and sex.
- Also, Walzer points out that in ownership of property, scale matters; beyond a certain scale, the means of production stop being commodities but generate power that is more than economic.

Walzer and Political Power

- In 1880, George Pullman, a manufacturer of railroad cars, built a town called Pullman for his plant in Illinois. The town had factories, private houses, tenements, shops, schools, playgrounds, a library, a medical clinic, and a church for 8,000 people. All property was rented, not sold. Employees were free to live elsewhere if they wished. Town schools were subject to a school board from Cook County, but all decisions about everything else came from Pullman because the town was his private property.
- Was this situation just? Walzer says no. If Pullman was a true town, then it was a polis, and in America, a polis must be democratic. In 1898, the Illinois Supreme Court ordered Pullman to divest all nonmanufacturing property. Walzer's point is: Property can't become or provide political sovereignty.
- Votes and freedom to participate must be distributed equally to all citizens, but power can be distributed differentially. And the principle in a democracy is rhetorical appeal. More power goes to those who are more convincing. Democracy, Walzer argues, "is the political way of allocating power." The ruling of citizenship is democracy and the end of tyranny.
- But the lesson of Pullman is this: "At a certain point in the development of an enterprise ... it must pass out of entrepreneurial control; it must be organized or reorganized in some political" way. If the business is so big that it begins to control people's lives, it must be regulated by the people democratically.
- Walzer calls his conception of equality "complex equality," which means a pluralistic conception of equality, as opposed to strict equality. The ownership of one sphere of goods may not determine the ownership of, or access to, other spheres of goods. Put differently: The system of distribution must be plural and fragmented, not coordinated. In the end, Walzer says that the proper distributive system is decentralized democratic socialism.

Objections to Walzer

- The philosophical objection to Walzer's view was not to his actual distributive scheme but to a philosophical problem: relativism.
 - Is any society just as long as it follows its cultural meanings and their distributions? Can anything or any distribution be just as long as it corresponds to a cultural tradition?
 - As Walzer notes, the traditional Indian caste system held that a more equal distribution of goods and hard labor would be unjust. Must the caste system pass his test?
- Walzer attempted a fuller answer in a later book, *Thick and Thin: Moral Argument at Home and Abroad* (1994).
 - Here, Walzer argued that there are two levels of moral argument: the thin and the thick. By *thin*, he means the use of moral terms across multiple cultures, where the terms are independent of the particularities of the cultures of the people using them. But as a consequence, thin terms and arguments are vague.
 - *Thick* is the level of discourse that presumes the full cultural particularity of a term; the term's meaning is dependent on, and intertwined with, a host of cultural practices where it finds its meaning.
- The point is that there is a culturally relative level of political discourse (thick) and a universal, nonrelative level (thin). These both play inevitable and inescapable roles in political discourse and criticism. To apply and create social changes, one must inevitably get to the thick level, where there is cultural relativity, but thin standards can be used cross-culturally.
 - We can say and mean that democracy, rights, and equality are good universally, and we can be right. But we must recognize that as soon as we try to figure just what democracy, rights, and equality look like practically in a given society, we will have to adapt everything we say to a local culture.

- For Rawls, Nozick, most of the political philosophers of their time, and many today, the aim of political theory is to justify political norms that are independent of cultural differences and, thus, are universal. From this perspective, Walzer's theory has never gotten to first base.
- But if you think, as many other political thinkers do, that political discourse can never be completely independent of cultural differences, then you are stuck, with Walzer, in trying to figure out how we ought to live while recognizing that culture matters politically.

Suggested Reading

Walzer, *Spheres of Justice*.

———, *Thick and Thin*.

Questions to Consider

1. How does complex equality differ from the notions of equality in Rawls and Nozick?
2. Does Walzer's argument for communal provision of security and needs in complex equality avoid Nozick's criticisms of Rawls and other egalitarians?

Identity Politics—Feminism

Lecture 29

The development of feminism is often divided into three waves. First-wave feminism is the period from Mary Wollstonecraft (1792) through Simone de Beauvoir (1949); the second wave is the movement of the 1960s and 1970s; and the third wave started around 1990, with feminists who had criticisms of the second wave. In this lecture, we'll look at several sets of feminist concerns or viewpoints. Liberal feminists argue for a consistent application of liberal principles to women. Feminist standpoint theorists study subjects, such as literature, from the perspective of gender or women's historical disadvantaging. Essentialists argue that women's experience is distinctive and call on political theory to honor that difference. Finally, postmodern feminists are interested in the production of sex/gender.

Liberal Feminism

- The term *liberal feminism* refers to feminists who accept liberal republican principles and seek to add to or modify them to make society more consistently just regarding women. This could mean simply supporting equal rights for women, enforcing laws concerning violence against women, pointing out unfair employment practices, and so on.
- However, the attempt to apply liberal republicanism universally often results in changing what we think liberalism is supposed to do. In her 1989 *Justice, Gender, and the Family*, Susan Moller Okin (1946–2004) argued that mainstream political theory, such as that of Rawls, ignores instances of injustice regarding women.
 - One example is no-fault divorce, which generally eliminated alimony payments made to women after the 1970s. This was considered egalitarian in a modern world where a divorced woman could earn a wage.

- But Okin points that in reality, most married women do most of the childrearing; hence, they are less intensively involved in the workforce, while their husbands increase their earning power during the marriage. If a woman gets divorced, she usually has less earning power than her former husband.
- Okin argues that the apparently fair no-fault treatment of divorcing men and women as equals, without considering the particulars of their situation, is in fact unjust and unequal.
- Further, in the 1970s, some feminists were driven to politicize the personal sphere, including such issues as domestic violence and marital rape. From the viewpoint of many feminists, rape or wife-beating is the act of a member of a privileged class suppressing a member of a disadvantaged class. This means locating political fissures in what were regarded formerly as nonpolitical zones, including inside the home.
- In fact, a host of feminists, many of them liberals, have written on the role of the private/public distinction in relation to gender. The patriarchal system has generally relegated women to the private sphere. Of course, today, vast numbers of women operate in the public sphere. But many of the ways in which women have been harmed occur in regions and media of social life that were formerly considered private and, hence, not subject to political concern and control.
- This is a thorny issue for liberalism because part of its mission was to construct a stricter division between the private and public than traditional illiberal politics. Liberalism reinforced the private/public distinction to keep governmental power out of the home. But feminists must make the private/public distinction porous and allow some governmental power back in the home, threatening traditional liberalism.

The Psychology of Gender

- Feminists have also explored the psychology of gender and the way gender roles are preserved and transmitted over time. Some of this has involved the use of psychoanalysis; indeed, some second-wave feminists, such as Dorothy Dinnerstein and Nancy Chodorow, used Freudian or psychodynamic theories to explain the endurance of gender differences.
 - Dinnerstein and Chodorow argued that the reason we see men and women differently and are less comfortable with female ambition and power is that most of us spent our earliest years under the control of a woman, our mothers. Our deepest fears about being mistreated or abandoned and our need to reassert our independence result in a need to get away from but control some woman. This is equally true for men and women.
 - The implication is that more egalitarian gender relations hinge on increasing male involvement in child care.



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In response to a classic ethics question, boys tend to focus on what rule should be followed, while girls tend to consider the relationship among the agents.

- Probing the deep psychology of sex and gender differences raises a troubling question: Do men and women have different ethical and political values, and does liberalism reflect a male standpoint? Are neutrality, individualism, bargaining, and the pursuit of interests independent of social relatedness particularly male?
 - One of the most famous presentations of this issue came from moral psychologist Carol Gilligan (b. 1936). In her book *In a Different Voice* (1982), she argued that mainstream views of moral development take “normal” moral development to be male, but females develop in a different way.
 - In her research, Gilligan noted differences in the way boys and girls responded to a classic question in philosophical ethics, with boys focused on what rule should be followed, while girls saw the problem as more complex and tended to bring in “extraneous” considerations.
 - Gilligan’s point is that psychologists of moral development adopt a typically male approach to ethics and fail to recognize another approach more common to women. The male approach is an ethics of rules and rights; the female approach is an ethics of care.
 - In essence, the female approach is a move toward communitarianism, the notion that the self and others are mutually necessary. As you might imagine, the ethics of care tends toward progressive, government-supported solutions.
- Another area that feminists have mined is the critical analysis of popular culture. One particular focus has been the use of bodily images in advertising and the effect this has on young people, both girls and boys. In her *Unbearable Weight: Feminism, Western Culture, and the Body*, Susan Bordo explores the images of women in contemporary pop culture, the intellectual and philosophical views of women (and men) they imply, and their impact on the self-image of young women.

Postmodern Feminism

- Postmodernists tend to see what we think of as “natural” social features as socially and culturally constructed for some political purpose. This viewpoint has been influential among third-wave feminists.

- In her *Justice and the Politics of Difference* (1990), Iris Marion Young (1949–2006) analyzed the way political and cultural arrangements “scale” the bodies of the rulers and the ruled, designating some as “abject” and revolting by way of maintaining the identity of the “best.”
 - Our culture “constitutes” the identities of persons, some positively and some negatively. The way an individual constitutes a positive identity is to project a negative identity onto others, such as women, people of color, the poor, the disabled, and so on.

 - Society is in the business of “essentializing otherness” to constitute a “unified, orderly identity,” or its preferred citizens. An individual is normal or better than normal because he or she is not like those others, who are revolting, abject, weak, or dirty.

 - We tend to think of our identity in singular terms, as belonging to a privileged group, constituted in part by our nonparticipation in all other groups. But Young argues that individuals belong to multiple, overlapping groups. They are like and unlike many people, including some of those people from whom they want to differentiate themselves. Membership cannot then be exclusive because it is plural and partial.

- From our point of view, the central part of Young’s critique is her criticism of standard liberal republicanism, which resonates with many feminists and multiculturalists. Liberal republican government and law claim to be neutral and impartial toward individuals and the identity groups to which they belong. But this claim of neutrality is itself a mask for oppression. It relegates the

concrete issues of justice to the nonpolitical domain and makes identifying oppression more difficult.

- Some of the most radical work by feminists comes from postmodernists who focus on the nature of sex and gender, hence, the problem of sexual identity, especially in third-wave feminism.
 - *Sex* refers to the biological differences between men and women, while *gender* is socially constructed, a matter of prevailing institutional and cultural patterns. Once feminists tried to distinguish a “female” point of view, others began to question whether there is anything universally female beyond biology.
 - A main contribution by lesbian theorists was to question “compulsory heterosexuality.” Some of these theorists, developing what would come to be called *queer theory*, also examined the lives of transgender individuals.
 - Perhaps the most famous of these is Judith Butler (b. 1956). In her *Gender Trouble* (1990), she contributed to feminism and queer theory with her conception of gender as performance. For example, in the “marginal” phenomenon of men who dress as women, Butler finds the key to understanding all gender as an act. This doesn’t mean that gender is unreal, but it is certainly not naturally given.
 - Gender is a set of roles in which, through repetition of a script of acts, an identity recognized by society is “inscribed” on the surface of the body.

Feminism and Political Theory

- One way in which feminist theory has altered mainstream political theory is obvious: the identification of patriarchy, that is, male rule over females, and the various forms of inequality and denial of opportunities faced by women in traditional culture. Given that these inequalities tend to persist even with legal equality, feminists have moved toward affirmative action and other “sighted” rather than “blind” approaches to sex and gender.

- Connected with this is the fact that feminism has changed the boundary between the private and the public or political, which liberalism has always tended to reinforce. On the one hand, what happens in the household and family relations may be political and something the political sphere needs to deal with. On the other hand, this politicizes culture and has raised disturbing questions about the degree to which our most private and personal identities and acts are socially constructed.
- Feminist standpoint theories carry a significant communitarian-like impact. For example, Gilligan’s ethics of care may mean that the liberal notion of the free and independent individual is overstated, that male political and ethical theorists have ignored the fact that the individual is necessarily embedded in a network of relationships that require care. And of course, as we’ve seen, communitarianism can have a conservative flavor.

Suggested Reading

Bordo, *Unbearable Weight*.

Butler, *Gender Trouble*.

Chodorow, *The Reproduction of Mothering*.

Dinnerstein, *The Mermaid and the Minotaur*.

Hanisch, “The Personal Is Political.”

Okin, *Justice, Gender, and the Family*.

Young, *Justice and the Politics of Difference*.

Questions to Consider

1. Does the recognition of women as equal citizens and political actors alter liberal republican political theory and policy?
2. How does the recognition of the social construction of gender change our politics?

Identity Politics—Multiculturalism

Lecture 30

Just as feminism introduced a concern for the politics of identity based on sex and/or gender, the civil rights movement in the United States sparked other ethnic power movements, which were coupled with the continued world rise of former colonial states against European power and new waves of immigration in the 1980s and 1990s. The result was a new concern for equality and diversity of ethnic groups, or multiculturalism, which reflected a change in how liberal republicans think about identity. Is the goal of liberal democratic equality to treat citizens indifferently with respect to their racial, ethnic, or cultural distinctiveness or to take that distinctiveness into account and honor or value it?

Defining Terms

- *Race* is morphological; the term relates to skin color, facial features, hair, and other biological characteristics. Race is genetic, even if the decision as to who is in what race can be social.
- *Ethnicity* refers to an ascriptive group defined by blood and/or locale. People are born into an ethnicity. You have some choice if you are multiethnic, but even then, ethnicity is a social phenomenon, meaning that whether you have it depends, for all practical purposes, on whether other members accept you.
- *Nationality* is often conflated with ethnicity, but for our purposes, it means civic nationality, the state of which you are a citizen.
- *Culture* is normally associated with ethnicity; it connects to race where race happens to be connected to ethnicity. And the association of culture with nationality has changed historically. Today, there is a culture associated with most nation-states, but those cultures can include many people with different ethnic roots and identities. Different societies have and permit different degrees of plurality of

identification. In modern nation-states nationality tends to trump ethnic ancestry.

- The African American philosopher Cornel West wrote a book titled *Race Matters*, and he is right, but we might say it matters where and when it matters, and that usually happens when it correlates with something else, such as class, ethnicity, or culture. Without some tie to an ethnic identity, class position, or nationality, mere morphology may mean nothing at all socially.

Multiculturalism and Liberal Education

- One issue that comes under the heading of multiculturalism is whether it is right or obligatory for liberal education to treat all cultures equally. For example, in an essay entitled “The Politics of Recognition” (1994), Charles Taylor argued that the polity must seek to recognize all its cultures as worthy of interest and as having the right to expression. This is the politics of “equal recognition.”



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Multiculturalism began as a movement in education to reform textbooks and lesson plans that offered a narrow view of American history.

- But does that mean all cultures have equal value? Some feel that the liberal egalitarian answer to that question should be yes. But cultures are precisely those things that rank and impose schemes of differential value. Was it wrong for ancient Egyptians of the age of the pyramids to regard European mudhut architecture as inferior to their own? Is it wrong for Brazilians to feel they are better soccer players than Americans?
- Taylor concludes that the notion of “equal value” to all cultures and their products would be intolerable, especially for education. We may say that people are of equal value, but to say that cultures are of equal value is to say they are equally right, insightful, beautiful, fulfilling, and so on. To accept that, for Taylor, is to muzzle our critical powers.

Bhikhu Parekh on Immigration

- One of the foremost thinkers in political multiculturalism is Bhikhu Parekh (b. 1935), author of *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (2000). Parekh is particularly concerned with the response of a liberal republican society to immigration. For him, the crucial point is that the culture of a society is and must be open to change.
- Parekh criticizes several older models of response to immigration: the cultural assimilation model, which takes the state to be underwritten by a common culture into which new minorities must be assimilated; civic assimilation, which accepts a purely civic culture of necessary assimilation, leaving private culture to be diverse; and proceduralism or neutralism, according to which the state has no cultural predilection. Parekh notes that all of these do the same thing: They function to leave the dominant culture unaltered.
- The multicultural model, Parekh argues, opens the majority culture to transformation. Incoming minorities are supposed to be tolerated and to receive support and accommodation.
 - A famous example is the exception granted to Sikhs in Britain to the motorbike helmet law to accommodate their turbans.

Notice that with the exception, Sikhs cease to be specially disadvantaged by being legally unequal to other Britons.

- But Parekh also recognizes that minorities must be open to change, for example, in the treatment of women.
- Citizenship is understood as “differentiated,” meaning that different groups can have different ties to the state. Parekh calls for continual intercultural dialogue and negotiation. Social unity is to be “grounded in a multiculturally constituted public realm which both sustains, and is in turn sustained by, a multiculturally constituted private realm.” The state is to be a “community of communities.”

Brian Barry

- Of course some liberals, even egalitarian liberals, disagree. One is Brian Barry (1936–2009) in his *Culture and Equality: An Egalitarian Critique of Multiculturalism* (2001). To understand his view, it is helpful to remember one of the most famous American Supreme Court cases, that of *Wisconsin v. Yoder* (1972).
 - This case has been called a hymn to the First Amendment. The court unanimously decided (with William O. Douglas filing a partial dissent) that Amish families’ religious freedom trumped the state’s attempt to force them to send their children to school past the eighth grade. Many civil libertarians have praised the decision. But Barry agreed with Douglas that the decision operated against the development of the individual liberty of the children.
 - Particularly at issue is a traditional test for individual liberty in associational groups: exit. Barry argues that liberalism is committed to raising children in such a way that they will be free adults. He opposes the decision in *Yoder* because the Amish raise their children in such a way that the exit costs of leaving their community are too high. The young adult who wishes to leave the Amish community is in a seriously disadvantaged position, without the cultural knowledge and job skills that make for independence in the wider world.

- Notice that we are confronting a twin set of problems, especially for Americans: the freedom of religion versus the freedom of the individual, or more precisely, the freedom of groups versus the freedom of the individual. For a group to be free means, in part, policing itself and reproducing itself over time. Further, groups must exclude people and need to enforce certain rules. But aren't the rights of groups just the sum total of the rights of their individual members? That would be the traditional liberal view, but there is a problem here, too.

Group Rights

- One of the most fundamental questions is whether liberal republicanism can or should recognize group rights. Here, some of the best work was done by political theorist Will Kymlicka (b. 1962), especially in his *Multicultural Citizenship* (1995).
- Does a group have rights independent of the number of people belonging to it?
 - Suppose you are one of 20 people sharing some ethnic culture, a unique language, and traditional practices and living in a larger community of 10,000. Your group will be constantly outvoted in any town meeting. No legislation that will protect your culture will ever pass.
 - By traditional liberal rules, your group has the right to try to preserve its culture but no greater rights than any other group of 20 people. Does your group have any “right” to exist or preserve itself greater than your small numbers? Should the state give your group money it wouldn't give to any other 20 state residents, require the local school to teach your language, or put up street signs in your language?
 - Under traditional liberal rights and one-person–one-vote equality, the rights of 10,000 swamp the rights of 20 or even 1,000. There is nothing special about the individual's right to preserve his or her culture any more than the right to smoke or build a house.

- Kymlicka argues otherwise. He is specifically concerned with the rights of indigenous national minorities, such as Native Americans, not immigrant minorities. Like many feminist political theorists, he expands classical egalitarian liberal theory. In his case, it is not Rawls but the political philosopher Ronald Dworkin (1931–2013).
 - Kymlicka argues that liberal freedom requires a “societal culture,” a meaningful cultural environment of people, practices, and artifacts in which members can make their choices. Thus, cultural membership is a “primary good” in the Rawlsian sense (one of the goods in his thin theory of the good, such as opportunity).
 - From Dworkin, Kymlicka gets the liberal idea that citizens ought to have equal resources for their choices and that this must be supported by society. For both Dworkin and Rawls, there can be “no morally arbitrary disadvantages.” Being the one Narragansett Indian in a town of Polish Americans might be such a disadvantage. That means that the community owes the Indian support for the cultural resources contextualizing his or her individual choice, which the Polish town members have by accident (“natural lottery”).
- But cultural ethnic membership is also an accident of birth. Why should a liberal respect it?
 - For Kymlicka, liberalism requires not that self be prior to ends—not that you fail to be influenced by a community into which you are born—but that ends can be reversed so that your choices and abilities, not accidents of birth, can eventually determine your life.
 - Once you’re born a member of an ethno-cultural group, liberalism requires that later in life, you are free to abandon that identity. But to have that free choice, you must have cultural resources.
- What if part of the culture of the ethnic community to be protected and supported is illiberal, such as preventing children from going

to school? Kymlicka admits, “If certain liberties really would undermine the very existence of the [minority cultural] community, then we should allow what would otherwise be illiberal measures.”

Assimilation Today

- Today, we generally have a mixed-up notion of the proper egalitarian attitude, switching from color-blind to color-conscious but respectful. We accept group identity and even group rights sometimes to trump individual liberty and one-person–one-vote individual equality.
- Yet in the broader culture, it is difficult to imagine any kind of respectful integration without some kind of assimilation. That is, when people interact under peaceful circumstances, many of them will become more alike. Even if the goal is a color- and ethnicity-conscious society where differences are respected, the latter probably means some kind of assimilation, and that may be perfectly acceptable.

Suggested Reading

Appiah, “Identity, Authenticity, Survival.”

Appiah and Guttmann, “Race, Culture, Identity.”

Barry, *Culture and Equality*.

Kymlicka, *Liberalism, Community, and Culture*.

———, *Multicultural Citizenship*.

———, *Rights of Minority Cultures*.

Parekh, *Rethinking Multiculturalism*.

Questions to Consider

1. Do groups, such as cultural groups, have rights, and is there a right of individuals to practice their culture?
2. Are liberal republican law, government, and politics supposed to be neutral or egalitarian in their treatment of cultures?

The Politics of Nature—Environmentalism

Lecture 31

Politics in the Western tradition has always understood itself in terms of human goods, rights, and virtues. How can such a tradition incorporate the notion of limits on human rights or goods to protect the nonhuman environment? Environmentalism has been a political movement in the United States since the late 19th century and a world movement since the 1960s. Philosophically, it opposes the notion that the nonhuman environment is a value-neutral resource open to any self-interested exploitation. In this lecture, we'll look at the philosophical bases of environmental ethics and see how the movement has been affected by theories of animal rights and animal welfare.

Animal Rights

- Peter Singer (b. 1946) published his influential *Animal Liberation* in 1975. His aim was to argue against meat-eating, animal experimentation, and mistreatment of animals in agriculture. Singer proposes a utilitarian theory of animal welfare.
- Singer notes that Jeremy Bentham had suggested that utilitarianism might apply to any creature that can feel pain or suffer. That is, whatever being can suffer is a moral patient at least, if not a moral agent. Suffering ought to be reduced wherever possible; causing suffering unnecessarily must be morally wrong. Singer applies this only to some animals, but he is tentative; we don't really know which species of animals suffer or how much.
- To accept Singer's philosophical position means that we must take all animals affected by human actions into moral account. The pains of these animals must be put in the moral balance with our pleasures and interests. Thus, Singer thinks that we should abandon killing animals for food, clothing, or scientific experimentation, given the alternatives to those activities and given the major suffering caused the animals and minimal pleasure provided to us. He remains a

utilitarian, however, which means that circumstances matter; a human in the Arctic Circle with no food ought to eat a seal.

- In contrast, the philosopher Tom Regan (b. 1938) published *The Case for Animal Rights* in 1983. His is the most famous argument that nonhuman animals have deontological or Kantian rights. Regan argues that whatever creature is a “subject” of its own life has rights. A subject of a life is alive; conscious; has beliefs, desires, perceptions, and memories; experiences pleasure and pain; and has an identity, including a sense of its own future, hence, an individual welfare. Regan ascribes this only to mammals but suggests that harming birds and fish is also wrong.
- Any creature for which its life has worth to itself is a moral patient (again, not necessarily a moral agent) and, hence, has moral value. Like a true deontologist, Regan asserts that such moral value is equal, and a moral agent is obligated to have equal respect for all such lives.
 - This does not mean that one cannot choose one life over another, but it does mean that we cannot treat nonhuman animals as mere resources, nor can we value our own interests as morally more compelling than theirs in principle.
 - Essentially, this means the total abolition of the animal husbandry industry, hunting, and animal experimentation.
- Each theory applies a human model of ethics, either a Kantian notion of duties for animals to be respected as ends in themselves—hence, with rights—or a utilitarian notion of duties to maximize the pleasure and minimize the pain of creatures capable of pleasure and pain, which includes us and a host of other species. Each is concerned with individual animals and the human treatment of them.
- One of the terms made famous by Singer and adopted by some animal welfare and animal rights theorists is *speciesism*, meaning the unjust and irrational privileging of one’s own species’ moral value over others. The underlying need for this idea in Singer’s and



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Animal rights and welfare thinkers adopt the idea that a human and a nonhuman—and their pain—must count equally.

Regan's thought is that a human and a nonhuman, or a human's pain and a nonhuman's pain, must count equally.

Ecosystems

- Animal welfare and animal rights views were designed to restrict human harm to domesticated animals, including pets, agricultural animals, and test subjects. But there's a problem if we try to apply these views to wild animals: In nature, ecosystems require certain numbers of animals to die per year; if they do not, the system becomes unbalanced. If the prey in an ecosystem has a right or a moral value, it is just as bad when it dies from nonhuman action as from human.
- The functioning of wild ecosystems is the concern of most environmental ethicists. Aldo Leopold (1887–1948) was a professor, forester, hunter, and writer who provided the philosophical basis for much environmental ethics and modern wildlife management. His most well-known book is *A Sand County Almanac* (1949).

- Leopold's environmental ethics might be called communitarian. Each ecosystem has myriad species as members, all of which, in their living and dying, are necessary to the ongoing system. This includes nonliving ecosystem features, such as water and terrain.
- Leopold was also a hunter. For an environmental communitarian, the living individual has morally considerable value but not that much. Shooting and eating a deer kills one animal to feed another, but it leaves the ecosystem unchanged, with the one positive exception being it may cap the deer population and limit the damage it causes. But altering the flow of a river, introducing new species, or extinguishing a species is a serious blow to the diversity and self-maintenance of an ecosystem. The ecosystem does not recognize individuals; it feels species, and there is a hierarchy of key species in each ecosystem.
- Leopold was also a wildlife manager, meaning that he accepted the inevitability of human interference in ecosystems and the requirement that we manage them. This raises major intellectual issues: What state of the changing ecosystem should we try to manage and maintain?
- Another conflict is between several philosophical bases of environmental ethics. Why, after all, should humans treat ecosystems and their members as having morally compelling values? Why care about the nonhuman environment except as a resource?
 - Biocentrists take the morally realist view that living things have intrinsic moral values. Harming them and those values are what makes environmental destruction wrong.
 - Anthropocentrists take a morally less expansive view. They are philosophically skeptical of any attempt to assign values to parts of nature except on the basis of human interests. That may not sound very "green," but the environmental anthropocentrist warns us: Environmental destruction is bad for humans.

Biocentrism

- In his *Environmental Ethics: Duties to and Values in the Natural World* (1988), the biocentrist Holmes Rolston (b. 1932) argues that there are intrinsic values in living things and their environments that we are obligated to honor. In a sense, his philosophical argument is against the very idea of the fact-value dichotomy, an attempt to find morally compelling values in natural facts.
- Rolston points out that organisms—whether or not they can experience, feel pain, or think—value themselves, their states, and sometimes their offspring. Living things are homeostatic, meaning that they are organized to maintain states as ends or goals, and they have norms; that is, unlike nonliving systems, they are living or dying, healthy or sick, succeeding or failing.
 - Organisms also value or disvalue parts and states of their environments. This valuing is objective: The organism’s genetic nature dictates what it values. In fact, natural selection means that the organism is in part constructed by this valuing.
 - Further, value circulates in an ecosystem. The deer’s chemical value is partly absorbed by the wolf that eats it, which value ends up in the wolf’s feces and in insects, fungi, and plants. And the species and ecosystem alike are intrinsically valuable and continue through time.
 - Rolston specifically denies, however, that there are rights in nature. “Nature is amoral,” and many values are “dialectical” or “conflictual”; pain and death play a role in creating goods in wild nature.
- Life, which is never the property just of an organism but simultaneously of a species and an ecosystem of many interacting species, is a morally valuable thing. And we are parts of it and ought to value what is valuable both for ourselves and for itself and themselves. We cannot keep hands off; we are a part of the biosphere with our own existence and interests to pursue. But unlike other species, we can both understand the necessity of the

health and diversity of ecosystems for us and appreciate their value in themselves.

Deep Ecology

- One environmental philosophy called *deep ecology* was developed by the Norwegian philosopher Arne Naess (1912–2009) in “The Shallow and the Deep: Long Range Ecology Movements” (1973).
- The underlying idea of deep ecology is to go beyond the notion of a human interest in and responsibility to conserve or preserve the environment to an understanding of human existence as one part of the biosphere. Naess argued for “biospherical egalitarianism in principle,” an equal right to live and blossom for all things and a fear of the “mammalian crowding” of the world.
- Naess also advocated extending the principles of ecology to human affairs, including the application of diversity and decentralization, opposition to domination and militarism, and an “anti-class posture.” Interestingly, he derives human political positions from his ecological positions. He seeks an “ecosophy ... a philosophy of ecological harmony or equilibrium.”
- Naess was not the only one to draw implications for the understanding of human beings from ecology. The same could be said of Paul Shepard (1925–1996), who specifically advocated that environmentalism must become an “ecology of man,” recommending a reincorporation of a Paleolithic hunter-gatherer lifestyle.

Ongoing Questions

- Do individual humans bear greater moral value than members of any other species? If there is a fire in your house, and you have to choose between saving your spouse or the two cats, is it wrong to save your spouse? None of these environmental thinkers says it is, but some of their doctrines raise the question.

- Singer was consistent enough to say that it might be obligatory to save a fully abled chimpanzee over a mentally and physically disabled human. That may sound awful, but it is the implication of his theory: The choice would have to depend on the two organisms' ability to experience and process pain and pleasure.
- If you are a humanist you reject this view, but it entails the larger issue of ranking species in terms of values or rights.
- North America has pulled itself back from the brink of destruction of the wild environment and severe air and water pollution since the mid-20th century, but it is clear that we will never be done with this issue: Every generation will face the problem of how best to control commerce and technology in the face of continual encroachment on wild nature and general environmental quality.

Suggested Reading

Leopold, *A Sand County Almanac*.

Naess, "The Shallow and the Deep."

Norton, *Sustainability*.

Regan, *The Case for Animal Rights*.

Rolston, *Environmental Ethics*.

Shepard, *Traces of an Omnivore*.

Singer, *Animal Liberation*.

Thompson, *The Agrarian Vision*.

Questions to Consider

1. Do some nonhuman animals possess values or rights that we would be wrong to violate?
2. Are the moral restrictions on our exploitation of the nonhuman environment due to our own long-term interests, values, or rights intrinsic to that environment?

Postmodernism, Truth, and Power

Lecture 32

Politically linked to feminism, multiculturalism, critical race theory, and the critique of Eurocentrism, postmodernism was a philosophical movement that had major political implications. On methodological (not political) grounds, postmodernists reject any “foundational” notion of moral rights or utilitarianism as a universal justification for any political theory. French poststructuralists, such as Michel Foucault, critique the most basic concepts of modern liberal republicanism—humanity, reason, and identity—as based in a disciplinary suppression of social minorities, or “others.” The postmodern approach influenced many leftist political thinkers, such as Cornel West and G. C. Spivak. But there is also a conservative version of postmodern social theory, offered by Niklas Luhmann.

Defining Postmodernism

- In the 1970s, the term *postmodernism* was adopted in philosophy and social theory as a name for something new about the postwar period. For some, *postmodern* is a historical claim that postindustrial societies have entered a new period where older, early-modern notions no longer apply. For others, it is a political and philosophical critique of something about the modern they wish to supersede.
- The introduction to postmodernism in philosophy could be called *anti-foundationalism*, most famously associated with Richard Rorty’s (1931–2007) *Philosophy and the Mirror of Nature* (1979). Rorty argued that the attempt of modern philosophy since the 17th century to find the “foundations” of all true knowledge was wrongheaded and impossible.
- But when philosophers use the term *postmodern*, they are mainly referring to a group of French thinkers from the 1970s best termed *poststructuralists*, such as Jacques Derrida (1930–2004), Michel Foucault (1926–1984), Jean-François Lyotard (1924–1998), Luce

Irigaray (b. 1932), and Julia Kristeva (b. 1941). They all would agree with Rorty about there being no “foundations,” but their view, based on the theory of signs, is more radical.



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- Virtually all these thinkers accept that the meanings of signs—all our words, concepts, artworks, and social practices—are determined by the relations among signs, not the relations of signs to things. Further, signs operate in a web of other signs. We can’t define signs in terms of a relation to something that is not a sign; we can only use more signs. This was the view of structuralism, an important movement in linguistics and anthropology in France in the middle of the 20th century.
For the poststructuralists, all that we say and think we know is mediated by signs—language, art, culture, and so on.
- The poststructuralists of the 1960s and 1970s claimed that everything we do is semiotic, or mediated by cultural signs. Perception and cognition presuppose signs and representation. There is no direct or incorrigible access to the world. What other philosophers take to be the fundamental unities of reality—substance, self, God, knowledge, reality versus appearance—are semiotic constructions that suppress or ignore differences and complexities.
- These simplifying constructions serve social or political aims. This includes the moral and political ideals we use to judge and control social processes, such as justice; those ideals are constructed by social processes. This must also apply to human inquiry. In

particular, philosophy and the human sciences are themselves constructions, motivated by social or political aims.

Jean-François Lyotard

- Jean-François Lyotard, in one of the most famous books on the subject, *The Postmodern Condition: A Report on Knowledge* (1979), makes the argument that postindustrial societies no longer possess nor require “metanarratives” of legitimation. Our society does not have or need an overall theory of good or reality that validates it.

- For Lyotard, the life of social members is contextualized by practical linguistic contexts with their own internal norms. Society functions without a high level of coordination among “language games,” by which he means any social context in which language is used.
 - The idea is that the context supplies the rules for what our words mean but also what may or may not be said. For Lyotard, the criteria of languages games are functional, meaning that people are doing something in the game and only what helps them do it works.

 - Society is an enormous number of functional practical-linguistic contexts (work, school, church, politics, and so on) that are not unified by a grand story. Societies used to need grand narratives to legitimate everything and hold it all together. Postmodern society does not have nor does it need such stories.

- In short, society and its disciplines of inquiry—even science—are all radically fragmented. Conservatives may make the same criticism, but for Lyotard, this fragmentation is both inevitable and desirable. Unity and consensus are dangerous to human freedom. Individuality and freedom thrive in the transitions between language games.

Michel Foucault

- Michel Foucault was a critic of the way in which human sciences, such as psychiatry and penology, had been used to define deviance, thereby segregating aberrant humans to construct a notion of normal selfhood. His works are historical “genealogies,” unearthing how and why human sciences and social institutions constituted normalcy in a certain way.
- For Foucault, *man* is a sign or concept that is constituted by a set of discourses, most notably, those of the human sciences. What those sciences say about being human constitutes what it means to be human. In effect, he was a social constructionist who criticized the way in which the human sciences had “normalized” life in the modern West as tools of power.
- Foucault’s impact was enormous. His approach was taken up, for example, to argue that Europeans had repressed nonwhites to construct their racial and class identity as a preferred category and that males had repressed women to construct an ideal of masculinity as the repository of political power; the ruling classes did the same to the working classes.

Social Constructionism

- Foucault and other poststructuralists spawned numerous political formulations, almost always associated with the left and *social constructionism*. One example is the African American philosopher Cornel West (b. 1953).
 - In “A Genealogy of Modern Racism” (1982) and other works, West uses Foucault to show that modernity invents the kind of racism evident in modern societies. He shows how the very notions of reason and rights, which were projected by the ruling classes of the West as the guarantors of liberty and equality in the Enlightenment, were simultaneously used to repress racial minorities.
 - The high culture of the West, even its apparent ideals, is deeply racist. West shows this with a host of marginal quotations from

major thinkers. Repeatedly, *blacks*, *negroes*, and *Africans* are used as examples of the opposite of civilized and rational. The rational, the ideal, the free are for the civilized human, which is constituted to be opposed by an other, in this case, nonwhites.

- Gayatri Chakravorty Spivak (b. 1942) used Derrida to argue for postcolonial theory. Although she wrote *A Critique of Postcolonial Reason* (1999), she has been taken as a contributor to the field of postcolonial studies—literary, historical, and cultural studies of former European colonies meant to dislodge the Eurocentrism of these disciplines.
 - In her famous essay “Can the Subaltern Speak?” (1985), Spivak argues that Foucault is still an expression of the colonial attitude because the “subaltern” is not being invited to speak for itself.
 - That is, Foucault’s attempt to call attention to the mistreatment of the other still is a conversation among Western white men, not an invitation for the other to become the speaker.
- In general, postmodern politics uses an analysis of cultural forms to show that what politics take to be natural or unquestionable is socially constructed by those in power to normalize one form of life and privilege themselves, which is inextricable from devaluing those who are constituted as others.

Conservative Postmodernism

- In principle, postmodernism does not have to have a particular political meaning. For example, the German sociologist Niklas Luhmann (1927–1998) took a rather different postmodernist view: He denied all forms of social unification; like Lyotard, he said that contemporary society is a collection of functioning subsystems without any unity.
- For Luhmann, society is a collection of communication systems, each developing in its own way. Each posits distinctions between itself and its environment. Humans “do not communicate” any more

than brains do; this is a description at the wrong level. Humans are biological entities. Speakers or roles communicate; communications are events in societies obeying functional social rules among social roles. Each system regulates itself. There is no unity, no normative political control; politics is one system among others.

- Self-reproducing, self-organizing, self-directing systems are “operationally closed,” which means that it is part of their function to selectively perceive their environment or “construct” it. Meaning is an internal product of the system. Any impact on System A by system B has a meaning determined by the internal rules of system A. Luhmann borrows this idea from the theory of *autopoiesis*, or “self-making” in biological systems.
- Thus, any system’s internal representation of the real world or its environment is constructed by itself for internal reasons. The input is selectively accepted and rewritten into a whole with internal rules. This holds for, say, the American economy, the German federal government, or the media culture of England. This also means that we cannot evaluate a society’s or a social system’s representation of the world as true or false because we ourselves have no representation of reality that is not internally constituted by our own social system.
- The implications of this analysis for normative political theory are devastating. Normative critique counts for nothing at all. Society is not sufficiently unified to be guided by norms; it is an amalgamation of self-directing systems that guide the communications of the humans participating in them by functional goals. No person or group is in charge or could be, and no theory, belief system, or normative commitment can change it in any direct way. The social scientist’s or philosopher’s job is merely to understand it.

Traits of Postmodernism

- Postmodernism makes a positive normative political theory more or less impossible. It can criticize, but it can’t produce a system of positive claims as to how society ought to be.

- Postmodernism is also anti-humanist, criticizing the humanism of many older philosophical and Enlightenment theories, based in the belief that humans are rational and can be virtuous and that their selves have unity and, thus, free will. For postmodernism, the self does not make culture; the self is made by culture.
- The main impact of postmodernism is certainly on the political left, the successor to earlier feminist, critical race, and multiculturalist versions of egalitarian liberalism or progressivism. Some on the left are annoyed that postmodernism debunks all ideals and seems to leave no room for positive discourse. Can the critical beast of postmodernism be brought to heel or must it, having chewed up the opposition, start gnawing on its friends or even itself?

Suggested Reading

Foucault, “Truth and Power.”

Luhmann, *Social Systems*.

Lyotard, *The Postmodern Condition*.

Rorty, “From Logic to Language to Play.”

———, *Philosophy and the Mirror of Nature*.

Spivak, “Can the Subaltern Speak?”

West, “The Genealogy of Modern Racism.”

Questions to Consider

1. Has reason or rationality, as a norm and ideal, itself been a tool of social repression?
2. What notion of freedom, equality, or liberation that might be opposed to the established status quo would not be open to “deconstruction”?

Habermas—Democracy as Communication

Lecture 33

Jürgen Habermas is a German philosopher and social theorist, who defends liberal republicanism and social democracy from philosophical and theoretical attacks by conservatism, multiculturalism, Nietzschean will to power, and postmodernism. Habermas searches for a rational, normative defense of a reformed Enlightenment. He wants to strengthen the center or the center-left. The key lies in the philosophy of communication. For Habermas, the older European liberal and socialist traditions had an inadequate notion of the nature of human communication and reason. Thus, he thinks he can justify liberal republicanism without metaphysical foundations, without the things Rorty and the postmodernists say we cannot achieve, by looking to social interaction rather than individual consciousness or self as the basis for understanding democracy.

Communicative Rationality and Action

- Jürgen Habermas (b. 1929) notes that there are several kinds or applications of rationality for philosophy to distinguish and several kinds of action for sociology to distinguish. His concern is with “communicative rationality,” statements offered in discussion oriented to reach an understanding or consensus between speakers, and “communicative action,” cooperative action based on that kind of discussion.
- Habermas uses the theory of *speech acts* developed by the philosophers J. L. Austin and John Searle. A *speech act* is something “we do with words.” A speech act acts in at least three ways: *locutionary*, which expresses words; *illocutionary*, which performs by saying; and *perlocutionary*, which produces an effect by saying.
- Communicative action is a rational interaction guided by illocutionary aims rather than perlocutionary effects. In communicative action, social members discuss and argue, trying to come to agreement on what is true (constative), what ought to

be done (normative), or what expresses their own personal states (expressive-dramaturgical).

- Speech ceases to be communicatively rational if the speaker says something just to get a listener to do something, regardless of whether the speaker believes that what he or she is saying is true or right; at that point, the speaker is engaging in “strategic” communication.

Ethical Norms in Communication

- Communicative rationality and action are intrinsically normative, meaning that they have built-in ethical norms. When two people argue, they each have normative expectations for the attitude and statements of the other, and they notice and are legitimately disappointed if these expectations are not met. If this notion is true, it means that a substantial part of our everyday linguistic behavior makes intrinsic moral claims and can’t be engaged in otherwise. It is “moralized,” not just pragmatic, logical, or instrumental.
- Further, Habermas’s “communication oriented to achieving agreement” by honestly giving reasons is what we are supposed to do in democracy. Democracy, popular sovereignty, or republicanism is a situation in which the discussion among citizens determines what happens; that is, the discussion has power. Democracy, in some sense, is citizens talking to each other to decide what they ought to do together. It is an institutionalization of communicative action as the seat of political power. If that is true, then the fact that communicative action entails norms that we all recognize gives a moral reason, or even obligation, to endorse democracy.
- To those who say that there is no morality, that everything is power, Habermas would say, “If you really believe that, then what you just said must not be a truth claim that you really believe in and are trying to convince me of with good reasons. Instead, it must be your act of power to get me to say something, regardless of whether it’s true or not.”

- This is Habermas’s sophisticated version of an old ploy that can be used against certain philosophical positions, namely, to state the position and try to convince someone that to believe it is in conflict with the position itself. If there is no morality, I can’t expect you to be sincere or to agree out of belief in the truth of the reasons you give. For Habermas, this is a “performative contradiction.”
- Habermas is saying that Nietzsche, Foucault, and other postmodernists cannot consistently try to convince us of the truth of “everything is power” without violating what they’ve said. And this is not just a trick. Habermas is saying is that they, too, are committed to the moral norms intrinsic to communication oriented to reaching agreement.
- Later on, Habermas argued that this leads to its own ethics, discourse ethics, which is the more detailed justification of democracy. The normative nature of communication oriented to achieving agreement implies a democratic ethical principle: Only those norms are valid that are capable of satisfying a consensus of those affected. This, he thinks, is a necessary presupposition of rational discourse.

The Problem of Modernity

- Habermas argues that the modern era or Enlightenment released several spheres of social life from their traditional, normative cultural regulations to pursue their own inner logic. That is, the regulation of these spheres would now be largely internal. This is true of the economy, law, science, government, and politics.
- Both markets and states coordinate actions through their consequences; they are instrumental and use instrumental rationality according to what efficiencies maximize profits in the market or, in government, by whatever actions achieve policy goals. The development of modernity has led to the coordination of these two spheres in late capitalism, leaving an interlocking network of money and power, or capitalist economics and government administration.

The internal logics of market and government have developed to a high level, but they are not operated by communicative action.

- Political action was also released from tradition. It became democratic, meaning that it operated by communicative action. This is fundamentally different from the system of money and power. Communicative action works in the context of the *Lebenswelt* (“lifeworld”), that is, the background beliefs and meanings that coordinate what we do. Democracy is the formalized expression of this in the political domain.
- For Habermas, modern society is dangerously split; it is the “systematically stabilized actions of a socially integrated group.” *System* means functional, third-person, teleological, money-and-power organization; *socially integrated* refers to the lifeworld communicative action between individuals and their first-person perspectives.
- Historically, both the economic-governmental system and democratic lifeworld were set free from tradition to “rationalize” themselves. The system and the lifeworld became independent of social, cultural, and normative traditions. This is what modernity does—and not just to money and power but also to art and science. Each of these spheres of life is set free from the older normative global cultural traditions to pursue its own internal logic.

Societal War

- Habermas argues that in advanced capitalism, the system increasingly colonizes the lifeworld. The money and power “media” of the system increasingly replace communicative action as the means of social reproduction. This is true of both the increasing press of market economics into new areas and the welfare state, or government, taking the place of social, communicative action in providing human needs, often generated by the disutilities of capitalism.

- Habermas argues that the system creates strains in social life that are too great for the lifeworld to deal with, leading to an overload of communicative action.



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- System disequilibria create lifeworld pathologies, and it becomes difficult for communication between real persons attempting to reach agreement to run things. Communicative action, with its lifeworld

Habermas argues that more aspects of our lives are being made to fit the system than are being operated by communicative action in the lifeworld.

background, is increasingly replaced by the “delinguistified [unspoken] steering media” which makes the lifeworld a “subsystem.”

- He is claiming that more and more of our lives are determined not by person-to-person communication of sincere beliefs aiming to be true and oriented to achieving agreement but by a combination of bureaucracy and economic-technological means. Habermas’s goal is to push back against the colonization of the lifeworld.

Habermas’s Rationality

- Habermas is objecting to the German social theory tradition that, he says, mistakenly ascribed rationality to the subject in isolation, the individual consciousness. This is the argument of *The Philosophical Discourse of Modernity* (1985). In effect, he argues that the “dialectic of Enlightenment,” or the “eroding foundations

thesis”—the claim that the modern Enlightened world undermines itself in the 20th century—is based in an error.

- If reason or rationality is nothing but “subject-centered reason,” that is, a capacity or activity of individual subjects, then Weber, Adorno, and Horkheimer would be right that there is no legitimation of moral reason. And Nietzsche, Foucault, and others who think that all is power would be justified. But they all missed something: The most important part of reason is a social or intersubjective phenomenon, and it is intrinsically normative or moral. The “foundation” of our ethics and social criticism is available without reference to anything that transcends social life. Habermas doesn’t need natural law or God to do it.
- Habermas turns to the classical American philosophers Charles Peirce, George Herbert Mead, and John Dewey in this. These philosophers were pragmatists, known for putting meanings, ideas, and even truth in the context of action. But along with that, they put the individual mind in the context of community. The individual mind or consciousness emerges out of social communication and interaction, unlike the dominant European philosophical tradition.

Summing Up Habermas

- There is a general distinction between what is called German critical theory (the Frankfurt School, especially Habermas) and French critical theory (the poststructuralists) in the late 20th century. Both are on the political left, and both criticize capitalism, war, violence, and social oppression.
 - But the tendency of the Germans is to believe that unless liberal democracy has a rational philosophical basis, we will be in a chaos of relativism and, perhaps, nihilism.
 - The French tendency is to believe that reason itself is part of the problem; it is inevitably used for social repression, and we need to undermine it.

- Part of the effect of Habermas’s view was to promote what some have called *deliberative democracy*, the encouragement of local democratic processes. The deliberative democracy view is a bit different, a bit less traditional or conservative than the civic republican movement, because it does not speak much of promoting virtues, for example, through education.
- Habermas is perhaps the highest representative of the European political Enlightenment tradition, essentially, a humanitarian liberal republicanism with social democracy. He believes he can philosophically justify the rational moral superiority of this system over others and do so without the kind of metaphysical foundations postmodernists have criticized and without turning to cultural relativism or a Nietzschean will to power. Right or wrong, no one has done more to give both a historical and a systematic defense of modern republicanism in the postwar period.

Suggested Reading

Habermas, “Discourse Ethics.”

———, *The Philosophical Discourse of Modernity*.

———, *Theory of Communicative Action*.

Questions to Consider

1. How does communication provide the moral founding for ethics and for our justification of liberal democracy?
2. What is the problematic relation of system and lifeworld in contemporary, “late,” or “advanced” society?

The End of History? Clash of Civilizations?

Lecture 34

The fall of communism and the rise of economic globalization since 1989 appeared to usher in the supremacy of liberal republicanism. We seemed to have reached the “end of history,” in the words of Francis Fukuyama. But we have since witnessed a reassertion of ethnic nationalism and radical Islam, the “revenge” of culture on a postwar politics that thought individual liberties and economic justice were all that mattered. Will we continue to face the issue of *Jihad vs. McWorld*, as defined by Benjamin Barber, or a looming *Clash of Civilizations*, described by Samuel Huntington? Or are today’s conflicts just a historical blip in the last stage of the end of history?

The Revenge of Culture

- Since the Enlightenment, the cosmopolitan ideal attached to liberal republicanism and capitalism has been that individuals from different races, ethnicities, cultures, and civilizations can adopt a set of culturally neutral practices, allowing them to interact to one another’s advantage.
- After the death of the destructive nationalism of Italy, Germany, and Japan in World War II and the massive growth of the world economy; the opposition between capitalism and communism; and the eventual end of colonialism and institutionalized racism in several countries, it seemed that the main political issues were being de-ethnicized and de-culturalized. The issue was economic development and who could provide it.
- But recently, it has become clear that many people are willing to die for the possession of historic lands or to ensure that their rulers worship from the same book or look and speak like themselves. They seem unwilling to give those values up for a higher standard of living.

Francis Fukuyama

- *The End of History and the Last Man* (1992) is a remarkable book by Francis Fukuyama (b. 1952). Most of the subject matter is philosophical, concerning the interpretation of Hegel by the Russian philosopher Alexandre Kojève. Fukuyama's point is that Hegel's view of human history through the master-slave struggle, as famously interpreted by Kojève, was correct; the contemporary world after the end of the Cold War proves the point.
- For Fukuyama, human beings are driven not just by desire and reason but also by what Hegel termed *Anerkennung*, the drive to be recognized by others, on which self-recognition depends. Our self-recognition can be achieved only socially.
 - In Hegel's master-slave relation, individuals engage in a struggle that leads to one becoming dominant, thereby gaining recognition.
 - The political history of humanity is the story of slaves (the masses) seeking and achieving equality and, hence, the basis for adequate self-recognition. One might call this the basis of civic republicanism.
 - According to Kojève, what eventually emerged was the "universal and homogeneous state," a pacific state of equality without legal distinctions among classes of citizens.
- Fukuyama suggests that there is no political organization that will evolve to replace what we have. Whatever human social evolution will take place, it will not involve a different kind of political life but the extension and refinement of a state of republican equality and individual freedom.
- Ultimately, Fukuyama argues that republican equality is good, but there must remain room for striving for recognition as a distinct and powerful individual. Liberal democracy must leave room for the "megalothymic" desire of honor and for the private associations of Tocqueville.

Benjamin Barber

- In *Jihad vs. McWorld* (1995), Benjamin Barber (b. 1939) described a world seemingly divided into postmodern, postindustrial societies, on the one hand, and nationalist-fundamentalist tribalism, on the other.
- For Barber, the opening of the former Soviet bloc to the West meant flooding those countries, including Russia, with McWorld—not the civil society institutions necessary for liberal republican politics but with our Western cultural M's: McDonald's, Macintosh, and MTV. His worry was that “neither Jihad nor McWorld promises a remotely democratic future.”
- Philosophically, Barber's view is similar to the Frankfurt School, perhaps Habermas, criticizing the system's colonization of the lifeworld.

Samuel Huntington

- Also famous was the view of Samuel P. Huntington (1927–2008) in *The Clash of Civilizations and the Remaking of World Order* (1996). Huntington explicitly says that Fukuyama was wrong: What is replacing the binary Cold War world is a multifocal world of civilizations, the largest cultural units. Culture matters to how states govern. The affinities of their peoples make some international connections between states natural and easy to maintain versus those that require special efforts to establish and usually remain troubled.
- Huntington lists nine contemporary civilizations: the West, Eastern Europe, greater China, the Islamic belt, India, Japan, Latin America, a Buddhist zone, and sub-Saharan Africa. Conflicts will accumulate at the fault lines between civilizations.
- Huntington is a realist who accepts that Western civilization is not universal or universalizable. The elements of Western culture that have spread around the world, such as technology, financial institutions, and the English language, have been de-ethnicized.

Differences outside these areas are increasing as peoples have the political-national freedom to assert their own cultures.

- Huntington argues that globalism will not make one unified environment but will increase tension and resistance. Civilizational identities will grow stronger over time, and the West's power and influence will inevitably diminish.

Tribalism, Nationalism, and Fundamentalism

- People in modernized Western societies tend to see tribalism, nationalism, and religious fundamentalism as the same thing or part of the same phenomenon, but this view is mistaken. Islamism, for example, is not nationalism. Islam is a religion shared across many ethnicities and nations; it is not an ethnicity or nation itself.
- Religion and tribalism work differently. The social theorist Edward Shils (1910–1995) distinguished among what he called personal, civic, primordial, and sacred social ties.
 - Personal ties are those we have to people, such as family and friends; civic ties are the ties of fellow citizens who must share moral rules of daily life and some weak but legal form of solidarity.
 - Shils pointed out that human societies seeking ultimate references for solidarity usually turn in one of two directions: toward the sacred or toward primordial connections through objective ties of blood and soil.
 - Racial and ethnic solidarity are primordial, while religion is sacred. Both are different from personal ties and from the weaker but politically crucial civic ties. But in either case, they are not individualist; they are collective and noneconomic.

Ernest Gellner

- One further comment on the end of the Cold War debate is Ernest Gellner's *Conditions of Liberty: Civil Society and Its Rivals* (1994). In the wake of the collapse of international communism, a number

of theorists, including Gellner, began to notice that simply airlifting free elections and a market economy to formerly communist countries was not enough; many institutions and cultural attitudes were necessary to make democracy and capitalism work. These came to be called *civil society*.

- Gellner’s main point is that what we call liberal republican society is best understood as modern civil society, meaning a society of institutional and ideological pluralism, where neither government nor any political party nor a church nor any one ideology rules all social life.
- According to Gellner, modernity as we know it in the West involves “modularity.” Both life and the self are plural, simultaneously parts of several different associations with others. Neither democracy nor rights nor free markets alone are sufficient to determine modern liberal republicanism for Gellner; it is institutional and ideological pluralism that is the key.



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According to Gellner, our modern lives are “modular”; each part follows different rules that we feel no need to unify.

- Gellner believes that in the West, this pluralism and loss of unity could be permitted only because of the simultaneous growth of nationalism, meaning a shared, universal high culture, holding over a large region, and supporting and supported by a state. This generated what he calls a context-free communication sphere, which is essential both for nation-state politics and for capitalism.
- Thus, nationalism made civil society possible. And remarkably, this plural civil society has become the most powerful template on the planet, economically, militarily, and culturally. But the very form of organization of civil society makes its own validation impossible. It has no center, no underlying unity, no intellectual or moral foundation. It is an amalgamation or balance of competing institutions and ideas; that balance provides the “conditions of liberty.”
- Gellner concludes that as of now, civil society has proven itself as the most viable and cognitively and morally superior manner of organizing a modern society. Its only problems are that its cognitive openness and diversity create a kind of permanent justification crisis and that its unrestrainable creativity will always produce novel challenges.
- In the 20th century, the main competition for civil society came from secular ideocracies, that is, unified moral systems, such as fascism and Marxism. The one remaining international political movement that opposes liberal civil society and is willing at times to confront it violently is the Islamic *ummah* (“religious community”) or, at least, parties acting in its name. Gellner asserts that Islam did not go through the kind of “modernization” or reconciliation to plural, progressive civil society that most other world religions have gone through or are going through now.

Our Current Reality

- European empires are dead, but the prominence of European economies and cultures, including that of the United States, has been magnified by economic globalization. Thus, some international critics

have spoken of American “hypermight” and a “new imperialism”; some claim that the world is as Eurocentric as ever.

- But the influence of oil-rich countries in the Middle East and Russia, the growth of China as an economic behemoth, and the rise of East Asian economies and Brazil all seem to indicate that the Euro-American advantage in modernization will be short-lived.
- The developing countries increasingly seem to be working out their own versions of civil society: some more individualist, some more corporatist or communitarian, and some more religiously monolithic.
 - India is the largest democracy on earth, seemingly stable, but its further growth will raise its own problems.
 - China is becoming the largest economy and, for the moment, able to maintain unity under Han nationalism, Confucian values, and a titular authoritarian “socialist” party.
 - Developing nations are groping along, least well in Africa. Several of Huntington’s civilizational fault lines will be available for conflict, no doubt.
- But there is, as Gellner points out, one major fault line with constant trouble, and that is the line between the Islamic world and the outside. It may well be that whatever form of liberal republicanism emerges in major Islamic states, if it does, will not much resemble the forms of the West. We must be prepared for civil society to come in different colors.
- The question is whether non-civil societies will become sustainable, economically powerful, and politically viable republics of some kind over the midterm. Or if civil societies continue to flower in different forms, will we be faced with both at once: a world dominated by liberal republican civil societies that are nevertheless culturally and civilizational very different?

Suggested Reading

Barber, *Jihad vs. McWorld*.

Fukuyama, *The End of History and the Last Man*.

Gellner, *Conditions of Liberty*.

Huntington, *The Clash of Civilizations and the Remaking of World Order*.

Kepel, *The Revenge of God*.

Shils, “Primordial, Personal, Sacred, and Civil Ties.”

Questions to Consider

1. Is liberal capitalist republicanism the direction or “attractor” for world politics today?
2. Can any culture or civilization successfully evolve or import liberal republican capitalism?

Just Wars? The Problem of Dirty Hands

Lecture 35

The post–Cold War era and its cultural conflicts have brought an increase of local wars, irregular wars, and questions of humanitarian intervention in wars. Not only the American wars in Iraq and Afghanistan but international military actions and the international war on terrorism raise questions concerning the just use of military power. Before ending our course, we return to the ethics of war. After reviewing recent pacifism and realism, we will see Michael Walzer’s version of just war theory and his comments on recent wars. He also raises the Machiavellian problem of “dirty hands”: Can political leadership be moral? We will follow Walzer’s view to see the distinctions a just war theorist brings to the political discussion today.

The Ethics of Warfare

- As we discussed earlier, there are three active philosophical positions on the ethics of warfare in the modern Western tradition: pacifism, realism, and just war theory.
- Realism is the view that the rightful sources of state action are its interests and its recognition of its own power and the limits thereof. The best we can hope for is a relatively peaceful balance of power among states. But the use of civic morality in making international and military policy is wrong-headed, silly, and dangerous.
- Pacifists fall into three camps: Christian pacifists, such as Tolstoy; nonviolent resisters, such as Gandhi and Martin Luther King, Jr.; and just war pacifists, who hold that although some violent actions might be just in principle, today’s technological warfare is so deadly that war can never be justified by just war theory.
- Again, as we discussed, just war theory has a series of rules for *jus ad bellum* (“justice in going to war”) and *jus in bello* (“justice

in waging war”). Remarkably, just war theory—a philosophical theory—became official international policy in the 20th century.

New Problems in Just War Theory

- Traditionally, just war did not apply to civil war or revolutionary war, at least in part. The reason is clear: In civil strife, at least one major party is not a legitimate authority.
 - This doesn’t mean that just war theorists had to condemn all revolutionaries or civil warriors. On political theory grounds, one might regard the state they fight against to be unjust or illegitimate. But states must be circumspect about judging legitimacy, lest they be judged.
 - A central question is: Are fighters in domestic conflicts to be treated as soldiers or criminals? According to war rules, captured soldiers may not be punished, but captured criminals are supposed to be punished.
 - The Second World War was so brutal and so many peoples were subject to vicious forms of occupation that we have all become more sensitive to who is doing the conquering and what peoples may morally do in response.
- After World War II and during the era of anticolonial movements that followed, countries came to the view that colonized peoples have a right to fight against their colonial rulers. This is the liberal nationalism that has been active since World War I and Woodrow Wilson.
 - In this view, revolutionaries and civil warriors should be treated as soldiers in a just war. But they are almost always irregulars, often ununiformed and melting into the population.
 - In 1977, Geneva officially applied its conventions to “armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination.” As long as “dissident” armed forces carry weapons openly during

operations, are under responsible command, and are in control of some territory, they are to be treated as soldiers by law.

- What about terrorism? Terrorism against civilians is always unjust in just war theory. But terrorism against military personnel is a bit different. It comes under the Geneva rules; thus, it can be legitimate only if it meets the same requirements as above. It's doubtful that setting up improvised explosive devices (IEDs) along an otherwise peaceful roadside would qualify.

Michael Walzer on Warfare

- In his book *On Just and Unjust Wars* (1977), Michael Walzer (b. 1935) famously argued against realism. According to Walzer, nobody is a realist; everybody wants to do what is right and to justify it, and moral conventions, in fact, often have real effect. War has always been subject to moral rules. As for pacifism, Walzer says that it is immoral to stand by while an aggressor destroys another community. Like realism, pacifism makes no distinctions. But for Walzer, history teaches us that we must make distinctions.
- Walzer approved the American invasion of Afghanistan in 2001 but not Iraq in 2003. He argued that the invasion of Iraq was a preventive war, not a preemptive one. Preemption is legitimate in just war terms. Walzer's example is the Arab-Israeli Six Day War of 1967.
 - In 1967, Egyptian President Nasser massed troops in Sinai on the Israeli border and threatened the Israelis with destruction. Walzer argues that just war can't mean there is an obligation to suffer the first blow, especially a potentially crippling blow, when war has been threatened. The Israelis struck first, a preemptive strike, which is legitimate.
 - But preventive war is a step away from this. In the War of Spanish Succession (1701–1714), England and others attacked France and Spain to prevent the French king's nephew Philip of Anjou (eventually, Philip V) from inheriting the Spanish throne and forming a powerful alliance with France. That was



Walzer's view that combatants necessarily accept some risk means that the use of drones, which may produce more civilian casualties than ground operations do, is morally questionable.

a war to prevent the emergence of a power that might later be a threat. Just war theory and the usual treatises of international warfare cannot abide a preventive war.

- Walzer also dealt with a major issue in contemporary military operations, namely, the balance of ground versus air operations. Especially against a technologically inferior and hard-to-find enemy, ground operations expose one's own troops to more danger, whereas bombing protects one's own personnel but exposes enemy civilians to more danger. There is a temptation to rely on aircraft to reduce one's own casualties, but this is a moral problem.
 - Walzer argues that commanders cannot insist on zero risk; to be a combatant is to accept some risk. Thus, he adds something to the law of double effect: The agent must take steps to reduce the foreseeable evil effect on civilians, including "accepting costs to himself."

- For this reason, the use of air power, missiles, and drones that produce more civilian casualties than ground operations—where such operations are possible—is morally dubious.

Humanitarian Intervention

- An increasingly prevalent issue that Walzer has also addressed is this: Is there a duty of third parties to intervene in a state not for their own interests but for humanitarian reasons? The answer isn't obvious. Even the UN charter seems to provide conflicting parameters on this issue.
- Walzer's underlying perspective is that there is a "legalist paradigm"—a paradigm or framework of international law—that is always relevant. His just war perspective accepts that the legalist paradigm expresses important features of justice. The presumption must be that intervention is wrong. Simple human rights violations, despotic regimes, and "nastiness" do not justify it. It's up to a people to overthrow their own dictators.
- But Walzer draws limits on sovereignty and the legalist paradigm from the principle of sovereignty itself. Sovereignty is justified by the fact that people are entitled to a political community, or state. People have the right to an effective state; this is equivalent to saying that people have the right to have rights, because the state is what enforces and protects those rights. Thus, the presumption of nonintervention meets its limits where a state does not protect large numbers of its people from grievous harm or, indeed, causes such harm.
- What wrongs justify intervention? Walzer's bar is high; intervention becomes permissible—indeed, obligatory—with "massive" violations of rights, ethnic cleansing, or systematic massacre. Who should intervene? Walzer hopes for a future system of prevention and response that involves three tiers of overlapping agencies: international civil society organizations, regional associations of states, and global federations of states.

The “Dirty Hands” Problem

- In *On Just and Unjust Wars*, Walzer condemned World War II–style area bombing of cities, but he had a nuanced view. When conquest by either Germany or Japan was a real possibility, area bombing of civilians was justifiable on the grounds of “supreme emergency.” But by late 1944, it was clear that Germany would lose, and the same was true of Japan in early 1945. The worst area bombing, which occurred after these dates, was unjust.

- As for the argument that the bombing of Hiroshima and Nagasaki actually saved many lives, both American and Japanese, that would have been lost given Japan’s refusal to surrender, Walzer further objects to the goal of unconditional surrender.
 - To demand unconditional surrender is to tell a government that its opponent will not negotiate the end of the war; it cannot “sue for peace.” Walzer admits that Hitler’s regime could not be negotiated with, but that was not true of Japan.

 - Thus, if the demand of unconditional surrender was unjust, the necessity for both a possible invasion of the Japanese mainland and the atomic bombs once Japan retreated to its homeland was over. The legitimate war aim had been achieved.

- This connects to the question of “dirty hands” we touched on earlier in the course. Is it morally just for a political leader to declare a supreme emergency and violate just war rules? Walzer argues that political and military leaders have moral responsibilities that the rest of us do not. Political leaders are not permitted to be simple deontologists, Kantians, or even rule utilitarians. They must calculate the particular consequences of their moral decisions for their citizens.

- Walzer states that an extreme utilitarian reason to violate deontological rules, such as violating just war in a supreme emergency, may be the right political thing to do, even though it is morally wrong. That means the leader must do it, but then, after the fact, must also pay the moral penalty.

- Walzer may be right that politics by its nature cannot be purely deontological or rule utilitarian. A leader always has a moral responsibility to calculate the concrete effects of his or her actions on people. This doesn't mean politics is amoral, but it might well mean that hands in politics are never completely clean.

Suggested Reading

Thomas, *The Ethics of Destruction*.

Walzer, *Arguing about War*.

———, *On Just and Unjust Wars*.

———, "Political Action."

Questions to Consider

1. How can a state ethically respond to military conflicts with irregulars?
2. May or must political leaders violate moral rules? Is it morally right of us to require them to do so?

Why Political Philosophy Matters

Lecture 36

We have seen that modern liberal republicanism is new and unique in human history. Our system is complicated and not necessarily consistent; it involves several political, social, and economic principles and institutions held in balance. And the conditions of modern life continue to change. Modern republicanism is still an experiment, and it remains subject to a host of criticisms and questions, which is why political philosophy continues to matter. In this last lecture, we'll walk through some of the issues we've covered in an attempt to glean some wisdom from the array of thinkers and history now behind us.

Modern Civil Society

- The common core idea of modern Western political theory, shared by liberals, conservatives, and others, is probably that government must be limited to serve political power flowing from a society of equals with individual liberties. Government, church, and the military are to serve and be limited by civil society, not the other way around.
- We live in a liberal republican political system, meaning that political power comes from the people; government is limited and constitutional; and our system promotes a high degree of private, individual liberty, including free-market transactions in a capitalist economy. Experience has shown that such a system requires many additional civic institutions, both local-governmental and nongovernmental, such as public education, a free press, libraries, banks, and voluntary associations of all kinds.
- Gellner seems to be right that what we call modern liberal republicanism or democracy is modern civil society. It needs liberal limits on government, rights, and democratic elections, but beyond that, it is inherently pluralist. It is a political society that is

designed not to be controllable by a single institution or ideology. Consequently, it is full of conflict and change.

- Civil society has built-in discontents: The very form of organization of civil society makes its own validation impossible. It cannot give us the meaning of life; only an authoritarian ideocracy can do that. We must find the meanings of our lives nonpolitically.

- We have a complex system of competing forces constantly threatening to go out of balance. There is no one principle, value, or ideology to decide all cases. Our system balances institutions in tension both within the political domain and between politics and economics, society, and culture. In politics, we must balance such disparate values as self-rule, individual liberty, community preservation, egalitarian provision, and material progress.

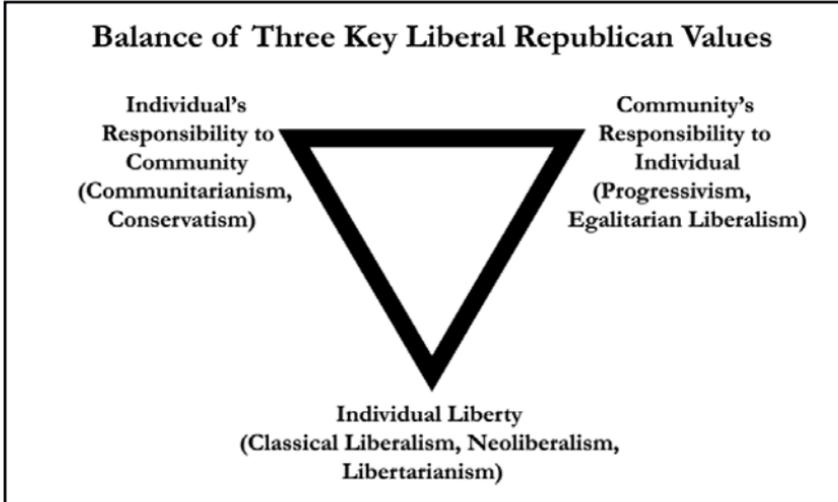
- Because of this, there doesn't seem to be an adequate philosophical justification of liberal republican capitalism. Perhaps the most we can say is that the consequences or results of our principles and institutions seem to produce the most human flourishing or happiness.

- We must recognize that there are and will be different ways to have a free, democratic society with a market economy. The East Asian way seems to differ from the Central–West European way, the Latin American way, the North American way, and so on. However, the core ideas of the amazing century of political genius from 1689 to 1789 continue to work.
 - The system invented in that brilliant century has certainly changed and has been applied in different ways. But in the simplest terms, the economically most prosperous, militarily strongest, most secure and stable countries on earth are mostly identical, with a few exceptions, to those that are politically the most free.

- That was the faith of the North Atlantic Enlightenment intellectuals of the 18th century, and their core hypothesis still seems to be working.

Capitalism

- There appears to be no short-term or midterm alternative to capitalism, both as an unprecedented engine of economic growth and as an economy that permits and encourages individual liberty. Its justification remains largely utilitarian—the spread of universal opulence, as Smith said, but we could add as part of that opulence, opportunities for individuals to pursue their purposes.
- There is no such thing as a free-market society or unregulated economy; thus, a mixed economy or tinkering with social controls on capitalism from within it seems unavoidable.
- The pendulum of public opinion will always swing between desire for more and less government interference in the economic realm,



The need to balance individual liberty, the individual's responsibility to the community, and the community's responsibility to the individual in a constantly changing economic environment is an ongoing challenge.

depending on the problems of the moment. Today, the pendulum is arguably swinging from an axis that is itself moving toward more government and more centralization.

- The greater part of this movement does not seem to be the result of left-wing politics or abandonment of the virtues of self-reliance. Instead, it is due to the social and technological changes of modernity, which expose individuals to more threats from distant agencies, offer more complex and expensive solutions to problems, and hence, make greater centralized authority necessary in increasingly interdependent economic and social conditions.
- It's true that capitalism is a tremendous engine of productivity and improvement, but it has always been controlled. The question is: Which controls are best in the current situation?
- As for distributive justice, Walzer's notion that membership implies some kind of communal provision for those in need seems reasonable.
 - There are some things members can't let happen to other members if it can be helped. But this helping must be balanced against the communal provision's impact on the economy and individual liberty.
 - Individual liberty, championed by libertarianism; the individual's responsibility to the community, a major concern of conservatism and communitarianism; and the community's responsibility to the individual, the core of progressivism—all have a place in the balance.

Contemporary War

- We seem to be in a time when war at a low level is becoming more widespread and violent, while the intensity of war as a whole remains low. There has been relatively little mass war killing between major states for decades because there are more controls—legal, financial, and geopolitical—on the full deployment of personnel by large nation-states.

- However, terrorists, warlords, and parties to civil war seem easily to get sufficient weaponry to inflict local damage in lawless environments and, in the worst cases, massive local ethnic violence, as in Rwanda. In short, it now seems easier for weak parties to project significant violence but harder for large states to unleash their full powers.
- The latter is good: It has been said that it was one of the virtues of the 18th century that it had numerous inconsequential wars. If we accept just war, that was a good thing. There will always be tensions and aspirations for power that lead to violence, always states that fail and descend into chaos. The point is to limit these outcomes. Walzer’s goal of enhancing layers of overlapping civil society organizations, regional associations of states, and global organizations may be the way to rein in violence and the chaos of failed states.

Cultural Diversity

- Although distinct from it, liberal republican politics is dependent on, and in dialogue with, nonpolitical culture. Governance and law cannot be culturally neutral, although culture and politics can each restrain themselves from trying to dominate the other.
- In trying to make society open to cultural diversity, we can take one of three stances: (1) governmental neutrality regarding culture, (2) acceptance of one culture as dominant with allowance of the expression of other cultures, or (3) the embodiment of a “mega-culture” that combines all cultures as equals.
- The first option is what multiculturalists and postmodernists criticized, probably rightly, as a supermarket that welcomed everyone but sold only white bread. The third option is the postmodern multicultural store that claims white, wheat, and rye will all be equally represented on the shelves—but this option necessarily collapses into the first. The arrangement of the products, the behavior used when making a purchase, the language spoken by clerks—all essentially require one cultural form.

- That leaves only the second option. However tolerant and encouraging of cultural variety we are, some modes of behavior will be acceptable when we all meet and interact, and some will not. Either there will be one “official” culture for such interactions, or the interaction of most cultural members will spontaneously produce “thin” versions of themselves used when speaking outside of their home cultural base. Some cultures will be more put out by this than others.

The Future of Liberal Republicanism

- Modern liberal republicanism may be the increasingly dominant “attractor” for all contemporary politics, but after only 200 years of an utterly novel way of life, we cannot say what the future will bring in response to unforeseeable technological, economic, and social changes.
- But that doesn’t mean it is impossible to live to some extent out of the maelstrom, at least part time—to hold on to some pieces of the past and of family and community, while taking up and using the newest technology in other respects. Perhaps that’s what *postmodern* really means: a life and society that is always patching together new and old, progress and remembrance.
- We face deep problems: economic downturns, global climate change, and new threats to security from technologically enabled disgruntled groups. We Americans seem hopelessly stalemated in our politics, yet in historical terms, we disagree much less than we think. Further, we have weathered far worse threats than we face today, even with international terrorism.
- The question that remains is this: Will the liberal republican model stand up to and fruitfully address the problems its ever-modernizing society will create?
 - From 1929 to 1945, the political processes of several European republics and their leaders were not up to the challenges their modernizing societies presented them. Many people fled to radical ideologies because liberal capitalist republicanism

wasn't working. That could happen again, albeit in a different form. Will we be able to respond to future crises, adapting to novelty while retaining what is best in the tradition?

- To face what the art critic Robert Hughes called the “shock of the new,” 21st-century republicanism will probably have to look much different than 20th-century republicanism, which was different from 19th-century republicanism. It was Edmund Burke who said, “A state without the means of some change is without the means of its preservation.”

Questions to Consider

1. What are the most essential features of the “free” modern society we often call democracy or, in this course, liberal republicanism? Is it individual liberty, equality, majority rule, civil society, progress, or representative institutions or some combination of these?
2. Will this form of political life change essentially in the next century? Will it be replaced by something else, or is it the “final” and mature form of political life?

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Bordo, Susan. *Unbearable Weight: Feminism, Western Culture, and the Body*. Berkeley: University of California Press, 1993. Cultural messages skew body images of women, contributing to anorexia nervosa.

Burke, Edmund. *A Vindication of Natural Society: A View of the Miseries and Evils Arising to Mankind*. Indianapolis: Liberty Fund, 1982. Burke’s sometimes misunderstood satire of Lord Bolingbroke’s opposition to the Church of England.

———. *Reflections on the Revolution in France*. J. G. A. Pocock, ed. Indianapolis: Hackett Press, 1987. Burke’s classic statement of modern conservatism.

Butler, Judith. *Gender Trouble: Feminism and the Subversion of Identity*. New York: Routledge, 2006. Important book by the famous “queer theorist” and feminist, influenced by poststructuralism.

Cahn, Steven. *Classics of Modern Political Philosophy*. New York: Oxford University Press, 1997. Best selection of classic modern Western political theory texts in one book.

Cahoone, Lawrence. *Civil Society: The Conservative Meaning of Liberal Politics*. Malden, MA: Blackwell Publishers, 2002. A discussion of recent political theory, including conservatism, libertarian liberalism, welfare liberalism, and communitarianism.

———. *Cultural Revolutions: Reason versus Culture in Contemporary Philosophy, Politics and Jihad*. University Park, PA: Pennsylvania State University Press, 2005. Essays on the relation of politics and culture.

———. *From Modernism to Postmodernism: An Anthology*. 2nd ed. Malden, MA: Blackwell Publishers, 2003. A useful anthology, not primarily political.

Chodorow, Nancy. *The Reproduction of Mothering*. Berkeley: University of California Press, 1978. Like Dinnerstein (below), Chodorow provides a psychoanalytic explanation of the endurance of gender inequality.

Clausewitz, Carl von. *On War*. New York: Knopf, 1993. The most famous treatise on modern warfare, inspired by Kant and Napoleon.

Constant, Benjamin. “The Liberty of the Ancients Compared to That of the Moderns.” In *Constant: Political Writings*. Cambridge, UK: Cambridge University Press, 1988. Early-18th-century recognition of liberal versus republican notions of freedom.

Constitution of the United States of America. 1789.

De Beauvoir, Simone. *The Second Sex*. H. M. Parshley, trans. New York: Knopf, 1953. The classic work of late first-wave feminism.

Declaration of Independence of the United States of America. 1776.

Declaration of the Rights of Man and Citizen. 1789. The famous French declaration.

De Maistre, Joseph. *Considerations on France*. Richard Lebrun, trans. Cambridge, UK: Cambridge University Press, 1974. The world is an altar for sacrifice, steeped in blood. To try to make it otherwise, as in France, leads to even more blood.

———. “First Dialogue” (of *St. Petersburg Dialogues*). In *The Works of Joseph de Maistre*, edited by Jack Lively. New York: Macmillan, 1965. The dark conservatism of Maistre on display in his description of the executioner.

Derrida, Jacques. “*Différance*.” In *Speech and Phenomena: And Other Essays on Husserl’s Theory of Signs*. David B. Allison, trans. Evanston, IL: Northwestern University Press, 1973. His famous notion of *différance*, an invested term whose difference from the real French word *différence* cannot be heard or spoken but only seen in writing.

———. “Structure, Sign and Play in the Discourse of the Human Sciences.” *Writing and Difference*. Alan Bass, trans. Chicago: University of Chicago Press, 1978. Offers a basic sense of Derrida’s strategy of critical reading and deconstruction.

Dewey, John. *Individualism Old and New*. London: Allen and Unwin, 1931. This work and the two below represent Dewey’s attempt to argue against classical economic liberalism and an atomistic view of individuality in favor of progressivism.

———. *Liberalism and Social Action*. Amherst, NY: Prometheus, 1999.

———. *The Public and Its Problems*. Athens, OH: Swallow Press/Ohio University Press, 1954.

Dinnerstein, Dorothy. *The Mermaid and the Minotaur*. New York: Harper and Row, 1976. Like Chodorow, Dinnerstein attempts to use Freudian theory to explain the persistence of gender inequality and help reduce it.

Drucker, Peter. *The End of Economic Man: The Origin of Totalitarianism*. Piscataway, NJ: Transaction, 1995. Earliest critical analysis of fascism as “disappointed socialism,” a revolt against the progress and discontents of economic man (e.g., liberalism).

Durkheim, Emile. *The Division of Labor in Society*. New York: Free Press, 1984. Contrasts traditional “mechanical” and modern “organic” social organization.

Dworkin, Ronald. *Taking Rights Seriously*. Cambridge, MA: Harvard University Press, 1977. Another Kantian deontological approach centered on the idea of equality rather than Rawls’s social contract.

Elshtain, Jean Bethke. *Public Man, Private Woman: Women in Social and Political Thought*. Princeton: Princeton University Press, 1993. A discussion of the history of political thought with respect to women.

Ferguson, Adam. *An Essay on the History of Civil Society*. Cambridge, UK: Cambridge University Press, 1995. Scottish Enlightenment account of the development of modern civil society, with worries about the lack of republican spirit in the new English liberalism.

Feuerbach, Ludwig. *The Essence of Christianity*. George Eliot, trans. New York: Harper Torchbooks, 1957. A bridge between Hegel’s dialectical idealism and Marx’s dialectical materialism that Marx read seriously.

Fichte, Johann Gottlieb. *Addresses to the German Nation*. R. F. James et al., trans. Chicago: Open Court, 1922. Most famous early expression of the philosophy of nationalism, by a German under French rule.

Foucault, Michel. *Power/Knowledge: Selected Interviews and Other Writings, 1972–1977*. Colin Gordon, ed. New York: Pantheon, 1972. In this and the following selection, Foucault criticizes truth and knowledge

themselves as deployments of Nietzschean “will to power.” Foucault presents a structuralist critique of the human sciences, showing how they have been used to warp our language and repress social “others,” or marginal people.

———. “Truth and Power” (and other essays). In *The Foucault Reader*, edited by Paul Rabinow. New York: Pantheon, 1984.

Freud, Sigmund. *Civilization and Its Discontents*. James Strachey, trans. New York: W. W. Norton, 1962. Freud uses psychoanalysis to describe the discontent or discomfort (actually, guilt) that is ever increasing in modernizing society.

Fukuyama, Francis. *The End of History and the Last Man*. New York: Free Press, 2006. Fascinating use of Hegel (and Kojève) to argue that liberal democracy is the final form of human political development, by a Straussian who had an impact on American policymakers.

Galston, William. *Liberal Purposes: Goods, Virtues, and Diversity in the Liberal State*. Cambridge, UK: Cambridge University Press, 1991. Interesting attempt to describe the pluralistic values to which liberalism must be committed, by a thinker associated with the attempt to move the American Democratic Party toward the center in the 1990s.

Gellner, Ernest. *Conditions of Liberty: Civil Society and Its Rivals*. London: Penguin, 1994. Gellner argues that liberal democracy is best understood as “civil society,” whose major competitor, since the fall of communism, is political Islam.

———. *Muslim Society*. Cambridge: Cambridge University Press, 1983. Gellner’s work on the culture of North African Muslim society.

———. *Nations and Nationalism*. Ithaca, NY: Cornell University Press, 1983. Gellner’s useful definition and categorization of types of nationalism, showing how crucial nationalism has been to Western modernization.

———. *Plough, Sword, and Book: The Structure of Human History*. Chicago: University of Chicago Press, 1988. Gellner's magisterial attempt to describe the three major periods of human history and their problems: the segmentary hunter-gather, the agro-literate, and the industrial-modern.

Gilligan, Carol. *In a Different Voice: Psychological Theory and Women's Development*. Cambridge, MA: Harvard University Press, 1982. Famously accepts "essential" differences between male and female approaches to morality, arguing that both must be honored.

Godwin, William. *An Enquiry Concerning Political Justice and Its Influence on Modern Morals and Happiness*. New York: Penguin, 1976. Earliest anarchist work by Mary Wollstonecraft's future husband.

Gray, J. Glenn. *The Warriors: Reflections on Men in Battle*. Lincoln, NE: University of Nebraska Press, 1970. A philosopher's reflections on his experiences as an American soldier in Europe during World War II.

Greenfeld, Liah. *Nationalism: Five Roads to Modernity*. Cambridge, MA: Harvard University Press, 1993. With Gellner and Tamir, another strong work on the varieties of nationalism.

Grotius (Hugo de Groot). *On the Law of War and Peace*. Cambridge, UK: Cambridge University Press, 2012. Classic early work on international law and the role of the modern state.

Guttmann, Amy, ed. *Multiculturalism: Examining the Politics of Recognition*. Princeton: Princeton University Press, 1994. An influential philosophical work on multiculturalism, including essays by Charles Taylor, Amy Guttmann, K. Anthony Appiah, and others.

Habermas, Jürgen. "Discourse Ethics: Notes on a Program of Philosophical Justification." In *Moral Consciousness and Communicative Action*, translated by Christian Lenhardt and Shierry Weber Nicholson. Cambridge, MA: MIT Press, 1990. Shows how an ethics for democratic society can be derived from the structure of communicative action itself.

———. *The Philosophical Discourse of Modernity: Twelve Lectures*. Frederick Lawrence, trans. Cambridge, MA: MIT Press, 1990. The history-of-philosophy companion to the *Theory of Communicative Action*, from Hegel to the postmodernists.

———. *Theory of Communicative Action*. Vols. I and II. Thomas McCarthy, trans. Boston: Beacon Press, 1984, 1987. Unparalleled analysis of the modern age, both philosophically and sociologically. Perhaps the final and most “liberal” or centrist masterwork of the Frankfurt School.

Hamilton, Alexander. *Report on the Subject of Manufactures*. In *Alexander Hamilton: Writings*. New York: Library of America, 2001. The first expression of American “nationalist” economics.

Hanisch, Carol. “The Personal Is Political.” In *Notes from the Second Year: Women’s Liberation*. Published by Shulamith Firestone and Anne Koedt, 1970. Famous essay and phrase, holding that feminism cannot accept the traditional liberal separation of the political and the personal.

Hart, H. L. A. “Are There Any Natural Rights?” *Philosophical Review* 64, 1955. Hart’s “principle of fairness” was later taken up by Rawls.

Hayek, Friedrich von. *The Constitution of Liberty*. (Vol. XVII of Hayek’s collected works.) Chicago: University of Chicago Press, 2011. The most complete exposition of Hayek’s “neoliberalism” and the philosophy behind it.

———. *The Road to Serfdom*. Chicago: University of Chicago Press, 1972. One of the early critiques of fascism and communism.

Hegel, Georg Wilhelm Friedrich. *Outlines of the Philosophy of Right*. T. M. Knox, trans. Oxford: Oxford University Press, 2008. Hegel’s political philosophy; source of the German *Recht*, or constitutional state.

———. *Phenomenology of Spirit*. A. V. Miller, trans. Oxford: Oxford University Press, 1977. Hegel’s outline of the stages of human consciousness, including the master-slave conflict.

Heidegger, Martin. *Being and Time*. Joan Stambaugh, trans. Albany, NY: State University of New York Press, 1996. One of the two or three most important philosophical works of the 20th century. Its author would go on to join the Nazi Party.

Hobbes, Thomas. *Leviathan*. London: Penguin, 1982. The first of the modern Western social contract theories.

Hobhouse, L. T. *Liberalism and Other Writings*. Cambridge, UK: Cambridge University Press, 1994. The early-20th-century new liberalism in England (called *progressivism* in the United States).

Hobson, John. *Imperialism*. Ann Arbor, MI: University of Michigan Press, 1965. A critique of late capitalism as inherently imperialist; taken up by Lenin.

Howard, Michael, George Andreopolous, and Mark Shulman. *Laws of War: Constraints on Warfare in the Western World*. New Haven: Yale University Press, 1994. History of moral and customary constraints on war-making.

Huntington, Samuel P. *The Clash of Civilizations and the Remaking of World Order*. New York: Touchstone, 1996. Argues that in the wake of the Cold War, global politics will return to civilizational or cultural rather than ideological schisms.

Ibn Khaldun. *The Muqqadimah: An Introduction to History*. Abridged edition. N. J. Dawood, ed.; Franz Rosenthal, trans. Princeton: Princeton University Press, 2004. Great work of medieval social theory of the Arab/North African world; emphasizes the cyclic movement of political power between towns and nomadic tribes.

Jay, John, Alexander Hamilton, and James Madison, *The Federalist*. Gideon edition. Indianapolis: Liberty Fund, 2001. Probably the most important American work of political thought.

Jefferson, Thomas. *Thomas Jefferson: Writings*. New York: Library of America, 1984. Excellent collection of Jefferson's writings, speeches, and letters.

Kant, Immanuel. *Critique of Practical Reason*. T. K. Abbott, trans. Amherst, NY: Prometheus, 1996. Kant's major critical support for moral judgments known to be valid without experience.

———. *Fundamental Principles of the Metaphysics of Morals*. T. K. Abbott, trans. Amherst, NY: Prometheus, 1987. Kant's description and derivation of the one fundamental moral law: the categorical imperative. One of two major modern approaches to moral philosophy (besides utilitarianism).

———. "Perpetual Peace: A Philosophical Sketch," "Idea for a Universal History with a Cosmopolitan Intent," and "An Answer to the Question: What Is Enlightenment?" In *Perpetual Peace and Other Essays*, translated by Ted Humphrey. Indianapolis: Hackett, 1983. Kant's political cosmopolitan republicanism.

Keegan, John. *A History of Warfare*. New York: Vintage, 1994. Excellent history of cultural ways of warfare.

Kepel, Gilles. *The Revenge of God: The Resurgence of Islam, Judaism, and Christianity in the Modern World*. University Park, PA: Pennsylvania State University Press, 1994. Recognizes the global return of religious fundamentalism to the political world, starting in the late 1970s.

Kojève, Alexander. *Introduction to the Phenomenology of Hegel: Lectures on the Phenomenology of Spirit*. James H. Nichols, trans. Ithaca, NY: Cornell University Press, 1980. A reading of Hegel that became influential for midcentury French thinkers and, later, for Strauss and Fukuyama.

Kymlicka, Will. *Liberalism, Community, and Culture*. New York: Oxford University Press, 1991. Kymlicka, using Dworkin and Rawls, argues for a right to culture.

———. *Multicultural Citizenship*. Oxford: Oxford University Press, 1995. Kymlicka's attempt to defend the cultural rights of indigenous and minority groups.

———. *Rights of Minority Cultures*. Oxford: Oxford University Press, 1995. An excellent anthology for examining the political side of multiculturalism.

Lasch, Christopher. *The True and Only Heaven: Progress and Its Critics*. New York: W. W. Norton and Co., 1991. A criticism of progressivism from the standpoint of populism.

Lenin, V. I. *The Lenin Reader*. Stefan Possony, ed. New York: W. W. Norton and Co., 1975. A very good reader, giving a sample of Lenin's most important and revealing writings.

Leopold, Aldo. *A Sand County Almanac, with Essays on Conservation from Round River*. New York: Ballantine, 1970. The most famous work by the most prominent of American naturalist-wildlife managers.

Locke, John. *A Letter Concerning Toleration*. Indianapolis: Hackett, 1983. Classic work on religious toleration.

———. *Two Treatises of Government*. Cambridge, UK: Cambridge University Press, 1988. The *Second Treatise* is the most influential social contract theory for the English and American constitutions. Peter Laslett's introduction to this edition is very helpful.

Luhmann, Niklas. *Social Systems*. John Bednarz and Dirk Baecker, trans. Stanford: Stanford University Press, 1996. An example of what a "conservative" postmodern social theory would look like, from a major systems theory sociologist.

Lukács, Geörgy. *History and Class Consciousness: Studies in Marxist Dialectics*. Rodney Livingstone, trans. Cambridge, MA: MIT Press, 1971. A prime example of a still radical "Western" Marxism from the period between the world wars.

Lyotard, Jean-François. *The Postmodern Condition: A Report on Knowledge*. Geoff Bennington and Brian Massumi, trans. Minneapolis: Minnesota University Press, 1984. One of the most famous expressions of French postmodernism on the nature of “postmodern” or contemporary society. Clearest statement of the social side of postmodernism.

Machiavelli, Niccolò. *Discourses on the First Ten Books of Titus Livy*. Leslie Walker, trans. Middlesex, UK: Penguin, 1970. Machiavelli’s defense of republicanism, based on the history of the Roman Republic.

———. *The Prince*. Daniel Donno, trans. New York: Bantam Classics, 1984. Machiavelli’s famously amoral advice to princes, which ushered in a realistic attitude toward political philosophy against the ancient and medieval approaches.

MacIntyre, Alasdair. *After Virtue: A Study in Moral Theory*. Notre Dame, IN: University of Notre Dame Press, 1984. MacIntyre’s famous argument for Aristotelian ethics against an Enlightenment that inevitably ends in Nietzschean postmodernism.

———. *Whose Justice, Which Rationality?* Notre Dame, IN: University of Notre Dame Press, 1988. MacIntyre fills out his theory with an account of moral rationality as inherently cultural yet not relativist.

Maine, Henry Sumner. *Ancient Law: Its Connection with the Early History of Society and Its Relation to Modern Ideas*. Gloucester, MA: Peter Smith, 1970. Argues that the change from ancient to modern social organization is a change from “status” to “contract.”

Malthus, Thomas R. *An Essay on the Principle of Population*. Philip Appleman, ed. New York: W. W. Norton and Co., 1976. The famous pessimistic (hence anti-Enlightenment) argument that population will periodically outstrip food supply, making periodic starvation inevitable.

Mandeville, Bernard. *Fable of the Bees; or Private Vices, Publick Benefits*. Indianapolis: Liberty Fund, 1988. Scandalously argues that vices are socially

beneficial. The original poem, “The Grumbling Hive: or, Knaves turn’d Honest,” is in volume 1, pp. 17–37. Mandeville later expanded it into a book.

Marcuse, Herbert. *Eros and Civilization: A Philosophical Inquiry into Freud*. New York: Vintage, 1962. Freudianizing the Frankfurt School.

———. *One-Dimensional Man*. Boston: Beacon Press, 1955. Marcuse’s most influential work for the 1960s new left.

Marx, Karl, and Friedrich Engels. *Economic and Philosophic Manuscripts of 1844*. In *The Marx-Engels Reader*. Robert Tucker, ed. New York: Norton, 1972. The classic early Marxist theory of alienation.

———. *Manifesto of the Communist Party*. In *The Marx-Engels Reader*. Robert Tucker, ed. New York: Norton, 1972. Section 2 presents a famous description of capitalist modernity.

———. Preface to *A Contribution to the Critique of Political Economy*. In *The Marx-Engels Reader*. Robert Tucker, ed. New York: Norton, 1972. Paragraphs 6 through 8 (starting with “In the social production of their existence...”) represent the best short summary of Marx’s theory in existence.

Mill, John Stuart. “Chapters on Socialism.” In *The Collected Works of John Stuart Mill*. Vol. V: *Essays on Economics and Society, Part II*. John Robson, ed. London: Routledge and Kegan Paul, 1967. Clarifies Mill’s friendly attitude toward some kinds of socialism. (Also available at www.oll.libertyfund.org/title/232/16742.)

———. *On Liberty*. Indianapolis: Hackett Publishing, 1978. The classic essay on the limits of liberty in a free society.

———. *Utilitarianism*. Indianapolis: Hackett Publishing, 1979. Defines one of the two most important modern ethical theories (besides Kant’s ethics of duty).

Montesquieu. *The Spirit of the Laws*. Anne Cohler, Basia Carolyn Miller, and Harold Stone, trans. and eds. Cambridge, UK: Cambridge University Press, 1989. Highly influential political observations; had a strong impact on the American Founders.

Muller, Jerry Z. *The Mind and the Market: Capitalism in Western Thought*. New York: Anchor, 2003. Excellent survey of the history of Western intellectual analysis and critique of capitalism, including many of the great sociologists, as well as economic thinkers.

Mussolini, Benito. *The Doctrine of Fascism*. New York: Howard Fertig, 2006. Originally from the 1932 *Enciclopedia Italiana*. Written largely by the Italian philosopher Giovanni Gentile. Interestingly, no one seems to know who translated the work into English.

Naess, Arne. "The Shallow and the Deep: Long Range Ecology Movements: A Summary." *Inquiry* 16:1, pp. 95–100. Pushes environmental philosophy to reconceive the nature of human life in its ecological context.

Nagel, Thomas. *Equality and Partiality*. New York: Oxford University Press, 1991. Part of the Kantian or deontological liberalism of the 1970s (with Ackerman, Dworkin, and Rawls).

Nietzsche, Friedrich. *Beyond Good and Evil*. Walter Kaufmann, trans. New York: Random House 1966. Probably the single most balanced aphoristic text of Nietzsche's, if you want pieces of all his thought.

———. *The Gay Science*. Walter Kaufmann, trans. New York: Random House, 1974. An aphoristic work embodying Nietzsche's search for meaning in a universe without God or purpose.

———. *On the Genealogy of Morals*. Francis Golffing, trans. Garden City, NY: Anchor Books, 1956. Nietzsche's analysis of history and of the invention of morality by human beings.

Norton, Bryan. *Sustainability: A Philosophy of Adaptive Ecosystem Management*. Chicago: University of Chicago Press, 2005. Norton's pragmatist approach to the problems of environmental sustainability.

Nozick, Robert. *Anarchy, State, and Utopia*. New York: Basic Books, 1974. Best philosophical (as opposed to economic) presentation of libertarian or "minimal state" liberalism. A response to Rawls.

———. "On the Randian Argument." In *Socratic Puzzles*. Cambridge, MA: Harvard University Press, 1997. Nozick's later view of Rand.

———. "The Zigzag of Politics." In *The Examined Life: Philosophical Meditations*, chapter 25. New York: Touchstone, 1989. Where Nozick recants a bit of his libertarianism.

Nussbaum, Martha. "Aristotelian Social Democracy." In *Liberalism and the Good*, edited by R. Bruce Douglass, Gerald Mara, and Henry Richardson. New York: Routledge, 1990. Uses Aristotelian ethics to argue that politics should provide the conditions for human flourishing; gives a pluralist account of the Good.

Oakeshott, Michael. *Hobbes and Civil Association*. Indianapolis: Liberty Fund, 2000. A classic book on Hobbes by the most prominent 20th-century British conservative.

———. *On Human Conduct*. Oxford: Oxford University Press, 1991. Oakeshott's magnum opus on action and politics.

———. "Rationalism in Politics." In *Rationalism in Politics and Other Essays*. Indianapolis: Liberty Fund, 1991. Oakeshott's most famous essay, reminiscent of Burke.

Okin, Susan Moller. *Justice, Gender and the Family*. New York: Basic Books, 1989. Liberal feminist analysis of injustice in a male-led society.

Paine, Thomas. *Common Sense*. In *Paine: Political Writings*, edited by Bruce Kuklick. Cambridge, UK: Cambridge University Press, 1989. The most

famous political pamphlet in American history, arguing for the revolution against England in 1776.

———. *Rights of Man*. In *Paine: Political Writings*, edited by Bruce Kuklick. Cambridge, UK: Cambridge University Press, 1989. Paine's defense of the French Revolution, against Burke.

Parekh, Bhikhu. *Rethinking Multiculturalism: Cultural Diversity and Political Theory*. London: Macmillan, 2000. Multiculturalism at its most reasonable.

Pestritto, Ronald, and William Atto. *American Progressivism: A Reader*. Lanham, MD: Lexington Books, 2008. Good, if largely critical, selection of progressive speeches and writings.

Pinkard, Terry. *Hegel: A Biography*. New York: Cambridge University Press, 2001. Very good biography by a major Hegel scholar.

Plato. *The Republic of Plato*. Alan Bloom, trans. New York: Basic Books, 1991. The first major work on political philosophy in Western/Mediterranean history and one of the most complete. (Incidentally, the translator was an influential follower of Leo Strauss.)

Pocock, J. G. A. *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*. Princeton: Princeton University Press, 1975. Fine history of the republican tradition in early modern political theory.

Polanyi, Karl. *The Great Transformation: The Political and Economic Origins of Our Time*. Boston: Beacon Press, 2001. Brilliant historical account of early capitalism in England and critique of laissez faire. A version of the “dialectical” or “eroding foundations” thesis, bearing comparison to Habermas. Written by a friend of Peter Drucker and brother of Michael Polanyi.

Price, Richard. *A Discourse on the Love of Our Country*. Whitefish, MT: Kessinger Publishing, 2010. The lecture supporting the French

Revolution that initiated the battle of the pamphlets with Burke, Paine, and Wollstonecraft.

Proudhon, Jean-Pierre. *What Is Property?* Cambridge, UK: Cambridge University Press, 1994. Prominent 19th-century socialist anarchism.

Putnam, Robert. *Bowling Alone: The Collapse and Revival of American Community*. New York: Simon and Schuster, 2000. Expanding on his famous essay, Putnam finds contemporary Americans abandoning civil clubs and associations (e.g., bowling as much but not in leagues).

Rand, Ayn. *Atlas Shrugged*. New York: Penguin, 1999. Along with *The Fountainhead*, one of Rand's most famous novels. Each book climaxes with a speech by the hero who speaks for Rand. In *Atlas Shrugged*, look particularly at "This is John Galt speaking," Part III, chapter VII.

———. *The Virtue of Selfishness: A New Concept of Egoism*. New York: Penguin, 1961. Philosophical essays expressing Rand's ethic of rational selfishness.

Rawls, John. *Political Liberalism*. Expanded edition. New York: Columbia University Press, 2005. (The 1996 edition can be used, too; all editions after the original 1993 include important changes or additions.) Rawls's attempt to locate his theory of justice in a nonfoundational context, in which no agreement on philosophical or religious "comprehensive doctrines" is required.

———. *A Theory of Justice*. Cambridge, MA: Harvard University Press, 1999. The most influential work on distributive justice of the post-World War II period.

Regan, Tom. *The Case for Animal Rights*. Berkeley: University of California Press, 2004. A Kantian or deontological theory of animal rights.

The Responsive Community. Amitai Etzioni, ed. The flagship journal for communitarianism.

Rolston, Holmes. *Environmental Ethics: Duties to and Values in the Natural World*. Philadelphia: Temple University Press, 1988. A prominent biocentrist account of how values can be argued to emerge in nonhuman nature.

Rorty, Richard. "From Logic to Language to Play: A Plenary Address to the Inter-American Congress." *Proceedings and Addresses of the American Philosophical Association* 59 (1986). Rorty's Guadalajara lecture.

———. *Philosophy and the Mirror of Nature*. Princeton: Princeton University Press, 1979. Influential rejection of philosophy's attempt to find a foundational justification of truth or morality.

Rothbard, Murray. *For a New Liberty: The Libertarian Manifesto*. Auburn, AL: Ludwig von Mises Institute, 2006. Rothbard's "anarcho-libertarianism"—libertarianism without the state.

Rousseau, Jean-Jacques. *The First and Second Discourses*. Judith Masters, trans. New York: St. Martin's Press, 1969. Rousseau's first discourse on morality and his second, the more famous, "Discourse on the Origin and Foundations of Inequality among Men," in which he openly argues for the superiority of primitive humanity over modern cosmopolitans.

———. *On the Social Contract, with Geneva Manuscript and Political Economy*. Judith Masters, trans. New York: St. Martin's Press, 1978. Rousseau's political prescription for equality and freedom, centered on the general will.

Sandel, Michael. *Democracy's Discontent: America in Search of a Public Philosophy*. Cambridge, MA: Harvard University Press, 1996. Sandel, who was one of the most prominent communitarian critics of Rawls and Nozick, endorses a kind of civic republicanism in this book on American political history.

———. *Liberalism and Its Critics*. New York: New York University Press, 1984. An excellent anthology presenting deontological liberalism (e.g., Berlin, Rawls, Nozick) and the communitarian and republican criticisms of it.

———. *Liberalism and the Limits of Justice*. Cambridge, UK: Cambridge University Press, 1998. Sandel's critique of Rawls helped to launch communitarianism.

Sartre, Jean-Paul. "Existentialism." In *From Modernism to Postmodernism: An Anthology*, edited by Lawrence Cahoon. Cambridge, MA: Blackwell Publishers, 2003. A famous public lecture in which Sartre defines his existentialism; sometimes published under the title "Existentialism as a Humanism."

Schmidt, James. "A Raven with a Halo: The Translation of Aristotle's *Politics*." *History of Political Thought* 7 (2), summer 1986. Very nice account of the history of the term *civil society*.

Schmitt, Carl. *The Concept of the Political*. George Schwab, trans. Chicago: University of Chicago Press, 2007. Schmitt's notion of the political as the relation to the communal or public enemy, without an ethical or legal foundation.

———. *The Crisis of Parliamentary Democracy*. Ellen Kennedy, trans. Cambridge, MA: Cambridge University Press, 1988. Schmitt's critique of liberal democracy.

———. *Political Theology: Four Chapters on the Concept of Sovereignty*. Chicago: University of Chicago Press, 2006. Schmitt's conception of sovereignty as a quasi-religious notion, which decides what is beyond the law.

Shakespeare, William. *Henry V*. In *The Complete Works of Shakespeare*, edited by David Bevington. New York: Longman, 2013. To see the two sides of chivalry, read the rousing St. Crispin's "band of brothers" speech in act 4, scene 3, and the bloody threat to Harfleur in act 3, scene 3.

Shepard, Paul. *Traces of an Omnivore*. Washington, DC: Island Press, 1996. Presents Shepard's uniquely radical view that humans were constructed by evolution to be hunter-gatherers with spiritual relations to animals.

Shils, Edward. "Primordial, Personal, Sacred, and Civil Ties," *British Journal of Sociology* 8, 1957. Insightful distinction among the different social ties lying behind primitive tribalism, modern civil society, and totalitarianism.

Shklar, Judith. *Ordinary Vices*. Cambridge, MA: Belknap Press, 1985. Interesting attempt to describe liberalism and other political systems in terms of the vices they try to prevent, in effect, their idea of the Bad rather than the Good.

Simmel, Georg. *The Philosophy of Money*. Tom Bottomore and David Frisby, trans. New York: Routledge, 1990. Brilliant but difficult analysis of modernity as dominated by the money relation and the need to calculate cost and benefit (but not Marxist in any sense).

Singer, Peter. *Animal Liberation*. New York: Ecco, 2002. The famous utilitarian argument for a moral obligation to nonhuman animals, vegetarianism, and an end to animal experimentation.

Smart, J. J. C. "Utilitarianism and Justice." *Journal of Chinese Philosophy* 5 (3), 1978. A discussion of the deep problem of utilitarianism by a utilitarian.

Smith, Adam. *An Inquiry into the Nature and Causes of the Wealth of Nations*. 2 vols. Indianapolis: Liberty Fund, 1982. The most famous analysis of capitalism ever written.

———. *Theory of the Moral Sentiments*. Indianapolis: Liberty Fund, 1984. Smith was first and foremost a moral thinker. This is his moral philosophy.

Solzhenitsyn, Alexander. *The Gulag Archipelago: An Experiment in Literary Investigation*. Originally 3 vols. New York: HarperPerennial Classics, 2007. The most famous account of the Soviet labor camp system by one of Russia's great dissidents. It had a significant negative impact on lingering Western sympathies for communism.

Sorel, George. *Reflections on Violence*. Cambridge, UK: Cambridge University Press, 1999. Early-20th-century Romantic view of anarchic worker syndicalism and revolutionary violence.

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