



Europa Fellowship
◆ 2023 ◆



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of our 2023 Europa Fellowship.



2023 Common Sense Society Europa Fellowship

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FACULTY



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With Performances by:



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FELLOWS



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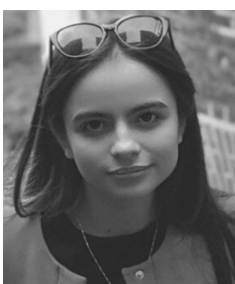
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Music, Morality and the Lost Listening Culture: from Antiquity through Enlightenment, to the Present Day

Benjamin Crocker

Common Sense Society

[Summer Fellowship Series, 2023]

Fellowship Pre-Readings (18 pages):

1. **Plato:** *Republic* (Trans. Bloom) [Book III, 398c – 402d]
(5 pages)
2. **Aristotle:** *Nichomachean Ethics* (Trans. Irwin) [Book II, Chap. 1-4]
(5 pages)
3. **Hume:** *Essays, Political Moral and Literary*. Essay I – ‘Of the Delicacy of Taste and Passion’
(3 pages)
4. **Smith:** *The Theory of Moral Sentiments*: Part One, Section II: ‘Of the Degrees of the different Passions which are consistent with Propriety’ – Chap. III, *Of the unsocial Passions*
(5 pages)

Optional/Post-Seminar Readings (42 pages):

1. **Hume:** *Essays, Political Moral and Literary*. Essay XIV – ‘Of the Rise and Progress of the Arts and Sciences’
(14 pages)
2. **Crocker:** *200 years of Great Classic Hits: On the Death and Resurrection of musical invention, and, On Cesar, Chicago, and Censorship*
(14 pages)
3. **Scruton:** *Music and Morality*
(14 pages)

THE REPUBLIC OF PLATO

SECOND EDITION

TRANSLATED WITH NOTES AND
AN INTERPRETIVE ESSAY BY
ALLAN BLOOM



BasicBooks

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“Now, my friend,” I said, “it’s likely we are completely finished with that part of music that concerns speeches and tales. What must be told and how it must be told have been stated.”

“That’s my opinion too,” he said.

c “After that,” I said, “doesn’t what concerns the manner of song and melody remain?”

“Plainly.”

"Couldn't everyone by now discover what we have to say about how they must be if we're going to remain in accord with what has already been said?" 398 c

And Glaucon laughed out and said, "I run the risk of not being included in everyone. At least I'm not at present capable of suggesting what sort of things we must say. However, I've a suspicion."

"At all events," I said, "you are, in the first place, surely capable of saying that melody is composed of three things—speech, harmonic mode, and rhythm." d

"Yes," he said, "that I can do."

"What's speech in it surely doesn't differ from the speech that isn't sung insofar as it must be spoken according to the same models we prescribed a while ago and in the same way."

"True," he said.

"And, further, the harmonic mode and the rhythm must follow the speech."

"Of course."

"Moreover, we said there is no further need of wailing and lamentations in speeches."

"No, there isn't."

"What are the wailing modes? Tell me, for you're musical." e

"The mixed Lydian," he said, "and the 'tight' Lydian and some similar ones."

"Aren't they to be excluded?" I said. "They're useless even for women who are to be decent, let alone for men."

"Certainly."

"Then again, drunkenness, softness, and idleness are most unseemly for guardians."

"Of course."

"What modes are soft and suitable for symposia?"⁴⁶

"There are some Ionian," he said, "and some Lydian, too, which are called 'slack.'"

"Could you, my friend, use them for war-making men?" 399 a

"Not at all," he said. "So, you've probably got the Dorian and the Phrygian left."

"I don't know the modes," I said. "Just leave that mode which would appropriately imitate the sounds and accents of a man who is courageous in warlike deeds and every violent work, and who in failure or when going to face wounds or death or falling into some other disaster, in the face of all these things stands up firmly and patiently against chance. And, again, leave another mode for a man who performs a peaceful deed, one that is not violent but voluntary, either per- b

b suading someone of something and making a request—whether a god
by prayer or a human being by instruction and exhortation—or, on the
contrary, holding himself in check for someone else who makes a re-
quest or instructs him or persuades him to change, and as a result act-
ing intelligently, not behaving arrogantly, but in all these things acting
c moderately and in measure and being content with the consequences.
These two modes—a violent one and a voluntary one, which will pro-
duce the finest imitation of the sounds of unfortunate and fortunate,
moderate and courageous men—leave these.”

“You’re asking me to leave none other than those I was just speaking of.”

“Then,” I said, “there’ll be no need of many-toned or panharmonic instruments for our songs and melodies.”

“It doesn’t look like it to me,” he said.

d “Then we’ll not support the craftsmen who make lutes, harps, and all the instruments that are many-stringed and play many modes.”

“It doesn’t look like we will,” he said.

“And what about this? Will you admit flutemakers and flutists into the city? Or, isn’t the flute the most many-stringed of all, and aren’t the panharmonic instruments themselves imitations of it?”

“Plainly,” he said.

“The lyre and the cithar are left you as useful for the city,” I said. “And, further, for the country, there’d be a sort of pipe for the herdsmen.”

“At least so our argument indicates,” he said.

e “It’s nothing new we’re doing, my friend,” I said, “in choosing Apollo and Apollo’s instruments ahead of Marsyas and his instruments.”⁴⁷

“No, by Zeus,” he said. “We don’t look to me as though we were.”

“And, by the dog,” I said, “unawares we’ve again purged the city that a while ago we said was luxurious.”

“That’s a sign of our moderation,” he said.

400 a “Come, then,” I said, “and let’s purge the rest. Now, following on harmonic modes would be our rule about rhythms: we mustn’t seek subtle ones nor all sorts of feet, but we’ll see which are the rhythms of an orderly and courageous life; and when we have seen them, we’ll compel the foot and the tune to follow the speech of such a man, rather than the speech following the foot and the tune. Whatever these rhythms might be is your job to tell, just as with the harmonic modes.”

“But, by Zeus, I can’t say,” he said. “There are three forms out of

which the feet are woven, just as there are four for sounds from which all the modes are compounded—this I've observed and could tell. But as to which sort are imitations of which sort of life, I can't say."⁴⁸

400 a

"We'll consult with Damon⁴⁹ too," I said, "about which feet are appropriate for illiberality and insolence or madness and the rest of vice, and which rhythms must be left for their opposites. I think I heard him, but not clearly, naming a certain enoplion foot, which is a composite, and a dactyl and an heroic—I don't know how, but he arranged it and presented it so that it's equal up and down, passing into a short and a long; and, I think, he named one iambic and another trochaic and attached longs and shorts to them. With some of these I think he blamed and praised the tempo of the foot no less than the rhythms themselves, or it was the two together—I can't say. But, as I said, let these things be turned over to Damon. To separate them out⁵⁰ is no theme for a short argument. Or do you think so?"⁵¹

b

"Not I, by Zeus."

"But you are able to determine that grace and gracelessness⁵² accompany rhythm and lack of it?"

"Of course."

"Further, rhythm and lack of it follow the style, the one likening itself to a fine style, the other to its opposite; and it's the same with harmony and lack of it, provided, that is, rhythm and harmonic mode follow speech, as we were just saying, and not speech them."

c

d

"But, of course," he said, "they must accompany speech."

"What about the manner of the style and the speech?" I said. "Don't they follow the disposition of the soul?"

"Of course."

"And the rest follow the style?"

"Yes."

"Hence, good speech, good harmony, good grace, and good rhythm accompany good disposition,⁵³ not the folly that we endearingly call 'good disposition,' but that understanding truly trained to a good and fair disposition."

e

"That's entirely certain," he said.

"Mustn't the young pursue them everywhere if they are to do their own work?"

"Indeed they must be pursued."

"Surely painting is full of them, as are all crafts of this sort; weaving is full of them, and so are embroidery, housebuilding, and also all the crafts that produce the other furnishings; so, furthermore, is the nature of bodies and the rest of what grows. In all of them there is grace or gracelessness. And gracelessness, clumsiness, inhar-

401 a

401 *a* moniousness, are akin to bad speech and bad disposition, while their opposites are akin to, and imitations of, the opposite—moderate and good disposition.”

“Entirely so,” he said.

b “Must we, then, supervise only the poets and compel them to impress the image of the good disposition on their poems or not to make them among us? Or must we also supervise the other craftsmen and prevent them from impressing this bad disposition, a licentious, illiberal, and graceless one, either on images of animals or on houses or on anything else that their craft produces? And the incapable craftsman we mustn’t permit to practice his craft among us, so that our guardians
c won’t be reared on images of vice, as it were on bad grass, every day cropping and grazing on a great deal little by little from many places, and unawares put together some one big bad thing in their soul? Mustn’t we, rather, look for those craftsmen whose good natural endowments make them able to track down the nature of what is fine and graceful, so that the young, dwelling as it were in a healthy place, will be benefited by everything; and from that place something of the fine works will strike their vision or their hearing, like a breeze bringing
d health from good places; and beginning in childhood, it will, without their awareness, with the fair speech lead them to likeness and friendship as well as accord?”

“In this way,” he said, “they’d have by far the finest rearing.”

“So, Glaucon,” I said, “isn’t this why the rearing in music is most sovereign? Because rhythm and harmony most of all insinuate themselves into the inmost part of the soul and most vigorously lay hold of it in bringing grace with them; and they make a man graceful if he is
e correctly reared, if not, the opposite. Furthermore, it is sovereign because the man properly reared on rhythm and harmony would have the sharpest sense for what’s been left out and what isn’t a fine product of craft or what isn’t a fine product of nature. And, due to his having the right kind of dislikes, he would praise the fine things; and, taking pleasure in them and receiving them into his soul, he would be reared
402 *a* on them and become a gentleman. He would blame and hate the ugly in the right way while he’s still young, before he’s able to grasp reasonable speech. And when reasonable speech comes, the man who’s reared in this way would take most delight in it, recognizing it on account of its being akin?”

“In my opinion, at least,” he said, “it’s for such reasons that there’s rearing in music.”

“Then,” I said, “just as we were competent at reading only when the few letters there are didn’t escape us in any of the combinations in
b which they turn up, and we didn’t despise them as not needing to be

noticed in either small writing or large, but were eager to make them out everywhere, since we wouldn't be skilled readers before we could do so—"

402 b

"True."

"Now isn't it also true that if images of writings should appear somewhere, in water or in mirrors, we wouldn't recognize them before we knew the things themselves, but both belong to the same art and discipline?"

"That's entirely certain."

"So, in the name of the gods, is it as I say: we'll never be musical—either ourselves or those whom we say we must educate to be guardians—before we recognize the forms of moderation, courage, liberality, magnificence, and all their kin, and, again, their opposites, everywhere they turn up, and notice that they are in whatever they are in, both themselves and their images, despising them neither in little nor big things, but believing that they all belong to the same art and discipline?"

c

"Quite necessarily," he said.

"Then," I said, "if the fine dispositions that are in the soul and those that agree and accord with them in the form should ever coincide in anyone, with both partaking of the same model, wouldn't that be the fairest sight for him who is able to see?"

d

"By far."

"Now the fairest is the most lovable?"

"Of course."

"It's the musical man who would most of all love such human beings, while if there were one who lacked harmony, he wouldn't love him."

"No, he wouldn't," he said, "at least if there were some defect in the soul. If, however, there were some bodily defect, he'd be patient and would willingly take delight in him."

e

Aristotle

Nicomachean Ethics

Second Edition

Translated,
with Introduction, Notes, and Glossary, by
Terence Irwin

BOOK II

[VIRTUE OF CHARACTER]

1

[How a Virtue of Character Is Acquired]

15 Virtue, then, is of two sorts, virtue of thought and virtue of character. Virtue of thought arises and grows mostly from teaching; that is why it needs experience and time. Virtue of character [i.e., of *ēthos*] results from habit [*ethos*]; hence its name 'ethical', slightly varied from 'ethos'.*

§2 Hence it is also clear that none of the virtues of character arises in
20 us naturally. For if something is by nature in one condition, habituation cannot bring it into another condition. A stone, for instance, by nature moves downwards, and habituation could not make it move upwards, not even if you threw it up ten thousand times to habituate it; nor could habituation make fire move downwards, or bring anything that is by nature in one condition into another condition. §3 And so the virtues
25 arise in us neither by nature nor against nature. Rather, we are by nature able to acquire them, and we are completed through habit.*

§4 Further, if something arises in us by nature, we first have the capacity for it, and later perform the activity. This is clear in the case of the
30 senses; for we did not acquire them by frequent seeing or hearing, but we already had them when we exercised them, and did not get them by exercising them. Virtues, by contrast, we acquire, just as we acquire crafts, by

having first activated them. For we learn a craft by producing the same product that we must produce when we have learned it; we become builders, for instance, by building, and we become harpists by playing the harp. Similarly, then, we become just by doing just actions, temperate by doing temperate actions, brave by doing brave actions. 1103a 1103b

§5 What goes on in cities is also evidence for this. For the legislator makes the citizens good by habituating them, and this is the wish of every legislator; if he fails to do it well he misses his goal.* Correct habituation distinguishes a good political system from a bad one. 5

§6 Further, the sources and means that develop each virtue also ruin it, just as they do in a craft. For playing the harp makes both good and bad harpists, and it is analogous in the case of builders and all the rest; for building well makes good builders, and building badly makes bad ones. §7 Otherwise no teacher would be needed, but everyone would be born a good or a bad craftsman. 10

It is the same, then, with the virtues. For what we do in our dealings with other people makes some of us just, some unjust; what we do in terrifying situations, and the habits of fear or confidence that we acquire, make some of us brave and others cowardly. The same is true of situations involving appetites and anger; for one or another sort of conduct in these situations makes some temperate and mild, others intemperate and irascible. To sum it up in a single account: a state [of character] results from [the repetition of] similar activities.* 15 20

§8 That is why we must perform the right activities, since differences in these imply corresponding differences in the states.* It is not unimportant, then, to acquire one sort of habit or another, right from our youth. On the contrary, it is very important, indeed all-important. 25

2

[Habituation]

Our present discussion does not aim, as our others do, at study; for the purpose of our examination is not to know what virtue is, but to become good, since otherwise the inquiry would be of no benefit to us.* And so we must examine the right ways of acting; for, as we have said, the actions also control the sorts of states we acquire. 30

§2 First, then, actions should accord with the correct reason.* That is a common [belief], and let us assume it. We shall discuss it later, and say what the correct reason is and how it is related to the other virtues.

§3 But let us take it as agreed in advance that every account of the actions we must do has to be stated in outline, not exactly. As we also said at the beginning, the type of accounts we demand should accord with the subject matter; and questions about actions and expediency, like questions about health, have no fixed answers.* 1104a

1104a5 §4 While this is the character of our general account, the account of particular cases is still more inexact. For these fall under no craft or profession; the agents themselves must consider in each case what the opportune action is, as doctors and navigators do.* §5 The account we offer, then, in our present inquiry is of this inexact sort; still, we must try to offer help.*

§6 First, then, we should observe that these sorts of states naturally tend to be ruined by excess and deficiency. We see this happen with strength and health—for we must use evident cases [such as these] as witnesses to things that are not evident.* For both excessive and deficient exercise ruin bodily strength, and, similarly, too much or too little eating or drinking ruins health, whereas the proportionate amount produces, increases, and preserves it.

20 §7 The same is true, then, of temperance, bravery, and the other virtues. For if, for instance, someone avoids and is afraid of everything, standing firm against nothing, he becomes cowardly; if he is afraid of nothing at all and goes to face everything, he becomes rash. Similarly, if he gratifies himself with every pleasure and abstains from none, he becomes intemperate; if he avoids them all, as boors do, he becomes some sort of insensible person. Temperance and bravery, then, are ruined by excess and deficiency, but preserved by the mean.*

§8 But these actions are not only the sources and causes both of the emergence and growth of virtues and of their ruin; the activities of the virtues [once we have acquired them] also consist in these same actions.* For this is also true of more evident cases; strength, for instance, arises from eating a lot and from withstanding much hard labor, and it is the strong person who is most capable of these very actions. §9 It is the same with the virtues. For abstaining from pleasures makes us become temperate, and once we have become temperate 35 we are most capable of abstaining from pleasures. It is similar with 1104b bravery; habituation in disdain for frightening situations and in standing firm against them makes us become brave, and once we have become brave we shall be most capable of standing firm.

3

[The Importance of Pleasure and Pain]

5 But we must take someone's pleasure or pain following on his actions to be a sign of his state.* For if someone who abstains from bodily pleasures enjoys the abstinence itself, he is temperate; if he is grieved by it, he is intemperate.* Again, if he stands firm against terrifying situations and enjoys it, or at least does not find it painful, he is brave; if he finds it painful, he is cowardly. For virtue of character is about pleasures and pains.*

For pleasure causes us to do base actions, and pain causes us to abstain from fine ones. §2 That is why we need to have had the appropriate upbringing—right from early youth, as Plato says*—to make us find enjoyment or pain in the right things; for this is the correct education. 1104b10

§3 Further, virtues are concerned with actions and feelings; but every feeling and every action implies pleasure or pain;* hence, for this reason too, virtue is about pleasures and pains. §4 Corrective treatments also indicate this, since they use pleasures and pains; for correction is a form of medical treatment, and medical treatment naturally operates through contraries. 15

§5 Further, as we said earlier, every state of soul is naturally related to and about whatever naturally makes it better or worse; and pleasures and pains make people base, from pursuing and avoiding the wrong ones, at the wrong time, in the wrong ways, or whatever other distinctions of that sort are needed in an account. These [bad effects of pleasure and pain] are the reason why people actually define the virtues as ways of being unaffected and undisturbed [by pleasures and pains].* They are wrong, however, because they speak of being unaffected without qualification, not of being unaffected in the right or wrong way, at the right or wrong time, and the added qualifications. 20 25

§6 We assume, then, that virtue is the sort of state that does the best actions concerning pleasures and pains, and that vice is the contrary state.

§7 The following will also make it evident that virtue and vice are about the same things. For there are three objects of choice—fine, expedient, and pleasant—and three objects of avoidance—their contraries, shameful, harmful, and painful.* About all these, then, the good person is correct and the bad person is in error, and especially about pleasure. For pleasure is shared with animals, and implied by every object of choice, since what is fine and what is expedient appear pleasant as well. 30 35 1105a

§8 Further, pleasure grows up with all of us from infancy on. That is why it is hard to rub out this feeling that is dyed into our lives. We also estimate actions [as well as feelings]—some of us more, some less—by pleasure and pain. §9 For this reason, our whole discussion must be about these; for good or bad enjoyment or pain is very important for our actions. 5

§10 Further, it is more difficult to fight pleasure than to fight spirit—and Heracleitus tells us [how difficult it is to fight spirit].* Now both craft and virtue are in every case about what is more difficult, since a good result is even better when it is more difficult. Hence, for this reason also, the whole discussion, for virtue and political science alike, must consider pleasures and pains; for if we use these well, we shall be good, and if badly, bad. 10

§11 To sum up: Virtue is about pleasures and pains; the actions that are its sources also increase it or, if they are done badly, ruin it; and its activity is about the same actions as those that are its sources. 15

4

[Virtuous Actions versus Virtuous Character]

1105a Someone might be puzzled, however, about what we mean by saying that we become just by doing just actions and become temperate by doing temperate actions.* For [one might suppose that] if we do grammatical or
 20 musical actions, we are grammarians or musicians, and, similarly, if we do just or temperate actions, we are thereby just or temperate.

§2 But surely actions are not enough, even in the case of crafts;* for it is possible to produce a grammatical result by chance, or by following someone else's instructions. To be grammarians, then, we must both pro-
 25 duce a grammatical result and produce it grammatically—that is to say, produce it in accord with the grammatical knowledge in us.

§3 Moreover, in any case, what is true of crafts is not true of virtues.* For the products of a craft determine by their own qualities whether they have been produced well; and so it suffices that they have the right qualities when they have been produced.* But for actions in accord with the
 30 virtues to be done temperately or justly it does not suffice that they themselves have the right qualities.* Rather, the agent must also be in the right state when he does them. First, he must know [that he is doing virtuous actions]; second, he must decide on them, and decide on them for themselves; and, third, he must also do them from a firm and unchanging state.

1105b As conditions for having a craft, these three do not count, except for the bare knowing.* As a condition for having a virtue, however, the knowing counts for nothing, or [rather] for only a little, whereas the other two conditions are very important, indeed all-important. And we achieve
 5 these other two conditions by the frequent doing of just and temperate actions.

§4 Hence actions are called just or temperate when they are the sort that a just or temperate person would do. But the just and temperate person is not the one who [merely] does these actions, but the one who also does them in the way in which just or temperate people do them.

10 §5 It is right, then, to say that a person comes to be just from doing just actions and temperate from doing temperate actions; for no one has the least prospect of becoming good from failing to do them.

§6 The many, however, do not do these actions. They take refuge in arguments, thinking that they are doing philosophy, and that this is the
 15 way to become excellent people. They are like a sick person who listens attentively to the doctor, but acts on none of his instructions. Such a course of treatment will not improve the state of the sick person's body; nor will the many improve the state of their souls by this attitude to philosophy.*

DAVID
HUME

ESSAYS

MORAL

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AND

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PART I*

ESSAYS MORAL, POLITICAL, AND LITERARY

ESSAY I

OF THE DELICACY OF TASTE AND PASSION*

Some People are subject to a certain *delicacy* of *passion*,¹ which makes them extremely sensible to all the accidents of life, and gives them a lively joy upon every prosperous event, as well as a piercing grief, when they meet with misfortunes and adversity. Favours and [good offices](#)^o easily engage their friendship; while the smallest injury provokes their resentment. Any honour or mark of distinction elevates them above measure; but they are as sensibly [touched with contempt](#).^o People of this character have, no doubt, more lively enjoyments, as well as more [pungent](#)^o sorrows, than men of cool and sedate tempers: But, I believe, when every thing is balanced, there is no one, who would not rather be of the latter character, were he entirely master of his own disposition. Good or ill fortune is very little at our disposal: And when a person, that has this [sensibility](#)^o of temper, meets with any misfortune, his sorrow or resentment takes entire possession of him, and deprives him of all relish in the common occurrences of life; the right enjoyment of which forms the chief part of our happiness. Great pleasures are much less frequent than great pains; so that a sensible temper must meet with fewer trials in the former way than in the latter. Not to mention, that men of such lively passions are apt to be transported beyond all bounds of prudence and discretion, and to take false steps in the conduct of life, which are often irretrievable.

There is a *delicacy* of *taste* observable in some men, which very much resembles this *delicacy* of *passion*, and produces the same sensibility to beauty and deformity of every kind, as that does to prosperity and adversity, obligations and injuries. When you present a poem or a picture to a man possessed of this talent, the delicacy of his feeling makes him be sensibly touched with every part of it; nor are the masterly strokes perceived with more exquisite relish and satisfaction, than the negligences or absurdities with disgust and uneasiness. A polite and judicious conversation affords him the highest entertainment; rudeness or impertinence is as great a punishment to him. In short, delicacy of taste has the same effect as delicacy of passion: It enlarges the sphere both of our happiness and misery, and makes us sensible to pains as well as pleasures, which escape the rest of mankind.

I believe, however, every one will agree with me, that, notwithstanding this resemblance, delicacy of taste is as much to be desired and cultivated as delicacy of passion is to be lamented, and to be remedied, if possible. The good or ill accidents of life are very little at our disposal; but we are pretty much masters what books we shall read, what diversions we shall partake of, and what company we shall keep.

Philosophers have endeavoured to render happiness entirely independent of every thing external. That degree of perfection is impossible to be *attained*: But every wise man will endeavour to place his happiness on such objects chiefly as depend upon himself: and *that* is not to be *attained* so much by any other means as by this delicacy of sentiment.² When a man is possessed of that talent, he is more happy by what pleases his taste, than by what gratifies his appetites, and receives more enjoyment from a poem or a piece of reasoning than the most expensive luxury can afford.^a

Whatever connection there may be originally³ between these two species of delicacy, I am persuaded, that nothing is so proper to cure us of this delicacy of passion, as the cultivating of that higher and more refined taste, which enables us to judge of the characters of men, of compositions of genius, and of the productions of the *nobler arts*.^o A greater or less relish for those obvious beauties, which strike the senses, depends entirely upon the greater or less sensibility of the temper: But with regard to the sciences and liberal arts, a fine taste is, in some measure, the same with strong sense, or at least depends so much upon it, that they are inseparable. In order to judge aright of a composition of genius, there are so many views to be taken in, so many circumstances to be compared, and such a knowledge of human nature requisite, that no man, who is not possessed of the soundest judgment, will ever make a tolerable critic in such performances. And this is a new reason for cultivating a *relish*^o in the liberal arts. Our judgment will strengthen by this exercise: We shall form juster notions of life: Many things, which please or afflict others, will appear to us too frivolous to engage our attention: And we shall lose by degrees that sensibility and delicacy of passion, which is so *incommodious*.^o

But perhaps I have gone too far in saying, that a cultivated taste for the polite arts extinguishes the passions, and renders us indifferent to those objects, which are so fondly pursued by the rest of mankind. On farther reflection, I find, that it rather improves our sensibility for all the tender and agreeable passions; at the same time that it renders the mind incapable of the rougher and more boisterous emotions.

*Ingenuas didicisse fideliter artes,
Emollit mores, nec sinit esse feros.*⁴

For this, I think there may be assigned two very natural reasons. In the *first* place, nothing is so improving to the temper as the study of the beauties, either of poetry, eloquence, music, or painting. They give a certain elegance of sentiment to which the rest of mankind are strangers. The emotions which they excite are soft and tender. They draw off the mind from the hurry of business and interest; cherish reflection; dispose to tranquillity; and produce an agreeable *melancholy*.^o which, of all dispositions of the mind, is the best suited to love and friendship.

In the *second* place, a delicacy of taste is favourable to love and friendship, by confining our choice to few people, and making us indifferent to the company and conversation of the greater part of men. You will seldom find, that mere men of the world, whatever strong sense they may be endowed with, are very *nice*^o in distinguishing characters, or in marking those insensible differences and gradations, which make one man preferable to another. Any one, that has competent sense, is

sufficient for their entertainment: They talk to him, of their pleasure and affairs, with the same frankness that they would to another; and finding many, who are fit to supply his place, they never feel any [vacancy](#)^o or [want](#)^o in his absence. But to make use of the allusion of a celebrated French [5](#) author, the judgment [6](#) may be compared to a clock or watch, where the most ordinary machine is sufficient to tell the hours; but the most elaborate alone can point out the minutes and seconds, and distinguish the smallest differences of time. One that has well digested his knowledge both of books and men, has little enjoyment but in the company of a few select companions. He feels too [sensibly](#)^o how much all the rest of mankind fall short of the notions which he has entertained. And, his affections being thus confined within a narrow circle, no wonder he carries them further, than if they were more general and undistinguished. The gaiety and frolic of a [bottle companion](#)^o improves with him into a solid friendship: And the ardours of a youthful appetite become an elegant passion.

46
R.S. gave this book
to the Rev^d. Mr. Fell. & after his
decease, to J. C. Davis.

THE THEORY

O F

MORAL SENTIMENTS.

BY ADAM SMITH,
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University of GLASGOW.

THE SECOND EDITION.



L O N D O N :

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M DCC LXI.

CHAP. III*Of the unsocial Passions*

- 1 THERE IS another set of passions, which, though derived from the imagination, yet before we can enter into them, or regard them as graceful or becoming, must always be brought down to a pitch much lower than that to which undisciplined nature would raise them. These are, hatred and resentment, with all their different modifications. With regard to all such passions, our sympathy is divided between the person who feels them, and the person who is the object of them. The interests of these two are directly opposite. What our sympathy with the person who feels them would prompt us to wish for, our fellow-feeling with the other would lead us to fear. As they are both men, we are concerned for both, and our fear for what the one may suffer, damps our resentment for what the other has suffered. Our sympathy, therefore, with the man who has received the provocation, necessarily falls short of the passion which naturally animates him, not only upon account of those general causes which render all sympathetic passions inferior to the original ones, but upon account of that particular cause which is peculiar to itself, our opposite sympathy with another person. Before resentment, therefore, can become graceful and agreeable, it must be more humbled and brought down below that pitch to which it would naturally rise, than almost any other passion.
- 2 Mankind, at the same time, have a very strong sense of the injuries that are done to another. The villain, in a tragedy or romance, is as much the object of our indignation, as the hero is that of our sympathy and affection. We detest Iago as much as we esteem Othello; and delight as much in the punishment of the one, as we are grieved at the distress of the other. But though mankind have so strong a fellow-feeling with the injuries that are done to their brethren, they do not always resent them the more that the sufferer appears to resent them. Upon most occasions, the greater his patience, his mildness, his humanity, provided it does not appear that he wants spirit, or that fear was the motive of his forbearance, the higher their resentment against the person who injured him. The amiableness of the character exasperates their sense of the atrocity of the injury.
- 3 Those passions, however, are regarded as necessary parts of the character of human nature. A person becomes contemptible who tamely sits still, and submits to insults, without attempting either to repel or to revenge them. We cannot enter into his indifference and insensibility: we call his behaviour mean-spiritedness, and are as really provoked by it as by the insolence of his adversary. Even the mob are enraged to see any man submit patiently to affronts and ill usage. They desire to see this insolence resented, and resented by the person who suffers from

it. They cry to him with fury, to defend, or to revenge himself. If his indignation rouses at last, they heartily applaud, and sympathize with it. It enlivens their own indignation against his enemy, whom they rejoice to see him attack in his turn, and are as really gratified by his revenge, provided it is not immoderate, as if the injury had been done to themselves.

- 4 But though the utility of those passions to the individual, by rendering it dangerous to insult or injure him, be acknowledged; and though their utility to the public, as the guardians of justice, and of the equality of its administration, be not less considerable, as shall be shewn hereafter; yet there is still something disagreeable in the passions themselves, which makes the appearance of them in other men the natural object of our aversion. The expression of anger towards any body present, if it exceeds a bare intimation that we are sensible of his ill usage, is regarded not only as an insult to that particular person, but as a rudeness to the whole company. Respect for them ought to have restrained us from giving way to so boisterous and offensive an emotion. It is the remote effects of these passions which are agreeable; the immediate effects are mischief to the person against whom they are directed. But it is the immediate, and not the remote effects of objects which render them agreeable or disagreeable to the imagination. A prison is certainly more useful to the public than a palace; and the person who founds the one is generally directed by a much juster spirit of patriotism, than he who builds the other. But the immediate effects of a prison, the confinement of the wretches shut up in it, are disagreeable; and the imagination either does not take time to trace out the remote ones, or sees them at too great a distance to be much affected by them. A prison, therefore, will always be a disagreeable object; and the fitter it is for the purpose for which it was intended, it will be the more so. A palace, on the contrary, will always be agreeable; yet its remote effects may often be inconvenient to the public. It may serve to promote luxury, and set the example of the dissolution of manners. Its immediate effects, however, the conveniency, the pleasure, and the gaiety of the people who live in it, being all agreeable, and suggesting to the imagination a thousand agreeable ideas, that faculty generally rests upon them, and seldom goes further in tracing its more distant consequences. Trophies of the instruments of music or of agriculture, imitated in painting or in stucco, make a common and an agreeable ornament of our halls and dining-rooms. A trophy of the same kind, composed of the instruments of surgery, of dissecting and amputation-knives, of saws for cutting the bones, of trepanning instruments, etc. would be absurd and shocking. Instruments of surgery, however, are always more finely polished, and generally more nicely adapted to the purposes for which they are intended, than instruments of agriculture. The remote effects of them too,

the health of the patient, is agreeable; yet as the immediate effect of them is pain and suffering, the sight of them always displeases us. Instruments of war are agreeable, though their immediate effect may seem to be in the same manner pain and suffering. But then it is the pain and suffering of our enemies, with whom we have no sympathy. With regard to us, they are immediately connected with the agreeable ideas of courage, victory, and honour. They are themselves, therefore, supposed to make one of the noblest parts of dress, and the imitation of them one of the finest ornaments of architecture. It is the same case with the qualities of the mind. The ancient stoics were of opinion, that as the world was governed by the all-ruling providence of a wise, powerful, and good God, every single event ought to be regarded, as making a necessary part of the plan of the universe, and as tending to promote the general order and happiness of the whole: that the vices and follies of mankind, therefore, made as necessary a part of this plan as their wisdom or their virtue; and by that eternal art which educes good from ill, were made to tend equally to the prosperity and perfection of the great system of nature. No speculation of this kind, however, how deeply soever it might be rooted in the mind, could diminish our natural abhorrence for vice, whose immediate effects are so destructive, and whose remote ones are too distant to be traced by the imagination.

- 5 It is the same case with those passions we have been just now considering. Their immediate effects are so disagreeable, that even when they are most justly provoked, there is still something about them which disgusts us. These, therefore, are the only passions of which the expressions, as I formerly observed, do not dispose and prepare us to sympathize with them, before we are informed of the cause which excites them. The plaintive voice of misery, when heard at a distance, will not allow us to be indifferent about the person from whom it comes. As soon as it strikes our ear, it interests us in his fortune, and, if continued, forces us almost involuntarily to fly to his assistance. The sight of a smiling countenance, in the same manner, elevates even the pensive into that gay and airy mood, which disposes him to sympathize with, and share the joy which it expresses; and he feels his heart, which with thought and care was before that shrunk and depressed, instantly expanded and elated. But it is quite otherwise with the expressions of hatred and resentment. The hoarse, boisterous, and discordant voice of anger, when heard at a distance, inspires us either with fear or aversion. We do not fly towards it, as to one who cries out with pain and agony. Women, and men of weak nerves, tremble and are overcome with fear, though sensible that themselves are not the objects of the anger. They conceive fear, however, by putting themselves in the situation of the person who is so. Even those of stouter hearts are disturbed;

not indeed enough to make them afraid, but enough to make them angry; for anger is the passion which they would feel in the situation of the other person. It is the same case with hatred. Mere expressions of spite inspire it against nobody, but the man who uses them. Both these passions are by nature the objects of our aversion. Their disagreeable and boisterous appearance never excites, never prepares, and often disturbs our sympathy. Grief does not more powerfully engage and attract us to the person in whom we observe it, than these, while we are ignorant of their cause, disgust and detach us from him. It was, it seems, the intention of Nature, that those rougher and more unamiable emotions, which drive men from one another, should be less easily and more rarely communicated.

- 6 When music imitates the modulations of grief or joy, it either actually inspires us with those passions, or at least puts us in the mood which disposes us to conceive them. But when it imitates the notes of anger, it inspires us with fear. Joy, grief, love, admiration, devotion, are all of them passions which are naturally musical. Their natural tones are all soft, clear, and melodious; and they naturally express themselves in periods which are distinguished by regular pauses, and which upon that account are easily adapted to the regular returns of the correspondent airs of a tune. The voice of anger, on the contrary, and of all the passions which are akin to it, is harsh and discordant. Its periods too are all irregular, sometimes very long, and sometimes very short, and distinguished by no regular pauses. It is with difficulty, therefore, that music can imitate any of those passions; and the music which does imitate them is not the most agreeable. A whole entertainment may consist, without any impropriety, of the imitation of the social and agreeable passions. It would be a strange entertainment which consisted altogether of the imitations of hatred and resentment.

- 7 If those passions are disagreeable to the spectator, they are not less so to the person who feels them. Hatred and anger are the greatest poison to the happiness of a good mind. There is, in the very feeling of those passions, something harsh, jarring, and convulsive, something that tears and distracts the breast, and is altogether destructive of that composure and tranquillity of mind which is so necessary to happiness, and which is best promoted by the contrary passions of gratitude and love. It is not the value of what they lose by the perfidy and ingratitude of those they live with, which the generous and humane are most apt to regret. Whatever they may have lost, they can generally be very happy without it. What most disturbs them is the idea of perfidy and ingratitude exercised towards themselves; and the discordant and disagreeable passions which this excites, constitute, in their own opinion, the chief part of the injury which they suffer.

- 8 How many things are requisite to render the gratification of resentment completely agreeable, and to make the spectator thoroughly sympathize with our revenge? The provocation must first of all be such that we should become contemptible, and be exposed to perpetual insults, if we did not, in some measure, resent it. Smaller offences are always better neglected; nor is there any thing more despicable than that froward and captious humour which takes fire upon every slight occasion of quarrel. We should resent more from a sense of the propriety of resentment, from a sense that mankind expect and require it of us, than because we feel in ourselves the furies of that disagreeable passion. There is no passion, of which the human mind is capable, concerning whose justness we ought to be so doubtful, concerning whose indulgence we ought so carefully to consult our natural sense of propriety, or so diligently to consider what will be the sentiments of the cool and impartial spectator. Magnanimity, or a regard to maintain our own rank and dignity in society, is the only motive which can ennoble the expressions of this disagreeable passion. This motive must characterize our whole stile and deportment. These must be plain, open, and direct; determined without positiveness, and elevated without insolence; not only free from petulance and low scurrility, but generous, candid, and full of all proper regards, even for the person who has offended us. It must appear, in short, from our whole manner, without our labouring affectedly to express it, that passion has not extinguished our humanity; and that if we yield to the dictates of revenge, it is with reluctance, from necessity, and in consequence of great and repeated provocations. When resentment is guarded and qualified in this manner, it may be admitted to be even generous and noble.

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ESSAY XIV

OF THE RISE AND PROGRESS OF THE ARTS AND SCIENCES

Nothing requires greater [nicety](#),^o in our enquiries concerning human affairs, than to distinguish exactly what is owing to *chance*, and what proceeds from *causes*; nor is there any subject, in which an author is more liable to deceive himself by false subtilties and refinements. To say, that any event is derived from chance, cuts short all farther enquiry concerning it, and leaves the writer in the same state of ignorance with the rest of mankind. But when the event is supposed to proceed from certain and stable causes, he may then display his ingenuity, in assigning these causes; and as a man of any subtilty can never be at a loss in this particular, he has thereby an opportunity of swelling his volumes, and discovering his profound knowledge, in observing what escapes the vulgar and ignorant.

The distinguishing between chance and causes must depend upon every particular man's sagacity, in considering every particular incident. But, if I were to assign any general rule to help us in applying this distinction, it would be the following, *What depends upon a few persons is, in a great measure, to be ascribed to chance, or secret and unknown causes: What arises from a great number, may often be accounted for by determinate and known causes.*

Two natural reasons may be assigned for this rule. *First*, If you suppose a dye to have any biass, however small, to a particular side, this biass, though, perhaps, it may not appear in a few throws, will certainly prevail in a great number, and will cast the balance entirely to that side. In like manner, when any *causes* beget a particular inclination or passion, at a certain time, and among a certain people; though many individuals may escape the contagion, and be ruled by passions peculiar to themselves; yet the multitude will certainly be seized by the common affection, and be governed by it in all their actions.

Secondly, Those principles or causes, which are fitted to operate on a multitude, are always of a grosser and more stubborn nature, less subject to accidents, and less influenced by whim and private fancy, than those which operate on a few only. The latter are commonly so delicate and refined, that the smallest incident in the health, education, or fortune of a particular person, is sufficient to divert their course, and retard their operation; nor is it possible to reduce them to any general maxims or observations. Their influence at one time will never assure us concerning their influence at another; even though all the general circumstances should be the same in both cases.

To judge by this rule, the domestic and the gradual revolutions of a state must be a more proper subject of reasoning and observation, than the foreign and the violent, which are commonly produced by single persons, and are more influenced by whim,

folly, or caprice, than by general passions and interests. The depression of the lords, and rise of the commons in England, after the statutes of alienation and the encrease of trade and industry, are more easily accounted for by general principles, than the depression of the Spanish, and rise of the French monarchy, after the death of Charles Quint.¹ Had Harry IV. Cardinal Richlieu, and Louis XIV. been Spaniards; and Philip II. III. and IV. and Charles II. been Frenchmen, the history of these two nations had been entirely reversed.²

For the same reason, it is more easy to account for the rise and progress of commerce in any kingdom, than for that of learning; and a state, which should apply itself to the encouragement of the one, would be more assured of success, than one which should cultivate the other. Avarice, or the desire of gain, is an universal passion, which operates at all times, in all places, and upon all persons: But curiosity, or the love of knowledge, has a very limited influence, and requires youth, leisure, education, genius, and example, to make it govern any person. You will never want booksellers, while there are buyers of books: But there may frequently be readers where there are no authors. Multitudes of people, necessity and liberty, have begotten commerce in Holland: But study and application have scarcely produced any eminent writers.

We may, therefore, conclude, that there is no subject, in which we must proceed with more caution, than in tracing the history of the arts and sciences; lest we assign causes which never existed, and reduce what is merely contingent to stable and universal principles. Those who cultivate the sciences in any state, are always few in number: The passion, which governs them, limited: Their taste and judgment delicate and easily perverted: And their application disturbed with the smallest accident. Chance, therefore, or secret and unknown causes, must have a great influence on the rise and progress of all the refined arts.

But there is a reason, which induces me not to ascribe the matter altogether to chance. Though the persons, who cultivate the sciences with such astonishing success, as to attract the admiration of posterity, be always few, in all nations and all ages; it is impossible but a share of the same spirit and genius must be antecedently diffused throughout the people among whom they arise, in order to produce, form, and cultivate, from their earliest infancy, the taste and judgment of those eminent writers. The mass cannot be altogether insipid, from which such refined spirits are extracted. *There is a God within us*, says Ovid, *who breathes that divine fire, by which we are animated*.³ Poets, in all ages, have advanced this claim to inspiration. There is not, however, any thing supernatural in the case. Their fire is not kindled from heaven. It only runs along the earth; is caught from one breast to another; and burns brightest, where the materials are best prepared, and most happily disposed. The question, therefore, concerning the rise and progress of the arts and sciences, is not altogether a question concerning the taste, genius, and spirit of a few, but concerning those of a whole people; and may, therefore, be accounted for, in some measure, by general causes and principles. I grant, that a man, who should enquire, why such a particular poet, as Homer,⁴ for instance, existed, at such a place, in such a time, would throw himself headlong into [chimæra](#),^o and could never treat of such a subject, without a multitude of false subtilties and refinements. He might as well pretend to give a reason, why such particular generals, as Fabius and Scipio, lived in Rome at such a

time, and why Fabius came into the world before Scipio.⁵ For such incidents as these, no other reason can be given than that of Horace:

Scit genius, natale comes, qui temperat astrum,
Naturæ Deus humanæ, mortalis in unum—
—Quodque caput, vultu mutabilis, albus & ater.⁶

But I am persuaded, that in many cases good reasons might be given, why such a nation is more polite and learned, at a particular time, than any of its neighbours. At least, this is so curious a subject, that it were a pity to abandon it entirely, before we have found whether it be susceptible of reasoning, and can be reduced to any general principles.^a

My first observation on this head is, *That it is impossible for the arts and sciences to arise, at first, among any people unless that people enjoy the blessing of a free government.*

In the first ages of the world, when men are as yet barbarous and ignorant, they seek no farther security against mutual violence and injustice, than the choice of some rulers, few or many, in whom they place an implicit confidence, without providing any security, by laws or political institutions, against the violence and injustice of these rulers. If the authority be centered in a single person, and if the people, either by conquest, or by the ordinary course of propagation, encrease to a great multitude, the monarch, finding it impossible, in his own person, to execute every office of sovereignty, in every place, must delegate his authority to inferior magistrates, who preserve peace and order in their respective districts. As experience and education have not yet refined the judgments of men to any considerable degree, the prince, who is himself unrestrained, never dreams of restraining his ministers, but delegates his full authority to every one, whom he sets over any portion of the people. All general laws are attended with inconveniencies, when applied to particular cases; and it requires great penetration and experience, both to perceive that these inconveniencies are fewer than what result from full discretionary powers in every magistrate; and also to discern what general laws are, upon the whole, attended with fewest inconveniencies. This is a matter of so great difficulty, that men may have made some advances, even in the sublime arts of poetry and eloquence, where a rapidity of genius and imagination assists their progress, before they have arrived at any great refinement in their municipal laws, where frequent trials and diligent observation can alone direct their improvements. It is not, therefore, to be supposed, that a barbarous monarch, unrestrained and uninstructed, will ever become a legislator, or think of restraining his *Bashaws*,^o in every province, or even his *Cadis*^o in every village. We are told, that the late *Czar*,⁷ though actuated with a noble genius, and smit with the love and admiration of European arts; yet professed an esteem for the Turkish policy in this particular, and approved of such summary decisions of causes, as are practised in that barbarous monarchy, where the judges are not restrained by any methods, forms, or laws. He did not perceive, how contrary such a practice would have been to all his other endeavours for refining his people. Arbitrary power, in all cases, is somewhat oppressive and debasing; but it is altogether ruinous and intolerable, when contracted into a small compass; and becomes still worse, when the person, who

possesses it, knows that the time of his authority is limited and uncertain. *Habet subjectos tanquam suos; viles, ut alienos.*⁸ He governs the subjects with full authority, as if they were his own; and with negligence or tyranny, as belonging to another. A people, governed after such a manner, are slaves in the full and proper sense of the word; and it is impossible they can ever aspire to any refinements of taste or reason. They dare not so much as pretend to enjoy the necessities of life in plenty or security.

To expect, therefore, that the arts and sciences should take their first rise in a monarchy, is to expect a contradiction. Before these refinements have taken place, the monarch is ignorant and uninstructed; and not having knowledge sufficient to make him sensible of the necessity of balancing his government upon general laws, he delegates his full power to all inferior magistrates. This barbarous policy debases the people, and for ever prevents all improvements. Were it possible, that, before science were known in the world, a monarch could possess so much wisdom as to become a legislator, and govern his people by law, not by the arbitrary will of their fellow-subjects, it might be possible for that species of government to be the first nursery of arts and sciences. But that supposition seems scarcely to be consistent or rational.

It may happen, that a republic, in its infant state, may be supported by as few laws as a barbarous monarchy, and may entrust as unlimited an authority to its magistrates or judges. But, besides that the frequent elections by the people, are a considerable check upon authority; it is impossible, but, in time, the necessity of restraining the magistrates, in order to preserve liberty, must at last appear, and give rise to general laws and statutes. The Roman Consuls, for some time, decided all causes, without being confined by any positive statutes, till the people, bearing this yoke with impatience, created the *decemvirs*, who promulgated the *twelve tables*; a body of laws, which, though, perhaps, they were not equal in bulk to one English act of parliament, were almost the only written rules, which regulated property and punishment, for some ages, in that famous republic. They were, however, sufficient, together with the forms of a free government, to secure the lives and properties of the citizens, to exempt one man from the dominion of another; and to protect every one against the violence or tyranny of his fellow-citizens. In such a situation the sciences may raise their heads and flourish: But never can have being amidst such a scene of oppression and slavery, as always results from barbarous monarchies, where the people alone are restrained by the authority of the magistrates, and the magistrates are not restrained by any law or statute. An unlimited despotism of this nature, while it exists, effectually puts a stop to all improvements, and keeps men from attaining that knowledge, which is requisite to instruct them in the advantages, arising from a better police, and more moderate authority.

Here then are the advantages of free states. Though a republic should be barbarous, it necessarily, by an infallible operation, gives rise to Law, even before mankind have made any considerable advances in the other sciences. From law arises security: From security curiosity: And from curiosity knowledge. The latter steps of this progress may be more accidental; but the former are altogether necessary. A republic without laws can never have any duration. On the contrary, in a monarchical government, law arises not necessarily from the forms of government. Monarchy, when absolute,

contains even something repugnant to law. Great wisdom and reflexion can alone reconcile them. But such a degree of wisdom can never be expected, before the greater refinements and improvements of human reason. These refinements require curiosity, security, and law. The *first* growth, therefore, of the arts and sciences can never be expected in despotic governments.^b

There are other causes, which discourage the rise of the refined arts in despotic governments; though I take the want of laws, and the delegation of full powers to every petty magistrate, to be the principal. Eloquence certainly springs up more naturally in popular governments: Emulation too in every accomplishment must there be more animated and enlivened: And genius and capacity have a fuller scope and career. All these causes render free governments the only proper *nursery* for the arts and sciences.

The next observation, which I shall make on this head, is, *That nothing is more favourable to the rise of politeness and learning, than a number of neighbouring and independent states, connected together by commerce and policy.* The emulation, which naturally arises among those neighbouring states, is an obvious source of improvement: But what I would chiefly insist on is the ^c[stop](#), which such limited territories give both to *power* and to *authority*.

Extended governments, where a single person has great influence, soon become absolute; but small ones change naturally into commonwealths. A large government is accustomed by degrees to tyranny; because each act of violence is at first performed upon a part, which, being distant from the majority, is not taken notice of, nor excites any violent ferment. Besides, a large government, though the whole be discontented, may, by a little art, be kept in obedience; while each part, ignorant of the resolutions of the rest, is afraid to begin any commotion or insurrection. Not to mention, that there is a superstitious reverence for princes, which mankind naturally contract when they do not often see the sovereign, and when many of them become not acquainted with him so as to perceive his weaknesses. And as large states can afford a great expence, in order to support the pomp of majesty; this is a kind of fascination on men, and naturally contributes to the enslaving of them.

In a small government, any act of oppression is immediately known throughout the whole: The murmurs and discontents, proceeding from it, are easily communicated: And the indignation arises the higher, because the subjects are not apt to apprehend in such states, that the distance is very wide between themselves and their sovereign. “No man,” said the prince of Conde, “is a hero to his *Valet de Chambre*.”⁹ It is certain that admiration and acquaintance are altogether incompatible towards any mortal creature.^c Sleep and love convinced even Alexander himself that he was not a God: But I suppose that such as daily attended him could easily, from the numberless weaknesses to which he was subject, have given him many still more convincing proofs of his humanity.

But the divisions into small states are favourable to learning, by stopping the progress of *authority* as well as that of *power*. Reputation is often as great a fascination upon men as sovereignty, and is equally destructive to the freedom of thought and

examination. But where a number of neighbouring states have a great intercourse of arts and commerce, their mutual jealousy keeps them from receiving too lightly the law from each other, in matters of taste and of reasoning, and makes them examine every work of art with the greatest care and accuracy. The contagion of popular opinion spreads not so easily from one place to another. It readily receives a check in some state or other, where it concurs not with the prevailing prejudices. And nothing but nature and reason, or, at least, what bears them a strong resemblance,[d](#) can force its way through all obstacles, and unite the most rival nations into an esteem and admiration of it.

Greece was a cluster of little principalities, which soon became republics; and being united both by their near neighbourhood, and by the ties of the same language and interest, they entered into the closest intercourse of commerce and learning. There concurred a happy climate, a soil not unfertile, and a most harmonious and comprehensive language; so that every circumstance among that people seemed to favour the rise of the arts and sciences. Each city produced its several artists and philosophers, who refused to yield the preference to those of the neighbouring republics: Their contention and debates sharpened the wits of men: A variety of objects was presented to the judgment, while each challenged the preference to the rest: and the sciences, not being dwarfed by the restraint of authority, were enabled to make such considerable shoots, as are, even at this time, the objects of our admiration. After the Roman *christian*, or *catholic* church had spread itself over the civilized world, and had engrossed all the learning of the times; being really one large state within itself, and united under one head; this variety of sects immediately disappeared, and the Peripatetic philosophy was alone admitted into all the schools,[10](#) to the utter depravation of every kind of learning. But mankind, having at length thrown off this yoke, affairs are now returned nearly to the same situation as before, and Europe is at present a copy at large, of what Greece was formerly a pattern in miniature. We have seen the advantage of this situation in several instances. What checked the progress of the Cartesian philosophy,[11](#) to which the French nation shewed such a strong propensity towards the end of the last century, but the opposition made to it by the other nations of Europe, who soon discovered the weak sides of that philosophy? The severest scrutiny, which Newton's theory has undergone,[12](#) proceeded not from his own countrymen, but from foreigners; and if it can overcome the obstacles, which it meets with at present in all parts of Europe, it will probably go down triumphant to the latest posterity. The English are become sensible of the scandalous licentiousness of their stage, from the example of the French decency and morals. The French are convinced, that their theatre has become somewhat effeminate, by too much love and gallantry; and begin to approve of the more masculine taste of some neighbouring nations.

In China, there seems to be a pretty considerable stock of politeness and science, which, in the course of so many centuries, might naturally be expected to ripen into something more perfect and finished, than what has yet arisen from them. But China is one vast empire, speaking one language, governed by one law, and sympathizing in the same manners. The authority of any teacher, such as Confucius, was propagated easily from one corner of the empire to the other. None had courage to resist the torrent of popular opinion. And posterity was not bold enough to dispute what had

been universally received by their ancestors. This seems to be one natural reason, why the sciences have made so slow a progress in that mighty empire.¹³

If we consider the face of the globe, Europe, of all the four parts of the world, is the most broken by seas, rivers, and mountains; and Greece of all countries of Europe. Hence these regions were naturally divided into several distinct governments. And hence the sciences arose in Greece; and Europe has been hitherto the most constant habitation of them.

I have sometimes been inclined to think, that interruptions in the periods of learning, were they not attended with such a destruction of ancient books, and the records of history, would be rather favourable to the arts and sciences, by breaking the progress of authority, and dethroning the tyrannical usurpers over human reason. In this particular, they have the same influence, as interruptions in political governments and societies. Consider the blind submission of the ancient philosophers to the several masters in each school, and you will be convinced, that little good could be expected from a hundred centuries of such a servile philosophy. Even the Eclectics,¹⁴ who arose about the age of Augustus, notwithstanding their professing to chuse freely what pleased them from every different sect, were yet, in the main, as slavish and dependent as any of their brethren; since they sought for truth not in nature, but in the several schools; where they supposed she must necessarily be found, though not united in a body, yet dispersed in parts. Upon the revival of learning, those sects of Stoics and Epicureans, Platonists and Pythagoricians,¹⁵ could never regain any credit or authority; and, at the same time, by the example of their fall, kept men from submitting, with such blind deference, to those new sects, which have attempted to gain an ascendant over them.

The *third* observation, which I shall form on this head, of the rise and progress of the arts and sciences, is, *That though the only proper Nursery of these noble plants be a free state; yet may they be transplanted into any government; and that a republic is most favourable to the growth of the sciences, a civilized monarchy to that of the polite arts.*

To balance a large state or society, whether monarchical or republican, on general laws, is a work of so great difficulty, that no human genius, however comprehensive, is able, by the mere dint of reason and reflection, to effect it. The judgments of many must unite in this work: Experience must guide their labour: Time must bring it to perfection: And the feeling of inconveniencies must correct the mistakes, which they inevitably fall into, in their first trials and experiments. Hence appears the impossibility, that this undertaking should be begun and carried on in any monarchy; since such a form of government, [ere](#)° civilized, knows no other secret or policy, than that of entrusting unlimited powers to every governor or magistrate, and subdividing the people into so many classes and orders of slavery. From such a situation, no improvement can ever be expected in the sciences, in the liberal arts, in laws, and scarcely in the manual arts and manufactures. The same barbarism and ignorance, with which the government commences, is propagated to all posterity, and can never come to a period by the efforts or ingenuity of such unhappy slaves.

But though law, the source of all security and happiness, arises late in any government, and is the slow product of order and of liberty, it is not preserved with the same difficulty, with which it is produced; but when it has once taken root, is a hardy plant, which will scarcely ever perish through the ill culture of men, or the rigour of the seasons. The arts of luxury, and much more the liberal arts, which depend on a refined taste or sentiment, are easily lost; because they are always relished by a few only, whose leisure, fortune, and genius fit them for such amusements. But what is profitable to every mortal, and in common life, when once discovered, can scarcely fall into oblivion, but by the total subversion of society, and by such furious inundations of barbarous invaders, as obliterate all memory of former arts and civility. Imitation also is apt to transport these coarser and more useful arts from one climate to another, and make them precede the refined arts in their progress; though perhaps they sprang after them in their first rise and propagation. From these causes proceed civilized monarchies; where the arts of government, first invented in free states, are preserved to the mutual advantage and security of sovereign and subject.

However perfect, therefore, the monarchical form may appear to some politicians, it owes all its perfection to the republican; nor is it possible, that a pure despotism, established among a barbarous people, can ever, by its native force and energy, refine and polish itself. It must borrow its laws, and methods, and institutions, and consequently its stability and order, from free governments. These advantages are the sole growth of republics. The extensive despotism of a barbarous monarchy, by entering into the detail of the government, as well as into the principal points of administration, for ever prevents all such improvements.

In a civilized monarchy, the prince alone is unrestrained in the exercise of his authority, and possesses alone a power, which is not bounded by any thing but custom, example, and the sense of his own interest. Every minister or magistrate, however eminent, must submit to the general laws, which govern the whole society, and must exert the authority delegated to him after the manner, which is prescribed. The people depend on none but their sovereign, for the security of their property. He is so far removed from them, and is so much exempt from private jealousies or interests, that this dependence is scarcely felt. And thus a species of government arises, to which, in a high political [rant](#),^o we may give the name of *Tyranny*, but which, by a just and prudent administration, may afford tolerable security to the people, and may answer most of the ends of political society.

But though in a civilized monarchy, as well as in a republic, the people have security for the enjoyment of their property; yet in both these forms of government, those who possess the supreme authority have the disposal of many honours and advantages, which excite the ambition and avarice of mankind. The only difference is, that, in a republic, the candidates for office must look downwards, to gain the suffrages of the people; in a monarchy, they must turn their attention upwards, to court the good graces and favour of the great. To be successful in the former way, it is necessary for a man to make himself *useful*, by his industry, capacity, or knowledge: To be prosperous in the latter way, it is requisite for him to render himself *agreeable*, by his wit, complaisance, or civility. A strong genius succeeds best in republics: A refined

taste in monarchies. And consequently the sciences are the more natural growth of the one, and the polite arts of the other.

Not to mention, that monarchies, receiving their chief stability from a superstitious reverence to priests and princes, have commonly abridged the liberty of reasoning, with regard to religion, and politics, and consequently metaphysics and morals. All these form the most considerable branches of science. Mathematics and natural philosophy, which only remain, are not half so valuable.^e

Among the arts of conversation, no one pleases more than mutual deference or civility, which leads us to resign our own inclinations to those of our companion, and to curb and conceal that presumption and arrogance, so natural to the human mind. A good-natured man, who is well educated, practises this civility to every mortal, without premeditation or interest. But in order to render that valuable quality general among any people, it seems necessary to assist the natural disposition by some general motive. Where power rises upwards from the people to the great, as in all republics, such refinements of civility are apt to be little practised; since the whole state is, by that means, brought near to a level, and every member of it is rendered, in a great measure, independent of another. The people have the advantage, by the authority of their suffrages: The great, by the superiority of their station. But in a civilized monarchy, there is a long train of dependence from the prince to the peasant, which is not great enough to render property precarious, or depress the minds of the people; but is sufficient to beget in every one an inclination to please his superiors, and to form himself upon those models, which are most acceptable to people of condition and education. Politeness of manners, therefore, arises most naturally in monarchies and courts; and where that flourishes, none of the liberal arts will be altogether neglected or despised.

The republics in Europe are at present noted for want of politeness. *The good-manners of a Swiss civilized in Holland*,¹⁶ is an expression for rusticity among the French. The English, in some degree, fall under the same censure, notwithstanding their learning and genius. And if the Venetians be an exception to the rule, they owe it, perhaps, to their communication with the other Italians, most of whose governments beget a dependence more than sufficient for civilizing their manners.

It is difficult to pronounce any judgment concerning the refinements of the ancient republics in this particular: But I am apt to suspect, that the arts of conversation were not brought so near to perfection among them as the arts of writing and composition. The scurrility of the ancient orators, in many instances, is quite shocking, and exceeds all belief. Vanity too is often not a little offensive in authors of those ages;¹⁷ as well as the common licentiousness and immodesty of their stile, *Quicunque impudicus, adulter, ganeo, manu, ventre, pene, bona patria laceraverat*, says Sallust in one of the gravest and most moral passages of his history.¹⁸ *Nam fuit ante Helenam Cunnus teterrima belli Causa*, is an expression of Horace, in tracing the origin of moral good and evil.¹⁹ Ovid and Lucretius²⁰ are almost as licentious in their stile as Lord Rochester;²¹ though the former were fine gentlemen and delicate writers, and the latter,^g from the corruptions of that court, in which he lived, seems to have thrown off

all regard to shame and decency. Juvenal²² inculcates modesty with great zeal; but sets a very bad example of it, if we consider the impudence of his expressions.

I shall also be bold to affirm, that among the ancients, there was not much delicacy of breeding, or that polite deference and respect, which civility obliges us either to express or counterfeit towards the persons with whom we converse. Cicero was certainly one of the finest gentlemen of his age; yet I must confess I have frequently been shocked with the poor figure under which he represents his friend Atticus, in those dialogues, where he himself is introduced as a speaker. That learned and virtuous Roman, whose dignity, though he was only a private gentleman, was inferior to that of no one in Rome, is there shewn in rather a more pitiful light than Philaethes's friend in our modern dialogues. He is a humble admirer of the orator, pays him frequent compliments, and receives his instructions, with all the deference which a scholar owes to his master.²³ Even Cato is treated in somewhat of a cavalier manner in the dialogues *de finibus*.²⁴^h

One of the most particular details of a real dialogue, which we meet with in antiquity, is related by Polybius;²⁵ when Philip, king of Macedon, a prince of wit and parts, met with Titus Flamininus, one of the politest of the Romans, as we learn from Plutarch,²⁶ accompanied with ambassadors from almost all the Greek cities. The Ætolian ambassador very abruptly tells the king, that he talked like a fool or a madman (ληρητι?ν). *That's evident*, says his majesty, *even to a blind man*; which was a raillery on the blindness of his excellency. Yet all this did not pass the usual bounds: For the conference was not disturbed; and Flamininus was very well diverted with these strokes of humour. At the end, when Philip craved a little time to consult with his friends, of whom he had none present, the Roman general, being desirous also to shew his wit, as the historian says, tells him, *that perhaps the reason, why he had none of his friends with him, was because he had murdered them all*; which was actually the case. This unprovoked piece of rusticity is not condemned by the historian; caused no farther resentment in Philip, than to excite a Sardonian smile, or what we call a grin; and hindered him not from renewing the conference next day. Plutarch²⁷ too mentions this raillery amongst the witty and agreeable sayings of Flamininus.ⁱ^j

Cardinal Wolsey²⁸ apologized for his famous piece of insolence, in saying, *Ego et Rex meus, I and my king*, by observing, that this expression was conformable to the *Latin* idiom, and that a Roman always named himself before the person to whom, or of whom he spake. Yet this seems to have been an instance of want of civility among that people. The ancients made it a rule, that the person of the greatest dignity should be mentioned first in the discourse; insomuch, that we find the spring of a quarrel and jealousy between the Romans and Ætolians, to have been a poet's naming the Ætolians before the Romans, in celebrating a victory gained by their united arms over the Macedonians.²⁹ Thus Livia disgusted Tiberius by placing her own name before his in an inscription.³⁰^k

No advantages in this world are pure and unmixed. In like manner, as modern politeness, which is naturally so ornamental, runs often into affectation and [foppery](#).[°]

disguise and insincerity; so the ancient simplicity, which is naturally so amiable and affecting, often degenerates into rusticity and abuse, scurrility and obscenity.

If the superiority in politeness should be allowed to modern times, the modern notions of *gallantry*, the natural produce of courts and monarchies, will probably be assigned as the causes of this refinement. No one denies this invention to be modern:³¹ But some of the more zealous partizans of the ancients, have asserted it to be foppish and ridiculous, and a reproach, rather than a credit, to the present age.³² It may here be proper to examine this question.

Nature has implanted in all living creatures an affection between the sexes, which, even in the fiercest and most rapacious animals, is not merely confined to the satisfaction of the bodily appetite, but begets a friendship and mutual sympathy, which runs through the whole tenor of their lives. Nay, even in those species, where nature limits the indulgence of this appetite to one season and to one object, and forms a kind of marriage or association between a single male and female, there is yet a visible complacency and benevolence, which extends farther, and mutually softens the affections of the sexes towards each other.¹ How much more must this have place in man, where the confinement of the appetite is not natural; but either is derived accidentally from some strong charm of love, or arises from reflections on duty and convenience? Nothing, therefore, can proceed less from affectation than the passion of gallantry. It is *natural* in the highest degree. Art and education, in the most elegant courts, make no more alteration on it, than on all the other laudable passions. They only turn the mind more towards it; they refine it; they polish it; and give it a proper grace and expression.

But gallantry is as *generous* as it is *natural*. To correct such gross vices, as lead us to commit real injury on others, is the part of morals, and the object of the most ordinary education. Where *that* is not attended to, in some degree, no human society can subsist. But in order to render conversation, and the intercourse of minds more easy and agreeable, good-manners have been invented, and have carried the matter somewhat farther. Wherever nature has given the mind a propensity to any vice, or to any passion disagreeable to others, refined breeding has taught men to throw the bias on the opposite side, and to preserve, in all their behaviour, the appearance of sentiments different from those to which they naturally incline. Thus, as we are commonly proud and selfish, and apt to assume the preference above others, a polite man learns to behave with deference towards his companions, and to yield the superiority to them in all the common incidents of society. In like manner, wherever a person's situation may naturally beget any disagreeable suspicion in him, it is the part of good-manners to prevent it, by a studied display of sentiments, directly contrary to those of which he is apt to be jealous. Thus, old men know their infirmities, and naturally dread contempt from the youth: Hence, well-educated youth redouble the instances of respect and deference to their elders. Strangers and foreigners are without protection: Hence, in all polite countries, they receive the highest civilities, and are entitled to the first place in every company. A man is lord in his own family, and his guests are, in a manner, subject to his authority: Hence, he is always the lowest person in the company; attentive to the wants of every one; and giving himself all the trouble, in order to please, which may not betray too visible an affectation, or impose too

much constraint on his guests.³³ Gallantry is nothing but an instance of the same generous attention. As nature has given *man* the superiority above *woman*, by endowing him with greater strength both of mind and body; it is his part to alleviate that superiority, as much as possible, by the generosity of his behaviour, and by a studied deference and complaisance for all her inclinations and opinions. Barbarous nations display this superiority, by reducing their females to the most abject slavery; by confining them, by beating them, by selling them, by killing them. But the male sex, among a polite people, discover their authority in a more generous, though not a less evident manner; by civility, by respect, by complaisance, and, in a word, by gallantry. In good company, you need not ask, Who is the master of the feast? The man, who sits in the lowest place, and who is always industrious in helping every one, is certainly the person. We must either condemn all such instances of generosity, as foppish and affected, or admit of gallantry among the rest. The ancient [Muscovites](#)^o wedded their wives with a whip, instead of a ring. The same people, in their own houses, took always the precedence above foreigners, even³⁴ foreign ambassadors. These two instances of their generosity and politeness are much of a piece.

Gallantry is not less compatible with *wisdom* and *prudence*, than with *nature* and *generosity*; and when under proper regulations, contributes more than any other invention, to the *entertainment* and *improvement* of the youth of both sexes.^m Among every species of animals, nature has founded on the love between the sexes their sweetest and best enjoyment. But the satisfaction of the bodily appetite is not alone sufficient to gratify the mind; and even among brute-creatures, we find, that their play and dalliance, and other expressions of fondness, form the greatest part of the entertainment. In rational beings, we must certainly admit the mind for a considerable share. Were we to rob the feast of all its [garniture](#)^o of reason, discourse, sympathy, friendship, and gaiety, what remains would scarcely be worth acceptance, in the judgment of the truly elegant and luxurious.

What better school for manners, than the company of virtuous women; where the mutual endeavour to please must insensibly polish the mind, where the example of the female softness and modesty must communicate itself to their admirers, and where the delicacy of that sex puts every one on his guard, lest he give offence by any breach of decency?ⁿ

Among the ancients, the character of the fair-sex was considered as altogether domestic; nor were they regarded as part of the polite world or of good company. This, perhaps, is the true reason why the ancients have not left us one piece of pleasantry that is excellent, (unless one may except the Banquet of Xenophon, and the Dialogues of Lucian³⁵) though many of their serious compositions are altogether inimitable. Horace condemns the coarse railleries and cold jests of Plautus:³⁶ But, though the most easy, agreeable, and judicious writer in the world, is his own talent for ridicule very striking or refined? This, therefore, is one considerable improvement, which the polite arts have received from gallantry, and from courts, where it first arose.^o

But, to return from this digression, I shall advance it as a *fourth* observation on this subject, of the rise and progress of the arts and sciences, *That when the arts and*

sciences come to perfection in any state, from that moment they naturally, or rather necessarily decline, and seldom or never revive in that nation, where they formerly flourished.

It must be confessed, that this maxim, though conformable to experience, may, at first sight, be esteemed contrary to reason. If the natural genius of mankind be the same in all ages, and in almost all countries, (as seems to be the truth) it must very much forward and cultivate this genius, to be possessed of patterns in every art, which may regulate the taste, and fix the objects of imitation. The models left us by the ancients gave birth to all the arts about 200 years ago, and have mightily advanced their progress in every country of Europe: Why had they not a like effect during the reign of Trajan and his successors; when they were much more entire, and were still admired and studied by the whole world? So late as the emperor Justinian,³⁷ the Poet, by way of distinction, was understood, among the Greeks, to be Homer; among the Romans, Virgil. Such admiration still remained for these divine geniuses; though no poet had appeared for many centuries, who could justly pretend to have imitated them.

A man's genius is always, in the beginning of life, as much unknown to himself as to others; and it is only after frequent trials, attended with success, that he dares think himself equal to those undertakings, in which those, who have succeeded, have fixed the admiration of mankind. If his own nation be already possessed of many models of eloquence, he naturally compares his own juvenile exercises with these; and being sensible of the great disproportion, is discouraged from any farther attempts, and never aims at a rivalry with those authors, whom he so much admires. A noble emulation is the source of every excellence. Admiration and modesty naturally extinguish this emulation. And no one is so liable to an excess of admiration and modesty, as a truly great genius.

Next to emulation, the greatest encourager of the noble arts is praise and glory. A writer is animated with new force, when he hears the applauses of the world for his former productions; and, being roused by such a motive, he often reaches a pitch of perfection, which is equally surprizing to himself and to his readers. But when the posts of honour are all occupied, his first attempts are but coldly received by the public; being compared to productions, which are both in themselves more excellent, and have already the advantage of an established reputation. Were Moliere³⁸ and Corneille to bring upon the stage at present their early productions, which were formerly so well received, it would discourage the young poets, to see the indifference and disdain of the public. The ignorance of the age alone could have given admission to the *Prince of Tyre*; but it is to that we owe *the Moor*: Had *Every man in his humour* been rejected, we had never seen Volpone.³⁹

Perhaps, it may not be for the advantage of any nation to have the arts imported from their neighbours in too great perfection. This extinguishes emulation, and sinks the ardour of the generous youth. So many models of Italian painting brought into England, instead of exciting our artists, is the cause of their small progress in that noble art. The same, perhaps, was the case of Rome, when it received the arts from Greece. That multitude of polite productions in the French language, dispersed all

over Germany and the North, hinder these nations from cultivating their own language, and keep them still dependent on their neighbours for those elegant entertainments.

It is true, the ancients had left us models in every kind of writing, which are highly worthy of admiration. But besides that they were written in languages, known only to the learned; besides this, I say, the comparison is not so perfect or entire between modern wits, and those who lived in so remote an age. Had Waller been born in Rome, during the reign of Tiberius, his first productions had been despised, when compared to the finished odes of Horace. But in this island the superiority of the Roman poet diminished nothing from the fame of the English. We esteemed ourselves sufficiently happy, that our climate and language could produce but a faint copy of so excellent an original.

In short, the arts and sciences, like some plants, require a fresh soil; and however rich the land may be, and however you may recruit it by art or care, it will never, when once exhausted, produce any thing that is perfect or finished in the kind.

200 years of Great Classic Hits: On the death and resurrection of musical invention

Benjamin Crocker

I delivered my first music class in a poky old classroom in North Turrumurra, on the bushy far-northern fringes of Sydney's upper North Shore. Blue Gums whipped noisily in blow-dryer hot breeze outside, leaves peeling off branches and melting onto flimsy windows. Inside, sweaty, disheveled teenagers peeled themselves off the back of plastic chairs, their eyes melting onto the floor.

I fiddled around with a laptop and pushed play. For the next two minutes I strode stand-offishly across the front of the board, turning around occasionally to sketch out what I heard: Intro; Verse 1; Chorus; Verse 2; Chorus; Solo Break etc...

Someone had told me that when teaching Pop, I should start with Bill Haley. 'Rock Around the Clock' was simple to follow. An easy guide to verse-chorus song writing. At 2 minutes long, analyzing the song would consume little of the precious remaining cognitive powers of a room full of sweaty 16 year olds. Each consecutive segment is a simple repetition of material already heard, and the core melodic cell (the emphasized words in the first verse – *glad rags on*) was a simple three beat hop through an A major triad. To complete the idea, the triad is repeated with a slight rhythmic variation (*join me hon'*):



Bill Haley - Rock Around the Clock (1954) [Verse 1, fragment]

There were more reasons than mere teachability to start with Bill. Rock around the clock is about 70 years old - written a statistical human lifetime ago. Though strictly speaking Bill was a Rock-N-Roller, the runaway commercial success of his hit marked the definitive start of the

'Pop' era. He'd beaten the Beatles to the starting blocks of celebrity culture by the better part of a decade: Haley's song was the very first international 'smash hit', notching up 25 million sales worldwide. With 'Rock around the Clock', musical audiences made their radical break with the *listening* culture of years past, and cruised effortlessly into the easy epoch of consumer culture.

My Grandfather, born in the mid 1920's, used to delight in the rickety-rockety rhythm of a Haleyesque jive. Unable to read music, Papa had taught himself to play by ear in wartime Ceylon, later refining his art on a piano donated to his employer, Trinity College, by Louis Mountbatten, Viceroy of India (and mentor to his nephew Prince Philip). He would sit us in the lounge room as kids, delighting us by improvising with well-humoured grandiosity on the bluesy kind of riffs that he'd heard spinning out of mid-century America.

Papa passed his love of music on to my Mother, and after emigrating the family to Australia, saw to it that she went a step better than he was afforded, by learning notation, harmony, and counterpoint as a schoolgirl in 1960's Australia. In those days, one in every five Australians were educated by Catholic nuns, priests, or brothers. They were stern, but famously effective teachers of classical music: Simone Young, the current Chief Conductor of the Sydney Symphony, once credited her rigorous early musical education by the Sisters of Mercy for laying the foundations of her brilliant career.

This high musical literacy - the kind taught by those dedicated nuns - affords one the ability to access art of a radically different quality to that which I taught (well, was forced to teach) upon entering the profession. There's nothing wrong with Bill Haley, of course, but there may still be great value in looking further back in time, to discover a higher musical virtue than Bill and his Comets can bestow upon us.

As Haley's hit was 70 years from the present day, so Anton Bruckner's 7th Symphony appeared 70 years prior to 'Rock around the Clock', first being performed in 1884. It is set in four movements, and runs to approximately 80 minutes in length. It is a magisterial work - masterful in formal construction, with a pervasive sense of mystique. It was a breakout success, earning huge acclaim amongst the Viennese audiences who had hitherto been lukewarm to Bruckner, preferring his contemporary, Johannes Brahms. Bruckner labored over each of his Symphonies, revising them almost fanatically. He was known to toss completed manuscripts into his fire, such was his thirst for sonic perfection. That perfection was not born of narcissism either. On the contrary, his contemporaries - Gustav Mahler chief amongst them - admired him for his humility, simplicity, and (often unnecessary) deference to others.

There was no international record market in Bruckner's day. Not until 1913 would the Berlin Philharmonic record the first complete orchestral work - Beethoven's 5th Symphony - under Arthur Nikish. Still, having won the approval of the city of Vienna, Bruckner's 7th, was for a time - just like Bill Haley's tune - the western world's undisputed smash hit success. The manuscript made its way quickly to America, premiering in Chicago in 1886.

I bring these works side by side to draw the reader's attention to the extraordinary diminishment of relative listening attention demanded of, and by, popular audiences between the late 19th, and mid 20th Centuries. Whilst it is true that comparing a song to a symphony is not comparing apples with apples, we must still see that here, with Bruckner next to Bill, we nonetheless contend with the two great hits of their respective days. This is an important comparison to make, if we want to observe how music reflects our cultural values and intellectual temperament as men of different ages.

To illustrate this, recall that Haley's tune was only 2 minutes long, its core melodic material - the A Major triad - passing in a mere second, and hovering over but one static chord. Below here, by way of contrast, is the opening theme from the opening movement of Bruckner's 7th. This one theme, presented first in the cello, lasts almost as long as Bill Haley's entire song. It has a range of two octaves. It implies a varying spectrum of chords and keys. Listening to it is rather like reading a sentence by Alexander Hamilton: One must deploy considerable focus to hold in contention the tonal subject, as a string of conjunctions spill the ear from subphrase to subphrase, adding to in substance, and coloring in character, the nature of the whole as it gradually unfolds. Bruckner said this vaulting, mystical melody came to him in a dream: he woke in the night, recognised its genius, and furiously wrote it down by candlelight;

Allegro moderato $\text{♩} = 58$

lang gezogen

mf originally legato like the Horn
he probably changed it to give more diction.

1-2 2 1-10

9

poco a poco cresc.

1-12

15

2nd version
with legato

dim.

20

Anton Bruckner: Symphony No. 7 (1884) [Mvt. 1 - Opening (Violoncello)]

By looking at the two melodies on paper, we can start to see that it may not be just the aesthetic - the apprehended quality of the sound, if you like - that is important in making an assessment about this music's innate value. Rather, it is the formal *scale* of the melodic design that in the first place provides strong evidence of how a radically more sophisticated listening experience was considered 'mainstream' in the late 19th century, compared to the mid 20th century.

The point I make is thus: A disinterested person could listen to Bill and Bruckner side by side and say that the orchestra *sounds* more sophisticated, and though he would be right, he would be missing the point - the point being that the music sounds more sophisticated because it is *constructed* in a vastly more sophisticated manner. The disinterested person is expressing a truth because he is impressed by Bruckner's thing, but he can not articulate the generative source of that thing's impression. I have sometimes experienced a variety of this 'correct but not known' musical judgment at the Sydney Opera House concert hall, when, descending from the boxes at intermission, a brooched, bare-shouldered Mrs von Posh n' Swish gushes that the music is 'magnificent, just magnificent my darling'. She is not merely keeping up appearances - she detects an appreciable elevation of quality in what has unfolded. But still I could ask, "yes, Mrs Swish, but *why* is the music magnificent?"

On a handful of occasions, I've been able to ask Mrs Swish that very question. Sometimes her response is enlightening, sometimes faintly ridiculous. Usually it is well meaning, but somewhat confusing - a muddle of "oh well yes the violins...and the...oh just the conductor...the way it moves...oh...OH..."

As a fan of both Mrs Swish, and the music we both like to dress up to listen to, I usually endeavor to respond with a version of the following statement: The music we love, the meticulously organized sounds now abstracted into arch-premium cultural product, the crown jewels of Western Civilisation's artistic heritage, created in a blinding spasm of creative fury between the start of the Enlightenment (Bach was born in 1685), and sputtering out somewhere between the two horrific 20th Century wars... that music is magnificent, darling, because of its *quality of invention*.

Our burden as consumers of music everything today is to live with a poverty of invention. In the 20th and 21st Centuries we have become inured to repetitive sound. Aristotle might say that we have habituated ourselves to our own paucity of sonic virtue. We are no longer disturbed by the exacting sameness of all things, in the way that we are no longer fascinated by the exacting sameness of both factory machines and the squillions of identical widgets they produce. The scheme of a pop song - a scheme which has accompanied our lives for 4 generations now - relies on mechanized, factory-economical repetition to meet its aims. A pop song can not, by its very nature, be *composed*, because its structure - with some rare exceptions - provides no prerogative to work through the demands of a truly dynamic artistic picture. The pop writer does not have that artist's palette of infinite variables - variables which become his burden in fashioning material first to coherent form, and then into transcendent beauty. A pop song, by way of its structural confines, is merely produced: It states, it repeats and it returns, with a minimum of rational effort. This remains true in almost all cases - even when the song's overlaid instrumental or vocal effects are of spectacularly good quality, as in the case of Whitney Houston's sublime ease of delivery, Taylor Swift's remarkable capacity for emotive empathy, or Mariah Carey's thrilling propensity to both delight and discombobulate by way of her vocal acrobatics. There is *an* invention in pop music, and in the best cases - the Mariahs and Whitneys (but not the Britneys) - it is an admirable and enjoyable one. However this

enjoyableness in performance is not remotely comparable to the raw *quality* of invention one finds in high classical composition from Bach forward.

Returning to Bruckner's melody, we are presented with one aspect of this quality of invention, and that aspect is *scale*. Bruckner makes high quality musical invention possible because he opens up the imaginative canvas with a melodic exposition of titanic proportions. The 7th Symphony claims greatness for Bruckner as a symphonist in the way that the Sistine chapel claims greatness for Michelangelo as a muralist. There is fine detail in both, but in the first instance, it is the audacity of the idea which humbles us, the observer, before a seeming godly power of creation. Art like this suggests to the human soul that it may be capable of apprehending *so much*, and so in turn sets on fire our potential to apprehend the world with unlimited awe and wonder.

This is not, however, to say that scale is the only ingredient required in the construction of high quality musical invention. Nor is a preoccupation with scale necessarily required at all. Examples abound of works both petite in scale and rich in authentic artistry: Chopin's piano preludes for example, or Igor Stravinsky's furiously petite 'Dumbarton Oaks'. These works are by their nature confined. They have an *intensity* of invention, over an *expansiveness* of invention.

One of the finest examples of this *intensity* of invention comes in a work briefly afformentioned which needs no introduction to either the serious or casual listener. Happily, Beethoven's 5th Symphony also provides a lovely congruency to our journey back through music history - It pops up in another (roughly) 70 year hop back in time from Bruckner's 7th. Beethoven's 5th was the breakout hit of 1808. It is a radical work. Aside from it's well documented French revolutionary flavor and law-breaking harmonic progression, it is also the first symphony to use the trombone, the piccolo, *and* the contrabassoon (to this day, the loudest, highest, and lowest instruments in the orchestra, respectively).

But these features, wonderful though they are, don't point us to the real locus of Beethoven's genius. To find this, it might be helpful to leave Bruckner behind for a moment and compare Beethoven directly to Bill Haley. If, when we do, we restrict our criticisms to melodic ideas, we will quickly see that we can't indict Bill with quite the same culpability we did when we placed him alongside Bruckner. That is because, stripped to their bare tones, there is scarce appreciable difference between the quality of Bill's and Beethoven's two musical ideas. As if it needed any introduction, here is the foundational musical idea from the first movement of Beethoven's 5th:



Ludwig Van Beethoven: Symphony No. 5 (1808) [Mvt. 1 - motif]

Perhaps the tempo and placement gives the Beethoven a little more inherent drama. Still, there isn't much difference in quality between three short G's and a long E flat (Beethoven), and the three short notes (A - C# - E) played in sequence (Bil). The point being, that when we compare each little tune against the other, at heart, it is impossible to say which is *better*.

Here then must arise a question that every listener should ask themselves when trying to make a judgement on the objective quality of any piece of music: How does a composer *develop* his musical ideas?

Pure musical *development* is the arbiter of objective compositional quality. If classical music is a kind of church, then the composer's sophistication in development sorts the high priests from the common folk. Beethoven's talent for inventive development is unrivaled. His ability to take the smallest of melodic fragments and build an uncontrived, expressive, and substantially lengthy train of musical development, is the substance of his genius.

Beethoven's mastery of invention is so absolute, that when we listen to the first movement of his Symphony, we must fight our own consciousness to remember that we are dealing with a creation born of only the tiniest of musical fragments: There is so much music here! And, its growth is so apparently organic, that one quickly forgets its birth was indeed embryonic. We might hold Beethoven against Bruckner here, and consider the two types of artistry at play: Where Bruckner's claim is to the audacity of the man who sets out his broad canvas in plain view, Beethoven's claim is to the magician's secret toolbox. His is the hidden intricacy of the working unworkable. He is both artist and geometer - opening up rhythmic and harmonic space where none by right exists.

EXPOSITION (+3)
Principal Theme (*Large Double-Period*) (+4)

Sonata-Allegro form (+2)

Transition (*Independent*) (+8)

Ludwig Van Beethoven: Symphony No. 5 (1808) [Mvt. 1 - Exposition: Opening fragment; the entire first section of the movement is made up by the uninterrupted development of Beethoven's four note motif]

From simple melodic material, Beethoven builds a swirling, unfurling, melodic-harmonic universe, one coherently threaded together at every weaving turn. Assuming one's soul has achieved some kind of sympathetic disposition, then that soul cannot help but be taken - somewhere - by Beethoven. Bill Haley's equally simple, and almost as meritorious melody does not develop in this way. Insofar as it does develop, it merely repeats. This is what a modern pop song does. It confirms, comforts, and *conforms* to both itself and the prevailing musical zeitgeist.

It does not truly expand possibilities. It does not move the soul beyond superficial reckoning with the stated facts. Repetition without true development is reassuring, and can be mightily entertaining, but it does not pose any kind of fundamental challenge to the soul.

Sir Roger Scruton said that listening is the process of internal *dancing in sympathy* to a particular musical work. I would further say that the act of listening is the soul's conversation with an external idea or group of ideas - ideas not limited by the need to comprehend speech or consciously identify particular epistemological features. This means that listening to music affords the soul a unique conversational freedom.

Alongside this freedom comes a unique vulnerability, given that there is a certain passivity to the soul's act of listening: Once the ear 'lets in' the sound, there is little one can do to consciously resist both the affect and in turn, the *effect* of a given musical work.

This brings us to the crux of the problem in deciding *what* we should listen to as human beings susceptible to the stultifyingly mundane aural influences of the world we inhabit. If we have accepted that the soul may be served well by objectively better music and served poorly by objectively worse music, have we now stumbled into making the case (as surely Socrates would delight in!) for the censorship of music in the city? At the least, we can certainly say that we have arrived at a strong justification for the individual to control the artistic inflows to the city of his own soul.

Though we are instinctively chilled by the thought of censorship, we can not escape the truth that Socrates points us toward. There is an undeniable beneficial effect that musical censorship can secure for the soul, if not for the greater good of the polity itself. This is the conclusion that scientists researching the "Mozart effect" on babies in the womb have arrived at. It is the same conclusion realized by school principals who make substantial early investment in childhood musical education, and seem to find a correlation in lower disciplinary issues and higher mainstream class engagement. My doctor has perhaps also arrived at this conclusion - I am assuming that's why he plays Haydn string quartets in his waiting room!

It is also the same conclusion that I find myself daily arriving at, albeit in reverse: The more I read Plato, the more I yearn for the calm inevitability of Mozart's aural insight; the more I read Aristotle, the more I lust after the explosive, creative speculation that Beethoven can draw from one tiny granular musical observation; The more I read Rousseau... well, I don't read Rousseau if I can help it - the musical romanticism that comports with his oeuvre makes for an impractical use of both the day's listening time and my own finite cognitive focus.

I recently finished studying at St John's College in Annapolis. It is a fine place to read authors like Plato, Aristotle and Rousseau – mostly because of the college's dedication to the art of what I would call 'Deep Reading'. The foundation of St John's 'New Program', which saw the college kick against the prevailing ethos of the time in academia so that it could return to the great books of the Western Tradition, coincides with that same interwar period where fidelity to the great forms of musical composition was abandoned by the European musical establishment.

In the German speaking world, classical music's heartland, these were the years when the steady seriousness of the *listening* culture was shed, in favor of both the practice of musical experimentation, and more importantly, of the ethic of musical *experimentalism*. In the halls of Conservatoria the world over, 'Weimar', is a name synonymous with the ethic of 21st Century musical progressivism. Its best attributes include stylistic intermixture and radical re-imagination, and its worst, the wholesale dismemberment of a beautiful inherited tradition.

Stringfellow Barr was President of St John's College during this same time, and with Scott Buchanan, co-founded the school's 'New Program.' There is a very moving quote still posted on the walls of the building named after him on campus. In that quote, Barr says that civilisation's greatest books must be 'read listeningly.'

I have always thought that to be the most wonderfully musical thing to say!

If there is something missing from the world of music today, I would say that it is found in the mirror image of Barr's statement about our beloved great books. For if we are to faithfully comprehend *great music*, then we must *listen readingly*. If we do, then we might guide our listening appetites back from the nadir of modernity's lust for banal, repetitive aural tyranny, to a place where a studied love of great invention rules music once more.

On Cesar, Chicago, and Censorship

Benjamin Crocker

By the end of the CD era, I had worn out my sole physical copy of the great French conductor Pierre Monteux's 1961 recording of Cesar Franck's Symphony in D minor. The internet mercifully intervened: Monteux's interpretation with the unsurpassed mid-century Chicago Symphony Orchestra now lives on YouTube.

Monteux and the CSO did a great service to the musical world in recording the masterworks of the western canon during his tenure. But as they were recording Franck's symphony at 220 South Michigan Avenue, bulldozers were moving in to the west, right behind Symphony Hall. Chicago's iconic Federal Building was being reduced to a pile of rubble. Like the Franck symphony, the building was a first-class cultural product from the late 19th Century. It represented the Midwest's premier example of the French Beaux-Arts style that had once characterized much of America's civic architecture.



Beaux-Arts Chicago Federal Building

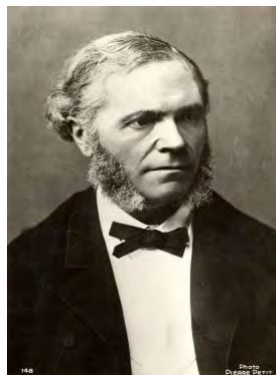
The irony was stark: Monteux, the great conductor, was beloved by American audiences. But as this great French artist perfected his craft in America's preeminent musical institution on South Michigan, a great French architectural style once the darling of American city planners was being ground into dust by America's preeminent political institution—the federal government—across the street on South Dearborn. In the place of the Beaux-Arts Federal Building rose the Kluczynski and Dirksen Federal Buildings and Courthouses—two of the most menacing objects ever to dominate Chicago's skyline.



Public square, or the monolith from 2001: A Space Odyssey?

With Pierre Monteux's record still ringing in my ears, in Texas last month, I conducted Franck's *Symphony in D Minor* for the first time. It is still one of my very favorite works. Since first hearing it seventeen years ago, I have thought about it at least once a week—sometimes for hours, but most often for a few shimmering seconds, long enough for the 3rd movement cello melody to waft lazily through my head, or to be startled by a heroic trumpet call momentarily piercing my horizon. It transfixes me in the same way it did listeners a century ago: in 1899, the Boston Herald noticed that the symphony exerted a “certain weird fascination” on the public.

For half of the 20th century, the American public shared my fascination. The New York Times reported last year that the Franck *Symphony in D* was the Beatles before there was the Beatles. In that blissful time when art still held primacy over the artist, Franck's forty-five minutes of triumphal orchestral lyricism easily filled stadiums in East Coast capital cities.



Cesar Franck (1822-1890)

So, what happened? Should we despair that the music that fills today's stadiums is of a significantly lower intellectual and spiritual order?

The deep appeal of civilization's greatest music lies in its beauty and elusiveness. Franck's *Symphony in D Minor*, a stunningly captivating aural picture, shows us how. It sings lustily, mourns sorrowfully, and dances irrepressibly. Its first movement moves between menacing and joyful. The second is sacred and even, at times, medieval. The third movement drives the listener to joyful ecstasy during each and every listening.

Despite my long-held love of the work, I'm at a loss when trying to describe what the piece is truly *about*. No one can say if it is properly Belgian, French, or German, or if it has indeed become American. Musicologists argue over whether the middle movement is sacred or secular. Composed in 1888, does it agree with the 19th century, or does it paint that long artistic epoch with mocking irreverence?

In music, this elusiveness, the inherent indefinite in not knowing precisely what a piece *is*, frees us to know what the piece *does* to us when we hear it. We know that the Franck uplifts us, that it unveils a cast of noble characters and invites us to journey with them. The symphony gives us time and space to learn who these characters are, without ever fully seeing them. We adventure with them through the two outer movements – soaring above the clouds with the trumpets, running faster than humanly possible with the violins, and serenading lovers with the wind instruments. In the middle, there is respite - some time to meditate, and to pray.

These unique kinds of expressive capacities reveal a work's innate musical potential. Great music contains beauty without literal meaning. It presents itself as *ineffable*; it doesn't tell us explicitly what it is. Rather, it demands that we take the musical journey and work that question out on our own. We listeners must hold ourselves in collaborative sympathy between the work's phrases, entering its argument without ever having its facts dictated to us by the composers. Through this process, we practice our highest reasoning faculties—we sift truth from falsehood, tie off loose ends (thank you Plato), and habituate ourselves toward the higher character the music presents to us (thank you Aristotle). Great music then, is *dialectic*. It is an exterior harness to the soul's self-conversation and can only reveal its *ineffable* meaning by way of the rational listener's individual agency.

This can be difficult to grasp, because it is something we take for granted, or at least don't realize is happening when we listen to music. Consider this: a piece of music where the chords remain the same, the beat remains the same, and God-forbid, the voice is auto-tuned to remain the same, is essentially dictated to the listener. Listening to it requires no collaborative effort. There is no conversation happening *within* the music. And without this conversation, an authentically *sympathetic* journey is impossible. This remains the case even if the work's emotive nature convinces us we are listening sympathetically to a given song.

In this way, the great works of the classical tradition are akin to the great works of classical philosophy. The great composers lead us dialectically. In listening to the great classical works, the composers take us by the hand in the Socratic manner—they interrogate our souls by way of the intellect in a similar way to that of Socrates in Plato's *Republic*. Through sympathetic

interrogation, they encourage, aid, guide, and sometimes even cajole us to the discovery of truth and beauty, but they never dictate its terms to us absolutely.

Platonic Socrates believed that bad music might beget bad people. It is on the topic of music that he provokes one of his first—and perhaps his most memorable—dialectic expositions within *Republic*, when he notes that protecting the souls of the young from corruption will require censoring the city in speech's music.

Countenancing this notion is a tall order for citizens of free and modern societies. Allan Bloom wrote in his introduction to *Republic* that his students at Chicago, Yale and Cornell “tended to be surprised that music above all else should be the theme of [Plato's] censorship when what seemed to them to be the likely candidates were science, politics, and sex.”

So, today faced with an orgy of sonic choices, should we defy Socrates and permit ourselves to listen to “bad” music?

In reality, the decision has already been made. Pop, and the other gradations of “bad” music, whether they be the shoddy imitations of classical-lite compositions, the death cults of deep-metal, or just plain lazy artistry in any genre, are here to stay. That is ok. The world won't be rid of their ilk, but their presence needn't precipitate our moral disintegration either. We should listen to the music our fallen culture has generated. And, if I dare say so, we should even enjoy it.

But we can give Socrates his due by acknowledging his wisdom. Good sense demands limits to our consumption, limits to our tolerance, and limits to how regularly we expose our children to music which we know to dull our faculties of reason, when we ought to be enlarging them. As Socrates showed us, there is risk in exposing the young to art that encourages the destructive tendencies latent within every human soul.

When we engage in the arts in general and music in particular we should be most concerned with the problem that Aristotle draws our attention to in his *Ethics*: the habituation of the soul. We need to habituate ourselves to the beautiful, the uplifting, the heroic and noble, and that's impossible if we're engaging in artistic practice that denigrates these virtues. When we choose to listen to bad music, we are habituating ourselves to life as mere repetitions of bland stereotypes. We are, in essence, telling ourselves that we are as poor as the form we step into as listener—as brief in intellect as the passage of a radio hit.

But when we listen to Beethoven, to Bach, to Brahms, or to my old friend Cesar Franck, we commit ourselves to extolling human virtue, not diminishing it. We are telling ourselves that our powers of reasoning should reach for the broad and expansive form of the great symphonists. We are telling ourselves that our creativity might hustle to keep pace with the inventive genius of a Mozart, not a Madonna, and that our innate tendency toward nobility might owe more to Beethoven than Britney. When we listen well then, we are telling ourselves that we are our *higher selves*.

Each great art form has its innate strengths and weaknesses, and as time progresses, those strengths and weaknesses allow each great art form a greater or lesser degree of agency in advancing or destroying our common culture. One of music's greatest strengths is its transmissibility. Many great paintings lie behind private walls or in public rooms in far-flung cities. In those cities, thousands of beautiful buildings which spoke of proportion, exposed citizens to geometric truth, and gave visible life to the ratiocination of the architect's genius, rest today as dust beneath the grotesque ego spectacles which replaced them. London is today a visual sewer, New York a beautiful, but ageing dame betrayed by a hundred years of vain facelifts.

But our greatest music cannot be commercially withheld in the manner of a 17th century canvas, or physically destroyed in the manner of an early 20th Century American Railway Station. Whilst music does not escape the destructive effect of cultural decay, it can regenerate at a comparative minimum cost. As such, it lies dormant as the artistic skeleton key to personal and civilizational renewal in times of ugliness and decay. In music, our higher selves are so accessible, if only we reach out to truly listen.

Music and Morality

Sir Roger Scruton

Plato deployed the concept of mimesis, or imitation, to explain why bad character in music encourages bad character in its lovers. The context suggests that he had singing, dancing and marching in mind, rather than the silent listening that we know from the concert hall. But, however we fill out the details, there is no doubt that music, for Plato, was something that could be judged in the same moral terms that we judge one another, and that the terms in question denoted virtues and vices, like nobility, dignity, temperance and chastity on the one hand, and sensuality, belligerence and indiscipline on the other.

The targets of Plato's argument were not individual works of music or specific performances, but modes. We don't exactly know how the Greek modes were arranged; they conventionally identified styles, instruments and melodic and rhythmical devices, as well as the notes of the scale. Without going into the matter we can venture to suggest that Plato was discriminating between recognizable musical idioms, as we might discriminate jazz from rock, and both from classical. And his concern was not so very different from that of a modern person worrying about the moral character, and moral effect, of Death Metal, say, or musical kitsch of the Andrew Lloyd Webber kind. Should our children be listening to this stuff? is the question in the mind of modern adults, just as 'should the city permit this stuff?' was the question in the mind of Plato. Of course, we have long since given up on the idea that you can forbid certain kinds of music by law. But three important questions remain: whether musical styles and idioms have a moral character, whether individual works have such a character, over and above that of the idiom in which they are composed, and finally whether the character of an idiom, or a work, rubs off, in some way on its devotees. And even if we don't forbid musical idioms by law, we should remember that our laws are made by people who have musical tastes; and Plato may be right, even in relation to a modern democracy, that changes in musical culture go hand in hand with changes in the laws. It is not implausible to suggest that a Parliament of Mozart lovers, all of whom play in string quartets, is likely to pass different laws from a Parliament of pop fans, none of whom has mastered an instrument. Actually the pop culture hit Parliament in a big way with Tony Blair and his cronies, and I am tempted to draw a lesson from this example.

These questions are complicated for us by the fact that music is now appreciated in many different ways: people dance to music; they work and converse over a background of music; they perform music; and they listen to music. People happily dance to music that they cannot bear to listen to – a

fairly normal experience these days. You can talk over Mozart, but not over Schoenberg; you can work to Chopin, but not to Wagner. And it is sometimes argued that the melodic and rhythmic contour of pop music both fits it for being overheard, rather than listened to, and also encourages a need for pop in the background. Some psychologists wonder whether this need follows the pattern of addictions; and more philosophical critics, like Adorno raise questions of a deep kind as to whether listening has not changed entirely with the development of the short-range melodies and clustered harmonic progressions that are typical of songs in the jazz tradition.

It is worth reflecting a little on the impetus behind Adorno's critique. We must surely recognize that there is a great difference between a musical culture based in serious listening to extended movements of highly intricate musical thought, and a musical culture based in hearing quickly exhausted and largely predictable melodies, which occur in the background, supported by mechanical rhythms and off-the-shelf harmonies, and which quickly exhaust their sparse musical potential. The transition from the one culture to the other does not represent a transition in the realm of music only. Vast social and even political changes can be read into this transition, and Adorno was surely right to notice this.

This is one of those aspects of music that we don't find surprising until we think about. From the dance of the Israelites around the golden calf, to the orgies of Hip-Hop, the musical distractions of ordinary people have called down the maledictions of their priestly guardians. The priests have throughout history tried not merely to control what is sung and played in the temple, but to confine and if necessary forbid the revels that take place outside. We no longer think we can do this by law. But we are still deeply concerned by changes in musical practice, in just the way that Moses was, when he descended from the mountain and cast the tablets of the law to the ground on seeing the idolatry of the masses. This was perhaps the first recorded protest against 'mass culture'. Adorno is a latter-day Moses, and his hero Arnold Schoenberg tried to set the episode from the Old Testament to music, as an illustration of the way in which we must never sacrifice difficult truth to easy communication. In the contrast between Moses and Aaron in Schoenberg's unfinished opera we see dramatised the clash of cultures that preoccupied Adorno. There is a culture of long-term thought and abstract conception, represented by Moses; and a culture of short-term pleasure and easy communication, represented by Aaron. Schoenberg's treatment of this theme reminds us that many of the worries expressed, down the ages, concerning the depravities of popular musical culture reflect the fear of idolatry – of false gods, false worship and false emotions. And if you want to know why people still feel this way, then all you have to do is to watch the video and listen to the music of 'Bleed' by the Swedish death-metal group Meshuggah.

Adorno's reputation did not suffer from his attack on popular culture – and this at first seems strange, given the fate of anyone who attacks popular culture today, who will be dismissed as an elitist, out of touch, nostalgically attached to a vanished past, and so on: I don't need to remind you of the normal response of the offended psyche to the sudden encounter with judgement. Adorno was able to criticize mass culture with impunity because he was a Marxist, and used the Marxist categories, in his own eccentric way, in order to package essentially reactionary thoughts in a progressive idiom. The musicological establishment was taken in by this, and thought that Adorno was pointing forward and not backward in his criticisms of the Hollywood scene. As a result you will find Adorno singled out as the most important philosopher of music in the 20th century, by people who also believe that the tradition of American popular music is a serious topic of study, and one that contains some kind of liberating message for us all. Adorno's actual criticism of the jazz tradition was designed to support the opposite judgement. He wanted to show that the freedoms seemingly enjoyed by the American people are illusory freedoms, and that the underlying cultural reality is one of enslavement – enslavement to the fetishes of the market and the consumer culture, which by placing appetite above long-term values lead to the loss of rational autonomy. Popular music was not, for Adorno, something that Americans had been liberated to, but something which they must be liberated from.

We are clearly in deep water here; and we are not going to save ourselves simply by taking the kind of non-judgemental approach that is so often promoted by courses in music appreciation. In this area to be non-judgemental is already to make a kind of judgement: it is to suggest that it really doesn't matter what you listen to or dance to, and that there is no moral distinction between the various listening habits that have emerged in the age of mechanical reproduction. That is a morally charged position, and one that flies in the face of common sense. To suggest that people who live with a rhythmic pulse as a constant background to their thoughts and movements are living in the same way, with the same kind of attention and the same pattern of challenges and rewards, as others who know music only from sitting down to listen to it, clearing their minds, meanwhile, of all other thoughts – such a suggestion is wildly implausible.

Put laconically, the difference between those two ways of responding to music is the difference between preventing silence, and letting silence speak. Music in the listening culture is a voice that arises from silence, and which uses silence as a painter uses the canvas: silence is the *prima materia* from which the work is composed, and the most eloquent parts of the classical sonata movement are often the parts when nothing can be heard. That is seldom true of pop music today. Moreover the difference here is surely the kind of thing that is morally relevant – like the difference between temperance and intemperance in eating habits or in sex. It seems to me therefore that we have

to face the three questions that I mentioned head-on: whether musical styles and idioms have a moral character, whether individual works have such a character, over and above that of the idiom in which they are composed, and finally whether the character of an idiom, or a work, rubs off, in some way on its devotees. Those are questions that have the greatest bearing on modern life, and how to manage it. And they are questions that are, in the first instance, philosophical.

First, then, the question whether musical idioms can exhibit moral virtues and moral vices. Well, it is obvious that we describe musical idioms in this way, and it is worth reminding ourselves of some familiar examples. The idiom of the Gregorian chant is almost universally acknowledged to be spiritual and uplifting. The style of Bach's keyboard works is scholarly and dignified. The classical idiom of Haydn and Mozart is courtly, well-mannered and correct. The idiom of Beethoven is passionate and defiant. New Orleans Jazz is lively, invigorating, innocent. By contrast Death Metal is oppressive, dark, morbid. Indie music is complacent and self-satisfied; the American songbook is sentimental and nostalgic. There are whimsical idioms, aggressive idioms, and idioms that strike us as self-indulgent, self-pitying or narcissistic.

All that is familiar. But it doesn't get us very far. For all those descriptions are figurative: they involve applying to musical idioms terms whose sense is fixed by their application to human characters. There is no a priori way of fixing what these terms mean when they are attached to music. A parallel example might help us to see this. We use metaphors of character, and even of virtue and vice, in describing trees and species of tree. The oak is noble and dependable, the ash familial and domestic. The pine is dark and brooding, the willow feminine, the cypress melancholy, the maple good-humoured; and so on. Nobody thinks that those descriptions convey very much. And even if they convey something, it has no bearing on the moral status of the trees or their real relation to people. The virtues and vices of trees don't rub off on the people who live in their shadow. You don't get noble people living under oaks, and light-hearted people under maples. These descriptions are part of an elaborate game we play, not very different from that suggested by Wittgenstein, in asking us to decide whether Wednesday is fat or lean, or that suggested by Gombrich, in asking us to sort everything in the world according to whether it is 'pong' or 'ping'. It is second nature for human beings to extend language in this way, sometimes guided by an impression of similarity, sometimes guided by their own responses, sometimes just playing around. But whether it has any foundation in the thing described, or a further foundation in the life of the person so describing it, are questions that cannot be settled just by looking at the language.

This doesn't mean that those descriptions of the character of musical idioms are meaningless, or that they are unimportant. But it does mean that we cannot use them to say anything about the moral significance of music. We

can understand this easily enough by reflecting on another context in which we use this language – when describing the appearance of people. I may say that Jim has a severe and censorious appearance. But that says nothing about Jim's character: he may be mild and accommodating, for all I know. Appearances can deceive. In the case of music we have only appearances to go by. When it comes to music, there is no reality behind the appearance, otherwise Mark Twain might have been right to describe the music of Wagner as 'better than it sounds'.

The same difficulty attaches to the second of our questions: whether individual works of music have a moral character, over and above that of the idiom in which they are composed. Again, there is no hesitation to use virtue and vice words of individual works of music. Bach's Art of Fugue radiates authority, wisdom, profundity. Beethoven's Leonora no. 3 is noble and life-affirming; Schubert's G major Quartet is anguished, dignified and tender in the face of suffering. The last movement of Tchaikovsky's sixth is mournful and unsmiling. So it could go on, through all the well-known virtues and vices of mankind. Of course, there are some virtue words, and some vice words, that never seem to be called upon, when describing music. 'Just', for example, 'cowardly', 'unwise', 'discreet', 'reliable'. Even with such words, however, a game could easily develop, of sorting works of music by means of them. Among just works should we not count the overture to The Mastersingers, and Brahms's Academic Festival Overture – works that attempt to do justice to forms of human life and all that they contain?

Here I want to register a protest against a familiar move in the philosophy of music, and especially in theories of expression. This move tries to ground metaphor in analogy. It goes something like this: we begin from the question what does it mean to describe a piece of music as sad, noble, etc? (Notice that emotion terms and virtue terms tend to be treated together, since they both involve the spontaneous transfer of language from the mental to the musical context.) We respond with a suggestion: we mean that the music is like a sad or noble person. In what way like? Here I refer you to some of Kivy's writings on the subject, which tell us that sad music shares the dynamic properties of sad people, it is slow-moving, drooping, ponderous and so on. And noble music is up-standing, fully presented, with straightforward gestures and clear, honest cadences. Then I want to protest, wait a moment, you haven't advanced us one bit: you said that sad music shares properties with sad people; and then you proved this by describing those properties in two ways – using literal language of people, and figurative language of the music. Music doesn't literally move slowly, droop or ponder. The analogy turns out not to be an analogy at all, but a way of replacing one metaphor with another. I still have the question, what do these metaphors mean, and what do they tell me about the thing to which they are applied? And there is a strong tradition of argument, beginning with Wittgenstein's Philosophical Investigations, and taking in myself and others – including the illustrious Donald Davidson – which

says that you don't explain the meaning of a metaphor by looking at the metaphorical use, but by looking at the literal use. The thing that needs explaining is not the meaning of the word 'sad', 'noble' or whatever, but the purpose of using just that word in just this context. And whatever the purpose, it is not that of describing or picking out analogies.

But suppose these analogies exist. Suppose you can give sense to an emotion term or virtue word when used of music, by pointing to similarities between the work of music and the mental state or disposition referred to by the literal usage. Would this show that the term identifies something aesthetically interesting and morally relevant in the thing to which it applies? My answer is no. Everything resembles everything else, and most resemblances are insignificant; what makes resemblance interesting is the context that puts it to a use. You may have a striking resemblance to Elvis Presley. But, because you can't sing, can't move in a sexy way, can't do anything to put your resemblance on display, it remains insignificant. We notice many resemblances in music. The opening theme of Beethoven's Op. 18 no 1 is like someone signing a cheque: boldly putting down the hand, and then lapsing into a squiggle. But that resemblance (supposing we allow it) has nothing to do with the music or what it means. Naturally, therefore, we need to distinguish accidental from significant resemblances: and that is precisely what we cannot do, if the only ground for the use of mental predicates to describe music is the kind of analogy pointed to by Kivy.

Here I think we can begin to distinguish the first two of our questions: that concerning musical idioms and that concerning musical works. Virtue and vice terms used of musical idioms can, in a way, be taken for granted, as posing no particular problems from the point of view of aesthetics. Like the description of tree species as noble or dignified, the description of an idiom as joyful or aggressive has no particular moral significance. The case parallels that of architecture in the classical tradition. The Ionic order was considered masculine but adolescent, the Doric order manly, the Corinthian feminine. And particular styles of ornamentation have been graced with similar epithets down the centuries. But nobody thinks that very much hangs on this, or that these epithets are a clue to the meaning of any particular building, or even to the beauty in general of a particular style. This kind of figurative language comes naturally to us: it is part of our way of being at home in the world, that we bring new objects under old categories, and extend our predicates to meet the need. The language of the virtues begins to bite only when we apply it to the individual work.

Here is an example. Youthful grace and serenity adhere to the Ionic Order in Greek architecture, much as joy and innocence adhere to New Orleans jazz. That, for us, is the character of the Ionic Order, which possesses this character in something like the way the oak possesses nobility and the weeping willow grief. The use of the word seems apposite, without, however,

committing us to any judgement. There are good and bad Ionic buildings, just as there are good and bad works of New Orleans jazz and first rate and third rate oak trees. When Cockerell in his amazing designs for the Ashmolean Museum in Oxford used the Greek Ionic Order, however, he produced one of the great works of architecture of the classical revival, and one in which youthful grace and serenity are both exhibited. But now the description begins to mean something. I cannot say 'Look, there is youthful grace and serenity', and then add, 'but of course, it is a piece of architectural rubbish, mere pastiche', not without feeling a tension, if not a contradiction, between those two pronouncements. The first has said something about the meaning of Cockerell's building, something that justifies the attention we might pay to it. Cockerell meant us to notice this youthful grace; it represented, for him, an idea of education and its transforming effect on the young mind. The youthful grace of the building, as vivid today as it was when first it was built 180 years ago, is part of what it means. And the serenity, amplified by the ingenious mixture of the honey-coloured Oxford stone and the white Portland marble, is also telling us something. We stand before this building as we might before a serene young person, on whose clear brow the light of learning has dawned. Oxford is proud of this building, because the building is proud of Oxford.

Now there I have started to use the figurative language in another way, a way that indicates why this building matters and what it means. I am committed, by my description, to a judgement. It is a way of saying look at this, because... Let us go back to music for a moment. When Plato banished the myxolydian mode from his ideal Republic it was in terms similar to those that might be used of an architectural style, or a species of tree. No gloomy pine trees on our campus; none of that aggressive Bauhaus fenestration. These are, if you like, aesthetic judgements; but they leave entirely open the rejoinder that a pine tree just here, a jaunty pilotis with a glass wrapped corner just there would help us along. Plato has failed to persuade precisely because he was talking about modes – idioms, as we might describe them – and not about individual works of music. Of course, he could have been right. Maybe, in a campus forested all over with pine trees students go crazy; maybe a Bauhaus campus would suffer the death from graffiti that it deserves. And maybe when the youth all go to pop concerts and dance to the aulos playing in that excruciating myxolydian mode they all start to go downhill, acquire nasty habits, become sexually promiscuous and contemptuous towards their elders, as Plato feared. It could be. But this is all speculation – by-passing the realm of aesthetic judgement, and not in itself vindicating the view that pine-trees, the Bauhaus style or the myxolydian mode really exemplify the vices conjured by the words that we use to describe them.

What I mean can be put more simply. The use of the language of virtue and vice to describe musical idioms is simply a special case of a much wider phenomenon, which has aesthetic and non-aesthetic instances. It does not, in itself, say anything about the moral impact or meaning of music. It is a wheel

that turns without turning anything else in the mechanism, to use Wittgenstein's image.

When it comes to using these moral terms of individual works, however, we are in a different realm, not only in music, but in architecture too. The nobility of Elgar's Second Symphony is there to be heard: it stands before us from the very first bar, and in following the music you are also participating in the unfolding of this virtue. You are in the presence of something – the very thing that your words describe when you describe this music as noble. Although the word 'noble' is here used figuratively, you can very quickly understand that it is being used to describe something in the music, something that must be understood by the one who listens properly to it. This music does not merely remind us of the old virtues of imperial Britain: it exemplifies them. And that is part of what we appreciate in listening to it, and part of what we react against, should those old virtues seem tainted in our eyes and not truly virtues. The question then becomes: how can you hear such a thing in music?

The question might make us think of figurative paintings. I look at Constable's picture of Salisbury Cathedral, and I describe the Cathedral. If someone asks, how can you see such a thing in a 2 foot square piece of canvas?, then we know how to answer. A cathedral is something we see: and that which we see we can also see in a picture. Hence there is nothing special about a cathedral that forbids us from seeing it in a picture. Going back to music, however, we encounter a difficulty. Nobility is not something that we hear: it is not an audibulum. A virtue of this kind consists in a disposition to behave, to understand, to relate to others. It is displayed over time, by a person's conscious and self-sacrificing behaviour. You don't put your ear to a person's heart, and listen for the nobility. And yet you hear nobility in music. So how is that possible?

As I remarked, we are not talking of analogies or similarities here. We are not saying that the music is similar, in this or that respect, to a noble person, even if it is. Similarity is significant only if something is made of it – as in figurative painting. Nothing is made of the similarities, such as they are, between noble people and the great first subject of the first movement of Elgar's 2nd Symphony. But much is made of that first subject. A tremendous process of musical development is launched by it, and it is through this musical process that the nobility comes across.

I think we will come closer to answering our second question if we move on to the third. How does the nobility in Elgar's music rub off on the listener? Remember Plato's worry about the pop music of his day – that it damages the character of those who dance to it. It isn't difficult to see how such a thing might be true. After all, dancing is something you do. It involves relating to your own body, and to the bodies of others, in a conscious manner. Ways of dancing are bound to have an impact on such things as sexual display,

courtship and erotic gestures. Ways of marching likewise – think of the goose-step, for example. Dancing affects the embodiment of the dancer, and embodiment can have virtuous and vicious forms. Thus, there is a whole spectrum of conduct, from modesty to lewdness, in the matter of sexual presentation. Modesty has traditionally been regarded as a virtue, and lewdness as a vice. For our ancestors these were, indeed, paradigms of virtue and vice. And it is very clear that these traits of character are displayed in dancing. Plato's thought was, that if you display lewdness in the dances that you most enjoy, then you are that much nearer to acquiring the habit – the vice, so cheerfully celebrated on some of your favourite Greek jars. I don't see any reason to doubt that.

Now dancing is not just moving, nor is it moving in response to a sound, a beat or whatever. Animals can do that, and you can train horses and elephants to move in time to a beat in the circus arena, with an effect that looks like dancing. But they are not dancing. To dance is to move with something, conscious that this is what you are doing. You move with the music, and also (in old fashioned dances) with your partner. This 'moving with' is something that animals cannot do, since it involves the deliberate imitation of life radiating from another source than your own body. That in turn demands a conception of self and other, and of the relation between them – a conception which, I would argue, is unavailable outside the context provided by language use and first-person awareness. To say this is not to deny the very remarkable coordination that can exist between non-human animals. The ability of flocks of birds and shoals of fish to change direction suddenly, each bird or fish responding instantly to the smallest impulse from its neighbour, and the whole moving as though a single organism guided by a single will – this is something that moves us to astonishment and wonder. And it is here that the neuroscientists step in with talk of mirror neurons, postulating a mechanism that according to some of them (Ramachandran, for instance) is the root of self-consciousness in people. That, however, is nonsense: there is no I-You intentionality that links the fish to its neighbour in the shoal, and no bird has felt that strange fascination with another's self-sufficient movement that Shakespeare conveys:

When you do dance I wish you

A wave of the sea, that you might ever do

Nothing but that... (Winter's Tale, IV, iv.)

You dance with music, and that means understanding the music as the source of the movement that is also flowing through you. Since the movement in you is a movement of life, in which your position at one moment propels you to your position at the next, so do you understand the music. You are moving in sympathy with another source of life. Yet the thing you are dancing with is not alive, even if it is produced by someone alive – an increasingly rare event in

itself. The life in the music is there by virtue of the fact that you can dance with it. The ultimate source of the life is you, the dancer. The life in the music is an imagined life, and the dance is your way of imagining it.

And here is one thing that might be said in answer to our third question. The moral quality of a work of music rubs off on the one who dances to it, to the extent that he moves in sympathy to that feature of the music. I don't say that the dancer acquires the virtue or vice in question. But he or she learns to sympathize with it. The process is really not so different from that which occurs in the theatre or when reading a novel. You come to sympathize with a character and moral qualities are the usual target of this sympathy – not necessarily, of course. Misfortune might awaken sympathy without any judgement of character; but misfortunes suffered by villains don't on the whole elicit our sympathy. Few people have difficulty in understanding how virtue and vice can be portrayed in literature, and how the portrait might educate our sympathies, and in doing so bring about some small moral improvement.

Now, of course, we are sorely tempted beings, and our moral knowledge is often eclipsed in the moment of temptation. Whatever we learn through sympathy is likely to have only a marginal influence on our behaviour. But, as Hume pointed out, our sympathies tend to coincide and reinforce each other, while our selfish desires conflict and therefore cancel each other out. Hence whatever rubs off on us through sympathy towards a work of art or the people represented in it is of immense importance, and fully entitles us to make a moral judgement. A work of music that moves through its nobility is one that is encouraging sympathy towards that virtue, and as this sympathy accumulates so does the work improve the moral temper of humanity, as surely Mozart did through his operas and Beethoven through his symphonies. And this is the kind of effect that Plato had in mind, when he argued against the corybants.

Now not all dancing is a response to the moral qualities of the music. Many people have danced to the Rolling Stones or Bruce Springsteen without directing their attention either to the aggression of the one or the sentimentality of the other. Aggression and sentimentality are vices, but they are not necessarily what you dance with, when you dance with aggressive or sentimental music. You can compartmentalise, and if you don't do so these days, you will find it very hard to dance, unless you are lucky enough to have mastered Salsa, Scottish Country Dancing, American Barn Dancing or some similar pre-lapsarian amusement. Such compartmentalisation is harder when listening, however, and it is when listening that the moral qualities of a piece of music come vividly to the fore.

This brings me to the crux. What is the relation of listening to dancing? You don't listen with a piece of music; you listen to it. But the 'witness' of the dance is reproduced in listening. In some way you move with the music as you listen to it, and this movement is, or involves, a movement of sympathy.

Making sense of that statement is, it seems to me, the hardest task in musical aesthetics, and I want to make a few suggestions, which I will simply list for your consideration.

1. Although you move with the music in some way, the movement in the music is purely imaginary. All animals hear sounds in sequences, and group them in perception. This grouping forms part of what the psychologist S.A. Gelfand has called 'auditory scene analysis', and is the auditory equivalent of Gestalt perception in the visual sphere. In listening to music, however, another kind of grouping occurs – one that requires an act of imagination. In hearing music we don't hear sequences of sounds only: we hear movement in and through those sounds. We group sounds in terms of this movement that we hear in them. Melodies begin, move on, conclude; rhythms propel the music forward, harmonies create tensions and resolutions which infect the melodic line. Everything is in motion – but it is a figurative motion, that corresponds to nothing real in the world of sound.

2. You can move with an imaginary movement, just as you can be moved by a fictional character. Your sympathies go out to Emma or David Copperfield in just the way they would go out to someone real. In dancing our sympathies go out to the life imagined in the music. And in listening something similar happens.

3. Listening is not the same as dancing: but it is more like dancing than it is like hearing. Many people hear music without listening to it. Listening involves attention – but attention to the imagined movement. The recording engineer listens intently to the sounds that he is recording; but he might be tone deaf, and entirely baffled by the suggestion that there is more to these sounds than their purely acoustical properties. The person who listens to music is listening to the imaginary movement, following it, and being led by it in something like the way a dancer is led by the music he or she is dancing to.

4. So there is a way in which the nobility of Elgar's music rubs off on the listener: through sympathy with the character that the listener hears in, and moves with, in the music. The nobility attributed to the music is not like that attributed to oak trees: it is heard in the individual piece, as presented in and through it. Listening is in some deep way like being in the presence of, and in communication with, a noble person. The similarities here are not between the shape of the music and the shape of a character. They are similarities between two experiences – it is as though we were confronting a noble person, his acts, inspiration and honest manner. We sense the open, responsible way in which he ventures forth on his musical journey: and as the music unfolds his character is in some way put to the test by it.

5. That last feature is the important one, since it helps us to overcome the objection that I levelled at Kivy earlier. It helps us to say when resemblances are not just accidental, but part of what the music means, part of its character

for us, and what it is presenting to us. The nobility is being presented through the musical line, and understanding that line is an integral part of understanding the character. It is not that the music is telling a story. Elgar's symphony is as 'absolute' a piece of music as any symphony by Brahms. But we are being invited, all the same, into a kind of musical journey, and we go side by side into that journey with a companion – which is the music itself.

Seeing it in that way we can see how we can make the most radical and far-reaching judgements of character in music. Many people react to the nobility in Elgar with a measure of distaste. This is imperial music, they say: this bold, honest, open melody also has a belligerent and self-consciously superior character, knocking lesser things down as it marches along. And when, in the second subject, you hear another mood, one of tenderness and longing, this too has something imperial to it, as though it were 'home thoughts from abroad', nostalgia for the place that distinguishes me and makes all these adventures outwards worthwhile. And when from time to time the music gets lost in those whispering passages, so strangely bleak and directionless, don't we feel the presence of doubts, the very same doubts that rotted the imperial project from within, and which led to its ultimate collapse?

I don't say that is how you should hear the Elgar. But you can hear it in that way, and it shows how deeply character and our reaction to character are revealed and developed in music – even the most abstract music. As with human character, the moral significance of a piece of music can be undermined by the revealing narcissistic gesture – the gesture that tells you that all this emotionality is not about the other, but about the self. That, surely, is what you so often feel in Skryabin – for instance, in the late piano sonatas, with their perfumed harmonies, and airy, look-at-me melodic lines, in which the tenderness is so evidently 'fixed'. Someone might wonder about the Elgar in this connection: the constant recourse to the lilting 2 + 1 rhythm, or the equally mesmeric rhythm (3+1)(2+1+1)(2+2) of the last movement: the music might seem stuck in a groove in the same way that certain characters are – unable to revise its fundamental outlook on the world, hence more interested in self than other when it comes to the crisis. Yet it also confesses to crisis, in the many whispered passages where the forward movement is arrested, and in the tender, vulnerable seeming second subject. The character displayed in this first movement is clearly a complex one, with moments of bluster, behind which we sense a vulnerable and domestic affection.

Of course, that raises the question of how much of this is 'read into' the piece by the listener, and how we distinguish that which is read in, from that which is 'really' there. I shall conclude with a couple of suggestions. The first is that attributing character to a piece of music is a form of interpretation, and the test of an interpretation lies in performance and reception. If my description of the moral character of the Elgar gives no hints as to how the piece might be performed, and no hints as to how it might be approached when listened to,

then it is vacuous as an account of the piece's meaning. In some way the interpretation must translate into a way of playing, and a way of hearing. And surely we are well used to distinguishing performances in this way – criticising a conductor for missing the character of a piece, or misrepresenting it, or spoiling it.

The second suggestion is that an interpretation must be anchored in the score. That is to say, it should not be reducible to a vague characterisation of the whole piece – comparable to the description of the oak as a noble tree. It should track the notes, help the performer and the audience to understand just how one episode follows on another, why this note here, this harmony there. That is the truly difficult task of criticism. It is not enough simply to invent some fanciful story that happens to coincide with the musical movement. There is a test of correctness for criticism of this kind, and that test is the ear of the beholder. It must be that the alert listener or performer, on grasping what the critic is saying, responds with a changed experience – yes, that is how it should be played/heard, should be the thought. This does not mean that interpretation homes in on some single, final judgement – nothing in interpretation is final. It means that there is a test that every interpretation must pass if it is not to be a flight of fancy on the critic's part, and that test is the transformed experience of the listening or performing ear. And from that transformed experience comes the outgoing movement of sympathy towards the virtue that is heard in the music.

The same goes, of course, for criticism of musical vices – of the kind that I briefly voiced in relation to Skryabin, and of the kind that Adorno tried to heap onto American popular music in toto. But vice is another story, and maybe it is best to leave it untold.



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American Constitutional Theory and History: Implications for European Constitutionalism

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By **Roger Pilon**

It is perhaps not impertinent to suggest that American constitutional theory and history, owing to the longevity of the document that is their subject, hold lessons for constitutionalism everywhere, but especially for European constitutionalism — the more recent and ever evolving treaties that serve as a “Constitutional Charter” for the European Union. An American constitutionalist looking east today, seeing everything from Brexit to Grexit plus the reactions in European capitals, must be struck by the tension in the EU between exclusion and inclusion in its many forms,

including individualism and collectivism. Those themes underpin my discussion here. The issues surrounding them are universal. They are at the heart of the human condition.

In America we wrestled with them at our founding over 200 years ago, again in the aftermath of our Civil War, and yet again with the advent of Progressivism, which culminated in our New Deal constitutional revolution. And we are still wrestling with them. Because America was founded on philosophical principles — First Principles, coming from the Enlightenment — it is particularly appropriate that we look at that experience to shed such light as we can on this more recent European constitutional experience.

But my more immediate concern is this: In liberal democracies today — nations constituted in the classical liberal tradition — we see the same basic problem, albeit with significant variations. It is that the growth of government, responding mainly to popular demand, has raised seemingly intractable moral and practical problems. First, increasing intrusions on individual liberty; and second, the unwillingness of people to pay for all the public goods and services they are demanding. Therefore, governments borrow. And that has led to massive public debt that saddles our children and grandchildren, to bankruptcy, and to the failure of governments to keep the commitments they have made.

In Italy, we need only look east, to the birthplace of democracy. But Greece is not alone in this. Nor are we in America immune. Cities like Detroit have gone bankrupt. So too, just recently, has the American territory of Puerto Rico. The state of Illinois has a credit rating today just above junk status, and Connecticut and New Jersey, among other states, are not far behind. At the national level, America's debt today exceeds \$20 trillion — that's trillion — more than double what it was only a decade ago. And our unfunded liability vastly exceeds that (Cogan 2018).

What has this to do with constitutionalism? A great deal. Constitutions are written, after all, to discipline not only the governments they authorize but the people themselves. The point was famously stated by James Madison ([1788] 1961), the principal author of the U.S. Constitution. "In framing a government which is to be administered by men over men, the great difficulty lies in this," he wrote: "you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government," Madison concluded, "but experience has taught mankind the necessity of auxiliary precautions."

The principal such precaution, of course, is a well-written constitution. But no constitution is self-executing. It is people who ultimately execute constitutions. In the end, therefore, the issue is cultural,

a point I will come back to.

America's Founders were deeply concerned with the problem of undisciplined, unlimited government. After all, they had just fought a war to rid themselves of distant, overbearing government. In drafting the Constitution, therefore, they were not about to impose that kind of government on themselves. In fact, during the ratification debates in the states, there were two main camps — the Anti-Federalists, who thought the proposed Constitution gave the government too much power, and the Federalists, who responded by pointing to the many ways the proposed Constitution would guard against that risk. The Federalists eventually won, of course, but the point I want to secure is that there was not a socialist in the group! There were *limited* government people, the Federalists, and *even more* limited government people, the Anti-Federalists.

So under a Constitution that has not changed that much, how did we go from limited to effectively unlimited government? The answer lies in the fundamental shift in the climate of ideas that began with Progressivism at the end of the 19th century, which the New Deal Supreme Court institutionalized in the 1930s. To illustrate that, I will first look closely at America's founding documents: the Declaration of Independence, signed in 1776; the Constitution, ratified in 1788; the Bill of Rights, ratified in 1791; and the Civil War Amendments, ratified between 1865 and 1870, which corrected flaws in the original Constitution. Together, those documents constitute a legal framework for individual liberty under limited government, however inconsistent with those principles our actual history may have been.

I will then show how progressives rejected the libertarian and limited government principles of America's Founders and how they eventually turned the Constitution on its head, not by amending it but through political pressure brought to bear on the Supreme Court. The problems that have ensued include the ones just noted: less liberty and increasing debt. But perhaps of even greater importance, for eight decades now the Supreme Court has struggled to square its post-New Deal decisions with the text and theory of the Constitution. That amounts to nothing less than a crisis of constitutional legitimacy.

And again, the basic reason for that crisis is the fundamental shift in outlook. Many Americans today no longer think of government as earlier generations did. Whereas the Founders saw government as a "necessary evil," to be restrained at every turn, many today think that the purpose of government is to provide them with vast goods and services, as decided by democratic majorities.

The Importance of Theory

I come, then, to the first important point I want to flag. You cannot understand the U.S. Constitution unless you understand the moral and political theory that stands behind it. And that was outlined not in the Constitution but in the Declaration of Independence (**Sandefur 2015**). The Constitution was written in a context, as were the later Civil War Amendments, and that context was one of natural law, Anglo-American common law, and even elements of Roman Law, all of which are captured succinctly in those famous words of the Declaration that I will quote in a moment. Indeed, President Abraham Lincoln's famous Gettysburg Address, written in the throes of a brutal Civil War, begins with these words: "Fourscore and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal." Lincoln was reaching back to the Declaration, not to the Constitution.

Yet no less than my good friend and Italy's gift to American constitutionalism, the late Justice Antonin Scalia, all but dismissed the Declaration as "philosophizing," contrasting it with the Constitution's "operative provisions" (**Scalia 1997**: 134). And his conservative colleague when the two served on the nation's second highest court, the late Judge Robert Bork, wrote that "the ringing phrases [of the Declaration] are hardly useful, indeed may be pernicious, if taken, as they commonly are, as a guide to action, governmental or private" (**Bork 1996**: 57). Is it any wonder that there is constitutional confusion in America today when the document that is essential to understanding it plays little or no part in that understanding?

Let me now flesh out the argument by focusing on the underlying moral, political, and legal principles at stake, after which I will offer just a few reflections on how those principles might illuminate issues in the European context. Again, I want to show how the shift from limited to effectively unlimited government took place in America, despite very few constitutional changes. I should note, however, that it will be some time before I get to the Constitution. If a proper understanding of the Constitution requires a proper understanding of the theory behind it, and if that theory is found implicitly in the Declaration, then that should be our initial focus, and will be for some time. That will take us into some of the deeper reaches of moral and political theory, the aim being to better understand the Constitution itself — and especially the broad principles that underpin it.

The first thing to notice about the American constitutional experience is how relatively different its beginnings were from those of many other nations. Constitution making and remaking often take place in the context of a stormy history stretching back centuries, even millennia. By contrast, America was a *new* nation. We came into being at a precise point in time, with the signing of the Declaration of Independence. To be sure, American patriots had to win our independence on the battlefield. And before that we had a colonial history of roughly 150 years. But America was created not by a discrete people but by diverse immigrants with unique histories all their own.

A second, crucial feature distinguishing America's constitutional experience is that it unfolded during the intense intellectual ferment of the Enlightenment, including the Scottish Enlightenment, with its focus on the individual, individual liberty, and political legitimacy, all of which reflected the sense of "a new beginning." Indeed, the motto on the Great Seal of the United States captures well the spirit of America's origins: *Novus ordo seclorum*, "a new order of the ages."

The Declaration of Independence

Let us turn, then, to that new order, as outlined in the Declaration. Penned near the start of our struggle for independence, the Declaration in form is a *political* document. But were it merely that, it would not have so endured in our national consciousness. Nor would it have inspired countless millions around the world ever since, leading many to leave their homelands to begin life anew under its promise, including millions from Italy who now enrich America. It has so inspired because, fundamentally, it is a profound *moral* statement. Offered from "a decent Respect to the Opinions of Mankind" and invoking "the Laws of Nature and of Nature's God," it was written not only to declare but to *justify* our independence. And it did so not simply by listing the king's "long Train of Abuses and Usurpations," which constitute the greater part of the document, but by first setting forth the moral and political vision that rendered those acts unjust.

And so we come to those famous words that flowed from Thomas Jefferson's pen in 1776, words that capture fundamental principles concerning the human condition:

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness — That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed.

The first thing to notice about that passage is that its propositions are asserted as "truths," not mere opinions. The Founders were not moral relativists. They were confident in their claims. And why not? Their truths were said to be "self-evident," grounded in universal reason, accessible by all mankind — and the evidence supports that.

Notice too the structure of the passage: There are two parts — and the order is crucial. The moral vision comes first, defined by equal rights. The political and legal vision comes second, defined by powers, as derived from the moral vision. And right there is the second major point I want to flag: Unlike today, where politics, grounded in will, so often determines what rights we have, for early

Americans, morality, grounded in reason, determined our rights. The Founders were concerned fundamentally with moral and political *legitimacy*. Rights first, government second, as the means for securing our rights (**Barnett 2016**, **Pilon 1999**).

Given that order of things, the Founders were engaged in “state-of-nature theory,” a rudimentary form of which can be found in the writings of Seneca (see **Corwin 1955**: 15). A fuller discussion came much later in the work of Thomas Hobbes (**1651**) and, especially, John Locke (**1690**) — often said to be the philosophical father of America.

State-of-nature theory is a thought experiment. The idea is to show how, without violating any rights, a legitimate government with legitimate powers might arise from a world with no government. Thus, the first step is to show, from pure reason, what rights we would have in such a world.

For that, as the Declaration implies, we turn to the natural law tradition — more precisely, the natural rights strain coming from the Reformation and the Enlightenment. Simply put, natural law stands for the idea that there is a “higher law” of right and wrong, grounded in reason, from which to derive the positive law, and against which to criticize that law at any point in time. There is nothing suspect about that idea, as modern moral skeptics argue. We appeal to natural law when the positive or actual law is thought to be morally wrong. In America, the abolitionists, the suffragists, and the civil rights marchers all invoked our natural rights in their struggles to overturn unjust law.

The origins of this law are in antiquity. Many of its particulars are in Roman Law, especially the law of property and contract. Over some 500 years in England, prior to the American Revolution, this law was refined and reduced to positive law by common-law judges consulting reason, custom, and what they knew of Roman Law as they adjudicated cases brought before them by ordinary individuals (**Corwin 1955**: 26; **Leoni 1961**). And John Locke drew largely on that body of common-law rights as he crafted a theory of natural rights, much as Jefferson drew on Locke when he drafted the Declaration.

To correct a common misunderstanding, these are the rights we hold *against each other*, and would hold in a state of nature. Later, once we create a government, they will serve as rights we hold against that government, and likely be included in a bill of rights.

To discover and justify these rights in detail, as I and others have done (**Pilon 1979**; **Epstein 2003**), we would need to delve into the complex issues of moral epistemology and legal casuistry, and this is not the occasion for that. Suffice it to say that, when that foundational work is done, the conclusion one reaches is the same one America’s Founders reached through reason and experience — namely, that our basic right is the right to be free from the unjustified interference of others, and all other

rights are derived from that basic right, as the facts may warrant. What results approximates largely the judge-made common law of property, torts, contracts, and remedies, a law that defines our private relationships, as it did in early America both before and long after the Revolution. It is a law that says, in essence, that each of us is free to pursue happiness, by his own subjective values, either alone or in association with others, provided we respect the equal objective rights of others to do the same. In short, it is a live-and-let-live law of liberty.

And I can summarize it with three simple rules, so simple that even a child can understand them.

- Rule 1: Don't take what belongs to someone else. That is the whole world of property, broadly conceived as Locke did — our property in our "Lives, Liberties, and Estates."
- Rule 2: Keep your promises. That is the whole world of contracts and associations.
- Rule 3: If you have wrongly violated rules 1 or 2, give back what you have wrongly taken or wrongly withheld. That is the whole world of remedies.

There is a fourth rule, however, but it is optional: Do some good. You're free not to be a Good Samaritan, but you should be one if you are a decent human being and the cost to you is modest. Unlike much continental law, Anglo-American law never compelled strangers to come to the aid of others (**Ratcliffe 1966**). It did not because individual liberty is its main object. And it saw that there is no virtue in forced beneficence. We are free to criticize those who don't come to the aid of others, and we should, even as we defend their right not to.

Why have I mentioned this fourth, voluntary rule? Again, it is because, when we start from a theoretical state of nature, we need to know what rights we do and do not have for government to enforce once we bring government into the picture. And the Good Samaritan is the modern welfare state writ small. If there is no right to be rescued, there is no correlative obligation for government to enforce. Recognizing that raises important questions about the very legitimacy of the welfare state.¹

Leaving the State of Nature and the Problem of Political Legitimacy

To get to the Constitution, however, we need now to take the last step in the argument. We need to derive a legitimate government with legitimate powers — and that is no easy matter. I have said little

about enforcement so far. The Declaration says that government's purpose is to secure our rights, its *just* powers derived "from the consent of the governed." Thus, the Founders invoked the social contract, which grounds political legitimacy in consent.

But there are well-known problems with consent-based social-contract theory as a ground for political legitimacy. The question is how to move legitimately from self-rule to collective rule. Unanimity will achieve legitimacy, of course, but rarely if ever do we get it. Majoritarianism will not solve the problem, because it amounts to tyranny over the minority that has not consented. Nor will the social contract work, except for those in the original position who agree thereafter to be bound by the will of the majority. Nor, finally, will so-called tacit consent work — "you stayed, therefore you're bound by the majority" — because it puts the minority to a choice between two of its rights, its right to stay where it is and its right not to be ruled by the majority, precisely what the majority must justify on pain of circularity. As for elections, an occasional vote hardly justifies all that follows.

As a *practical* matter, the social contract argument may be the best we can do, but recognizing its infirmities leads to a compelling conclusion — and to the third basic point I want to flag, namely, that there is an air of illegitimacy that surrounds government as such. Government is not like a private association that we can join or leave at will. It is a *forced* association. Its very definition entails force. And once we recognize its essential character, that should compel us, *from a concern for legitimacy*, to do as much as we can through the private sector where it can be done voluntarily and hence in violation of the rights of no one, and as little as possible through the public sector where individuals will be forced into programs they may want no part of.

In short, as a *moral* matter, there is a strong presumption against doing things through government. We should turn to government not as a first but only as a *last* resort, when all else fails.

Still, we can refine this conclusion. We can distinguish three distinct powers in decreasing degrees of legitimacy. The first is the police power — the power, through adjudication or legislation, to more precisely define and enforce our rights. As such, it is bound by the rights we have to be enforced, although it includes the power to provide limited "public goods" like national defense, clean air, and certain infrastructure — goods described by nonexcludability and nonrivalrous consumption, as economists define them (Cowen 2008).

When we leave the state of nature, we give government that power to exercise on our behalf. But because we had the power in the state of nature — Locke called it the "Executive Power" each of us has to secure his rights — to that extent it is legitimate. Only the anarchist who would prefer to remain in the state of nature can be heard to complain. Fortunately, there are few of those.

Less legitimate is the eminent domain power — the power to condemn and take private property for public use after paying the owner just compensation — because none of us would have such a power in the state of nature. Such legitimacy as this power enjoys, at least in America, is because we gave it to government when we ratified the Constitution's Fifth Amendment, which includes the Takings Clause; and it is "Pareto optimal," as economists say, meaning that at least one person is made better off by its use — the public, as shown by its willingness to pay — and no one is made worse off — the owner, provided he is indifferent as to whether he keeps the property or receives the compensation, which he rarely is, unfortunately.

The third great governmental power, ubiquitous today, is the least legitimate. In fact, from a natural rights perspective, it enjoys no legitimacy. It is the redistributive power, and it takes two forms, material and regulatory. Through redistributive taxation, government takes from *A* and gives to *B*. Through redistributive regulation, government prohibits *A* from doing what he would otherwise have a right to do or requires him to do what he would otherwise have a right not to do, all for the benefit of *B*. Those powers describe the modern redistributive and regulatory state. No one would have them in the state of nature. How then could government get them legitimately, since governments, in the classical liberal tradition, get whatever powers they have from the people, who must first *have* those powers to yield up to government?

There are three main answers. First, if that redistribution arose through unanimous consent, there would be no problem; but again, rarely if ever does that occur in the public domain. Second, majorities gave governments those powers. That raises the classic problem of the tyranny of the majority, as already mentioned. And third, special interests have learned how to work the system for their benefit, as public choice economists have long explained.² That is the tyranny of the minority — and the main source today of such schemes.

We can conclude this examination of the moral foundations of the classical liberal vision by imagining a continuum, with anarchy or no government at one end — our state of nature — and totalitarianism at the other end, where everything possible is done through government. At the anarchy end, individuals are free to plan and live their lives as they wish, alone or in cooperation with others. They will soon find, however, that there are some things best done collectively, like the provision and enforcement of law, national defense, clean air and water, limited infrastructure, and the like — public goods — and most will consent to the public provision of such goods. But as we move up the continuum toward totalitarianism and try to bring more and more *private* goods under *public* provision — education, health care, child care, jobs, housing, ordinary goods and services — people start voting with their feet. The Berlin Wall was not built to keep West German workers out of the workers' paradise to the east.

The moral, political, and legal vision implicit in the Declaration of Independence is closer to the anarchy end of that continuum. America's Founders envisioned a land in which people were free to live as they wished, respecting the equal rights of others to do the same, with government there to secure those rights and do the few other things it was authorized to do.

That basic moral vision is perfectly universalizable. How to secure it through the rule of law is another matter. Certain basic legal principles are themselves universalizable and are common to most legal systems, but whether a nation has a parliamentary system as in much of Europe, or a republican form of government as in America, or some other arrangement is not a matter of natural law. Let us now see how the Founders framed a constitution to secure the Declaration's moral vision.

The Constitution

After we declared independence, and during our struggle for it, we lived under our first constitution, the Articles of Confederation. As its name implies, it was a loose agreement among the 13 states, authorizing a national government that hardly warranted the name. Three main problems lay ahead. Surrounded on three sides by great European powers, our national defense was painfully inadequate. Second, states were erecting tariffs and other barriers to free interstate trade. And finally, our war debts remained unpaid. After 11 years, the Framers met in Philadelphia to draft a new Constitution.

The main problem they faced was how to strike a balance. They needed to give the new government enough power to address those problems and accomplish its broad aims, yet not so much power as to risk our liberties. Those aims were set forth in the Constitution's Preamble:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Notice: states aside, regarding the proposed new government, we are right back in the state of nature, about to "ordain and establish" a constitution to authorize it and bring it into being. All power rests *initially* with "we the people." We bring the constitution and the government that follows into being through ratification. We give it its powers, such as we do. The government does not give us our rights. We already have our rights, natural rights, the exercise of which creates and empowers this government.

How, then, does Madison strike the balance between power and liberty in service of those aims? First, through federalism: Power was *divided* between the federal and state governments, with most power left with the states, especially the general police power — the basic power of government to secure our rights, as just discussed. The powers we delegated to the federal government concerned national issues like defense, free interstate commerce, rules for intellectual property, a national currency, and the like.

Second, following Montesquieu, Madison *separated* powers among the three branches of the federal government, with each branch defined functionally. Pitting power against power, he provided for a bicameral legislature, with each chamber constituted differently; a unitary executive to enforce national legislation and conduct foreign affairs; and an independent judiciary with the implicit power to review legislative and executive actions for their constitutionality — a novel institution at that time, and a crucial one as time went on.

Third, although the Constitution left most of the rules for elections with the states, it provided for periodic elections to fill the offices set forth in the document, thus leaving ultimate power with the people.

But while each of those provisions and others struck a balance between power and liberty, the main restraint on overweening government took the name of the *doctrine of enumerated powers*. And I can state it no more simply than this: if you want to limit power, don't give it in the first place. We see that doctrine in the very first sentence of the Constitution, after the Preamble: "All legislative Powers *herein granted* shall be vested in a Congress" By implication, not all powers were "herein granted." Look at Article I, section 8, and you will see that Congress has only 18 powers or ends that the people have authorized. And the last documentary evidence from the founding period, the Tenth Amendment, states that doctrine explicitly: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." In other words, the Constitution creates a government of delegated, enumerated, and thus limited powers. If a power is not found in the document, it belongs to the states — or to the people, never having been given to either government.

As noted earlier, when the Constitution was sent out to the states for ratification, it met stiff resistance as Anti-Federalists thought it gave too much power to the national government. Only after the Federalists agreed to add a bill of rights was it finally ratified. During the first Congress in 1789, Madison drafted 12 amendments, 10 of which were ratified in 1791 as the Bill of Rights. That document sets forth rights that are good against the federal government, such as freedom of religion, speech, press, and assembly, the right to keep and bear arms, to be secure against unreasonable searches and seizures, to due process of law, to compensation if private property is taken for public

use, to trial by jury, and more.

But it is important to note that the Bill of Rights was, as Justice Scalia (2017: 161) said, an “afterthought.” Unlike with many European constitutions, which begin with a long list of rights, many aspirational, the Framers saw the Constitution’s *structural* provisions as their main protection against overweening government (National Lawyers Convention 2017). And on that score, it is crucial to mention the Ninth Amendment, which reads: “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.”

The history behind that amendment is instructive. During the ratification debates, there were two main objections to adding a bill of rights. First, it would be unnecessary. “Why declare that things shall not be done,” asked Alexander Hamilton ([1788] 1961), “which there is no power to do?” Notice that he was alluding to the enumerated powers doctrine as the *main* protection for our liberties: where there is no power, there is a right.

And second, it would be impossible to enumerate all of our rights, yet, by ordinary principles of legal construction,³ the failure to do so would be construed as implying that only those rights that were enumerated were meant to be protected. To guard against that, the Ninth Amendment was written. It reads, again, “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.” Notice: “retained by the people.” You can’t retain what you don’t first have to be retained. The allusion is to our natural rights, which we retained when we left the state of nature, save for those we gave up to government to exercise on our behalf, like the right to enforce our rights.

For a proper understanding of the Constitution, the importance of the Ninth Amendment, which speaks of retained rights, and the Tenth Amendment, which speaks of delegated powers, cannot be overstated (Pilon 1991: 1). Taken together, as the last documentary evidence from the founding period, they recapitulate the vision of the Declaration. We all have rights, enumerated and unenumerated alike, to pursue happiness by our own lights, to plan and live our lives as we wish, provided we respect the rights of others to do the same; and federal and state governments are there to secure those rights through the limited powers we have given them toward that end. There, in a nutshell, is the American vision, reduced from natural to positive law.

But apart from our failure too often to abide by that vision, there was a structural problem with the original design. There were too few checks on the states, where most power was left. And the reason was slavery. To achieve unity among the states, the Framers made their Faustian bargain. They knew that slavery was inconsistent with their founding principles. They hoped it would wither away in time. It did not. It took a brutal civil war to end slavery and the Civil War Amendments to “complete” the

Constitution by incorporating at last the grand principles of the Declaration, especially equality before the law (**Reinstein 1993**).

The Thirteenth Amendment, ratified in 1865, rendered slavery unconstitutional. The Fifteenth Amendment, ratified in 1870, protected the right to vote from being denied on account of race. And the Fourteenth Amendment, ratified in 1868, defined federal and state citizenship and provided *federal* remedies against a state's violating the rights of its own citizens.⁴

Unfortunately, only five years after the Fourteenth Amendment was ratified, a deeply divided 5–4 Supreme Court eviscerated the principal font of substantive rights under the amendment, the Privileges or Immunities Clause.⁵ Thereafter the Court would try to do under the less substantive Due Process Clause what was meant to be done under privileges or immunities, and the misreading of the Fourteenth Amendment has continued to this day. Among other things, the upshot was Jim Crow racial segregation in the South, which lasted until the middle of the 20th century.

Progressivism

We turn now to the great ideological watershed, the rise of Progressivism at the end of the 19th century. Coming from the elite universities of the Northeast, progressives rejected the Founders' libertarian and limited government vision (**Pestritto and Atto 2008**). They were social engineers, planners enamored of the new social sciences. Insensitive when not hostile to the power of markets to order human affairs justly and efficiently, they sought to address what they saw as social problems through redistributive regulatory legislation. They looked to Europe for inspiration: Bismarck's social security scheme, for example, and British utilitarianism, which in ethics had replaced natural rights theory. The idea was that policy, law, and judgment were to be justified not by whether they protected our natural and moral rights but by whether they produced the greatest good for the greatest number — often by *giving* rights to some, taken from others.

A particularly egregious example of that rationale concerned a sweetheart suit brought against a Virginia statute that authorized the sterilization of people thought to be of insufficient intelligence.⁶ Part of the bogus "eugenics" movement, the law was designed to improve the human gene pool. Writing for a divided Supreme Court in 1927, the sainted Justice Oliver Wendell Holmes upheld the statute, ending his short opinion with the ringing words, "Three generations of imbeciles are enough." There followed some 70,000 sterilizations across the nation.

Some of what the progressives did was long overdue, like promoting municipal health and safety measures and attacking corruption. Yet they also sowed the seeds for later corruption, especially

through regulatory schemes ripe for special interest capture, replacing markets with cartels (**Epstein 2006**). And their record on racial matters was abysmal (**Sowell 2016**).

During the early decades of the 20th century, progressives directed their political activism mostly at the state level, but they often failed as the courts upheld constitutional principles securing individual liberty and free markets. With the election of Franklin Roosevelt in 1932, however, progressive activism shifted to the federal level. Still, during the president's first term the Supreme Court continued mostly to uphold limits on federal power, finding several of Roosevelt's programs unconstitutional.

With the landslide election of 1936, however, things came to a head. Early in 1937, Roosevelt unveiled his infamous Court-packing scheme, his threat to pack the Court with six new members. Uproar followed. Not even an overwhelmingly Democratic Congress would go along with the plan. Nevertheless, the Court got the message. The famous "switch in time that saved nine" justices followed. The Court began rewriting the Constitution, in effect, not through amendment by the people, the proper way, but by reading the document as it hadn't been read for 150 years — as authorizing effectively *unlimited* government (**Leuchtenburg 1995**).

The Court did that rewrite in three basic steps. First, in 1937 it eviscerated the very centerpiece of the Constitution, the doctrine of enumerated powers. Then in 1938 it bifurcated the Bill of Rights and gave us a bifurcated theory of judicial review. Finally, in 1943 it jettisoned the nondelegation doctrine. Let me describe those steps a bit more fully so you can see the importance of recognizing and adhering to the theory that stands behind and informs a constitution.

The evisceration of the doctrine of enumerated powers involved three clauses in Article I, section 8, where Congress's 18 legislative powers are enumerated: the General Welfare Clause, the Commerce Clause, and the Necessary and Proper Clause. All were written to be shields against government. The New Deal Court turned them into swords of government through which the modern redistributive and regulatory state has arisen.

The first of Congress's enumerated powers, where the General Welfare Clause is found, authorizes Congress, in relevant part, to tax to provide for the "general Welfare of the United States." As Madison wrote in *Federalist* No. 41, that qualifying language was simply a general heading under which Congress's 17 other powers or ends were subsumed, for which Congress may tax, but only if they serve the *general welfare of the United States*, not particular or local welfare.

Instead, the New Deal Court read the clause as an *independent* power authorizing Congress to tax for

whatever it thought might serve the “general welfare.”⁷ That reading could not be right, however, because it would enable Congress to tax for virtually any end, thus rendering Congress’s other powers superfluous, as Madison, Jefferson, and many others noted when the issue arose early in our history. Indeed, it would turn the Constitution on its head by allowing Congress effectively unlimited power. Such is the result from ignoring the document’s underlying theory of limited government.

Similar issues arose that year with the Commerce Clause, which in relevant part authorized Congress to regulate interstate commerce. Recall that, under the Articles of Confederation, states had begun erecting tariffs and other protectionist measures, and that was leading to the breakdown of free trade among the states. Thus, the Framers gave Congress the power to regulate — or *make regular* — commerce among the states, largely by negating state actions that impeded free trade, but also through affirmative actions that might facilitate that end (**Barnett 2001**).

Over several decisions, however, beginning in 1937,⁸ the New Deal Court read the Commerce Clause as authorizing Congress to regulate anything that “affected” interstate commerce, which of course is virtually everything. Thus, in 1942 the Court held that, to keep the price of wheat high for farmers, Congress could limit the amount of wheat a farmer could grow, even though the excess wheat in question in the case never entered commerce, much less interstate commerce, but was consumed on the farm by the farmer and his cattle. The Court held that the excess wheat he consumed himself was wheat he would otherwise have bought on the market, so “in the aggregate” such actions “affected” interstate commerce.⁹ Such were the economic theories of the Roosevelt administration.

The last of Congress’s 18 enumerated powers authorizes it “to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.” Thus, the clause affords Congress *instrumental* powers — the *means* for executing its other powers or pursuing its other enumerated ends. “Necessary” and “proper” are words of limitation, of course: Not any means Congress desires will do. Yet the New Deal and subsequent Courts, until very recently, have hardly policed those limitations (**Blumstein 2012**: 86).¹⁰

Turning now to the second step, despite the demise in 1937 of the doctrine of enumerated powers, one could still invoke one’s rights against Congress’s expanded powers. So to address that “problem,” the New Deal Court added a famous footnote to a 1938 opinion.¹¹ In it, the Court distinguished two kinds of rights: “fundamental,” like speech, voting, and, later, certain personal rights; and “non-fundamental,” like property rights and rights we exercise in “ordinary commercial relations.” If a law implicated fundamental rights, the Court would apply “strict scrutiny” and the law would likely be found unconstitutional.¹² By contrast, if nonfundamental rights were at issue, the Court would apply the so-called rational basis test, which held that if there were *some* reason for the law, if you could *conceive* of one, the law would be upheld. Thus was economic liberty reduced to a second-class

status. None of this is found in the Constitution, of course. The Court invented it from whole cloth to make the world safe for the New Deal programs (**Pilon 2003**).

Finally, in 1943 the Court jettisoned the nondelegation doctrine,¹³ which arises from the very first word of the Constitution: “All legislative Powers herein granted shall be vested in a Congress ...” Not some; all. As government grew, especially during the New Deal, Congress began delegating ever more of its legislative power to the executive branch agencies it was creating to carry out its programs. Some 450 such agencies exist in Washington today. Nobody knows the exact number.

That is where most of the law Americans live under today is written, in the form of regulations, rules, guidance, and more, all issued to implement the broad statutes Congress passes. Not only is this “law” written, executed, and adjudicated by unelected, non-responsible agency bureaucrats — raising serious separation-of-powers questions — but the Court has developed doctrines under which it defers to *agencies’* interpretations of statutes, thus largely abandoning its duty to oversee the political branches. Governed largely today under administrative law promulgated by the modern executive state, we are far removed from the limited, accountable government envisioned by the Founders and Framers (**Hamburger 2014, 2017**).

This completes my overview of American constitutional theory and history. From it, as I mentioned early on, the main lesson to be drawn is that culture matters. The Founders and Framers were animated by individual liberty under limited government. When the post-Civil War Framers revised our original federalism, they did it the right way, by amending the Constitution to make it consistent with its underlying moral and political principles. The New Deal politicians, having less regard for the Constitution and its underlying principles, rejected that course, choosing instead to browbeat the Court into effectively rewriting the Constitution, undermining its moral and political principles in the process.

But don’t take my word for it. Here is Franklin Roosevelt (**1935**), writing to the chairman of the House Ways and Means Committee: “I hope your committee will not permit doubts as to constitutionality, however reasonable, to block the suggested legislation.” And here is Rexford Tugwell (**1968**: 20), one of the principal architects of the New Deal, reflecting on his handiwork some 30 years later: “To the extent that these [New Deal policies] developed, they were tortured interpretations of a document intended to prevent them.” They knew exactly what they were doing. They were turning the Constitution on its head.

Thus, the problem today is not, as so many America progressives think, too little government. It is too much government, intruding on our liberties and driving us ever deeper into debt. And it isn’t as if our Founders did not understand that. As Jefferson famously wrote, “The natural progress of things is for

liberty to yield, and government to gain ground” (Boyd 1956: 208–10). The remedy for that “progress” is a good constitution, but it must be followed. And that takes good people at every stage — including, ultimately, the people themselves.

A Few Implications for European Constitutionalism

So what lessons might we draw from the American experience for European constitutionalism? Recall my mentioning earlier of being struck by the tension in the EU between exclusion and inclusion in its many forms, including individualism and collectivism. As we have seen, that same tension runs through America’s constitutional history as well. To address deficiencies in the Articles of Confederation, the original Constitution moved toward greater inclusion to form “a more perfect Union.” But the resulting federalism did not get the balance right either. It left too much power with the states, enabling the southern states to continue enforcing slavery. So the Civil War Amendments increased the inclusion, correctly. The adjusted federalism gave more power to the federal government, enabling it to block states from oppressing their own citizens — a higher power checking a subsidiary power.

But that balance, reflecting the nation’s underlying principles, was upended again by the far more inclusive New Deal constitutional revolution. Giving vastly more power to the federal government, contrary to the nation’s limited government principles, this change swept ever more Americans into public programs, leading many to want out. They wanted to be *excluded* from the socialization of life, as reflected by the rise of the conservative and libertarian movements in the second half of the 20th century.

Are there parallels with post-War developments in Europe? To this sometime-student of European affairs, there seem to be; but the inclusion that began with the 1951 Treaty of Paris and continued through the many treaties since makes it difficult if not impossible to speak of three distinct periods, as in America, much less point to a “golden mean” in this evolution akin to America’s post-Civil War settlement. In recent years, however, the impetus toward exclusion, in many forms, is unmistakable, Brexit being only the most prominent example, the ongoing refugee resettlement crisis being another.

Federalism *within* nations is a delicate balance. Federalism *among* sovereign nations, which is what the EU amounts to, is far more difficult, especially when cultural differences loom large. And on that score, here is a paradox. Europeans have always been more comfortable than Americans with collectivization in the form of the welfare state, certainly within their respective nations (Rhodes

2018). But with collectivization *among* nations, cultural differences — rich and poor being only one axis — can easily exacerbate the cooperation that is required if collectivization is to work at all, much less with any measure of efficiency. The evidence suggests that the EU has gone too far in that direction. At the same time, the evidence is equally clear that the failure to make EU border security an EU responsibility, leaving it instead to individual members, has raised serious problems, too (**Rohac 2016**).

In America, border security became a federal government function once the Constitution was ratified. Within our borders, however, to keep states honest, the Founders instituted *competitive* federalism, whereby states compete for the allegiance of citizens; and it has largely worked as states with high taxes and excessive regulations lose firms and people to states with low taxes and reasonable regulations. People vote with their feet, much as in the Schengen Area. But the federal income tax plus the direct election of senators, both enacted as constitutional amendments in 1913 and both promoted by progressives, unleashed *cooperative* federalism whereby federal and state officials collude, using federal funds and enacting federal regulations, to undercut state autonomy and the discipline that competitive federalism was meant to secure (**Greve 2012; Buckley 2014**).

Earlier I said that you cannot understand the American Constitution unless you understand the theory behind it. Well, what is the theory behind the treaties that compose the EU Constitution? Peace through trade and cooperation, yes — given Europe's long history of wars. But beyond that, what? We have seen how a radical shift in the climate of ideas in America, especially in the direction of collectivism, has led, as many lonely voices predicted, to a reaction that today reflects a deeply divided nation, unable to restrain its appetite for "free" goods and services, even in the face of crushing debt. The divisions surfacing recently in Europe are no accident. People and peoples yearn to breathe free — in an earlier understanding of that idea. The balance needed to ensure that freedom may be difficult to find. But to discover it, as we celebrate Italy's Constitution today and reflect on Italy's place within the larger European Community, we could do no better than to repair to the First Principles that are the very foundation of civilized nations.

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¹ That is not to say that, as a *practical* matter, elements of the welfare state may not be justified as a *last resort*. Rather, such elements are not brought into being "by right." Put differently, there is a strong moral presumption *against* such measures — against *forcing* people to assist others through taxation or otherwise — and a strong presumption in favor of voluntary *private* assistance and *private* charity.

² The classic arguments are by Buchanan and Tullock (1962).

³ *Expressio unius est exclusio alterius*.

⁴ Prior to that time, the Bill of Rights applied only against the federal government. *Barron v. Baltimore*, 32 U.S. 243 (1833).

⁵ *Slaughterhouse Cases*, 83 U.S. 36 (1873).

⁶ *Buck v. Bell*, 274 U.S. 200 (1927).

⁷ *Helvering v. Davis*, 301 U.S. 619 (1937).

⁸ *NLRB v. Jones & Laughlin Steel Corp.*, 301 U.S. 1 (1937).

⁹ *Wickard v. Filburn*, 317 U.S. 111 (1942).

¹⁰ For a recent exception, see *NFIB v. Sebelius*, 567 U.S. 519 (2012).

¹¹ *United States v. Carolene Products Co.*, 304 U.S. 144 (1938).

¹² To satisfy the strict scrutiny test, the government must have a “compelling interest,” and the means it employs must be “narrowly tailored” to serve that interest.

¹³ *National Broadcasting Co. v. United States*, 319 U.S. 190 (1943).

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The Constitutional Protection of Property Rights: America and Europe

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FOREWORD

THIS article is based on an address by Dr. Roger Pilon to the Progress Foundation's 24th Economic Conference in Zurich, Switzerland, June 13, 2007. The conference was organized with the cooperation and co-sponsorship of the American Institute for Economic Research.

As in all Progress Foundation economic conferences, the views expressed by the participants are their own and do not necessarily represent the views of the sponsoring institutions. As with previous events, however, we believe that the analysis in the article that follows is both timely and pertinent, and will engage the reader's interest whatever his or her particular views.

About the Author

Roger Pilon is vice president for legal affairs at the Cato Institute where he holds the B. Kenneth Simon Chair in Constitutional Studies. He is the founder and director of Cato's Center for Constitutional Studies and the publisher of the *Cato Supreme Court Review*. He is also an adjunct professor of government at Georgetown University through The Fund for American Studies.

Dr. Pilon's writings have appeared in the nation's major media and he is a frequent guest on radio and TV. He lectures and debates at universities and law schools across the country and testifies often before Congress. Prior to joining Cato he held five senior posts in the Reagan administration, including at State and Justice. He has taught philosophy and law and was a national fellow at Stanford's Hoover Institution. Dr. Pilon holds a B.A. from Columbia University, an M.A. and a Ph.D. from the University of Chicago, and a J.D. from the George Washington University School of Law. In 1989 the Bicentennial Commission presented him with the Benjamin Franklin Award for excellence in writing on the U.S. Constitution. In 2001 Columbia University's School of General Studies awarded him its Alumni Medal of Distinction.

I am delighted to speak about the constitutional protection of property rights, since it is a subject I follow quite closely. One cannot talk about the protection of property rights in the United States without first placing that subject within the larger context of American constitutionalism. Thus, after brief comments about the immediacy of the property rights issue in America today, I will focus the first part of my remarks on the American theory of constitutional legitimacy and the place of property rights within that theory. I will then show how that theory and those rights were compromised by ideas that came from the Progressive Era, which were institutionalized during the New Deal. Finally, I will say a few words about the protection of property rights in the European context, where the positive law seems far less sympathetic, yet the European Court of Human Rights seems to be moving toward better protecting such rights.

I. The American Theory of Constitutional Legitimacy

Two years ago, at the end of its 2004-2005 term, the U.S. Supreme Court handed down a property rights decision, *Kelo v. City of New London, Connecticut*,¹ that animated the American public like no decision in recent memory. The Court upheld a plan by the city to take title to the modest homes of Suzette Kelo and many of her neighbors so that those titles could be transferred to a private developer to enable him to build upscale homes and commercial establishments on the land, thereby affording the city various amenities and a greater tax base. Suddenly, Americans realized that no home or small business was safe, that any time public officials believed they could bestow a benefit on the public by taking the property of some and giving it to others, even with just compensation, they could do so. Thanks to the public relations efforts of the Cato Institute and, especially, our good friends at the Institute for Justice, who had argued the case all the way to the Supreme Court, there was a public outcry across the nation over the following year.² To date, over 40 states have passed measures of varying quality to better protect property rights. Last November, 12 such measures were on state ballots; 9 passed, some by overwhelming majorities.³

But while that reaction to a Supreme Court decision has checked certain abuses of the governmental power of eminent domain, the resulting checks have not gone to the core of the problem. Far too often today governments at all levels in America run roughshod over property rights with impunity. To appreciate the nature of the problem, however, it is necessary to place it

within the larger constitutional context. Unlike in Europe, with its various national constitutional arrangements and its complex overlay of international treaty arrangements amounting to the European Union, in America we have a unitary system of nominally limited national government grounded in the U.S. Constitution—the supreme law of the land—but made more complex by an intertwined federal system of 50 state constitutions. The relationships between the two levels of government within that system are hardly self-evident. Moreover, there are background moral and legal principles that must be acknowledged if a systematic account of American government is to be understood. Here, I will simply sketch such an account.

A. The Declaration of Independence

The place to begin, however, is not with the Constitution of 1787 but with the Declaration of Independence of 1776, because it was there that America's Founders set forth the moral, political, and legal principles that 11 years later would inspire the Framers of the Constitution. And the first thing to be noticed is that we stand in the natural law tradition—more precisely, in the natural rights strain of that tradition, its roots in antiquity, its clearest manifestation in the English common law that had evolved over 500 years and in John Locke's *Second Treatise of Government*, which set forth not only the theory of rights on which American government rests but the property and social contract theories that so informed the founding generation's vision.⁴ Positive law, law grounded in political will, may be necessary to establish a political regime; but because of intractable practical problems surrounding even democratic consent, positive law must be derived ultimately, if not fully, from natural law, grounded in reason, if it is to be legitimate. Indeed, so intractable are those problems that we are led to conclude that government, unlike private associations, has an ineluctable element of force about it. It is a forced association,⁵ prompting us, from a moral perspective, to do as much as possible in the private sector, where it can be done in violation of the rights of no one, and as little as possible in the public sector, where forced association is inevitable.⁶

All of that and more was captured succinctly by Thomas Jefferson in the seminal phrases of the Declaration that we know so well:

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life,

Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed.⁷

Notice first that in that famous passage Jefferson follows the tradition of state-of-nature theory. He first sets forth the moral order; only then does he outline the political and legal order it entails. Thus, political and legal legitimacy are functions of moral legitimacy. And moral legitimacy is rooted in the idea of “self-evident” truths, truths of reason, grounded neither in religious belief nor in will. Thus, the Declaration’s bow to theology is minimal at most: the argument stands rather in the grand tradition of moral rationalism, stemming at least from Plato’s *Euthyphro*. The substantive premise—moral equality—is likewise parsimonious: we are equal only, but crucially, with reference to our rights to life, liberty, and the pursuit of happiness. And rights, with their correlative obligations, translate easily into law, unlike such moral notions as values or virtues.

The right to pursue happiness warrants special attention, because implicit in it is a distinction central to the classical liberal vision—between objective rights and subjective values. We each pursue happiness according to our own subjective values. The theory of rights speaks not to such value choices; rather, it says only that each of us has an objective right to pursue such subjective values provided only that we respect the equal rights of others to do the same. Thus, as against skepticism, which holds that there are no moral truths, or if there are we can’t know them, rights theory argues for truth in the limited realm of rights. But, as against dogmatism, which holds that moral truths abound, even regarding values, and that all or most of life should be regulated by law with such “truths” in view, rights theory leaves it to individuals to chart their own courses through life. Neither skepticism, stripping us of moral foundations, nor dogmatism, stripping us of freedom, is an attractive view. By distinguishing rights and values, as the Declaration implicitly does, we find a principled path between those unattractive alternatives—morality, yet freedom too, including the freedom to be and do wrong, provided only that the rights of others are respected in the process.⁸

When it came to casuistry, the Founders understood that all of our rights could usefully be reduced to property, broadly understood—“Lives, Liberties, and Estates,” as Locke put it, “which I call by the general Name, *Property*.”⁹ By so doing, we are better able to distinguish legitimate from

illegitimate right claims: we have rights only to those things we hold free and clear—things to which we hold title, with which we are “entitled.” As between common law strangers, we are entitled simply to our liberty, as defined by our property—thus to be free from takings and from trespass to person or property. But included in that freedom is the right to associate with willing associates: thus the second great font of rights, besides property, contract. Those were the two key insights of the English common law, through the development of which judges adjudicated disputes between individuals, drawing mainly not upon edict or statute but upon reason and precedent, as if in a state of nature.¹⁰ And by enjoying and exercising those two rights, property and contract, individuals can construct the whole of what we call civil society or civilization.

But there are “inconveniences”—Locke’s phrase—with life in the state of nature, most clearly regarding enforcing or securing our rights, for which the natural remedy, he argued, is government. And so it is that Jefferson turns at last to his second concern, to show how government might arise from the moral order he has just sketched. Although he does not note here, understandably, the inherent difficulty of deriving legitimate government from individual liberty, it is clear that it is limited government that he thinks alone is justified. For the only end of government mentioned is “to secure these rights;” and government’s “*just Powers*” must be derived “from the consent of the Governed.” Thus, government is twice limited, by its ends, and by its means.

The vision that emerges from the Declaration, then, is essentially libertarian, with each of us free to pursue happiness as we wish, to chart our own course through life, provided we respect the equal rights of others to do the same, and government instituted to secure those rights. Eleven years later, after American patriots had won our independence on the battlefield and had experimented with variations of limited democracy in the states and even more limited government under the Articles of Confederation, some of those same men who had drafted the Declaration, plus others, met again in Philadelphia to draft a new Constitution for this new nation. Wiser by virtue of their experiences with self-government, they nevertheless brought the same set of principles with them that they had brought the first time, when their independence was still to be secured. And with those principles in view, they drafted a new Constitution.

B. The Constitution

The U.S. Constitution, like the Declaration, proceeds from state-of-nature theory: the Preamble begins, “We the People of the United States,” for the purposes listed, “do ordain and establish this Constitution for the United States of America.” In other words, through the Constitution their delegates draft and they ratify, the people of America establish their government and give it whatever powers it has. There is no primordial sovereignty except in the people. Government does not give or grant the people their rights through some bill or declaration of rights. Individuals already have their rights, “by nature,” through the exercise of which they themselves create the government. Thus, legitimacy flows from the people, from their political act, their will; it is a function of what they have done. The Constitution is thus positive law, not natural law. But to the extent that it draws upon and reflects natural law, it is also higher law. At a deeper level, therefore, the Constitution’s legitimacy is a function of whether the Framers “got it right” by granting the government only those powers they first had, as individuals, to grant it.

Here again, to determine that, we return to Locke. The principal “governmental” power we have in the state of nature is what Locke called the “Executive Power,” the power to secure our rights.¹¹ That is the main power we yield up to the government we create in the original position, charging it to exercise the power on our behalf. And a close look at the U.S. Constitution will show that most of the powers granted to the national government pertain, more or less directly, to securing our rights, although the greater part of that power, called the general police power, was retained by the states, with only certain enumerated portions granted to the national government, particularly where state power had been found inadequate under the earlier Articles of Confederation. Thus, it is because most of the powers that are to be found in the Constitution are of that character that one does not find the kinds of redistributive powers found in many European constitutions, to say nothing of the constitutions of even more socialized systems. The memory of a war to rid themselves of overweening government was fresh in the Framers’ minds. They were not about to impose overweening government on themselves.

Thus, the task before James Madison, the principal author of the Constitution, was to draft a constitution for a federal and state system that authorized government at once strong enough to secure our rights and do

the few other things we wanted government to do, but not so powerful and extensive as to violate rights in the process. He did that through the checks and balances with which we are all familiar: the division of powers between the federal and state governments, with most power left with the states; the separation of powers among the three branches of the federal government, each branch defined functionally; provision for a bicameral legislature, each chamber differently constituted; provision for a unitary executive with a veto power over legislation; provision for an independent judiciary with the power to review the acts of the other two branches and, later, the states for constitutional consistency; provision for periodic elections to fill offices established by the Constitution, and so forth.

But the main restraint on overweening government took the name of the doctrine of enumerated powers, which can be stated no more simply than this: if you want to limit power, don't give it in the first place. We see that doctrine in the very first sentence of Article I: "All legislative Powers *herein granted* shall be vested in a Congress . . ." (emphasis added). By implication, not all legislative powers were "herein granted." In fact, the main such powers are found in Article I, section 8, and they are only 18 in number. And when we look at the Tenth Amendment to the Constitution, the last documentary evidence from the founding period, we find the doctrine of enumerated powers spelled out explicitly: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." In other words, the Constitution creates a government of delegated, enumerated, and thus limited powers.

Many today with only a passing understanding of the U.S. Constitution think first of the Bill of Rights, the first ten amendments to the Constitution that protect freedom of religion, freedom of speech, due process, and so forth. But the Bill of Rights was an afterthought, added in 1791 as a condition for ensuring ratification by those states that feared the national government would otherwise have too much power. Indeed, the main restraint on the national government was to come from the doctrine of enumerated powers, as the story behind the Ninth Amendment makes clear. When a bill of rights was first proposed toward the end of the Constitutional Convention, objections were raised on two main grounds. First, such a bill was unnecessary, it was said, since the enumeration of federal powers would preclude government's infringing any of the proposed rights. And second, since we

have in principle an infinite number of rights, which could hardly be included in such a bill, the failure to include those rights would be construed, by ordinary principles of legal reasoning, as implying that only the rights that were mentioned were meant to be protected. To address that objection, therefore, the Ninth Amendment was written: “The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.”

Thus, the Ninth and Tenth Amendments can be seen as recapitulating the libertarian vision that was first set forth in the Declaration of Independence: we have rights both enumerated and unenumerated; the government has only those powers that have been delegated to it, as enumerated in the Constitution or as implicit in that enumeration. In a word, most of life was meant to be lived in the private sector. Government was there to secure the rights pertaining to that sector and to do the few other things we authorized it to do. It was not authorized to engage in the wide-ranging social engineering the national government practices today.

The Constitution was not perfect, of course. Its cardinal flaw, in fact, was its oblique recognition of slavery, made necessary to ensure ratification by all thirteen states. That slavery was inconsistent with the grand principles the Founders and Framers had articulated could hardly be denied. They hoped simply that it would wither away over time. It did not. It took a civil war to end slavery, and the passage of the Civil War Amendments to end it as a matter of constitutional law. The Thirteenth Amendment did that in 1865. In 1870 the Fifteenth Amendment prohibited states from denying the franchise on the basis of race, color, or previous condition of servitude. And in 1868 the Fourteenth Amendment, for the first time, gave federal remedies against state violations of rights. Prior to that time, the Bill of Rights had been held to apply only against the federal government, only against the government that was created by the document it amended.¹² Thus, the Civil War Amendments are properly read as “completing” the Constitution by bringing into the document at last the principles and promise of the Declaration.¹³

C. The Constitution and Property Rights

With that outline of the Constitution, as completed by the Civil War Amendments, we can turn at last to the question of how it protects property rights. It is noteworthy that nowhere in the document do we find explicit mention of a right to acquire, use, or dispose of property. Yet given the

theory of the Constitution, that should not surprise. We start with a world of rights and no government; we create government and give it certain powers; by implication, where no power is given that might interfere with a right, there is a right. Thus, the failure to mention a right implies nothing about its existence. And, in fact, the Framers simply assumed the existence of such rights, defined and protected mainly by state law, because the common law, grounded in property, was the background for all they did. The Constitution made no basic change in that law. It simply authorized a stronger federal government than had been afforded by the Articles of Confederation it replaced, and for two main reasons. First, to enable the nation to better address foreign affairs—both war and commerce. And second, to enable the federal government to ensure the free flow of commerce among the states by checking state efforts, arising under the Articles of Confederation, to erect tariffs and other protectionist measures that were frustrating that commerce.

Like the state law that recognized and protected them, therefore, property rights were a fundamental part of the legal background the Framers assumed when they drafted the Constitution.¹⁴ That explains the document's *indirect* protection of property rights, mainly through the Fifth and Fourteenth Amendments. Both contain Due Process Clauses that prohibit government from depriving a person of life, liberty, or property without due process of law. The Fifth Amendment protects against the federal government; the Fourteenth Amendment protects against the states. The Fifth Amendment also contains the Takings Clause, which is good against the federal government and has been held by the Supreme Court to be "incorporated" by the Fourteenth Amendment against the states.¹⁵ The Takings Clause reads, "nor shall private property be taken for public use without just compensation." In addition, most state constitutions contain similar clauses. Thus, actions can be brought in state courts under either state or federal law or in federal courts under federal law.¹⁶

Read narrowly, the Due Process Clauses guarantee only that if government takes a person's life, liberty, or property, it must do so through regular procedures, with notice of the reason, an opportunity to challenge the reason, and so forth. Strictly speaking, of course, the clauses say nothing about the reasons that would justify depriving a person of life, liberty, or property. That has led to a heated debate in American jurisprudence between "textualists," who would allow deprivations for any reason a legislative majority wishes, within the constraints of its authority; and others advocating "substantive

due process,” who point to the historical understanding of “due process of law” as limiting the reasons that a judge or a legislature may invoke. The first group tends toward legal positivism and legislative supremacy, the second toward natural rights and judicial supremacy.

The Takings Clause is clearly a substantive guarantee, but it has problems of its own. To begin, like the Due Process Clauses, which are aimed simply at protecting rights, the Takings Clause has a similar aim, but it is couched within an implicit grant of power, the power of government to take private property for public use, provided the owner is paid just compensation—commonly known, of course, as the power of eminent domain. The problem, however, is that no one has such a power in the state of nature. No one has a right to condemn his neighbor’s property, however worthy his purpose, even if he does give him just compensation. Where then does government, which gets its power from the people, get such a power? It is patently circular, of course, to say that eminent domain is an “inherent” power of sovereignty. The most we can say, it seems, is that in the original position we “all” consented to government’s having this power; and its exercise is Pareto Superior, as economists say, meaning that at least one person is made better off by its exercise (the public, as evidenced by its willingness to pay), and no one is made worse off (the person who receives just compensation is presumed to be indifferent to its exercise).

It was not for nothing, then, that eminent domain was known in the seventeenth and eighteenth centuries as “the despotic power.”¹⁷ In the case of unwilling “sellers,” after all, it amounts to a forced association. Indeed, if there is a presumption against doing things through government because government, at the initial collective level, is a forced association, then *a fortiori* there is a presumption against using eminent domain, at the individual level, because it is a forced association yet again. And that is especially so when the compensation is less than just, as happens when “market value” is the standard, as usually it is in American law.

But two more problems have plagued eminent domain in actual practice. First, in many cases courts have narrowly defined “private property” to exclude rights of use that are inherent in the very idea of property. That has led to the “regulatory takings” problem I will discuss shortly. Second, courts have also expanded the meaning of “public use” such that eminent domain is used today to transfer private property from one private party to another as long as there is arguably some “public benefit” to the transfer.

More on that shortly as well. For now, it is enough to note that, far from there being a presumption against the use of eminent domain, its use in America today is promiscuous.

II. Property Rights Under Modern “Constitutional Law”

Having outlined the theory behind the United States Constitution, the structure of the document, and the place of property rights within that theory and structure, I want now to illustrate how far today we have strayed from that vision. To do that, however, it will be useful first to trace the larger constitutional history within which that process has unfolded, the better to appreciate the several forces that have weakened property rights in America over the twentieth century.¹⁸ That larger history is one of constitutional demise and government growth. As I have argued, the Constitution, especially after it was completed by the Civil War Amendments, stood for individual liberty secured by limited government. Indeed, Madison assured his readers in *Federalist* No. 45 that the powers of the new government would be “few and defined.” Federal powers today, of course, are anything but that. Because property rights especially have fallen victim to that growth in government, an account of how the growth came about will help explain the Supreme Court’s more particular treatment of property rights over the period.

A. From Limited Government to Leviathan

In actual practice, of course, the Constitution’s principles never have been fully respected, even after the document was completed following the Civil War, and no example since then has been more troubling than racial policy in the South. Official “Jim Crow” segregation would last there for nearly a century, until the Supreme Court and Congress brought it to an end in the 1950s and 1960s. One of the main reasons it took so long to do that was that courts, despite their counter-majoritarian charter, were reluctant to act against the dominant political will, especially in the area of race relations. That reluctance was illustrated early on in the notorious *Slaughterhouse Cases* of 1873 when a bitterly divided Supreme Court effectively eviscerated the Privileges or Immunities Clause of the Fourteenth Amendment, barely five years after the amendment was ratified, upholding in the process a state-created New Orleans monopoly. That left the Court trying thereafter to restrain the states, where most power rested, under the amendment’s less substantive Due Process Clause. For the next sixty-five

years the Court would do that fairly well, especially when states intruded on economic liberty; but the record was uneven, in large part because the Court never did grasp deeply or comprehensively the theory of rights that underpins the Constitution.¹⁹

In time, however, the courts also found themselves swimming upstream against changing intellectual currents that were flowing toward ever-larger government. Late in the nineteenth century the Progressive Era took root in America. Drawing from German schools of “good government,” from British utilitarianism as an attack on natural rights, and from home-grown democratic theory, Progressives looked to the new social sciences to solve, through government programs, the social and economic problems that had accompanied industrialization and urbanization after the Civil War. Whereas previous generations had seen government as a necessary evil, Progressives viewed it as an engine of good. It was to be better living through bigger government, with “social engineers” leading the way.²⁰

Standing athwart that political activism, however, was a Constitution authorizing only limited government, and courts willing to enforce it—as courts were, for the most part. Things came to a head during the Great Depression, following the election of Franklin Roosevelt, when the activists shifted their focus from the states to the federal government. During Roosevelt’s first term, as the Supreme Court was finding one New Deal program after another to be unconstitutional, there was great debate within the administration about whether to try to amend the Constitution, as had been done after the Civil War when that generation wanted fundamental change, or to pack the Court with six new members who would see things Roosevelt’s way. Shortly after the landslide election of 1936, Roosevelt chose the latter course. The reaction in the country was immediate: not even Congress would go along with his Court-packing scheme. But the Court got the message. There followed the famous “switch in time that saved nine,” and the Court began rewriting the Constitution without benefit of constitutional amendment.²¹

The Court did so in two main steps. First, in 1937 it eviscerated the very centerpiece of the Constitution, the doctrine of enumerated powers. It read the Commerce Clause, which was meant mainly to enable Congress to ensure free interstate commerce, as authorizing Congress, far more broadly, to regulate anything that “affected” interstate commerce, which of course is everything, at some level.²² And it read the so-called General

Welfare Clause, which is merely a summary phrase in the Taxing Clause, as authorizing Congress to tax and spend for the “general welfare,” which in practice means that Congress can spend on anything it wants.²³ The floodgates were thus now opened for federal regulatory and redistributive schemes, respectively—for the modern welfare state.

Second, because federal power, now all but plenary, and state power could still be checked by individuals claiming that federal and state programs were violating their rights, that impediment to expansive government was addressed in 1938 in the infamous *Carolene Products* case.²⁴ In famous footnote four of the opinion the Court distinguished two kinds of rights, in effect, fundamental and nonfundamental, and two levels of judicial review, strict and rational basis review. If a measure implicated “fundamental” rights like speech, voting, or, later, certain personal rights, courts would apply “strict scrutiny,” meaning the burden would be on the government to show that the measure served a “compelling state interest” and the means it employed were “narrowly tailored” to serve that interest, which meant that in most cases the measure would be unconstitutional. By contrast, if a measure implicated “nonfundamental” rights like property, contract, or the rights exercised in “ordinary commercial relations,” courts would apply the “rational basis test,” meaning they would defer to the political branches and ask simply whether the legislature had some rational or conceivable basis for the measure, which in effect meant it would sail right through. With that, the die was cast: “human rights” would get special attention; property rights would fall to a second-class status.

B. Judicial “Activism” and “Restraint”

That methodology was nowhere to be found in the Constitution, of course. It was invented from whole cloth to enable New Deal programs to pass constitutional muster. Not surprisingly, there followed a massive growth of government in America—federal, state, and local—for the Constitution now served more to facilitate than to limit power. And it was only a matter of time until those measures found their way back to the Court, the Court now being asked not to find powers nowhere granted and ignore rights plainly retained—the judicial “activism” of the New Deal Court, often mistaken, due to the Court’s deference, for judicial “restraint”—but to do the interstitial lawmaking needed to save often inconsistent and incoherent legislation—itself a form of judicial activism.

In the late 1950s, however, the Warren Court—“liberal” in the modern American sense—began a third form of activism that has continued, more or less, to the present. Much of that activism has amounted to nothing more, nor less, than a properly active court, finding and protecting rights too long ignored. But modern liberals on the Court were also finding “rights” nowhere to be found even among our unenumerated rights,²⁵ while ignoring rights plainly enumerated, like property and contract, even as they continued to ignore the doctrine of enumerated powers.

As that patently political jurisprudence grew, it led to a conservative backlash, beginning in the late 1960s, and a call for judicial “restraint.”²⁶ But most conservatives directed their fire only against liberal *rights* activism. Making peace with the New Deal Court’s evisceration of the doctrine of enumerated *powers*, they called for judicial deference to the political branches, especially the states, and for protecting only those rights that were enumerated in the Constitution, thus ignoring the Ninth Amendment, the Privileges or Immunities Clause of the Fourteenth Amendment, and the substantive implications of the Due Process Clauses of the Fifth and Fourteenth Amendments.

In practice, however, although both camps tended toward deference to power, liberal jurists tended to protect “personal” rights, variously understood, while leaving property rights and economic liberties to the tender mercies of the political branches. Conservative jurists, by contrast, tended to protect property rights and, to a far lesser extent, economic liberties, while leaving unenumerated rights, including many personal liberties, exposed to majoritarian tyranny.

As those two camps warred, a third, classical liberal or libertarian school of thought (re)emerged in the late 1970s, to which I belong.²⁷ That school criticizes both liberal “activism” and conservative “restraint”—both stemming from the mistaken jurisprudence of the New Deal. Courts, it argues, should be concerned less with whether they are active or restrained than with whether they are discerning and applying the law, including the background law, correctly—recognizing only those powers that have been authorized,²⁸ protecting all and only those rights we have, enumerated and unenumerated alike. That, of course, is what judges are supposed to do. To do it, however, they must grasp the basic theory of the matter, the Constitution’s first principles; and that is the understanding that is too rare today, steeped as we are in “constitutional law” that is far removed

from our natural rights origins.

C. The Supreme Court's Treatment of Property Rights

As that brief history should indicate, to a great extent in America today politics has trumped law. Ignoring and often disparaging the Constitution of limited government, Progressives promoted instead the virtues of expansive “democratic” government.²⁹ And under political pressure, the New Deal Court “constitutionalized” that agenda simply by radically rereading the Constitution. As a result, government today intrudes into virtually every aspect of life. That entails massive redistribution, either through taxation or through regulation—coercing some for the benefit of others. In a word, public policy today is far less concerned with protecting rights than with providing goods—by redistributing *property*, including liberty.

Lest there be any doubt about the modern Supreme Court's view of regulatory redistribution, here is the Court in 1985 speaking directly to the issue:

In the course of regulating commercial and other human affairs, Congress routinely creates burdens for some that directly benefit others. For example, Congress may set minimum wages, control prices, or create causes of action that did not previously exist. Given the propriety of the governmental power to regulate, it cannot be said that the Takings Clause is violated whenever legislation requires one person to use his or her assets for the benefit of another.³⁰

To outline, systematically, how modern Supreme Court decisions have undermined property rights, limiting “property” here to its ordinary signification, I will now set forth four basic scenarios involving government actions that affect property, distinguishing those actions that do not and those that do violate rights. I will then take the last of those scenarios and distinguish four versions of that, again distinguishing those actions that do not and those that do violate rights. Finally, I will raise a few procedural issues surrounding the Court's property rights jurisprudence. An outline of this kind, drawing on points made earlier, gives us a theory of the matter that is grounded in first principles, something that is often not evident in the cases.³¹

In scenario one, government acts in a way that causes property values to drop, but it violates no rights. It closes a local public school, for example, or a military base, and local property values drop accordingly; or it builds

a new highway some distance from the old one, reducing the flow of trade to businesses located on the old highway. In those kinds of cases, owners often believe the government owes them compensation under the Takings Clause because its action has “taken” the value in their property. But the government has taken nothing they own free and clear—they do not own the value in their property. Absent a contractual right against the government on which they might rely, there is no property right at issue; thus, government owes them no compensation.

In scenario two, government regulates, through its basic police power, to prohibit private or public nuisances or excessive risk to others, and here too property values decline accordingly. But once again, no rights are violated. No compensation is due the owners thus restricted, even if their property values are reduced by the regulations, because they had no right to engage in those uses to begin with. Thus, the government takes nothing that belongs to them. In fact, it is protecting the property rights of others—their right to the quiet enjoyment of *their* property. We have to be careful here, of course, to ensure that the regulated activity *is* noxious or risky to others, and so is properly subject to regulation under the police power. But if it is, government owes the owners no compensation for their losses.

Scenario three is the classic regulatory taking: when regulations designed to give the public various goods take otherwise legitimate uses an owner has in his property, thereby reducing its value, with no offsetting benefit, the Takings Clause, properly understood and applied, requires just compensation for the loss.³² Here, government regulates not to prohibit wrongful but rather rightful uses; not to prevent harms to others, as under scenario two, but to provide the public with various goods—lovely views, historic preservation, agricultural reserves, wildlife habitat—goods that are afforded by restricting the owner. Regulations prohibit the owner from using his property as he otherwise might—thus taking those uses—and the value of the property drops. If the government is authorized to provide such goods to the public, it may do so, of course. But if doing so requires restricting an owner from doing what he otherwise could do, the Takings Clause should apply and the government should pay for what it takes. Were it not so, government could simply provide the public with those goods “off budget,” the costs falling entirely on the owner, the public enjoying them cost-free. It was precisely to prevent that kind of expropriation that the Takings Clause was included in the Constitution in the first place.³³

That, unfortunately, is not how American law works today when owners bring actions against governments for the great variety of regulatory takings that happen every day. In almost all cases, in fact, owners face an uphill battle, struggling against a body of law that is largely ad hoc. Those who defend the government's not having to pay owners for regulatory takings often claim, among other things, that "the property" has not been taken. But that objection rests on a definition of "property" found nowhere else in law. Property can be divided into many estates, after all, the underlying fee being only one. Take any of the uses that convey with the title and you have taken something that belongs to the owner. In many cases, however, the regulations are so extensive that the owner is left holding an empty title. Apart from *de minimis* losses, and losses that arise when regulations restrict everyone equally in order to provide roughly equal benefits for everyone, the public should pay for the goods it acquires through restricting the rights of an owner, just like any private party would have to do. It is quite enough that the public can simply take those goods through the "despotic power" of eminent domain. That it should not pay for them besides adds insult to injury, amounting to plain theft. Yet that is happening all across America today.

It is a mistake, then, to think of regulatory takings as "mere" regulation: they are *takings*—through regulation rather than through condemnation of the whole estate. In fact, they are usually litigated, when they are, through an "inverse condemnation" action whereby the regulated owner sues either to have his property condemned outright so that he can be compensated for it, or to retain title and be compensated for the losses caused by the regulatory restrictions. Thus, condemnation and the power of eminent domain, parading as regulation, are plainly at issue in either case. Even though the government does not condemn the property outright, it condemns the uses taken by the regulation.

That brings us to scenario four, condemnation in the full sense, with government taking the whole estate. These are usually called "eminent domain" cases, but that is somewhat misleading insofar as it implies that regulatory takings do not also involve eminent domain, as just noted. In these cases, however, government is ordinarily the moving party as it seeks to take title and oust the owner from his property, offering him compensation in the process. Unlike with regulatory takings, therefore, the obligation of government to compensate the owner is not at issue—although whether

the compensation is just often is an issue. Rather, the “public use” restraint comes to the fore.

The Takings Clause authorizes government to take private property, but only for a “public use” and with just compensation. Here again we see the Progressives’ agenda facilitated by courts willing to expand the definition of “public use” so that government may grow. Either directly or by delegating its eminent domain power to private entities, government takes property for projects that are said to “benefit” the public. And the courts have accommodated that expansion by reading “public use” as “public benefit.” Clearly, those terms are not synonymous: one restricts government, the other facilitates it, since virtually any project benefits the public at some level.

There are four basic contexts or rationales for such full condemnations. In the first context, property is taken from a private person and title is transferred to the government for a clear public use—to build a military base, a public road or school, or some other public facility. Assuming just compensation is paid, those takings are constitutionally sound because the public use restraint is clearly satisfied.

The second context is more complicated but no less justified. It involves taking property from a private person and transferring title not to the government but to another private person or entity for network industries like railroads, or telephone, gas, electric, cable, water, and sewer lines. Without the use of eminent domain, the classic “holdout” problem can easily arise in such contexts, with the owners of the last parcels needed to complete a line demanding extortionate prices. Yet even when privately owned and operated, the public use restraint is satisfied here because the subsequent use is open to the whole public on a nondiscriminatory basis and often at regulated rates. Although collusion must be guarded against in these cases, the virtue of this reading of “public use” is that it avoids many of the problems of public ownership, enabling the public to take advantage of the economic efficiencies that ordinarily accompany private ownership.

By contrast, the third and fourth rationales for using eminent domain are deeply problematic. Over the years in America, many cities, often spurred on by federal money, have engaged in “urban renewal,” bulldozing whole neighborhoods and then rebuilding them, taking title from one private party and giving it to another, all in the name of “blight reduction.” If there is a genuine nuisance, labeled “blight,” the uses that create the blight can easily be enjoined through a state’s general police power: title does not have

to be transferred.

But if blight reduction stretches the denotation of “public use,” the closely related fourth rationale for using eminent domain, “economic development,” stretches it even further. Here again title is transferred from private parties to other private parties—often to a quasi-governmental entity, a developer, or a corporation—and “downscale” housing and commercial properties are replaced by “upscale” properties, including industries. Providing jobs, increasing the tax base, promoting tourism, and other “public benefits” are invariably claimed for such projects, although the actual benefits rarely materialize as promised. Neither here nor with blight reduction are holdouts a real problem, nor are the subsequent uses ordinarily open to the public on a nondiscriminatory basis as is true of the public utility condemnations discussed in the second context. Far from satisfying a public use standard, these economic development condemnations are naked transfers of property, usually from poorer, less politically connected populations to wealthier, better-connected people who are often looking to get the property “on the cheap” rather than at the prices the owners are willing to accept.

Finally, if this deterioration of property rights were not enough, the procedural rights needed to vindicate the substantive rights that remain have deteriorated as well. Prior to the rise of the modern regulatory state and the reduction of property rights to a second-class status, one simply exercised one’s property rights, by and large. If neighbors or the government objected, an action for an injunction and/or damages might be brought; but the presumption was on the side of use, the burden on the complainant to show that the use objected to was in some way wrongful—essentially, because it violated the complainant’s rights. With zoning and many other forms of land-use planning in place in most of America today, however, that presumption is reversed. Rights are exercised only “by permit,” with permits often needed from several levels of government. Contrasting “human rights” and “property rights” again, we would never tolerate allowing people to speak only “by permit,” but before they can make often the most trivial changes to their property they have to get government permission to do so.

That is only the beginning of the problem, however, because obtaining the permits needed before an owner can develop his property or change its use is often just the start of a procedural nightmare that can go on for years. The Supreme Court’s “ripeness” test keeps cases out of federal court until all administrative remedies have been exhausted. But exhausting those

remedies often means clearing vague and ever-changing administrative hurdles erected by local regulators opposed to any change. And under the Court's test, until an agency issues a final denial, it cannot be sued. Once the owner does obtain a final denial, however, if he is not exhausted financially and emotionally by then he must go to state court to seek compensation for the taking of his property, albeit under a regulatory takings regime that is anything but favorable. But if wrongly denied compensation by the state court, he will find that he is denied federal court review on the merits by the federal Full Faith and Credit Act.³⁴ And that is just a summary of the procedural problems owners face under American law today.

III. Brief Reflections on Europe

Thus, armed with both natural and positive law aimed at protecting property rights, the U.S. Supreme Court has managed nonetheless to make a mess of things. One should imagine, therefore, that courts armed with less should do even less well. And yet, that is not entirely so when one looks at modern Europe. Although my knowledge of the state of property rights protection in Europe, whether by the European Court of Human Rights or the European Court of Justice, is quite limited, it is my impression that better protection is in fact evolving, unevenly, despite positive law that is problematic at best. Indeed, as the European Convention on Human Rights was being drafted in the early 1950s, the question whether property rights should be included at all among our "human rights" was much debated, with socialists generally opposing such inclusion, and British delegates especially concerned that so doing might frustrate various nationalization schemes. In the end, however, Article 1 of Protocol No. 1, the property clause, was signed on March 20, 1952, by 14 Member States of the Council of Europe. As of July 31, 2007, Protocol No. 1 was in force in 43 of the 46 Member States of the European Convention.³⁵

That the protection of property rights by those courts is still quite uneven should hardly surprise, given the positive law with which the courts are working. In particular, Article I of Protocol No. 1 reads:

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The proceeding provisions shall not, however, in any way impair the right of

a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

That language has come to be described as consisting of three “rules.” The first rule, protecting “the peaceful enjoyment of property,” has been variously described as a general rule, a declaratory clause, or an omnibus rule. The second rule protects against the “deprivation” of property except under certain conditions. And those conditions are expanded further by the third rule, which recognizes the right of states to regulate the “use” of property “in accordance with the general interest.”

Commentators have noted that although the courts have tried to decide cases under one of the three rules—and, in particular, under rules two and three, in the main, failing which they turn to the general rule—the three rules are not distinct or unconnected.³⁶ That seems right: drawing by analogy from the single American “rule”—“nor shall private property be taken for public use without just compensation”—the three European rules track the American rule fairly closely. Yet the differences are instructive. To begin, America’s Takings Clause opens by expressly recognizing private property, much like Europe’s rule one. Although it does not restrict the right by express reference to “peaceful enjoyment,” as rule one does, that restriction is implicit in the American right by virtue of America’s background of common law.

The second rule reflects the central point of the Takings Clause, that no one shall be “deprived” of his property—i.e., have his property “taken”—except under certain conditions. The differences in the language, however, are not insignificant. The American Takings Clause, at least in principle, imposes two restrictions on government takings: property may be taken only for a “public use;” and if that test is met, the owner must be paid just compensation. By contrast, Europe’s rule two would seem to afford far less protection. Owners may be deprived of their possessions “in the public interest”—a far broader concept than “public use.” And no mention is made of “just compensation.” Instead, deprivations are “subject to the conditions provided for by law and by the general principles of international law.” In theory, of course, that law and those principles could provide for just compensation, and they generally do; but there is no guarantee of that in the basic law of the Convention as there is in the basic law of the United States, the U.S. Constitution. In fact, it seems that during the drafting of

the Convention the reason for referencing international law was to protect *domestic* investors from *foreign* nationalizations, not to protect citizens from their own governments' deprivations. It was left to the democratic process to do that—not always the surest way to protect minority rights, which property rights often are.

But if rule two is problematic for those reasons, rule three is more troublesome still. Whereas rule two pertains to “deprivations”—or the taking, presumably, of an entire holding—rule three pertains to the taking of “uses,” as discussed earlier under the category of “regulatory takings.” But here, unlike with the American rule, the right to use one’s property is expressly constrained by “the general interest.” To be sure, American law too has come to reflect that restraint in an ad hoc way; but it has done so contrary to the implicit limits the Takings Clause imposes on government. At common law, owners hold rights not simply to their “property” but to all the uses their property affords them that are consistent with the rights of others. That final qualification *could* be understood as equivalent to “the general interest.” But for that, the latter would have to be a function of the former. Rights would first have to be defined, that is, in private law, according to principles of reason and the entailed political principles, not by mere positive law or will, even democratic will. Thus, “the general interest” would be the upshot or outcome of that rational process, not something independently aimed at by the political process. By contrast, when “the general interest” is defined as a function merely of public law, as in a positivist regime, rights of use cease to be independent variables. “Public policy” replaces principle. “Public good” replaces private right.

Unfortunately, the regimes of Europe today are generally the products of positive, not natural, law—nowhere more evident than in their vast social welfare schemes, which take from some and give to others. It would be surprising, therefore, if a court found that a restriction on use was not in the general interest. Thus, in the case of *Pine Valley Developments Ltd. and Others v. Ireland*³⁷ the European Court of Human Rights upheld a regional land use plan under rule three, even as it found that, “although the value of the land was substantially reduced, it was not rendered worthless.” Yet in the seminal case of *Sporrong and Lönnroth v. Sweden*,³⁸ involving a proposed governmental expropriation running for several years, thus compromising the owner’s use or sale of his land, the Court found for the owner, not under the third but under the first rule. It sought to determine “whether

a fair balance was struck between the demands of the general interest of the community and the requirements of the protection of the individual's fundamental rights.”³⁹ Four years later, in a similar case, the Court added, “[t]he requisite balance will not be found if the person concerned has had to bear ‘an individual and excessive burden.’”⁴⁰

Other cases too have led to what may seem surprising results, given the Protocol's language tending toward public interests and public policy. Thus, while challenges to rent controls have not been viewed favorably, in the recent case of *Matheus v. France*⁴¹ the Court found for an owner complaining that authorities had refused to provide police assistance to aid in the court-ordered eviction of his tenant. Deciding again under the first rule, the Court said that the right of ownership “can require positive protection measures, particularly where there is a direct link between those measures an applicant could legitimately expect from the authorities and the effective enjoyment of his goods.”⁴² But in another recent case involving the failure of authorities to carry out a final court order to tear down an illegal wall, the Court found against the owner of the wall, holding that the complaining owners had a “possession” in their view and in their property values, which had dropped as a result of the wall.⁴³ Yet absent contractual arrangements to the contrary, those are doubtful “possessions.”

From this limited sample and analysis, let me venture only a few tentative observations. First, viewing the First Protocol as constituted by three discrete rules lends a certain artificiality to the analysis of cases. From a consideration of first principles one wants to know whether property is at issue; if so, whether the government action takes it; if so, whether the action is justified under a fairly strict reading of the government's power to protect the rights of others; and, if not, whether the taking is for a public use and just compensation has been paid to the owner. The language of the First Protocol, especially understood as three discreet rules, does not lend itself well to that kind of analysis. Rather, second, it appears to be loose enough to allow the Court substantial latitude—sometimes getting it right, sometimes not. Third, because the language is so freighted with policy and evaluative terms, it lends itself also to judicial lawmaking—to what in America is called judicial “activism.” That may not be a bad thing when judges get it right; but the rule of law entails getting it right for the right reasons and from sound authority. Fourth, from an institutional perspective, it may be that the Court is getting it right, when it does, because of the European

Community's unique institutional arrangements. Unlike the U.S. Supreme Court, which is the third branch of the federal government, the European Court of Human Rights is not a branch "of" any of the governments of Europe. That affords it a certain independence not enjoyed to the same extent by national courts—and a potential for abuse as well as good.

Finally, and doubtless of greatest importance, one cannot ignore changes in the climate of ideas. The forces of socialism that worked in the 1950s to try to frustrate the treatment of property rights as human rights are everywhere on the run today. To be sure, they are still pressing their agenda in countless ways, small and large. But no serious person today thinks that anything but democratic capitalism yields both justice and prosperity, and the foundation of that system is property, starting with the property in oneself. No Court can be immune to that shift in the climate of ideas, including the European Court of Human Rights.

IV. Conclusion

Because language has its limits, a constitution that aims at striking a principled balance between powers granted and liberties retained can go only so far in achieving that end. It is crucial, therefore, that when judges interpret and apply constitutional language to cases and controversies brought before them, they do so with an eye to the larger theory behind the language and the principles the theory entails, as reflected in the document.

As I hope to have shown in this discussion of the U.S. Supreme Court's treatment of property rights, we Americans have grown ever less conversant with the principles our Constitution was meant to secure, to say nothing of the theory that stands behind those principles. The police power, in particular, has been severed from its roots in the theory of natural rights to become simply a reflection of the will of those wielding political power at any given time. The cumulative effect is a growing body of public law that in far too many cases trumps the private law of property and contract, reducing it to a subsidiary role in the American legal system.

And in this brief look at the European scene, I discern similar themes, but the situation seems more fluid because both the constitutional and legal contexts are more fluid as well. It is hard to know, therefore, just where the "constitutional" protection of property rights is headed in Europe. But in both Europe and America, one can take hope from changes over the past few decades in the climate of ideas, toward greater respect for individual

liberty and limited constitutional government. Sustaining those changes, however, requires constant vigilance, as Thomas Jefferson reminded us, failing which the implications for individual liberty, responsibility, and dignity are clear.

Endnotes

- ¹ 125 S. Ct. 2655 (2005).
- ² Details about the Institute for Justice efforts can be found at <http://www.castlecoalition.org/>.
- ³ See Roger Pilon, *Stopping the Government's Property Grab*, Los Angeles Times, Oct. 30, 2006, available at http://www.cato.org/pub_display.php?pub_id=6745.
- ⁴ See generally Edward S. Corwin, The "Higher Law" Background of American Constitutional Law (1955); John Locke, *The Second Treatise of Government*, in *Two Treatises of Government* (Peter Laslett ed., revised ed. 1965).
- ⁵ As George Washington is said to have put it, "government is not reason, it is not eloquence, it is force." Attributed to George Washington. Frank J. Wiltstach, *A Dictionary of Similies* 526 (2d ed. 1924).
- ⁶ I have discussed those points more fully in Roger Pilon, *Individual Rights, Democracy, and Constitutional Order: On the Foundations of Legitimacy*, 11 *Cato J.* 373 (1992).
- ⁷ U.S. Declaration of Independence para. 2 (U.S. 1776). I have discussed the points that follow more fully in Roger Pilon, *The Purpose and Limits of Government*, in *Limiting Leviathan* ch. 2 (Donald P. Racheter and Richard E. Wagner eds., 1999); *reprinted as* Cato's Letter No. 13, Cato Institute.
- ⁸ See, e.g., H.L.A. Hart, *Are There Any Natural Rights?*, 64 *Phil. Rev.* 175 (1955).
- ⁹ Locke, *supra* note 4, para. 123 (original emphasis).
- ¹⁰ "[T]he notion that the common law embodied right reason furnished from the fourteenth century its chief claim to be regarded as higher law." Corwin, *supra* note 4, at 26.
- ¹¹ Locke, *supra* note 4, para. 13.
- ¹² *Barron v. City of Baltimore*, 32 U.S. 243, 250 (1833).
- ¹³ See Robert J. Reinstein, *Completing the Constitution: The Declaration of Independence, Bill of Rights, and Fourteenth Amendment*, 66 *Temp.*

L. Rev. 361 (1993).

- ¹⁴ As Professor Steven J. Eagle writes, “. . . in *Gardner v. Trustees of Village of Newburgh* [2 Johns. Ch. 162 (N.Y. 1816)], probably the leading early decision, Chancellor Kent required compensation on natural principles at a time when there was no eminent domain clause in the New York Constitution. Indeed, many American decisions, mostly up to about the Civil War era, explained eminent domain principles in natural law terms.” *Regulatory Takings* (3d ed. 2005). *See also* J.A.C. Grant, *The “Higher Law” Background of the Law of Eminent Domain*, 6 Wis. L. Rev. 67 (1931).
- ¹⁵ *Chicago, B. & Q. R. Co. v. City of Chicago*, 166 U.S. 226 (1897).
- ¹⁶ *See* my larger paper (title note, *supra*), Part V. B. 3., for difficulties with bringing suits in federal court.
- ¹⁷ *Vanhorne’s Lessee v. Dorrance*, 2 U.S. 304, 311 (1795).
- ¹⁸ I have discussed these issues more fully in Roger Pilon, *Freedom, Responsibility, and the Constitution: On Recovering Our Founding Principles*, 68 Notre Dame L. Rev. 507 (1993); Roger Pilon, *On the Folly and Illegitimacy of Industrial Policy*, 5 Stan. L. & Pol’y Rev. 103 (1993).
- ¹⁹ *See* Kimberly C. Shankman and Roger Pilon, *Reviving the Privileges or Immunities Clause to Redress the Balance Among States, Individuals, and the Federal Government*, 3 Tex. Rev. L. & Pol. 1 (1998).
- ²⁰ *See* Richard A. Epstein, *How Progressives Rewrote the Constitution* (2006).
- ²¹ *See* William E. Leuchtenburg, *The Supreme Court Reborn: The Constitutional Revolution in the Age of Roosevelt* (1995).
- ²² *See* Randy E. Barnett, *The Original Meaning of the Commerce Clause*, 68 U. Chi. L. Rev. 101 (2000); *Cf.* Richard A. Epstein, *The Proper Scope of the Commerce Power*, 73 Va. L. Rev. 1387 (1987).
- ²³ *See Spending Clause Symposium*, 4 Chapman L. Rev. 1 (2001).
- ²⁴ *United States v. Carolene Products Co.*, 304 U.S. 144, 153 n.4 (1938). For a devastating critique of the politics behind the *Carolene Products* case, *see* Geoffrey P. Miller, *The True Story of Carolene Products*, 1987 *Sup. Ct. Rev.* 397 (1987).
- ²⁵ The most contentious example, of course, is the Court’s 1973 abortion decision, *Roe v. Wade*, 410 U.S. 113 (1973). I have discussed the case briefly in Roger Pilon, *Alito and Abortion*, *Wall Street Journal*, Nov. 28, 2005, at A16.

- ²⁶ The most influential exposition of that view is in Robert H. Bork, *The Tempting of America: The Political Seduction of the Law* (1990).
- ²⁷ See, e.g., Bernard H. Siegan, *Economic Liberties and the Constitution* (1980); Roger Pilon, *On the Foundations of Justice*, 17 *Intercollegiate Rev.* 3 (Fall/Winter 1981).
- ²⁸ Over several years the Rehnquist Court made tentative efforts toward reinvigorating the doctrine of enumerated powers: see, e.g., *United States v. Lopez*, 514 U.S. 549 (1995); *United States v. Morrison*, 529 U.S. 598 (2000). But with *Gonzales v. Raich*, 125 S. Ct. 2195 (2005), that effort stalled. See Douglas W. Kmiec, *Gonzales v. Raich: Wickard v. Filburn Displaced*, 2004-2005 *Cato Sup. Ct. Rev.* 71.
- ²⁹ In fact, as early as 1900 we could find *The Nation*, before it became an instrument of the modern left, lamenting the demise of classical liberalism. In an editorial entitled “The Eclipse of Liberalism,” the magazine’s editors surveyed the European scene, then wrote that in America, too, “recent events show how much ground has been lost. The Declaration of Independence no longer arouses enthusiasm; it is an embarrassing instrument which requires to be explained away. The Constitution is said to be ‘outgrown.’” *The Nation*, Aug. 9, 1900, at 105.
- ³⁰ *Connolly v. Pension Benefit Guaranty Corp.*, 475 U.S. 211, 223 (1985). Contrast that with the 1936 Court’s view of direct redistribution through taxation: “A tax, in the general understanding of the term, and as used in the Constitution, signifies an exaction for the support of the government. The word has never been thought to connote the expropriation of money from one group for the benefit of another.” *United States v. Butler*, 297 U.S. 1, 61 (1936).
- ³¹ In the much larger essay that I provided the foundation (see title note, *supra*) I discuss numerous cases illustrating the points made in this summary. For a still more detailed treatment along these lines, see Richard A. Epstein, *Takings: Private Property and the Power of Eminent Domain* (1985).
- ³² For a detailed treatment of the American law of regulatory takings, see Eagle, *supra* note 14.
- ³³ In 1960 the Court stated the principle well: “The Fifth Amendment’s guarantee that private property shall not be taken for a public use without just compensation was designed to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice,

should be borne by the public as a whole.” *Armstrong v. United States*, 364 U.S. 40, 49 (1960).

³⁴ 28 U.S.C. § 1738 (2006) (providing that “judicial proceedings . . . shall have the same full faith and credit in every court within the United States and its Territories and Possessions as they have by law or usage in the courts of such State”).

³⁵ For a discussion of this history, see Yves Haeck, *The Genesis of the Property Clause under Article 1 of the First Protocol to the European Convention on Human Rights*, in *Property Rights and Human Rights* 163 (H. Vandenberghe ed., 2006).

³⁶ See, e.g., H. Vandenberghe, *La Privation de Propriété*, in *Property and Human Rights*, *supra* note 7, at 31.

³⁷ 29 Nov. 1991, Series A No. 222, § 56.

³⁸ 23 Sept. 1982, Series A.

³⁹ *Id.* §69.

⁴⁰ *James and Others v. United Kingdom*, 21 Feb. 1986, Series A No.98, § 50.

⁴¹ No. 62740/00, 31 March 2005.

⁴² *Id.* at §§ 68-69.

⁴³ *Fotopoulou v. Greece*, No. 66725/01, § 33, 18 Nov. 2004.

JOSHUA
MITCHELL

AMERICAN
AWAKENING

Identity Politics and
Other Afflictions of Our Time

ENCOUNTER BOOKS



NEW YORK • LONDON



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Preface to the Paperback Edition

§1. The seemingly novel developments of the last several years have not taken me by surprise. When I completed *American Awakening* in May 2020, the national election was still five months into the future, and the stringent measures ostensibly instituted to hold the Wuhan Flu at bay had just been implemented. I thought then that a Democratic Party victory in November 2020 would *promise* the American electorate a return to normal politics, but in fact would operate on the basis of what, in *American Awakening*, I called the politics of innocence and transgression; and that if Joe Biden became the Democratic Party nominee, in order to demonstrate that he was the right-kind-of-white-man, he would double-down on this sort of politics. The veneer of moderation, of adult politics, would not long conceal the inner logic of identity politics, according to which white heterosexual men—the current prime transgressors in the identity politics dystopian moral economy—must adopt *every* species of political madness offered up by identity politics or suffer social death. That has indeed come to pass in the Biden Administration, leaving the Democratic Party in a position from which it is hard to imagine it can recover in the near future. To argue against identity politics in the Democratic Party today is to invite the charge of being “racist,” “misogynist,” “homophobic,” “transphobic,” etc. Comply or be expunged. Who, within the Democratic Party, might be capable of turning it from its present, self-destructive and nation-destroying, course?

§2. One group might be members of the 1960s left who have, over the course of the intervening decades, retained their commitment to ad-

addressing race in America, to defending the middle class, and to warning about the unreasonable use of U.S. military power abroad. All good ideas. Alas, members of this group have fallen into two categories: those who naively think the Democratic Party has *not* defected from the path it walked in the 1960s; and those who are well aware that it has, but who are frightened to speak up for fear of being scapegoated and purged. Neither of these contingents from the 1960s left will likely alter the current state of things.

§3. The second group, some of whose members should be counted among the 1960s left, are black Americans who, as I have argued elsewhere, have the necessary moral authority in America today to put an end to identity politics with a single declaration. Identity politics parishioners use the wound of black America to go further—to women’s rights, gay and lesbian rights, and more recently, transgender rights. In a world oriented by liberal pluralism, these groups can and will make their claims. A liberal society will respond soberly but generously that exceptions to the rule are not ruled out. In a word, a liberal society will, within bounds, be a tolerant society. Identity politics does not operate according to this liberal paradigm. From its defenders, we hear of the pressing need for “diversity,” and are perhaps seduced into thinking that diversity is contiguous with earlier liberal ideals. It is not. Identity politics proceeds on the basis of the illiberal claim that the exception *is the rule*. To make room for the transgendered, for example, identity politics parishioners claim that those who believe that “man” and “woman” are natural categories, that sex matters, must be regarded as guilty of a thought crime, of *heteronormativity*, and therefore must be purged. This is anti-liberal lunacy. How far we have come since the 1960s. Then, the Reverend Martin Luther King argued that the state could appropriately *supplement* the vibrant and necessary mediating institutions of family and church, but not be a substitute for them. In the world identity politics constructs, however, the world where transgenderism is not

the exception but rather the rule, the family that Reverend King had in mind—the generative family of a man and a woman—would today be charged with the thought crime of heteronormativity; and the church he had in mind—the patriarchal Christian Church—would be charged with being homophobic. Is this really where the civil rights movement takes us? Can it really be the case that the latest identity politics cause of transgenderism, whose adherents today dare claim the mantel of black America, should require that we ostracize and purge the very institutions that black America, indeed all Americans, needs to thrive? Black America endorses those institutions, in their historically inherited form, by a sizable margin. Yet black America under the tutelage of the Democratic Party that today promulgates identity politics must do as it did under the Democratic Party in the 1950s, namely, go to the back of the (figurative) bus, as more important riders take the front seats—first feminists, then gays and lesbians, and now the transgendered. Organized segregation was once visible. Today it is invisible. If you are black in America today, and want to live without fear of cancelation, you *must* support the social movements that came after yours and which trade on your wound. If you do not, the Democratic Party and the Institutions of Higher Stupification that inflame it—our colleges and universities—will ostracize you. Do you doubt this? Peruse the course catalogs of Black Studies Programs around the country; look at recent hiring; seek to discover the direction these programs intend to take. You will learn that not an insignificant number of these programs have courses on feminism, gays and lesbians, and transgenderism. Black Studies Programs were instituted a half-century ago with a view to redressing the unbalanced account of American history, and for that, they would have been a valuable and necessary undertaking. Today, they seem to have another purpose: to demonstrate, through curriculum and pedagogy, solidarity with causes that a vast majority of black Americans think have no right to draw their moral authority from the historical wound black America endured. Elite blacks *must*

support these causes. Asked in her Senate confirmation testimony what the definition of a woman is, Harvard-trained black Supreme Court woman nominee Judge Ketanji Brown Jackson said she does not know. We should not be surprised. Black America has the moral authority to begin to cure our country from the identity politics madness that consumes us like a plague. But if they wish not to be cast into the pit with the rest of the irredeemables, both black and white, elite blacks who should be at the forefront of the effort to heal our country are instead compelled to accept a terrible bargain with the defenders of identity politics. Instead of challenging identity politics, instead of declaring with a firm and unwavering voice, “No, your cause may not invoke our wound,” they are the very agents who permit and authorize identity politics to invoke ever-new victim groups, whose interests are increasingly anathema to those of black America. No small part of *American Awakening* chronicles the respect in which identity politics betrays black America. Here is but another sickening example. Defenders of identity politics are quick to call out so-called *cultural* appropriation; but without compunction, they support ever more marginal causes, whose moral authority rests on *wound* appropriation.

§4. I gave some consideration in the first edition to the inability of the conservative movement to comprehend, let alone push back against, identity politics. Identity politics I characterized as a deformation of Christianity and, more provocatively, as a deformation of the Reformation Christianity of our Puritan originaries. I suggested that free market conservatives who defend the American regime understood debt in terms of the ledger book of monetary payment, and that cultural conservatives who defended the American regime understood debt in terms of what we owe to the tradition of our forefathers. Identity politics, I suggested, attends to what I called spiritual debt, which is akin to the deep *internal* debt Christians call original sin. Call it spiritual debt, call it something else, but whatever we call

it, we should understand that one of the reasons why conservatives do not understand identity politics is that they understand the first two kinds of debt, but not the third. Speaking generally, the default account from both sorts of conservatives is that identity politics is a further outworking of cultural Marxism, whose long march through our institutions they have long fought. How convenient if that were the case, for no additional work would need to be undertaken to understand identity politics; and critics could continue to bemoan the ongoing losses on the various battle fronts of the culture wars. Alas, identity politics has required no long march through our institutions. It has been met with no resistance—indeed, it has been welcomed—as Marxism never was. Cultural Marxism has been working away at American institutions for three-quarters of a century; identity politics has taken only a few years to penetrate those same institutions. Tocqueville’s framework, so often invoked in *American Awakening*, helps us understanding the bigger picture. In his last great work, *The Old Regime and the French Revolution*, Tocqueville called the French Revolution an “incomplete religion,” by which he meant that it less destroyed Christianity than replaced it with fragments of Christianity. “Liberty, equality, fraternity”—were these not the promise of a post-lapsarian order, complete with a new calendar, and without the social stratification that sinful human societies always produce? The French Revolution: the brotherhood of saints, without God the Father. Marxists, no less contemptuous of Christianity than the French Revolutionaries, also promulgated an incomplete religion. Because of the productivity unleashed by cruel capitalism, man, cast out of the Edenic splendor of primitive communism, stands now on the threshold of ending his long labor amid the thorns of creation to secure his daily bread. When Christianity falters, one or another incomplete religion will step in to fill the vacuum. You do not get religion-free secularism after Christianity falters, you get distorted, fragmentary, remnants of Christianity, which, like secularism, purport to have transcended Christianity, yet whose revolutionary fer-

vor disrupts rather than contributes to the tranquility that defenders of secularism claim emerges once Christianity no longer reigns in the souls of men.

§5. The conservative movement in America has focused a great deal of attention on the first two incomplete religions. Indeed, from its beginning to the present day, they have been its target. On the one hand, we see the stringent defense of “tradition” against the equalizing tendencies of French Revolution and of Progressivism—that American movement also dedicated to the destruction of mediating institutions. On the other hand, we see what was, before 1989, a counterbalancing libertarian contingent, hostile to Marx’s vision and thoroughly modern, which hallowed Smith and Hayek and the “free markets” they thought important supports for liberty. I do not say anything new here by noting that the current reconfiguration happening within the conservative movement has involved the rise of the traditionalists and the fall of the libertarians—which is to say the rise of those whose fight is with the first incomplete religion, and the fall of those whose fight is with the second incomplete religion. Those in the former camp have found renewed confidence, after decades in which the *free market veto*, to use my friend Yoram Hazony’s memorable phrase, prevailed against them. This shift has satisfied a long-suppressed contingent of the conservative movement, but it will not in the least help conservatives understand the *third* incomplete religion that is now upon us, the incomplete religion of identity politics. Today, America faces a far greater challenge, its gravest to date. Conservatives who have battled the first two incomplete religions of the French Revolution and Marxism have little understanding of what is now upon them. They employ their old weapons. They declare we are facing an outbreak of cultural Marxism. Their weapons are useless against this new enemy. This new enemy has captivated one portion of America by its promise of a spiritually purified world, at which it will arrive by finally solving the problem of spiritu-

al debt—the unpayable debt owed by the white heterosexual male to everyone else, against whom he has perennially transgressed. Free market conservatives and cultural conservatives *do* talk about debt, as I have said; but to parishioners in the church of identity politics, what they offer seems hopelessly superficial, even childish. “Do you not see that the problem of debt is deeper than you imagine—that free markets and your hallowed traditions *are themselves stained* and deplorable,” they say. The insight that identity politics is, in fact, a third incomplete religion to emerge since the French Revolution helps us understand why conservatives do not understand identity politics, and do not know how to defend themselves against it.

§6. Along what lines *can* conservatives push back? On theological grounds. More precisely, on the basis of the theological observation that identity politics is a deformation of the Christian insight that a scapegoat does indeed take away the sins of the world, and the warning that there will be no end to trouble if that scapegoat is mortal rather than Divine. In the *vertical* relationship of innocence and transgression proffered by Christianity, Christ alone is the innocent victim, and all of mankind is guilty. In the *horizontal* relationship of innocence and transgression that identity politics offers, the white heterosexual male is the transgressor, and all those who are *not* him are the innocent voiceless victims—hence the insidious phrase, “people of color” (POC), which ignores the historical antipathies chronicled by the barbarism, wars, and mutual enslavement perpetuated among “colored” peoples, and which supposes instead a unity among them by virtue of their common aggrievement from against Whiteness. Whiteness is the original sin in comparison to which their never-ending violence toward one another is rendered invisible. Alas, conservatives are embarrassed by talk of original sin, and as a consequence have no way to respond to the various fictions that identity politics sets forth. Original sin is, let us face it, too much of a Reformation trope. That is why conservatives will continue to

write and talk about free markets and tradition, and make no headway against identity politics. I do not say that America must become a nation of Reformation Christians to overturn identity politics. That would be illiberal. But I do say that parishioners in the church of identity politics who are *currently* captivated by the idea of irredeemable stain will only find what they are really looking for—a deep account of sin—in Reformed theology, however enfeebled it may be, and unable to deliver such an account at the moment. While this conclusion may seem to be quite a departure from what I wrote in the first edition, it follows from the claim I made in Part One, §23. If a social pathology emerges from a deformation of religion, that pathology does not heal without a return to healthy religion. There are no secular solutions to religious problems—or more precisely, the relationship between the two is not as we imagine.

§7. In Part I, §§59–63, I suggested that the liberal politics of competence, of the American sort that the conservative movement has heretofore defended, is not possible without the solution to the problem of the scapegoat that Christianity offers. That is because if we wish to build a liberal world together, a world of competence, we cannot continuously gaze upon at each other, and at the “group identity” that purportedly predestines us to be pure or stained, as possible objects of cathartic rage. Another way to put this would be that a *secular* liberal society is, in fact, precisely a society in which the Christian understanding of the scapegoat *has won*, and has receded into the background of public life without wholly disappearing.

§8. This may seem like arcane theoretical wandering, but it is not. Almost all conservative defenders of liberalism in the academic world proceed on the basis of the claim that liberalism *is* secular, and that religion is but a private *preference* or, perhaps more strongly, a private *value*. Holding fast to this impoverished view, and unable to understand that, like Christianity, identity politics is also concerned with

irredeemable stain and the scapegoat who takes away the sins of the world, these defenders can defend neither liberalism nor themselves against the indictments that identity politics levels. Responding to this impotence, a growing chorus of young conservatives, too many of whom are unable to secure positions within the academy because of identity politics hiring practices, have become disgusted with the failure of the old guard to repel the assault. They ponder and plot a new path, toward an *anti-liberal order*, in which a pre-liberal form of Christianity arrests our civilizational decay, guiding and informing it at every level, assisted by the enforcing power of the state. Roman Catholic integralism is currently the leading contender.

§9. There is more. In our mixed-up world, another quite different path is also being explored, within and without the academy, namely the one cleared by Nietzsche. By this, I mean the path I illuminated in Part One, §58, the path of *forgetting*. Can we really be surprised by this development? When young men are told they are irredeemably stained, that they have a debt they cannot pay, sooner or later they will stumble upon Nietzsche, who declared that we can have a tomorrow only through forgetting. So here we are: liberal competence requires that the scapegoat problem be solved—and not in the way identity politics proposes. For liberal competence to prevail, a Divine scapegoat who takes away the sins of the world is needed. Defenders of liberalism, insistent that liberalism is a secular project, have no place in their conceptual armory for the Christian understanding of the scapegoat or for the identity politics deformation of it. As a consequence, they have no understanding that the former makes possible the liberal politics of competence, while the later will destroy it. Young conservatives see the feebleness of these secular defenders of liberalism, and are opting for pre-modern Roman Catholic integralism or post-modern Nietzscheanism. The one rejects the radical notion of sin that inheres in identity politics, and adopts, instead, the semi-Pelagianism of the Roman Catholic Church; the other rejects

the radical notion of sin that inheres in Reformation theology and in identity politics, and casts off the idea of sin altogether. No one can predict how the current confusion will be resolved or further jumbled, or how many rounds this brawl will go. Three groups of contenders for the soul of the West are in the ring: Roman Catholic integralists; secular liberal heirs of the Reformation and the latter's religiously deformed children, the identity politics New Elect; and Nietzscheans, who are sickened by guilt in all of its forms, and wish to start over. We will see whether a fourth group—Reformation thinkers who understand and can defend the theological precondition for liberalism, as WASPs once did—make an appearance. When I wrote *American Awakening*, I was concerned that conservatives did not understand, and could not fight back against, identity politics. Now I am concerned that their response to it may involve an endorsement of anti-liberal, pre-modern or post-modern politics.

§10. An author has the opportunity in hindsight to form new judgments about which portion of what he has written may be most attended to in the future. My conclusion now is that the portion of *American Awakening* pertaining to identity politics will have a shorter shelf life than the portion concerned with the problem of substitutism. Substitutism is that malady which arises as a result of man's perennial search for shortcuts (see Conclusion, §§91–98). On his watch, supplements to our difficult labors are turned into substitutes for them. The instances I considered in the first edition of *American Awakening* were varied and seemingly unrelated. If I had seen things a bit more clearly at the time, I would have added an obvious instance of substitutism that we see all around us every day, namely, that pets have become a substitute for children rather than a supplement to them. But here, I want to move away from the whimsical to the serious, and consider a recent development of substitutism that is as pernicious and it is emblematic of the disease, namely, the hype around the Metaverse, the purported full extension of digi-verse

that social media only begins to reveal. A better case study of substitutism—which is to say a more delusional one—I can hardly imagine. To review terrain covered in *American Awakening*, Part Two, §82, social media *can* supplement our existing friendships; it can be a stimulant, which helps us keep *in touch* with old friends when we are not able to confirm, through a handshake, a pat on the back, or an embrace, that we are indeed friends. We feel the presence of our friends through this supplement; but the supplement by itself, without the preexisting competence of friendship, cannot *produce* the feeling of presence. That is why we are comfortable having Skype or Zoom calls with friends and family members who are far away, but not with strangers. I use the word “presence” because it is a term on the minds of many of our Tech Elect these days. Facebook has changed its name to Meta, and Mark Zuckerberg and his “metamates,” formerly known as his “employees,” are betting that the future lies in the metaverse, a digital platform that, he acknowledges, can *only* work if it is able to deliver the experience of “presence.” Today, billions of dollars are being spent on this project, by Meta and other digital media companies, with a view to building a Tower of Babel with digital high-tech bricks (Gen 11:3–4) that will lift us altogether beyond the need for actual competence. They want to re-create the presence we feel through the social media supplement to friendship, but in the form of a substitute for the hard and patient labor—on the playground, in school, after school, in our families, in our churches and synagogues, in our civic groups, and in and through our local political affiliations—that friendship takes to develop and flourish. The mediating institutions through which we form friendship need no longer trouble us, they proclaim. The age of lived competence has now passed. Friendship once had to be formed in institutional settings where noise and signal could not be disentangled, where filth and festering wounds were always near. Places; always places—places of institutional and bodily *regeneration*, where man and women were *sexed*, not *gendered*; places where we must labor, by the sweat of our

brow, to develop competence, or die. The metaverse will relieve us of a double burden: the burden of long labor in a place, and the burden of the transgressions that attended those labors. Digital substitutism will solve the theodicy problem that embodied life found intractable. This prideful delusion is a violation of the very order of things. When supplements are turned into substitutes, they make us ill. The competences we develop can be supplemented, but there is no substitute for them. Early forays into the metaverse *have* yielded the “high” that has been promised, the addictive release from the burdens of mortal life; but it has also yielded the “lows,” like virtual rape, virtual violence, verbal cruelty, etc., in short, *all* the horrible things that the world offers, but now without the competences we learn through our mediation institutions that alone can attenuate those horrors. Just as the “highs” of opioid addiction *go with* the “lows” when drugs become substitutes rather than mere supplements, so, too, the metaverse will bring soul-crushing lows if it becomes a substitute for competences we can only develop through our mediating institutions. In the metaverse, rape, violence, and cruelty *seem* to be ruled out because we have purportedly left behind the world of filth and festering wounds where that sort of thing *does* happen. In truth, the only way to attenuate rape, violence, and cruelty is to develop the competences that humanize man. To put the matter in terms of recent events (using the example I gave in Part Two, §86): You do not get rid of Harvey-Weinstein-toxic-masculinity by *purging* masculinity, by building a de-sexed digital alternative; you do it by assuring that *healthier* versions of masculinity are around to quash pernicious versions—something every man either did learn or should have learned in his youth on the playground. It is healthy *men* who keep *unhealthy* men in check. Those healthy men are formed through the competences we develop in our mediating institutions. If we were to formulate this problem in terms of evolutionary biology, we would say that mediating institutions humanize the primitive, reptilian impulses in man. The metaverse *promises* transhuman man, but in bypassing the

competences that humanizes the reptile in us all, the *twofold* result will be the “high” of transhumanism and the “low” of prehuman barbarism. That is what happens when supplements are turned into substitutes. There are no shortcuts. Alas, everywhere we look, we and our fellow citizens are trying to find them, and stumbling as we go, over the terrible cost associated with the drug-like “highs” that attends them. The competence called friendship forms locally, in mediating institutions. Extend the range, the “presence,” of friendship with social media, and *eureka*, our friendships seem to have no limits. That is only the half of it, however; the other half is that if we lose sight of the competence we call friendship, a loneliness that digital substitutism causes and cannot cure will become a central feature of our life, as it has throughout America. Like a crashing opioid addict, our Tech Elect seek now to give us the ultimate drug, to lift us from the stupor of loneliness to which their corporations have contributed immensely. The Metaverse—the “high” that never lets you down. This will not end well. Unlike identity politics, the pathology of which our fellow citizens are recognizing with ever-greater clarity with each passing day, substitutism is not really yet understood as a comprehensive problem. Indeed, I have struggled to find an adequate name for it. What appears before us today is a vast and seemingly unrelated set of temptations whose danger lies in their undeliverable promise of a shortcut that bypasses life’s difficult labors. For the moment, we see only the promise. A clear understanding of the danger lies off in the distance. I suspect that everyday life will look very different than it does today after we determine how to protect ourselves from it. The image of a drug addict returning to a life of sobriety gives some indication of the magnitude of the change that will be needed.

§II. A few words, finally, about Wuhan Flu, the subject of the Epilogue. The initial confusion about what to name the pandemic provided evidence that what would follow would involve more than

medical science. One of the suppositions held by many who have fought in the culture wars over the last three decades has been that although the humanities might fall, the hard sciences would never succumb. The advance could proceed only so far. Although hinterland skirmishes might be lost, the home terrain—the hard sciences—were fortified or self-protecting. The claim made in *American Awakening* is that identity politics turns *every* domain of human life into a venue for innocence-signaling. Absent the once-and-for-all-time Divine scapegoat who takes away the sins of the world, every domain of human life becomes a battleground for establishing wherein stain and purity lie. Identity politics does not stop with the humanities; it comes for the sciences, too (see Conclusion, §94). The “fact-value” distinction, so often invoked to delineate the humanities from the hard sciences, did not—cannot—save us. In fairness to the World Health Organization (WHO), the outbreak of the recent pandemic was not the first occasion for its defection from its scientific mission. An extract from a May 2015 WHO memo reveals that the identity politics mindset had been established years before. It reads:

In recent years, several new human infectious diseases have emerged. The use of names such as ‘swine flu’ and ‘Middle East Respiratory Syndrome’ has had unintended negative impacts by stigmatizing certain communities or economic sectors.... This may seem like a trivial issue to some, but disease names really do matter to the people who are directly affected. We’ve seen certain disease names provoke a backlash against members of particular religious or ethnic communities, create unjustified barriers to travel, commerce and trade, and trigger needless slaughtering of food animals. This can have serious consequences for peoples’ lives and livelihoods.

Is this hard science or identity politics platitudes about innocent victimhood? History will establish if the virus now officially named COVID-19 is traceable to a laboratory in Wuhan, China, in which case the designation “Wuhan Flu” *will be* appropriate, because it will contain pertinent political information obscured by the designation “COVID 19,” and because if there is guilt, it ought to be located, addressed, and remembered by history. Irrespective of history’s judgment, this episode in virus-naming reveals that the hard sciences are being penetrated by identity politics. Is it any wonder, then, that more than half of our fellow citizens hear sentences that begin with, “The science says,” and become suspicious? They have had their doubts about so-called “clean energy” science and its war on “dirty” fossil fuels for some time. “Clean” and “dirty” are not scientific variables; they are religious descriptors. The global pandemic further eroded the trust of our fellow citizens in the hard sciences. And now, not to be outdone, Departments of Physics, Chemistry, Biology, Mathematics, and Astronomy in almost all of our colleges and universities are scurrying around trying to purge the “Whiteness” that inheres in their scientific disciplines, and which *must* be the cause of the disproportionate representation of peoples of European and Anglo-American descent. All together, these developments are accelerating public distrust in the hard sciences. Identity politics parishioners dismiss these concerns as the rantings of anti-science irredeemables. They do not understand the catastrophe that is already underway. The hard sciences, one of the great jewels in the crown of Western civilization, are not going to be destroyed by hordes of deplorables who ride in from fly-over country on their Silverado, F-150, and Ram steeds of iron. They are going to be destroyed by the scientists within, who have become fixated on the identity politics categories of purity and stain, which tempt them into thinking—most unscientifically—that the world is divided into The Elect and the reprobate, and that they are clearly the former. In such a world, truth succumbs to the dogmas the incomplete religion

of the moment establishes. The record of the fate of the sciences under Marxism in the twentieth century, the second incomplete religion, is well documented. Today, a third incomplete religion is upon us, and we can anticipate that historians of science will look back at the early twenty-first century with incredulity and disgust.

Preface

If humanism were right in declaring that man is born to be happy, he would not be born to die. Since his body is doomed to die, his task on earth evidently must be of a more spiritual nature.¹

§1. This book is about three separable but ultimately related ailments from which we suffer immensely in America today: identity politics, bipolarity, and addiction. Should these three ailments be gathered together in one book? I think they should be, because although identity politics is the more immediate threat, our republic cannot be healthy if we do not also understand and address bipolarity and addiction. The latter two are generally treated as behind-the-scenes psychological or physiological problems about which only trained experts are authorized to write. I have no such authorization. I write as a political philosopher, attentive to what the great authors of the West have written about the human condition; and I write as an observer of, and in, our times. Because of my training, I will consider both bipolarity and addiction in an unorthodox, and I hope, more capacious way than our psychologists and medical experts generally allow. I will look at bipolarity and addiction as existential, political, social, and theological issues that the pharmacology recommended by experts cannot cure. All this, in due course. First, I will make a few observations about identity politics, to give some sense of its contours and of the danger that it poses. Unlike bipolarity and addiction, which seem to belong to our

1. Alexandr Solzhenitsyn, “A World Split Apart” (commencement address, Harvard University, Cambridge, MA, June 8, 1978), <https://www.solzhenitsyncenter.org/a-world-split-apart>.

quiet private affairs, identity politics is a very loud public affair. Moreover, it is a loud public affair that is making constructive public life increasingly difficult if not impossible. That is why more than half of *American Awakening* is concerned with this affliction. To wrestle with the quiet, seemingly private problems we face, we must first take care of the loud public problem. To start our longer journey to recovery, let us start with what is right in front of our nose.

§2. By so many measures, life is getting better all the time. There have been no global wars in the last seven decades. Standards of living have increased nearly everywhere, well beyond anything imaginable at the end of World War II. Many diseases have been eradicated. Starvation is rarer. Drinking water is more readily available. Housing stock has multiplied and modern conveniences have grown exponentially. Travel by every means is safer. International communication is instantaneous and inexpensive. The computing power of a common smartphone exceeds the computing power the astronauts of Apollo 11 had at their disposal during the first manned landing on the moon in 1969.

§3. Alongside the visible material economy that has made these improvements possible lies another economy that is also concerned with weighing and measuring. In this economy, however, we do not weigh and measure empirical things like money, time, and materials. Rather, we seek to measure *transgression and innocence*—sometimes with a view to the mystery that no balance of payment between them is possible, and sometimes with a view to the demand that all accounts be settled. I will say more about both of these views in a moment. For now, I will say that this invisible economy is uncorrelated with the economic advances we make and, therefore, with the happiness and well-being that is supposed to be ours. Strangely enough, this invisible economy also seems to obtrude all the more as our standard of living increases. Perhaps this is because when we attempt to build a world in which the only things we weigh and measure are money, time, and materials, we

momentarily deceive ourselves that this is the only economy in which we are involved. Then, because we can never escape its primordial tug, the invisible economy concerned with weighing and measuring transgression and innocence disrupts and mocks the well-measured world of money, time, and materials that we have constructed and demands our full attention. Alexis de Tocqueville, the great author of *Democracy in America*, seemed to think this twofold economy was always going to haunt us. In 1840, he wrote:

The soul has needs that must be satisfied. Whatever pains are taken to distract it from itself, it soon grows bored, restless, and anxious amid the pleasures of the senses. If ever the thoughts of the great majority of mankind came to be concentrated solely on the search for material blessings, one can anticipate that there would be a colossal reaction in the souls of men. They would distractedly launch out into the world of spirits for fear of being held too tightly bound by the body's fetters.²

In the United States, material prosperity was measured and loved more than anywhere else at that time. Because this was the case, there would be periodic and enthusiastic irruptions of the invisible economy. Religious enthusiasm—here understood as the acute awareness of our transgressions, and the frenetic search for the cover of innocence—goes with material opulence. From the vantage point of the material world, as many economists remind us, we should be happier by the day. But because the economy to which they point is not the only one in which we live, we are not happier. Man: the material being who knows the material world is not the only measure of who he is. Furnished with material advances that lift him to unimaginable heights, and haunted by unpaid or unpayable debt from his transgressions, which draw him into wretched darkness from which he cannot escape—that is man.

2. Alexis de Tocqueville, pt. 2, chap. 12 in *Democracy in America*, vol. 2, ed. J. P. Mayer (New York: Harper & Row, 1969), 535.

§4. The twofold economy of ours, the one visible and the other invisible, is quite clearly on display these days, if we know where to look. I mentioned a moment ago that sometimes the invisible economy is understood in light of the mystery that no balance of payment is possible, and sometimes in the light of the belief that a full account can be given and the demand that all accounts be settled. The former understanding is inscribed into Christianity, and the latter is the viewpoint of identity politics. Consider the former first. A mass shooting occurs somewhere in America. Christians offer up their “thoughts and prayers.” They do this because they understand that in the invisible spiritual economy, prayers for the deceased innocents are heard by God—and not just prayers for the recently dead but for the dead of ages past. That is why in the invisible spiritual economy, prayers for the recently deceased are as efficacious as are prayers for African slaves who died on their way to, or on, American soil hundreds of years ago. For those oriented only by the material economy, this is senseless gibberish. A transgression has occurred, and it must be paid for—say, by changing gun laws or, if it were 1865 and we could actually count the cost, by making reparations for slavery. Material suffering requires a material recompense. The balance of payments in the visible economy must be observed. In the invisible spiritual economy, on the contrary, payments never quite balance—at least not in our lifetimes. The innocent suffer, and we do not know why. Good people die, and bad people live. Christian prayer begins and ends with the incontrovertible fact of the imbalance of payments. Innocent people were gunned down. Where were the scales of justice? Innocent slaves died wretched deaths. Where were the scales of justice? The material economy promises much, but because of the incontrovertible fact of the imbalance of payments, the invisible spiritual economy can never be superserved by the visible economy. Money, time, and materials render a portion of our life visibly coherent and manageable, but not all of it. The justice of payment alone does not fully comprehend the world; uncompensated suffering and mercy, too, have their place on the in-

visible balance sheet of life that only God understands. So declares the Christian. We live within two economies. The one involves payments made and payments received; the other involves something deeper and more impenetrable—an economy within which we are to prayerfully abide, but which we cannot alter. The betrayal of Christ by Judas in the Gospel of Matthew illuminates the collision between these two economies. Judas, the treasurer for the disciples, the one who weighs and measures in the visible economy, is incensed that expensive ointment has been poured out on Jesus's head. The ointment could have been sold, and the proceeds given to the poor. Jesus replies: "The poor will always be with you"—which is to say there is an invisible economy in which the scales of justice do not balance in the way that Judas wants them to. Concluding that Jesus is not the revolutionary Judas had expected Him to be, he betrays Jesus for silver coin, which he presumably wants to use to help balance the scales of justice in the visible economy.³ For the Christian, man, try as he may, cannot resolve the imbalance of payments in the invisible economy. Only God can; and He will not do so until the end of history. A no less remarkable distinction between the two economies occurs at the beginning of the Gospel of Luke: "And it came to pass in those days, that there went out a decree from Caesar Augustus that *all the world* should be taxed."⁴ Joseph and Mary go to Bethlehem to be counted and taxed—to be included in the bookkeeping of payments that "the world" records. The birth of Jesus does not happen at the Inn, however, but rather in a sheltering place for animals—probably a cave—where Mary lays Him in an animal food trough (a manger).⁵ Jesus is invisible to the world that payment records; He comes to give relief in the other economy that is beyond price, the economy that man cannot control.

3. The entire scene plays out in Matt. 26:7–15. Doubt is cast on Judas's deeper motive in John 12:6, where it is suggested that he is a thief.

4. Luke 2:1 (emphasis added).

5. See Luke 2:7.

§5. Identity politics is also concerned with the invisible spiritual economy that dwells alongside the visible economy. Much has been written about identity politics, but little of it comprehends identity politics as an attempted exposition, distorted though it may be, of the mysterious invisible economy that we cannot escape. Identity politics comprehends this invisible economy in terms of a relationship between transgression and innocence, between purportedly monovalent groups—white, heterosexual men, on the one hand; and blacks, women, persons who identify as LGBTQ, and persons who identify with still other identity groups, on the other. These groups are, of course, visible. This makes the calculus complicated. Identity politics is concerned with the invisible economy of transgression and innocence, but seeks to understand that invisible economy in terms of the relationship between visible groups. In the world that identity politics constructs, for example, it is axiomatic that the “systemic racism” of one visible group toward another runs so deep that it cannot even be measured. Although it is invisible, it is real. On the one hand, therefore, we are asked to ignore the visible economic relations between members of visible groups when, say, white, heterosexual men are considerably poorer than members of groups that identity politics declares to be among the innocents. On the other hand, when the economic relations are reversed, and white, heterosexual men are the economically wealthier group, identity politics declares that the deeper cause of the visible imbalance is the systemic racism in the invisible economy of transgression and innocence in which both groups are involved. Identity politics *always* maintains the purity of those it considers innocents and the stain of those it considers transgressors, regardless of any visible evidence to the contrary. White, heterosexual men, who are “the least among us,”⁶ are therefore invisible within the world identity politics constructs. That is why the devastation of the opioid crisis among whites in

6. Luke 9:48 and Matt. 25:40.

America has not captured the attention of those who live within the world identity politics constructs, and why Hillary Clinton ignored or castigated a vast swath of the American electorate and lost the 2016 presidential election. Adherents of identity politics are untroubled by the necessity of oscillating back and forth between ignoring the visible evidence, in the case of poorer white, heterosexual men, and singularly fixing on it, in the case of richer white, heterosexual men. In the world identity politics constructs, the visible economy either tells us nothing or is invested with a significance that the visible facts do not warrant. That is one of the consequences of attempting to render an invisible economy of transgression and innocence in terms of the relationships between visible groups. White, heterosexual men are either invisible or they are the hidden cause of every visible transgression in the world. The Democratic Party cannot win national elections if its candidates continue to think this way.

§6. This paradox and its political implications aside, the identity politics fixation on the invisible spiritual economy has not received the attention it deserves. The predominant account of identity politics today treats identity as if it pertains to differing *kinds* of people. This sort of analysis misses much. It has been long understood—as early as the 1830s, when Tocqueville wrote about it—that as we become more disconnected and our lives get smaller in the democratic age, the temptation to make distinctions between others and ourselves grows. When we are lost in the lonely crowd, we look for ways to distinguish ourselves. Our imagination wanders, and our pride demands more than numbing anonymity. Surely, we are more than a flickering soliloquy that emerges out of nothing and returns to the dust. To escape this fate, is it any wonder that so many Americans today turn to genetic-testing services like 23andMe in the hope of discovering who they really are? We do not want anonymity; we want to be somebody. Services like 23andMe tells us who we are. We are a little of this *kind* and a little of that *kind*.

§7. This need to have something that defines us and distinguishes us from the crowd is an important development, and certainly contributes to the fracturing of our politics. Loneliness and anonymity, however, are not the only reasons for the popularity of services like 23andMe. In addition to telling us about the larger kind of which we are an instance, we also want the assurance that some marker of our inheritance provides immutable proof that in the invisible economy from which we cannot escape, we can be counted among the innocents rather than among the transgressors.⁷ The need, so amply documented since the 1960s, to stand out from the lonely crowd,⁸ to express our individuality, is today intermixed with—if not eclipsed by—another need: the need to be counted as a member of an innocent group within the invisible economy of transgression and innocence on which identity politics fixes. Identity politics is not about who we are as individuals; it is about the stain and purity associated with who we are as members of a group.

§8. Identity politics is not satisfied with the Christian account that there will always be an imbalance of payments that only God can redress through His infinite mercy. Identity politics demands a complete accounting, so that the score can be settled once and for all—or, if it cannot be settled, then held over the head of transgressors like a guillotine, in perpetuity. That is why establishing what one group owes another is central to the identity politics enterprise. The complete accounting that is needed requires ongoing investigations that clarify just how stained the transgressors are, and how pure the innocents are. This now seems to be the singular task of our colleges and universities, which have thoroughly renounced their ancient charge,

7. See “Holiday Special,” YouTube video, 1:11, posted by South Park Studios, September 25, 2017, <https://www.youtube.com/watch?v=gKxtXzAgGew>.

8. See David Riesman, *The Lonely Crowd: A Study of the Changing American Character* (New Haven, CT: Yale University Press, 1963).

dating from the founding of Plato's Academy in 387 BC, of assisting students in ascending from mere opinion to knowledge and wisdom. Once many of our American colleges and universities were Christian. Increasingly embarrassed by this, over the course of the nineteenth and twentieth centuries, they adopted the Greek ideal of knowledge and wisdom. Now in the twenty-first century, they have returned to the Christian fixation on transgression and innocence.⁹ The new version of this Christian fixation, however, makes no allowance for the long-standing Christian way of understanding either transgression or innocence—namely, as a relationship first and foremost between God and man. God is nowhere to be found in the identity-politics accounting scheme. Neither is forgiveness, which would erase the score altogether, and leave us with no scores to settle. Defenders of identity politics often claim to be egalitarians concerned about existing inequalities; yet who among them, I wonder, could actually endure the radical equality that would result if we were to erase the debt and innocence points that we are now told, in the most precise terms,¹⁰ we owe or are owed, and meet one another unencumbered, face to face? Perhaps Christians who actually understand the fantastic claim that regardless of their kind, they are all equally *adopted sons and daughters of God* could do that.¹¹ Identity politics, notwithstand-

9. See Steven B. Gerrard, "The Rise of the Comfort College: At American Universities, Personal Grievances Are What Everyone's Talking About," Bloomberg, "Opinion," September 9, 2019, https://www.bloomberg.com/amp/opinion/articles/2019-09-09/free-speech-is-no-longer-safe-speech-at-today-s-elite-colleges?__twitter_impression=true.

10. See "Intersectionality Resources," Intersectionality Score Calculator, n.d., <https://intersectionalityscore.com/learn>. The site states: "We encourage you to learn more about the growing movement of intersectionality and how to use it in your daily lives. It is also important to teach our young people how to categorize people quickly by their intersectionality. This way, they won't become racist, homophobic, Islamophobic, sexist, or have other undesirable thoughts."

11. See John 1:12; Gal. 4:4–5; Eph. 1:15; and Heb. 2:10–13.

ing its debt to Christianity and its surface profession of faith both in equality and in the sanctity of the individual, wants only a hierarchy of transgression and innocence. Here is the tribalism that awaits us, based on our purportedly permanent inheritance of stain and purity. Christian radical equality—hoped for but not yet implemented on Earth—is, through its identity politics stepchild, currently being supplanted by a strange sort of antiegalitarian *spiritual eugenics*, according to which the pure and innocent groups must ascend and the stained transgressor groups must be purged.

§9. Other religions also use the language of purity and stain, of transgression and innocence, but our long familiarity with Christianity in America means that the invocation of these categories within identity politics derives from Christianity, and from Protestantism in particular. Most of this book is concerned with the deeply deformed relationship between identity politics and Protestant Christianity. Surveys may indicate that Americans have lost or are losing their religion; however, the fever of identity politics that now sweeps the nation suggests these surveys are looking in the wrong place and asking the wrong questions. Americans have not lost their religion. Americans have relocated their religion to the realm of politics.¹² The institutional separation of church and state may be largely intact, but the separation between religion and politics has largely collapsed. More precisely, with respect to the matter of presumption of guilt and innocence, they have traded places. Once, because of the doctrine of original sin, there was a presumption of guilt in the churches, and because of our legal history, a presumption of innocence in the realm of

12. An excellent treatment of the way in which American Protestant culture has not disappeared but rather taken up residence elsewhere can be found in Joseph Bottum, *An Anxious Age: The Post-Protestant Ethic and the Spirit of America* (New York: Random House, 2014). See also James A. Morone, *Hellfire Nation: The Politics of Sin in American History* (New Haven, CT: Yale University Press, 2004).

politics. Today, the abandonment of the doctrine of original sin has had the curious effect of lifting the burden of guilt in the churches—and of shifting it to politics. Whatever the law may say about our innocence, the presumption of identity politics is that man—or rather the white, heterosexual man—is guilty.¹³ This is a dangerous reversal of legal norms that in the Anglo-American world took centuries to develop and take hold.

§10. The “identity politics of innocence,” as I call it throughout this book, has transformed politics. It has turned politics into a religious venue of sacrificial offering. Ponder for a moment the Christian understanding of sacrificial offering. Without the sacrifice of Christ, the Innocent Lamb of God, there would be no Christianity. Christ, the Scapegoat, renders the impure pure—by taking upon Himself “the sins of the world.” In purging the Divine Scapegoat, those for whom He is the sacrificial offering are purified. Identity politics is a political version of this cleansing, for groups rather than for individual persons. The scapegoat identity politics offers up for sacrifice is the white, heterosexual man. If he is purged, its adherents imagine, the world itself, along with the remaining groups in it, will be cleansed of stain. Without exception, every major action item of the Democratic Party today is traceable to this supposition. The Democratic Party pushback against national borders; its unwavering insistence that fundamental political and economic transformations are necessary to address climate change; its disgust with “dirty” fossil

13. See Wesley Yang, “America’s New Sex Bureaucracy,” *Tablet*, September 24, 2019, <https://www.tabletmag.com/jewish-arts-and-culture/291105/americas-new-sex-bureaucracy>: “[We have before us today an] ideology [that] is a successor to liberalism. It brandishes terms that superficially resemble normative liberalism—terms like *diversity* and *inclusion*—but in fact seeks to supplant it. This new regime, in which administrative power has been fashioned into a blunt instrument of deterrence, marks off a crucial distinction—between the liberal rule of law, and the punitive system of surveillance rooted in identity politics known as ‘social justice.’”

fuels; its demand for wealth redistribution; and its resolve that every mediating institution in which citizens gather must be altered so as to become “inclusive”—all of these have at their root the supposition that the nation-state, market commerce, the petrochemicals that fuel it, the conventional generative family, our civic institutions, and our religious institutions are unclean or obsolete because of the hand white, heterosexual man has had in building and maintaining them.

§II. We can and should talk about the pressing issues before us. Self-government requires nothing less. Substantive deliberation cannot occur, however, if adherents of identity politics are animated by the angry need for *catharsis*, as the desire to scapegoat always involves. Calling someone a “racist,” “misogynist,” “homophobe,” “transphobe,” “Islamophobe,” “fascist,” “Nazi,” “hater,” “denier,” or any such name *is* cathartic. These words carry with them the power to banish and to exile. Once they have been uttered, the comportment of both the accuser and the accused visibly changes. The accuser beams with the iridescent light of discharged rage; the accused slinks into the darkness, shamed by the leprosy of his irredeemable stain. An unbridgeable chasm between the two has opened; they now stand on opposite sides of an impenetrable border wall within a community they were both members of a few short minutes ago. Identity politics adherents declare that *visible* borders between nations should be abolished. There will always be borders, however; abolish them in one place and they will emerge in another. Identity politics erects *invisible* borders between the pure and the stained. Too many of the political declarations we hear today intend only to banish fellow citizens. Neither conversations about nor actions taken in response to our pressing problems are possible if the deeper purpose of a political program—perhaps even more important than the political program itself, *which is but a pretext*—is to purge a group or humiliate its members into silence. However enfeebled today, Christianity has burned itself into the soul of Western man and, for

now at least, holds us back from the real impetus beneath identity politics, which is actual group purgation. We will see what the future brings. Christianity's deepest insight, perennially violated by Christians themselves, is that no mortal group can cover over the sins of another group. Historically understood, this insight is a staggering breakthrough, so rare as to be exceptional, since most of human history bears witness to the conviction that the catharsis of group scapegoating *does* restore the cleanliness of the community. Writing nearly a century before Tocqueville, Jean-Jacques Rousseau noted in 1759 that prior to the advent of Christianity,

political war was also theological war: the dominion of the gods were, so to speak, determined by the boundaries of nations. . . . Far from men fighting for gods, it was, as in Homer, the gods who fought for men.¹⁴

By this, Rousseau meant to give some indication of the rage that scapegoating another nation once involved. So cathartic was its ecstatic revelry that gods had to be invoked as a cause. Christianity, he mournfully declared, put an end to that, and had diminished politics ever since. Perhaps Rousseau was premature in his assessment that the ancient gods have died away.¹⁵

§12. We find ourselves at a remarkable impasse. Identity politics wishes to return us to the unexceptional condition, the pre-Christian condition: One group—in its current formulation, the white, heterosexual man—is avowed to be *the* transgressor. All others—women, blacks, Hispanics, LGBTQ persons—have their sins of omission and

14. Jean-Jacques Rousseau, bk. 4, "The Social Contract," chap. 8 in *The Major Political Writings of Jean-Jacques Rousseau*, trans. and ed. John T. Scott (Chicago: University of Chicago Press, 2012), 264–65.

15. See R. R. Reno, *Return of the Strong Gods: Nationalism, Populism, and the Future of the West* (New York: Gateway Editions, 2019).

commission covered over by scapegoating this group. Set against this is the exceptional Christian understanding that man's transgression, his "sin," is "original." This means it is always-already-there *before* any lineage or inheritance constitutes him as a *kind*, and therefore that group scapegoating cannot absolve him of his impurity. Hide quietly behind your "identity" if you wish; your anxiety about your own transgressions will not dissipate. Displace your anxiety by relentlessly aiming the arrow of accusation outward at other groups; the haunting specter of transgression will not disappear. Its source is deeper than identity politics comprehends.

§13. The arrangement that identity politics specifies has placed the scapegoated white, heterosexual man in a curious position, indeed. In order to escape cathartic rage, he must prove his innocence by virtue-signaling¹⁶—or more accurately, by *innocence*-signaling—his support for various social justice causes, so that he, like other groups of innocents, can be covered with righteousness. Only when covered in this way does the cathartic rage that brings social death *pass over* him and settle elsewhere, as it must. The Hebrews of ancient times were told by God that death would pass over their houses, and no one in their households would die, if they marked their front doors with the innocent blood of a slain lamb.¹⁷ Today in America, the white, heterosexual man must reenact a version of that innocence-signaling liturgy if social death is to pass over him. Jews in America celebrate Passover once a year; if cathartic rage is to pass over the white, heterosexual man, he must celebrate the identity politics version of that liturgy daily, by displaying signs of inno-

16. The term "virtue-signaling" does not capture what is really occurring. The task within identity politics is not to demonstrate virtue but to demonstrate innocence. Virtue is a category of Greek origin; innocence is a category of biblical origin.

17. See Exod. 12:13: "And the blood shall be to you for a token upon the houses where ye are: and when I see the blood, I will pass over you, and the plague shall not be upon you to destroy you, when I smite the land of Egypt."

cence on his front door—or, more likely, his office door—for all to see. If you doubt this, wander through the university and college buildings in America that house the offices of our professors. You will soon discover ample evidence of this strange identity politics Passover ritual. Decals that declare, “This office is Green”; pictures of Foucault; dated posters announcing Martin Luther King Jr. Day celebrations; an announcement about upcoming “Diversity Training”; yet another *New York Times* article taped to a professor’s office door that thinly masks its hatred of President Trump—if you display these symbols of your innocence, or of your sympathy with the innocents, social death will surely pass you by. The displays on the office doors of corporate America are no different.

Try as he may, however, the circumstance that the white, heterosexual man can never alter is this: because of his permanent transgressive status, he begins with a deficit of “innocence points,” and must fight his way back to a zero balance, which is as far as he can ever advance. In the Garden of Eden, Adam hid behind a fig leaf. In identity politics, the white, heterosexual man can attempt to hide behind the fig leaf of social justice to find temporary reprieve; but the leaf is see-through, and his nakedness is always visible for all to see. In the Garden of Eden, God could see Adam’s nakedness. So, too, can members of groups that identity politics counts among the innocents see the nakedness of the white, heterosexual man. Like God, they also declare his irredeemable guilt.

§14. By alerting the reader to the theological perversity of replacing the Divine Scapegoat of Christianity with the all-too-mortal white, heterosexual man as the scapegoat, I am *not* saying that the white, heterosexual man is innocent, as many who claim they are on the Alt-Right declare. Far from it. If anything, as the careful reader has already discovered, I wish to save the category of transgression, in all its depth, and I fear that both identity politics and the Alt-Right will end up stripping the category of its profound Christian significance,

which will deprive us of hope. On the contrary, I am saying that in the world that identity politics constructs, the white, heterosexual man becomes more than who he really is. He becomes a member of a scapegoated group that takes away the sins of the world, rather than being a mortal of mixed inheritance, like everyone else, involved in transgression and searching for redemption. The deepest mystery of transgression and innocence cannot be understood by focusing our attention on groups. That is the Christian claim. That was Martin Luther King Jr.'s claim. That is the claim made in this book as well. No one group is unequivocally pure or stained; and without the ability to establish such purity, just who the transgressors are and who the innocents are is impossible to determine. Identity politics stands or falls on the claim that groups are unities of transgressors or innocents; and that the invisible spiritual economy from which we cannot escape can be understood in terms of the purity or stain that inheres in each visible group.

§15. Throughout this book, I contrast the identity politics of innocence with “the liberal politics of competence.” Over the years, my colleagues at Georgetown and elsewhere have reminded me that the term “liberal” now belongs to the political left; and that the only political alternative to the Left in America today is captured by the term “conservative.” I stubbornly refuse to heed their admonitions because I think retrieving the liberal alternative to the identity politics of the Left and to the conservative politics of the Right can provide the only way out of our current morass. Since the French Revolution in 1789, the Left has wished to start over; hence its relentless attack on *inheritance*, broadly understood. Identity politics is the latest version of that attack. Edmund Burke's *Reflections on the Revolution in France* (1790) is the founding text of the conservative movement in America, precisely because of its compelling defense of inheritance. There is much to recommend in Burke, his book, and the conservative moment. Contrary to the claims of the Left, we cannot live without our inheritance.

Something is missing, however, in setting the French Revolution against Burke, and leaving it at that. Are these the only two alternatives: either an infinitely plastic world that has no necessary continuity and that man shapes in the image of his dreams (and his nightmares), or a fixed and identifiable inheritance from which man can securely build a durable world and which is free enough from fault that he can sleep well at night? Before the French Revolution prompted Burke to give the self-conscious defense of inheritance that is today the basis of conservatism, there was a nascent body of liberal thought that had a more mysterious and providential view of human affairs. In this view, historical development and inheritance are not so adamantly opposed. Here, man sees his past, present, and future “through a glass darkly.”¹⁸ He does not have the power or authority to shape history according to his will, nor can he fully understand the mixed inheritance that binds him. On this view, we build *from* our mixed inheritance *toward* a historical culmination we can neither wholly understand nor control. This humility about what we can know and what we can do has important liberal institutional implications. Because the institutions of society are the places where our inheritance is both fortified and challenged, the power of the state should intervene rarely, as its interventions are invariably heavy handed and clumsy, even when undertaken with the best of intentions. In the institutions of society, citizens develop the competence they need to fortify those societal institutions and to modify them. Our mixed inherited past and any number of possible futures converge in the deliberations and actions of competent liberal citizens, who build a world together. When the state steps in too often or too strongly, it undermines or destroys the liberal competence that we today so earnestly need.

§16. Many writers in the last half century have seen the danger that the administrative welfare state poses to liberal competence. They

18. 1 Cor. 13:12.

have proposed political and legal remedies to address it: free markets, small government conservatism, a return to federalism, a judiciary steeped in an understanding of the original intent of the Founders, and so forth. My approach stands apart in that it reckons that there is no expressly political or legal remedy to our problem. Identity politics reflects a confusion in our understanding about where the categories of transgression and innocence may properly be worked through. The identity politics of innocence is a wager that these categories belong in politics, and that the liberal politics of competence, now over three centuries in development and possibly at its end, which would attend to merit and developed competences alone, has conscience against it. How such a conclusion has been reached, and the implications of that conclusion, not least for black Americans, who are betrayed by it, occupy a significant portion of this book. This sort of investigation, more than prescriptive political or legal remedies, is the antidote needed to overcome the immense temptation of identity politics today. When our understanding changes, our politics will change.

§17. Upon completing what would have been a short, dense book on the inner logic of identity politics, it became apparent that merely proclaiming the need to return to the liberal politics of competence would not be enough. Identity politics is a formidable impediment to the return of liberal competence; but even if the fervor and enthusiasm of identity politics were to dissipate tomorrow, and Americans were to wake up and discover that they had been deceived by it, they would not return to health. Two immense obstacles would remain. Here, too, there is no expressly political or legal remedy for these obstacles. Citizens themselves are going to have to awaken to the challenges these obstacles pose—or not.

§18. The first obstacle that stands in the way of the return to liberal competence is what our psychologists and medical experts call “bipolarity.” In the twentieth century, it was known as “manic de-

pression.” Long before the invention of the field of psychology at the end of the nineteenth century, or before medical science concluded that man can be understood in terms of his brain chemistry, there were other ways of understanding the problem. I will say more about them later in the book. For reasons I will explain, I consider man’s bipolarity within the framework of what I call “management society and selfie man.” Liberal competence is undermined by the former because of its presumption that all our problems are too big for man to solve with his neighbors, and must be handed over to the global managers of his fate. In such moments, man feels small, impotent, and worthless. Liberal competence is undermined by the latter because selfie man has no neighbors with whom he *needs* to solve his problems. He is unfettered and alone. In moments like these, he feels grand, indefatigable, immune from harm, and so invincible that he is reckless in what he says to and about others. This, too, is a threat to liberal competence, which can only be developed with others, in real time. The configuration of management society and selfie man presumes that such competence is not necessary for man’s health and well-being. Management society and selfie man is an arrangement, anticipated by Tocqueville long ago, in which democratic citizens feel themselves to be “greater than kings and less than men.”¹⁹ This bipolar arrangement—in which, in exchange for the freedom we gain through social media to become selfie man, we renounce our liberty to address problems with our fellow citizens—is one of the defining characteristics of the post-1989 experiment. An entire generation of young Americans has grown up oscillating back and forth between feelings of extraordinary grandeur and utter impotence. One minute they make plans to “change the world” or “save the planet.” The next minute they are overwhelmed by a world so frightening and difficult to negotiate that they text message their friends rather than call them—in fear that an unscheduled call will

19. Tocqueville, pt. 4, chap. 6 in *Democracy in America*, vol. 2, 694.

be too much for either party to endure. This bipolar arrangement, increasingly lived out by the young and old alike, can be ameliorated only by face-to-face, real-time relations between citizens in the institutions of society. Drugs that treat bipolar disease or manic depression or whatever our healthcare professionals will call it next can mask the symptom, but they cannot cure the disease. We do not have a brain chemistry problem; we have a problem of human association. Pharmacology can offer supplements that help us begin to confront the disease, but we go too far when we believe that pharmacological remedies can substitute for a cure. “Pharmacological substitutism,” to coin a phrase, was the world Aldous Huxley gave us in his 1931 novel, *Brave New World*.²⁰ We would do well to go back and reread the book. Citizens enthralled by management society and selfie man, however, will likely see the real antidote they need—building a world of liberal competence together with their fellow citizens—as a poison from which they must flee. When we are ill, we are seldom drawn to the antidote that cures us, and instead seek palliatives that keep us alive without really bringing us back to life. This is a problem with no straightforward remedy.

§19. The second obstacle that stands in the way of the return to liberal competence is addiction. Here, too, I will sidestep the assessments offered by our psychologists and medical experts and treat this illness as more ancient and venerable authors did—as what I will call, “the problem of supplements becoming substitutes.” No recent writers have written about this as a general problem, though very many have written about its myriad, seemingly unrelated manifestations. These include: the opioid epidemic that is ravaging America; the exponential explosion in the number of empty plastic water bottles that will soon overwhelm us; the uptick in global obesity rates; declining birth rates and the increasing attentiveness to sexual

20. See Aldous Huxley, *Brave New World* (New York: Everyman's Library, 2013).

substitutes for the generative family; the empty promise of social media; the demolition of brick-and-mortar retailers by Amazon; the dubious value of online education; our fixation with Google Maps and driverless cars; the claim that the digital world can fully supplant the analog world; the empty hope that government alone can heal the wound of slavery and its aftermath, can guide the relations between the sexes with Title IX legislation, and can supplant citizen stewardship with environmental regulations; the dreamy view that national borders need no longer be observed; the belief that fiat currency does not invite staggering debt; and the misplaced longing to become global citizens. Every one of these developments, and more, should be understood as an instance in which a supplement has been turned into a substitute, an *addiction* in a more capacious sense. There is an immense temptation to turn supplements into substitutes, which cannot be overstated. When we succumb to this temptation, liberal competence is lost or degraded. Here, too, there is no political or legal remedy that will cure the general problem or its specific manifestations. The cure requires the sober recognition that when citizens turn supplements into substitutes, our immediate, ecstatic, addictive satisfaction is soon met—as the opioid addict well understands—with an emptiness that always follows. There are no shortcuts. Political and legal action may temporarily block us from taking them, but without getting to the root of the problem, closing off one shortcut will be followed by taking another.

§20. In the course of writing *American Awakening: Identity Politics and Other Afflictions of Our Time*, the one image that has illuminated the whole is that of *homo, ex ingenio celeritas quaesitor*: “the creature man, who always looks for shortcuts.” This problem had already been identified in the Hebrew Bible.²¹ Readers of Plato’s *Republic* may also recall that Socrates tells his impatient interlocutors that there is no

21. See Exod. 13:17.

shortcut to the Good.²² We only get to where we really need to go by taking the longer way. Eight hundred years after Plato, St. Augustine, one of the great Christian fathers, noted that because of his transgression, man could not by himself return to God—but that through Christ Incarnate, man was granted a shortcut back to God the Father.²³ In a historical irony befitting the creature man, who always looks for shortcuts, identity politics finds the Christian shortcut *too difficult to endure*, for it demands that man be hard on himself and admit both his stain and his inability to remove it without Divine assistance. The various shortcuts identity politics offers do not require that man be hard on himself; they only require that the white, heterosexual man be hard on himself.²⁴ The rest are innocents, who find a shortcut to purity by scapegoating him. Alas, once he has been purged, someone else—a former innocent—*must* take his place.

That is not the end of the matter, however. Management society and selfie man is a shortcut as well. The difficult labor of liberal citizenship can only be performed in community with others—not the

22. See Plato, bk. 6, 504b, 504c, and 533a in *The Republic*, trans. Richard W. Sterling and William C. Scott (New York: W. W. Norton, 1985).

23. See St. Augustine, bk. 9, chap. 15 in *City of God*, trans. Henry Bettenson (New York: Penguin Books, 1984), 361.

24. White, heterosexual men of the Left, who manage to feign guilt but expect others to pay the price, are the exception to this requirement. See William Voegeli, “Their Sin, Your Penance,” *American Mind*, April 22, 2019, <https://americanmind.org/features/justice-that-aint-it-chief/their-sin-your-penance/>: “There are no known examples of any white liberal giving up a tenured professorship or syndicated column so that the vacancy may be filled by a member of an oppressed, under-represented minority group. Though tormented by complicity in the oppression of victims, white liberals reliably devise penances that will be performed by other people. Their ferocity in denouncing housing discrimination, for example, is matched by their resourcefulness in keeping low-income housing out of liberal enclaves like Marin County, California.” See also Zach Goldberg, “America’s White Saviors,” *Tablet*, June 5, 2019, <https://www.tabletmag.com/jewish-news-and-politics/284875/americas-white-saviors>.

abstract universal community that is effortless to join, but the everyday community in which we actually live. The thoughts, words, and deeds we undertake in our actual communities offer ample evidence that we are less pure and more stained than we would like to imagine. The shortcut offered by management society and selfie man allows us to avoid that demoralizing realization. Through this shortcut, we achieve repose not by the hard work of building a world with others, but by bypassing that difficult labor altogether.

By turning supplements into substitutes, we find a shortcut, too. The problem of replacing supplements with substitutes, we will discover, is akin to the problem of replacing the meal with vitamins. We can take the latter to supplement the meal, but not as a substitute for it. We always must return to the meal, to the hard work of developing competence—whether it be the literal competence of cooking for and with our family or the development of competence beyond the confines of the household.

That we hunger for this meal is beyond question. Liberal competence alone can provide the meal and sate the hunger. The vexing question is why we nevertheless continue to opt for the hollow, addictive satisfactions associated with turning supplements into substitutes.

§21. Readers of *American Awakening: Identity Politics and Other Afflictions of Our Time* may wonder if I despair of the future after writing a book declaring not only that America is in the midst of an identity politics religious fervor that imperils it, but also that even if identity politics died down tomorrow, two immense obstacles would remain. To despair would be to admit that liberal competence is irretrievably lost. If I despaired, I would not have written this book in the first place. The title, *American Awakening*, in fact, carries a double meaning. On the one hand, it suggests that we are in the midst of a faux religious revival that can no more cure our illness than our exponentially increasing dependence on drugs can cure us of bipolarity and addiction. On the other hand, it suggests that we may be on the

verge of awakening from the slumber into which we have fallen as a result of identity politics, bipolarity, and addiction, and retrieving the satisfactions of liberal competence toward which I have pointed in these pages. I am hopeful—indeed, expectant—that the latter possibility is the real state of things.

unfolding no one can anticipate or arrest. Scientific and technological advances are an ineradicable aspect of that world. Our challenge as liberal citizens must be met in a different way. The way to meet it—the way that avoids first-phase contrived innocence and third-phase substitutism—requires, first, that we develop competence with the meal; second, that we amplify that competence through the addition of supplements; and third, that we exercise unwavering vigilance against taking the shortcut that substitutism offers. We must develop competence as citizens of our respective nations; only then can global concerns be adequately addressed. We must develop that mysterious competence called friendship; only then can the supplement of social media vastly extend that competence. History will not stand still. Scientific and technological advances will put new and undreamed-of supplements into the hands of future generations. *What will remain fixed is the configuration of the meal, the supplements to the meal, and the dangerous shortcut involved in turning those supplements into substitutes.* On this reading, imminent transhumanism is a consequence not of the reckless liberal embrace of scientific and technological advances, but rather of a fatal substitutism that abrogates the relationship between the always human meals through which we live, know, and find joy, and the supplements that can amplify but not replace them.

Q. THE THREE PILLARS OF RENEWAL

§100. I have considered the enticing but ultimately deadening shortcuts that tempt citizens away from liberal competence. What possible future might lie ahead if we have the fortitude and faith to take the longer way, the way that invites us to develop such competence, and to live out the sober satisfactions that attend it? In this matter, we should first heed Tocqueville's observation in *Democracy in America* that thinking along party lines will not help us see very far:

I did not intend to serve or combat any party; I have tried not to see differently but further than any party; while they are busy with tomorrow, I have wished to consider the whole future.³⁶

The party of the Left today invites us to embrace the identity politics of innocence, which, for all the reasons I have considered, is a political and theological dead end. The party of the Right has given us an untempered defense of purportedly free global markets, to the detriment of our middle class, and an unsavory commitment to democracy exportation abroad, to the detriment of our national security. The Left has shamelessly exploited the deep wound of slavery as a template to infinitely extend its power, by gathering together, and inventing,³⁷ groups of innocents it purports to protect and serve. This has turned it into a festering cauldron of grievance and resentment in which what matters is not the illuminating and productive ideas citizens and candidates might generate but the number of identity politics debt points it can amass. The Right, fearful that any reference to the deep wound of slavery would derail its commitment to a color-blind society, ignores the wound entirely, or speaks euphemistically about using “enterprise zones” as a way to “combat the problems of our inner cities.” Rightly or wrongly, this elision invites suspicion that it is the party that harbors racism. A renewed America will require more than either party can now provide.

§101. Liberal competence in America cannot develop and flourish unless we renew our commitment to the middle-class commercial republic our country was established to be. No middle class, no liberal competence. This must be the first pillar of a renewed America. The party of the Left speaks incessantly of the poor—not with a view to how they can become competent members of a vibrant middle

36. Tocqueville, author’s introduction in *Democracy in America*, vol. 1, 20.

37. See part 1, n. 50 on Mora’s description of the invention of the category “Hispanic.”

class but with a view to how state programs may provide them with “assistance.” For every problem, there is another government “service.” If such assistance does more than supplement the existing mediating institutions already around them, if it becomes governmental substitutism (see section 86), it invariably produces debilitating, drug-like dependency that is difficult to cure. If we really are concerned with the poor, we must do everything in our power to fortify the middle class, so that the poor may swell its ranks. The party of the Right has done no better on behalf of the middle class. A mono-maniacal focus on market efficiency and profit, on the “principles” of a free market, the contention that money is the measure of all things, the attempt to reduce to one single measure the necessarily multiple and conflicting goods a competent commercial enterprise must keep in mind—these are the ways, paradoxically enough, that Karl Marx talked about “capitalism.”³⁸ Adam Smith, supposedly one of the great luminaries of the Right, never argued, as Marx did, that money is the measure of all things. The very title of Smith’s magisterial work, *The Wealth of Nations*, alerts its readers that commerce and politics are two distinguishable domains. Smith’s apprehension, in fact, was that the productivity gains generated by the global division of labor and globally extensive markets would undermine the geographically circumscribed political unit that is the nation.³⁹ The political economist, he believed, must understand that there are trade-offs between what market efficiency demands and what political community requires—we do not live *in* a market, but rather *go to* the market; we

38. See part I, n. 147.

39. See Smith, bk. I, chap. II in *Wealth of Nations*, 275–78. In this short but extremely important passage, Smith asks who will look after the good of the nation. Of the three groups that Smith considers—landowners, workers, and businessmen involved in foreign trade—he concludes that only the landowners can have a deep and abiding concern for their nation. Workers could have that same concern, but they are too exhausted by their work to be able to demonstrate it.

are not “workers,” but rather “citizens who work.” Money is not the measure of all things. Our challenge today is precisely the challenge Smith worried about in his 1776 masterpiece: how to square the circle of global commerce and political health. The Right has ignored Smith’s difficult proposition for decades. It has its economists, but no political economists. This means—we should be clear on this point—there are some in its ranks who so revere market efficiency that they would be untroubled if the destruction of the American middle class was the necessary collateral damage of market efficiency. That was the recipe for the certain implosion of the Right, which Donald Trump set in motion during his 2016 campaign when he quipped, “Free trade is stupid trade.”⁴⁰

Squaring the circle of global commerce and political health will require more than rejiggering trade deals to shrink our balance of payments with China, more than rebooting the manufacturing sector here in America. America-centric trade deals, American net-export status, and a booming manufacturing sector will not, by themselves, generate liberal competence. Economists are concerned with *market value*: the patriotic among them want to square the circle by shifting the global balance sheet of market value in our direction. Liberal competence, however, requires that we be concerned with *use value*.⁴¹ Market value is one metric; use value is another. The former is a supplement to the latter, not a replacement for it. That is why squaring the circle will be such a challenge.

Why is the concern for market value not enough? A few examples will suffice. First, consider those citizens who live in the world identity politics constructs. In order to cover themselves with the fig leaf

40. “STUPID TRADE: Donald Trump Says There Is No Such Thing as Fair Trade (FNN),” YouTube video, 0:20, posted by NewsNOW from FOX, July 17, 2017, <https://www.youtube.com/watch?v=5xHzcbq-3-4>.

41. The distinction between use value and market value is integral to Smith’s analysis. See Smith, bk. 1, chap. 4 in *Wealth of Nations*, 32–33.

of innocence, venture capitalists and commercial enterprises today, also smitten with identity politics, underwrite or make products that they market to those citizens who are seeking to cover themselves with the fig leaf of innocence. These products have market value, but they will be of little use to liberal citizens intent on developing competence. Identity politics innocence-signaling may add market value to GDP, but it has little use value. America-centric trade deals, American net-export status, and a booming manufacturing sector that makes these sorts of products will not help restore the liberal politics of competence.

Second, consider those citizens who have given up developing liberal competence altogether, satisfied with living within the configuration of management society and selfie man. Believing themselves to be greater than kings and less than men, the middle-class commercial accoutrements of house and automobile ownership have little appeal. These citizens travel extensively rather than settle down, rent in cities rather than buy in suburbia or exurbia. When they do make their purchases, they consist less of “big-ticket items” that bind them to a place and community, and more of expensive gadgets with which they can peruse social media, play games, and otherwise distract themselves.⁴² The market value of these purchases may suggest robust economic health, but a world of liberal competence cannot be built with these purchases, because they are of little use in that undertaking.

Third, consider those citizens who are captivated by various substitutisms, through which they bypass the meal entirely and live exclusively on what should be only a supplement. The opioid crisis is illustrative, even if extreme: purchasing opioids may add market value to GDP, but it will not help restore liberal competence.

42. See Fluent, *Devices & Demographics 2017* (New York: Fluent, 2017), http://www.fluentco.com/wp-content/uploads/2017/01/Fluent_DevicesandDemographics_2017.pdf.

If we are to fortify our middle-class commercial republic, fixing our attention on market value is not going to be enough; we must instead ask the difficult question no one wants to raise: What will have use value for competent liberal citizens? To answer this question, we will have to proceed inductively, by living as competent liberal citizens, and rediscovering, as we go, what is useful and what is not. Liberal competence cannot be measured by market value quantities, only by use value qualities. That is a political rather than economic matter, because we cannot establish what is useful without at the same time asking the political question, How are we to live well with others and build a world together? To save liberal competence, we are going to have to make qualitative judgments about use value, rather than pretend that when the market value of what we bring into our country balances the market value of what goes out, all will be well.

§102. The earnest effort to heal the legacy of the wound of slavery is the second pillar on which a renewed America must rest. Throughout *American Awakening: Identity Politics and Other Afflictions of Our Time*, I have insisted that the wound of slavery is a singular wound in American history, and that identity politics has recklessly exploited that wound for the purpose of extending the political franchise of the Democratic Party. The argument here? Civil rights for black Americans leads to women's rights, to gay rights, to transsexual rights, to rights claims by innocent group identities in the future that we cannot currently imagine. This is scandalous. Legalized slavery deprived slaves of the one institution without which civilization grinds immediately to a halt: the generative family. No other American group underwent that deprivation, generation after generation. Going further, and adding insult to injury, in the world that identity politics constructs, the generative family that civilization needs to reproduce itself is neither necessary nor worthy because it is not sufficiently "inclusive." Racism is a charge thrown about so frequently that it has lost its meaning. In an effort to clarify its deeper

meaning, I proposed earlier that it involves the scapegoating of one group by another.⁴³ Surely, such scapegoating includes the ability of one group to determine the terms of engagement by which another group must live. By that definition, identity politics *is* racist—for it demands of black Americans that they sit in silence as identity politics castigates the generative family (and the churches that defend it), without which the legacy of the wound of slavery has no hope of healing. That is not all. Identity politics is guilty of cultural appropriation, by virtue of invoking the suffering of black America as a template to be used by other purportedly monovalent and innocent identity groups.⁴⁴ The supposed solidarity between black Americans and identity politics innocents who want to dismantle the generative family is contrived; the appearance of accord and unanimity has been purchased by the racism that silences black American voices.

There is more to say about healing the legacy of the wound of slavery. Identity politics, as I have suggested, requires a transgressor who will be used to cover over the transgressions of the innocents so that their own stains may remain hidden—to others and perhaps even to themselves. The deeper Christian foundation of identity politics would have it that all are stained, and that no mortal group can relieve us of our burden. Theologically compelling though this account may be, if we are all stained, then no distinctions or judgments about specific historically inflicted wounds can be made. If we are all stained, then our culpability can never be mitigated or erased by the wounds we have received at the hands of others. With this insight, we stumble toward a theology of the Cross, on the basis of which we would conclude that the glory of God is revealed through

43. See part I, n. 20.

44. See “Dr. Umar Johnson Confronted by LGBT Feminist during Xseed in Life Program KC 2015,” YouTube video, 12:59, posted by Xseed in Life, February 20, 2015, https://www.youtube.com/watch?v=MBpu_MWxYt-M&feature=youtu.be.

the afflictions that we have patiently endured, regardless of the fact that the transgressions of others have been their proximal source.

And as Jesus passed by, he saw a man which was blind from his birth. And his disciples asked him, saying, Master, who did sin, this man, or his parents, that he was born blind? Jesus answered, Neither hath this man sinned, nor his parents: but that the works of God should be made manifest in him.⁴⁵

Looking down from the Divine height, it may be true that suffering itself, however great or small, without distinction, testifies to the glory of God; but from man's point of view, it does not. Distinctions must be made. Some have been harmed by the transgressions of others. The merely mortal man asks, "Why must I look to my own culpability when I have suffered at the hands of another?" Then he settles in with his wound and goes no further.

The legacy of the wound of slavery in America will not be overcome unless *both the Christian and the merely mortal view* are given their due. The haunting, paradoxical truth is that while we grow and are deepened by suffering, we must also mitigate the harm and suffering caused by transgression, by redressing the imbalance in the ledger book of justice where possible. With respect to this latter matter of redressing the imbalance, there is the additional problem that without humility, man's monstrous pride, which makes him blind to any cause but his own,⁴⁶ precludes us from clearly establishing just where the scales of justice *can* balance.

Setting aside the immense obstacle pride presents to balancing the scales of justice, who are the transgressors? And who are the innocents? There is no slavery in America today on the basis of which we can identify the specific parties to the crime. Slavery ended in 1865. If reparations are to be offered, to whom, and on what basis? By

45. John 9:1–3.

46. See Hobbes, pt. 1, chap. 5, sec. 3 in *Leviathan*, 23.

whom, and on what basis? If only these matters could be established! Yet they cannot. And even if they could be, what then? *Would the account be settled once the checks have cleared?*

Our problem is more intransigent, more ineffable. America lives with the legacy of slavery—an *aftermath* in which suspicions linger and trust is too often lacking. This has left America in limbo, neither indelibly stained nor without spot or blemish. This difficult intermediary condition must be given its due. The party of the Left tells us that America is indelibly stained, and that citizens must stand back and let government programs do their work. The party of the Right tells us we are without spot or blemish, and that citizens need do nothing at all. The one thing on which both parties agree is that citizens themselves are not accountable in this matter. That is not true. The truth is that the legacy of the wound of slavery must be addressed as all deep wounds must be addressed: with long and patient labor, goodwill, and a prayerful longing to heal what has been broken. Only through the liberal politics of competence can this be done. The identity politics of innocence, which calls out transgression and declares innocence but goes no further, cannot accomplish this. Nor, does it really intend to. Words echo in our dreams, but in the morning, we awaken to a world that is still stiff and unaltered. The identity politics of innocence promulgates those dreams. In the Hebrew Bible, Joseph is sold by his brothers into Egyptian slavery; then, through demonstrated competence, he helps restore his people.⁴⁷ Therein lies the way forward. In Robert Woodson's words:

The Josephs of our own day do not need charity. They need to be considered as 'friends.' The relationship of friends in every arena of society, working to pursue common goals, is a relationship that will allow Americans to heal and prosper.⁴⁸

47. See Gen. 37:2–50:26.

48. Woodson, chap. 5 in *Triumphs of Joseph*, 137. See also Shelby Steele,

Wounds are healed by *doing*, not by *sayings* that give citizens comforting dreams. There are no shortcuts. Let us all be those Josephs—or find them, work with them, and give them all the support we are able to provide.

§103. The third and final pillar on which a renewed America must rest is a modest foreign policy, of the sort that defenders of the “liberal world order” today find so unpalatable. “Liberal,” for these defenders, is universal. Anything that is not universal is its opposite—namely, parochial, local, and prejudicial; in short, authoritarian.⁴⁹ This simple, facile opposition has set the stage for the great battle of our time, between so-called liberal universalists and all others, without distinction.

Have we not been through variants of this Manichean-like struggle before; and each time we have, has it not amplified our military presence abroad and centralized our political power at home? Our two great military failures of the post-World War II period—the Vietnam War and our ongoing unsettling, ill-defined military engagements in the Middle East—have been justified on the basis of simple oppositions. Ponder Vietnam: Our leading lights were so entranced by the opposition between liberal universalism and communism that the idea that Vietnam was a postcolonial war of national independence was inconceivable. And the Middle East? Our leading lights have been so enamored by the opposition between liberal universalism and Islamic fundamentalism that the idea that the nations of the Middle East are involved in an internal wrestling match with modernity, which we cannot successfully referee, is unthinkable. Liberalism: the abstract universal “idea” against which the forces

“The Right and the Moral High Ground,” *Wall Street Journal*, March 31, 2019, <https://www.wsj.com/articles/the-right-and-the-moral-high-ground-11554057729?mod=e2two>.

49. See Robert Kagan, “The Strongmen Strike Back,” *Washington Post*, March 14, 2019, https://www.washingtonpost.com/news/opinions/wp/2019/03/14/feature/the-strongmen-strike-back/?utm_term=.f142d096f611.

of darkness align, and because of which never-ending wars must be authorized—against Vietnam after World War II; against Islamic fundamentalism after 2001; and soon, against authoritarianism in its various guises, from Trump and his deplorables to various figures in Britain and Europe who challenge the liberal world order. *Everyone* who does not believe in so-called liberal universalism is an authoritarian at heart. They differ among themselves only with respect to the political power they have at their disposal to implement their wretched prejudices.

What does so-called liberal universalism really amount to? Often the idea is not worked out in detail, but the general account of it is unmistakable: Liberal universalism is the fruit of the Enlightenment, and is taken to be synonymous with the French Revolution, and the “All men are created equal” clause of the American Declaration of Independence, which itself emerged from the writings of John Locke. This is an intellectually dubious genealogy. The Enlightenment was not one intellectual movement; it was many, each having distinct national characteristics. John Locke, perhaps the first great liberal thinker, wrote a century before the French Revolution, and *never* would have endorsed a revolution on the basis of abstract and universal rights, as the French Revolution was. The French Revolution sought to overthrow everything, even the Gregorian calendar. Locke remained a Christian throughout his life, and sought to defend property and the integrity of the (Christian) family. If Locke must be painted as a universalist, it ought to be as a Christian universalist—which is to say, he believed that God would unify His kingdom at the end of history.⁵⁰

50. Later, purportedly secular Enlightenment figures tried to strip away Locke’s Christianity and develop a universal theory of history based on the development of reason—notably, those ideas put forward by Hegel. In regard to his project, have we forgotten Nietzsche, who in the 1870s demonstrated, to the embarrassment ever afterward of German idealism, that Hegel’s universal history was Christianity, deformed and in disguise (see part 1, sec. 56)? The bitter fruit of Nietzsche’s revelation is the postmodern morass in which we now find ourselves.

What about America? Liberal universalists claim that she is a proposition that can be reduced to a single clause in the Declaration of Independence. The American Revolution, however, was unlike the French Revolution, not least because it did not end with the Terror—in which anyone who believed in particular truths rather than universal ones was subject to execution by guillotine. The American Revolution was undertaken with a view to citizen self-government, property rights, national self-determination, and the bourgeois prejudices by which universalists are repulsed. Edmund Burke, a conservative, defended the American Revolution and heaped scorn on the French Revolution.

Is liberalism really committed to abstract universal ideas? Perhaps *neoliberalism* of the sort so many of our global elites defend is, but the French and Anglo traditions of liberal thought are not. Neoliberalism is a sleight of hand that betrays its deeper origin. Alexis de Tocqueville, perhaps the greatest liberal thinker of all, had the French Revolution in mind when he wrote his unsurpassed masterpiece, *Democracy in America*. His father was imprisoned and narrowly escaped the guillotine during the Terror. He went into the dungeons with black hair and came out enfeebled and gray. Innumerable passages in *Democracy in America* speak to the danger of abstract universal ideas. Everything Tocqueville wrote about mediating institutions and about federalism was informed by what could be called the French Revolution problem—namely, that as social bonds get weaker, people have little reason to gather together or to count on one another. Their attention therefore drifts upward to abstract universal ideas (see section 68), and they become incapable of building a world with their neighbors and fellow citizens—those deplorable creatures who actually believe in the particular ideas that are always necessary if we are going to build a durable world together. Contemplating the challenge this would pose to liberty in the democratic age, Tocqueville wrote:

A nation can always establish great political assemblies, because it always contains a certain number of individuals whose under-

standing will, to some extent, take the place of experience in handling affairs. But the local community is composed of *coarser elements*, often recalcitrant to the lawgiver's activities. The difficulty of establishing a township's independence rather augments than diminishes with the increase of enlightenment of nations. A very civilized society finds it hard to tolerate attempts at freedom in the local community; it is disgusted by its numerous blunders and is apt to despair of success before the experiment is finished.⁵¹

Real liberalism is not universal. It is *plural*. It acknowledges that the existence of "coarser elements" does not mitigate against the development of liberal competence, but rather is the occasion for its development. Neoliberals who believe in universalism are appalled that this might be so, and express their contempt for anything that falls short of their own supposed universal measure. Authoritarianism *does* fall short of this measure, which is why they justifiably oppose it. But so, too, does Tocquevillian liberalism, which recognizes that plurality, from the local to the international level, is the only healthy and viable alternative to the bludgeoning soft authoritarianism of neoliberals on the left and the more hard-edged authoritarianism on the right, about which we should all be concerned. The profound error, indeed the profound danger, is to declare that all who oppose the abstract universal ideas are authoritarian without distinction.⁵² If we wish to understand precisely why global neoliberal elites were deposed in 2016, and why

51. Tocqueville, pt. 1, chap. 5 in *Democracy in America*, vol. 1, 62 (emphasis added).

52. See Yoram Hazony, *The Virtue of Nationalism* (New York: Basic Books, 2018). Unable to make the necessary distinctions, many neoliberals have failed to see that Hazony and the national conservative movement he is leading intend to recover a healthy understanding of nationalism that has been lost. The intellectual project underlying the national conservative movement involves retrieving the covenantal thinking of early modern authors such as the fifteenth-century author John Fortesque and the seventeenth-century author John Selden. The intellectual roots of authoritarianism cannot be found there.

they will continue to be deposed, we should look no further than this reckless and irresponsible claim, which proves beyond doubt that they are clueless about why they are being vigorously opposed and called out as charlatans who hover over the world and sleep well at night. Real citizens live in nations; they have particular understandings of family, politics, religion, and themselves. A truly liberal world order, unlike the *faux* liberal world order that neoliberals have constructed at great cost to everyday citizens but at no cost to themselves, can only be built around the ineluctable plurality in the world. When so-called enlightened universalists call such real citizens out with scorn and derision, eventually those citizens say, "Enough!"

Neoliberal universalism is not merely a conceptual problem; it inspires immodest military incursions abroad in the name of banishing the forces of darkness. A righteous empire can proceed along this course, but a middle-class commercial republic cannot. Presidents Washington and Jefferson were apprehensive about military engagements involving the affairs of Europe⁵³ because they understood them to be a threat to the republic they helped establish. So, too, did President John Quincy Adams, perhaps the last (and largely unrecognized) Founder:

[America] goes not abroad, in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own. She will commend the general cause by the countenance of her voice, and the benignant sympathy of her example. She well knows that by once enlisting under other banners than her own, were they even the banners of foreign independence, she would involve herself beyond the power of extrication, in all the wars of interest and intrigue, of individual avarice, envy, and ambition, which assume the colors and usurp the standard of freedom. The fundamental maxims of her

53. See Tocqueville, pt. 2, chap. 5 in *Democracy in America*, vol. 1, 227–28.

policy would insensibly change from liberty to force. . . . She might become the dictatress of the world. She would be no longer the ruler of her own spirit.⁵⁴

Liberal competence cannot develop when foreign threats, real or imagined, require that political and economic power be centralized and managed from above in order to gather together and coordinate the resources that war requires. For a time, the enterprise of centralization can succeed, but in the end it cannot, because the world is not ours to manage. The future is emergent, as I indicated early on in section 69. The prideful ambition of man is to know the future and direct it. The humbler course requires that we do all in our power to avoid endless military engagements abroad that tempt that prideful ambition, unless such engagements are necessary for national security, and declared so by the Constitution. The War Powers Act, passed by Congress in 1973, is not bulwark enough.⁵⁵ We do not live in a post-war world. Wars will have to be fought in the future. Let us have the finest, fiercest military available to engage with our enemies, one characterized by courage, and supplemented with strength. But let us deploy it with the humility that has long been absent.

A perennially ambitious military also poses a domestic threat, which we cannot ignore either. Military engagements abroad invariably produce a top-down domestic management enterprise that

54. John Quincy Adams, "Speech to the US House of Representatives on Foreign Policy" (speech, Washington, DC, July 4, 1821), <https://millercenter.org/the-presidency/presidential-speeches/july-4-1821-speech-us-house-representatives-foreign-policy>.

55. See Jeff Phillips, "Bring Back the War Declaration," *Washington Examiner*, July 27, 2019, <http://www.washingtonexaminer.com/opinion/op-eds/bring-back-the-war-declaration>: "While the War Powers Resolution was designed to prevent similar end-runs around the legislature, the law all but killed formal declarations of war, replacing them with authorizations of the use of military force. The United States hasn't had a declaration of war since."

stifles the liberty of citizens at home; domestic management “excels at preventing, not at doing.”⁵⁶ We stifle the emerging future by establishing such an enterprise. Without such a future, liberal citizens will have limited opportunity to rise to the challenge of newly emerging problems and demonstrate their competence. Perhaps, in the end, the question we must pose is this: Do we have the faith—perhaps even the courage—to try out the liberal politics of competence? Our current experiment with the identity politics of innocence has provided us with a way to avoid the difficult labor of working with our fellow citizens by placing as an insuperable obstacle between us—*our identities*. Management society and selfie man, along with various forms of substitutism, provides us with further shortcuts that avoid this difficult labor. Neoliberal universalism—a friend of management society and a form of substitutism—has neither the faith nor the courage to stand back and let the world be plural and emergent, at home or abroad. That is why the achievement of a modest foreign policy will be both cause and consequence of the revitalization of the liberal politics of competence at home.

§104. Looking to the future, I can dimly imagine an America that builds securely on the three pillars of renewal I have proposed here: refortifying our middle-class commercial republic; healing the legacy of the wound of slavery; and establishing and sustaining a modest foreign policy. That we are almost unable to imagine this future does not surprise me. The trails set before us—identity politics, the configuration of management society and selfie man, and substitutism in its multiple guises—are each a manifestation of man’s pride, which must be humbled if we are to see clearly. *Identity politics is the pride of believing that we ourselves are clean, that transgression is someone else’s problem, and not our own. The bipolar configuration of management society and selfie man is the pride of believing that we may live out our lives as Arcadian shepherds, without the need, really, of anyone who might trouble*

56. Tocqueville, pt. 1, chap. 5 in *Democracy in America*, vol. 1, 91.

us. Addictive substitutism in its multiple guises is the pride of believing that we may bypass the humble condition of sharing a meal together around the table. Pride is our shortcut; by indulging it, we dare to evade the difficult labors that beset our lives, which remind us of our frailty and culpability. All of the pillars of renewal I have proposed will involve difficult but necessary labors if the promise of America is to be fulfilled, and if the citizens of this country are to recover the sobriety and humility we so dearly need to live well, with a modest but justified hope for the future.

Stats Hold a Surprise: Lockdowns May Have Had Little Effect on COVID-19 Spread

By JAY W. RICHARDS, WILLIAM M. BRIGGS & DOUGLAS AXE

October 4, 2020
6:30 AM



A man walks dogs across a nearly empty 5th Avenue during the coronavirus outbreak in Manhattan, May 11, 2020. (Mike Segar/Reuters)

Data suggest mandatory lockdowns exacted a great cost, with a questionable effect on transmission.

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IN 1932, Supreme Court justice Louis Brandeis famously called the states “laboratories of democracy.” Different states can test out different policies, and

they can learn from each other. That proved true in 2020. Governors in different states responded to the COVID-19 pandemic at different times and in different ways. Some states, such as California, ordered sweeping shutdowns. Others, such as Florida, took a more targeted approach. Still others, such as South Dakota, dispensed information but had no lockdowns at all.

As a result, we can now compare outcomes in different states, to test the question no one wants to ask: Did the lockdowns make a difference?

If lockdowns really altered the course of this pandemic, then coronavirus case counts should have clearly dropped whenever and wherever lockdowns took place. The effect should have been obvious, though with a time lag. It takes time for new coronavirus infections to be officially counted, so we would expect the numbers to plummet as soon as the waiting time was over.

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How long? New infections should drop on day one and be noticed about ten or eleven days from the beginning of the lockdown. By day six, the number of people with first symptoms of infection should plummet (six days is the average time for symptoms to appear). By day nine or ten, far fewer people would be heading to doctors with worsening symptoms. If COVID-19 tests were performed right away, we would expect the positives to drop clearly on day ten or eleven (assuming quick turnarounds on tests).

To judge from the evidence, the answer is clear: Mandated lockdowns had little effect on the spread of the coronavirus. The charts below show the daily case curves for the United States as a whole and for thirteen U.S. states. As in almost every country, we consistently see a steep climb as the virus spreads, followed by a transition (marked by the gray circles) to a flatter curve. At some point, the curves always slope downward, though this wasn't obvious for all states until the summer.

Lockdowns Not the Cause

The lockdowns can't be the cause of these transitions. In the first place, the transition

happened even in places without lockdown orders (see Iowa and Arkansas). And where there were lockdowns, the transitions tended to occur well before the lockdowns could have had any serious effect. The only possible exceptions are California, which on March 19 became the first state to officially **lock down**, and Connecticut, which followed four days later.

Even in these places, though, the downward transitions probably started before the lockdowns could have altered the curves. The reason is that a one-day turnaround for COVID-19 test results probably wasn't met in either state. On March 30, the *Los Angeles Times* **reported** the turnaround time to be eight days. That would make the delay from infection to confirmation not the 10 we assumed, but more like 17 days (6 for symptoms to appear, 3 for them to develop, and 8 for test processing). In early April, the *Hartford Courant* **reported** similar problems with delayed test results in Connecticut.

What's more, there's no decisive drop on the dates when lockdowns should have changed the course of the curves. Instead, the curves gradually bend downward for reasons that predate the lockdowns, with no clear changes ten days later.

Lockdown partisans might say that the curves would have been higher after the ten-day mark without the lockdown. While we can't redo history to prove them wrong, the point is that the sudden and dramatic changes we should see if they were right aren't there. If we showed people these curves without any markings, they would not be able to discern when or even if lockdowns went into effect.

The vertical lines mark the date when the number of deaths attributed to the coronavirus reached five per million people in the population. This is probably the best way to mark similar extents of viral progress in each state, since we don't know how many total cases there were. The curves usually start to bend somewhere around the same death toll (roughly five per million people), which suggests that the approach of herd immunity caused the bends. In other words, we see in this data not only a lack of evidence that lockdowns caused the curves to bend, but also evidence of the very early stages of herd immunity.

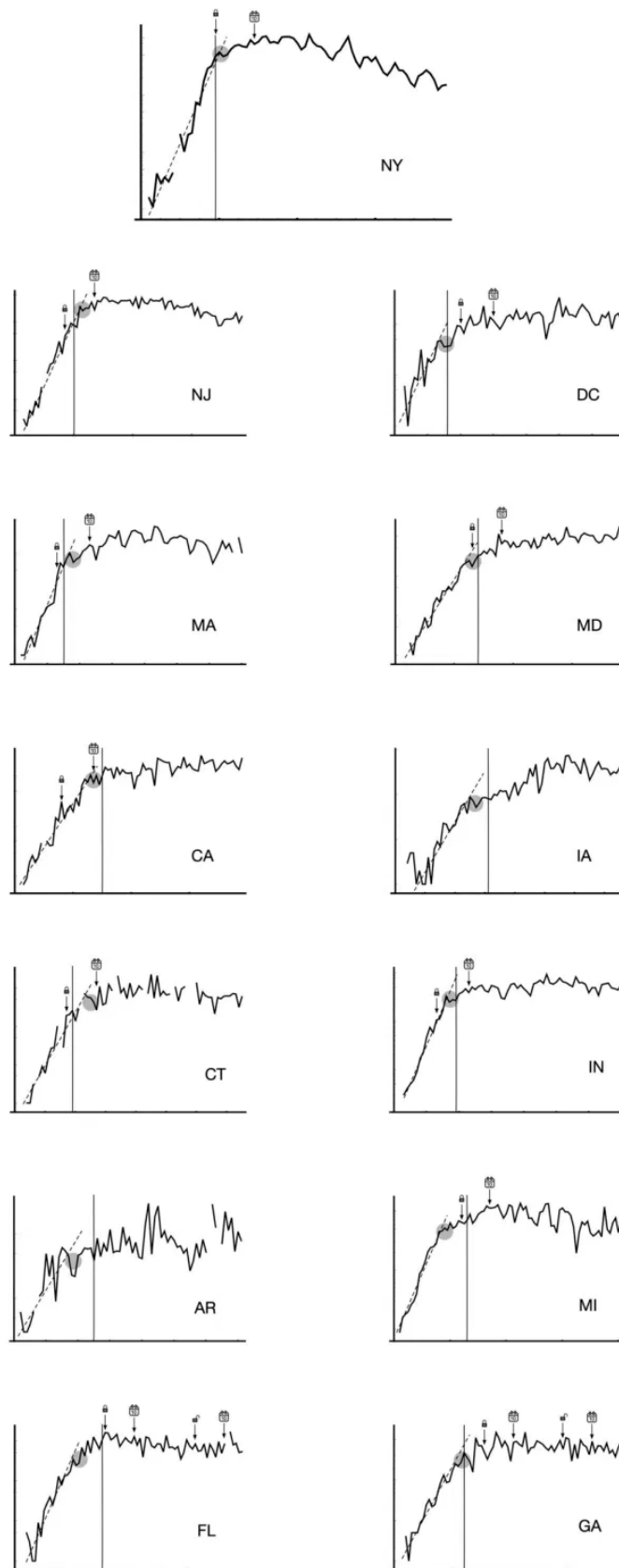
In fact, a May 18 **column** in the *New York Times* argued that coronavirus cases in New York City probably peaked before the state lockdown began on March 22. Though that newspaper is not known for taking a critical

stance on lockdowns, this point implies that the spread was slowing before the mayor and governor even ordered the lockdown.

Something caused this overall decline. It couldn't have been lockdowns, which weren't maintained (or heeded) in full force through June. At the moment, we can only speculate. But if this virus is like others, its decline is likely attributable to some mix of changing seasons and the gradual onset of herd immunity. Another factor, of course, could be the widespread use of masks as the year progressed.

The evidence suggests, then, that the sweeping, mandated lockdowns that followed voluntary responses exacted a great cost, with little effect on transmission. We can't change the past, but we should avoid making the same mistake again.

Doug Axe, William Briggs, and Jay W. Richards are the authors of [The Price of Panic: How the Tyranny of Experts Turned a Pandemic into a Catastrophe](#).



Daily Confirmed COVID-19 Cases For The United States And Thirteen U.S. States (Logarithmic Plots) Up To May 20, 2020. Dashed Line Segments (Drawn By Hand) Show The Initial Steep Increase With Gray Circles Marking The First Visual Downward Change Of Slope. Locks

Mark The Lockdown Dates, And 10-Day Calendars Show Where Lockdowns Would Have Had Visible Effects. Open Locks Mark When Lockdowns Ended For Florida And Georgia, Two Of The First Wave Of States To Emerge From Lockdown. The Vertical Lines Mark The Dates When Deaths Attributed To The Coronavirus Reached Five Per Million People In The Population. Gaps In Curves Are The Result Of Unreported Data. Information Sources: Doug Axe, William Briggs, And Jay W. Richards, [The Price Of Panic: How The Tyranny Of Experts Turned A Pandemic Into A Catastrophe](https://Ourworldindata.org/); <https://Ourworldindata.org/> (For U.S. Cases); <https://Covidtracking.com/Api> (For State Cases); <https://www.nytimes.com/interactive/2020/us/coronavirus-stay-at-home-order.html> (For Lockdown Dates).

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Politics Disguised as Science: When to Doubt a Scientific 'Consensus'

BY JAY W. RICHARDS ON APRIL 19, 2017 IN [INTELLIGENT DESIGN](#)

ORIGINALLY PUBLISHED AT [THE STREAM](#)

This week's March for Science is odd. Marches are usually held to defend something that's in peril. Does anyone really think big science is in danger? The mere fact that the March was scheduled for Earth Day betrays what the event is really about: politics. The organizers admitted as much early on, though they're now busy trying to cover the event in sciencey camouflage.

If past is prologue, expect to hear a lot about the supposed "consensus" on catastrophic climate change this week. The purpose of this claim is to shut up skeptical non-scientists.

How should non-scientists respond when told about this consensus? We can't all study climate science. But since politics often masquerades as

science, we need a way to tell one from the other.

“Consensus,” according to Merriam-Webster, means both “general agreement” and “group solidarity in sentiment and belief.” That sums up the problem. Is this consensus based on solid evidence and sound logic, or social pressure and groupthink?

When can you doubt a consensus? Your best bet is to look at the process that produced, defends and transmits the supposed consensus.

Anyone who has studied the history of science knows that scientists are prone to herd instincts. Many false ideas once enjoyed consensus. Indeed, the “power of the paradigm” often blinds scientists to alternatives to their view. Question the paradigm, and some respond with anger.

We shouldn’t, of course, forget the other side of the coin. There are cranks and conspiracy theorists. No matter how well founded a scientific consensus, there’s someone who thinks it’s all hokum. Sometimes these folks turn out to be right. But often, they’re just cranks whose counsel is best ignored.

So how do we distinguish, as Andrew Coyne puts it, “between genuine authority and mere received wisdom? And how do we tell crankish imperviousness to evidence from legitimate skepticism?” Do we have to trust whatever we’re told is based on a scientific consensus unless we can study the science ourselves? When can you doubt a consensus? When should you doubt it?

Your best bet is to look at the process that produced, defends and transmits the supposed consensus. I don’t know of any complete list of signs of suspicion. But here’s a checklist to decide when you can, even should, doubt a scientific “consensus,” whatever the subject. One of these

signs may be enough to give pause. If they start to pile up, then it's wise to be leery.

(1) When different claims get bundled together

Usually, in scientific disputes, there's more than one claim at issue. With global warming, there's the claim that our planet, on average, is getting warmer. There's also the claim that we are the main cause of it, that it's going to be catastrophic, and that we must transform civilization to deal with it. These are all different claims based on different evidence.

Evidence for warming, for instance, isn't evidence for the cause of that warming. All the polar bears could drown, the glaciers melt, the sea levels rise 20 feet and Newfoundland become a popular place to tan: That wouldn't tell us a thing about what caused the warming. This is a matter of logic, not scientific evidence. The effect is not the same as the cause.

There's a lot more agreement about (1) a modest warming trend since about 1850 than there is about (2) the cause of that trend. There's even less agreement about (3) the dangers of that trend, or of (4) what to do about it. But these four claims are often bundled together. So, if you doubt one, you're labeled a climate change "skeptic" or "denier." That's dishonest. When well-established claims are tied with other, more controversial claims, and the entire bundle is labeled "consensus," you have reason for doubt.

(2) When ad hominem attacks against dissenters predominate

Personal attacks are common in any dispute. It's easier to insult than to follow the thread of an argument. And just because someone makes an ad hominem argument, it doesn't mean that their conclusion is wrong. But when the personal attacks are the first out of the gate, don your skeptic's cap and look more closely at the data.

When it comes to climate change, ad hominem are everywhere. They're even smuggled into the way the debate is described. The common label "denier" is one example. This label is supposed to call to mind the charge of columnist Ellen Goodman: "I would like to say we're at a point where global warming is impossible to deny. Let's just say that global warming deniers are now on a par with Holocaust deniers."

There's an old legal proverb: If you have the facts on your side, argue the facts. If you have the law on your side, argue the law. If you have neither, attack the witness. When proponents of a scientific consensus lead with an attack on the witness, rather than on the arguments and evidence, be suspicious.

(3) When scientists are pressured to toe the party line

The famous Lysenko affair in the former Soviet Union is an example of politics trumping good science. But it's not the only way politics can override science. There's also a conspiracy of agreement, in which assumptions and interests combine to give the appearance of objectivity where none exists. This is even more forceful than a literal conspiracy enforced by a dictator. Why? Because it looks like the agreement reflects a fair and independent weighing of the evidence.

Tenure, job promotions, government grants, media accolades, social

respectability, Wikipedia entries, and vanity can do what gulags do, only more subtly. Alexis de Tocqueville warned of this almost two centuries ago. The power of the majority in American society, he wrote, could erect “formidable barriers around the liberty of opinion; within these barriers an author may write what he pleases, but woe to him if he goes beyond them.” He could have been writing about climate science.

Indeed, the quickest way for scientists to put their careers at risk is to raise even modest questions about climate doom (see [here](#), [here](#) and [here](#)). Scientists are under pressure to toe the party line on climate change and receive many benefits for doing so. That’s another reason for suspicion.

(4) When publishing and peer review in the discipline is cliquish

Though it has its limits, the peer-review process is meant to provide checks and balances. At its best, it helps weed out bad and misleading work, and make scientific research more objective. But when the same few people review and approve each other’s work, you get conflicts of interest. This weakens the case for the supposed consensus. It becomes, instead, another reason for doubt. Those who follow the climate debate have known for years about the cliquish nature of publishing and peer review in climate science (see [here](#) for example).

(5) When dissenters are excluded from the peer-reviewed journals not because of weak evidence or bad arguments but to

marginalize them.

Besides mere cliquishness, the “peer review” process in climate science has, in some cases, been subverted to prevent dissenters from being published. Again, those who follow the debate have known about these problems for years. But the Climategate debacle in 2009 revealed some of the gory details for the broader public. And again, this gives the lay public a reason to doubt the consensus.

(6) When the actual peer-reviewed literature is misrepresented

We’ve been told for years that the peer-reviewed literature is unanimous in its support for human-induced climate change. In *Science*, Naomi Oreskes even produced a “study” of the literature supposedly showing “The Scientific Consensus on Climate Change.”

In fact, there are plenty of dissenting papers in the literature. This is despite mounting evidence that the peer-review deck was stacked against them. The 2009 Climategate scandal underscored this: The climate scientists at the center of the controversy complained in their emails about dissenting papers that survived the peer-review booby traps they put in place. They even fantasized about torpedoing a climate science journal that dared to publish a dissenting article.

(7) When consensus is declared before it even exists

A well-rooted scientific consensus, like a mature oak, needs time to grow. Scientists have to do research, publish articles, read about other research,

and repeat experiments (where possible). They need to reveal their data and methods, have open debates, evaluate arguments, look at the trends, and so forth, before they can come to agreement. When scientists rush to declare a consensus — when they claim a consensus that has yet to form — this should give everyone pause.

In 1992, former Vice President Al Gore reassured his listeners, “Only an insignificant fraction of scientists deny the global warming crisis. The time for debate is over. The science is settled.” In the real 1992, however, Gallup “reported that 53% of scientists actively involved in global climate research did not believe global warming had occurred; 30% weren’t sure; and only 17% believed global warming had begun. Even a Greenpeace poll showed 47% of climatologists didn’t think a runaway greenhouse effect was imminent; only 36% thought it possible and a mere 13% thought it probable.”

Seventeen years later, in 2009, Gore revised his own fake history. He claimed that the debate over human-induced climate change had raged until as late as 1999, but now there was true consensus. Of course, 2009 is when Climategate broke, reminding us that what had smelled funny was indeed rotten.

(8) When the subject matter seems, by its nature, to resist consensus

It makes sense that chemists over time may come to agree about the results of some chemical reaction, since they can repeat the results over and over in their own labs. They’re easy to test. But much of climate science is not like that. The evidence is scattered and hard to track. It’s often indirect, imbedded in history and laden with theory. You can’t rerun

past climate to test it. And the headline-grabbing claims of climate scientists are based on complex computer models that don't match reality. These models get their input, not from the data, but from the scientists who interpret the data. This isn't the sort of evidence that can provide the basis for a well-founded consensus. In fact, if there really were a consensus on the many claims around climate science, that would be suspicious. Thus, the claim of consensus is a bit suspect as well.

(9) When “scientists say” or “science says” is a common locution

In Newsweek's April 28, 1975, issue, science editor Peter Gwynne claimed that “scientists are almost unanimous” that global cooling was underway. Now we are told, “Scientists say global warming will lead to the extinction of plant and animal species, the flooding of coastal areas from rising seas, more extreme weather, more drought and diseases spreading more widely.” “Scientists say” is ambiguous. You should wonder: “Which ones?”

Other times this vague company of scientists becomes “SCIENCE.” As when we're told “what science says is required to avoid catastrophic climate change.” “Science says” is a weasely claim. “Science,” after all, is an abstract noun. It can't speak. Whenever you see these phrases used to imply a consensus, it should trigger your baloney detector.

(10) When it is being used to justify dramatic political or economic policies

Imagine hundreds of world leaders and NGOs, science groups, and UN functionaries gathered for a meeting. It's heralded as the most important conference since World War II, in which “the future of the world is being

decided.” These officials seem to agree that institutions of “global governance” need to be set up to reorder the world economy and restrict energy use. Large numbers of them applaud wildly when socialist dictators denounce capitalism. Strange activism surrounds the gathering. And we are told by our president that all of this is based, not on fiction, but on science — that is, a scientific consensus that our greenhouse gas emissions are leading to climate catastrophe.

We don’t have to imagine that scenario, of course. It happened at the UN climate meeting in Copenhagen, in December 2009. It happened again in Paris, in December 2015. Expect something at least as zany at the March for Science.

Now, none of this disproves climate doom. But it does describe a setting in which truth need not appear. And at the least, when policy effects are so profound, the evidence should be rock solid. “Extraordinary claims,” the late Carl Sagan often said, “require extraordinary evidence.” When the megaphones of consensus insist that there’s no time, that we have to move, MOVE, MOVE!, you have a right to be wary.

(11) When the “consensus” is maintained by an army of water-carrying journalists who defend it with partisan zeal, and seem intent on helping certain scientists with their messaging rather than reporting on the field as fairly as possible

Do I really need to elaborate on this point?

(12) When we keep being told that there's a scientific consensus

A consensus should be based on solid evidence. But a consensus is not itself the evidence. And with well-established scientific theories, you never hear about consensus. No one talks about the consensus that the planets orbit the sun, that the hydrogen molecule is lighter than the oxygen molecule, that salt is sodium chloride, that bacteria sometimes cause illness, or that blood carries oxygen to our organs. The very fact that we hear so much about a consensus on climate change may be enough to justify suspicion.

To adapt that old legal rule, when you've got solid scientific evidence on your side, you argue the evidence. When you've got great arguments, you make the arguments. When you don't have solid evidence or great arguments, you claim consensus.

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Affirming Deception

An unexpected concession by the World Professional Association for Transgender Health reveals dishonesty in the American gender-medicine establishment.

/ Eye on the News

One of the main public relations strategies of “gender-affirming care” advocates is to deny that the model of treatment being used in American clinics differs in any significant way with the one now used in European clinics. Over the past two years, and following systematic reviews of evidence, health authorities in Sweden, Finland, and the U.K. have agreed that no evidence exists that the benefits of puberty blockers and cross-sex hormones outweigh the risks. All three countries have since imposed measures to reduce drastically the accessibility of these drugs to teenagers.

Just two weeks ago, the World Professional Association for Transgender Health (WPATH)—a U.S.-based promoter of “gender affirmation” that now recognizes “eunuch” as a valid childhood “gender identity”—was still [insisting](#) that Europe’s only change was a decision by health authorities to conduct “more studies” and gather data. But with evidence of the actual changes increasingly hard to deny, WPATH has now finally had to reckon with reality. On November 25, it chose to air its grievances—and tacitly concede its previous disinformation campaign—about Europe’s change of direction when it criticized England’s National Health Service.

Back in October, the NHS released draft [guidance](#) based on a February report by the former president of the Royal College of Paediatrics and Child Health. In that report, physician Hilary Cass noted the “affirmative” model, which “originated in the USA,” as likely responsible for insufficient child “safeguarding” at the now-discontinued Tavistock clinic gender service. Tavistock staff, Cass wrote, “have told us that they feel pressure to adopt an unquestioning affirmative approach and that this is at odds with the standard process of

clinical assessment and diagnosis that they have been trained to undertake in all other clinical encounters.” The NHS’s draft guidance calls for a restoration of careful and lengthy mental-health assessments before prescribing drugs.

In its November 25 statement, WPATH [condemned](#) the NHS in terms that reveal the organization’s strong preference for the affirmative model. The NHS, it complained, is emphasizing “careful exploration of a child or young person’s co-existing mental health, neuro-developmental and/or family or social complexities,” which WPATH deemed an “alarming” practice of “outdated gatekeeping.”

You might think that every rational American would support “careful exploration” of a distressed teenager’s state of mind before prescribing powerful drugs. But public confusion about gender-affirming care arises from the slippery definition of this protocol and how it differs from the more cautious Dutch approach that European nations are now implementing. Both models assume that gender-identity discordance—that is, the experiencing of one’s gender as different from one’s sex—is a natural, normal, and healthy variation of human development. The main difference between them concerns their assumptions about when and how gender identity can be known and what to do about it. Three points of divergence are especially important.

The first concerns childhood social transition—the use of new names and pronouns, as well as access to restrooms and sports teams. According to the affirmative model, as [clarified](#) by the American Academy of Pediatrics in 2018, gender identity is knowable from a very early age, and once declared, a child’s gender identity calls for immediate and uncritical “affirmation” by parents, peers, clinicians, and teachers.

This contrasts starkly with the Dutch model, which, drawing on [decades of research](#), acknowledges that gender dysphoria in children is very likely to desist by adolescence or early adulthood, in many cases resolving into homosexuality. Moreover, research published in recent years strongly [suggests](#) that if a child’s cross-gender feelings are affirmed as evidence of a wrongly “assigned” sex at birth, that child is far more likely to persist in his dysphoria and seek puberty suppression. It is in light of the high likelihood of desistance that the Dutch model recommends “watchful waiting,” not affirm-first. Indeed, the Dutch

team did not even recommend social transition (“real life experience” in the felt gender) in the early stages of puberty, but only after the teenager tried living as his true sex and found it too distressing. Social transition was seen as something to be done cautiously and incrementally, in conjunction with pharmaceutical puberty suppression, which the Dutch team thought of as part of the *diagnostic* rather than *treatment* phase. In its new draft guidance, England’s NHS strongly advises against childhood social transition and recommends it for adolescents only, based on informed consent and with a diagnosis of gender dysphoria.

Behind these differing recommendations on social transition are diverging assumptions about the etiology of gender identity—the second point of disagreement. Proponents of the affirmative model tend to believe that it has a strong neurological component. No evidence supports this. Studies on brain structure and functioning are notoriously inconclusive, mainly because they cannot control for homosexuality or for the effects of synthetic hormone use and gender-role change on the brain.

Several reasons, however, require advocates of the affirmative approach to believe in the neurological explanation. First, it allows for a politically potent analogy to gay rights (“born that way”), which in turn helps facilitate the capture of mainstream gay rights institutions and their repurposing—without arousing public suspicion—toward transgender issues. Second, if gender identity is not innate and fixed at a young age, there would be no good reason to transition a minor medically. When Jack Turban, a leading pro-affirming psychiatrist, tweeted that gender is “fluid” and not “fixed,” one of his critics asked “then why the f**k we [*sic*] cutting up kids, Jack?” to which he promptly responded by [deleting the tweet](#). Finally, in American jurisprudence, a trait’s supposed immutability has [direct relevance](#) for a court’s willingness to afford it higher judicial protection. In a lawsuit filed by the ACLU on behalf of a transgender-identifying student, the Court of Appeals for the Fourth Circuit based its judgment against a school district on the supposition, endorsed in an amicus brief by medical groups, that being transgender is “as natural and immutable as being cisgender.”

Those adhering to the Dutch model tend to be agnostic on the question of etiology. Consistent with the contemporary standard in psychiatry, they are content to focus on

classification of symptoms and believe that the cause of mental pathology may be less important, clinically speaking, than the contours, tenacity, and severity of its presentation. As the Dutch researchers themselves [put it](#) just over a decade ago, “the (patho-) biological basis of [gender dysphoria] is still poorly understood, and its diagnosis relies totally on psychological methods.”

No new research has emerged to challenge this basic insight. Less willing to allow popular narratives to cloud their judgment, practitioners of the Dutch model have been more open to recognizing the importance of social influences on identity formation in youth. The likely possibility that many teens were identifying as transgender and seeking irreversible medical interventions because of social influences prompted European health authorities to conduct evidence reviews and scale back the administration of hormones. Among U.S. practitioners of gender-affirming care, however, social-influence-based explanations remain strictly verboten. In their amicus brief for *Eknes-Tucker v. Marshall*, the lawsuit challenging Alabama’s ban on affirmative drugs and surgeries, 18 American medical groups wrote that there is “no reliable evidence” supporting the social influence hypothesis. Oddly, however, in its updated standards of care, WPATH acknowledges “susceptibility to social influence” as potentially relevant to “a select subgroup of young people” in forming a sense of self, though it clarifies that this should not be a barrier to social or medical transition.

The third key point of divergence between the affirmative and Dutch protocols concerns how to understand and what to do about co-occurring mental-health problems in clinically referred adolescents. In recent years, Western countries have observed a change in the main cohort presenting at their gender clinics. In the Dutch study, most of the minors were boys. Candidates were eligible for puberty suppression only if they had early-onset “gender identity disorder,” supportive families, and no serious co-occurring mental-health problems. In contrast, most referrals to pediatric gender clinics over the past decade have been teenage girls with no prepubertal history of dysphoria and with high rates of such mental-health problems as anxiety, depression, ADHD, and autism.

The Cass report, for instance, found that about one-third of the adolescents referred to Tavistock’s gender identity service for treatment had autism or some other neuroatypical condition. Finland’s Council for Choices in Healthcare reported that “psychiatric disorders

and developmental difficulties may predispose a young person to the onset of gender dysphoria.” One plausible explanation for why transgender-identified teenagers exhibit such high rates of suicidal ideation and behavior, then, is that minors—specifically teenage girls—with preexisting mental health problems including suicidality are more likely to identify as trans.

Affirmative-model proponents argue that co-occurring mental-health problems should always be presumed as secondary to—meaning, caused by—unaffirmed gender identity and lack of social acceptance for transgender people. This belief system is known as the “minority stress” model, and it is important to clarify that, as with many other claims made on behalf of gender identity and medicine, it is borrowed from research on homosexuality. Practitioners of the Dutch approach, by contrast, argue that the causes of mental-health problems should be investigated and treated prior to gender transition, on the view that these might be causing the gender issues rather than the other way around, and that a less invasive psychotherapeutic approach is likely to be less risky than drugs and surgeries.

Not only are co-occurring mental-health problems not a red flag for medication, according to the affirmative model, but if anything, their presence makes “gender-affirming” drugs even more urgent. As Diana Tordoff, lead author of a controversial study done earlier this year at Seattle Children’s Hospital, admitted in response to a critic, “the only instances when it would have been appropriate to delay initiation of [puberty blockers and cross-sex hormones] is if there was a concern that a patient did not have the capacity to provide informed consent (which is exceedingly rare in adolescence). Therefore, youth who reported moderate to severe depression, anxiety, or suicidal thoughts were not precluded access to [these drugs], especially since initiating [them] is known to improve or mitigate these symptoms.” This was a remarkable thing for Tordoff to say, considering that the point of her study was to discover *whether* “gender affirming” drugs are needed to “mitigate these symptoms.”

Back in August, in response to our criticism of its anti-scientific approach, the American Academy of Pediatrics [assured](#) the public that “the vast majority” of gender dysphoric minors need “the exact opposite” of drugs and surgeries. According to the data published in Tordoff’s study, however, two-thirds of the youth referred to Seattle Children’s for gender

issues were put on hormones. While it is possible that this sample is non-representative of how local teenagers with gender issues are treated, it is potentially a sign that Seattle Children's does not follow the advice of the AAP. Assuming it does not, this would not constitute a violation of gender-affirming care but a fulfillment of its promise: patients should be in the driving seat of their own medical "treatment."

Why do advocates of the affirmative approach publicly deny that their assumptions and methods depart from those of the Dutch? One likely answer has to do with an all-too-familiar feature of American life. Like most policy debates, the one over gender-affirming care has been framed in the language of "rights" and litigated primarily in the courts. Organizations like the ACLU regularly tell federal judges that because Republican state bans on pediatric gender transition go farther than in Europe (which is true), striking them down means preserving a well-accepted model practiced in Europe (which is false). Because judges are nonexperts whose busy schedules and institutional constraints force them to rely on partisan witnesses appointed by winning-focused lawyers, they have proved amenable to the false dichotomy.

At a Florida medical boards hearing last month, Aron Janssen, a child psychiatrist, [claimed](#) that Dutch clinical data are "the best we have" and that American gender clinics follow the Dutch model. Yet a recent [investigation](#) found that not a single interviewed provider at 18 pediatric gender clinics nationwide "described anything like the months-long [psychiatric] assessment" the Dutch clinicians require before putting a minor on hormones. Thomas Steensma, one of the Dutch researchers, himself [observed](#) that "the rest of the world is blindly adopting our research," warning that most patients seeking medical transition are significantly dissimilar to the original Dutch cohort. Annelou de Vries, who spearheaded youth medical transition, also [stressed](#) the potential inapplicability of the Dutch data in the American Academy of Pediatrics' peer-reviewed journal.

Another star witness supporting the affirmative model at the Florida medical boards hearing, Meredith McNamara of the Yale School of Medicine, [denied](#) any meaningful change had taken place in Europe. "I disagree that international guidelines are more conservative" and don't "see any substantive differences" between American and European pediatric gender medicine, she said. England's National Health Service, she insisted, is

merely “gather[ing] evidence moving forward.” As with Janssen, it is not clear whether McNamara is ignorant of the realities of pediatric gender medicine in the U.S. or being dishonest.

It should be emphasized that while the Dutch approach is more cautious than the affirmative one and allows for more safeguarding of vulnerable minors, it is far from clear that even the Dutch model is based on good evidence. The systematic reviews done by European health authorities concluded that the Dutch study was subject to significant bias and methodological limitations and that the certainty of evidence it yields is “very low.” We are likely to see more evidence emerge about this patient cohort’s long-term clinical outcomes. But whether the Dutch study withstands the [increasing scrutiny](#) it is now receiving (it seems that things were not as clearly beneficial for the youth treated in the Dutch clinic), it is clear that the U.S. is not following even this supposedly more cautious approach.

In the Wild West of U.S. gender medicine, and consistent with the affirmative model’s hostility to any questioning of a minor’s asserted identity, the only criteria for the “medical necessity” of drugs and surgeries for minors are the wishes of teenage patients. The stronger the wish, the greater the medical “necessity.” McNamara illustrated this thinking in her response to the Florida board doctors. When pressed to explain how she determines when a teenage girl “needs” a double mastectomy and why (as she claimed) she’s never referred a patient for this procedure, McNamara could only say: “I’ve never had a patient express that they desire top surgery.”

McNamara’s latest [commentary](#), in the prestigious *New England Journal of Medicine*, calls for legal and medical “experts” to fight for unfettered access to hormones and surgeries for youth. She strongly implies that legal coercive power could be used to stop “science denialism,” by which she means efforts to get the U.S. to conduct systematic reviews of evidence and base medical care on the findings of those reviews. Virtually every sentence of her short NEJM article is false or misleading. But that is almost beside the point. The main purpose of articles such as these is to continue cluttering medical journals with pro-affirming pieces in the hope that unsuspecting judges and journalists will regard the sheer number of them as evidence of a substantive medical consensus. Coverage of studies by

Tordoff and Turban this year alone show how much traction egregiously misinterpreted results can gain in the public debate, and how hard it is to correct the public record once misinformation spreads.

Sooner or later, though, this house of cards will collapse. McNamara’s ominous call for legal authorities to be concerned about “science denialism”—of which her own writings and testimonies offer a good example—suggests desperation. When a movement is unable to defend its position using good faith and rational, evidence-based arguments, its only recourse is force and fraud. Meantime, WPATH’s admission that England has in fact become more cautious is a welcome, if sadly belated, development.

Leor Sapir is a fellow at the Manhattan Institute.

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Turning fear into hope

Conversations between Herman Van Rompuy,
Fabian Zuleeg and Janis A. Emmanouilidis.
Moderated and edited by Jacki Davis.



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Foreword

Brigid Laffan

*Emeritus Professor, European
University Institute (EUI)*

It is an honour to write the foreword to this book, a volume that beautifully captures a series of conversations on the grand challenges of our times with the first President of the European Council, Herman Van Rompuy, also a former Belgian Prime Minister. Herman Van Rompuy was a politician at the heart of European politics who was at ease in the complex multilevel politics of the European Union (EU). His experience of Belgian politics equipped him with all the skills necessary for the practice of politics in the EU arena – patience, compromise, persuasion, and an innate unerring civility. The latter is an essential ingredient of democratic politics, sadly absent in many democracies today, but Herman Van Rompuy possessed it in abundance.

Herman's emphasis on **hope** offers us a profound insight into healthy politics and political leadership. He rightly points out that excessive **fear** is corrosive of societies and individuals. Fear limits our possibilities and our generosity and in turn corrodes the social capital necessary to address the immense challenges, the “permacrisis”, of our times.

Electorates look to politicians for leadership and reassurance. People want to be persuaded that the challenges can be governed and that solutions exist. If confronted with chaos and a sense of ungovernability, electorates may turn to extremes, and the politics of populism, you can have it all, takes over. That is why the framing of challenges is an essential dimension of politics. Across Europe there is a battle for narratives and discourse.

The conversations captured in the volume involving the leadership team of the European Policy Centre (EPC), Herman, Fabian Zuleeg and Janis A. Emmanouilidis represent a genuine dialogue with rich and varied contributions, skilfully conducted and edited by journalist and moderator Jacki Davis, former EPC Communications Director.

It is a must read for all of us interested in the unidentified political object that is the European Union. Different perspectives on the nature of democracy, the need to go beyond representative democracy, the importance of empathy and dialogue and the Conference on the Future of Europe are brought to bear on Europe's future and challenges.

“Fear limits our possibilities and our generosity and in turn corrodes the social capital necessary to address the immense challenges, the ‘permacrisis’, of our times.”

“It is a must read for all interested in the unidentified political object that is the European Union.”

The introduction is followed by a series of conversations on the big crises of the last decade, the pandemic, the eurozone crisis, the refugee crisis, and more recently the war in Ukraine and the hardening of geopolitics. The conversations also look to Europe’s current agenda, the Green Deal and the technological revolution. There is much agreement but also differences evident in the views of the three participants – this underlines just how challenging it is for the EU to find its way forward but find a way it must or decline into insignificance.

We end with two horizontal discussions on the state of EU institutions and the role of think tanks. Whether or not the EU governance framework is fit for purpose gives rise to an interesting discussion. Herman is wary of treaty change or at least wary of the assumption that treaty change is the right question just now. He does not support a major review of the treaties, rather a more careful look at what is necessary at this juncture. The perennial problem of political will is seen as crucial not just institutional tinkering. I agree with this but frequently a lack of political will is in reality a problem of political capacity. Politicians face a multiplicity of constraints, so they have to feel their way forward. We need to guard against the Nirvana fallacy and ensure that the search for perfection does not become the enemy of the good.

The conversations conclude by a rich discussion on the role of think tanks, all the more appropriate because the EPC celebrates 25 years since its foundation. Think tanks have an important role to play as a bridge between academia and the world of practice and as an arena for focused discussion on the challenges that are discussed in this book. EPC is to be commended for capturing Herman Van Rompuy’s thoughts on the big challenges of our times. The book is also an important reminder that there are many politicians, researchers and analysts who care deeply about the future of our shared Europe.

Turning fear into hope: The challenge of our times

1

Hope is a duty, and the responsibility of every politician. This core belief drives Herman Van Rompuy's approach to political leadership, and it is a mantra he returns to in all our conversations – although, at times, even he struggles to find grounds for optimism. For him, turning people's fears into hope is the defining challenge of what the European Policy Centre has dubbed the "age of permacrisis", as our societies are buffeted by one seemingly intractable crisis after another, culminating in the geopolitical and geo-economic earthquake sparked by Russia's invasion of Ukraine.

The challenge is not a new one, he says, even if the factors fuelling those fears are more difficult than ever to address in an era of ever-accelerating change and the massive upheaval sparked by the war in Ukraine.

"Even in the so-called 'golden Sixties', there was a sense of unease in society," he explains. "Forty years ago, I wrote a manifesto for my political party entitled: 'How to turn fear into hope'. That was the task we faced then, and it is still the task we face now."

Europe, he says, has become a continent of fear, sparked by political and economic turmoil, disruption, and rapid change in every area of human life, and a loosening of the ties which bind us. "Current personal fears, insecurity and anger have to do with a fundamental shift in our society and our civilisation: the weakening (sometimes even the evaporation of) what Rolf Dahrendorf calls 'linkages', and Robert Putnam describes as 'social capital'. If people are too focused solely on themselves, that becomes their only point of reference and there is a terrible loss of that social capital."

This focus on the individual has enormous consequences. "Individualism leads to fragmentation, volatility, a lack of respect, and distrust. It has to do with the weakening of linkages of all kinds. A lonely person, who has fewer opportunities to share, is more

distrustful, more anxious and can also be made more anxious by manipulators, who always put the blame on others, making the 'other' or some 'others' the enemy," explains Herman.

"The end of religion and of any ideology also plays a role. The classical references have fallen away and have been replaced by emotions, unfortunately all too often negative. This also brings a lot of volatility and instability, including in the political arena."

He adds that a loss of identity is also an important part of this: "The paradox is that we do not seem to know what our identity is anymore, but we seem to know what it is not."

Fabian Zuleeg agrees with many of the trends that Herman identifies, but points to a key conundrum. "The reality is that lives in Western Europe are better materially than ever before, but even when progress continues to be made, people are becoming more dissatisfied," he says. "It's a question of expectations; today, people expect more."

He believes that Europe's relative standing in a more global world is a key factor, because people are constantly comparing themselves with each other. "We have certain groups for whom things are better, but the 'winners' are still unhappy: they have gained ground, but not as much as they hoped for (take, for example, the fight for gender equality) and the losers feel unhappy because they have lost ground, even if in absolute terms their lives are getting better."

Fabian adds that he struggles to see "how we can turn fear into hope", given that this sense people have of losing control is justified: "Societal change is happening, and it cannot be stopped, so we have to manage it. We cannot ignore the problems fuelling people's fears because many of them are real, and becoming ever more so, exacerbated by the war in Ukraine." All this,

says Fabian, strengthens the temptation to try to turn the clock back, “in the hope that if we don’t react, the problems will go away.”

Janis A. Emmanouilidis agrees and points out that although lives in Western Europe are generally better than ever before, things were not getting better in absolute terms everywhere, even before the war in Ukraine. “For some countries, the economic situation has been difficult for more than a decade. People have been, and remain, under severe pressure; they are leaving their countries because they see no future there. They believe they are the losers of change – and this is not merely a sentiment; especially now, for many, it is a reality.”

But Janis adds that while fear has been a constant companion in recent decades, that has not always been the case. “If you go back beyond the past 10-20 years, to 1989/90, there was a sense that things could change; that things which seemed impossible could happen. The future seemed bright. The fear/hope equilibrium was tilted much more towards hope than it is now,” he says. “But the multiple crises we have faced since then, the major transitions that are ongoing, the polarisation of our societies, and a deep sense of uncertainty, as well as the threat from Russia which has so dramatically materialised, have tilted the balance towards fear and away from hope.”

All of this is true, says Herman, pointing out that “Belgium is one of the most equal societies in the world, but dissatisfaction is as big a thing in our country as it is in others”, but he argues that it is a mistake to focus too much on material things. “The problem is much deeper than inequalities, and you don’t solve it with a little more purchasing power,” he insists, although he acknowledges that inflation and the consequent loss of purchasing power are now fuelling public fears – and even anger.

People are in the grip of twin emotions: they feel that they are not being protected adequately by their leaders (at all levels) against both real and perceived threats; that they are powerless – literally without power; and that they are not being ‘listened to’. “Look at how effective the Brexit campaign slogan ‘take back control’ was,” says Herman.

“The problems we are facing go far beyond politics, although there is a political dimension to everything. Phenomena like ‘fear’ or other social emotions are not just about politics and economics, but also about philosophy and sociology. This means political ‘solutions’ are always inadequate, and sometimes even irrelevant.”

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“Individualism leads to fragmentation, volatility, a lack of respect, distrust.”

All three agree that the war in Ukraine has heightened that sense of insecurity dramatically, with 80% of the population at one moment fearing that it could end in nuclear conflict. That sense of panic has now subsided somewhat, but concerns about inflation, energy supplies and the rising cost-of-living, alongside the threats to our physical security, continue to fuel deep anxieties. Fabian points out that external security threats are at the core of what a state needs to protect against, so the war in Ukraine will inevitably change populations and policy.

So how should politicians respond? “What we need now, even more than before, is realism,” says Fabian. “People in Western Europe have to understand that the golden age where things were rather stable and prosperous is over, we are going to have to deal with that and make difficult choices that will hurt – and that is not an easy message.”

Janis agrees, but also sees this as a potential moment of opportunity to face up to the need for radical change, because “if we feel the pressure, we might actually move down the road towards doing what needs to be done at the European level. There is now a chance that we will do much more than we would otherwise have done,” he says. But will this actually happen? “Unfortunately, I still have my doubts,” says Janis.

So how might the current geopolitical crisis impact on the political landscape in Europe, and the threat to liberal democracy from populism?

Populism has long been an indicator of Europe’s deep-rooted social and political malaise, which existed before multiple crises hit us, says Herman, pointing out that the populists’ breakthrough came in the 1990s in countries like Belgium and France.

While populists gained ground almost everywhere before the pandemic, they

have struggled to maintain their popularity during the COVID-19 crisis and were unable to capitalise on the turmoil caused by the war in Ukraine initially because, says Fabian, “they might once again try to come up with ‘easy’ solutions, but there are none in this situation, so it doesn’t look very credible.”

The recent elections in Italy, which brought right-wing populist Giorgia Meloni to power, were a sign that the tide is turning, as the economic consequences of the war bite ever deeper. Herman says the main issue for populists now is not migration, as it has traditionally been, but inflation, and the loss of purchasing power.

“This is a big issue that works against those who are in power now, as we saw in Italy, in the French presidential election, and as we are seeing in the United States and other countries,” he says, pointing out that in countries where populists were in power when the cost-of-living crisis began (such as Poland, Hungary and the UK), their opinion poll ratings plummeted and where they were not, they gained ground.

Fabian and Janis agree that the cost-of-living crisis may once again prove fertile ground for the populists.

“It could once again fuel ‘me/us first’ sentiments,” warns Janis. “People increasingly feel that we will not be able to tackle the severe challenges in front of us, including climate change, so we might as well be egotistical. We won’t be able to save the world or make sure future generations will prosper, so let’s focus on improving things for ourselves now. This leads to short-termism and introspection, which result in highly inadequate responses to the permacrisis we are facing.”

So how can mainstream politicians counter this and fend off the challenge from the populists, who base their appeal on emotions? “Maybe the big difference is that we are now in the age of emotion politics –

people reacting very emotionally. There is a difference between feelings and facts,” says Fabian.

Herman agrees: “Domestically and internationally, we are confronted with the rise of emotionalism; hence the popularity of slogans like ‘Make Russia great again’, ‘Make America great again’, and ‘Take back control’ in the UK.”

So, what should the response to this be? “You can decide to do nothing – don’t worry too much, wait things out and treat the populism that this fuels as an aberration that will go away, but this is very dangerous, because it presupposes that things won’t go badly wrong,” says Fabian. “The alternative is to ensure that you have robust structures and institutions that can survive aberrations; for democrats to become more ‘populist’, in the sense of learning from the populists’ way of communicating and stop always trying to counter emotions with facts; or ensure that if people do choose the ‘aberration’, they see that this comes with a cost.”

Janis believes three things are crucial: politicians need to work to consciously avoid polarising the debate and instead act as bridge builders; they need to demonstrate a strong awareness of people’s problems and the insecurities they feel; and in this era of ‘narrative politics’, they need to give people a compass, a clear sense of the direction in which we are headed. “People are asking leaders for something they feel is missing – a sense of meaning – and you have to make it concrete, and there comes the problem,” because visions of the future, such as a zero-carbon economy by 2050, come with a ‘price tag’, prompting protests like the Yellow Vests in France.

Fabian interjects to point out that the need to address people’s fears for their physical safety, to deliver on security in the wake of the war in Ukraine, will also come with a hefty price tag. “It means we will have

to make sacrifices and it will hurt,” he warns. But politicians have nothing to gain from trying to hide these effects. On the contrary, he believes, “if politicians lead with decisive steps, and communicate what is at stake, it might well be a vote winner.”

Janis argues that the voices of the ‘silent majority’ often get drowned out by a vocal minority, and politicians need to listen to the former group, to understand what they want. But Herman cautions: “Twenty years ago, when we spoke about the silent majority, it was about people with common sense; moderate people. This has changed dramatically: the silent majority is much more radical than they used to be.”

So, what is the key to turning fear into hope? Herman is clear on the conditions that need to be in place to answer that question. “People are longing for something, but you can only have hope when you are ready to find a solution, to compromise, to enter into a dialogue. You need mindset of openness. A polarised, black and white world is a world without hope, because there will always have to be winners and losers,” he says.

“We need another kind of mindset to manage expectations. If we cannot get people to have a sense of moderation, and to look at things in a more balanced, less polarised way, we will never succeed. Listening to people and telling the truth, being honest about the limits to what you can do, is extremely important. Sometimes avoiding the worst is already doing good and you cannot do more than that. People trust you more if you are not promising things all the time that you cannot deliver – and, for politicians, trust is the most precious of commodities.”

Herman points out that incidents can be blown out of proportion in the public’s mind. He gives the example of the discovery of illegal migrants being found attempting to cross borders in lorries. This, he says, has

not been a significant problem in Belgium, but people there still seize on any isolated incident.

“If people trust the politicians who put issues into context, then things are kept in proportion. But if there is no trust, they simply won’t believe them,” he says. Former US President Donald Trump’s appeal to his base, who trust in what he tells them, is another example: “Many voters are willing to believe his allegations of election rigging because they firmly believe that he has never betrayed them, in the sense that they feel he has always been on their side and thus they think ‘I will accept what he tells me.’”

“We need to show people that we can deliver what we promised on the key issues on which their lives are built.”

For Herman, one of the keys to building and maintaining that trust is delivery. “We need to show people that we can deliver what we promised on the key issues on which their lives are built,” he insists. “We badly need results in key areas of concern for our citizens. A Europe of results: security, now more than ever; jobs; employment; climate change; health; tackling irregular migration. If you cannot show results, you are lost.” “Hope,” he adds, “is a verb as well as a noun.”

“The EU has to deliver on this key challenge of our times. If we don’t succeed, not only the institutions will wither away, but we will also lose Europe’s ability to protect our values and interests.”

But Fabian questions whether delivery alone (so-called ‘output legitimacy’) is really enough. It is, he argues, a necessary but not sufficient condition. “Yes, politicians do have to deliver, but the question is ‘what is success?’ The answer to that determines whether you meet people’s expectations, and that is the big challenge for the EU right now, because of the gap between expectations and the Union’s capacity to act, between what needs to be delivered and the EU’s powers. People see that as a key issue: Europe doesn’t deliver.”

This challenge is even greater now, following Russia’s invasion of Ukraine. “The EU has to deliver on this key challenge of our times. If we don’t succeed, not only the institutions will wither away, but we will also lose Europe’s ability to protect our values and interests,” says Fabian. “Europe is at a critical moment where it has to take the right path: either it opts for a joint future that enables the EU not only to stand up to Putin but also to address future challenges, or it will drift into fragmentation and irrelevance.”

And while there is an expectations-delivery gap at national level as well, he argues that it has more serious consequences for the EU than at national level, because for the Union it becomes an existential problem, a way for critics to question its very existence.

Herman acknowledges that “the consequences can be different,” but adds: “Trust in the EU is still higher than at the national level. People know that we cannot live without the EU anymore. Most people, especially in smaller countries, don’t see a future without it.”

Which brings us back to where we started – the loss of social capital or linkages, which means trust in politicians and leaders has been replaced by ‘communities of interest’. People trust others who think like them and increasingly live in separate (virtual) worlds, less and less exposed to different points of view, perspectives and realities. Other changes in the way we live have compounded this problem, says Herman, pushing us towards ever greater individualism. “For example, living in big families required compromises all the time with brothers and sisters; now we live in smaller families and in our own social bubbles.”

This disconnection between different groups in society is something politicians need to be acutely aware of and constantly work hard to avoid, says Herman. “Because of my background, I have never lost touch with what is happening in society,” he explains. “My father was a professor of economics, the first in our village to go to university, but the rest of my family never had secondary education or went to university. My grandmother did not even finish primary school and my grandparents ran a café. I always observed their reactions to events to help me understand how people see things.”

All three agree that restoring dialogue, getting people talking to and interacting with each other again, is one of the most fundamental challenges of our time. “If we don’t succeed, it is really dangerous for democracy,” says Herman. “Dialogue is essential to encourage more moderation, more reasonableness, less high expectations that only lead to disillusionment and a thirst for ‘change’ without knowing exactly what change you want. In the individualised

Twitter culture, people no longer think or listen, only yell and scream.” This is even more of a challenge within the EU, where it is imperative but even more challenging to encourage dialogue across borders.

So, what can be done to revive that dialogue, given the loss of social capital we spoke about at the start of this conversation? “In the past, classical civil society organisations and associations played a major role, as carriers of social capital. However, television and social media have eliminated this. Television is a passive tool, but social media is active and therefore more aggressive,” says Herman.

Fabian points out that social media also creates echo chambers, where people only talk to like-minded individuals and so are not exposed to different points of view.

So, are there ways to recreate that empathy with others that Herman says he has always felt, bringing people together and getting communities to mix again? Herman points to a book by Canadian philosopher Charles Taylor on the reconstruction of democracy. “He believes in a bottom-up approach where people work together on projects at the local level. It sometimes reminds me of the idea of self-government that was popular in left-wing circles in the 1960s.”

In the end, says Herman, it is not about talking, but about listening. “Democracy is a conversation, between citizens and their representatives and among those who have been elected. It is the opposite of Twitter, which is not a conversation but an exchange of messages – you are not expected to change your mind, it’s all about shouting at and insulting people. In a conversation, you need to listen, really listen.”

This brings us to the debate on how EU leaders should respond to the outcome of the Conference on the Future of Europe, amid signs that most of the citizens’ calls for action risk being quietly shelved.

“EU institutions and governments can ill-afford to just pay lip service to the need to enhance democratic participatory processes.”

Janis warns that this would be a huge mistake. He agrees with Herman that the EU needs to listen more to citizens' concerns and what they want from the Union, insisting that participatory democracy is here to stay. “EU institutions and governments can ill-afford to just pay lip service to the need to enhance democratic participatory processes,” he says. “To modernise EU democracy, the Union must include new deliberative instruments in its participatory toolbox as complementary add-ons to the representative dimension of EU democracy.”

The Conference on the Future of Europe, says Janis, showed that randomly-selected citizens can work together to discuss policy issues relevant for the EU's future, provide input that often goes beyond established policymaking silos and come up with policy suggestions that are more ambitious than those envisaged by EU governments.

Herman agrees that this will be a litmus test of the EU's capacity to listen. While representative democracy must have the final say, he argues, EU leaders need to show that they are taking the proposals that emerged from the Conference seriously. “Otherwise”, he says, “the democratic deficit will be enhanced and the whole process could backfire.”

The world turned upside down

PART I

2

The legacy of COVID-19

When the COVID-19 pandemic began, the focus of much of the commentary on the EU's response was on the Union's perceived shortcomings, from the failure to coordinate restrictions on the free movement of people, with each member state going its own way, to, problems later on with the purchasing contracts for vaccines and delays in their roll-out. But Herman believes that history will be kinder to the EU's leaders.

"Let us not forget this was a global crisis, and an imported one. In the beginning, people were asking: 'Where is Europe?' The centre of gravity of policymaking in fighting COVID-19 lies in the member states, but people wanted more Europe, not less, so before starting to blame the EU, you have to look at where the competences lie," he insists. "The EU institutions had to find their place in this new world, but after a slow start, they delivered, and there was a great deal of solidarity. Just look at the results – that is what counts."

He points to the joint purchase of vaccines, so that all countries had equal access to them and could emerge from the crisis at the same time, as a key achievement, adding: "The start was difficult, but the catch-up in most countries was spectacular." Then there was the agreement on the pan-EU COVID digital certificate, which provided new safeguards for the free movement of people.

Most remarkable, perhaps, was the historic agreement on setting up the EU Recovery and Resilience Facility (RRF), with the breaking of old taboos in enabling borrowing at the EU level (albeit temporarily) and the focus on using these funds to support structural improvements to the economies of a number of countries, to strengthen their growth and get debt problems under

control. "It's a very powerful instrument," says Herman, adding: "It is also the means of realising the Green Deal and the digital revolution. For this reason alone, if no other, there will be no return to 'business as usual' in the post-pandemic world."

Herman adds that he draws two main lessons from all this. "The first is that the overwhelming majority of people accepted the rules and showed respect for others. The second is that, once again, we saw the primacy of politics and the importance of political decisions; we rediscovered that the markets are not the only solution to the problems we face, and that things like education and health are collective goods that we have to cherish."

Fabian cautions against a rush to judgement on the legacy of COVID-19. "We are still in the middle of the process – we should not talk about 'post-COVID', but rather about living with COVID – and some of the changes that have come with it are structural and will be permanent," he says.

He agrees that we are "back in an era of big government, with the state intervening in lots of areas of the economy, in our social lives, and so on", but adds that it remains to be seen precisely in which direction this will go. Russia's invasion of Ukraine is likely to accelerate this trend, says Fabian, but whether this results in 'more Europe' or more action at the national level remains to be seen.

Janis agrees with Herman that if you step back and take "a bird's eye view" of the last two years, the overall assessment of how the COVID-19 crisis has been managed is positive. "There were ups and downs, but overall, the EU – out of pressure of necessity and fear of what could potentially result from the crisis – did what was needed. This

shows that fearing the worst might happen is probably the best way to avoid the worst happening.” But will we learn the lessons of the pandemic, especially in the context of the fundamental challenge the war in Ukraine poses to liberal democracy? That, says Janis, is “less clear”.

There is also the question of what all this means for the future of the EU. Fabian points out that the focus during the pandemic has been at national, and even regional level, which raises the question: “What is the role of the EU in a new era of big government: more powers delegated back to member states, or more powers for the EU level in certain areas, such as health? We don’t know yet.”

Herman argues that it does not have to be one or the other; we could see both: a strengthening of public authorities at national level and a bigger role for the EU institutions. “They are not necessarily contradictory,” he says, pointing to the example of health, where COVID has shown the need to do more to prepare for future pandemics at national level and to act in a more coordinated way in the EU.

He also believes that the EU should make the RRF financial instrument permanent, given the scale of the challenges it is designed to address. “The digital and ecological transformation, plus the security transformation that is now needed, won’t be over after three years, so will we stop this great initiative after a few years or continue? A lot depends on Germany and France – they will play a very big role and there is a possibility we can make this more permanent,” he says, adding that while the war in Ukraine itself is unlikely to be the trigger for this, an economic recession sparked by its impact on the European economy could be.

Fabian is agnostic on whether a permanent RRF is required. “Frankly, the EU can use whatever mechanism it wants if the politics

of making it permanent are too difficult, as long as we get the outcomes we need,” he says. “But continued solidarity is absolutely fundamental, and not just in monetary terms.”

Janis also questions whether this will be politically possible, but says that, in one sense, things have changed forever. “I don’t think the instrument will be forgotten. Whenever you have a crisis of this magnitude, the EU will be reminded of what it did this time – but will it stay in place permanently? I have my doubts.”

More broadly, he agrees that the public is asking for more Europe, and he sees this as both an opportunity and a risk. “Hopes and aspirations have risen in terms of what people expect Europe to deliver. That puts the bar much higher. But it also leads to a feeling of frustration, especially among young people, that Europe is not living up to those expectations. If Europe seems irrelevant, that would be bad news.”

Herman acknowledges that whether the public sees all these developments as signs of hope is an open – and crucial – question. “A part of the population is disenchanted with the EU because there was not enough Europe,” he says.

Fabian underlines the scale of the challenge we face to recover from the pandemic and ‘bounce back better’, particularly after the double shock of COVID-19 followed immediately by the war in Ukraine, all in the context of the permacrisis. “We will have to deal with new challenges and some that existed before, and this raises questions about the kind of instruments we need. For example, we know an enormous amount of investment will be required. Where is it going to come from? How do we deal with new challenges with supply chains globally, energy prices and inflation, the wider impact of the war in Ukraine on the economy, the fiscal hangover?”

In all of these questions, says Fabian, is “the challenge of whether we try to do this together at EU level or go back to leaving it to member states to do things by themselves. There is a real capacity issue here – some don’t necessarily have the capacity to deal with this at national level, which raises the question of whether, unless we find ways of doing this at EU level, we are bound to fail.”

Another issue which has been pushed much further to the fore by COVID, in light of the global supply chain disruptions caused by the pandemic, is that of open strategic autonomy – a concept which features heavily in several of our conversations, including on the EU’s geopolitical role, particularly in the wake of Russia’s invasion of Ukraine.

“The further elaboration of the ‘strategic autonomy’ concept in many areas is crucial for our future,” says Herman. “I am thinking of security, digital, raw materials, energy, migration, medical equipment, and medicines.”

So, what does this much used, but still somewhat vague, concept mean in practice? “In general terms, it means that the EU wants to take more control of its own destiny. It wants to be much less vulnerable,” says Herman. “It does not mean autarchy or isolationism. It is about avoiding over-dependence on a few countries or companies because economic dependence leads to political dependence, as we have seen with Russian gas. Nor is it a euphemism for protectionism because the EU wants to continue to respect World Trade Organisation (WTO) rules and trade freely. There is a difference between protecting one’s own interests and protectionism.”

To illustrate this, he adds: “The pandemic has ensured that we do not want to return to such a high external dependency on medical supplies, but at the same time, the EU has shown that it remains an open entity by allowing as many vaccines to be exported as we keep for ourselves.”

Fabian adds that both COVID-19 and the war in Ukraine have brought this issue into much sharper relief. “It is a question of controlled globalisation. We recognise how much globalisation has benefitted us, but now we want to control it more because we have seen the consequences of not having that control in many areas.”

This also has consequences for the cost-of-living crisis. “One of the reasons for the low inflation of recent decades is that products got cheaper and cheaper as a result of globalisation and, in particular, lower Chinese production costs. So, if we are saying we want to decouple from China, then we will have to pay the price for that,” says Fabian.

Whether the public can be persuaded that this is a price worth paying remains to be seen. For, as Herman points out: “The multiple crises of the past decade or so have increased people’s fears and uncertainties, and then COVID-19 came on top of this. Successive waves of the pandemic have led to despair. Many people now yearn for stability and normality. Their lives have been turned upside down enough already; above all, they desperately want to take a breather.”

But in the era of permacrisis, with the newest and biggest threat sparked by Russia’s invasion of Ukraine, that wish is unlikely to be granted any time soon.

The world turned upside down

PART II

2

The impact of Russia's war of aggression against Ukraine

If there is one thing that Herman, Fabian and Janis agree on above all else, it is that several months into the war in Ukraine, there are worrying signs that Europe has not yet woken up to how profoundly the world has been changed by the Russian invasion of February 24, 2022.

With the focus on reacting to the immediate challenges posed by the war – from supporting Ukrainian defences with military equipment, intelligence and know-how to imposing the toughest possible sanctions on Russia, to the knock-on effects on Europe's economy, with a cost-of-living crisis aggravated by soaring energy and food prices – the long-term structural challenges that it poses risk being overlooked.

The impact of the war in Ukraine runs as a red thread through all our discussions on the major challenges facing the EU, and it is clear there is almost no policy area which will remain untouched in some way by the conflict and its repercussions (as is reflected in subsequent chapters of this book).

For this is not, says Herman, just another chapter in the 'age of the permacrisis' – it goes far beyond that: "The world will not be the same. Old prejudices and taboos must fall in order to build a new future. Once the war is over, we cannot fall back into business as usual, into the mistakes of the past, into old divisions and feuds."

Fabian and Janis agree. "Russia's invasion of Ukraine is an historic watershed for Europe. All of our societies will be profoundly affected by this moment and inaction is not an option. Policies at the European and national level will have to

change radically as the status quo ante no longer exists and will not return," says Janis.

"If the EU and its member states do not act now, we will live in a world determined by others, stifling our ability to shape our future for generations to come," warns Fabian.

All three also agree that the EU's initial response has been more decisive, united and faster than in previous crises. "Russia was counting on a weak reaction and the EU has been unexpectedly firm. We surprised everyone," says Herman. "You can always say it is too little, too late, but it depends on your starting point."

Fabian agrees, but fears that we are now "at a dangerous moment", with the cost-of-living crisis putting increasing pressure on societies and "making it easier for EU leaders not to make the right decisions", adding: "Doing what is necessary will have significant costs; it is going to hurt, and that is not an easy message." So, his verdict? "Can we do it? Yes, but it is a choice, and we are at a crossroads."

Janis shares his concern, acknowledging that "we have seen remarkable levels of unity and the EU has done things that would have been unthinkable before the war began, but we have also seen cracks appear."

He also sees huge risks in too much short-term thinking in response to the crisis. "There is much more we will have to do to live up to this watershed moment. People are not aware enough of the long-term consequences. We need to consider the wider implications and avoid the false

dichotomy between what we need to do now and in the longer term. We have a responsibility to harness people's fears, we have now to prepare for the future, to put pressure on ourselves to act, because no one will take us seriously if we are not ready, and things could get much worse."

Herman agrees but is more cautious when it comes to the question of just how far-reaching those changes need to be. "The most important thing we have vis-à-vis Russia is our unity. Is this the right moment to tackle divisive issues and create disunity where we need unity?" he asks.

But is there not a dilemma at the heart of all this, with the Ukraine war exposing the need for an ambitious agenda of fundamental EU reform to give it the capacity to respond to the many structural challenges it poses, but also underlining the need to preserve unity at all costs in the face of Putin's aggression, making it much harder to agree on those changes? And is it wise to talk so much about a *Zeitenwende*, or turning point, if there is a risk that the EU will not be able to deliver?

"We need to avoid creating disunity by pushing for progress on topics which are not so urgent," says Herman. "Change always takes time, and when it comes to the dichotomy between unity and difficult decisions, there is always a way to reconcile unity and ambition."

For example, he says, instead of "dreaming of a convention and a new EU treaty" as the European Parliament does, "let's be realistic and see what specific changes we will need in the existing Treaties and let's focus all our energy on finding an agreement on those."

Fabian and Janis agree that ambition must be tempered with realism, but insist member states need to be pushed to "go as far as we can get" – which, says Fabian, is after all "the art of EU politics."

He believes that things will change, driven by events, whatever level of ambition the EU sets itself. For example, the Union will have to find a response to the question of security guarantees for Ukraine after the 'hot phase' of the war and that will push it towards changes in the way things are done.

But will it be enough? "We must not fall back on the easy mantra that crises always lead the EU to do what is necessary," he warns. "In every crisis, that has been true, but what has not happened are the big structural changes that are required."

But Herman cautions against expecting too much from the EU level, arguing that the problem lies in the member states. "If you don't have strategic thinking at the national level, how can you have strategic thinking at the EU level?" he asks. "We are asking Europe to deliver in a way that we cannot do at national level."

So why is there so little strategic thinking at national level compared with, say, 20 years ago? "It is because populism is the biggest enemy of strategic thinking, because it requires choices, difficult decisions – and populists want to be popular," says Herman.

"You have to do your best, your utmost, but we should not be asking too much. That is why I am more indulgent of colleagues at the national level than Fabian and Janis. We must not overload the EU institutions with ambitions that they cannot deliver but, having said that, they have come to ambitious decisions and delivered in ways that have surprised me since the war began."

Janis agrees that finding the right balance between realism and ambition is difficult, but rejects the argument that a lack of strategic thinking at national level necessarily means we should not ask for this at EU level.

“It is an opportunity to show that the EU is more than the sum of its parts,” he says, adding: “I am seriously afraid of the consequences of the current situation. If we get this one wrong, the potential repercussions will be much more severe than in other crises. Maybe that makes me ask for more than we can realistically do, but I do think we need that level of ambition.”

Fabian agrees, saying: “You have to do the strategic thinking at EU level because it doesn’t work on a purely national level. We live in an interdependent EU, where what any country does has implications for all others, across a range of policies, not only in hard security. Many scenarios might never happen, but there is nothing to stop the EU institutions from doing some of the strategic thinking required.”

The crises of the last decade, culminating in the war in Ukraine, have also sparked emotional responses to both domestic and international issues, and Herman argues

that this poses another problem for the Union. “The EU is not built on the basis of emotionalism – it is based on markets, on regulation and legislation, on mutual benefits and win-win situations, so for us it is difficult to adapt to this situation.”

But adapt we must, says Herman, coming back to the question of whether the EU can continue to stick together and deliver the necessary responses in face of the biggest threat to the geopolitical order for many decades, and the myriad challenges it poses for the EU and its member states both in the international arena and at home (all of which are discussed in other conversations recorded in this book).

“The world is changing completely, and we have to reinvent ourselves in this new world,” he says. “We have done a lot already, but now comes the hard part. The EU has remained united when our enemies are hoping for disunity. Maintaining that unity is crucial if we are to meet the challenges facing us.”

The start of the permacrisis: The euro in turmoil

3

It is often said that the EU only moves forward when confronted with a serious crisis and that European leaders only do what is necessary when the EU is on the brink of disaster. Prior to Russia's invasion of Ukraine, no moment in the Union's history had better illustrated this than the euro crisis, which began in the United States in 2007/8 as a financial crisis but sent shock waves across the Atlantic that turned into a giant storm, which threatened to engulf the euro and with it, some said, the EU itself.

German Chancellor Angela Merkel was among those who warned at the time that if the euro collapsed, it would bring down the EU too. So just how close did the Union come to catastrophe, why did it take so long for the EU to respond, and did Europe's leaders eventually do enough, not only to avert the threat of a calamitous collapse then but also to prepare for what many see as inevitable crises of a similar kind in the future?

Looking at this first from a personal perspective, how did Herman, whose role as President of the European Council from December 2009 until the end of November 2014, put him right in the eye of the storm, view the crisis which dominated his term in office then – and how does he see it now, looking back on the events of a decade and more ago? Does he agree with those who saw it as the most dangerous crisis that the EU had ever faced up until the invasion of Ukraine?

"It certainly came close," he says. The break-up of the eurozone would have been a trauma that would have brought the EU to a virtual standstill, and could have led to the creation of a de facto Deutschmark zone that might also have become politically and economically untenable.

"I would not say that the EU would inevitably have fallen apart with the collapse of the euro, but it would have come close to it, and we were really aware of this during

the crisis, particularly at the point in the summer 2012 when we came very close to Grexit," he says. "We feared a one-by-one domino effect and the recession turning into a depression."

Herman paints a vivid picture of Europe on the brink, as arguments raged within the German government for and against keeping Greece in the euro. "Angela Merkel hesitated and finally said 'we keep Greece in', and two weeks later, European Central Bank (ECB) President Mario Draghi made his 'whatever it takes' pronouncement, which was a huge relief, because we knew this was the turning point in the crisis."

He recalls how Mario Draghi came into his office a few hours after the crucial June 2012 summit when EU leaders agreed to a deal on a Banking Union with a single supervisor for all banks in the eurozone, and said: "Do you realise what you did yesterday? Now I can do my part." But it still took another two weeks before Draghi made his famous statement, due to internal divisions within the ECB. "The ECB saved us, but we had to wait too long," says Herman.

Janis agrees it was a moment of supreme peril. "The crisis could have spiralled out of control and thus become existential, because getting the situation back under control would have been enormously difficult. And if the euro had failed, the negative consequences would have triggered spill-over effects which would have threatened the entire project," he argues.

Fabian agrees and says it was (and remains) a high-risk strategy for the EU to wait for a crisis to become really serious before acting, warning: "Firstly, one day they may not be able to resolve it and, secondly, if you can only react when the problem hits you, then you have to do things that are much more costly and painful in order to convince the markets you can do what it takes, and all of this creates collateral damage, with the Union paying a high political price."

So if, as Herman says, EU leaders were acutely aware of the dangers, why were they so slow to act and why did we come so close to disaster?

Herman puts this down to a number of factors, among which, one of the most important was the failure, until two years into the crisis, to recognise that this was not just a sovereign debt crisis (i.e. caused by problems in the countries' themselves), but also a systemic problem with the structure of Economic and Monetary Union (EMU) – its “very weak architecture” as a monetary union without a banking, economic or fiscal union.

“There was faulty analysis by a lot of people about the nature of the crisis. A lot of leaders kept insisting that the answer was for everyone to put their house in order; that if everyone cleaned their house, then the eurozone would be fine, and they took the view that the countries under threat had ‘sinned, so they must be punished’. But this assumes that the eurozone is just the sum of its states. It is only when we tackled the systemic dimension of the crisis that a solution was found,” he says, adding: “We had to wait until the national interest – the survival of the eurozone – coincided with the European interest.”

This prompts a fascinating discussion about the notion of ‘solidarity’, how this is viewed in different EU countries, why in some it is uncontroversial, while in others it is the hottest of political potatoes, and whether it was the best way to frame the issue as the debate raged over whether richer EU countries should step in to help Greece and the others most threatened by the crisis.

Herman wonders why attitudes towards helping Greece varied so greatly between EU countries. “Interestingly, helping Greece was not an issue in Belgium, but it was a big issue in the Netherlands and in Germany,” he says. “How do you explain the difference when all paid almost the same amount of money per capita? In Belgium and France, solidarity is not a forbidden word. So why does it cause such a heated debate in some countries and not at all in others?” he asks.

Fabian believes it is also inherent in the nature of the eurozone. He says that some countries will inevitably focus on the so-called ‘free rider’ issue – the perception that some countries are relying on getting help from their richer neighbours and so fail to put their own house in order. But the stronger helping the weaker is not only desired but is also embodied in the EMU structure, which was partly

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designed to bring down the cost of borrowing for struggling countries.

Janis argues that differences in attitudes towards solidarity also reflect different cultural backgrounds and beliefs, including the notion that you have to pay for your sins in order to eventually change your behaviour, and that the scars of the past should remind you of what happened in previous crises so that you do not make the same mistakes again. “When the moment comes that you are confronted with another euro storm, you should remember what happened last time,” he says.

“The most persuasive argument in politics is enlightened self-interest, rather than claiming that actions are motivated by solidarity.”

Janis also maintains that framing the debate in terms of helping others is the wrong notion and not the best way to convince the public. “The most persuasive argument in politics is enlightened self-interest, rather than claiming that actions are motivated by solidarity,” he insists.

Herman replies that solidarity may not be the right word, but he nevertheless continues to use it, deliberately. “Most people demonstrate solidarity within the borders of their own country, but it is much more difficult to show solidarity at the international, supranational, and European level. Showing solidarity in that situation takes more effort,” he explains, adding with uncharacteristic bluntness: “I am so fed up with the cynicism, particularism, egoism, and nationalism, that I use the word ‘solidarity’ often, even provocatively, to introduce an ethical word in a climate where using almost any ethical words is ‘banned’ with increasing aggression. It makes me sad and angry at the same time. That is the reason why I deliberately continue to use the word solidarity.”

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All three contrast attitudes towards solidarity during the euro crisis with what happened when the COVID-19 pandemic struck and negotiations on a massive recovery plan, the largest stimulus package ever financed in Europe, intensified in the summer of 2020.

“This time, the Hansa group [formed in 2018 by the finance ministers of Denmark, Estonia, Finland, Ireland, Latvia, Lithuania, the Netherlands and Sweden] resisted until the last minute, and the ‘Frugal Four’ [the nickname given to fiscally conservative EU countries, Austria, Denmark, the Netherlands and Sweden in the EU budget negotiations] gave the impression that they had not learned the lessons of the eurozone crisis,” says Herman. “They still had the same mindset, they were still singing the same old songs, voicing the same prejudices. But Germany did not join that

group – it behaved in a totally different way this time.

“What Angela Merkel did in her agreement with Emmanuel Macron in May 2020, and later in the European Council, was completely different to the euro crisis. It took four days and nights to get there, but that doesn’t matter – who remembers that? It is the results that matter.”

Berlin was, according to Janis, aware that a lack of financial support among the EU-27 would have undermined the cohesion of the Single Market. “Germany was providing massive levels of support to its companies to help them survive the crisis. Without a massive recovery plan, other EU partners would have called the single market into question.”

All three agree that the fact that the pandemic was not perceived as being ‘man-made’ is a key reason why the EU was so much quicker to act and acted so much more decisively. 2020 was, says Janis, a moment of real solidarity, with everyone in the same boat as the pandemic spread throughout the EU and across the world, so it was perceived to be self-interested solidarity. “It is not a man-made disaster, no one is to blame – and EU leaders realised from the beginning how politically and economically dangerous it could be,” he says.

Fabian agrees, saying it is a question of narrative. In the case of the COVID-19 crisis, “we were all sitting in the same hole, and it was no one’s fault, which makes countries more willing to help each other out”, he says. “This is very different to a situation where you feel that you are being asked for help to dig another country out of a hole that they got themselves into, and you fear that you are in danger of being pulled in too.”

Herman agrees that the agreement struck between EU leaders on the Union’s long-term budget and the NextGenerationEU

package including the temporary recovery instrument – worth a combined total of €1.8 trillion – was “more convincing” and much quicker than their response to the euro crisis, and just as important. “The weakest country in the eurozone crisis was Italy and it was also among the countries hit hardest by the pandemic. Without the EU Recovery Fund, I think we would have ended up – in the midst of the pandemic – in another eurozone crisis. The Recovery Fund saved Italy and the euro area,” he argues.

Fabian agrees that the July 2020 agreement on the recovery plan, billed by some as the EU’s “Hamiltonian moment” because it gave the European Commission borrowing powers, shows that the Union has learned from the euro crisis (and, he points out, would not have been possible if the UK had not decided to leave the EU). But he adds: “If it requires a crisis of this magnitude to make progress, it is a high price to pay with an uncertain outcome.”

Janis agrees that this “crisis logic” (‘waiting to do things we would not otherwise have done and then afterwards we will have made progress’) is dangerous “because it assumes the crisis won’t tear us apart”, he says, adding: “It also undermines trust, with the ‘us versus them’ logic we saw in the euro crisis having a cumulative effect with multiple crises.”

However, Herman takes a pragmatic view, reminding us of British wartime Prime Minister Winston Churchill’s adage that ‘you should never waste a good crisis’. “This is not unique to the EU,” he insists. “In every country, in every company and in our personal lives, when it comes to difficult decisions, we try to postpone them, blame others, we only act at the last moment. You need a crisis to push things through in all aspects of life.”

So, when the eurozone was on the brink a decade ago, its leaders did do enough – eventually – to defend it and to avert the

risk of collapse. But have they done enough to prepare for future crises? This is a question which is being asked once again, as the economic consequences of the war in Ukraine increase the pressure on member states' fiscal situation and spark fears that another eurozone crisis may be on the horizon.

“Many of the divisions that were there then are still unresolved. We are still facing some fundamental questions. Is the eurozone really so sound now?”

Fabian thinks not: “Many of the divisions that were there then are still unresolved. We are still facing some fundamental questions. Is the eurozone really so sound now? We saved ourselves then, but it was a man-made crisis – the ship was structured in a way which made it unsound in a storm.” He believes that, broadly, the EU knew what it should do – move to a genuine Economic and Monetary Union, underpinned by a Banking Union and a Capital Markets Union – but it could not find the political consensus required given the political costs involved.

Once again, Herman takes a pragmatic view of just how much politicians can achieve. “We never give definitive solutions, he says, because circumstances change. We can only give partial answers, take gradual steps. The only question we should ask ourselves: ‘Is this step too small?’”

“We never give definitive solutions, he says, because circumstances change. We can only give partial answers, take gradual steps. The only question we should ask ourselves: ‘Is this step too small?’”

But he admits to huge frustration that, as soon as the immediate danger passed, EU leaders stopped working to resolve the systemic issues. “Once the crisis was behind us, it was ‘business as usual’ again, not after six months but after six days. There was no appetite at all for more reform, just one week after we were sure that the crisis was over,” he says.

“This is my big frustration. After the immediate crisis, after 2013, we tried to continue working on the Four Presidents’ Report [on completing Economic and Monetary Union], but since the initial steps towards a Banking Union ten years ago, nothing much has really happened,” adds Herman.

“We used the opportunity, but we did not use it enough. It is still unfinished business, to put it mildly. We have made some progress, but not equivalent to the scale of the challenge and, as a result, we are not sufficiently weaponised for the next crisis – or indeed the one which might be sparked in the coming months by the repercussions of the war in Ukraine.”

Any port in a storm? The migration crisis

4

Prior to 2022, of all the crises that the EU had faced over the past decade and a half, the refugee crisis, which peaked in 2015-16, has proved the most intractable, with repeated attempts to agree on reforms to deliver a genuine common migration and asylum policy coming to nought.

So, how serious was the crisis sparked by the record flows of migrants and refugees in 2015 and 2016, why is this issue so difficult to resolve, can a deal be found, or are the politics of this just too difficult in the current climate, and what impact (if any) might the response in many EU countries to the millions of war refugees arriving from Ukraine have on this debate? And if there is no further progress, what might the consequences be?

Those were the key questions we set out to discuss in this conversation, which began with a frank admission by Herman about his time as Belgian prime minister as well as his stint as president of the European Council. “I think migration is one of the most difficult issues of our time and of my career. In Belgium, we saw the breakthrough of the extreme right party Vlaams Belang in 1991, so I have been confronted with these issues in my whole career and I never got the right answer,” he says.

“It is the only issue on which we have not found an agreement in the EU in the last 15 years. We are nowhere. It is among the trickiest issues for the EU and it is as divisive everywhere in the Union,” he adds, emphasising that this is an issue which goes much further back into the past than the 2015-16 crisis.

Herman sets out what, for him, lies at the heart of the dilemma. “Christian Democracy always seeks a balance. It is the search for a balance between ethical idealism and political realism, between openness and identity,” he says.

Openness, he explains, means a “tendency to be generous, to demonstrate humanity,”

especially towards those who are already in our countries and, as much as possible, to those seeking asylum. But this must be balanced by political realism because “a large part of our populations is very reluctant – or more than reluctant – to receive migrants and live alongside them,” says Herman. “It is a constant struggle to find a good balance and we never found it.”

Fabian argues that this issue is so incredibly complex and difficult to solve because it changes over time and there is a clear issue of perception versus reality. “You cannot draw a correlation between how high refugee numbers are and people’s attitudes. It is not in the places most affected by migration that you find the greatest fears,” he points out.

Two crucial factors influenced perceptions negatively in 2015-16, says Fabian: fears of a loss of control, which exploded in Germany in the midst of the crisis and had a “hugely detrimental” effect; and a cultural element, with people who were traditionally very pro-multiculturalism and pleading for a sensible approach to migration saying “we are being over-run by people who do not accept our values,” for example with respect to the role of women in society.

One thing is for sure, he adds: “There is no way to completely stop migration – no matter how risky it is, no matter how bad things get, people will keep coming. That is what we are seeing in the Mediterranean. And even if we could control the number of new arrivals, it doesn’t change much because a huge proportion of the population in many EU countries already comes from a migrant background.”

Herman agrees. In the longer term, we will be confronted with a huge issue, as the African population is forecast to rise from 1 billion now to 4 billion by the end of the 21st century, with some African countries

doing well economically, while others not at all. “This demographic time bomb is one of the biggest threats for Europe,” he says. “It will not be solved by more economic growth in Africa: even if they do better, the gap between Europe and Africa will remain, so migrants will keep on coming.”

Janis, who himself comes from a migrant background (his father moved from Asia Minor to Greece, then to Austria and finally to Germany, and his mother moved from East to West Germany) says the biggest challenge in addressing this issue is that this has “so much to do with identity, culture, and emotion – areas where irrationality often prevails, even among people who don’t usually think that way.”

Janis speaks of his immense frustration at how the EU responded to the crisis. “At the end of the day, it was a man-made crisis. If we had handled it in a different way, if countries had shown solidarity with each other, it would have been a manageable challenge. We could have dealt with it,” he insists, but the EU-27 still cannot overcome their deep differences when it comes to showing solidarity with each other. “When it comes to migrants and refugees, they can only agree on issues related to the security dimension: securing the Union’s external borders and ensuring that the numbers arriving on Europe’s shores are as low as possible.”

So, how serious was the 2015-16 crisis for the EU and how serious is its failure to agree on a solution so far, not just for Europe but for the national political discourse as well? “We should not underestimate the importance of this debate,” warns Herman. “Populism started with migration and when things are going wrong, people go back to it. It was also one of the reasons for Brexit; it is a weak point for Joe Biden; and it made the EU unpopular in Italy – two populist parties won a majority in 2018 because of it, because of a feeling that nobody cared, no one showed solidarity.” And in the wake of the fall of the Draghi government, the reshaped Italian political landscape might well act as a break on the EU’s ability to reform itself and its policies.

All three agree that the migration issue still has the potential to become an existential challenge for the EU if no answer is found. And the search for a solution is further complicated by the fact that it is an issue which divides populations within member states as well as sparks bitter arguments between them.

“I think migration is one of the most difficult issues of our time and of my career. It is the only issue on which we have not found an agreement in the EU in the last 15 years. We are nowhere.”

“At the end of the day, it was a man-made crisis. If we had handled it in a different way, if countries had shown solidarity with each other, it would have been a manageable challenge. We could have dealt with it.”

The invasion of Ukraine has prompted a remarkable and unprecedented display of solidarity, but this, they all agree, is not a sign of a wider change of heart. Rather, the current situation is the product of a unique set of circumstances.

“Without Fortress Europe, there would not only have been an ‘invasion’ of people from outside the Union, but also an ‘invasion’ of populists all over Europe.”

It was the seeming impossibility of finding a compromise that everyone could agree to that prompted the decision to approve a controversial plan to relocate 120,000 refugees across the continent by Qualified Majority Voting (QMV) in the Council of Ministers in September 2015, over-riding the objections of four Central and Eastern European countries that were strongly opposed to the proposal.

Herman agrees with Janis that this was “short-sighted” and merely served to escalate the situation. “I was not happy with the QMV decision under the Luxembourg Presidency, although everyone was very proud of it, saying ‘we unblocked the situation’. But it enhanced tensions,” he says. “Migration is not an issue like other issues. It is extremely special, but they didn’t acknowledge this and behaved as if it wasn’t.”

So, could the remarkable response – from both governments and publics – to the war in Ukraine and the way countries across the EU have opened their borders and homes to Ukrainian refugees have a lasting impact on the migration and asylum debate, and thus help to unlock a solution? Or is this a unique situation which is unlikely to have a significant impact on the wider debate?

The invasion of Ukraine has prompted a remarkable and unprecedented display of solidarity, but this, they all agree, is not a sign of a wider change of heart. Rather, the current situation is the product of a unique set of circumstances.

“The most extreme example is Poland, which made a major problem out of receiving 4,000 people from the Middle East on the grounds that it would ‘threaten their civilisation’, and then they welcomed millions of Ukrainian refugees,” says Herman. “You can call it hypocritical or double standards, but it is a fact of life. So, can it change the fundamental debate about migration in Europe? The answer is no.”

Fabian agrees, arguing that there are a number of reasons why Ukrainian refugees are in a unique situation, including “the fact that there is no moral question about whether they are economic migrants or refugees;” it is not young men (who opponents of migration tend to focus on most) who are migrating, but mainly women and children; and there is an expectation that they will eventually return home.

Janis echoes this, saying: “The particular situation of Ukrainian refugees makes this a ‘time-limited’ solidarity.

The overall problem and fundamental disagreements on the structural changes needed to deal with increasing migration pressures remain.”

Populist parties have so far not been able to exploit the arrival of so many refugees from Ukraine because of public support and sympathy for their plight and because the blame has been placed squarely on Russian shoulders. However, Fabian is “not very hopeful that this will not become an issue for the populists before long.” But Herman disagrees, arguing that populists will not be able to take advantage of the situation in the way they have done with the migrants arriving by boat on Europe’s shores.

So, if the war in Ukraine has not changed the fundamental debate and migration and asylum remains an issue widely exploited by populists (except in relation to Ukraine), how should mainstream political parties address this topic in their everyday discourse, to get the balance right between showing the public they are aware of – and are responding to – their concerns while avoiding pandering to the populists and ‘stealing their clothes’? And how should they treat populist parties that win enough votes in elections to demand a seat in government?

Again, says Herman, there is no easy answer: “In Belgium, traditional parties built a cordon sanitaire around Vlaams Belang in 1991, refusing to work with them and some refusing to even talk to them. But this didn’t help. All the traditional parties stressed the importance of both the rights and duties of migrants, but the public perception was that we were pro-migration, too moderate,” he explains. As a result, the anti-migration Flemish Nationalists won 24% of the vote in Belgium in 2014.

In each member state, this political battle and the search for a balance between the rights and obligations of migrants, between identity and openness, that Herman spoke

of at the start of our conversation, goes on.

At the EU level, Herman vigorously defends the focus on protecting the EU’s external borders – so-called ‘Fortress Europe’ – then as now. “Without Fortress Europe, there would not only have been an ‘invasion’ of people from outside the Union, but also an ‘invasion’ of populists all over Europe”, which, if they succeeded in Germany or France, “would have been the end of the Union,” he argues. “We could have made it worse by pleading for open borders.”

Janis adds that, in the ongoing debate over the proposed New Pact on Migration and Asylum, the choice has already been made. “We have already taken the decision in the solidarity versus security debate. We only agree on the security dimension and cannot agree on the solidarity part, so *de facto*, we have already moved in the direction of the security camp,” he laments.

But will Fortress Europe work and will it be enough to solve the problem? Can a long-term structural solution be found?

Herman fears not: “Populist parties exploit these fears and do not want to solve the problem. Those leaders don’t want a solution,” he says, adding that the refugee crisis “strengthened their belief that they were right” and pushed more EU governments into the security camp. “We now almost have a consensus on Fortress Europe. In the EU, there is only agreement on the protection of external borders, especially around the Mediterranean, not on solidarity,” he says, echoing Janis’ concern that the fight for an approach based on genuine solidarity has already been lost.

But, Herman warns, the balance between humanity and border protection is precarious. “Look at the debate around Frontex, the European Border and Coast Guard Agency,” he says. Hardliners argue that the more humane the approach,

the greater the 'pull' effect. In this logic, they point to the loss of life among boat refugees and argue that it is almost ethical to close the borders to prevent more deaths at sea.

So, if Fortress Europe is the only thing EU governments can agree on, can it work? Fabian argues that it may help change perceptions, but that does not get to the heart of the problem.

"We are failing to integrate a very important part of the population, a group who have lost their role and identity. It is not about migration; it is about the role that people have in society, whether they feel useful, heard, or protected. Migration is just a convenient lightening rod for the dissatisfaction people feel," he says. "The solution to the migration problem doesn't lie in migration policy."

Herman agrees partially, insisting that political leaders need to address people's root concerns if they are to have any hope of finding a lasting solution to the problem.

"Migration is not only an economic problem; there is also a cultural element, which should not be underestimated. It will not disappear as easily as you might think. It is based on fear of losing one's identity or having another culture imposed on one's life," he says, adding: "It serves as a scapegoat for a deeper sense of fear of changes that are imminent or already underway, of a loss of control over one's own destiny."

Then why are so many people afraid? "Living together always remains difficult;

it takes an effort. There are not that many lasting examples of successful multiculturalism," says Herman, who also points out that people today have "few anchor points" to fall back on. "Protective structures like family, churches, associations and, so on have fallen away or weakened. People feel like the playthings of geopolitics, financial markets, imported viruses, de-localisations, migration, etc. Within this, the migrant is visible either by his race or by his clothing. That makes him an easy target. A common phrase you hear is: 'I don't feel at home anymore'."

And when it comes to framing the discussion, leadership is vital. "It was so important that Angela Merkel spoke about migrants as human beings," says Herman. He also agrees with Janis and Fabian that it is important to distinguish between 'refugee crises' and the long-term migration challenge. "We throw refugees and migrants into the same pot – we need to separate these things from one another and do our utmost not to mix them," he says.

Fabian adds that it will be interesting to see whether the labour shortages emerging across Europe will change the debate on migration, but notes that this will not necessarily make it politically easier.

So, the conversation, which began with Herman challenging Fabian and Janis to offer solutions to a problem he has wrestled with all his political life, ends without a solution. But all three agree that this issue is about far more than migration policy, the answer needs to be far broader to stand any chance of succeeding.

European Green Deal: A defining challenge of our age?

5

“Every year we make some steps, but we tend to have been better at setting targets than at delivering. And even if we deliver everything we have committed to, it would not be anywhere near enough – and the further you fall behind, the harder it gets.”

“With legally-binding obligations, countries have placed themselves in a kind of straightjacket, as they have to comply with objectives they have commonly agreed on.”

The green transformation, which Ursula von der Leyen’s European Commission has put at the heart of its political agenda, is a challenge that is “more important by far than the EU’s biggest political project. Until now, the Single Market of Jacques Delors,” according to Herman. “And the stakes are higher because this is about the future of the human race.”

But there are big question marks over whether Europe can and will deliver on its objectives, and indeed, whether the EU is setting its sights high enough to deliver transformation at the scale and speed required to meet the climate change challenge – and yet there are more question marks now over what impact the war in Ukraine might have, given its implications for EU energy policy and the cost-of-living crisis.

Which is perhaps why this question sparks some of the liveliest, and most heated, exchanges of all the conversations recorded for this book.

All three agree on the importance of this issue, and just how big a test it is for the countries of the EU. Fabian points out that it is also much trickier than the Single Market project, which was a political choice, so in a sense ‘an easy fix.’ By contrast, climate change is a long-term, international challenge with many parameters that are outside the EU’s control.

Fabian sees this as a major test of the EU’s credibility. But Janis thinks not, at least not under the current circumstances. “If a strong block of member states were ready to move from ‘Sunday talk to Monday realities’ and take the actions required to deliver on this, and the EU failed to agree, then you could put some blame on the Union, but not now, when there is such intense debate within countries about what needs to be done,” he argues.

Herman agrees, pointing out that “everyone is struggling with this dilemma, in all kinds of political regimes and all kinds of continents.” He sees climate change as “a great test for all levels of power,” but particularly for member states, where the bulk of the implementation of the European Green Deal has to be done.

Fabian acknowledges all of this, but remains adamant that if the EU does not deliver on the Green Deal, “it will be confronted with a major legitimacy problem,” because, he says, “the *raison d’être* of the EU is to deal with cross-border challenges.” “Younger generations won’t buy the argument that the EU cannot be blamed just because member states disagree internally,” he insists.

So, is the EU capable of taking the decisions needed to deliver the required transition?

Herman points out that it has already gone further than many had predicted. “We had already seen some positive developments, long before we began calling it the European Green Deal,” he says, pointing out that the first target set was for a 20% cut in greenhouse gas emissions by 2020, but the EU did better than promised, with a 25% reduction while the economy grew by 60%.

“Then, when I was in office in 2014, we started talking about -40% by 2030. That was extremely ambitious and Günther Oettinger [the then German Energy Commissioner] argued that it was too much for the automotive industry and 33-34% would be more than enough – but he lost that battle within the Barroso Commission,” he explains. Now, under Ursula von der Leyen, the target has increased again to -55% and carbon neutrality by 2050.

But Fabian is scathing about the pace of change. “We are making some progress, but nowhere near enough. The incremental, slow process we are witnessing now is not going to get us where we have to be,” he insists. “Every year, we make some steps, but we tend to have been better at setting targets than at delivering. And even if we deliver everything we have committed to, it would not be anywhere near enough – and the further you fall behind, the harder it gets.”

He also wonders whether the European decision-making system can deliver the scale of decisions needed to address climate change effectively, given the compromises required to get everyone on board.

Herman argues that, while it is the member states who control most of the levers that can deliver on the climate change targets, the EU also has an extremely important role to play in getting member states to sign up to highly ambitious targets.

Take the eurozone budgetary rules as an example, he says. “It was extremely helpful for a lot of countries (including Belgium) to have European norms that we had to comply with. Without Europe, we would not have succeeded – and the same thing is happening with climate change,” he explains. “With legally-binding obligations, countries have placed themselves in a kind of straightjacket, as they have to comply with objectives they have commonly agreed on. If you have a weak government, legally-binding objectives are extremely helpful.”

Fabian does not dispute this, but interjects: “They might be, but you also have to have the means to implement them,” and the EU needs to do more – much more – to translate ambitious targets into action. “What is needed is a more systematic transformation, rather than just trying to optimise what we already have. And yes, if you look internationally, we can see that everyone is struggling with this, but Europe should be in the lead – it is the world’s most resource-dependent continent, so it should be the one making the most advances.”

All three agree that in the aftermath of Russia’s invasion of Ukraine, the balance of the debate on this topic has shifted – at least, in the short term. “Ecology used to come after the economy on the political agenda; now, at least in the short term, it comes after security. But in the long term, the Ukraine crisis could be helpful for the green transition because of the need to reduce our dependence on Russian energy and hence on fossil fuels,” says Herman.

Fabian agrees about the short-term shift in focus, but points out that if Europe had taken some of the measures that were envisaged in the Green Deal back in 2014, “we would not be in the position we are in now.” He is hopeful that in the long term, Russian aggression could help significantly drive progress, but for that to happen, he says, there needs to be an honest

conversation with the public about the hard choices to be made.

“Sustainability is an issue where there is broad acceptance in society that something has to be done and the narrative has been that moving towards sustainability is a win-win. That might be so in the long run, but in the short term, if we make changes in the energy mix, it will have an impact on the fairness of the transition. To make the structural changes implied by this will cost us and means making hard choices,” he explains. “We have to decide how to distribute that cost and who should pay. If we can’t agree on that, then we cannot make progress.”

Janis echoes this and also warns against taking a too Euro-centric view on this. “The consequences of the war in Ukraine are bad news for attempts to create a global green transition. We need a global effort and the deterioration of relations, for example between the US and China, will have repercussions in many areas.”

Herman also warns that “price is ultimately the best way to reduce fossil fuel consumption, but there is strong resistance to this and limits to how high prices can go.” Before the war, the Yellow Vest protests in France were against increased taxes on petrol, and the challenge is even greater now in the face of rising market prices. Herman points out that the spot price of gas was seven times higher in August 2022 than in November 2021, “threatening to create a social crisis and compelling public authorities to intervene in the market and act to alleviate the pressure on households and businesses.”

Thus, he says, “inflation and energy supply have become the great enemy of the Green Deal in the short term.”

This clearly has political ramifications. “The new vehicles for populism are now real incomes and the loss of purchasing power,” much more now than traditional populist issues like migration, says Herman. “There

is no answer to inflation that will please the public. They are not blaming Putin and the war; they are blaming their own governments, those who are in power now – it is a reaction against the ruling class.”

Janis points out that these domestic pressures “are not going to make things easier” at the EU level. “They will make it more difficult to reach consensus, and this will play into the hands of those who want to take us in a different direction.”

So, what can and should be done? Here, there is a broad consensus.

Herman argues that there is a “fundamental ambiguity” in public opinion on climate change. “People see incidents like the floods and fires during the summer of 2021 or the droughts in 2022 and are in favour of action to fight climate change, but when it comes to implementation, there is less enthusiasm. There is a fundamental discrepancy between being green on the objectives and being green on the means,” he says.

It remains to be seen what impact the war in Ukraine and the cost-of-living crisis sparked in part by soaring energy prices will have on public attitudes towards the fight against climate change. Herman believes that although the energy crisis will, in the long term, boost renewables, in the short term, “people are prioritising energy over climate.”

He also points out that, for governments, it is more convenient for the markets to increase energy prices so as to not court unpopularity by doing it themselves. Ultimately, however, tackling this issue is “a matter of leadership and political courage: you have got to go against the tide, take risks,” he says, adding: “The key issue is who bears the burden of climate change policy. The debate will not only be about whether we need measures, but also what kind of measures and who will pay the bill. This will be fundamental.”

Janis and Fabian agree that the green (and digital) transition will “lead to a lot of losers,” and Fabian questions the degree to which policymakers can cushion the blow. “Certain groups in society are going to lose out, and that is inevitable, because we are talking about structural change. You can rebalance this to some extent, but the vast distributional consequences of the measures needed to fight climate change can only be partially addressed by the actions of the state,” he says.

“You have to give a lot of money to developing countries and countries in the EU that cannot do this alone, and to groups in society who cannot afford to do it. Who are you going to make pay for this? If the answer is industry, Europe will end up with a huge competitive disadvantage; if you put the burden on consumers, it is politically unsustainable.”

Janis fears a situation in which it becomes increasingly difficult to agree on how to deal with a crisis of this magnitude, particularly at a time when the EU and national governments are facing so many challenges at the same time in this age of permacrisis.

“If you ask governments to show leadership in times of permacrisis, the chances of achieving this are extremely low,” says Janis. “My main worry is not being able to ‘square this circle’. If we are not able to deliver, how do we deal with that?”

But, he adds, we cannot give up. “We need to use the opportunities opened up by future chapters of the permacrisis to move in the right direction, just as we did with the EU’s response to the COVID-19 crisis, with the Recovery and Resilience Facility (RRF) focus on the green and digital transformations. The consequences of the war against Ukraine for the Union’s future energy policy must also help us in the fight against climate change.”

Fabian jumps in, arguing that the RRF is a classic example of “glass half full or half empty,” arguing: “Of course, it is good that they managed to agree on linking it to the green transition, but why didn’t we go further? They should have dedicated all of it to the structural changes our economies have to go through, not just a percentage. We are still too prone to just tinker at the edges.”

He adds: “In many ways, people were ‘sold a pup’ with the RRF – an investment programme designed for short-term impact, when this is a long-term task. Does it really change fundamentally how some countries go about doing things? I don’t think it does. And because of the cumulative nature

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of the problem, the more we undershoot now, the harder it will be in the future.”

But Herman insists that you cannot look at an issue like this in the abstract. “Imagine if there had been no RFF and it was solely down to national governments to launch recovery programmes. Do you really think they would have dedicated almost 40% of their programmes to climate change? Not at all,” he says.

“You need to outmanoeuvre the populists by focusing on the losers from change. You need to think about the social dimension and the trade-offs at all levels, and this involves a lot of money to compensate those who are most affected by the consequences of implementing the Green Deal.”

“Populists are extremely bad for climate change because they want to remain popular, so they won’t take the tough decisions needed.”

“I stress what would have happened without the EU, while Fabian is focused on what is needed – and, in that, he will always be right,” says Herman, repeating his mantra, which he comes back to in many of our discussions, that “gradualism should not be too gradual and, in a step-by-step approach, the steps should not be too small,” and warning that “giving no hope that there is light at the end of the tunnel would be a catastrophe.”

Janis adds: “There was not much discussion as to whether what was decided in 2020 with respect to NextGenerationEU was the right thing to do – we are all aware that the alternative of not having an agreement would never have been a better solution. The question is whether it was enough or not, and that is a different discussion.”

Janis’ overriding concern is the nature of this crisis, which raises questions about “our ability to tackle challenges where the consequences are only being felt gradually,” although again, the war in Ukraine could change this, given its immediate and dramatic impact on energy prices.

This goes to the heart of the problem for politicians, as Herman sees it. “When we were dealing with the budget crisis in Belgium, we had to tell people that we needed to make major changes (in this case, to have a budget that was much more in balance). This was not the public’s first concern, but a lot of people understood – they had a gut feeling – that we had to do something. If that happens, you can have more support than you might imagine,” he says.

The lesson, for Herman, is that when it comes to climate change, you have to work to develop a similar gut feeling. But he agrees with Janis that there is an important difference: “With budget problems, you ask for efforts and sacrifices, and people can see the results as the economy improves; with climate change, you cannot see them in the short term,” he says. However, although it is more challenging, it is still possible: “You can generate a general feeling that accidents and catastrophes will happen all the time if we

don't act, and people will increasingly see the need for difficult measures."

All three also share concerns about the risks that populist politicians, whose star waned somewhat in many countries during the COVID-19 pandemic, will capitalise on the societal consequences of the twin green and digital transition. There's a sense among the losers from the structural changes required that they are being made to bear the burden and carry the cost for the whole of society, and that they will seize on the cost-of-living crisis as more evidence of this.

"They will use simplistic arguments and try to score again by criticising Europe for forgetting societal needs," says Janis. "You need to outmanoeuvre the populists by focusing on the losers from change. You need to think about the social dimension and the trade-offs at all levels, and this involves a lot of effort and a lot of money to compensate those who are most affected by the consequences of implementing the Green Deal."

Herman agrees: "What I fear most is this evolution in our societies because in a democracy, and even in authoritarian regimes, you need some kind of societal support. Populism is fed by all kinds of discontent, and the measures needed to fight climate change touch on a wide range of issues. You cannot rely on goodwill to change behaviours. Public authorities will need to impose measures, and without strong governments, we will never be successful – if you feel you do not have enough support from society, electoral support, the actions you take will never be sufficient to meet the challenges we face."

And while a perception of injustice can fuel support for populists, they are the least capable of tackling this issue. "Populists are extremely bad for climate change because they want to remain popular, so they won't take the tough decisions needed," says Herman.

Fabian argues one of the answers to this is for Europe to move away from what he calls a "hair-shirt approach," which focuses on negative messages, "telling people that they are bad and constantly emphasising what they need to stop doing."

"A negative regulatory agenda creates resistance" and thus is the wrong approach, he says. Instead, policymakers need to focus on positive action and provide the resources to avoid those who are worst off being hit hardest by new measures.

Fabian gives the example of requirements to improve the insulation on buildings. The answer is simple, he says: "Governments should pay. To some extent, the solutions will have to be gradual, but there are areas where you will have to be much more radical, and yes, it costs money, but this is money well spent compared with the cost of not doing anything."

Herman agrees that this is where the key challenge lies. "Fabian is right that the measures to deal with it create opposition, not change itself. You have to do it in a way that is as fair as possible."

The discussion ends without agreement on just how far the EU can and should go in the current circumstances. Herman, ever the pragmatist, points out that the multiple challenges facing the Union impose constraints on its capacity to act on all fronts at once. When it comes to the Green Deal discussion, for example, "you cannot have an open atmosphere regarding migration and at the same time propose radical measures to tackle climate change."

His conclusion about the lessons politicians should draw from this: "You have to show political leadership – but not too much!"

Driving the technological revolution

6

Accelerating the digital transition and pioneering the ground-breaking technologies of the future have long been high on the EU's agenda, but this is not translating into the global leadership that Europe aspires to. In fact, in many areas, the stark reality is that Europe is falling behind its international rivals. Why is this? What is holding the EU back from turning its lofty ambitions into concrete reality, and why is it so important to turn the tide?

Fabian argues that the answer is clear. "It has long been recognised that Europe is far too rich a continent to do basic manufacturing cost-effectively. The key to growth lies in the higher levels of productivity that come with new technologies," he says. "We need a new industrial revolution going way beyond the digitalisation agenda. That will determine our economic success or failure. None of the objectives we have – from sustainability to security, dealing with demographic change and so on – are possible without this."

Janis echoes this: "We are talking about the world we will live in 20 years from now, and the technological revolution, the digital revolution and the green transition are all linked. If we don't succeed in all these areas, we will not be able to deal with the challenges we face."

For Fabian, the reasons why Europe is lagging behind lie in the lack of a clear vision and a continued aversion to taking risks. He argues that the US firmly believes in technology as the key to solving problems such as climate change and is willing to "take punts" on innovations that may or may not work. At the same time, China has a very clear vision of the future, recognising that the Communist Party can only remain in power if it delivers economic growth, and the best way to do that is through technological dominance.

Europe, by contrast, focuses too much on the potential downsides of any new technology. "The first question when a

new technology emerges is 'what is the risk, how can we control it?' and the focus is always on regulation, because that is what we do at EU level, instead of creating an environment where innovations can flourish," Fabian says, adding: "Where we are falling behind most is on enabling technologies ('the stuff that makes stuff work'). It is really crucial that we don't lie to ourselves, that we are honest about the fact that in most of these areas, we have already lost the race."

Janis also questions whether Europe has the capacity to catch up, despite the urgent need to do so. "I have my doubts that we can lead these revolutions, because all too often, we are not the ones spearheading progress, and although a lot of what is needed in terms of technologies and innovation comes from Europe, it is implemented elsewhere."

Herman agrees with Fabian and Janis' gloomy assessment of Europe's performance and the importance of addressing this issue, adding that there is one keyword missing from the discussion so far: namely, fragmentation. "Our efforts are fragmented – most of what we are doing is in our countries separately, and size matters," he says.

He points out that none of the biggest companies operating in the digital arena are European and argues that this is partly because each EU member state works within its own economic borders. To illustrate this, he points to the way countries are using the money from EU coffers provided under the Union's Recovery and Resilience Facility (RRF), with its focus on kickstarting the economy post-pandemic through the twin green and digital transitions.

"What is Belgium doing with the 5-6 billion euro it is getting from the RFF? For the most part, we are working within our own borders, promoting technologies here and

there, when we need to work together with other countries to create the leverage and scale you need in the digital world,” he insists.

Janis agrees that this narrow approach is a mistake but says this was one of the (perhaps inevitable) drawbacks of designing and implementing the RRF so quickly to respond to the pandemic. “There was a lot of pressure to do this at speed and use these funds to fund national plans, while making sure they reflected the twin green and digital pillars at the heart of the EU’s agenda. Speed was essential and a renewed focus on national considerations was the price we paid for it,” he says.

So, should the RRF funds have been designated solely for use on cross-border projects, given that this is an area the EU is best placed to meet the need?

Herman acknowledges that speed was of the essence in creating the RFF, hence the decision to ask member states to develop national plans, but that “meant fragmentation was built into the approach – that was the wrong approach and we have to correct this if there is a second stage.”

He also argues that the priorities for funding under the RFF needed to be much more clearly and precisely defined. “In the RFF, the Commission only asked member states to respect the EU’s fundamental goals of tackling climate change and digitalisation. While that gives a clear indication of the future direction, it is far too broad,” he insists.

“If, one day, we have a follow-up to the RRF, we have to do it in a different way,” he says, adding: “I am very much in favour of a follow-up, because climate change and digitalisation will not disappear after the crisis and there will be no money in national budgets for this because of big national deficits, so the money will have to come from elsewhere – and I would very much advise the EU to come up with European initiatives financed in a European way.”

Fabian agrees that fragmentation and the resulting lack of scale are “definitely an important part of the equation,” but so too, he says, is a *laissez-faire* approach to setting priorities. “We should be thinking about what new technologies we should be focusing on – like quantum/fusion – and prioritising investment in them. When it comes down to it, you have to prioritise, you must decide what is most important.”

“We need a new industrial revolution going way beyond the digitalisation agenda. That will determine our economic success or failure. None of the objectives we have – from sustainability to security, dealing with demographic change and so on – are possible without this.”

“For the most part, we are working within our own borders, promoting technologies here and there, when what we need is to work together with other countries to create the leverage and scale you need in the digital world.”

“Without a shadow of a doubt, the fragmented approach we have is not working. We need massive technological change, and we are not doing it. Instead, we are still too focused on regulating the main fields of innovation.”

“I see a lot of people with ideas, with a sense of entrepreneurship, but they lack the means to bring those ideas to life, so support for local entrepreneurship is vital.”

That brings us back to the age-old debate over the wisdom of policymakers picking ‘winners’ in the race to develop ground-breaking technologies. Fabian is adamant that this is the right approach. “We should pick winners – even though some of those winners will in fact, turn out to be losers,” he insists, adding that “the reason people argue against policymakers doing this is not lack of knowledge, but rather the tendency to favour vested interests. If you do this at European level, you minimise this risk.”

“It works in other countries, so it is not impossible to do. The alternative is that we continue to do what we do now and, in the end, we will depend on technologies from elsewhere, creating not only economic but also security and supply problems.”

Herman underlines why this whole debate is so important, particularly in light of the war in Ukraine and massively heightened global tensions. “We talk all the time now about strategic autonomy and rightly so. But how can you say you are sovereign when you have no European companies among the best-performing digital companies in the world and so are dependent on others? If you want to play a geopolitical role, you need to have autonomy in a lot of domains.”

All three agree that digitalisation must be at the core of the strategic autonomy debate, because it will be the dominant sector of activity for years to come.

So, can Europe succeed where so often, until now, it has been failing? Janis is not optimistic: “I don’t expect that the present circumstances and challenges we face will allow us to have a lot of political energy in the coming years to devote to what we are discussing here.” But that, he says, could change as the pressures on the European economy intensify, although these efforts are likely to remain largely national and continue to have a limited impact at the EU level.

Fabian comes back to his argument about the need to move away from such a single-minded focus on regulating new technologies. “Without a shadow of a doubt, the fragmented approach we have is not working. We need massive technological change, and we are not doing it. Instead, we are still too focused on regulating the main fields of innovation.”

“Even in areas where we do have an advantage, we need to be doing more now, and all too often, we are not doing

it,” he says, adding that one reason for this is the NIMBY (Not In My Backyard) syndrome and citing, as an example, the German approach to onshore wind power. “The technology has now reached a level of maturity where it is economically viable. But it is not being used in Germany because no one wants wind turbines in their backyard. Contrast this, for example, with attitudes to fracking in the United States.”

Herman says the question of whether the EU regulates too much is an “old debate” and points out that this is, in some ways, the European Commission’s “core business”. But he points out that regulations like the General Data Protection Regulation (GDPR), which is much criticised by industry, are “as much about Europe’s economic and societal model, our attitudes towards privacy etc, as they are about risk prevention.”

He also points out that the irony of EU anti-trust regulation is that it targets foreign monopolies, some of the largest companies in the world, “because our own enterprises are not able to become big enough to become monopolies!”

Herman agrees with Janis that Europe may be driven to do what is needed in some areas under the pressure of the multiple challenges linked to the current crisis. He also believes this will be driven by big multinationals, for example, in the automotive sector, acting as a welcome counterbalance to the focus on making progress at the national level in some areas of the economy. He takes heart from the fact that there is now a clear recognition that Europe needs a genuine energy policy, and that more European cooperation and integration are essential.

So, what, for each of them, are the clear priorities for action if Europe is to address the issues we have been discussing? Going back to where we started our discussion, how can the EU-27 fulfil its global leadership ambitions in key domains

that will be so crucial for future economic growth, prosperity and the preservation of Europe’s social model?

For Fabian, a genuinely European approach to energy policy is vital (“it can be done, but it requires political will”), as is an industrial policy backed by strong instruments of the type member states have at their disposal at a national level, and some form of European ‘futures fund’ to finance ‘moonshots’ – the kinds of technologies that will be important and have the greatest impact in ten years time.

For Janis, it’s about turning the economic pressure we are under into a driver for the changes that are so essential to meet all the challenges we face, to focus more on investing in education as a key driver of European competitiveness, and to become less risk-averse by doing things at the European level “even if we don’t know whether they will work or not” because “we need to do these things on a scale that will bring benefits across all 27 EU countries.”

For Herman, the key lies in taking a dual approach: both a European and a local one. The need for a European approach is nowhere more evident than in energy policy, because “it is so obvious that we cannot repeat the mistakes of the last ten years: we would not be in the mess we are in now if we had not become so dependent on Russia and we could have avoided it. So, we need much more cooperation leading towards a genuine European energy policy.” Herman also agrees with Fabian that we need a more detailed European industrial policy.

But this must be combined with a local approach, for example, to “encourage and give space to young people, who are far more innovative in their 20s and 30s than we are later in life,” he insists. “I see a lot of people with ideas, with a sense of entrepreneurship, but they lack the

means to bring those ideas to life, so support for local entrepreneurship is vital,” he says.

Technology is nothing if we don’t have people with a sense of risk-taking and skills, so a focus on education and training is vital. However, this remains very much a national responsibility so unless there is a major political shift, this element of the technological revolution will have to be delivered by the member states.

“In other words,” says Herman, “we need to act European and local at the same time. We need both if we are to meet the defining challenges of our age.”

Geopolitical earthquakes and the EU's place in the world

7

“It has a geopolitical role when it is united and in areas where the EU institutions have the competences, as is the case in crucial domains such as the euro and trade, but the same cannot be said of its role in the geopolitical power game.”

“We have not been able to live up to our promises to the Western Balkans and then we argue they are not developing as they should. This plays into the hands of those in the Western Balkans that want their countries to move in another direction. It has clearly played into the hands of Putin’s Russia.”

Some EU leaders are fond of proclaiming the Union’s ambition to become a more geopolitical actor. But does it have the tools – and more crucially, the political will – required to realise those ambitions? As geopolitical rivalries and tensions escalate, is it capable of defending its interests and playing an influential role in an intensely competitive global environment, or is it doomed to increasing irrelevance? And what does the conflict in Ukraine tell us about Europe’s future role in the world?

Herman says each global actor is looking for its place in this new geopolitical landscape. The EU is certainly an economic geopolitical actor and can also lay claim to the title when it comes to the fight against climate change, as well as a provider of humanitarian and development aid. “It has a geopolitical role when it is united and in areas where the EU institutions have the necessary competences, as is the case in crucial domains such as the euro and trade, but the same cannot be said of its role in the geopolitical power game,” he explains.

Is this simply because it lacks military might? Many argue that without it, the EU will never be seen as a geopolitical actor. Herman agrees that this means it will never be considered on a par with others, but insists it is more complex than that.

He points out that the United States lost a great deal of its power and prestige despite its military might; so too has Russia, which saw its influence wane after the collapse of the Soviet Union despite its military apparatus and now even struggles to use its military effectively to pursue its aggression against Ukraine.

His conclusion? A European army is not the only important answer. The EU’s main handicap, he argues, remains its lack of unity (despite some progress in recent years and its robust initial response to Russia’s invasion of Ukraine), both because of disagreements between member states on key foreign policy issues and, as a result of rivalries between the three main EU institutions.

Janis agrees, distinguishing between the EU’s role as an international actor, where it is failing to realise its potential, and as an economic actor and regulator, where it has real clout. He sees three major challenges standing in the way of the EU playing a more geopolitical role: the lack of a common, shared strategic culture (member states don’t agree on how to ‘do’ foreign policy); divergent national interests (they have very different concerns in some areas);

and a lack of political will, which leads to a huge gap between words and deeds.

He argues that we can see this playing out in the strategic thinking when it comes to the long-term response to Russia's war of aggression, for example, in looking at industrial policy within this geopolitical context.

Fabian adds that a distinction must also be made between the EU's role in its neighbourhood and its role as a player in the global game of power politics. He is particularly scathing about the first of these, arguing that the EU has "completely failed" to grasp the challenges in its own backyard and has relied for too long on a lukewarm commitment to enlargement as the main tool, hoping that the prospect of eventually joining the Union would be enough to bring about change. As a result, he says: "We are at risk of losing the Western Balkans; we have already lost influence in Turkey."

It has also contributed to a lack of a strategic vision for Africa, with the focus on enlargement as the predominant tool "even though this doesn't apply to many countries in our neighbourhood."

Both Herman and Janis underline that previous enlargements were historic successes and of geopolitical importance, but agree that this strategy has lost credibility in recent years. However, the war in Ukraine has pushed this issue back up the political agenda and, argues Janis, should make enlargement a geopolitical imperative once again.

This was reflected in the decision at the June 2022 European Council to grant Ukraine and Moldova candidate status, but the summit also underlined the depth of anger and frustration felt by the countries of the Western Balkan at being left in the waiting room once again while others leapfrog over them for geopolitical reasons.

"The Western Balkans do not have the feeling that the EU is really behind them – they don't feel a strong political will, they feel hesitation – and they are not wrong," says Herman. He questions whether Serbia is serious about its candidacy, pointing to its 'neutrality' in the war in Ukraine and internal problems with the rule of law and the functioning of political democracy, but says: "The three countries in the East with which we have an Association Agreement deserve candidate status, while knowing there are no miracles in the negotiations."

Janis echoes this, saying: "We have not been able to live up to our promises to the Western Balkans and then we argue they are not developing as they should. This plays into the hands of those in the Western Balkans that want their countries to move in another direction. It has clearly played into the hands of Putin's Russia."

So, what lessons should we draw from this? Fabian is clear: "When it comes to the Western Balkans, everything should have been in place for us to be the predominant power in the region by far, but it has been a dismal failure. This is an illustration of Europe's failed ambition – if we can't do it there, how do we think we can do it anywhere else?"

When it comes to global power politics, Fabian points out that the EU has a lot of soft power, but does not use it very well and does not think strategically about how it interacts with the rest of the world, as it needs to (for example, in North Africa, where issues like economic development, trade, migration and security are divorced from each other in the EU's thinking).

"We are reduced to being effective in one or two areas where we have competences, for example, in trade, but rather ineffective everywhere else. We are lacking a convincing strategy on Russia and on the broader geopolitical environment. We need to be able to say: 'why are we doing this and

“We must make sure that we do not find ourselves in a position where we will be asking ourselves, some years from now, why we did not react adequately to the crisis we witnessed in 2022 following Putin’s war of aggression against Ukraine.”

“Geopolitics begins at home. We lack a strategy, and we lack the political will to have a strategy. Instead, we often have ad hoc domestically-inspired policies.”

“The emphasis in the European Council is on interests rather than values.”

what is the way forward?” he says. “We could overcome this deficiency, but I am not convinced that member states really want to. Fundamentally it comes down to political will.”

All three agree that the EU now needs to set its sights higher, given the new era we live in following Russia’s invasion of Ukraine. “The Union must learn from previous mistakes, to assume more responsibility for its security, and do so under enormous time pressure,” says Janis.

“We must make sure that we do not find ourselves in a position where we will be asking ourselves, some years from now, why we did not react adequately to the crisis we witnessed in 2022 following Putin’s war of aggression against Ukraine.”

He adds that while the EU is trying to develop a more decisive common strategy for its role as a policy actor, being an effective regional geopolitical actor is currently beyond its reach because of the lack of a common strategic culture. However, “just because we cannot have that level of ambition, that does not mean we should forget it – that would be the wrong approach. We shouldn’t say it is either/or.”

Herman argues that without real pressure from an immediate crisis that demands an urgent response, the EU will go in all directions on most foreign policy issues, and until Russia invaded Ukraine, “we didn’t feel the kind of inevitable pressure that we felt in the euro crisis”. But he adds: “The war in Ukraine has shown that the Union can act in times of crisis. Different sensitivities regarding Russia were put aside in the face of the enemy.”

Fabian interjects, agreeing that the EU only unites in a crisis, but adding: “That doesn’t necessarily mean that we unite in a good or adequate way. We too often choose short-term answers.”

Herman says much of the blame for the lack of a genuine EU foreign policy lies with domestic politics. “Foreign policy is also inspired by domestic policies and public opinion in the member states. How can you come to a common position when national public opinions are the key factor? I know that counts, but if you have no sense of European interest as well, then it will be difficult,” he says.

“Geopolitics begins at home. We lack a strategy, and we lack the political will to have a strategy. Instead, we often have ad hoc domestically-inspired policies,” he adds, citing

as examples of this, Emmanuel Macron's decision to block EU membership talks with North Macedonia and Albania in 2019, and the referendum vote in the Netherlands not to ratify the Ukraine Association Agreement in 2016.

"Most member states don't think geopolitically, they have no tradition or culture of doing this. Conversely, larger member states act as if they still have geopolitical influence in their own right," he says.

So, are there institutional 'fixes' that would help to solve these problems, such as moving to Qualified Majority Voting (QMV) in the foreign policy arena? Janis argues that the problem "goes much deeper", and Herman agrees, but adds: "Our foreign policy cannot be determined by one or two countries systematically blocking decisions, and one country cannot hold the rest hostage in matters of war and peace. That doesn't mean more QMV, though: you could invent something creative, such as super-qualified majorities."

Fabian also points out that while QMV might help to outvote a smaller country, "there are a number of countries that have an effective veto, so that problem is not going to go away – it would be unthinkable to outvote Germany or France."

Another source of tension between member states and, indeed, between the EU institutions, are the inevitable trade-offs between defending the Union's interests and promoting its values. "The European Parliament puts values at the forefront, but foreign policy is about finding the right balance between values and interests. There is always an interplay between the two," says Herman.

"We cannot only work and speak with like-minded countries. If you do that, then you have no foreign policy, just 'gesture politics'. It is extremely difficult to find the right balance, but that is what we must do. If one

side of the equation becomes irrelevant, then the other side becomes a fight between the interests of different member states."

This problem, he says, is exacerbated by the fact that the EU's primary role in geopolitics is as an economic actor. As a result, "the emphasis in the European Council is on interests rather than values," he says, adding that the example of the draft investment agreement with China is striking: member states were in favour of it, but the European Parliament was against it "in the name of values."

But, cautions Herman: "Let us remain lucid – are values an alibi for political rivalry over which is the most powerful nation in the world? With China and the US, much more is at stake than values."

Fabian sees this dilemma acutely when it comes to the fight against climate change. "That raises the question of how do we work with countries like China on issues like this where we need to work with them but have other, values-based, issues where we don't want to work with them?"

Janis argues that focusing on values is also problematic for the EU when it does not abide by them itself, citing the migration crisis as an example of this. "The EU's inability to deal with values questions within its own ranks created a discrepancy and a credibility problem within and outside the Union, and everyone is aware of that," he says.

Fabian agrees: "We feel more justified (in, for example, restricting open trade) because we do it 'for good reasons', but that leads other countries to accuse us of double standards."

This brings us to the decline of multilateralism and the EU's efforts to revive it in the face of claims by some, long before the war in Ukraine turned the world upside down, that this is an outdated concept in an

increasingly political and polarised international arena.

Herman insists that while multilateralism is under pressure from concepts like ‘America First’ and China’s Dual Circulation Strategy, it is not, as some have claimed, dead and “we cannot allow ourselves to abandon it.” The EU, he says, “is strongly in favour of multilateralism and has to be in favour of free trade because that is what the Union is based on. But we need more realism and less naivety. Strategic autonomy and European sovereignty are the expressions of this, and the war in Ukraine has played a crucial role in this awakening.”

Fabian echoes this, saying: “We are often seen as naïve. That doesn’t mean that we are in fact naïve, but we behave as if we are because we don’t want to face up to difficult decisions, as if we don’t understand that there are bigger considerations.” He adds that Europe needs to learn from Russia’s invasion that economic interdependence does not act as an effective constraint on such regimes.

As things stand now, and despite the reality of global interdependence, Herman argues that currently, “there is no global governance,” pointing to the decline of the G20, which had already begun while he was European Council president.

“Look at the fading away of the United Nations and the G20. Even when I started in 2010, it was not anymore the G20 of 2008 that functioned well in the banking crisis. It has become a meeting place for exchanging views, but it is a forum, not a decision-making body,” he says. “Nevertheless, in my time, you felt there was mutual trust. The Trump period created a lot of distrust and even under Biden, it has become more a series of monologues.” Janis goes even further, arguing that the war in Ukraine has demonstrated that the G20 is “clinically dead.”

There are also question marks over whether the UN Security Council can be revived (although Herman argues that it has never been the place to resolve “matters of war and peace” anyway, because of the veto powers of the five permanent members), and while the World Trade Organisation (WTO) “could play an important role,” it needs modernising. Herman argues that the waning influence of these institutions is a result of deteriorating relations between global actors, which have created such a level of distrust that global bodies are not functioning as they should, with the exception of the Paris Climate Agreement.

“Part of the problem is that multilateralism is seen differently by us and by emerging economies. The institutions were conceived for a world that doesn’t exist anymore. Their legitimacy is seen as weaker, and the way they function is being challenged by emerging economies,” he argues.

Fabian says the weakening of the multilateral institutions also stems from a fundamental change in views on the role governments play in international economic relations. “The Bretton Woods institutions were about unleashing the power of markets through free trade. But the new kids on the block don’t see them as legitimate and are not interested in playing by the system, and some of the old players, like the US, have lost faith because they don’t deliver what they want, while those in the middle try to hang on to the system.”

“The EU is clinging to something that is disappearing, and is being replaced by a mercantilistic attitude, where countries ask: ‘What do I get out of it; what is in it for me?’”

Janis argues that a new system is needed in the face of these new conditions, but says this is “extremely unlikely to happen in the current circumstances of increased competition between mega powers, which has clearly intensified in light of the war in Ukraine.”

He adds: “The EU is in trouble, our ability to influence what happens is very limited and the prospects for multilateral organisations are extremely bleak. Consequently, the Union needs to develop the capabilities that will allow it to become a much more self-assertive actor. If not, it will not be able to deal with upcoming severe geopolitical challenges.”

Herman maintains that the EU’s approach is also more nuanced than it might at first appear. “Our relationship with multilateralism is more ambiguous than we think,” he explains. “For example, the EU is in favour of free trade, but it is increasingly difficult to get a consensus on Free Trade Agreements. Look at what happened with the Transatlantic Trade and Investment Partnership (TTIP) when Obama was president, the EU-Mercosur Trade Accord, the Investment Agreement with China. We are in favour of multilateralism, but when it becomes concrete in our trade negotiations, it is becoming increasingly difficult.”

Why is that? Again, says Herman, domestic policy is dictating foreign policy. “We are seeing the politicisation of economic policies worldwide, linked to national interests and nationalism at large. Take the idea of open strategic autonomy: it is a political idea; it is not just related to trade but to everything. For all global actors, strategic autonomy is about ‘national’ interests, and thus politics come into this.”

So how dangerous is the current international climate? “Distrust between the major global players is total now and will last for a very long time, and the ‘my country first’ mantra has spread across the world, even among the EU27,” says Herman.

The crisis sparked by Russia’s invasion of Ukraine is forcing the EU to “make difficult choices while it is still immature,” warns Janis, responding here to Herman’s analysis that, even before the war in Ukraine, the US was pushing for two blocks: the West (democracy) and China-Russia (authoritarianism) – “a clash of civilisations and values”.

Following Russia’s invasion of Ukraine, the EU and US have aligned themselves to fight back against Putin’s war of aggression, with both sides clearly realising that they need each other to do so. This means, says Janis, that while he previously believed the EU should aspire to become what he called an “in-between actor”, for example, to try to mediate and help ease growing tensions between the US and China, that is no longer an option. Indeed, as Herman points out, China is now a systemic rival and while it is not the EU’s enemy, it is “the friend of our enemy”, with potentially far-reaching consequences.

“Part of the problem is that multilateralism is seen differently by us and by emerging economies. The institutions were conceived for a world that doesn’t exist anymore. Their legitimacy is seen as weaker, and the way they function is being challenged by emerging economies.”

“The EU is clinging to something that is disappearing, and is being replaced by a mercantalistic attitude, where countries ask: ‘What do I get out of it; what is in it for me?’”

“Strategic autonomy has become an issue for every global actor. Everyone wants to be less dependent on others on strategic issues and we are witnessing countries falling back on themselves.”

“Ukraine might be the ‘whatever-it-takes’ moment for the Union’s security and defence policy. It should be, in light of potential future challenges to war and peace on the continent and beyond.”

All three agree that the war in Ukraine has underlined the need for the EU to do more to develop its defence and security capabilities, with increases in spending on defence at national level and more cooperation, coordination, and pooling of resources at European level, both because of rising geopolitical tensions and clear signs that the EU can no longer rely on the US to do most of the heavy lifting.

The concept of ‘strategic autonomy’, which was already moving up the EU’s agenda before the invasion of Ukraine, is now uppermost in policymakers’ minds, both in terms of defence and security capacities and economic independence.

And this brings the discussion back to the question of free trade versus protectionism, and the EU’s response to ‘America First’ and Chinese dual circulation/tech sovereignty strategies. “Strategic autonomy has become an issue for every global actor,” says Herman. “Everyone wants to be less dependent on others on strategic issues and we are witnessing countries falling back on themselves.”

“In the EU, we are more dependent on others in many fields. If we want to become less dependent, we have to do it not only because we feel threatened but also for geopolitical reasons. Even before the war in Ukraine, there was already a growing awareness that this was a valuable idea – not leaving it solely to the market to define our interests – not least because aspiring to play a geopolitical role without strategic autonomy is just words,” says Herman, who adds that the debate about what this means for globalisation and open trade is only just beginning.

This prompts Fabian to interject and insist that the EU needs to be more honest about what strategic autonomy actually means. “We say that it’s not about protectionism, but about reducing vulnerabilities, and that it will not undermine free trade. This is nonsense!” he says, pointing out that, for example, the proposed Carbon Border Adjustment Mechanism will impact free trade.

Herman agrees. “Open strategic autonomy has no meaning. Strategic autonomy is a very broad concept, but its meaning is clear,” he says, adding: “Some think that a political concept must be defined in a scientifically rigorous way. This is a fallacy. Something exists even if it is heavily based on intuition at the beginning.”

So how optimistic or pessimistic should we be about the future?

Janis envisages potential positive and negative scenarios: it could be, he says, that at a time of deep crisis and plummeting relations between major global actors, the EU may be driven by the “pressure of reality” to do things at Union level that “we might not have done before.” The initial reaction to the war in Ukraine points in this direction.

On the other hand, geopolitical developments and relative European economic decline might create problems at the national and European level and negatively impact on EU cooperation and integration, as well as unity. What happens if, for example, Donald Trump returns to the White House in 2024? A return to the policies of his first term in office would be a litmus test of the Union’s capacity to react in a united way.

“If we fear the worst, we might find a way to avoid it, but we will require a lot of political will and stamina to get there,” says Janis. “Ukraine might be the ‘whatever-it-takes’ moment for the Union’s security and defence policy. It should be, in light of potential future challenges to war and peace on the continent and beyond.”

Beyond the debate over foreign, defence and security policy, Fabian argues that the economic decline of the West is inevitable. “The question is how we deal with that,” he says. “During the recent period of peace and stability, there was this whole idea of an end of history. It is rather the opposite. What we are seeing now is a return to normal politics. Our systems and institutions are not designed to deal with that. Maybe we became too comfortable and complacent, and maybe the pandemic and the war will help to change all that.”

Herman agrees that Europe’s economic decline (in relative terms) is inevitable – and that is not necessarily a bad thing, as others will get access to higher incomes. So, what should our ambition be?

“We should not dream of regaining what we had in the past, as old colonial powers. We only have to defend our interests – and in Ukraine our interests are vital. We have an Association Agreement with Ukraine, which makes our relationship very special. But Europe should only have a global role where it concerns our interests. Do we really need to be seen as a mighty continent? For me, that is not necessary. We are not looking for power, but we have to avoid powerlessness.”

Rising to the
challenge: Are
the EU institutions
still up to the job?

8

There has been much debate in recent years, as Europe has been buffeted by storm after storm and crisis upon crisis, about how well-equipped the EU is to deal with the many challenges it faces and whether changes are needed to its institutional framework to address the gaps in its armoury.

So, is the Union's current framework 'fit for purpose' in the age of the permacrisis, including, now, with the enormous challenges posed by the war in Ukraine, with its far-reaching ramifications for so many aspects of our lives? Or is that framework contributing significantly to a 'delivery gap' between what the public wants and expects from the EU and what it can actually do?

Most EU politicians, even many ardent pro-Europeans, shy away from the notion that the Union's institutional architecture needs to be changed by amending its Treaties to give the EU the tools required to meet these myriad challenges – although more are coming around to the view that some changes might be required in light of developments since the war in Ukraine began.

This reluctance is often because they are unwilling to contemplate paying the political price that might be required to get those changes ratified in today's increasingly febrile political climate. But Herman comes at this from a different angle. He says those who are the most fervent champions of a wide-ranging package of treaty changes as a way to enhance the EU's capacity to act should be careful what they wish for.

"I am not convinced that, if tomorrow there was a majority for fundamentally changing the Treaties, we could agree on the direction," he says, adding: "And even if we could agree on the direction, I am not sure that this is the right question."

So why might it be the wrong question? "There is not much point in philosophising

about institutional changes. The Treaty of Lisbon may last for decades to come. As I often say, I will die under the Lisbon Treaty – but I have no intention of dying any time soon," quips Herman. But he believes that a lack of treaty change is not necessarily a problem, as there is still a lot of 'untapped potential' in that treaty. "What has become, for example, of the instrument of 'enhanced cooperation' or the passerelles?" he asks.

Herman acknowledges that the war in Ukraine has shown that the EU needs more efficient decision-making structures, saying: "I'm now more open to specific treaty changes." But he adds: "I am still opposed to a radical overhaul of the Treaties. Instead of dreaming about a new convention, let's be realistic, see what changes we really need, and focus our attention and energy on getting an agreement on those."

Janis agrees: "We need concrete treaty changes rather than treaty change per se. We should go as far as we can go while bearing in mind that we need unity to get there." He also maintains that there is a dichotomy between realism, wishful thinking and idealism. "If we were thinking now about how the EU should be structured, we would probably do it differently and create a system that would work better and be more efficient. But that is not the world we live in," he says.

"There is a lot you can do within the framework of the current Treaties, and we are not doing it, so the real question is: are we ready to act? It is a lack of political will, not institutions, that stops us from going further," he says, adding that a lack of resources is also a factor. "If the EU budget was 10% of GNP [instead of 1.4%], the outcome of decisions would be different," he maintains.

Fabian also argues that, especially in light of Russia's attack on liberal democracy, we need to start by asking 'what are our interests? Where do we need to get to?' and

then ‘what do we need to change to get there?’ rather than having an idealistic discussion about what Europe should look like. For example, he says – and all three firmly agree: “We cannot be in a position where one country can hold the rest to ransom,” but we have to find pragmatic solutions.

Fabian also questions whether the EU’s institutional structure or its formal powers are the real issues. “Is it because of the institutions that we have a problem? If it is, then we need to fix this and then we fix the problem. But tinkering with the institutions won’t change the fundamental problem if there is a lack of political will,” he insists. “I don’t agree with those who argue that if we changed the institutions, that would inevitably change the outcome. You don’t have to change the legal framework to get something to happen.”

Herman echoes this: “We need to ask the right questions. What do we need institutions for: what is their purpose? What kind of problem are we trying to solve and are the institutions blocking a solution?”

He points out that on occasions, during his time at the helm of the European Council and in the last two years as the world has wrestled with the COVID-19 crisis and Russia’s aggression in Ukraine, EU leaders have gone further than most people anticipated on a number of issues.

“Since the pandemic began, the European Council and the institutions have surprised us by doing more than was expected in some areas,” he says, citing the agreement on the Recovery and Resilience Facility (RRF), the vaccination strategy, the European Green Deal and sanctions against Russia as examples of this. “It is not fair to say we have done nothing. Is it enough? No, but it depends on your starting point.”

All three agree that political will was the key to the EU’s unexpectedly decisive response to the war in Ukraine, even in key areas where the EU Treaties require unanimity, such as sanctions, with EU leaders showing they could take decisions which would have been unthinkable before the Russian invasion, just as they did in response to the COVID-19 pandemic.

However, says Herman, “we are now close to the limits of what is possible, most notably because of the objections of one member state, Hungary, which has sometimes in effect held the EU “hostage” on some issues since the war in Ukraine began – hence the need to contemplate specific treaty changes.”

“I am still opposed to a radical overhaul of the Treaties. Instead of dreaming about a new convention, let’s be realistic, see what changes we really need, and focus our attention and energy on getting an agreement on those.”

“We need concrete treaty changes rather than treaty change per se. We should go as far as we can go while bearing in mind that we need unity to get there.”

“Tinkering with the institutions won’t change the fundamental problem if there is a lack of political will.”

“Of course, the European Council is an intergovernmental body, but in practice it is more than just the sum of 27 national solutions. When you enter the room, you know that you have to find a compromise, so it is not purely intergovernmental.”

“Be very well aware of the possibilities and impossibilities of the role. You need the Commission, and the support of the European Parliament and all the member states. Invest a lot in bilateral contacts with all these groups.”

“Someone being president of both the European Council and the Commission would not be able to meet the expectations this would raise.”

The conversation then turns to the balance of power between the main EU institutions and how this has shifted towards the European Council in recent years, as the Union struggled to agree on a bold and unified response to the many crises it has faced.

“The European Council’s role in the system is very different from what it was before,” says Fabian, adding that its capacity to block decisions has also increased. “The European Council is a very strong body,” says Herman, pointing out that former German Chancellor Angela Merkel talked about a trio of ‘methods’ for taking decisions in the EU: the Community method, the intergovernmental method and what she called “the Union method”.

“Of course, the European Council is an intergovernmental body,” says Herman, “but in practice it is more than just the sum of 27 national solutions. When you enter the room, you know that you have to find a compromise, so it is not purely intergovernmental. You have to transcend purely national interests and work for a European solution.”

Adding to this complexity, the Council has also given more powers to the Union’s predominant Community institution – the European Commission – in response to various crises in recent years. And even when it comes to decisions taken outside the formal EU structure, as happens from time to time, the role of the Commission is, in reality, obvious.

Janis agrees that, in reality, the EU’s institutional structure is far more complex than some perceive. “Is the European Council a purely intergovernmental body? No, and arguing that everything needs to be supranational is simplistic – and what about the role of, and perspectives for, differentiated integration?”

So, was creating a full-time President of the European Council, which has contributed to this shift in the power balance, a good idea? Do the EU’s heads of state and government play a stronger role than in the past? “We had no option,” says Herman. “In a crisis, the concentration of power in the hands of elected leaders strengthens democratic legitimacy, and the appointment of a permanent president of the European Council went in this direction.”

So, how did he see his role as the first holder of the post? “The President of the European Council presides over the most powerful body in the Union but is institutionally powerless. He has to fill in informally what is lacking formally. He is at the service of the unity of the Union, since

the key decisions at the highest political level are taken unanimously, and he cannot allow himself to be defeated,” he explains.

Herman firmly believes that the position has proved its worth after more than a decade of multiple crises: “Continuity has also proved to be a strength. Imagine if we had had to cope with successive crises with six-monthly rotating presidencies only.”

And what of the relationship between the European Council and Commission? Herman says the furore over ‘sofagate’ – as the controversy over the seating arrangements at a meeting between Commission President Ursula von der Leyen, European Council President Charles Michel and Turkish President Recep Tayyip Erdoğan when there were not enough chairs to go round was dubbed – could not have happened in his day.

“When I started in the role, I had no experience at an international level. I was a national politician. I showed respect for Barroso because he had a lot more experience than I did, so the relationship was unbalanced,” he explains. But gradually, France and Germany started talking more to me – and this did not escape Barroso’s attention. “He saw that I had a power base in the European Council and that helped a lot. The relationship became much more balanced,” he says, adding: “The ‘sofagate’ incident could not have happened because it was clear we were at the same level.”

Hence, the former president’s key advice for all his successors: “Be very well aware of the possibilities and impossibilities of the role. You need the Commission, and the support of the European Parliament and all the member states. Invest a lot in bilateral contacts with all these groups.”

Herman rejects the argument made by some that the creation of a full-time president of the European Council would make the holder the president of the EU. “My assessment

was completely different – I was heading the most important institution of the EU, but that doesn’t mean I was the most important person in the EU!”

So, what does he think of the idea of merging the jobs of the European Commission and the European Council’s presidents? “This is a ‘false good idea’: it sounds good in theory, but that would require a different kind of Union that no one wants. It would lead to a clash between the intergovernmental and the Community methods to the detriment of the Union.

“The role of the Commission president is to defend the European interests. He or she is not obliged to take national interests into account. The role of the European Council president is to balance the national interests of 27 member states. The whole architecture is built on these two legs. If you change that equilibrium, you would have a different EU,” he argues.

Janis agrees, arguing that merging the two jobs also risks creating false expectations. “I would not want to be in the holder’s position. Given the limitations on their powers, someone being president of both the European Council and the Commission would not be able to meet the expectations this would raise,” he warns.

There is a similar tension at the heart of the decision to create a ‘double-hatted’ High Representative of the Union for Foreign Affairs and Security Policy. “What were they trying to achieve?” asks Fabian. “It is not clear to me. There is a real question here about how effective this kind of arrangement is.”

Herman points out that the High Representative can only act at the equivalent level to a minister and that foreign policy has become a competence of prime ministers in many countries. He also believes the expectations which lay behind the creation of this post were too high. “They wanted to

“If MEPs had got their act together on who they would support for Commission president, it would have worked, but they were not able or willing to do this, so the European Council took over.”

“What we have now is something which, at best, still functions in reaction to crises; we don’t have a system that can drive things forward.”

have a Common Foreign and Security Policy and thought that creating an institutional ‘double-hatter’ would solve the problem. This was completely wrong,” he says.

So, what of the role of the European Parliament? Janis points out that on paper, the Parliament, as the EU’s only directed-elected institution, has increased its powers with every new EU Treaty. But in practice, has its role been strengthened or weakened over time?

“The European Parliament was the biggest winner from treaty changes of the past decades,” says Herman, adding that MEPs had “enormous expectations about their future role” when the Lisbon Treaty first came into force in 2009. “They thought they would be the central institution of the EU. This created a lot of frustration during my mandate.”

Herman says the European Parliament is in fact playing the role a national parliament plays when you have a coalition government, in this case, a coalition of 27 countries and some 70-80 political parties in those governments.

“If the European Parliament unravels an agreement made by the European Council, the whole system is blocked. MEPs cannot fundamentally change what the European Council has decided, and that is the case with national parliaments too. This leads to a lot of frustration in the European Parliament, as it does in national parliaments,” he explains.

However, this is not because the European Parliament is doing something wrong or playing the politics badly, he maintains: it is in the very nature of the institutional structure.

Janis echoes this, adding that it is particularly true of the past decade when, “in every moment of the different major crises we went through, the executive played a particularly strong role. It is difficult for a parliament to play a strong role when the system is geared to decisions taken by the executive.” But Janis also believes the European Parliament has not helped its own cause because it is “not good at being a strategic actor,” despite former President Martin Schulz’s best efforts to make it one.

Linked to this, what is their verdict on the *Spitzenkandidaten* process, which worked – on paper at least – the first time it was tried, leading to the appointment of Jean-Claude Juncker as Commission president, but collapsed the second time when Manfred Weber’s candidacy was rebuffed?

Fabian says the European Parliament was “flogging a dead horse” and Janis cites this as an example of the Parliament’s failings as a strategic actor. “If MEPs had got their act together on who they would support for Commission president, it would have worked,” he says, “but they were not able or willing to do this, so the European Council took over.”

Herman says the Parliament’s approach was based on a “fundamental misunderstanding,” explaining: “MEPs discovered that, with that system, you would elect systematically an EPP Commission president. When it came to Manfred Weber, they discovered that they would have to support the EPP candidate, and they were not willing to do so or to put forward another candidate.”

Jean-Claude Juncker, he says, was different for many reasons. He was not only the EPP’s candidate, with strong backing from Angela Merkel, but was also vastly experienced as a member of the European Council. EU leaders appointed him as their chosen candidate, not because he was the choice of the European Parliament.

All of this prompts Janis to observe: “I am astonished at how simplistically people think about the EU institutions. There is so much more to it than the structure. The political dynamics play into it and some European politicians are very naïve. No one ever really believed, for example, that Weber would become Commission president.”

Personalities also matter hugely, argue Janis and Fabian. As the first European Council President, Herman started with a blank piece of paper and made it a very influential role, but it is now less so, showing that it really matters who the person is. It is also key to winning the trust of Berlin and Paris, as Herman did, and “that doesn’t come out of the blue,” says Janis.

On this issue, Herman agrees that both the Commission and Council rely on Franco-German cooperation and cannot work

without it. “Everyone always stresses that the Commission is independent from member states, but what does independence actually mean? It is becoming hugely dependent on the European Parliament and has to look for support in Council for its proposals,” especially from Paris and Berlin, he says. “So, it is not the case that the Commission is independent from member states – it needs to be aware of what can be acceptable. It’s a very subtle game.”

He adds that given how important the Franco-German ‘engine’ is for the EU to function effectively, the president of the European Council has a key role to play when that engine falters, as it has in recent months amid deep divisions and rising tensions between Paris and Berlin, to bring them back together.

So, where does all this leave the debate on the future of the EU Treaties, particularly in light of the outcome of the Conference on the Future of Europe?

Many of the Conference’s strongest champions have insisted all along that EU leaders should not rule out any prospect of changing the EU Treaties. Herman, who had previously argued the Conference should work within the existing Treaties given his concerns about trying to deliver too much, now agrees that some of its ideas that would require treaty change could be taken up.

Indeed, he and the rest of a High-Level Advisory Group to the Conference Observatory, an initiative set up to follow the Conference and make recommendations to feed into its discussions, have called for the creation of a ‘Wise Women Group’ tasked with identifying core policy priorities and governance reforms.

Fabian agrees that talking about treaty changes before agreeing on the objectives is a case of ‘putting the cart before the horse’: “What we have now is something which, at best, still functions in reaction to crises;

“The system has to keep adapting to new realities, so we should not be too severe on the European institutions. We are all in the same kind of storm, even if our boats are very different.”

we don’t have a system that can drive things forward,” he says. “We need to have a discussion about what it is we want to do. We have to do that first, and then we can talk about whether we have the right institutions to get there, especially in light of Russia’s invasion, which should change our approach.”

Herman again draws parallels with national governments and asks: “Do we need to change constitutions at the national level to have better policies?” He points out that Italy, with the same parliament and same institutions as before, had until recently, with Mario Draghi, the most pro-European government. “European institutions are not that different from national institutions, and, in some ways, Europe is the sum of national realities,” he says.

But Janis says problems at the national level multiply at the EU level. “What keeps me awake at night? It is the permacrisis; the fear that we are facing all these transitions where we need pro-active policies, and the combination of weakness at the national level and a weak system at the EU level, might create a mixture that could get out of control,” he says.

But Herman cautions against too harsh a verdict on the way the EU functions: “The system has to keep adapting to new realities, so we should not be too severe on the European institutions. We are all in the same kind of storm, even if our boats are very different.”

POSTSCRIPT

25 years on:
The role of think
tanks in an
ever-changing
landscape

In the 25 years since the European Policy Centre (EPC) was founded, the world of EU politics and policymaking has changed profoundly, and so too has the think tank sector.

So, how did Herman view think tanks when he was still an active politician, and how does he see them now, out of office but still a very active contributor to the debate on the key issues of our age? He has a unique perspective after spending eight years in charge of his political party's think tank, and now after seven years as president of the EPC.

Looking back to his time in office, Herman says he, like many leading EU figures, found that the EPC offered real added value because it provided him with a good audience and enabled him to have a broader impact. "That is why European Commissioners say 'yes' when they are invited to speak – they would not say 'yes' if they were not convinced it is worthwhile," he says. "The EPC brings people together; people come to meetings to be informed, to hear what solutions there might be, and to transmit those ideas to their own networks."

Herman says he also found the analysis provided by the EPC very useful. "Receiving two pages of analysis on a key topic was really helpful," he explains, although he adds with a chuckle: "The key is what is in those two pages. If they focus only on the daily political wheeling and dealing, it is not so helpful – I didn't need a think tank to tell me what Angela Merkel or Nicolas Sarkozy had in mind, because I knew that better myself! But it helps to put things more into perspective."

So why, after stepping down from the European Council, did Herman agree to become president of the EPC when there were so many organisations clamouring for his time and attention? "I thought it was a good investment in terms of time," he explains. "It has kept me stay in touch with European politics, which is important

because when you are out, you are really out – I only saw Donald Tusk four times in his five years in office, and the first time was after one year. I was also convinced the EPC was a good platform for me to share my ideas and receive feedback."

Herman believes think tanks have an important role to play in 21st century policymaking, but he also sees a dilemma: how to balance long-term thinking on difficult topics with focusing on the issues dominating the political debate now, in order to remain relevant. "You can be intellectually interesting but not politically relevant, or politically relevant but not intellectually interesting!" he says.

Fabian and Janis describe how the think tank sector has changed significantly since the EPC was founded 25 years ago. "If you go back to the Nineties, it was a different world," says Janis. But, he argues, things have not changed in a coherent fashion. Fabian echoes this, adding: "The policy environment has changed, the think tank sector has changed a lot (with more competition, different types of organisations in the sector, the arrival of commercial outfits that call themselves think tanks, lobby groups etc.), the way things are done has changed, and the funding environment and what funders expect has changed too."

What has not changed, says Fabian, is what think tanks are for. "For a truly independent, intellectually autonomous think tank, the goal is to impact policy by bringing forward new ideas, providing a platform for exchanges of views, challenging decision-makers in their thinking, and breaking out of silos. Think tanks are part of a healthy democratic system, and the EPC fulfils that role at an EU level," he explains.

Janis says that the "main currency of a think tank is its impact," adding: "We act as a link between academia and the policy world, translating research and thinking into agenda-setting and proposals; being ahead

of our time or keeping an issue on the agenda that would otherwise have dropped off it.”

But that raises the thorny issue of how you measure impact. “It is horrendously difficult,” admits Fabian. “How do you prove it? The honest answer is: you can’t. There are proxies like media mentions, citations etc, but these are very poor measures, and policymakers are often terrible at acknowledging that they took some ideas from us!” he says, although he is quick to stress this is not always a bad thing. “You want policymakers to use your material and not to feel restrained in using it, and if that means they don’t refer to us, so be it.”

Janis agrees that much of the impact that a think tank like the EPC has is ‘invisible’. “The moments you make a real difference are when no one sees you making that difference,” he explains, citing the examples of the behind-the-scenes work done to help the Greeks understand Brussels thinking during the eurozone crisis and helping the EU to understand the Greek perspective, or the below-the-radar contribution the EPC has made to the Brexit process.

Going back to the dilemma that Herman highlighted about the balance between being relevant and being interesting, Fabian says, “I don’t see that as much of a contradiction. Take the question of relevance and, for example, enlargement: if it doesn’t happen, that will have huge implications, so it is relevant even if it is not high on the EU’s agenda right now. Enlargement is also about relations with Turkey, the Middle East, and Ukraine. You can’t separate these issues out and deal with them in isolation: we are connecting the dots, breaking the silos.”

Janis argues that think tanks need both stamina and timing. “You may be doing something because you think it is the right thing to do. It may also be ahead of your time, that you are convinced we should be addressing this because there will be growing awareness further down the line that this issue is important. You need stamina because you might have to wait for a return on your investment, and timing to know when that moment comes. Ukraine and the enlargement question is a good example in this context.”

On Herman’s other point about the usefulness of short, sharp analyses for politicians, how can think tanks square the circle between demonstrating the depth and quality of the work they have done in a particular area and delivering short, impactful publications that politicians and policymakers can digest easily?

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“The moments you make a real difference are when no one sees you making that difference.”

Fabian says this is a false choice. “What we are writing in those two pages that Herman talked about is a distillation of all the work we have done – the key is distilling it and presenting it in a way that is accessible. That is why we are in a think tank and not in academia; we are doing something qualitatively different. We are trying to answer questions of today, not yesterday (which academics often focus on) – and we can also say things politicians cannot because we don’t have to worry about what the electorate will think.”

And Janis argues there is “no one trick” to square the circle, and anyway, you do not need to do this. “You do all these things to have an impact, you use all the instruments you have to connect the dots,” he insists.

Fabian adds that the role of think tanks also tends to be different from that of academics when it comes to the kind of questions raised by watershed moments like Russia’s war of aggression, which is now asking even more of think tanks given the need for long-term strategic thinking on how to respond to its profound impact on a wide range of issues. This kind of structural break prompts policymakers to look for recommendations for future action based not only on an analysis of likely developments but also on an appreciation of what should happen. “At times, the borderline between analysis and advocacy can, and should, be blurry,” he says.

Herman agrees that there is a clear distinction between think tankers and academics. “The academic researcher, for the most part, works alone in his or her room; for think tankers, there is a part that is research, but there is also the confrontation with a broader audience, in working groups, events and meetings, formally and informally, which acts as a sort of reality check.”

Coming back to the question of relevance, Herman says there is a similar frustration as in politics, although to a lesser degree.

“It may be that one day you can say, ‘I told you so’, but if you are right too soon, you are seen as a prophet; if you are too late, then you are a historian. In politics, you have to be right at the right time. That is less true for think tanks – they have more time – but they need stamina, stubbornness, and determination.”

All three agree that the EPC’s membership is an extremely valuable asset. “You have to bring different interests together when you think about certain issues, just as you do in politics, and if our members think what we do is interesting, that is also a valuable check as to whether we are relevant,” says Janis.

Fabian also believes the EPC’s multi-stakeholder approach is key and distinguishes it from other organisations. “We very consciously have different types of members, and we treat them the same in terms of how they can participate in our activities,” he explains. “Our convening power is not separate from our analysis. It really does depend on who you can get around the table: policymakers find outputs developed through a multi-stakeholder approach much more credible.”

But this also carries risks. Firstly, involving the membership in the EPC’s work could lead to outputs based only on the lowest and smallest common denominator in order to find a consensus. It also links to the question of a think tank’s independence and where its funding comes from.

“The era of ‘untied’ funding is over. If someone is providing funding, it comes with expectations; every funder has an agenda,” says Fabian. “You can make a case that it is not good to take money from anyone, but then you would not have any think tanks. The way to ensure your independence and be sustainable is to have a diversity of funding, so that you are not reliant on any one funder.”

Janis agrees that attempts to influence think tanks are increasing and that an independent organisation like the EPC must consciously say no to certain things. But, he says, those who recognise the important role think tanks play in our democracies and societies need to help bridge the financing gap. “The other side of this coin is that if you say no, others should step in to support you,” he argues.

Herman agrees that this is a crucial issue because question marks over a think tank’s funding and, thus, its independence can undermine its credibility and trust, and “trust is the key capital of think tanks – if you lose that, you might as well close the shop,” he warns.

The EPC is also wrestling with the challenge of how to adapt to changes in the way European decision-making works and foster more exchanges between member states and Brussels – and that, too, has financial implications. “We need long-term structural support that enables think tanks to do this kind of work. We need funders to come together,” says Fabian. “Think tanks will continue to exist even if this doesn’t happen, but to realise our full potential, we need support to cooperate with like-minded organisations across borders and foster genuinely transnational debate on the issues facing us all.”

As the EPC celebrates its 25th anniversary in 2022 and looks back at the challenges and achievements of the last two and half decades, it is also digesting the lessons of the COVID pandemic, which revolutionised many aspects of the way it works.

“In the past two years, think tanks have been forced to do things that we have been telling ourselves we should do for a long time, such as engaging much more with technology, and becoming more efficient,” says Fabian. “The question now is, what do we do with this going forward? There are big challenges ahead for the think tank sector, and to some extent, they are existential.”

Janis acknowledges that operating under these conditions “has not been easy,” but he adds: “There are a lot of positive things we should take away from this experience: we can attract people who are not in Brussels to work with us if we can also work remotely. Working in this way we have been able to reach out beyond the Brussels sphere much more, which has been extremely valuable. This creates a two-way street: bringing ideas from member states to Brussels and the other way round.”

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“We have shown a lot of dynamism over the past ten years and without that, the EPC would no longer exist.”

“I hope the EPC will be part of a much more vibrant European sector that has been able to come together structurally, through EU policy debates and real exchanges that cross between capitals. This is what we should work towards.”

So, do they think this changed the way think tanks operate forever? “I fear there will be a tendency to go back to the old normal, and that is a tendency we have to resist,” says Janis, and Fabian adds: “We have to find a way to get the best of both worlds, but this requires big investments in technology and skills.”

Herman agrees that COVID-19 has provided massive opportunities to reach a wider audience. “It gives you huge opportunities to spread your ideas, globally as well, and involve different people from different places inside Europe and outside Europe,” he says.

But he cautions that in trying to bring new voices to Brussels, think tanks have to ensure that those voices belong to people with a name, a ‘reputation’, and who are talking about the things people want to hear about – and that brings us back to where we started; namely the issue of relevance.

“Bigger names equal bigger audiences. Europeans are interested in European affairs; Belgians in Belgian affairs, and so on – that is natural. People are only interested in global affairs when they affect their lives,” says Herman.

Where will the EPC and the European think tank sector as a whole be a decade from now? “We have shown a lot of dynamism over the past ten years, and without that, the EPC would no longer exist – it would have suffered a slow, gradual death,” says Janis, insisting that it will continue to change by adapting to new realities and needs. “If we don’t, then we will become irrelevant and that is the worst thing that can happen to a think tank.”

Fabian also believes that ten years from now, the world will have changed and think tanks will have to adapt too. And that, he says, is a good thing. “A think tank has to remain innovative,” he insists, adding: “I hope the EPC will be part of a much more vibrant European sector that has been able to come together structurally, through EU policy debates and real exchanges that cross between capitals. This is what we should work towards. Will we also have more enlightened approaches to think tanks that recognise the value they can bring? I hope so.”

context of Romania will be of help to others in the region and to Western analysts attempting to understand this tumultuous area of the world.

The present study will analyze the issue of nationalism in four chapters. The first chapter, "Some Basic Philosophical Categories," consists of four sections, each of which defines different components of nationalism: the cultural aspects of a nation's experience; the political aspects of national integrity; metaphysical definitions of ethnicity; and aggression or struggle for power disguised as nationalism. The approach is mainly philosophical but with historical illustrations, in order to outline several important conceptual categories by making reference to some classic works on the subject. Chapter II focuses on the case of East-Central Europe, with specific reference to its post-Communist trauma in a historic context, while Chapter III discusses only Romania. Chapter IV, "Some Notes on Harmony," explores some possible classical-liberal solutions, specifically citing the work of Austrian economist and philosopher Ludwig von Mises, whose commitment to individualism was coupled with a strong endorsement of nationalism and ethnicity.

The afterword, "Subterranean Societies," is a penetrating reflection on nationalism by a Romanian revolutionary, Vasile Popovici, who teaches French literature at the Timisoara University and is the founder of the anti-Communist Timisoara Society. Finally, the appendix cites and briefly discusses the section on national minorities from the Copenhagen Document of the Conference on Security and Cooperation in Europe.

I

Some Basic Philosophical Categories

1. Cultural Aspects of a Nation's Experience

When man first realized that his stay on earth is brief and precious, he must have deplored the predicament yet simultaneously sensed a need to celebrate his life: thus culture, and "beauty" variously defined, came forth. Language—which is to say symbol, in the sense of words as well as artifacts—was found to capture his reactions to life, and transmit them.

Culture is by definition individual: the creator acts essentially alone, communing with his own instincts and his own sensibilities. The cultural act is a relationship between an artist's soul (including both the emotional and rational qualities) and the world. Yet the vocabulary is not individually invented—that is logically impossible. The context must be social, interpersonal.¹

Solipsism, in other words, is refutable easily enough, however deep the truth that no one can ever really know what goes on in someone else's psyche. And language relates to the world wholesale: each word, that is, becomes affected subtly yet irrevocably by every other. No direct one-to-one correlation exists

between object and denotation, however much the logical positivists had hoped otherwise. All language acquisition takes place in a context.² It is no mystery that translations can never be perfect, for no two languages ever coincide.

This philosophical fact has serious implications for understanding ethnicity: one's native language is a part of one's self. A person's emotional contact with the sensory stimuli touching his being are deeply and irrevocably language-specific. Poetry has been written about this, for even metaphor captures only approximately so intimate an experience as one's dependence on language.

One of the most accurate descriptions of how native language leaves an indelible imprint on the psyche is found in Eva Hoffman's autobiographical book *Lost in Translation: A Life in a New Language*. Hoffman is a Polish Jew who recently returned to her native Krakow after having emigrated to Canada as a teenager in the 1950s. In the following passage, Hoffman describes her feelings as a newcomer to the Free World, specifically, the dilemma of preparing herself emotionally and psychologically to learn the entire context of another culture's language—understood in its totality, linguistic and extralinguistic.

[H]ow does one bend toward another culture without falling over, how does one strike an elastic balance between rigidity and self-effacement? How does one stop reading the exterior signs of a foreign tribe and step into the inwardness, the viscera of their meanings?³

It is not clear that one *can* step into "the viscera" of these meanings, even if one desperately wishes to do so.

Hoffman is astonished by the near-impossibility of translation. She explains how much more there is to it than one-to-one correlation:

[T]he translation doesn't work. I don't know how Penny feels when she talks about [for example] envy. The word hangs in a

Platonic stratosphere, a vague prototype of all envy, so large, so all-encompassing that it might crush me. . . .

The result is alienation: in the process of living in a new language, life itself becomes an abstraction, the self is submerged in a reality it cannot ultimately reach:

[T]his radical disjoining between word and thing is a desiccating alchemy, draining the world not only of significance but of its colors, striations, nuances—its very existence. It is the loss of a living connection.⁴

The all-encompassing aspect of cultural translation indicates that aesthetic perception is not restricted to linguistic categories narrowly understood. The same words will refer to very different kinds of objects or attitudes in different cultures—and their connotations will differ as well. Again Eva Hoffman:

[For me,] English words don't hook on to anything. . . . The words float in an uncertain space. They come up from a part of my brain in which labels may be manufactured but which has no connection to my instincts, quick reactions, knowledge. Even the simplest adjectives sow confusion in my mind.⁵

Hence a profound sense of disjunction, a loss of identity. For with language comes an entire galaxy of shared symbols and behavior-patterns. Their disappearance and denial can be devastating. Writes Hoffman of her feelings in Canada when she first arrived there:

I have no interior language, and without it, interior images—those images through which we assimilate the external world, through which we take it in, love it, make it our own—become blurred too.⁶

Yet those images make experience as a whole possible. And experience is indeed holistic, multidimensional. One's feeling

about reality involves conscious and unconscious instruments, not all identifiable by any means. The connection between the verbal and the nonverbal is intricate, ineffable, mysterious. And surely affected by one's ethnic history.

A person approaches the world with considerable background knowledge consisting of a complex set of extra-verbal experiences. Aesthetic experience in particular takes into account this intellectual landscape. It stands to reason, therefore, that geographical setting would affect the colors of one's mental palette, as would the music of a mother's lullaby and the dance and rituals of adolescence. That is to say, in brief, that cultural settings would naturally affect individual perceptions in specific and similar ways.

The idea that a people's aesthetic life is intrinsic to its identity is thus reasonable, indeed commonplace, and has a powerful psychological basis which can in no way be deemed "irrational." On the contrary, it is entirely a part of the life of reason insofar as all language is not only essential to reason but inseparable from it: language is based on logical rules, and makes ratiocination possible.

Yet this is not to say that the concept of ethnic identity in a conscious, politically relevant sense arises somehow naturally. By no means. In the Middle Ages, there generally prevailed at most a visceral, primitive, natural feeling of community of language or homeland. Hard as it may seem to believe in light of recent history, in the eleventh century the word "deutsch" was first employed merely to designate the people speaking the German language, a nationalist tinge having been added no less recently than the seventeenth century.⁷

One of the earliest expressions of nationalism centering on language was found in East-Central Europe: the Hussites waged war against the Germans in 1420 partly to defend "the Czech and Slavonic language." They were in fact successful, capturing many German towns in Bohemia, where the influence of Czech language and literature became important. The socioeconomic

consequences were predictable: the educated Czech middle class tried to keep itself in the newly gained official positions by demanding knowledge of Czech as a prerequisite for office.⁸

In the sixteenth century, the golden age of Spain, Castilian became the language of the court and the official language of the country, gaining considerable influence throughout the world—however short-lived, for Spanish culture slowly died out for complex socioeconomic reasons. Across the sea in England, Parliament began holding its sessions in English, and not French, by 1362; English finally became dominant in legal documents by 1450,⁹ although French continued to be influential among the educated classes.

It was not until the seventeenth century that modern nationalism was born—in fact, on English soil. One of its first exponents was the poet John Milton (1608-1674), who in his eloquent pamphlet *Areopagitica*, written in 1644, identified nationalism with individual freedom from authority. This liberal twist, happily, continued to color the English brand of nationalism.¹⁰ Imported by France, it took on a rather more collectivist character at the hands of Jean Jacques Rousseau (1712-1778). Hans Kohn summarizes the difference between the English brand of nationalism, which "respected the privacy of the individual: the nation-state was regarded as a protective shell for the free interplay of individual forces," and the French brand, which "stressed that the duty and dignity of the citizen lay in political activity and his fulfillment in complete union with his nation-state."¹¹

A final new twist to Western nationalism was added by Rousseau's German disciple, Johann Gottfried von Herder (1744-1803), who first introduced the idea of "folk-spirit" as the principal determinant of nationality. Herder conceived of the community as cultural and spiritual, creating a general will, a *sens commun*. He felt that human civilization is manifested in separate ways through each culture, that men are first and foremost members of their national—and linguistic—communities.

In 1764, for example, Herder wrote that "every language has its definite national character. . . . Perhaps I shall be able to imitate the languages of foreign nations, without, however, penetrating the core of their characters."¹² But Herder was emphatically not a chauvinist. His love for nationality embraced them all: "No love for our nation shall hinder us in recognizing everywhere the good which can be effected progressively only in the great course of times and peoples."¹³ It was left to the following century of romanticism to twist these ideas into a virulent—bastardized—form of nationalism.

Scholars have disagreed about the centrality of language to the concept of nationalism. Georg Schmidt-Rohr is one who believes that the community of language is the real national community,¹⁴ while C. A. Macartney argues on the contrary that there are no sufficient objective characteristics—including language—for determining one's nationality.¹⁵ Robert Michels agrees that neither language, nor religion, nor a common past provides such characteristics, but rather "the will of a people," which is "essential."¹⁶ In a spirit of compromise, historian Arnold J. Toynbee says that nationality "can be kindled by the pressure of one or several factors, as a common country, language, or tradition."¹⁷ Historically, it was not until the last century that language became a fact on which the prestige and power of a group depended. Alien languages were used until recently by official bodies, in academic contexts, and among the upper classes.¹⁸

In the nineteenth century, the idea that a nation's language, territory, and culture forms a metaphysical unity that could be captured by some such concept as "the will of the people" was first articulated by Georg Wilhelm Friedrich Hegel (1770-1831). In his *Philosophy of History*, written at the end of his life, Hegel writes:

The state, its laws, its arrangements, constitute the rights of its members; its natural features, its mountains, air, and waters, are *their* country, their fatherland, their outward material property;

the history of this state, *their* deeds; what their ancestors have produced, belongs to them and lives in their memory. All is their possession, just as they are possessed by it; for it constitutes their existence, their being. This spirit of a people is a *determinate* and particular spirit . . .¹⁹

Hegel elegantly, if questionably, passes from the cultural on to a political dimension. For him the state becomes one with its "spirit." Hence various "forms" are identified as belonging to that spirit:

It is thus one individuality which, presented in its essence as God, is honored and enjoyed in religion; which is exhibited as an object of sensuous contemplation in art; and is apprehended as an intellectual conception in philosophy. In virtue of the original identity of their essence, purport, and object, these various forms are inseparably united with the spirit of the state.²⁰

Metaphysics aside, there is nothing particularly unusual or untoward about a country taking pride in the accomplishments of its citizens. In addition to the cultural contributions, which include what is traditionally thought of as "the arts"—music, literature, painting, and to some extent philosophy—that touch the emotional side of man's nature, there are also, of course, contributions to science, law, economics, and so on. The great scientific discoveries of a Copernicus or a Marie Curie should be a source of satisfaction to the people of Poland, just as Adam Smith was a credit to his native Scotland. Far from being dangerous, such sentiments are positive and encourage greater creativity as well as respect for others who are equally engaged in advancing knowledge, from which all mankind can profit. Yet clearly, Hegel opened the way to a very different—potentially explosive—unitary conception of national identity, with disastrous political implications. As historian Carlton J. H. Hayes indicates, Hegel's statist nationalism took root in Italy as well as Germany, and was spread by scholars who used his philosophy

“for curiously illiberal nationalist ends,” culminating in fascism.²¹

Evidently, the idea that a nation possesses a “spirit” involves a metaphysical leap of dangerous proportions. Identifying such a spirit with national identity, moreover, only exacerbates the problem. What kind of entity is this? If it is somehow “unitary,” where do minorities fit in—or do they? It is far from clear that tolerance is compatible with this metaphysical model of nationalism.

From the legitimate concept of linguistic similarities and certain cultural continuities that can be collected in some logical fashion and identified with a national or ethnic identity, it does not follow that a monolithic “spirit” emerges as the metaphysical equivalent of a Platonic Idea. Such a reification could only play into the hands of an intolerant nationalist elite—as indeed happened in the form of fascism, a century later. Ultimately, therefore, nationalism became an irrevocably political tool of ruthless groups who used it to further their own interests.

2. Political Aspects of National Integrity

Writes Hans Kohn in his seminal scholarly work *The Idea of Nationalism: A Study in Its Origins and Background*:

The most important outward factor in the formation of nationalities is a common territory, or rather, the state. Political frontiers tend to establish nationalities. . . . [S]tatehood or nationhood (in the sense of a common citizenship under one territorial government) is a constitutive element in the life of a nationality.²²

Today, this idea seems commonplace. And indeed people have had strong communitarian feelings as far back as history

can be traced. But the political implications of nationalism—the idea that common heritage carries with it special political legitimacy—is very much a modern phenomenon. One of the first to appreciate the significance of state nationalism was the brilliant Niccolo Machiavelli (1469-1527), whose celebrated essay *The Prince* ended with a chapter entitled “An Exhortation to Liberate Italy from the Barbarians.”²³ Notwithstanding Machiavelli’s reputation as a cynic, it appears that his preference for a strong nationalist state was inspired less by his affection for Italy as a whole than by nostalgia for his native Florence. Hoping that his countrymen would once more become prosperous and virtuous, Machiavelli adopted what looks very much like a pre-Leninist version of belligerent pragmatism devoid of morality. It is not hard to see why he earned a dubious reputation as the first, or certainly one of the first, modern nihilistic thinkers. Writes Machiavelli:

Where it is an absolute question of the welfare of our country, we must admit of no considerations of justice or injustice, of mercy or cruelty, of praise or ignominy, but putting all else aside must adopt whatever course will save its existence and preserve its liberty.²⁴

Machiavelli’s approach to nationalism did not take root until three centuries later, with the advent of the French Revolution of 1789. Not that the revolution’s intellectual architect, Jean Jacques Rousseau, intended it that way. Rousseau, who is sometimes called “the father of modern nationalism,” actually defended the idea of nationalism as a reaction to what he considered the corruption of man’s originally good nature by a decadent society and state. Resigned to the fact that man could never again be a “noble savage,” Rousseau turned to the state—paradoxically enough, for the state is hardly an instrument that always promotes freedom—to seek redemption. And with this idea, modern democratic nationalism was born. Thus, E. J.

Hobsbawm distinguishes “the revolutionary-democratic” concept of a nation, which developed mainly after the French Revolution, from the concept of “nationalism” proper.²⁵ To Rousseau’s horror had he realized it, the fascist nationalism of the twentieth century was his own version’s bastard (yet not unpredictable) heir.

Rousseau’s principal aim was to introduce the concept of the sovereign will of individuals uniting in a compact, “the social contract,” with one end in mind: the pursuit of happiness by its individual members. And while this contract was ultimately democratic, based on the idea that men were created equal, Rousseau—like his predecessor Montesquieu—was sensitive to the differences that the traditions of history and the conditions of climate and environment, as well as language, produce among different groups.

In Rousseau’s last political writings, his *Considerations on the Government of Poland*, as in his *Project on the Constitution of Corsica*, he praised the creation of national character and institutions that are the product of history and education. He encouraged the promotion of games and festivals, opposed the election of foreigners as kings, and demanded universal military service in a national militia, whose first duty was eternal vigilance over the internal liberties of the people. The fusion between the rights of men and their safeguard through the national state was the crucial step in the definition of modern nationalism.

The English were especially keen on safeguarding individual rights within a national state. John Stuart Mill (1806-1873) provided a particularly clear and objective definition of what he called “Nationality” in his essay entitled “Representative Government”:

A portion of mankind may be said to constitute a Nationality if they are united among themselves by common sympathies which do not exist between them and any others—which make them cooperate with each other more willingly than with other

people, desire to be under the same government, and desire that it should be government by themselves or a portion of themselves exclusively.²⁶

This indicates that “common sympathies” translate into common government. Whether that government happens to be democratic or not appears to be left open. If “a portion” of the group is chosen—implying either a republican form of democracy or a nondemocratic arrangement—it still constitutes a “nationalist” arrangement. But there is little doubt as to where Mill’s own sympathies lay: with a classical-liberal form of government.

It has been generally understood that modern nationalism is intrinsically a political concept. Mill, however—having witnessed the powerful nationalist currents that swept Europe, and Eastern Europe in particular, in the Revolution of 1848—believed that ethnic identity must precede national aspirations.²⁷ This is not a universally accepted position; for the existence of a “sentiment” of nationality is difficult to test. It may be impossible to tell whether or not a people or a group possesses the psychological need to join under “one government.” To be sure, there must be a political intention to do so. Positing a “sentiment” that precedes such an intention could serve as a legitimizing force—but this is philosophically questionable. How does one know that such a sentiment exists?

Mill writes that the “common sympathies” at the root of nationalism (or “Nationality”) have many causes. Nationalism, therefore, does not arise from any one cause or any one group of common traits. Sometimes it is “race and descent”; it may be a similar language, or religion; and geographical proximity is an intrinsic factor. The strongest tie, in Mill’s opinion, is provided by political antecedents: a national history and “community of recollections.” This is to say that a kind of collective memory is invaluable: “collective pride and humiliation, pleasure and regret,”²⁸ to which Mill might have added, collective hatreds. To the extent that animosity can be codified through a system of laws, unfortunately, it becomes explosive.

Some communities, however, are more prepared than others for self-government. Mill recognized this, since it was commonly understood in the eighteenth century—which was, after all, the Age of Reason—that while all men were equally endowed with reason at a certain stage of civilization, that stage, however minimal, did have to be reached. This is not to imply that some communities could not become self-sufficient until their members “matured.” Rather, it is to make the point that communities—even within a relatively small geographical area—can develop at very different rates, with serious political implications. Thus, some regions may become urbanized at different rates and experience differences in educational status and religious affiliation, which can lead to political tensions. It is not unreasonable for a group to wrap itself in the honorable mantle of nationalism and “the soul of a nation” to advance its own interests, which may or may not coincide with the interests of the larger political entity.

In purely agrarian societies, the political urgency of appealing to “national” identity seems not to exist. Historically, this phenomenon appears to accompany modern society, coinciding with industrialization and the perception that cultural/historical continuity may be threatened. The threats may be primarily economic, or they may be triggered by foreign occupation and perceived injustices.

To backtrack for a moment: what does it mean to appeal to “nationalism” as a politically unifying concept? The Scientific Revolution of the seventeenth century brought with it a trust in the Law of Reason—to replace, in a sense, trust in the “divine right of kings” that had justified the hereditary monarchy in much of Europe. The concept that the people—limited by the rules of the Law of Reason—are the locus of legitimacy led rather naturally to the idea that “A People,” however loosely defined, can constitute a government. More specifically, a particular social class may unite for particular ends to impose its

members’ will—and institutionalize their interests—under the cloak of nationalism.

While it is ultimately impossible to discuss the connection between “state” and “nation” in completely general and philosophical terms, abstracting from specific historical contexts, attempts have been made. Immanuel Kant (1724-1804), for example, writes in *The Science of Right*, that the state, when viewed in relation to the supposed hereditary unity of a people, constitutes a nation. His skepticism regarding this “hereditary unity” is well captured by the qualifier, “supposed.” Kant is evidently unimpressed by the significance of such an element; ultimately, he insists that the state—or nation, so defined—must be subjected to moral laws. The state, after all, is designed to counter the natural propensity of men to wage war against one another—it is not intended as an instrument to wage war more efficiently. And yet the history of East-Central Europe is, above all, proof of just such use of the political tools available through state intervention.

The legacy of the eighteenth century, taken to its logical extreme in the nineteenth century, is by no means limited to exalting the Law of Reason—that is rather the British and American variant. The French took “*liberté, égalité, fraternité*” to romantic heights: Delacroix’s picture of the bare-breasted French nation quintessentially captures the erotic, nonrational, inebriating ecstasy of oneness embraced by the figure of “la patrie.” Once a political system is perceived as embodying the apocalyptic historical will of the people, danger is imminent.

The ideology that carried this point of view to its logical extreme was Marxism. Even though it was militantly anti-nationalist, Marxism was based on a conviction that the will of the people—or more specifically, the class will of the proletariat—must be codified in a political system. Marxism—and its logical heir, Leninism—flaunted its hostility to nationalism. Writes Lenin: “Marxism is irreconcilable with nationalism, even

the 'justest,' 'purest,' most refined and civilized. Instead of nationalism of every kind, Marxism advances internationalism, the amalgamation of all nations in the higher unity that is growing under our eyes with every verst of railway."²⁹ Lenin's internationalism culminates in the inevitable march of history toward its own end, the withering away of all class conflict (and hence also, by a relentless logic, all national conflict). Yet nationalism proved to come in handy later in the process of "building socialism." The single-minded, ruthless twist that Lenin added to the dialectic of that system, however, accommodated the change: any number of adjustments and crimes would come to be justified in order to reach the promised nirvana, that blessed dictatorship of the morally pristine proletariat led by a well-organized and truly progressive Communist Party.³⁰

But more about Marxism in the next chapter. To return to the political aspects of nationalism, a number of clarifications are in order:

1. Political power may be sought by a national entity to free itself from economic, political, or cultural exploitation by another nation and cultural group.

2. Political power may be claimed by a national subgroup which considers itself to be the true "embodiment" of the national spirit.

3. Political legitimacy may be desired by a culturally homogeneous group whether or not it has a national identity, in order for its members to survive and gain respectability in a political context that it does not necessarily (though it may) wish to replace or fundamentally modify.

Political power may be gained in various ways. A national group may wage war or conduct a revolution and win—thus gaining territory, economic concessions, and some degree of acceptance in the international arena. A group may also demand certain concessions by appealing to bodies that are supposed to recognize "national" claims—such as international organizations that have legitimate standing. Or a long-persecuted group may

attempt to set up a nation in a new area, appealing to other countries' sense of responsibility. Generally, territorial attachments are extremely powerful; what dilutes them is ethnic mixtures and a checkered history. In East-Central Europe, with its convoluted series of foreign interventions, there are few pure territorial attachments.

Each of these political issues may be associated with a metaphysical model of ethnicity (as further elaborated in the next section), a model which in turn performs a legitimizing function. It may be noted too that no matter what problems are found with any one of these models, their historical—and psychological—reality cannot be denied. For example, however impossible it may be to prove that a group is the "embodiment" of a national spirit, the facts of both the claim and the belief are politically relevant.

Different nations, obviously, have different political histories. Their experiences with self-government, with enslaving or being enslaved by others, are a part of their national memories. These memories then form part of a nation's "mentality" and its members' attitudes toward themselves and others. They are as important to understanding the complex nature of national self-image as are the linguistic, cultural, and territorial dimensions. In East-Central Europe, the metaphysical models of ethnicity must be understood in relation to the special historical and cultural background of each region. For each metaphysical definition fulfills special needs.³¹

3. Metaphysical Definitions of Ethnicity

The idea of a "spirit" that embodies the nation is the necessary correlate of a politically monolithic concept. There are differences, however, in how man's relation to the universe within a national context has been explained. While some philosophers

have looked more to the psychological dimension, others have conceived of nationalism as a designating term—whether it encompassed a nation as a whole or some quintessential part (say, the peasant, the king, the church, the poet, etc.).

Many twentieth-century scholars have claimed that nationalism is nothing more than “a state of mind.”³² One may sketch some of the definitions.³³ For example, John Oakesmith calls nationalism “what the vast majority of civilized people feel to be the most sacred and dominating inspiration in life”—with emphasis on the “feeling.”³⁴ Friedrich Otto Hertz distinguishes “national consciousness” from “legal nationality,” “cultural nationality,” and “political nationality.” The latter, he feels, depends on national consciousness, which he feels “cannot be observed and measured by exact methods.”³⁵ In a more empiricist vein, Florian Znaniecki defines nationality broadly as “a collectivity of people with certain common and distinctive characteristics.”³⁶ Similarly, Karl W. Deutsch defined a people in terms of its system of social communication.³⁷ It was only after the French Revolution that the people (in fact, the third estate) became identified with the nation; generally, the concept of the nation had included only the upper stratum of society, as opposed to the common folk.³⁸

What may be called “group consciousness” or a state of mind arising from a certain sensitization, however, appears to be a necessary component of nationalism. This requires a certain degree of social awareness or “consciousness,” to use a Marxist or at least idealist term—thereby recognizing that it is not “natural” or inborn. Positing such an awareness would not imply the existence of a “thing”—unlike “spirit,” which implies some sort of real entity, however ethereal.

Aristotle (384-322 B.C.), for example, felt that love of family, home, and community was natural—but not beyond a very small community. Voltaire (1694-1778) also noted that the larger “la patrie,” the weaker the feeling of identification with it.³⁹

On a different metaphysical level, nationality could be identi-

fied with the relationship that a people feels with God and the universe: the Jewish nation, for example, considers itself to have had a special relationship with Jehovah, and Christians feel an eschatological tie to the Messiah. Hans Kohn explains that “three essential traits of modern nationalism originated with the Hebrews: the idea of the chosen people, the emphasis on a common stock of memory of the past and of hopes for the future, and finally national messianism.”⁴⁰ Yet the history of Europe until the end of the Middle Ages stressed mainly the general and the universal rather than the parochial and individual, or the national and idiosyncratic.

Primitive societies had an intimate relationship with nature, on a cyclical basis—as evidenced in the rituals centering around the seasons, the harvest, and other natural events including birth, puberty, and death. To label these feelings as “nationalism” proper would be highly misleading. But they too represent an important component in the family of psychological phenomena involved in the concept.

The quintessentially modern metaphysical definition of nationalism as the “spirit” of the people presupposes cultural homogeneity, which is in turn embodied in a common political tradition. This Hegelian reification of a psychological phenomenon is similar to a religious concept: positing a reality beyond any individual, which consists of an entity that is much harder to determine, verify, and defend. The Platonic conception of a state/nation as an organism predated the Hegelian “spirit” and was probably the first rationalist embodiment of this concept. Yet its degeneration into a romantic and idealist entity is easy enough to anticipate.

Whatever form “the nation” may take, the relevant point is the existence of a need to define it somehow, if only in psychological terms. In other words, it does not seem to have sufficed to make reference to such facts as the propensity to favor one’s immediate family, or neighbors, or even kinsmen. In some fashion, “nationalism” seems to have required an existence beyond

the empirical facts about human nature. But positing such a metaphysical entity has generated intractable problems.

The ensuing proliferation of posited "spirits of the nation" proved remarkably pernicious, capable of justifying lethal impulses. It may be that the supposed existence of entities like a "national spirit" made it easier to exploit and even kill in their name.

The metaphysical "nation" is most problematic when defined in racial terms. The idea of a "race" is notoriously shaky. No sufficient genetic or cultural traits can define this concept, particularly as applied in Nazi (and pre-Nazi) Germany. The Austrian writer Robert Musil (1880-1939), writing in his 1921 essay "‘Nation’ as Ideal and as Reality," described with contempt the entire pseudoscientific literature on race:

This literature is concerned not with measuring skulls, eye color, or skeletal proportions, which interest only a few, but with qualities like religious sense, integrity, state-building power, scientific ability, intuition, a talent for art, or tolerance of ideas: things of which we hardly know how to say anything at all about what constitutes them. This literature ascribes or denies these things to supposed "races" with the help of an anthropological pig-Latin because it can instill dignity in the nation through its ear by ventriloquizing with the voice of the ages. One cannot deny that a good part of our national idealism consists in this diseased way of thinking.⁴¹

In brief, then, an important—perhaps principal—function of the metaphysical description of any one definition of nationalism is to construct a justificatory mechanism for certain kinds of actions. These actions may range from promoting certain cultural forms at the expense of others to discriminating against—even murdering—other human beings. Metaphysics, in other words, recedes and sometimes promotes genocide.

4. Aggression and Struggle for Power Disguised as Nationalism

One of the most popular ways of defining nationalism is in terms of a struggle for power: as a cynical tool to achieve power, pure and simple. The earliest anti-nationalist warning was delivered by Lord Acton in his 1862 essay "Nationality":

Nationality does not aim at either liberty or prosperity, both of which it sacrifices to the imperative necessity of making the nation the mould and measure of the State. Its course will be marked with material as well as moral ruin, in order that a new invention may prevail over the works of God and the interests of mankind.⁴²

Similarly skeptical, Elie Kedourie, who had great respect for Lord Acton, writes that "nationalism is a doctrine invented in Europe at the beginning of the nineteenth century. It pretends to supply a criterion for the determination of the unit of population proper to enjoy a government exclusively its own."⁴³ Specifically in Eastern Europe around 1800, where there was no industrial middle class, little by way of an intelligentsia, no national governments, and virtually no industrialization—with the exception of a few areas in Bohemia and Silesia—a number of people were dissatisfied with their lot. "These people imported nationalism to Eastern Europe," writes Peter Sugar,⁴⁴ implying a conscious and deliberate, even if not necessarily sinister, enterprise.

Even a cursory look at the history of the Balkans in the past millennium indicates that the degree of human misery, the exploitation, and the cynical use of state organs to take advantage of the weak, murder one's various enemies, and elbow one's way into the world, could not have failed to leave deep traces of animosity, even undying hatred. And while on many occasions the ethnic identity of the oppressed could be considered a

motivating factor, generally it seems that a large array of cultural, educational, and other socioeconomic factors were at least as significant. Surely the intelligentsia of Eastern Europe (of the Serbians, Czechs, Slovaks, Jews, Ukrainians, Poles, Romanians, etc.) imported the concept from France, England, and Germany, adapting it to their special historical and economic circumstances.

To turn briefly to the economic aspects of nationalism, mercantilism (the belief that a nation's industry had to be regulated by government to "protect it" against competition from abroad) was surely a crude attempt to institute the idea that individual well-being could be secured only by the economic power of the nation. The Industrial Revolution, moreover, seemed not to dampen nationalist feelings of protectionism.⁴⁵ Known also as "economic nationalism" (as well as "neo-mercantilism," to underscore its subsequent evolution), the idea is based on the theory—not usually grounded in fact—that people of one nation must be protected against the inroads of other people.⁴⁶

There are, of course, many more-recent echoes of this concept. In the context of East-Central Europe, with small countries finding themselves being traded, ping-pong style, among powerful super-neighbors such as France, Austria, and Russia, it is not difficult to empathize with attempts to gain some sort of relief. The ability of American revolutionaries to gain independence from what they saw as unfair taxation without representation by the king of England must have filled the people of East-Central Europe with awe. Alas, they did not have the geographical advantages of the Americans, who were an ocean away from the Crown.

Nationalism, of course, may be invoked in the name of escaping aggression or may be used to justify its infliction upon others. There are political reasons for appealing to nationalism that differ from context to context. Unless these motivations are understood, faced squarely, and dealt with appropriately, nationalism will not be properly appreciated, but either unnecessarily

glorified or vilified. To say this, however, is not to imply that once a motive is unmasked, once the dubious ulterior purpose is revealed, all problems are solved. Aggression is no less real and no less dangerous for being called by its true name. The task does not stop at analyzing group psychology.

But it does start there. Robert Musil, for example, graphically described the intoxicating, indeed erotic, feeling that had engulfed the nations of Europe before World War I. It could not be denied, wrote Musil, that mankind "was touched at that time by something irrational and foolish, but awesome," with enormous potential for evil. Its essence lay in the obliteration of the individual:

One suddenly became a tiny particle humbly dissolved in a supra-personal event and, enclosed by the nation, sensed the nation in an absolutely physical way. It was as if mystical primal qualities that had slept through the centuries imprisoned in a word had suddenly awakened to become as real as factories.⁴⁷

And suddenly millions of people, "for the sake of the nation, ran into the arms of death." Calling it "a monstrous hysteria," as Musil does, will not eliminate it—any more than would the use of this expression even more appropriately in the context of the Second World War deny the very real feelings that motivated the Holocaust.

The feelings of anxiety, of hatred, of the need for self-importance gained at the expense of destroying others, have always been in need of antidote. One of the most effective such antidotes, originally, was religion wedded to an enlightened concept of the people or the nation. Specifically, the Jewish tradition held that God had made a covenant with the people of Israel so as to insure the respect of His commandments. These commandments, however, applied to all people and were meant to bring happiness and justice. Christianity, in a similar manner, was intended to apply to all men; notwithstanding the close relationship between the Church and particular political bodies—that were

ater to become nations—the Judeo-Christian legacy has been essentially universalist in nature.

Anthony D. Smith denies that religion ever provided the basis for nationalist identification. While religion—for example, Orthodoxy in Romania—may have preserved a sense of community, especially after the Middle Ages, Smith says: “between traditional religion and nationalism there is a decisive break.” At most, “religion often provides the sociological material for nationalism to work on, but it does not and cannot explain the latter’s character or appearance.”⁴⁸

Yet particular religious leaders have often been less than faithful to the principles they espoused. Through the ages, individual members of the Church have been corrupt and manipulative, often using the pulpit to further their own ends, as have different social groups and individuals seeking power and influence. A cynical enough look at history indicates that nationalism became a fig leaf for human aggression almost from the outset—and even religious communities were not immune.

The potentially dangerous aspects of nationalism were captured by Carlton J. H. Hayes, writing in 1926, in the following list of evils:

An intolerant attitude and behavior towards one’s fellows; a belief in the imperial mission of one’s own nationality at the expense of others, particularly at the expense of backward peoples; a habit of carrying a chip on one’s national shoulder and defying another nationality to knock it off; a fond dwelling on the memory of past wars and a feverish preparing for future wars, to the neglect of present civil problems; a willingness to be led and guided by self-styled patriots; a diffidence, almost a panic, about thinking and acting differently from one’s fellows; a spirit of exclusiveness and narrowness which feeds on gross ignorance of others and on inordinate pride in one’s self and one’s nationality . . .⁴⁹

to mention but the most important.

The recognition of a deeply opportunistic and myopic quality to nationalism is particularly useful in assessing an essential aspect of the post-Communist phenomenon that is too ambiguously identified as “nationalism” *tout court*. There are many complex elements involved in the transition from Communism to democracy, and nationalism is only one of the factors that can easily mask other hostilities and fears. Thus, the civil war that ravaged Yugoslavia in 1991 played out some of these hostilities, with nationalism as the wild card beneath which much was hidden. The vicious events in that country, it is fair to say, surpassed most people’s expectations, their virulence both frightening and unrelenting.

In brief, nationalism can become not merely a vehicle for self-advancement but a veil for the most murderous impulses of human nature. Thus, the sophistic garb that would pave the way to the Holocaust began with the idealist precursors of German racist nationalism in the nineteenth century, notably Friedrich List (1789-1846) and later—his anti-Semitism undisguised—Heinrich von Treitschke (1834-1896). As K. R. Minogue explains, what started out as a revolt against external rules, a yearning for spontaneity, a repudiation of the mob, became the supreme mob-rule: “the time was to come when Hitler would be able to turn virtually the whole German population into a herd by the simple expedient of explaining to them that, racially speaking, they were all essentially leaders.”⁵⁰

Thus the herd became evil incarnate—the banality of evil stunning in its vulgarity, terror, and ubiquity. Sigmund Freud (1856-1939) had no illusions about man’s propensity to do evil under various euphemistic guises. He reasoned that deep-seated aggressive tendencies—ultimately of sexual, libidinal origin—were channeled in the context of society to lead to mass-movements of incalculable power. What nationalism does, above all, is construct an entity—the nation—which may or may not be easily identifiable with a political state. That entity is superimposed upon its individual members, to provide those members

with a superstructure that becomes a source of moral approval unthinkable in its absence. The so-called "good of the nation" can then be used to justify the most heinous of crimes.

Writing in "Thoughts for the Times on War and Death," Freud notes that nations, which "are in a measure represented by the states which they have found," act in far more reprehensible ways than do particular individuals. A state at war, for example, "permits itself every such misdeed, every such act of violence, as would disgrace the individual man."⁵¹ Mob psychology transforms the worst instincts and magnifies them.

Freud does not pretend to be able to explain this phenomenon. Rather than dignify it with clinical labels, he expresses dismay at the irrationality of violence:

Actually why the national units should disdain, detest, abhor one another, and that even when they are at peace, is indeed a mystery. I cannot tell why it is. It is just as though when it becomes a question of a number of people, not to say millions, all individual moral acquirements were obliterated, and only the most primitive, the oldest, the crudest mental attitudes were left. Possibly only future states in development will be able in any way to alter this state of affairs.⁵²

Freud is suggesting, in other words, that the aggressive chauvinistic, xenophobic, and racist brand of nationalism is a primitive stage of development—a precivilized stage. In that, he is correct. It is important to remember, however, that "primitive" does not mean "prehistoric." It can happen again even today, as the presumably sophisticated twentieth century draws to a close. This has been, after all, the most bloody century in history. One can only hope that the next millennium will be an improvement, but there are no guarantees.

II

The East-Central European Context: Post-Communist Trauma

1. The Marxist-Socialist Legacy

While it was explicitly anti-nationalistic, Marxism paradoxically served some of the same functions as nationalism: it provided a sense of group identity beyond the individual; a messianic sense of history; and a moral framework designed to justify aggressive acts against others, who were perceived as exploitative, in a power-struggle for social, political, and cultural control. The appeal of Marxism can be explained at least in part in terms of these dynamics. Slovak writer Martin Simecka elaborates: "Nationalism is similar to communism in some ways. It gives people an ideology, a sense of identity that we lost when we became free."¹ In short, people need a way to identify themselves—a common fate to transcend individual loneliness amid the insecurities of the free market and before the finality of death.

Four decades after its forced imposition in East-Central Europe, Marxism has left deep, possibly even inescapable scars. Continues Simecka: "People are used to thinking in ideological terms. Nationalism, like communism, gives people a sense of being for or against."² In brief, nationalism is the new euphemism—the mantle that covers a multitude of both sins and vir-

tues—with the resulting confusion that is the necessary correlate of all ambiguity. Despite their different histories, therefore, the nations of East-Central Europe are now facing a number of common problems that can be traced to their recent ideological plight. These problems are the reason why today more than ever the Danubian nations constitute, in the words of Hugh Seton-Watson, “the sick heart” of modern Europe.³

Undoing a distorted view of history

Over the past four decades, each nation of East-Central Europe has had to systematically rewrite its entire chronology from a Marxist-Leninist point of view. Regardless of the relative value of each nation, the valor of its people or its cowardice, the richness of its culture or its mediocrity, erasing the nation's history altogether might have been easier to survive than the distortion. Books must now be rewritten, rediscovered, resuscitated.⁴

By way of example, after the Communist takeover in Romania, the Romanian Academy's linguistic work—especially the dictionary of seventeenth- and eighteenth-century Romanian—was designed to prove that Romanian was really a Slavic language rather than a modern version of the Latin imposed by the Romans in the first century A.D.⁵ Distortions of history of this sort by Communist rulers play into the hands of the post-Communist manipulators, the demagogues attempting to instill an idyllic nationalism.

Coping with a sense of wounded pride and lack of self-esteem

Having had to lie—not only about one's own past, but even about the present, about matters before one's own eyes—for fear of the secret police, for fear of destruction and retaliation not

only against oneself but one's own children and parents, has created a deep sense of insecurity. No matter how clear it is that such fear is perfectly justified, the sense that one should have sacrificed everything in the interest of truth is impossible to erase completely.

Vaclav Havel described the essence of this process, in his now-famous essay “The Power of the Powerless,” as drawing

everyone into its sphere of power, not so they may realize themselves as human beings, but so they may surrender their human identity in favour of the identity of the system, that is, so they may become agents of the system's general automatism and servants of its self-determined goals, so they may participate in the common responsibility for it, so they may be pulled into and ensnared by it, like Faust with Mephistopheles.⁶

This Faustian legacy weighs heavily on the people of East-Central Europe. Havel's—and Aleksandr Solzhenitsyn's—chosen method of salvation, “living in truth,” cannot help those who, sometimes quite deliberately, usually half-consciously, and sometimes even unconsciously, went along with the Big Lies of their corrupt Marxist regimes. They cannot forgive themselves.

An additional source of self-loathing is the absence of genuine culture during the Communist period. For in addition to the virtual obliteration—certainly distortion—of past tradition, there was the *kitsch* of socialist anti-art, the mirror of the lie in the form of pseudo-culture that needs to be undone, to be eliminated from the body of the nation like so much poison, without the benefit of antidote.

Facing the effects of economic trauma

The legacy of poverty that the people of East-Central Europe are having to face is not only a source of anger as a result of the

The Bloody Flag

felt injustice at having been subjected to a system imposed by force. It has also manifested itself in the form of exhaustion because of malnutrition, unspeakable pollution, psychological stress, and lack of proper medical attention and treatment. What is more, the contrast with life in the West makes it harder to bear: penury in the Middle Ages was taken as a given; in the twentieth century it is the insult added to the ideological injury. Fortunately, and somewhat surprisingly, there is a greater degree of resilience than might have been anticipated.⁷

Disintegration of genuine fellow-feeling

Paradoxically, one of the saddest legacies of the supposedly anti-individualist Marxist-Leninist dogma, which turned out to be an enormous hoax benefiting a small ruling elite, is the pervasive suspicion of one's fellow human beings. In a social setting where The Group was exalted beyond all individuals—requiring immediate reporting of any deviant behavior that was supposed to harm Group Interests—suspicion became inevitable. It is impossible to properly appreciate the true nature of post-Communist nationalism without understanding this fact.⁸

Alongside suspicion of one's own countrymen there has also been deep mistrust of foreigners—though different nations have been viewed differently, of course. The West in particular has been mistrusted for the rather palpable reason that it did not come to the rescue of East-Central European nations during the time of Soviet occupation. On the contrary, various forms of détente with the Communist rulers were witnessed by the people with incredulity. The entire system finally collapsed of its own weight in 1989, no thanks to Western accommodationism.

Hatred came easily in an atmosphere that has been called (to use Josef Zverina's expression) "a whole ideology of hate":

This ideology justified everything it required; everything was permitted to achieve its success; it encouraged hatred and even

The East-Central European Context

required it on occasions. There can be no worse threat than this to human morality and life. While, unhappily, we find hate in various guises all over the world, hate here has its specific features. The education of a people into a single permitted ideology creates a much more intensive basis for such hatred. Hate is thereby "nationalized," as it were.⁹

The legacy of hatred could not but express itself in pathological forms of human interaction after the fall of Communism.

Reinventing language

Marxist-Leninist "newspeak" was designed specifically to affect people's perceptions of reality, to make easier the distortions that had been required by socialist reconstruction. New words were invented, old ones redefined. Slogans permeated ordinary speech, and some words became outlawed outright. People's relationships with each other were redrawn in the attempt to create "the new socialist man." In the process, one became alienated from one's most immediate instrument of communication with one's innermost reality: language. Never before had such an experiment been undertaken. For the imposition of a foreign dialect or an alien tongue does not affect one's original language. This was rather a mutilation, a sacrilege—and was perceived as such.

Coping with post-Marxist secularization

The physical destruction of churches, the co-opting of the clergy (in many cases recruiting its members to serve the secret police), the declaration of atheism as the official philosophy (while denouncing religion as so much "cultism"), and the closing of schools of theology—all this served in many cases to kindle interest in religion rather than muting it.¹⁰

Yet it would be wrong to underestimate the importance of an atheistic philosophy on the population at large. It may be a long time before the people of East-Central Europe gain a healthy perception of their metaphysical place. Twentieth-century Western secularism has caught them unaware, leaving them in the midst of the universe God-less, helpless, equipped mainly with their conviction that unless they help themselves probably no one will.

Facing maneuverings by the outgoing nomenklatura

In addition to the traumatic legacy of Marxism-Leninism, here remain the maneuverings of the outgoing *nomenklatura*, the privileged elite of the socialist state. This class did not disappear with the revolutions. The old elite is undoubtedly seeking all possible ways to survive. In each of the countries of East-Central Europe, the former Communist ruling class has found ways to capitalize on the dismantling of the empire. In the process, the predictable fueling of discord, the creation of instability and discontent, including anti-Semitism, will continue to take place. And it will not always be easy to detect the causal elements.

As Michael Dobbs observes, "for thousands of mid-level Communist *apparatchiks*, nationalism has represented an almost miraculous way of hanging on to power following the collapse of Marxist-Leninist ideology. By handing in their party cards and wrapping themselves in the national flag, former Communists were able to acquire new political identities overnight."¹¹ There seem to be similar motivations—and similar tactics—in the peculiar hard-line nationalist/Stalinist approaches of Albania, China, North Korea, and Romania. Vladimir Tismaneanu believes that the Communist leaders of these hapless countries shared a "magic-ritualistic conception of the omnipotent and omniscient Supreme Leader,"¹² subjecting their people to an un-

commonly ruthless oppression, often poorly understood in the West.

Perhaps the most spectacular—and sinister—example of a change of ideological facade may be found in former Serbian President Slobodan Milosevic. Says Dragan Veselinov, a political scientist at the University of Belgrade:

Milosevic and the Serbian Communist elite were not originally nationalists. They took over nationalist ideology to keep themselves in power without substantially changing the political and economic system. By switching ideologies, they were able to unify the public mind, achieving the same result as under Communism.¹³

This is not to say that the *nomenklatura* cannot be enlisted in the democratization process—indeed, elements of the old regime will undoubtedly contribute to building the new. The problems arise when they attempt to use non- or even anti-democratic methods to protect their privileges. Generally, power tends to corrupt even former opposition leaders once they are in control. This has been the case, for example, both in Georgia and in Moldova, where duly elected leaders turned out to have less respect for democracy than might have been expected, once they were exposed to the sweet aroma of authority. Need one even mention that the attraction to power is not a monopoly of Marxists?

It is no exaggeration that in East-Central Europe, the insidious, skillful, and astute efforts on the part of the old elite to change their stripes is perhaps the most formidable obstacle to the dismantling of the old regime in the near term. In Bulgaria, for example, Turkish party spokesman Yunal Lyutfi puts it plainly: "Nationalism is the only card the Socialists [the former Communists] have to play. Regrettably, that feeling is flourishing in this part of the world. It has no future, but in the short term it is very dangerous."¹⁴ And it is not clear how short the "short term" may be.

Zlatko Anguelov, Bulgarian editor of the London-based *East-European Reporter*, also observes that a climate of "hysteria and hostility" surrounding the issue of nationalism and the Turkish minority is being manufactured:

The blame for this unhealthy environment must be laid at the door of the Communists, as in a number of other East European countries where they have attempted to prolong their grip on power by stirring up essentially a pseudo-question.¹⁵

This "pseudo-question" he believes to be the issue of "pseudonationalism." But "pseudo" does not mean "bogus." It is a very real problem indeed, which has already poisoned the body and soul of Bulgaria's newborn democracy—not irrevocably perhaps, but deeply, and for a long time to come.

2. The Historic Legacy of Nationalism in East-Central Europe

It is possible to talk about a special brand of nationalism in Eastern or East-Central Europe, explicable by a complex variety of factors shared by the ethnic communities in the region, however different the particular circumstances at any particular time. Walter Kolarz refers to the people of the region as "peoples without history" in one specific sense, borrowing the terminology of Friedrich Engels, on the ground that in feudal times only the upper classes wielded effective political power, while the people themselves "were condemned to be inarticulate, anonymous, silent."¹⁶ The result has been an uneven development in the self-awareness of these ethnic societies, the ordinary folk alternately revered and despised, their languages either ridiculed or glorified, depending on ideological and political expediency. By contrast to Western Europe, where relative national homogeneity had been achieved before the nineteenth century,

East-Central Europe continued to accentuate and nurture differences. Royal power helped unify and civilize the West more rapidly, while in the East "feudal and local particularism did not yield to political and administrative centralization until the nineteenth century, when nationalism was becoming a conscious force."¹⁷ Accordingly, rather than naturally tending toward democracy, the East tended toward exclusiveness, particularism, and intolerance. Isaiah Berlin speculates—perhaps a bit unfairly—that the reasons may be found in historical impotence:

Those who cannot boast of great political, military or economic achievements, or a magnificent tradition of art or thought, seek comfort and strength in the notion of the free and creative life of the spirit within them.¹⁸

Put bluntly, East-Central European development, both political and economic, lagged behind the West. Hans Kohn explains that in this region

nationalism arose not only later, but also generally at a more backward stage of social and political development: the frontiers of an existing state and of a rising nationality rarely coincided; nationalism, there, grew in protest against and in conflict with the existing state pattern—not primarily to transform it into a people's state, but to redraw the political boundaries in conformity with ethnographic demands.¹⁹

These demands were in many ways understandable. Over the centuries, the people of the region were variously occupied by the Turks under the Ottoman Empire, the German Empire, the Austrian Hapsburg monarchy, and the Russian Empire. When nationalism was discovered—mainly by the nobility in the occupied lands of East-Central Europe—the process was tinged with pathological, even irrational elements. Thus, Kohn contrasts it, somewhat simplistically but not unjustly, with Western nationalism, which was at least originally "based on reality,"

while “nationalists in Central and Eastern Europe created, often out of myths of the past and the dreams of the future, an ideal fatherland, closely linked with the past, devoid of any immediate connection with the present, and expected to become sometime a political reality.”²⁰ Kohn is perhaps unduly charitable to Western nationalists, who after all had their share of intolerance. But in the East the problem was unquestionably worse. The nationalism based on dreams and myth was particularly undemocratic and illiberal.

On occasion, it was outright messianic, especially when special privileges were claimed for an entire people, as was the case in Poland and, at later stages, in Hungary. But as Peter F. Sugar observes, “messianism cannot be egalitarian; it claims rights for a chosen people, the *Volk*, not for the individual or citizen. This *Volk* concept is practically totalitarian.”²¹ The reason seems clear enough: the *Volk* idea stands for a group, with a history and national traits expressed through culture and community. The individual is nothing outside of his group. If he opposes the majority he is a traitor to his whole tradition, to his kind.

The *Volk* approach to nationalism in East-Central Europe was radically different from the romantic concept developed in the West, in particular the idea developed by Johann Gottfried von Herder at the end of the eighteenth century. Herder’s emphasis was on linguistic and cultural tradition; he was fully aware of the dangers behind an overly messianic rediscovery and rewriting of national history. Presciently anticipating later abuses, he warned that “the historian of humanity should be careful in this [the rediscovery of the past] not to make one nationality into his exclusive favorite”; nor should anyone be tempted to force his own nationality’s system upon others by virtue of national prerogative, no matter how well-intentioned the motives, for “the happiness of one nationality cannot be forced upon, thrust upon, or loaded on another or all others.”²²

Herder’s humanistic tolerance did not survive the adoption of his ideas in Eastern Europe. Though he is credited with having

been extremely influential in introducing nationalism in Eastern Europe—Germany being the main transmitter of ideas to that region—Herder became distorted almost beyond recognition. While he was a champion of liberty for all humanity, his disciples to the east were statist and exclusivists.

He would hardly have anticipated that one of his most widely acclaimed contributions to the East-Central European nationalist awakening was to be the praise he reserved for the Slavs, whom he admired particularly for their humble devotion to peace and their refusal to compete for the mastery of the world, patiently paying their taxes in exchange for tranquility. Herder’s one fatal mistake was to add that several nations, but mainly the Germans, “committed crimes against them”²³—thus fueling the most virulent form of Pan-Slavism, especially among the Czechs and Slovaks.

The Slovak Lutheran minister and poet Jan Kollar (1793–1852), for example, who acknowledged his debt to Herder, chose to thoroughly distort Herder’s admiration of the Slavs, turning it into a caricature as he predicted that “everywhere the Slavs, like a mighty flood, will extend their limits” as “sciences will flow through Slav channels; our people’s dress, their manners and their songs will be fashionable on the Seine and on the Elbe.”²⁴ So much for the mild-mannered Slavs.

It is notable that the champions of this aggressive nationalism were the intelligentsia—poets, writers, members of the educated class. Until the beginning of the eighteenth century, they had used French, German, and Latin as their languages. But in the 1780s the Hapsburg monarchy unwittingly sowed the first seeds of its own demise. Emperor Joseph II not only introduced religious tolerance but encouraged education, which at the lowest level was to be given in the vernacular language, thus creating new cultural elites among the people of East-Central Europe. In addition, Herder’s philosophical support for folk traditions and native language further encouraged these elites “to write grammars and compile dictionaries of their native tongues, to translate

foreign works, to collect folk songs, to explore national antiquities, to do research in historical chronicles and archives."²⁵ All this was meant to enhance the glory of one's nation and establish not its equality among others but indeed its superiority morally, historically, and even religiously.

In some cases, the first stirrings of nationalism came through religious awakening and the sharpening of religious conflicts. This was the case, for example, in Poland, where Catholics and Greek Orthodox citizens clashed during the late eighteenth century. After Poland was first partitioned in 1772 between Prussia, Russia, and Austria, Jan Dekert, then mayor of Warsaw, organized a movement for the civil and political rights of burghers. The following year, Polish was introduced as the language of instruction in the universities. Bishop Adam Naruszewicz wrote a history of Poland, and more foreign books were translated into Polish, while old Polish texts were being edited and reprinted.

The second partition of Poland in 1793 was followed by another in 1795, the sad result of a Polish revolt against the Russians led by Tadeusz Kosciuszko. Kosciuszko had been a veteran of the American War of Independence, which evidently inspired him to emulate the exercise in his native land, but with far less propitious results. It was not, however, until after the great uprising of 1848, when the nationalities of East-Central Europe revolted against the Hapsburg monarchy demanding greater self-determination, that Polish—and East-Central European—nationalism came into its own.

In Poland, its eloquent spokesman was Adam Mickiewicz, a professor of literature in France at the time of the 1848 uprising, whose nostalgic attachment to his native land was romantic and benign. His *Books of the Polish Nation and of a Polish Pilgrimage*, written in 1832, is a beloved classic, having helped keep alive the national consciousness of his people.

Another veteran of 1848 who left an indelible mark on the history of nationalism in his country was the Hungarian lawyer Lajos Kossuth (1802-1894), who galvanized an already aggres-

sive political nationalism. Writes Kohn: "Whereas the nationalist activities of Czechs and Croats, Romanians and Ukrainians, were before 1848 mostly confined to the cultural field, the Magyars in Hungary turned to transform this ancient multi-racial kingdom into a Magyar national state."²⁶ This is not to say that nationalism in Hungary did not start in a similar cultural context. George Bessenyei (1747-1811), an officer at the court of Vienna, was instrumental in having books translated from French and English into Hungarian. Debreczin, the largest Hungarian city, then became a kind of national center. A new Hungarian newspaper, *Magyar Hirmondo*, recommended wearing national costumes, and the old Hungarian leaders who had resisted Tatars and Turks were being revived and revered. The first history of Hungary was written by Stephen Katona in 1778, and another, forty-volume version occupied him from 1779 to 1817.

In 1833, the official language of Hungary was changed from Latin to Magyar, thus starting the process of Magyarization of the Hungarian administration. Lajos Kossuth edited the progressive newspaper *Pesti Hirlap*, which demanded constitutional reforms, liberal legislation, and national independence for Hungary—an admittedly enlightened position, but with one catch: these rights were not applicable to the non-Magyar minorities.

Indeed, the spirit of 1848 soon turned sour as nationalist aspirations undermined the democratic ideals that inspired the uprising in the beginning. The new nationalism stressed collective power and unity at the expense of individual freedom. East-Central European nationalism took a turn against liberalism with a vengeance.

Hungary seemed to win out, however, at least relative to other nationalities. In 1867, Emperor Francis Joseph of Austria was obliged to share power with Hungary, inaugurating the so-called period of Dualism known as Austria-Hungary. Afterward, Hungary was regarded as a "national state" with one "political nation"—the Magyars. (The word for "Magyar," for example, is in fact the same as for "Hungarian.") Membership in this nation

l been limited in past centuries to the nobility; in 1848, as a ult of the liberalizing trend, it extended to all those who spoke gyar and considered themselves Magyars.

But it went no further. While members of other nationalities *mzetiseg*) could continue using their own languages in vate, the public language had to be Magyar. In 1868, a ionality Law was passed that allegedly protected the cultural its of the non-Magyars, but in effect many of their privately nced schools were suppressed; education laws introduced re rigid regulations about the teaching of Magyar, and non-gyar newspapers were either undermined or suppressed ight, which produced bitter anti-Magyar nationalist activity. hortly after the dramatic awakening of the Hungarians, ers followed suit. Nationalist demands were raised by nanians, Serbs, Slovaks, and Croatians who lived on the ter- ry of Hapsburg Austria—all wanting educational reforms, right to learn in their own languages. Their limited success tive to the Hungarians was due to their smaller numbers, r more dispersed settlement patterns, and the fact that their ilities were weaker.²⁷

he region was indisputably transformed by the upheavals of 8, which were widely perceived to be nothing short of a tershed." Sugar describes the ensuing period succinctly:

[B]etween 1848 and 1914 nationalists faced two enemies: the dynastic empires from which they wanted to obtain at least autonomous self-rule and all the other people who shared their goals but also claimed some of the same territories, and the same determination to be recognized as sovereign over them. What emerged was something like a *quod licet Jovi non licet bovi* [what is permissible for Jove is not permissible for the bull] attitude of denying others the rights, privileges, and even the validity of dreams perfectly justified for one's own nation.²⁸

his exclusionary attitude created the xenophobia, anti-Semi-, and other noxious fumes that persisted through the First

World War and were only exacerbated by the horror that ensued with the Nazi period and the Communist totalitarian terror. The attitude is emerging now in a newer form, having been distorted during the Communist era when cynicism of a Marxist-Leninist variety gave the concept a peculiar twist: paying lip-service to ethnicity within an ideological context that had nothing but contempt for it. This situation presents new dangers in a volatile region facing not only insuperable economic problems but also deep psychological scars—some of them perhaps beyond repair.

Not unexpectedly, ethnicity figured rather prominently in the rise of Communism in the region. Writes Richard V. Burks, in his study *The Dynamics of Communism in Eastern Europe*:

We may erect almost as a principle the proposition that in [E]astern Europe numerically weak ethnic groups produce above-average numbers of Communists, providing these groups have a traditional or ethnic tie to Russia. Other factors being equal, the weaker the ethnic group, the greater the proclivity.²⁹

In other words, members of groups that were less integrated turned in greater numbers to Communism as a source of power. The conclusion seems inescapable that Communism was seen as providing a certain political advantage, leaving the impression that for many opportunism played a role in the selection of this ideology.

Once Communism came to power, the new governments used nationalism in various ways, "using and exploiting it when it suited their convenience, while condemning it in theory."³⁰ For instance, the Soviets called on the Czechs and Poles to unite behind the Soviet Union against the Germans. Similarly, Russian nationalism itself—previously condemned by Stalin as high treason—became a useful tool in his hands during the Second World War.

During the Communist regime, moreover, nationalism was used as a "cover" for what were actually economic demands and grievances. One reason was that it safer for people to express

their grievances in such terms—since economic reforms as such were virtually beyond hope in rigid, centrally controlled socialist systems. This pattern cannot be ignored if one hopes to understand post-totalitarian East-Central Europe.

III

Spotlight on Romania

1. The Pre-Communist Tradition

To summarize very briefly Romania's historical odyssey, the Carpathian-Danubian area was originally populated by the Dacians (or Getae) in the first half of the first millennium B.C. until their conquest by Rome in the beginning of the second century A.D. The Latin language and Christianity were gradually introduced over the course of the next century. But the Romans were forced to leave Dacia in 261 A.D. by nomadic tribes—opening the region to waves of such invasions. In the eleventh century, Transylvania (Dacia's northwestern region) came under Hungarian rule, which lasted until 1918. Wallachia and Moldova (the southern and eastern regions, respectively) were briefly united by Michael the Brave from 1593 until 1601. After his assassination, there followed Turkish influence in the provinces, mainly through Greek officials known as Phanariotes (after the Phanar quarter of Constantinople where the Greeks originated). The provinces had to pay tribute to the Turkish sultan for over two centuries.

During the 1700s, Russia and Austria vied with each other for Romanian territories. Russia briefly occupied Moldova, then

DEMOCRATIC INTERNATIONALISM IS ORWELLIAN NEWSPEAK FOR ILLIBERAL GLOBALISM

April 30, 2022



“Ironically, and contrary to so many professed good intentions, Jews do most to advance the liberal idea when they stand up to their enemies on their own behalf, and least when they assume excessive guilt in the hope of political absolution, or camouflage the defense of Jews as a loftier cosmopolitan cause.” So wrote the celebrated Harvard professor **Ruth Wisse** in 1992. But her assessment is no less applicable to modern-day Americans, Jews and non-Jews alike, who similarly engage in the common fallacy known as mirror-imaging. Though understandable, the propensity to project one’s psychological and cultural reaction-patterns on others, and assume they respond in similar ways, invariably misfires. People who welcome expressions of remorse, for example, may be over-eager to



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This is wishful thinking on steroids. Most if not all of America's enemies will no more stop hating it than will Israel's, even if the Zionist state were to abide by every United Nations resolution. Maybe they would be impressed if it committed suicide, but probably not. Because at bottom, the enemies of both nations share an antagonism that no amount of kowtowing and breast-beating can erase. Israel and America embrace a system their opponents consider anathema. Like Israel, the American republic is based on Abrahamic principles articulated in the Torah, implicitly challenging the legitimacy of any government that repudiates them.

The cluster of beliefs that underlie those principles is not easy to describe. The task becomes exponentially harder as ambiguities emerge through time. "The liberal idea," Wisse's wise choice for describing the multi-layered conceptual wellspring of an affinity community bound by a covenant they vow to respect, is best captured in the Declaration of Independence. Such a covenant enfolds its members and their descendants, but others' inclusion is anticipated and welcomed. It presupposes one overarching liberal idea, usually called "classical," that of respect for all human beings. Predicated on personal responsibility, consisting of reciprocal rights and obligations, it thrives in a culture of empathy.

Though not strictly an ideology, what was first described by Adam

Smith as “the system of natural liberty” may well be labeled *liberalism*, if only to underscore the holistic conceptual reach of the liberal idea and its emotional hold, in a way that purely cognitive, rational philosophical categories cannot do. The problem with most political “isms” is the preponderance of passion at the expense of logic, which undermines most attempts at clarity. As fuzzy connotation overwhelms somewhat less ambiguous denotation, they are catnip for sophists.

Anti-Americanism is a particularly interesting case. Of relatively recent origin, the unwieldy appellation is not to be confused with disliking any one thing about America, or even America as a whole, whatever that means. Anti-Americanist sentiment/ideology targets Americans in a manner comparable to traditional anti-Judaism, a curiously contradictory propensity to hate Jews because they are rich and despise them for being poor. So anti-American snobs detest Americans for being materialistic because they like spending, and too idealistic because they enjoy taking risks. In foreign affairs, American isolationists are accused of not caring about anyone else, but when Americans do engage, they are charged with imperialism. Go figure.

As ideologies, anti-isms resist refutation. “Americanism” is not a function of any particular set of government policies, for even when those change, which they frequently do, the antagonism persists. Which is not mere loathing: for while many people dislike the French in general and even in particular, there is no anti-Frenchism;

nor, for that matter, anti-Irishism or anti-Italianism, despite the presence of signs a century ago, particularly but not exclusively in Southern states, expressing hostility against both those ethnicities. Antagonism directed against people qua members of a particular group varies with time and place, as do the rationalizations which serve as justifications. Call it tribalism if you wish, it comes down to this: my own is better than yours, now go away or suffer the consequences.

But that doesn't capture the heart of the matter. Political scientist James Ceaser has it exactly right when he defines anti-Americanism as "the political religion of our times." Writing in an anthology on the subject, in 2004, he found that "[o]n every continent, large contingents of intellectuals, backed by significant numbers in the political class, organize their political thinking on the basis of anti-Americanism." Today, the situation is far worse.

But what sort of ideology? According to the anthology's editor, intellectual historian **Paul Hollander**, it refers to "a deep seated, emotional predisposition that perceives the United States as an unmitigated and uniquely evil entity and the source of all, or most, other evils in the world." Intimately related to fear of modernity, it reflects "the belief that big corporations (capitalism) are in the process of extending their influence and power around the world, and that the United States, as the major capitalist country, plays a prime role in this undesirable process."

Anti-Americanism is thus an unmistakable symptom of hostility to Wisse's "liberal idea." Like antisemitism, a particularly identifiable, albeit heterogeneous, group is used as a foil to reify and concentrate resentment. The tactic is notoriously effective in forging political alliances, harnessing quasi-religious zeal couched in lofty-sounding ideals that help dispense with any additional justificatory arguments.

No one understood this maneuver better than did the great George Orwell. In his underappreciated *Notes on Nationalism*, published in October 1945, Orwell seized the opportunity to fill the semantic niche created by a habit of mind that "is now so widespread that it affects our thinking on nearly every subject," which we may describe as the anti-liberal *ism*. The essay is a masterpiece more relevant than ever.

Leery of coining one more neologism that ends up stillborn, he opts for the next closest thing: an existing dictionary entry in more-or-less-good standing, sanctified by common usage, which, however imperfectly suited for the new job at hand, is reasonably new and just vague enough to permit flexible redefinition through caveat and contextualizing. "Nationalism" seemed just right.

The minor inconvenience that in Orwell's usage it does not always, perhaps not even primarily, involve feelings about a *nation* in the usual sense of a race or geographical area, denoting instead a religion (or "church") or class, he has to redefine it first:

By “nationalism” I mean first of all the habit of assuming that human beings can be classified like insects and that whole blocks of millions or tens of millions of people can be confidently labelled “good” or “bad.” But secondly – and this is much more important – I mean the habit of identifying oneself with a single nation or other unit, placing it beyond good and evil and recognizing no other duty than that of advancing its interests.

And since any definition will become clearer when contrasted with a merely apparent and thus all the more misleading, synonym, he specifies that

... [n]ationalism is not to be confused with patriotism. Both words are normally used in so vague a way that any definition is liable to be challenged, but one must draw a distinction between them, since two different and even opposing ideas are involved. By “patriotism” I mean devotion to a particular place and a particular way of life, which one believes to be the best in the world but has no wish to force on other people. Patriotism is of its nature defensive, both militarily and culturally.

The difference is radical. “Nationalism... is inseparable from the desire for power,” and thus requires a careful designation of the target group or “nation,” something greater than oneself, as distinct from an alien “other” against which one must fight. Conveniently, it serves to both legitimize and camouflage personal ambitions for aggrandizement. “The abiding purpose of every nationalist is to secure more power and more prestige,” adds Orwell – purportedly “not for himself but for the nation or other unit in which he has chosen to sink his own individuality.”

If one expected a member of the notoriously egocentric intelligentsia to be among the least inclined to “sink his individuality” into anything, one would be wrong. After clarifying that the elite set includes Communist Party members as well as “fellow-travelers” and russophiles generally, Orwell declares that among them, “the dominant form of nationalism is Communism.” A former Communist himself, whose Socialist sympathies persisted long after abandoning all faith in the Soviet system, Orwell defines the term not as a slur, nor, McCarthy-style, a false accusation of Party affiliation, but as a general attitude: “A Communist looks upon the U.S.S.R. as his Fatherland and feels it his duty to justify Russian policy and advance Russian interests at all costs. Obviously such people abound in England today, and their direct and indirect influence is very great.”

In particular, a Communist thus defined would follow Russian policy regarding America which had once again turned sour the brief

marriage of convenience during World War II. After Joseph Stalin stated publicly, in February 1946, that “the war broke out as the inevitable result of the development of world economic and political forces on the basis of present-day monopolistic capitalism,” it was back to the old Marxist antinomies. Pro-Soviet nationalist/Communists, in Orwell’s sense, were thus necessarily anti-American. This held true not only outside the United States – specifically in England, Orwell’s main target audience – but ominously, within.

Trouble starts once omelets are on the revolutionary menu, and the variously guillotined eggs scramble inside the frying pans of nationalism, yielding double standards. For “[t]he nationalist not only does not disapprove of atrocities committed by his own side, but he has a remarkable capacity for not even hearing about them.” This is by no means limited to one side. Orwell reminds the reader, perhaps prematurely tempted to self-congratulate, that “[f]or quite six years the English admirers of Hitler contrived not to learn of the existence of Dachau and Buchenwald.” Similarly, “those who are loudest in denouncing the German concentration camps are often quite unaware, or only very dimly aware, that there are also concentration camps in Russia. Huge events like the Ukraine famine of 1933, involving the deaths of millions of people, have actually escaped the attention of the majority of English russophiles.”

Members of both camps will likely find fellow-nationalists in other areas. Thus “[m]any English people have heard almost nothing

about the extermination of German and Polish Jews during the present war. Their own antisemitism has caused this vast crime to bounce off their consciousness. In nationalist thought there are facts which are both true and untrue, known and unknown.” And all nationalists “have the power of not seeing resemblances between similar sets of facts.”

Closely related to this cognitive deficiency is the practice of moral equivalence, which presumes to set in balance often preposterously disparate iniquities. Notable among them is the practice of “‘comparative trivialization,’ as in **comparing** United States’ treatment of the prisoners in Guantánamo to the Nazis’ treatment of those they detained.” Abuses of Holocaust memory, in fact, have become increasingly common on the liberal-left, particularly in the last few years. In May 2019, for example, Congresswoman Rashida Talib mused on *Yahoo News* podcast: “There’s a kind of a calming feeling, I always tell folks, when I think of the Holocaust and the tragedy of the Holocaust, and the fact that it was my ancestors — Palestinians — who lost their land, and some lost their lives, their livelihood, their human dignity, their existence, in many ways, had been wiped out.” To which Aaron David Miller, advisor to both Democratic and Republican presidents, who is Jewish, could say only that **the comparison was** “highly arguable.”

Arguable, quite highly so, but seldom argued by increasingly many Americans, in particular Jews, who call themselves liberals. As progressivism has taken over larger segments of the community,

tikkun olam has served as a conceptual bridge, savvily camouflaged in both foreignness and religiosity to facilitate the transition. Who better than Barack Obama to explain how modern liberalism became all but indistinguishable from the Jewish conception of social justice: “Around the world, we can seek to extend the miracles of freedom and peace, prosperity and security, to more of God’s creation. And together we can continue the hard but awesome work of *tikkun olam*, and to do our part to repair the world,” declared the president in his Passover **greeting** issued by the White House on April 15, 2015.

Nice words, but what did he mean? The president’s most important role is to keep the nation safe. What does “extending the miracles of freedom and peace” mean in actual practice? Preserving those indispensable prerequisites for national survival is one thing. But did Obama’s decision to assist European efforts to bomb Libya so as to precipitate regime change end up “extending” either of those fine goals? Was that (and many other controversial foreign policy moves) part of the Founders’ plan in any way?

Scholars have been split between those who argue that most Founders sought to stay out of foreign conflicts and those who see America as the shining city on the global hill. But no one denies that originally, in the eighteenth century, the one overarching foreign policy issue before the embryonic United States was sheer survival.

For that was no time for isms. Once a peaceful resolution of their

disagreement with the Mother Country proved illusory, and the Founders bravely declared independence, the signatories of the treacherous Declaration knew they faced execution. They also knew that they could not do it alone: for the colonists to win a war against the mighty British empire, allies were indispensable. Amazingly, defying overwhelming odds, the ragged colonists did win. The consummate diplomat Benjamin Franklin delivered France; John Adams overcame his emotional deficit and rose to the occasion, securing a hefty loan from the Netherlands; and George Washington put his prior military and intelligence experience to good use, demonstrating extraordinary strategic acumen.

Since the Constitution places responsibility for foreign policy decisions in the executive and reserves appropriation of funds to Congress, the drafters demonstrated typical pragmatism in combining opposites. Though intending that a large a portion of the population should endorse the politicians' decisions, the greatest latitude and ultimate decision is left to the commander-in-chief. The Progressive Theodore Roosevelt, alongside Wilson, his co-ideologue who later skillfully adopted the liberal label, both sought to spread the American vision of democracy as defined in their day by John Dewey: by people like themselves, elites who knew what was best for the people, which they both interpreted in expansionist terms. But if that was "internationalism," neither used the word. It was thus described only retroactively, and most imprecisely.

As often happens with rhetoric, Wilson's famous "Fourteen Points"

was less influential for what it said than for what it precipitated: bringing the United States into a conflict that did not threaten its borders, seemingly for ideological reasons alone. In **that document**, Wilson summarized those reasons:

What we demand in this war, therefore, is nothing peculiar to ourselves. It is that the world be made fit and safe to live in; and particularly that it be made safe for every peace-loving nation which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression. All the peoples of the world are in effect partners in this interest, and for our own part we see very clearly that unless justice be done to others it will not be done to us. The program of the world's peace, therefore, is our program...

Should this be considered a fair description of what has since been called “liberal internationalism”? University of Sussex professor Beate Jahn **explains** recent developments: “Under the Bush administration in the early 2000s, the United States seemed to abandon liberal internationalism altogether. It replaced multilateralism with unilateralism, shunned its friends and allies, ignored international institutions, pursued an aggressive and illegal

economic policy, and blatantly violated human rights.” Others, notably **G. John Ikenberry**, disagree: “it is not liberal internationalism that is in crisis but rather America’s authority as the hegemonic leader of the liberal world order.”

In an **article** Ikenberry co-authored with Daniel Deudney in 1999, the two professors argued that “the postwar order was created as a response to the earlier failures of both Wilsonian internationalism and the extreme realism of the inter-war period (and its economic blocs, mercantilism, hyper-nationalism, and imperialism).” The implication is that the new form of liberal internationalism is seen as no longer under American control but must be “multilateral.” No longer are international institutions to be “ignored” but deferred to, and the U.S. may no longer “blatantly violate human rights” with impunity.

The change from pre-Cold War to the new version of liberalism, writes Beatte Jahn, amounts to a veritable crisis. “[L]iberal internationalists trace its roots to arrogant American foreign policies and view a reformed democratic internationalism as the solution.” In 2012, the Council on Foreign Relations (CFR) released a **Working Paper** by Ikenberry and Deudney recommending that “the United States should initiate a new phase of democratic internationalism based on the “pull of success rather than the push of power” that “deepens democracy globally, prevents democratic backsliding, and strengthens and consolidates bonds among democratic states.” Then-president Barack Obama would famously call this “leading

from behind.”

Though he did not give it a name, president Obama implemented the new foreign policy of the left-liberals, which Elliott Abrams, Tikvah Fund board chairman, CFR fellow, and distinguished foreign policy official for several presidents, calls “an ideology.” Its essence was conveyed not by words but through Obama’s actions, which Senator George McGovern, the Democratic presidential candidate in 1972, would have heartily endorsed. Writes **Abrams**:

The ideas espoused by Obama “incubated” decades ago, and were most likely adopted back at Columbia University or in the Chicago kitchen of his friends of Weathermen fame, Bill Ayers and Bernadine Dohrn.... The enduring hold of that ideology is visible not only in his Iran policy but also, most recently, with respect to Cuba. There, too, he has reversed decades of American foreign policy, and has done so, as in the case of Iran, without seeking any deep concessions from the Castro regime. In both instances, Obama has acted not to advance American national interests but to make amends for U.S. policies and actions that he views as the immoral and retrograde detritus of the “cold-war mentality.”


It is difficult to overstate the stunning nature of this assessment: that a president would ever act in a manner designed “not to advance American national interests,” choosing rather to “make amends” for his country’s presumed sins, is predictably seen as a form of weakness and decadence. It is bound to embolden the nation’s enemies.

But in what way can internationalism be “democratic”? When the *demos* includes the whole world, what sort of *krasis* (Greek for “power”) can any one person wield? Ikenberry and Deudney attempt to clarify: “democratic internationalism,” as they see it, “would return liberal internationalism to its roots in social democratic ideals, seek to redress imbalances within the democratic world between fundamentalist capitalism and socioeconomic equity, and move toward a posthegemonic system of global governance in which the United States increasingly shares authority with other democracies.” In other words, its aims are “democratic” meaning property would be more equally distributed in a “post-hegemonic” (more homogeneous?) world order.

The authors correctly point out that “American liberal internationalism was shaped and enabled by the domestic programs of the Progressives, the New Deal, and the Great Society. These initiatives aimed to address the U.S. economic, social, and racial inequalities, create a free but efficiently regulated capitalism, recast the American state for an industrializing and globalizing world, and adapt the U.S. constitutional order and the pursuit of

freedom to modernity.” Those were golden days. Unfortunately, at present, “[a]mong democracies, the United States finds itself an outlier, as other democratic states surpass it on various measures of democratic performance like equity, opportunity, and institutional effectiveness.” History marches on while America lags ideologically behind.

Above all, it is deficient in equity. But equity *uber alles* is a tall order:



Tackling the maldistribution of wealth, income, and opportunity that has increasingly marked contemporary democracies requires reversing many of the policies of Reagan-Thatcher fundamentalist capitalism.... More specifically, the equity agenda requires the restoration of progressive income taxation and heavy taxation of large estates, and greater roles for workers and their unions in corporate governance.

Nor is the equity problem restricted to individuals, it also extends to states. The effort must be transnational, for “[c]losing the ‘democratic community gap’ will require building links between the United States and numerous non-Western democracies, as well as with longstanding democracies strongly committed to robust government promotion of social and economic equity associated with social democracy.” This requires a major reconsideration of

America's role in the world.

This so-called “democratic internationalism” is but the foreign policy side of America's strategy coin, the other being “the progressive domestic program of renewal.” In all probability, argue Ikenberry and Deudney, in the foreseeable future “support for a new domestic progressive agenda will grow. However, this domestic political mobilization is necessary but insufficient to tame and regulate capitalism, given the scale and scope of the global capitalist system...” What must happen is for the U.S. to go beyond “the hypercapitalist world, [for] only a wide coalition of democratic states can establish the common frameworks and standards for regulation, taxation, and growth.”

Once capitalism is “tamed” at home, the United States will be much more popular. “If progressives can succeed in turning domestic policy in the United States, they will find themselves in a world hospitable to their agenda, an enlarged democratic world with many potentially willing partners.” For that to happen, however, the U.S. must turn toward “multilateral problem solving and global governance.” Unfortunately, “[i]nternational cooperation seems to have succumbed to gridlock in multiple areas, such as the environment, trade, United Nations (UN) reform, and the global nonproliferation regime,” in no small measure due to U.S. recalcitrance.

The new model of global governance differs somewhat from the

original version which relied primarily on international organizations such as the U.N. and its agencies, as well as the World Bank, IMF, and others whose membership is restricted to state representatives. By contrast, “[t]he next generation of global governance will employ approaches that combine agendas of formal international institution building with complementary efforts and strategies from nongovernmental organizations [NGOs], networks of research institutions, local governments, and corporations.” Together they constitute a coalition of progressive so-called “epistemic communities,” which in plain English refers to elites consisting of academics, diplomats, and international bureaucrats.

As all presume to speak “for the interests of the world’s poor” and the alleged good of “the people,” Hudson Institute Senior Fellow John Fonte **concludes** that “the global governance project” is at bottom “a grand ideological and institutional enterprise that promises to be of world-historical significance – an attempt to create new political forms above and beyond the liberal democratic nation-state.” True to form, those empowered to speak for “all” are the infamous vanguard, the intellectual **ideocracy** who know the real interests of the “countless thousands.”

American University law professor Kenneth Anderson **diagnoses** this anything-but-democratic internationalism as a secularization, indeed perversion, of medieval utopian millenarianism in modern garb. It is, argues Anderson, “comprehensible only upon the religious worldview that boldly proclaims the good news of

international organizations, differing from the view of the Psalmist – the ‘earth is the Lord’s, and the fullness thereof’ the world, and they that shall dwell therein” as goes the passage from *Isaiah*. Except this time, scoffs Anderson, it is “the UN, that duly noted steward of the Lord, [who will] inherit the earth.”

Poverty itself, claim the epistemic elites, proves incontrovertibly that the rich are violating the human rights of the poor whom they mercilessly exploit. Most NGOs, reflexively progressive, are especially prone to this form of reasoning, self-appointed ambassadors-without-portfolio for “the poor,” claiming to speak in the name of the “public” interest. In an unpublished essay titled “*After Seattle*,” written in 2000, Anderson writes that the “elite media,” such as the *Economist*, have only exacerbated the problem by implicitly conferring special moral approval to this putative “international civil society.” Such bombast only reinforces the self-righteousness of organizations that are in no way accountable to anyone but their funders, whether government agencies or private donors with individual agendas, however well intentioned.

Anderson charges that the “human rights movement is as a kind of secular religion... increasingly assuming the tone of (prosecutorial) authority and taking its international structures as grounds for the reform of recalcitrant nation-states within what might be thought of [as] the Holy Human Rights Empire.” According to a *2006 report* by the U.N. itself, the organization became an ideal conduit for progressivism: “social justice first appeared in United Nations texts

during the second half of the 1960s. At the initiative of the Soviet Union, and with the support of developing countries, the term was used in the “**Declaration on Social Progress and Development**,” adopted in 1969.

Three decades later, it was solidly entrenched. Writes long-time human rights activist Aaron Rhodes in his 2018 book ***The Demise of Human Rights***: “The early 1990s saw a worldwide resurgence of left-wing politics under a range of slogans providing cosmetic dissociation from Communism and state socialism.” In the forefront were the self-styled “‘human rights’ campaigns, promoting social and economic rights and asserting that civil and political rights by themselves are a recipe for exploitative, even racist capitalism. But these were (and are) movements essentially advocating coercion in the name of human rights.”

Do words even matter anymore? When internationalism is code-word for the new global authoritarianism, “human rights without freedom” the new anti-liberalism, and progress a millenarian euphemism for the apocalypse, we must turn to Ludwig Wittgenstein. Having **reminded us** that “philosophical problems arise when language *goes on holiday*,” adding that most “questions to be found in philosophical works are not false but nonsensical,” what else can we do but come home from the semantic sabbatical and take a look at a reality that may escape the pseudo-educated woke but not the commoners whose common sense is still mercifully awake.



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This series offers a forum to writers concerned that the central presuppositions of the liberal tradition have been severely corroded, neglected, or misappropriated by overly rationalistic and constructivist approaches.

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Ferenc Hörcher

Art and Politics in Roger Scruton's Conservative Philosophy

palgrave
macmillan

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6

Conclusion. The Duality of Scruton's Philosophy of Politics and Art

This book has aimed to provide a comprehensive overview of the life and work of the late Sir Roger Scruton, probably the best known British conservative philosopher of the turn of the century, focusing on his characteristic parallel interest in the arts and politics. The framework of this introduction was built around the classical distinction between a life lived in action and one lived in reflection. Our claim made about action and reflection was that Scruton was unable or perhaps not prepared to make a definitive decision on this issue. In other words, he lived two lives in parallel: that of the professional philosopher, struggling with concepts, in order to clarify them, under the constraints of universal truth, and that of the public intellectual, ready to fight in order to exercise influence on the state of affairs, to get involved in public affairs, and to make his voice heard, in order to work for the common good.

As a philosopher, Scruton was brought up in the analytical tradition, at Cambridge. This tradition saw philosophy as a professional toolkit which can be used to solve universal philosophical riddles, as long as one is able to preserve a detachment from practical concerns, while keeping one's ideas close to what is called common sense. It was Ludwig Wittgenstein who had a major impact on British analytical philosophy, and in particular in Cambridge, in the decades before Scruton's arrival

there. Preparing the ground for what came to be called the linguistic turn, the late Wittgenstein insisted on the claim that philosophy is basically concerned with our words and their usage. Philosophy in this interpretation is an activity which aims to help others have clear ideas, and clear ideas come via the right form of life. Wittgenstein famously compared the way we use words to a toolkit, opened at the beginning of the philosophical investigation: "Think of the tools in a tool-box: there is a hammer, pliers, a saw, a screw-driver, a ruler, a glue-pot, glue, nails and screw... The functions of words are as diverse as the functions of these objects. (And in both cases there are similarities.)"¹ The philosopher has no other tools but the words of ordinary language, in order to say something of the chaotic mass of reality. It is through an analysis of the way we use our words that philosophers can say something philosophically meaningful about reality. And that use of the words depends on our way of life. It is ironic, that in spite of the close relationship which Wittgenstein claimed to exist between words and deeds, the professionalisation of philosophy at analytical philosophy departments throughout the Western world led to a focus on clarifying concepts and their logical interactions, instead of viewing philosophy as an opportunity which allows us a direct interaction with reality through our analysis of our ordinary language.²

While the young Scruton and the people around him in Cambridge had a keen interest in Wittgenstein ("The university I attended was Cambridge and the philosophy I studied was that bequeathed by Russell, Wittgenstein and Moore,"³) he seems to have been unsatisfied with what he must have seen as the sterility of analytical philosophy, understood as a simple process of analysing logical operations. Although he was tutored by Wittgenstein's famous student, Elizabeth Anscombe, the main influence on his philosophical thought came from lesser-known people like the lecturer on aesthetics, Michael Tanner, the philosopher and literary critic John Casey and the art historian David Watkin. Behind them, one should be aware of the influence of the charismatic literary critic, F.R. Leavis, and what Scruton himself called his own "artistic inspirations."⁴

In his book of autobiographical recollections, *Gentle Regrets*, Scruton refers to Leavis as the source of his own convictions about the relationship between life and literature: "it is not life that is the judge of

literature, but the other way round."⁵ Leavis' impact upon Scruton's thought was reflected in a moral seriousness as well as a keen interest in the imaginative impact of literature and the arts—as a professional philosopher. Like Leavis, Scruton, too, had a sense of duty and calling—a rare attribute of a mind brought up in the analytical tradition. Leavis' influence on the intellectual life of the age is still debated, but no doubt it served for Scruton as a challenge of the somewhat grey and less imaginative side of analytical philosophy.

It was due to his primary interest in culture, art and literature that Scruton's original focus was on aesthetics and the philosophy of art. Compared to that interest, which emerged in his grammar school years, when he kept listening to records of classical music for hours, his political vein was secondary. His passion for listening to music was due to childhood experiences: he discovered first Mozart, and characteristically *The Marriage of Figaro*, and then Wagner. This early experience of classical music as the pinnacle of European high culture was his own path towards self-knowledge. It was not an overnight development, but one which lasted in fact for decades; and—somewhat surprisingly—Scruton identified himself with the help of music, literature and later architecture, much more than he did with political philosophy.

Was his conservatism connected to his interest in Mozart and Wagner? It was only later that he realised that there is a link between the two: "In opera we do not find drama alone; we rediscover, through the orchestra, the ancient experience of the chorus, the voice of community in which all our emotions, all our hopes and fears, all our unacknowledged destinies, are pooled and redeemed."⁶ It took him a long time to discover this common root of art and politics. And it took even longer for him to discover the common thread of high culture and religion. He approached the latter through the former: "Myths, stories, dramas, music, painting—all have lent themselves to the proof that life is worthwhile, that we are something more than animals, and that our suffering is not the meaningless thing that it might sometimes seem to be, but one state on the path to redemption."⁷ This connection was revealed to him, in fact, by Wagner. However, the connection between art, architecture and religion had already been revealed to him in his youth by the art historian, David Watkin and his spiritual father, Alfred Gilbey, the Catholic priest and

Chaplain to the University of Cambridge.⁸ Watkin, the art historian, took his classical ideal, with which he fervently criticised his own earlier supervisor, the great advocate of modern architecture, Nikolaus Pevsner, from the monsignor. Gilbey “taught that chaos lies all around us, and that our first duty is to impose upon it whatever order—spiritual, moral, aesthetic—it can bear. The alternative to order is not freedom, which is a form of order and its highest purpose, but disorder, randomness and decay.”⁹

It is not surprising, therefore, that Scruton’s own research into art and politics was also connected with his conviction that in both fields order has priority—a view which led him naturally to conservatism in politics—even though that connection is not necessary. Abstract art is often ordered, but still rather revolutionary. In music, which he practised not only as a performer of piano pieces, but also as a composer, of opera as well as of songs, Scruton himself was not quite as old-fashioned as he was in his taste in politics or in architecture. To be sure, conservatism in politics does not necessarily imply a conservatism in one’s artistic taste—think about the case of T.S. Eliot’s politics and his modernist poetry. Art is not simply an illustration of politics, and artistic taste does not necessarily imply political judgement and practical wisdom, even if the operation of political and aesthetic judgement has the same structure. Scruton never mixed his politics and his views of art. He never considered art as a form of political propaganda, he was too much aware of the damages caused by propaganda art in the twentieth century. He took both politics and art seriously, and investigated both fields with the moral awareness he acquired from the examples of Ruskin, Eliot and Leavis.

Vita Activa: The British Idea of the Rule of Law

While Scruton, the art critic and artist, was a product of his teenage years, the conservative developed in him later, and could not have formed without further experiences of political disorder, decline and chaos. Famously, Scruton’s major experience of political convulsion was his encounter with the student rebellion in Paris, which he was an eye witness of, while staying in the French capital. He describes the mood and morale of the case

with a reference to the stage performance of the situationist theatre, inspired by Antonin Artaud, the theorist of the “theatre of cruelty.”¹⁰ His recollections of the cataclysm of the student revolution—while he himself was reading the *Mémoires de Guerre* by de Gaulle—show how even then he approached politics by way of art and aesthetic perfection. What he discovered in de Gaulle’s memoirs was the French tradition of the promulgation of the glory of the nation through its art, exemplified by de Gaulle, as he stood among the mourners at the state funeral for Paul Valéry, right at the very end of the World War: “According to the Gaullist vision, a nation is defined not by institutions or borders but by language, religion and high culture; in times of turmoil and conquest it is those spiritual things that must be protected and reaffirmed.”¹¹ In Scruton’s mind this Gaullist vision was the opposite of the destructive irresponsibility of the youthful revolutionaries. Scruton chose Valéry’s own vision of the nation in *Le Cimetière marin*, “that haunting invocation of the dead that conveyed to me, much more profoundly than any politician’s words or gestures, the true meaning of a national idea.”¹² Opposed to Valéry’s grand poetic vision stood Foucault and his teaching of the oppressive power of the institutions, as manifested by the curriculum of the Western universities in the post-1968 era. Instead of the mesmerising influence of Foucault, Scruton turned towards the teachings of the past. Its cultural heritage meant for him not only art and poetry, however, but also the common law of England, perhaps the best single example to counter the simplifying prejudice that old-fashioned institutions are necessarily against freedom.

Although he did not become a lawyer, one should not underestimate the role of English common law in Scruton’s mindset. After all, it was he himself who claimed: “all my political thinking grows, in the end, from a love for English law, for the Inns of Court and for what the Inns have represented in our culture.”¹³ One should realise that in England, to study law, traditionally one attended the courses at the Inns of Court, instead of studying it at a modern public university. The relevance of this fact is partly that by entering these centres of practical knowledge the would-be lawyer enters the temple of living tradition—after all, this is the place where English lawyers have been trained for centuries. Here lawyers are able to form the new generation of their profession according to their

own professional standards, far away from the rather different world of higher education. Scruton seems to have enjoyed his legal studies—he won the Struben and Profumo prizes during those years, a recognition of the intellectual energies he invested in his studies, while already teaching philosophy at Birkbeck College.

If we take into account Scruton's love of his legal studies, which ended with his being called to the bar in 1978, not resulting in actual legal practice only because he "couldn't afford to take pupillage—which then meant a year of unpaid apprenticeship,"¹⁴ we can formulate the somewhat astonishing claim that his conservative philosophy was indeed informed by a practical bent, rooted in English common law. Scruton's overall views of the polity were in line with the tradition of the great common law jurists, from Bracton to Blackstone.¹⁵

English common law is indeed a peculiar institution. Its special character derives from the fact that it was an early product of the Anglo-Saxon tribes, established by 1150, and that it was able to preserve its original nature over the centuries. It preserved its primary aim, to settle quarrels peacefully. Being a form of customary law, local judgements were preserved and recycled by later generations of judges. The collection of court cases provided the precedents, which were more important parts of the law than the statutes created out of touch with the reality of the life of the ordinary people. English common law is "a paradigm of natural justice,"¹⁶ with an "admirable simplicity," because it mainly consists of these precedents, which embody its legal principles in their *ratio decidendi*, in a flexible form, in order to ensure their applicability to new cases. When a new case was brought before the court, the judge had to search the body of case law, in order to see if there were earlier judgements of comparable earlier cases. Also, the way they looked at the new case was defined by the practice of their profession. That legal practice was based on the idea that the judge does not invent the law, but only discovers it. This idea came from the assumption "that there is a law governing each judicable conflict, and that its right application will provide a remedy to the person who is wronged."¹⁷ The fact that in English law the precedent had the priority implied that "English legal thinking remained concrete, close to human life and bound up with the realities of human conflict."¹⁸ Scruton, the philosopher, made the bold claim that this feature of the common

law makes it a "consecration" of the daily life of the "ordinary individual."¹⁹

A further interesting part of the English law was equity, a special branch of it. Equity emerged from the practice of the court of chancery, and aimed to offer legal redress for those who did not find a remedy for their complaints in the ordinary courts. Even its name, deriving from the Latin *equitas*, meaning fairness, suggests that it is a legal tool offering natural justice in cases where the *strictum jus* was not able to resolve the conflict. Equity also managed to preserve its specific nature and function over the centuries, to "soften the strictness and supply the deficiencies of the law."²⁰ An important legal device created by equitable jurisdiction was trust—a legal institution which was relevant to Scruton's own political philosophy. He quoted Maitland who claimed that "the development from century to century of the trust idea" was the single "greatest and most distinctive achievement" of English common law.²¹ The concept of trust is also crucial for English politics, since it helps to understand that there is a form of ownership which creates duties, without any associated rights. It "provided a model for the relation between the English and their country ... we find writers and statesmen explaining patriotism in such terms."²² Scruton was clear-sighted enough to discover this principle already in Burke, the acclaimed founder of modern conservatism, who stressed the idea of "stewardship" over the landscape.

A further claim made by Scruton about the practice of common law concerns the relevance of the jury system, which ensured that "the law remained responsive to the ordinary conscience," ensuring the "involvement of all citizens in the administration of justice," and securing that the "law stood above power and politics."²³ The law was perceived as the common good of all the subjects, and not simply a tool in the hands of the powerful.

All these and further insights led Scruton to the conclusion that the English were dutiful people, who were aware of the fact that there are no rights without duties, and that society is nothing more than a "duty-bound relation between strangers."²⁴

Although Scruton did not practise as a lawyer, he became acquainted with the spirit of the law, and that helped him to navigate in search of fundamental ideas about the essence of the political community. A

further consequence of his study of common law was that he preserved a practical turn of mind throughout his life, which came from this early acquaintance with the practical responsibility of the lawyer. His sense of justice was rooted in his conviction that humans are indeed sociable beings, and that they need the institutions which emerge from their interactions spontaneously, and which have an authority over the members of their society, which helps them find the right way of doing things.

Scruton's activism is important for us for two reasons. For a long time, he was a public intellectual, working as a journalist, not only writing commentaries, but also commissioning and then editing articles about politics and public life. It is true, that conservatism is associated with a sharp criticism of the activism of the Leftist public intellectual. Yet there is a practical bent in the spirit of conservatism, reminding its proponents that political affairs are finally about settling day-to-day problems in communal life. A selection of Scruton's journalism has been collected by now by Mark Dooley, representing only the top of the iceberg. The body of his political commentary is remarkable not only for its size and scale, but also for its range and depth.²⁵ From it the future historian will be able to see the development of the Left, from the student revolution of the 1960s through the rise of Green philosophy and the ideology of New Labour, up to the brave new world of cancel culture and what he called the "culture of repudiation."

Scruton's involvement in public affairs caused his career a lot of harm, while making his name well-known all over the Western world and well beyond. He was prepared to sacrifice his academic career on its altar. His character was solid, determined by an inclination to live and die by his ideals. The Left, which had an ever-growing majority in these years and decades, both in the media and in the academic world, wanted to make a ritual victim of him: everyone had to understand that one cannot express views like those of Scruton without existential consequences. At one point, he even decided to leave his home country to escape the hostile atmosphere against him. Yet by his time even in the US, university posts were guarded by a closed network of gate-keepers and opinion-leaders. Anyone who wished to take a different path was ostracised. He felt to be barred from gaining a tenured job in academia again, and even though

his journalism won him followers, even his editorial work was rendered impossible as time went by.

His views were not really welcome on the political Right, either. This is because the Western Right was not in the position to afford the luxury of having a spokesperson like Scruton. Scruton was an uneasy partner for politicians: he was always ready to test them with the principles of their party line. Yet his main target remained the left—as in his book *Thinkers of the New Left* (1985), a collection of sharp and provocative essays criticising the hotshots of the Left, including such superstars as Sartre, Foucault or Derrida. He republished the book later, with an even more provocative title: *Fools, Frauds and Firebrands: Thinkers of the New Left* (2015). Although his criticism was sharp and pointed, he was also ready to recognise the merits of Leftist ideologists, including such icons as the writer-philosopher Sartre. If you looked at the intellectual icons of the day through Scruton's eyes, you could discover for yourself the confusions, contradictions and logical fallacies in their standpoint.

A further battlefield of his activism was in Central Europe. Although British intellectuals were rarely interested in affairs of faraway lands like Central Europe, Scruton took an early interest in the art, literature and culture of this region. He was an uncompromising critic of the Russian-type Communist totalitarian rule which dominated these countries, and which terrorised its populations. In 1979, on the advice of Kathy Wilkes, a Cambridge-based leftist philosopher and a friend, Scruton joined an initiative of Oxbridge academics which aimed to help dissident thinkers and their students behind the Iron Curtain. As documented in Barbara Day's survey of the movement, *Velvet Philosophers*, he was actively involved in underground activities such as courses held in private homes, samizdat publishing of books and journals, illegally smuggling in books and magazines and the like.²⁶ He spent so much time and injected so much energy into that project that he even became quite fluent in Czech. He fell in love with the culture and subculture of that country, and therefore he was actively involved in the establishment of the Jan Hus Educational Foundation, which helped to manage the underground courses and to maintain the intellectual contacts between Czechoslovakia and the West. Scruton's adventures were also retold in a novel he later wrote about these years.²⁷ As a result of his political adventures, his view of the world was

broadened, allowing some intellectual inspirations to reach him from the periphery of Europe.

Vita Contemplativa: Philosophy of Art

This is what Scruton basically remained until the last day of his life: a philosopher, in search of the Platonic ideal of truth and beauty. Beyond the troubled waters of politics, the world of art remained for him, a world of escape, a promise of beauty and harmony. By moving to the farm with his family, Scruton was seeking to leave the world of politics, to enjoy a more reflective style of life, spent with philosophy and agricultural activity, as well as with passions like fox hunting. This voluntary change in his way of life, from politics to art, from conflict to harmony, from urban hyperactivity to reflection in the countryside was a result of his search for a more harmonious "spirit," of a return to his original interests, including music and literature. After all, his doctoral research was in aesthetics, the philosophy of art, and not in political philosophy. The latter only came with his disappointing experience of the contemporary political world.

Yet even in his philosophy he preserved a practical orientation. He was keen to use a comprehensible language. Readers found most of his work comprehensible, which encouraged him to publish more and more—by the end of his relatively short life, he created a mighty oeuvre.

He surpassed the work of a professional analytical philosopher in at least two senses. First, he became a practising artist himself. He was ready to cross the divide: from the observer of artistic performance, he turned into an artistic agent. And his inclination to create determined his way of thinking even as a critic. This is why even in the arts his activity had a practical bent. He was always aware of the carnal and sensual character of art, and his critical reflections very often capitalised on his first-hand knowledge of the practical skills of the profession. In other words, he was able to recognise and appreciate craftsmanship in art—the technical achievement or mastery of the artist. He regarded criticism itself an art form. He had a legendary memory, which very usefully complemented his sophisticated intelligence. His imagination was also often at work:

through that he was able to approach classical topics of the philosophy of art with a fresh eye.

Scruton's views on art have a special attribute. This is the bold claim that culture in general, and beauty in particular, matters. They matter both socially and individually: after all, art can change our lives, as Rilke famously claimed. Scruton was always keen to see the impact of art on our ordinary lives. The search for beauty, the primary aim of art, in his opinion, had a well-defined anthropological function. It was in one of the essays of the *Confessions of a Heretic*, that he claimed: "Our human need for beauty is not something that we could lack and still be fulfilled as people. It is a need arising from our moral nature."²⁸ As he interprets it, the experience of beauty "tells us that we are at home in the world, that the world is already ordered in our perceptions as a place fit for the lives of beings like us."²⁹ Scruton's examples of artists who are able to evoke this feeling included Corot, Cézanne and Van Gogh, all of them modern French painters, and all of them masters of an honest art.

To reflect on the impact of art on human life, it is not enough to examine art—one also has to say something about human life in general. Scruton's philosophical anthropology was informed by his keen and searching interest in German philosophy, and in particular in classical German idealism (mainly Kant and Hegel) and the phenomenological tradition (from Husserl to Scheler, Gehlen and beyond). Although this part of his work was never to grow to full perfection, Scruton's late work in metaphysics was closely connected to his interest in Continental philosophy. The main pillar of his philosophical anthropology, inspired by contemporary German philosophy, was the transcendental direction in the human being's search for meaning. He agreed with his German predecessors that the human being is not enough for herself, she wants to surpass her animal nature, and look at her world from an external, neutral point of view as well. It is this transcendental inclination which is responsible for the human being's experience of loneliness and alienation, but at the same time this is a rather creative impulse. One of its consequences is human religiousness: the search for a personal God and his presence in one's this-worldly life.

The Philosophy of Politics, Art—and Religion

Having established that Scruton's interest in art had a practical, existential bent, which awakened in him an interest in the ultimate meaning of human life, it is no surprise to find that the late Scruton became interested in the chain of thought which leads from artistic activity through a sense of the religious to politics. His line of argument was the following. Art records the human being's search for God. Religion is a communal experience. Yet politics should not turn into a religion. It is better for believer and political subjects as well, if religion and politics remain disjointed, a great achievement of Christianity itself. Community life is connected to a certain location. After all, politics is about settling, the effort of a human group to find a home in a hostile world. In his late work, Scruton often returned to the concept of *homecoming*, as the clue to finding consolation in our this-worldly life. To make sense of such homecoming, he once again had to confront art.

The philosophical concern with the connection between politics, religion and art, so characteristic of Scruton, led him to describe this search for home with the term *oikophilia*, love of the place where one lives, or a "concern with home." In its finest elaboration, Scruton's conservatism in essence constitutes a detailed phenomenological account of *oikophilia*, as elaborated in his book on ecology, *Green Philosophy* (2011). The human being needs a shelter against the harshness of weather conditions and other external calamities. Groups, too, want to find their own place on the planet. When they think they found it, they consecrate it. They claim this resting place is given to them by God, according to the teachings of the main world religions. The Torah tells the story of Israel's wanderings in search of the Promised Land. Likewise, in Christianity: Scruton quotes St Augustine, who claimed that "Our hearts are restless, until they rest in You."³⁰ Earlier, in the Old Testament, the story of the Prodigal Son depicted a very powerful vision of the human being's homecoming. In the same vein, the Bhagavad Gita confirms: "even as the mighty winds rest in the vastness of ethereal space, all beings have their rest in me."³¹

What is at issue in homecoming is a switch between two different trajectories of human forms of life on Earth. One is that of a being lost in

his wanderings, alienated, without a place to belong to. The other one has succeeded in finding "our home here, coming to rest in harmony with others and with ourselves."³² Interestingly, the postmodern individual experiences something like a loss of home: she does not have contact with others and with her local environment, she is a global wanderer. This is why to find one's home becomes an urgent topic for philosophy. *Oikophilia* requires embeddedness in one's local community, and the rootedness in a particular environment.

It is in this context that architecture becomes an important, indeed a sacred activity. We invite the God(s) to dwell with our community, when we build a dwelling-place for ourselves and our families. Scruton learnt from the passionate, evangelical Christian British architect, Quinlan Terry, that "the first step towards settling is to make a home for the god. That is because the god is the spirit of your community and the thing that protects you, the thing that reminds you that you are together and under a shared obedience."³³ The idea certainly comes from classical Roman history, as summarised in the *Ancient City* by Numa Denis Fustel de Coulanges (1864). In *The Soul of the World* Scruton carefully reconstructs Fustel de Coulanges' effort to show how settlement, the foundation of the ancient city was conceptually connected to religion and politics: "the historian Fustel de Coulanges tells the story of the ancient city, which he sees primarily as a religious foundation, one in which people assemble to protect their households, their ancestors, and their gods, and in which each family gains an enduring foothold."³⁴

It was in favour of these mythological origins of the European city that Scruton rejects the social contract as the basis of his political philosophy, and preferred to present the community established by a religious covenant as the archetypical example of what he has in mind. "Our life as free beings is a life in community, and the community depends upon the order of the covenant."³⁵ In order for families to unite, to enable the idea of the city to emerge, "as a political association, and of the town as its physical embodiment," "new and more public gods emerged, with the function of uniting people from several families in shared forms of worship and a shared loyalty to the common soil."³⁶

Scruton describes all these as part of an unintended, natural process, one which derives from human nature. Human sociability is inborn in

each individual, but it takes time to fully develop, both in the individual's own life and in the life of the community. This is because the individual depends on her community, and the community in turn needs the self-sacrificing service of the individual.

Self-sacrifice for the common cause is a crucial notion for Scruton. He explains its role and function first with the help of René Girard, whose account of the public relevance of religion had an impact on Scruton's thought. Scruton takes over Girard's concept of the scapegoat mechanism. Girard claimed that rivalry and conflict are necessary driving forces of progress in human society. It is to resolve the overgrown tension inherent in rivalry that the scapegoat mechanism comes into play. The community chooses a single person who can be accused of generating the conflict, and who can become the target of all the hostile feelings within the group. This victimised individual will be ritually murdered, in order to allow the community to reunite, and thus placate all the agitated passions. After the reunification of the hostile fractions made possible by the ritual murder, the scapegoat is often invested with sacred qualities, recognising his or her role in the process of pacifying enmities and bringing peace to the community.

Built on this account of the scapegoat mechanism in human societies, based on the field observations of anthropologists, Scruton generalises a theory of the demand for individual sacrifice in human communities.³⁷ He criticises the liberal account of the relationship between the political community and the individual—which is basically a defence of individual rights and liberties against the oppressive tendencies of the community. As he interprets it, the first prerequisite for making sense of the operation of a human community is the insight that the individuals united in a particular group are potentially required to make sacrifices for the common cause. Far from being eliminable, making sacrifices is part of communal life, and in fact it renders the individual's life more meaningful and humane.

Strong anthropological bonds link the individual to the community, bonds which are not easily relaxed or loosened, and which are, in fact, necessary for creating the individual's sense of self. Scruton borrows this strong description of self-identity from French and German phenomenology, discounting simplistic liberal accounts of the autonomy of the

individual, and of the founding act as a kind of social contract, deliberately entered into by fully self-centred and responsible individuals.

Scruton's narrative of the role of sacrifice in the support of community life returns in his accounts of Greek tragedy and Wagnerian music. While the first is less surprising, his philosophical endorsement of Wagnerian mythology is perhaps more startling. One has to understand that, like Nietzsche, Scruton assumes that art generally, and music in particular plays a crucial role in the spiritual life of the human being. He seems to adopt the view of a close connection between religious inclinations and the rise of communal art also from Nietzsche. The explanation of the relevance of art comes directly from this presupposition: when religion is pushed into the background in public life, as happened in modernist secularism, something has to take over its function, and art seems to be the natural substitute for that role.

Scruton does not seem to be fully satisfied with Joachim Ritter's compensation theory, which claims that the rise of the arts as a uniting and stabilising force in the community comes after and as a result of the loss of religion in public life. Yet he is prepared to make sense of art as it relates to the primary importance of communal attachments in the individual's life. His perspective on Wagner is based on his full recognition of the German's genius. Scruton's enthusiasm for Wagner is a result of his philosophical views of art and high culture as metaphysically charged condition of communal life. Scruton returned to Wagner at several points in his professional career, publishing individual volumes on *Tristan*, the *Ring* and *Parsifal*. Above, I focused on his account of the *Ring*. Scruton surprisingly connects Wagner's message with the teachings of Christianity, which is quite an achievement given Wagner's serious reservations about Christianity.³⁸ Although Scruton is critical of Wagner's personality, and explicitly condemns his anti-semitism, he seems to be convinced that the negotiation between the two, Wagner's art and the teachings of Christianity, is not only possible, but also fruitful. His account of the *Ring* proceeds, therefore, in that direction. In the crucial chapter on Love and Power, he straightforwardly presents love as the necessary cement of all well-functioning human political communities. While power seems to rule the world, it cannot sustain its effect long without an opposite force, love. But how can love exert its influence on a whole community? In

Scruton's detailed interpretation of Wagner, love is no less than one of those exceptional forces in human life, which are able to awaken in us an awareness of the transcendent. In other words, even if most of the time love is connected to the phenomenon of the erotic, it is also connected to the idea of the sacred. To explain what he means by these high-sounding terms, Scruton relates to the anthropological concept of "rites of passage." These are turning points in the individual's life, and occasions which serve to reconfirm the cohesion of the human community in public. Rites of passage are sacred moments, when we experience something special, when "timeless sentiments find their temporal presence, and are thereby made real."³⁹ An acceptance of the human condition, that is, the fact that we are mortal beings, is possible in these sacred moments, when we understand that, although we cannot escape the oppressive power of death, choosing self-sacrifice freely "on behalf of a mortal love" can work as a kind of redemption, teaching us how to accept death. Through the exceptional devotion expressed in the act of self-sacrifice one is able to give meaning to one's mortal life, a meaning which has a transcendental dimension. "The moment of free commitment, the moment when I am fully myself in an act of self-giving—this has no place in the temporal order as science conceives it. And yet it is the moment that justifies my life."⁴⁰ The relevance of the moment comes from the fact that in this act love and sacrifice are both present, and these two acts help the human being to surpass itself, and to realise its full potential. The moment of self-giving is also a moment of the sacred, which is, for Wagner, the occasion which invites the metaphysical to enter human life, and the gods to appear on the human being's experiential horizon.⁴¹

By returning to the meaningfulness of love in the individual's life, as the way to redemption, Scruton once again returns to the Christian theme of personhood, of the person created in the image of God. In his late work *The Soul of the World*, Scruton discusses love in the context of our sociability, distinguishing a vow from a contract, and piety from justice. The liberal account of human sociability is conceptualised as a free relationship, dependent on a contract between partners. This account disregards the simple fact that the deepest of our personal relationships are not of this nature. Contracts are based on the understanding that they stand as long as their terms stand, and "(w)hen the terms are fulfilled, the

contract is at an end."⁴² Unlike contracts, vows do not necessarily have precise terms, and they are open-ended agreements. "They have an existential character, in that they tie their parties together, in a shared destiny and what was once called a 'substantial unity'."⁴³ In a flow of almost poetic language, Scruton also adds that a "vow is a self-dedication, a gift of oneself."⁴⁴

Scruton takes the example of the vow of marriage. While it is understandable why marriage is important for the community, in other words, from an external point of view, it is hard to imagine what makes marriage vows work internally, if we disregard the fact that it is not a contract but a vow. A vow has a "transcendent" dimension, and a wedding is nothing less than an invitation of God or the gods to witness to it. This lends the vow a "sacramental" quality.⁴⁵

A second contrast between a vow and a contract is that justice requires that the partners to the contract offer each other what the other has a right to, or what she deserves. (Scruton is careful to distinguish these two relationships of contractual indebtedness.) While justice requires that we return what we receive, this is not the case with "obligations of piety."⁴⁶ Scruton takes the term piety from the language of religion, where it is the expression of one's belief in God, expressed in an indirect way in one's manner of behaviour. A pious reverence towards God is the first requirement of religion. Scruton transposes this attitude to strong interpersonal relationships generally, in case they have a transcendent dimension. To address the other by fulfilling obligations of piety, the individual acknowledges "that we are not the authors of our fate."⁴⁷

Scruton refers to Hegel's well-known account of family ties, when he compares familial obligation, like that which we owe to our parents, which also belongs to the sphere of piety, and political obligations. In both cases, he argues, we have to be aware of the requirement of piety, "as a distinct source of the 'desire-independent reasons' that govern our duties."⁴⁸

Scruton turns here not only to Hegel, but also to Aristotle. When discussing the nature of a vow, he cannot avoid returning once again to the notion of friendship outlined in the *Nicomachean Ethics*. Obviously, Aristotle's notion of friendship (*philia*) is distinguished from his understanding of *eros*. The bond of friendship which is of the highest rank,

connecting friends on the assumption of the merit of friendship as an end in itself, is still *philia*. Scruton adds, however, a Christian dimension to this discussion, when he introduces the Christian term *agape*, or “neighbour love.”⁴⁹ The distinguishing mark of both of these forms of attachment to another person is that they are highly personal, in other words “non-transferable” relationships. Although we owe it to everyone, we are attached by it only to one at a time. *Agape* is also the strongest form of attachment. Breaking up this relationship opens a rift within one’s self. In other words, love is an integral part of the identity of the one who loves and it is, in fact, “the ground of his being.”⁵⁰

When Scruton points out that this dimension of commitment to the common cause is part of our political belonging, he is certainly claiming something more than what is present in the liberal account of contractual obligations, and the demands of law. As he presents it, our membership in a political community is primeval, in the sense that it requires a commitment which is beyond a reasonable calculation of what is in my interest. Political membership here is based on the human being’s dependence on others, which is an anthropological universal. What is more, in his comparison of the political community and the religious covenant, Scruton presents the strong claim that a well-functioning human community needs to have a transcendental dimension, in the sense that there are moments of the sacred in communal life, moments when our deeds and choices openly invite divine approval. To show this connection between politics and religion, Scruton is always ready to refer to works of art, which are able to portray these moments in tangible form. His examples range from ancient tragedies to Shakespeare, the opera of Wagner or modern poetry, as embodied in the oeuvre of Rilke, Eliot or Larkin. This is because, while Scruton is ready to admit that we live in an enlightened age, he thinks that we still seek the personal presence of God. What is special about the discourses and practices of art is that they can help us make explicit the moments of the sacred, not simply as substitutes for religion, but in their own right. It is this communal experience, of the presence of the transcendent, as evoked by art, which we need in order to achieve what is most valuable in human life: to feel at home in the world.

Notes

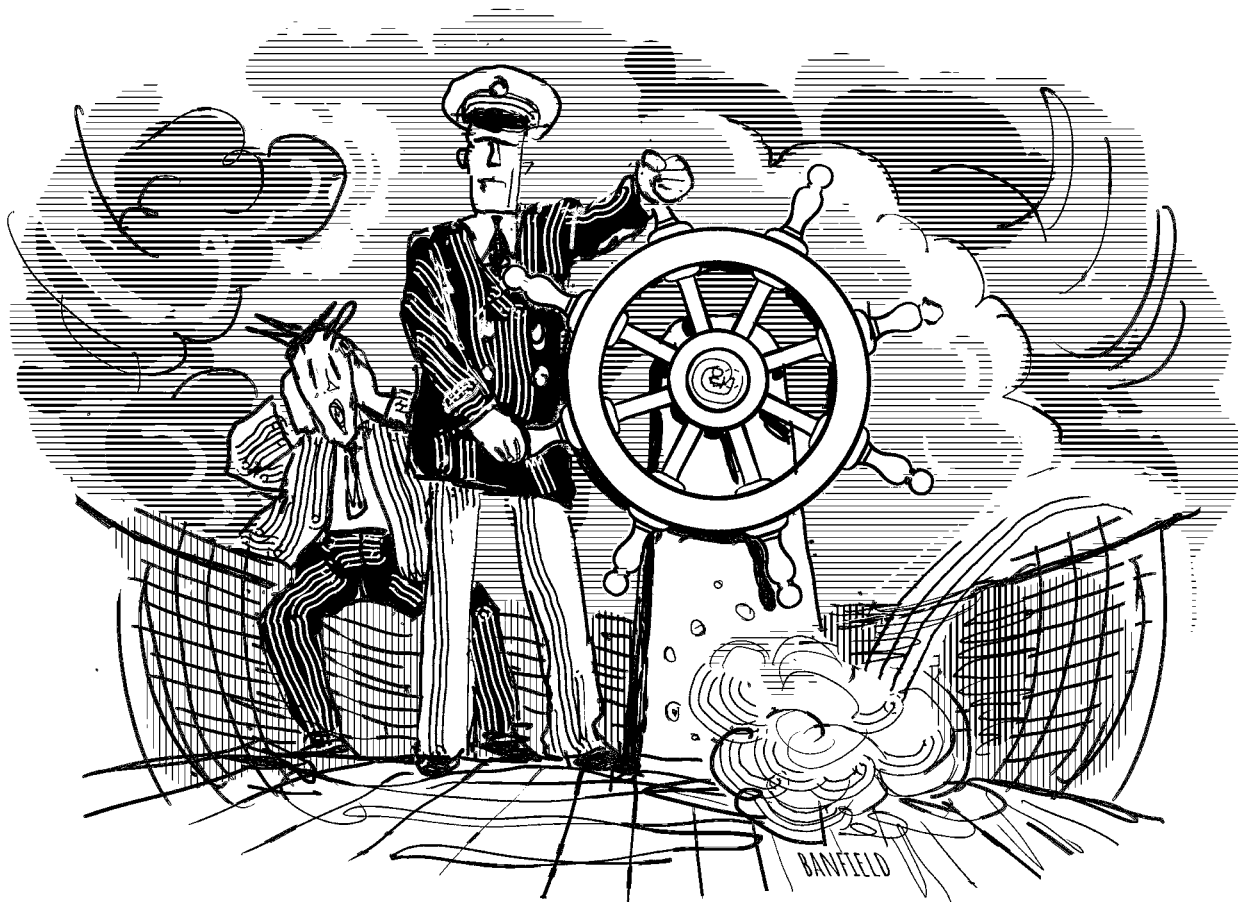
1. Ludwig Wittgenstein, *Philosophical Investigations* (Hoboken: Blackwell, 1953) §11.
2. See Wittgenstein’s claim: “Philosophy... leaves everything as it is.” *Philosophical Investigations*, I. 24.
3. Scruton, *Gentle Regrets*, 25.
4. See the somewhat anecdotal reference to Anscombe, as well as to Tanner and Casey in *Conversations with Roger Scruton*, 25.
5. Scruton, *Gentle Regrets*, 5.
6. *Ibid.*, 136.
7. *Ibid.*, 138.
8. Robert Grant, in his comments on an earlier draft of this text, invited me to “imagine the cruel fun Jane Austen would have had at the expense of them both. And they would have deserved it.”
9. Roger Scruton, *Professor David Watkin Eulogy*—24th September 2018, Kings Lynn Norfolk, available at: <https://www.roger-scruton.com/articles/547-professor-david-watkin-eulogy-24th-september-2018-kings-lynn-norfolk>. One should admit, however, that too much social order can, on the other hand, be detrimental to personal liberty.
10. Scruton, *Gentle Regrets*, 34.
11. *Ibid.*, 35.
12. Both of the above quotations are from *Gentle Regrets*, 35.
13. *Ibid.*, 197.
14. *Ibid.*, 43.
15. To do so, we shall rely on his chapter on English common law in his book *England: An Elegy*.
16. *Ibid.*, 113.
17. *Ibid.*, 115.
18. *Ibid.*, 116.
19. *Ibid.*, 117.
20. *Ibid.*
21. *Ibid.*, 118.
22. *Ibid.*
23. *Ibid.*, 120.
24. *Ibid.*, 128.
25. See *Against the Tide. The best of Roger Scruton’s columns, commentaries and criticism*, ed. Mark Dooley (London: Bloomsbury, 2022).

26. Barbara Day, *The Velvet Philosophers* (London: The Claridge Press, 1999), 281–2. See also: Jessica Douglas-Home, *Once Upon Another Time: Ventures Behind the Iron Curtain* (Norwich: Michael Russell, 2000).
27. Scruton, *Notes from the Underground*, 2014.
28. Roger Scruton, *Confessions of a Heretic* (Kendal, Notting Hill Editions, 2021), 13–14.
29. Ibid., 14.
30. Scruton, *Green Philosophy*, 238. The quote is from the beginning of the first book of Augustine's *Confessions*, see Henry Chadwic's translation (Oxford: Oxford University Press, 1991), 3.
31. Scruton, *Green Philosophy*, 238.
32. Scruton, *Confessions of a Heretic*, 13–14.
33. Scruton and Dooley, *Conversations*, 91. Interestingly, here his example is Venice, of which he says: it is "a lasting work of the religious imagination, a vision of eternity rising like Venus from the sea." Ibid.
34. Scruton, *Soul of the World*, 119.
35. Ibid., 183. The religious sense of a covenant, of course, is different from the modern legal concept of the contract.
36. Ibid., 119.
37. Certainly, he means self-sacrifice, and not the sacrifice of others.
38. For the problematic relationship between Wagner and Christianity, see the account of Ieuan Ellis, "Wagner and Christianity," *Theology* 80, no. 676 (1977): 244–50.
39. Scruton, *The Ring of Truth*, 270.
40. Ibid., 271.
41. But not necessarily present in human communities—remember that the gods get lost in *The Ring*.
42. Scruton, *The Soul of the World*, 90.
43. Ibid., 90.
44. Ibid.
45. Ibid., 91.
46. Ibid., 92.
47. Ibid.
48. Ibid.
49. Ibid., 93.
50. Ibid.

Book Review by John O'Sullivan

ATHWART HISTORY

The Right: The Hundred-Year War for American Conservatism, by Matthew Continetti.
Basic Books, 496 pages, \$32



“THE RIGHT” IS A TERM THAT, AS we are currently reminded by the travails of Republicans in the U.S. and Tories in Britain, covers a multitude of sinners. And the longer the period under inspection, the bigger the multitude grows. Consider the United States from 1921 to the present—the period covered by Matthew Continetti’s important new book, *The Right*, which analyzes how American conservatives saw and reacted to political currents in the United States during those years. It’s a period that divides neatly into two halves: the years 1921–1989 were essentially the years of America’s rise and dominance; those between 1989 and 2022 have been a time of disappointment, crises, and growing internal conflict. A nadir seems to have been reached today when the ruling national party and most of the nation’s cultural institutions all insist that America is a racist, sexist, and white supremacist country from bottom to top—and when the principal conservative response is a confused and indignant stupe-

faction rather than a credible refutation and a confident prescription for recovery.

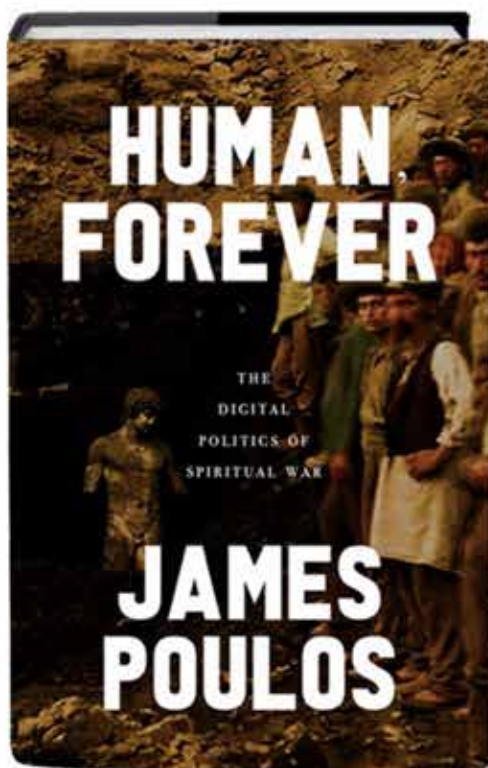
A FELLOW OF THE AMERICAN ENTERPRISE INSTITUTE and the founding editor of the *Washington Free Beacon*, Continetti begins his survey in a thriving 1920s America governed by Republicans faithful to a classical liberal view of limited government who had recently repelled postwar progressive interventionism under Woodrow Wilson. America roared for a decade, but it then foundered on the rocks of the Great Depression. Franklin D. Roosevelt’s New Deal introduced a very significant, if initially modest, innovation by making government itself the provider of economic security of last resort. Whatever its later economic failures, the New Deal succeeded politically and—along with immigration restrictions (from 1924 on) and the attack on Pearl Harbor (1941)—ensured that a united country entered World War II. Victory in war completed the transformation in what

most Americans saw as the legitimate role of government: an activist liberalism responding to essentially conservative social and moral impulses. Overwhelming public support for the G.I. Bill following the war is a perfect example.

Because the United States emerged after 1945 providing the world with 50% of its GDP, it had the power to apply its new activist liberalism to international affairs, which it did with great success, strengthening European economies with the Marshall Plan, establishing global financial and trading institutions that revived the world economy, and forming a powerful anti-Soviet alliance in NATO that shaped a mainly stable peace for the duration of the Cold War. By and large these new rules and institutions were good for America and for General Motors. In the ’50s, the country enjoyed rising living standards, wider educational opportunities, the worldwide spread of a healthy American popular culture, a marriage and baby boom, a strong (albeit complacent) national

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to catch up.”
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IT WAS INTO THIS WORLD THAT AMERICAN conservatism was born, with—to select one significant moment—the founding of *National Review*. The infant movement immediately looked around itself...and didn’t like what it saw in the least.

As William F. Buckley, Jr.’s founding statement—famously announcing that the magazine would “stand athwart history, yelling Stop”—went on to say, its form of conservatism intended to roll back not only international Communism but also the “effronteries” of the 20th century because “in its late maturity America [has] rejected conservatism in favor of radical social experimentation.” It seems an odd response to the sober conformity of the Eisenhower years, but as it turned out, not an absurd one. America’s repressed discontents would break out a decade later in the 1960s. Besides, argues Continetti, how Buckley judged Eisenhower’s America was determined, in part, by his comparison of it with the Harding and Coolidge administrations that boasted of their “normalcy.” At least, that comparison becomes the author’s justification for starting his study of conservatism 30 years before the movement actually announced itself. When Buckley brought together the scattered, independent, and mutually incompatible social critics who were the core of his early venture—Whittaker Chambers, Russell Kirk, James Burnham, Frank Meyer among them—he was in effect recruiting them for a crusade to return America to the Golden Age of Normalcy.

But normalcy was a divided kingdom. Though Republicans dominated the politics of the 1920s and early ’30s, they were themselves divided between the bankers and politicians of Wall Street and Washington who ran a respectable regime *and* a tight fiscal ship, and (very much on the other hand) voting blocs, Continetti wants us to know, that included anti-Semitic college professors, primitive anti-Darwinian fundamentalists, and, above all, the nativist, anti-Catholic, and racist yahoos of the Ku Klux Klan. And yet it is worth recalling that the infamous 1925 Scopes Trial was prosecuted by a former *Democratic* presidential nominee, and the Klan, born from the ashes of the defeated Confederacy, was a part of the Democratic, not the Republican, coalition. And here Continetti finds his theme:

the endless competition and occasional collaboration between populism and

elitism. Is the American Right the party of insiders or outsiders? Is the Right the elites—the men and women in charge of America’s political, social, economic, and cultural institutions—or is it the people?

These questions were briefly made irrelevant by the Right’s collapse in the face of the Depression, a unifying war effort, and 12 years of FDR. But Continetti’s narrative resurrects this divided Right with the arrival of Buckley and *N.R.*, traces its turbulent zig-zag way through the Nixon, Reagan, and both Bush presidencies, and leaves it defeated, discredited, and in his view terminally shamed in the wake of Donald Trump’s “insurrection.”

AS THE ’50S MOVE INTO THE ’60S, “THE Right” applies to more and more, sometimes overlapping, factions. Most of the time the term describes “movement conservatives,” or the groups brought together by Buckley under the umbrella of “fusionism.” Harvard political scientist Samuel Huntington in a 1957 essay in the *American Political Science Review* criticized this “New Conservatism” as detached from real political struggles and predicted that a more rooted, realistic conservatism would emerge when America’s liberal institutions came under fundamental attack.

His prediction was confirmed in two installments following the revolutions of the 1960s. Liberal Supreme Court decisions restricting school prayer and liberalizing pornography prompted Christian evangelicals and other social conservatives to found what was called the New Right. This was absorbed into the broader movement conservatism relatively easily. At almost the same time, however, a radical revolution inside the pre-eminent liberal institution, the university, drove tough-minded social scientists and moderate liberals rightward into the conservative camp, which they greatly strengthened on such issues as education, affirmative action, the treatment of riots, anti-Soviet politics, and anti-anti-Communism.

These scholars were the first generation of neoconservatives, and their arrival on the Right, though welcomed by Buckley and the fusionists, gradually alienated a harder-edged coalition of libertarians, culture warriors, and evangelicals on issues like trade, immigration, school prayer, and (after the defeat of Communism) foreign policy. *This* loose coalition of dissenters, which began as a reaction to neoconservatism, got the confusing name of “paleo-conservatism,” as if its adherents had come over on the Mayflower. As politics

changed, the different articulate, argumentative factions within the Right would fall to disagreeing.

Whatever American conservatism's internal differences at the time, it was united against the dominant liberalism, which became more overreaching under Lyndon Johnson and more anti-American after George McGovern. The calculations of Richard Nixon and the large general appeal of Ronald Reagan, meanwhile, gradually welcomed these different conservatives into the GOP's large canopy alongside longstanding institutional allies such as corporations, the military, Wall Street banks, and churches, while Ripon Society liberals drifted out of the big tent. Since the 1980s, Republicans as a whole have been synonymous with the Right.

CONTINETTI WEAVES TOGETHER THE many threads of a complicated history both of philosophical ideas and of political struggles without losing any of them. His analysis of serious intellectual disputes—for example, the early battles between Frank Meyer, Russell Kirk, and Brent Bozell over whether the “fusionism” of virtue and liberty could provide a generally agreed-upon philosophical foundation for conservatism—are both accurate and easy to follow. He summarizes major historical controversies such as McCarthyism and the second Gulf War crisply and well. His portraits of the scholars and politicians from Nixon and Buckley to Patrick J. Buchanan and Trump who cooperate, plan, and argue through these debates are largely fair—though it's plain that Continetti is more sympathetic to the elitists than to the populists. And although almost everyone active in the conservative movement in those years gets the amount of attention he deserves—a steep challenge, to be sure—one exception is M. Stanton Evans, a journalist and editor, as well as a historian with a comprehensive biography of Senator Joe McCarthy to his credit, and an extraordinarily popular figure at almost every gathering from the Sharon Statement onward who more than once united a fractious conference by his wit. (Readers can seek out Steven F. Hayward's superb new biography, *M. Stanton Evans: Conservative Wit, Apostle of Freedom*, for more.)

Though the Republican Party is inevitably the main vehicle for center-Right politics in America, it's not a fixed entity. Its character at any one time will be sharply defined by its current leader, qualified to a greater or lesser extent by the character of a successful recent leader. That's probably a general truth about either party in a two-party system. Robin Harris recognized its importance when he

gave his brilliant history of the United Kingdom's Conservative Party the title of *The Conservatives*, referring less to its mass membership than to its leaders from Robert Peel to Margaret Thatcher. And once the conservative movement got up and running, the various strains on the Right (libertarians, traditionalists, neoconservatives, nationalists, etc.) have tried to engage in a constant dialogue with whoever happened to be president or party leader—more constant than the latter often wished.

That dialogue never included Dwight Eisenhower—a conservative by temperament whose cold, skillful, non-ideological management of the rising American empire in good times initially appalled Buckley because it appeased the Soviet Union, especially over Hungary in 1956, and prudently accommodated modest advances for domestic liberalism. But James Burnham persuaded Buckley, and through him the conservative movement, to adopt a strategy of generally supporting the most rightward viable candidate in the Republican field. With that, the interests and destiny of movement conservatives became intertwined with those of corporate America, regional and national elites, the U.S. military, conservative Christian and Jewish denominations, and all the other established economic and cultural interests assembled on the right side of American politics.

Omitting those who failed to win elections or to make much impact when they did, I would nominate Nixon, Reagan, Newt Gingrich, and Trump as leaders who significantly shaped the GOP for good or ill, the two Bushes as leaders who led it down dead ends, and Pat Buchanan as a brilliant, wayward outsider who (almost as significantly) failed to lead it in other directions. Continetti is excellent in charting the ways in which all these leaders wooed, won, bedazzled, pleased, and betrayed conservatives over the years. It's the real—or a better—story of his book.

STAN EVANS QUIPPED THAT HE'D NEVER really liked Nixon until Watergate, and as president Nixon had certainly given conservatives reasons to be disappointed: his quiet extension of affirmative action, his rapprochement with the Soviet Union, his opening to China, his betrayal of Taiwan, and (Evans notwithstanding) Watergate itself, which gravely weakened the Right until Jimmy Carter rescued it by his milquetoast incompetence. As Continetti rightly argues, however, Nixon's reputation has still not caught up with his achievements, even or especially among conservatives. He contrived a responsible American exit from Vietnam on the basis of con-

tinuing U.S. military aid to Saigon (which the Democratic Congress gutted in 1975, dooming America's ally). He began the long deflection of blue-collar workers to the GOP (until lately the unnoticed counterpart to the Left's authoritarian long march through the institutions). His opening to China divided the two Communist superpowers, laying one foundation for the West's victory in the Cold War.

Following the successes of the Reagan Revolution (about which, more below), George H.W. Bush a year into his presidency broke the dramatic promise he made on the campaign trail, “Read my lips: no new taxes,” in order to seal a budget deal with the Democrats. Continetti downplays the significance of this decision, even excuses it, judging that “within months of assuming the presidency, Bush *knew that he would have to*” raise taxes (emphasis added). In fact, the broken pledge had catastrophic effects, splintering the Reagan coalition by abandoning the one broad policy that united all factions, and making some conservatives all but enemies of the president, despite Bush's effective diplomacy that ensured peaceful and stable ends to the Cold War and the Kuwait one. And once Democrats had secured the president's betrayal, they lost all interest in providing the lopsided budget cuts they had promised. Bush duly lost the 1992 election to Bill Clinton.

WHEN CLINTON EMBARKED ON A financial and ideological spending spree, the Republican who stepped into the role of leader of the opposition was Congressman Newt Gingrich of Georgia. An oddly futuristic conservative fascinated by new technologies and space travel who had shaped the House Republicans into an aggressive coalition with a positive “national” program of reform, summed up in the “Contract with America,” Gingrich won a historic landslide in the 1994 midterms and as House Speaker set about trying to govern the country alongside the White House. The conventional wisdom is that he failed in an impossible task—an unwelcome message for Republicans hoping for a 2022 midterm victory—and Continetti seems to share that view. To be sure, Gingrich was outmaneuvered politically by Clinton on occasion, wasted some of his opportunities on secondary issues, and eventually lost the speakership. But he also transformed the House Republicans—previously a lackluster crew of tourists to Washington—into a strong congressional party that wins more elections than it loses. And Gingrich was also more than half of the reason why Congress and the president brought spending under control in the 1990s and passed a strong, beneficial welfare reform bill that the Left has been trying

to undo ever since. Continetti acknowledges some of this, but most conservatives either don't know the story or prefer to let Clinton take the credit.

President George W. Bush was blown off his intended political course and "humble" foreign policy by the 9/11 terrorist attacks, to which he responded with the war on terror and, more significantly, the kind of liberal internationalism conservatives endorse only nervously and reject if it's pushed too far and too fast. The Iraq war went badly, exaggerating the fear of unwinnable wars, and poisoned Bush's other key policies. Democracy promotion is something that most Americans approve of in the abstract, but for which they don't wish to make serious sacrifices. Mass immigration was a step beyond that failure because, according to all the polls, most Americans didn't want more immigration and conservatives wanted less while their party leader in the White House was fighting hard for considerably more of it. It says a great deal for the firmness of the conservative coalition's conviction that it blocked two "comprehensive immigration reform" bills even though they were supported by the president, the congressional leadership of both parties, the media, the universities, and almost every cultural institution in America. The failure of the war, democracy promotion, and immigration reform—much aggravated by the financial crash—meant that Bush's presidency ended on a note of bitter regret. Conservatives entered 2009 in an unsettled mood of distress and anxiety while America celebrated its first black president.

AND THAT'S WHERE THEY STAYED FOR the next few years until Donald Trump came down the escalator and into the Republican primaries. Trump's immediate impact was due not only to his own extraordinary personality but as much or more to the large gap between the opinions and mood of the conservative half of the country and the official Republican leadership. As interviews at the time showed, many voters intended to support Trump despite their disapproval of his profanity, personal behavior, and moral character. They felt culturally dispossessed, economically left behind, trapped in an increasingly alien land, patronized, despised, ignored, and completely without hope that the Republican Party they usually backed would rescue them. Trump might not be able to either, but he was a fighter, and he would at least represent their point of view.

Immigration was only one issue on their grievance list, but it was a "gateway" issue to the entire "populist" worldview (a term the book overuses). It gave Trump his early boost

and captured his audience. Which made the defiant, rock-solid refusal of all the other Republican primary candidates to pledge to limit or reduce immigration all the more shocking. It was as if I had wandered into some Off-Off-Broadway production of a Bertolt Brecht play which showed the capitalist class so imprisoned within its orthodoxy that it literally couldn't hear the human cries for help across the footlights.

That obdurate, albeit embarrassed resistance was directed to almost all the other populist issues—some of them more intellectual, such as the growth of judicial power that overrides popular majorities and executive authority, but also including de-industrialization, the plight of the underclass, wage stagnation, trade protectionism, illegal and runaway immigration, failure to enforce border controls, contempt for the United States and its symbols, multiculturalism as an alternative to a common culture, racist expressions of contempt for "whiteness," discriminatory racial quotas and "goals," globalist betrayal of American interests,

By the turn of the 20th century, populists and elites had changed places—ordinary Americans were commonsensical while the elites were driven by unruly passions.

the spread of effectively independent administrative bureaucracies with legal powers, restrictions on free speech and academic freedom in universities, the expansion of the concept of "hate speech," and—most sinister of all—the selective enforcement of the criminal law, even its weaponization, to reward friends, punish enemies, and even to ignore serious crimes. Many of these innovations were either causes or consequences of a legal revolution that, as Christopher Caldwell has shown in his book *The Age of Entitlement: America Since the Sixties* (2020), replaced the official U.S. Constitution with a de facto constitution built on the metastasizing of anti-discrimination law into an all-encompassing structure of bureaucratic power to regulate the minutiae of work and social life.

OBVIOUSLY, MORE CONSERVATIVE Americans were aware of all these controversies, especially those involving legal reforms, in a sense since they had

either debated them or even participated in their passage into law. But that participation wasn't always wise or helpful. Thus, the first President Bush vetoed the 1990 Civil Rights Bill that the Democrats had urgently pushed through to circumvent a rare Supreme Court decision (*Wards Cove Packing Company, Inc. v. Atonio*) limiting the impact of quotas. Although his veto was welcomed by conservatives, when the bill was presented a second time slightly amended the president signed it because he was worried that support for his earlier veto might have been inspired by racist motives. As it happens, that bill was the first time that "disparate impact" was entrenched by legislation rather than by a court decision. It was a major advance in transforming civil rights law into the bureaucratic tyranny Caldwell describes.

It's not that such matters weren't discussed in the intellectual journals and magazines among which Continetti has lived his adult life and upon which he rightly places such importance as the heralds of democratic debate. But they were somehow unable to come to terms with these issues' real significance. Recognizing the need to defend the United States and American patriotism against hostile disillusionment with both, David Brooks in the *Weekly Standard* proposed to make the case for "national greatness" conservatism. The effort was well meant, but when he set about doing it, Brooks found that either he would have to move into "populist" territory such as multiculturalism, history standards, defense of sovereignty, and immigration, or stick to somewhat anodyne topics such as museums, statues, and appropriate public architecture. Brooks's campaign dribbled into the sands after a promising start—perhaps sensibly, since he would have run into trouble in the past two years even sticking to statues and museums.

A CENTRAL EXPLANATION OF TRUMP'S appeal, as *Commentary's* former long-time editor Norman Podhoretz has pointed out, is that he is quite untroubled by the kind of doubts and hesitations that restrained Bush, Brooks, and most of us in politics and journalism. He is the id of conservatism or, just perhaps, a brilliant imitation of it (since there seems to be craft as well as instinct in his politics)—and that explains why his impact on U.S. politics has been, despite even Reagan's unparalleled success, greater than any Republican leader since the 1920s. Both in 2016 and 2020, and indeed between both elections, Trump charged into the china shop. Yet important distinctions must be made about that garish picture. Even if his words were often brutal, fiery, and irresponsible, all

of his actions as president seem to have been constitutional and legal—which cannot be said of the so-called “Resistance,” including judges and national security officials who conspired to obstruct the workings of government and to pervert the course of justice. And it was not until he lost the second election, after four years of frustrated compliance with the rules of a rigged game (no, not the election itself), that Trump broke his bonds, cast off all mental restraints, lived down to his words, and embarked on the self-destructive course of urging that the transfer of power be blocked.

Continetti is not the first person to cry, “Gotcha.” But his “gotcha” is addressed to the conservative movement as a whole, not just to Trump personally. He springs the trap concealed in his 100-year framework by linking the events of January 6 all the way back to the 1920s, the anti-Darwinian bigots, the Ku Klux Klan, and the ever-lurking ogre of populism. In the book’s final chapters, he lays out the argument that the permanent battle is between the prudent “elites” of the mainstream Right running the show and the wild-eyed “populists” from William Jennings Bryan to Pat Buchanan to Donald Trump waiting to jump from the shadows and urge protectionism, immigration control, isolationism, and—in moments of candor—rioting upon the unwary voter.

TO BE SURE, BATTLES BETWEEN ELITES and populists (or, more precisely, their respective political representatives), both between and within political parties, are plainly important skirmishes in the endless battle of politics. But to see the relationship between them as the permanent central reality of the right side of the spectrum, however, goes too far, ignores too many other factors, and is vulnerable to confusion.

To begin with, it loads the dice. Other things being equal, we’re reasonably inclined to think that the elites are likely to be better than the sweaty working man at dealing with complicated issues. But that isn’t always true. Academic social research suggests that well-educated people may not be more dispassionate judges of public events, merely better at defending their prejudices. The test of what works is better than a well-constructed fallacy.

As a test of political success between *Left* and *Right* elites, there’s no contest. Most of the entire period covered by Continetti, though it begins with the eclipse of the Progressive movement, has been a long march through the institutions of political and social power in America by progressives under various labels. As the Eisenhower-Nixon era with its stabilizing comforts and challenges wound down,

starting in the late 1960s, conservatives had to contend with a new range of social, economic, racial, and even *national* discontents (listed above) on which their touch was less sure. What’s more, the collapse of Communism replaced one foreign enemy with a dozen domestic ones, liberated and energized by their loss of a disreputable patron. Radical leftism went native, and in doing so, it became more successful. If you wish to see a monument to the legacy of progressive activism in Washington: look around. Half of the official buildings in the city house agencies that combine a highly dubious constitutional foundation with unlimited lawmaking powers. Indeed, if you want a counter-example to the monumental success of progressivism, consider the Religious Right’s campaign for school prayer, on which it enjoyed overwhelming popular support but after 50 years has won nothing more than the right of a football coach to say a private prayer on the field—and for which it is depicted by major cultural institutions as a sinister threat to liberty.

THAT CONTRAST IS A BITTER REBUKE to the elites who controlled the GOP for most of that time—and more than a rebuke to the GOP’s populist allies within the conservative movement. It was worse than a betrayal; it was an oversight. The party didn’t treat populist issues as priorities.

How did that happen?

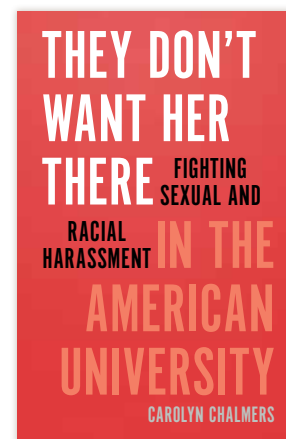
Conservatives never really came to terms with the fact that, by the turn of the 20th century, the populists and the elites in the United States had changed places—ordinary Americans were commonsensical and pragmatic, rooted in everyday reality, while the elites were driven by unruly passions that were justified by arcane academic jargon on everything from open borders to cultural appropriation. An anti-American *intelligentsia* (or perhaps *lumpenintelligentsia*), miseducated in the very best schools, rose slowly through the major public and private institutions of American life and gradually altered the rules governing that life without gaining meaningful democratic consent to their own new rules, or much caring about it. Their dominance, denied until recently, has now expanded grotesquely into the movement of radical woke-ness that threatens the country.

Conservative elites should surely have noticed this earlier and taken stronger political actions to restrain and remedy it. After all, they had been educated in the same institutions and by the same teachers as their liberal and increasingly radical colleagues. Maybe they saw their differences with old classmates across the partisan divide as less serious and

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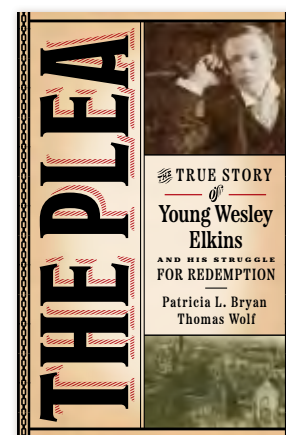


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more tolerable than did those who obeyed more rules and regulations than they made. Or if not more tolerable, then perhaps more transient. A common reply from conservatives to parents who complain that college has made their children hate them has been: "They'll change when they enter the real world." Instead, their children have changed the real world, and they have done so for everybody, including other people's children in suburbs, slums, and small towns.

Politicians and intellectuals in the "populist" camp, like Pat Buchanan, saw wokeness in embryo because they listened to what ordinary people were saying and didn't treat their grievances as material for "wedge issues." As a journalist Buchanan had to take their complaints seriously because they were the audience for his columns. That's why his writings in the 1980s and '90s proved a better guide to the politics of the future than most of those who dismissed him.

In short, if we are to take this elite-populist relationship as the key to understanding the Right, then we must conclude that each side let the other down: the elites did so over a period of more than 30 years, the populists from between the 2016 primaries and a January afternoon in 2021. Continetti remains worried by populism and tries to exorcise it by discussing why two conservatives he deeply admires, Irving Kristol and Ronald Reagan, took a different view of populism.

IRVING KRISTOL PRESENTS CONTINETTI with the greater problem because he had made an unusual principled case for conservative populism against the elites. Admittedly, Kristol had gone back and forth on the matter:

In the 1970s he fretted over populism's tendency to devolve into lawless revolt, conspiracy theory, and scapegoating of vulnerable minorities. By the mid-1980s, however, he saw the activism of the populist New Right as "an effort to bring our governing elites to their senses." The events of January 6, 2021 took place more than a decade after Kristol's death but confirmed his initial reservations.

I agree that Kristol would certainly have condemned the events of January 6 as a lawless revolt inspired by conspiracy theory (though it doesn't seem to have been directed against any minorities). But wouldn't Kristol also have condemned the events of 2020 across America that destroyed property and lives

on a much larger scale, which were encouraged by America's progressive political, academic, and media elites as justified responses to a supposedly white supremacist America? These went largely uncontrolled, misreported, and unpunished then and later by the police, the mainstream media, and the courts; and were financially supported by leading public and political figures. Surely those events would have confirmed Kristol in his later view of populism as a necessary "effort to bring our governing elites to their senses"? It is, at the very least, a plausible conclusion.

NOW, WE COME TO CONTINETTI'S view of Ronald Reagan, which is in many respects the most interesting and novel passage in the book. Reagan is the single most successful conservative of *The Right's* 100 years. He restored America's preeminence in world politics, revived its failing economy, won the Cold War, united the various conservative factions into a harmonious coalition, and passed on a Republican dominance in U.S. politics that his successors promptly squandered. What's more, he did so while working within the laws, regulations, principles, and customs of the United States which indeed he venerated. So why is Continetti uneasy about him?

Although an early subscriber to *National Review* who devoured the arguments of the conservative intellectual movement, Reagan was really at heart a populist, Continetti laments, and therefore a dubious or misleading guide to the future of conservatism. Now, I'm not at all sure that Reagan was a populist unless populism means something anodyne like "responsive to the opinions of the voters" (which is something all democratic politicians have to be). I'm even less sure that populism is a useful concept as the word is employed by most political pundits today: namely, as the manifestly bad alternative to "liberal democracy." This usage has been devised mainly to wrong-foot democratic opponents of liberal parties by writing them out of respectable politics. Fortunately, Continetti offers a better definition in his own discussion of populism when he declares that it had become one element of a Right that was "unabashedly opposed to liberal elites, skeptical of credentialled experts, and hostile to the established voices of print and cable media." Reagan made this populism more respectable by injecting "the populist rebellion of the late 1970s with his peculiar qualities of optimism, sunniness, humor, and unflappability." For Continetti, his example had subsequently warped our understanding of its dangers.

IS THIS FAIR OR REASONABLE? SURELY REAGAN'S supposed populism had two features. The first was his unembarrassed celebration of America and American institutions that went deeper than statecraft. The second was that Reagan—while being more than a populist himself—recognized the legitimacy of populist grievances and treated populism's political leaders respectfully. He fought for their causes with a cheerful bravery, and even when he lost (as over the nomination of Robert Bork to the Supreme Court), he conveyed the comforting democratic truth that no cause is ever lost permanently in a free society. In doing so he reconciled populist (and other) constituencies to political realities. His amiable rhetoric treated all fellow Americans—and notably, opponents—as people of goodwill who could be trusted with freedom. In all these ways he strengthened the American regime. On the day he left the White House the United States was unusually stable and at peace with itself, as much as in the Eisenhower years, and far more so than eight years previously. Reagan's reputation rose steadily between then and his death in 2004, which led to some very rare soul-searching among journalists as to whether they had covered his administration fairly. In short, Reagan's success was an astonishing achievement—in part, a populist one—because it consisted of governing *with* the grain of the American character, especially its conservative side, while offering all Americans the reassurance of a unifying patriotic rhetoric and symbolism.

The riot on January 6 occurred 33 years after Reagan left office. In the few years on either side of that day, American politics has developed an atmosphere worse perhaps than the 1950s atmosphere surrounding McCarthyism and its opponents, of which conservative poet Peter Viereck wrote, "I am against hysteria, but I am also against hysteria about hysteria." With *The Right*, Matthew Continetti has written a fine, comprehensive, and readable narrative of the rip-roaring history of American conservatism with its amazing repertory company of statesmen, philosophers, and eccentrics. It's a remarkable achievement and a great read but one over-influenced by the "insurrection" and the blowback to it that took place when its final pages were being written. Readers like me will look forward to the second edition with an Afterword on populism in the Age of Woke.

John O'Sullivan is president of the Danube Institute, and a former editor-in-chief of *National Review*.

Into the Whirlwind: Part One



A U.S. Marine assigned to the 24th Marine Expeditionary Unit escorts a Department of State employee to be processed for evacuation at Hamid Karzai International Airport, Kabul, Afghanistan, August 15, 2021. (US Navy/Central Command Public Affairs/Sergeant Isaiah Campbell/Handout via Reuters)

By **JOHN O'SULLIVAN**



August 19, 2021 9:40 PM

What follows are some initial thoughts on the fall of Kabul. I will follow up shortly with more on what this debacle might mean for America's position in the world:

1. Biden's speech on Monday about the withdrawal of U.S. troops was a much more logically coherent and well-constructed speech than any we have heard from him before. It was also a very steely and cold-hearted speech to the point of being a little unseemly. Even as he was consigning the Afghans who had been U.S. allies until yesterday to perdition, he was also criticizing their

unwillingness to defend their country and blaming the consequences of America's retreat on them. Yet the Afghan army's advantages he cited had been undermined by the withdrawal of U.S. technical and logistical support as soon as a firm date for the scuttle had been announced. That date had seemingly been determined — and announced to NATO allies — in accord not with military priorities and the safety of soldiers and civilians loyal to the mission but with the political "optics" of the date (i.e., before 9/11). All of which gave the speech a flavor of "America First — and the Rest Nowhere!" It could even be said to have out-Trumped Trump in a single-minded national egotism at odds with the theoretical idealism of the Afghan intervention and even more at odds with the comradeship that has developed between U.S. forces and other allied soldiers. That probably reflects America's public mood at the moment (of which, more below). But will that mood remain the same if the situation in Kabul worsens appreciably and the De Gaulle-like ruthlessness of leaving the Afghans in the lurch is followed by executions, massacres, rapes, and worse?

2. Worse? The immediate risk to Biden and the U.S. must be that of the Mother of All Hostage Crises. If there are 10,000 Americans left behind in Afghanistan, that leaves the U.S. with massive problems and the Taliban with strategic opportunities. It's said in the administration's defense that the evacuations from Kabul airport are now going well. Good. But the Taliban have a "ring of steel" around the airport, and U.S. forces have no capability of getting Americans into it without the Taliban's cooperation. That's a pretty serious limitation which, incidentally, the French and the British seem to be handling better than the Pentagon, rescuing more (of fewer) nationals. All those Americans outside the perimeter are now effectively hostages for America's good behavior. It points to the following scenario. For the immediate future, the Taliban will cooperate with the U.S. (and vice versa) to consolidate their seizure of power, allowing most of the remaining Americans to depart. Those released will not include Afghans who materially assisted the U.S. intervention — such as the Afghan Special Forces — or who have useful knowledge of American military intelligence. And the likelihood is that as the evacuations wind down, a number of important Americans will be found to be "missing" and hard to track down. They will then become pawns in a long

diplomatic blackmail in which the Taliban hold most of the kings, queens, rooks, and bishops.

3. President Biden's defense against the charge of incompetence in the Afghan endgame, belatedly echoed by his media supporters, is that it's impossible to withdraw without leaving chaos behind. They add that U.S. forces must avoid at all costs being sucked back into the maelstrom. In reality there's no necessary choice between a strategic retreat and a tactical counterattack. Strategic retreats are often camouflaged by tactical attacks that also serve to make clear to the enemy that the retreating force is still a formidable one. Hence the remark of the distinguished historian of both world wars, the late Norman Stone: "The word 'inevitable' must never be used in history except to describe a German counter-attack." America and our allies can rescue anything from what is a historical catastrophe on the scale of the falls of Paris, Dien Bien Phu, and Saigon only if we show an immediate determination to protect our interests and our honor (which is a synonym for reputation in global affairs).
4. And what of the Afghans? It's clear that for the moment and probably for a long time that Afghanistan is "lost." The Taliban were easier to oust in 2001 than they would be today since they were then friendless while now their friends and allies include Russia, China, Iran, and Pakistan. To be sure, there are reports that the son of the late Ahmad Shah Masoud, the "Lion of Panjshir" and the leading pro-Western figure in the struggle against the Soviet invasion, is retreating to his father's old redoubt and appealing for Western aid to mount a resistance to the Taliban. My guess is that Biden and most of the Republican leaders will strive to discourage any such support for a number of reasons: The prospects of resistance obviously look poor today; the "missing" American hostages will be an argument against aid; and the leaders of both parties would plainly like to wash their hands of Afghanistan as they did of Vietnam. Though any resistance faces an uphill struggle, however, it should not be dismissed entirely, as a friend who spent many years reporting on the anti-Soviet guerrilla struggle and its factions confirms: Many Afghans who fought for the government will reason that they might as well keep fighting since they'll be persecuted and killed by the Taliban anyway. Some

will be inspired by strong notions of “honor” aroused by the chilly accusation from President Biden that they didn’t fight for their country. And the tribal areas that once were a sanctuary for Ahmad Shah Masoud will probably prove hospitable to his son and his followers. My cold calculation is that the Western powers — Britain and Europe more than the U.S. this time — will do nothing for a while but settle down in a few years to subsidizing a long-term, low-level guerrilla war on the model of subsidies to various Kurdish insurrections over the years. What happens then will depend on how well or badly the Taliban govern. And that’s surely a factor on the resistance’s side.

5. Any honest person has to agree with Andy McCarthy’s argument that Biden and Trump share responsibility for the decision to “leave and lose” Afghanistan — though I would add an unequal share for the disorderly scuttle of our departure. There’s a third party that shares that responsibility, however, and that’s the foreign-policy establishment in general, and particularly the State Department and the National Security Council in the Trump and Biden years. However strongly the Mattises and McMasters of that world disagreed with Trump’s desire to leave Afghanistan, that was the policy on which he had won the 2016 election and which both parties had embraced. They were well within their rights to make the case for staying, which is a stronger one than most conservatives (including me) have allowed in recent years. Afghanistan had stabilized to the extent that fewer than 3,000 U.S. troops were needed to keep the country quiet and out of the hands of global jihadist terrorists. True, many more American deaths had been inflicted in earlier years, but by 2018 or so it’s arguable that those deaths increased the power of the argument for a continued intervention. We didn’t want to nullify that sacrifice. All that said, however, the president thought differently, and he had the right under the Constitution to expect his officers to implement that decision or resign. Some did resign; some obstructed, delayed, and temporized. But suppose that they had implemented his decision over a longer time scale, with careful planning, and with a realistic threat to offer continued aid and air support to the Afghan army after our departure. It’s a possibility that we might then have left Afghanistan without losing it, and a likelihood that even if we had lost Afghanistan, we would have left in good order without leaving thousands of our countrymen and our allies

behind to hobble and weaken us in our future dealings with whatever regime — a pure Taliban one or a Taliban-Plus coalition — took over in our wake. That unwillingness to see that foreign policy-making has to take democracy into account was itself an invisible failure of duty, and it has spawned the all-too-visible failures we watch on our social media and televisions.

THE CORNERWORLD

Into the Whirlwind, Part Two: Lessons Unlearned



Members of Taliban forces sit at a checkpoint in Kabul, Afghanistan August 17, 2021. (*Stringers/Reuters*)

By **JOHN O'SULLIVAN**

August 25, 2021 12:01 PM

The impact of the Afghan crisis on Afghanistan is obviously important, but it's less important than its impact on the U.S. and the structure of American alliances throughout the world. How do those prospects look?

Both have been badly shaken at a time when U.S. power and influence seem to be shrinking in the face of a rising and aggressive China and the entrenched hostility of other serious powers such as Russia. America's internal crisis of cultural masochism complicates both any U.S. recovery and the crafting of a realistic foreign policy. How can a divided nation in which half of the people regard their country as "the focus of evil in the modern world" (as Reagan described the Soviet Union) pursue a policy to protect its interests and advance its values? It will falter in a dozen ways when it tries to do so.

For now, a crippling defeat at the hands of jihadist terrorists will shortly be celebrated throughout Afghanistan with beheadings, stonings, and the disappearance of women into purdah.

Most Americans will interpret these consequences not as a justification of U.S. imperialism exactly, but as evidence that Western democracy may perhaps be superior to whatever we call the system prevailing under the Taliban. Some Americans, however, will interpret this defeat as inevitable or deserved, and blame the excesses of the Taliban on the U.S. intervention (though they preceded the intervention as well as following it) because . . . well, because America cannot possibly be the right side of any progressive history. Those Americans include the cultural, media, corporate, and political elites and thus the U.S. foreign-policy establishment whose more left-wing members are currently determining post-Afghanistan policy.

With such attitudes, they can't really feel that America's defeat in Afghanistan is a bad thing or be overly concerned with its impact on America's reputation and relationships with allies. They minimize its consequences and even justify them as the costs of adopting a more progressive route to a better world. As James Burnham points out in *The Suicide of the West* (and the "liberalism" in the quote below is what we now tend to call "progressivism"):

Liberalism permits Western civilization to be reconciled to dissolution . . . not as a final defeat, but as the transition to a new and higher order in which Mankind as a whole joins in a universal civilization that has risen above the parochial distinctions, divisions and discriminations of the past . . .

* * *

It's hard to see that mindset drawing the right lessons from the Afghan expedition. And that's what we're seeing in the arguments used by the Biden administration, and especially by Biden himself, to justify the retreat.

To borrow Walter Russell Mead's terminology for America's different cultural traditions on foreign policy, it's a Jeffersonian policy lightly disguised by Jacksonian rhetoric. Biden is defining a disorderly retreat under fire, leaving hostages behind, as tough and necessary realism that will be justified by history. If the Afghans can't live up to our expectations of them, he suggests, then the hell with them.

The truth is that Biden never much liked them anyway — or their predecessors. He was happy not only to leave the South Vietnamese in the lurch but also to remove the U.S. air support from their armies when they were still fighting bravely and to abandon those who had worked for us to the enemy's re-education Gulag (the only escape route being the open sea with the real threat of pirates).

After all, how could they be good people if they were on our side? It was a mantra of the Left's 1960s and 1970s protest movement that those nations and leaders allied to us in the Third World were usually corrupt and oppressive cliques undeserving of U.S. friendship. Maybe that was sometimes true, but we supported them from self-interest and because we thought their totalitarian alternatives were much worse, as in post-1975 Vietnam they proved to be. The Left's moral strictures didn't apply to their people anyway — though "the people" were always on the Left's lips. A Biden apparatchik was recently explaining the Taliban's victory the other day on the grounds that the Taliban lived among "the people." But so did the Afghan army and Afghan translators working with the U.S. army. That's why they're vulnerable now.

Biden's indifference to their fate, either ignored or candidly expressed, reflects his early career as a young Democratic pol in a party being pushed leftwards by its post-1968 protest wing. He may have more personal motives too. The Afghans he's left behind are plainly an embarrassment to him and an obstacle to the success of his Afghan policy. Knowing this, he might well resent the injuries he's done them. Why won't they go quietly into the Gulag of history?

* * *

[Earlier I mentioned](#) the example of de Gaulle's betrayal of the Harkis who supported the French government in Algeria. (Some were merely murdered; others buried alive.) De Gaulle justified this betrayal (to my mind very inadequately) on the grounds that it would cement the complete separation of France from Algeria that he then sought. Biden's betrayal has done the opposite. If America's retreat had occurred in relatively good order without the scenes from Kabul airport, most Americans except the families of the dead and wounded would have forgotten the U.S. intervention in a short time. But Biden has created a link between the U.S. and Afghanistan that won't disappear, symbolized as it is by the president's turned back as he walks away to avoid questions about what will happen to all those he has left behind. It's Biden's albatross.

And he's wearing the albatross around his neck internationally as well as domestically. It was not only British members of Parliament, especially Tories, who were strongly repelled by the combination of narrow U.S. self-interest and callousness towards his Afghan allies that shaped Biden's rhetoric. It rightly seemed dishonorable and unseemly to them. Other allies in and outside NATO, political leaders, and media commentators all expressed "puzzlement" that the famously empathetic Joe Biden seemed oddly indifferent to the fate of Afghans in general and those who fought alongside G.I.s in particular. He attacked them as people who didn't fight for their country when in fact they died doing so in large numbers. He claimed that they enjoyed the benefits of U.S. military aid which was true for many years but which ceased abruptly when the U.S. started to withdraw. The Taliban inherited some of that military aid and sophisticated equipment when the U.S. abandoned its military bases, and the Afghan army found itself with planes that couldn't fly and logistical support that wasn't there. Not to mention that the mere announcement of America's imminent departure

told everyone that the war was lost. And no one in any war wants to be the last man killed.

Nor the next ally betrayed. In talking so contemptuously of his Afghan allies, Biden was warning the NATO countries, in effect, that they might find themselves at the sharp end of very similar jibes. They responded quickly by asking the U.S. to delay the final evacuation of Americans and Afghans until beyond the deadline of August 31 agreed to with the Taliban, since it's evident that large numbers of both will still be in Kabul at that date. At the G-7 meeting to discuss the delay, however, the Biden administration was adamant. It had washed its hands of the Afghanistan imbroglio and that was that.

* * *

In the last week, there's been a good deal of talk in NATO about the lessons learned from the Afghan retreat. Unfortunately, they look like the wrong lessons — three in particular:

1. Trump and Biden between them show that Europe can't trust America to help defend it. That view reflects more than anything else the slightly snobbish illusion which most Europeans had swallowed that Biden and the Democrats were more solid allies than Trump's isolationist Republicans. The U.K. government still seems to be in the grip of this fantasy. In fact, despite all his off-the-cuff insults and impulsive absurdities, Trump had strengthened NATO, browbeating them into spending more on defense, supplying arms to Ukraine, deploying troops in Poland and the Baltic states, fostering Poland's Three Seas Initiative, and formulating a NATO doctrine in his Warsaw address that rested on cooperation between nation-states strengthened by national interests and loyalties. Trump stood for "America First." Biden, in his justification for his Afghan retreat, stands for "America First — and the Rest Nowhere." His isolationism is that of social philosopher who thinks his country is a bad influence on others. But how reliable an ally is an America that hates itself as a deeply racist country and inevitably sees countries such as Britain and France as other cases of "white supremacy?"
2. Europe must now develop its own "strategic autonomy" in order to defend itself in a world without an American ally. In reality, Europe's strategic

autonomy is a threat to Europe's security because it undermines NATO — which is the sole real provider of European security — by diverting resources from the transatlantic alliance without any prospect of replacing it. It's an argument that the EU should sacrifice a real alliance today, albeit one with major problems, in the hope of constructing a fantasy one in the distant future. Even if this were a practical possibility, what NATO needs is not a European competitor to Uncle Sam but the end of Europe as a free rider on him. That dependency is a justified source of American resentment which Biden-style masochistic isolationists exploit.

3. In the U.K., "Hard Remainers" were quick to argue that Britain must now replace its illusory special relationship with the U.S. by renegotiating it post-Brexit relationship with the EU to deepen mutual defense ties. There is certainly a case for great Anglo-French military cooperation, ideally within NATO. But anyone peddling this argument must come to terms with the changing character of Germany. Whatever criticisms we may have of the U.S. under Biden, Germany under Merkel has outdone them in policies of national selfishness. Germany's national character is now a blend of anti-Americanism, pro-business commercialism, and pacifism. Its foreign policy is to sell its industrial goods to China and Iran, to follow an "economic Rapallo" policy with Russia built on buying its energy, to shape the EU as its own Zollverein through the Euro, and to sacrifice the interests of its EU partners when they conflict with Germany's interests in, for instance, the Nord Stream 2. This drift of German policy is likely to aggravate tensions within the EU which — since Europe can only be unified under U.S. protection — may lead to the further disintegration of the EU and perhaps NATO.

All in all, in the light of these trends and of the Afghan defeat, we are very likely looking at the re-distribution of economic, political, and military power (and therefore of alliances) on a large scale. This is too large a topic to cover in appropriate depth here, but my instinct is that Germany, Russia, and China will form the core of an alliance of the "Central Powers" of the world-island while the U.S., India, Japan, and the Anglosphere develop a coalition of democratic countries on the periphery. A new game of diplomacy, modeled on this idea, might give us hours of endless fun. And anxiety.

If Burnham's insight is one key to playing this game of geopolitics well — see his *Struggle for the World* as a primer — who should be our guide on how the U.S. and the West should deal with those nations which now and then invite our well-intentioned intervention — sometimes by attacking us? When Blair and Bush were launching the Iraq war, they talked up the idea of “nation-building” as a moral justification for running another people's country by proxy. This was an essentially progressive idea; conservatives have tended to respond to it by pointing out that nation-building is a misnomer for the deconstruction and reconstruction of a nation. It's a recipe for a long cultural civil war in which one side is often quite ignorant about the habits, customs, beliefs, and tastes of the country it imagines itself to be governing until its progressive house of cards collapses.

There's quite a distinguished roster of conservatives — economists, political theorists, diplomats, and novelists — who have explored the tragedies and absurdities growing out of this conflict. The most fertile imagination to be inspired by this theme is England's brilliant satirical novelist, Evelyn Waugh, who in *Scoop* and *Black Mischief* describes the comic and horrible misunderstandings that flourish when progress is imposed on more rooted societies. Others who have developed important critiques of the same phenomenon include V. S. and Shiva Naipaul, the Anglo-Hungarian economist Lord Peter Bauer, the American cultural anthropologist Grace Goodell, William Easterly, and many more.

They have now been joined by the Portuguese ex-diplomat-turned-writer, Bruno Macaes, who, writing in the London *Spectator*, noticed sharp contrasts between Afghanistan collapsing under the weight of aid and America's good intentions and the small statelet of Somaliland that flourishes freely and economically like the green bay tree in diplomatic isolation with little or no Western aid. Macaes speculates that it's Somaliland's lack of outside assistance that explains its success: The region has built that success on a political model rooted in its old traditions such as an Upper House of Parliament composed of tribal elders. He continues like a blend of Bauer and Waugh:

It is easy to imagine what would happen if Western experts were put in charge. The parliament would be reformed and the upper house abolished. The fabric of small businesses covering every corner of Hargeisa would be replaced by local cronies fed by vast transfers of Western funds. Local elites would be replaced by the local version of Ashraf Ghani, the celebrated author of “Fixing Failed States”, an academic brought from an obscure American university to educate his fellow citizens in the Western ways. And the experiment would end as badly as you can imagine.

Well, as badly as Afghanistan has done.

Macaes is not arguing that the West should refuse all help to either country, merely that it should be used to strengthen their traditional institutions rather than seeking to replace them wholesale. How we project our influence and power in such countries obviously needs a unique intellectual blend of qualities: sharp and realistic social observation, intellectual humility in the face of local knowledge, and yet moral self-confidence in our own system, especially in its conservative elements. Afghanistan was a case of getting it wrong — it’s handed over to China almost half the known world’s reserves of lithium. Given what we know of how China treats the peoples and governments of its economic colonies, however, Beijing will get it wrong soon, too. Its system is a more exaggerated form of progressive interventionism than anything concocted in the Ivy League. We’ve outgrown that.

American Diplomacy

Insight and Analysis from Foreign Affairs Practitioners and Scholars



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Editor



James Burnham, the first Cold Warrior

December 2000

by Francis P. Sempa

Often we remark that the convert exhibits an unusually devoted commitment to his or her new cause. Such evidently was the case with the subject of this essay. Remembered as an anticommunist American intellectual and dedicated foe of the Soviet Union, university professor James Burnham started his career at the opposite end of the political spectrum. The author, who recently wrote an appreciation of Halford Mackinder's world view for this journal ([Winter 2000](#)), assesses Burnham's scholarly approach to Cold War strategy as set forth over some three decades. ~ Ed.



DURING THE EARLY post-Second World War years, James Burnham, a leading American Trotskyite in the 1930s, emerged as a chief critic of the policy of containment as articulated by the Department of State's policy planning chief, George F. Kennan, and implemented by the Truman Administration. At this time, Burnham was a prominent liberal anticommunist associated with the journal *Partisan Review* who had worked for the Office of Strategic Services during the war. In three books written between 1947 and 1952, and in hundreds of articles written over a twenty-five-year period for the conservative magazine *National Review*, Burnham criticized containment from the ideological Right, arguing for a more aggressive strategy to undermine Soviet power. That strategy, which Burnham called "liberation" and others called "rollback," was widely ridiculed at the time and subsequently, even though, ironically,

Kennan in his memoirs termed it "persuasive."¹ Decades later, however, the Reagan Administration's confrontational style and offense-oriented policies during the 1980s, an approach which arguably resulted in the collapse of the Soviet Empire and the end of the Cold War, can be said to have vindicated Burnham's strategic views.

Burnham was born in Chicago in 1905. His father, Claude George Burnham, who emigrated as a child to the United States from England, was an executive with the Burlington Railroad. James attended Princeton University where he studied English literature and philosophy, and graduated first in his class, delivering his valedictory address in Latin. Burnham earned a masters degree at Balliol College, Oxford University, in 1929; later that year he accepted a teaching position in the philosophy department of New York University. He remained on the faculty of NYU until 1953.

From 1930-1933, Burnham co-edited (with Philip Wheelwright) *Symposium*, a review devoted to literary and philosophical criticism. In 1932, he and Wheelwright wrote a textbook entitled *Introduction to Philosophical Analysis*. During his editorship of *Symposium*, Burnham became acquainted with Sidney Hook, a colleague in the Philosophy Department at NYU. According to Hook, their relationship became "quite friendly" when *Symposium* published Hook's essay "Toward the Understanding of Karl Marx." Burnham's articles in *Symposium* impressed Hook and other readers, including Soviet exile Leon Trotsky.

During the 1930s, with the country in the throes of a great economic depression, Burnham joined the Trotskyite wing of the international communist movement. He had read Marx and Engels while living in France in 1930, and was later greatly impressed by Trotsky's *History of the Russian Revolution*. His move to the far left, however, was not without detours along the way. For example, in the April 1933 issue of *Symposium*, Burnham described the communist party as "ridiculously utopian" and "barbaric." John P. Diggins, one of Burnham's

biographers, believes that three principal factors persuaded Burnham to join the communist movement: an article by Sidney Hook on Marx; Adolf Berle's and Gardiner Means's book, *The Modern Corporation and Private Property*; and Burnham's tour of the country in the summer of 1933 where, in Diggins's words, "he encountered the first stirrings of an authentic class struggle."

In 1933, Burnham helped Hook, A.J. Muste, and J.B.S. Hardman organize the American Workers Party. The next year, the party merged with the Trotskyite Communist League of America to form the Socialist Workers Party. Burnham, according to Hook, emerged as the Party's most admired and "most distinguished intellectual figure." Samuel Francis, another Burnham biographer, notes that during that time Burnham was considered a "leading spokesman" of the Trotskyite branch of the international communist movement. Diggins goes further, describing Burnham as Trotsky's "chief spokesman" within American intellectual circles. Burnham became an editor of the Party's monthly journal, *New International*, wherein he defended Trotsky from Stalinist verbal attacks. Initially, Burnham viewed Stalinism as an "aberration of Bolshevism." He saw Trotsky as Lenin's true heir, and Trotskyism as the fulfillment of the ideals of the Bolshevik revolution. After the signing of the Nazi-Soviet non-aggression pact in August 1939, however, Burnham began distancing himself from Trotsky (who defended the pact). In May 1940 Burnham resigned from the Socialist Workers Party, ended his involvement in the international communist movement, and began to write regularly for *Partisan Review*, the leading journal of the non-communist left.²

Burnham emerged as a Cold War strategist in 1944 upon writing an analysis of Soviet post-war goals for the U.S. Office of Strategic Services. The seeds of his intellectual evolution from Trotskyite to anticommunist cold warrior were planted during the time period between his break with communism and the beginning of the Cold War. It was then that Burnham formulated his "science of politics" and began viewing the world through a geopolitical prism. This intellectual evolution began in 1941 with the publication of his *The Managerial Revolution*, a study in which he theorized that the world was witnessing the emergence of a new ruling class, "the managers," who would soon replace the rule of capitalists and communists alike. The book was an instant best-seller and was translated into most major foreign languages. It received critical acclaim from the *New York Times*, *Time*, *The New Leader*, *Saturday Review*, and leading opinion-makers of the day. John Kenneth Galbraith recalled that *The Managerial Revolution* was "widely read and discussed" among policymakers in Washington in 1941. William Barrett remembered it as "an original and brilliant book when it appeared" which "anticipated by a good number of years the discovery of the 'New Class'."³

The Managerial Revolution is mostly remembered as a political and socioeconomic work, which in part it was. What is often overlooked, or at least understated, is that the study was Burnham's first intellectual foray into global geopolitics. In it he sketched an emerging post-war world divided into "three strategic centers for world control":

1. the northern two-thirds of the Western Hemisphere;
2. north-central Europe, west Asia and northern Africa; and
3. the "Asiatic center," east Asia and the off-shore islands.

"Geography," he explained, "gives certain advantages to each of the contestants in certain areas: to the United States in the northern two-thirds of the two Americas; to the European center in Europe, the northern half of Africa and western Asia; to the Asiatic center in most of the rest of Asia and the islands nearby."

A key factor that conditioned Burnham's selection of those regions as "strategic centers" was their concentrations of modern industry. Burnham predicted that "the world political system will coalesce into three primary super-states, each based upon one of these three areas of advanced industry," and the "nuclei of these three super-states are... Japan, Germany and the United States." Russia, he believed, would break up as a result of the war, "with the western half gravitating toward the European base and the eastern toward the Asiatic." Somewhat more presciently, he predicted the dissolution of the British Empire resulting from "the consolidation of the European Continent...." Burnham explained that England's dominant position depended on its ability to "balance Continental nations against each other" and that "the balance of power on the Continent is possible only when the Continent is divided up into a number of genuinely sovereign and powerful states."

Burnham was right, of course, about the fact of the collapse of British power, but wrong about its cause. The British Empire broke up because after the war Britain lacked the resources and, more importantly, the will to maintain it. The whole European Continent was not consolidated as Burnham had predicted; instead, the Continent was strategically divided between two super-states. Burnham was correct in predicting that the war would produce a world struggle for power among "super-states." Whereas he foresaw the emergence of three super-states, however, the war's outcome produced only two, the United States and the Soviet Union. Instead of three "strategic centers," there were only two — the northern two-thirds of the Americas and the Asiatic center.

Although in *The Managerial Revolution* Burnham clearly underrated the staying power of the Soviet regime, he accurately forecast the role of the United States in the post-war world. "The United States," he wrote, "...constitutes naturally the nucleus of one of the great super-states of the future. From her continental base, the United States is called on to make a bid for maximum world power as against the

super-states to be based on the other...central areas.” He even foresaw that the United States would become “the ‘receiver’ for the disintegrating British Empire.”⁴

By this time Burnham’s break with communism was complete. In *The Managerial Revolution* he noted that “all evidence indicates that the tyranny of the Russian regime is the most extreme that has ever existed in human history, not excepting the regime of Hitler.” He no longer believed, as he had in his Trotskyite days, that Stalinism was an aberration from true Marxism-Leninism. “Stalinism,” he wrote, “is what Leninism developed into...without any sharp break in the process of development.”⁵

In 1943, to his growing anti-communism and geopolitical world view, Burnham added a “science of politics” based on the ideas and concepts of thinkers that he called “the Machiavellians.” The Machiavellians, according to Burnham, studied and analyzed politics in an objective, dispassionate manner in an effort to arrive at certain fundamental truths about “political man.” From the writings of Niccolo Machiavelli, Gaetano Mosca, Georges Sorel, Robert Michels, and Vilfredo Pareto, Burnham deduced that:

1. All politics is concerned with the struggle for power among individuals and groups;
2. genuine political analysis involves correlating facts and formulating hypotheses about the future without reference to what ought to happen;
3. there is a distinction between the “formal” and “real” meaning of political rhetoric, which can only be discovered by analyzing the rhetoric in the context of the actual world of time, space, and history;
4. “political man” is primarily a “non-logical” actor driven by “instinct, impulse and interest;”
5. rulers and political elites are primarily concerned with maintaining and expanding their power and privileges;
6. rulers and elites hold power by “force and fraud;”
7. all governments are sustained by “political formulas” or myths;
8. all societies are divided into a “ruling class” and the ruled; and
9. in all societies the “structure and composition” of the ruling class changes over time.⁶

The Machiavellians is the most complete exposition of Burnham’s approach to the study and analysis of politics. Samuel Francis judges it to be his “most important book,” and opines that “virtually all of Burnham’s writing since *The Machiavellians* must be understood in reference to it.” Brian Crozier agrees, calling *The Machiavellians* “the most fundamental of Burnham’s books,” and “the key to everything he wrote subsequently.” Joseph Sobran calls the book “the key to Burnham’s thought.” John B. Judis believes that Burnham’s approach to analyzing power politics as set forth in *The Machiavellians* “informed his tactical understanding of the Cold War...”⁷

In the Spring of 1944, a year after writing *The Machiavellians* and just three years after *The Managerial Revolution*, Burnham used his “science of politics,” his understanding of the nature of Soviet communism, and his grasp of global geopolitical realities to prepare an analysis of Soviet post-war goals for the Office of Strategic Services (OSS).⁸ Although there is some lack of clarity on just when it was written, according to Diggins and Christopher Hitchens, Burnham’s analysis was prepared for the U.S. delegation to the Yalta Conference. His study of Soviet intentions was later incorporated in his first Cold War book, *The Struggle for the World* (1947). As Burnham noted in the opening essay of *The War We Are In* (1967), “The analysis of communist and Soviet intentions in Part I of *The Struggle for the World* was originally part of a secret study prepared for the Office of Strategic Services in the spring of 1944 and distributed at that time to the relevant Washington desks.”⁹ In his OSS paper, *The Struggle for the World*, and in two essays that appeared in the spring of 1944 and early 1945 in *Partisan Review*, Burnham warned that the Soviet Union was aiming at no less than domination of the Eurasian land mass. He identified the communist-inspired mutiny in the Greek Navy at Alexandria in April 1944 as the beginning of what he called the “Third World War.” The mutiny was quickly crushed by the British, but Burnham saw larger forces at work. The mutineers were members of the ELAS, the military wing of the Greek Communist Party-controlled EAM, which in turn was directed by the Soviet Union. The incident, therefore, was fundamentally a clash between Britain and the Soviet Union, at the time ostensibly allies in the still-raging Second World War. To Burnham, this meant that the Greek mutiny was a skirmish in another and different war. Events in China, too, indicated to him that supposed allies in the war against Japan — Chiang Kai-shek’s army and the communist Chinese forces led by Mao Tse-tung — were battling each other as much or more than they were opposing Japanese forces. From these events he concluded that “the armed skirmishes of a new war have started before the old war is finished.”¹⁰

The new phase of Soviet policy evidenced by Greek and Chinese events, according to Burnham, was the sixth major period in Soviet policy since 1917. The first period, “War Communism,” lasted from 1918 to 1921. It was succeeded by the New Economic Policy (NEP) which continued until 1928. The years 1928 to 1935 marked the “Third Period,” which encompassed the first Five Year Plans and the forced collectivization of agriculture. The fourth period, which Burnham called the “Popular Front,” lasted the next four years, and was followed by the “Hitler Pact,” from 1939-1941. After an “interregnum” between 1941 and 1943 when the very survival of the regime was at stake, the sixth or “Tehran” period commenced. Writing in the spring of 1944, Burnham concluded that “the object of the present (Tehran) period is to end the European phase of the war on a basis favorable to the perspectives of the Soviet ruling class, i.e., in de facto Stalinist domination of the Continent.”¹¹

Burnham believed Stalin's foreign policy was driven by a "geopolitical vision" that corresponded to the theories and concepts of the great British geographer, Sir Halford Mackinder.¹² "Out of this war," explained Burnham, "...Stalin has translated into realistic political perspective the dream of theoretical geopolitics: domination of Eurasia." Borrowing Mackinder's terminology, Burnham warned that, "Starting from...the Eurasian heartland, the Soviet power...flows outward, west into Europe, south into the Near East, east into China, already lapping the shores of the Atlantic, the Yellow and China seas, the Mediterranean, and the Persian Gulf...."¹³ The goals of Soviet foreign policy as he saw them were:

1. The political consolidation of Eurasia under Soviet control;
2. the weakening of all non-communist governments; and
3. a Soviet-controlled world empire.

Burnham's OSS study perceptively identified the post-war geopolitical structure that was then emerging from the ashes of the Second World War. It did so a full two years before George Kennan wrote his "Long Telegram" from Moscow and Winston Churchill delivered his "Iron Curtain" speech in Fulton, Missouri. It even predated Kennan's lesser-known papers, "Russia—Seven Years Later" (September 1944) and "Russia's International Position At the Close of the War With Germany" (May 1945), that predicted future difficulties between the United States and Soviet Union. No one foresaw or recognized the emergence of the Cold War more accurately, more comprehensively, or earlier than James Burnham.¹⁴

BURNHAM'S WORK for the OSS marked a turning point in his intellectual career. His first two books written after his break with Trotskyism were broad sociopolitical works, concerned more with political trends within countries than geopolitical conflicts between countries. After the OSS study and for the rest of his career, however, with two major exceptions he brought his intellectual gifts to bear almost exclusively upon the central geopolitical struggle of the second half of the twentieth century, the Cold War.

"The Sixth Turn of the Communist Screw" and "Lenin's Heir," which appeared in *Partisan Review* in the summer of 1944 and early 1945, respectively, were the first public indications of Burnham's altered focus (the OSS study remained secret). The Soviet Union, he asserted, was positioned to extend its political control from the Heartland to the remaining key power centers of the Eurasian continent. Moreover, Soviet goals would not likely change after Stalin because Stalinism was "a triumphant application" of Leninism. "There is nothing basic that Stalin has done... from the institution of terror as the primary foundation of the state to the assertion of a political monopoly, the seeds and even the shoots of which were not planted and flourishing under Lenin." "Stalin," wrote Burnham, "is Lenin's Heir. Stalinism is communism." Burnham's linking of Stalin to Lenin produced, according to the historian Richard H. Pells, "a painful reexamination of socialist doctrine among American intellectuals in the immediate postwar years." Many on the anti-Stalinist Left still believed that Stalinism had betrayed, not fulfilled Leninism. As William Barrett recalled, "Hitherto, the name of Lenin had been protected almost as a holy relic; the blame for any miscarriage of the Russian Revolution had been shunted over entirely on the head of Stalin, who thus provided a ready-made excuse for not locating the fault within the nature of Marxist doctrine itself." Most of the anti-Stalinist Left, however, was not ready to so drastically and fundamentally change the premises of their political beliefs.¹⁵

Any lingering doubts in the intellectual community about James Burnham's shifting intellectual focus were dispelled by the publication in 1947 of *The Struggle for the World*. There, for the first time in the United States and the West, was a broad, comprehensive analysis of the beginning of the Cold War, the nature of the Soviet communist threat to the world, and a strategy for U.S. and Western victory. Over the next five years, Burnham expanded and refined his analysis in two more books, *The Coming Defeat of Communism* (1950) and *Containment or Liberation?* (1952). Those books present a penetrating and lucid trilogy on the early years of the Cold War. Burnham's admirers, such as Brian Crozier, Samuel Francis, and John O'Sullivan, have treated the three books as essentially a single three-volume work. O'Sullivan, in a brilliant, reflective essay in *National Review*, demonstrated that the fundamental geopolitical vision informing Burnham's Cold War trilogy is traceable to *The Managerial Revolution*.

These three works by Burnham span the time period from 1944 to 1952 and can be analytically divided into three broadly defined topics:

1. The global context of the struggle and the nature of the Soviet communist threat;
2. estimates and critiques of then existing U.S. and Western policies for dealing with the threat; and
3. proposals or strategies to effectively respond to the threat and achieve ultimate victory.

Each book of the trilogy discusses, with varying emphases, those three topics; when considered together, they show Burnham's ability to respond to specific events and changes within a larger, consistent intellectual framework.

All three works also manifest the continued influence on Burnham's thought of "the Machiavellians" and the geopolitical theorist Halford Mackinder. He described the Soviet Union of 1945 as controlling the vast interior of Eurasia that Mackinder termed the Heartland of the "World-Island" (the Eurasian-African land mass). The Soviet position, wrote Burnham, "is...the strongest possible position on earth."

[T]here is no geographical position on earth which can in any way be compared with [the Soviet] main base.” The Heartland, he explained, is “the most favorable strategic position of the world.” From its Heartland base, the Soviet Union was positioned to expand into Europe, the Middle East, and Eastern and Southern Asia.¹⁶

The United States and North America, according to Burnham (here he borrowed from both Mackinder and Yale University’s Nicholas Spykman), constitute “an island lying off the shores of the great Eurasian land mass.” Geopolitically, the United States was to Eurasia what Britain was to Europe — an island facing a great continental land mass. Both Mackinder and Spykman made this precise analogy. (Spykman judged the power potential of coastal Eurasia — Europe, the Middle East and East Asia, which he termed the “Rimland” — to be greater than that of the Heartland.) Burnham agreed with Mackinder that “potentially, the Heartland controls the Eurasian land mass as a whole, and, for that matter, the...African Continent.” It was “an axiom of geopolitics,” Burnham explained, “that if any one power succeeded in organizing the Heartland and its outer barriers, that power would be certain to control the world.” (Mackinder had written in 1919 that control of the Heartland and command of the World-Island would lead to world dominance.) Air power and atomic weapons, Burnham believed, “upset the certainty of this...axiom,” but the “facts of geography” still gave the Soviet Union an incomparable advantage in the post-war struggle because “[g]eographically, strategically Eurasia encircles America, overwhelms it.”¹⁷

Burnham pictured the Soviet geopolitical position as a “set of concentric rings around an inner circle.”¹⁸ (Mackinder’s 1904 world map consisted of the Russian-occupied heartland or “pivot state” bordered by an “inner or marginal crescent” and far removed from an “outer or insular crescent”.) Burnham’s inner circle was the Soviet Union. The first concentric ring contained the Kuriles, South Sakhalin Island, Mongolia, Turkish regions, Bessarabia and Bukovina, Moldavia, Ukraine, East Poland, East Prussia, the Baltic States and Finnish regions — territories already absorbed or soon to be absorbed by Soviet power. The second ring included Korea, Manchuria, North China, the Middle East, the Balkans, Austria, Germany, Poland, Scandinavia, and Finland — territories within range of Soviet domination. The third ring contained Central and Southern China, Italy, France, smaller western European states, and Latin America — areas where Soviet influence or neutralization was possible. The fourth and final circle included England and the British Commonwealth and the United States and its dependencies — territories forming the rival base of global power.

This geographical setting formed the surroundings for a clash between two major power centers or, as Burnham referred to them in *The Managerial Revolution*, super-states. The clash, according to Burnham, proceeded “simultaneously and integrally along political, economic, ideological, sociological and military lines.” It “affects and is affected by events in all parts of the earth,” opined Burnham, and was zero-sum in nature.¹⁹ A U.S. or Western defeat was a Soviet or communist gain, and vice-versa.

The Soviet enemy, wrote Burnham, was the head of “a world-wide conspiratorial movement for the conquest of a monopoly of power.” Conspiracy, deception, and terror were integral and essential aspects of Soviet communism. Soviet leaders and their clients conducted “a political, subversive, ideological, religious, economic, . . . guerrilla, sabotage war, as well as a war of open arms” against the West. The communists exerted external pressure on target countries and sought to infiltrate those countries’ trade union movements, technical and scientific establishments, and media enterprises. The ultimate goal of Soviet policy, as manifested in official documents, speeches, and a plethora of Soviet actions since 1944, was “the conquest of the world.”²⁰

The United States from 1945 to 1952, as we know, reacted to this global challenge by gradually positioning itself in opposition to Soviet encroachments. Thus emerged the policy of containment that was explained most succinctly by George F. Kennan, the State Department’s Policy Planning Chief, in his famous “X” article in the July 1947 issue of *Foreign Affairs*. Even before Kennan’s highly influential article appeared, Burnham accurately perceived the broad contours and direction of early post-war American foreign policy. In *The Struggle for the World*, Burnham noted that during the latter stages of the Second World War, U.S. policy amounted to “appeasement” of her wartime Soviet ally. The United States ceded to the Soviets the Kurile Islands, South Sakhalin Island, Darien, Port Arthur, Manchuria, northern Korea, Yugoslavia, Czechoslovakia, eastern Germany, and part of Austria, all in an effort to “get along” with Russia. The United States coerced Chiang Kai-shek into joining a coalition government with the communists in China, “when we should have aided Chiang,” Burnham wrote, “to block communist domination of...the Eastern Coastland of Eurasia.” United States policy, Burnham lamented, “has not hindered but furthered communist expansion on Eurasia; it has not combated but aided communist infiltration all over the world....” Those policy failures, he believed, resulted from “a completely false estimate of communism and...of the communist dominated Soviet Union.” American statesmen mistakenly believed that Soviet Russia was a normal, traditional nation-state and that Soviet leaders could be influenced by demonstrations of good intentions by the United States. Those flawed judgments and beliefs, Burnham thought, resulted from even more fundamental U.S. handicaps: political immaturity and ineptness; a provincialism and ignorance of world affairs; a misconception about human nature; and a tendency toward “abstract, empty and sentimental...idealism.” Judging by the evidence of its policies up to 1946, Burnham believed that it was “unlikely that the United States will adopt any sustained, consistent, long-term world policy,” but instead would follow a “policy of vacillation.”²¹

Burnham's view of U.S. policy became somewhat more optimistic when the Truman Administration moved forcefully to block Soviet threats to Iran, Turkey, Greece, Berlin, and Italy, and Tito moved Yugoslavia out of the Soviet orbit. In *The Coming Defeat of Communism*, he wrote that "Our general diplomacy and foreign policy could be judged, compared to our past performances, reasonably strong and intelligent."²² He applauded what he viewed as a shift in policy from appeasement to containment. But he viewed containment favorably only as a temporary defensive policy to block communist expansion. As a long term policy, containment, wrote Burnham, was incapable of achieving victory in the Cold War. He identified four principal defects in the policy:

1. It was not "sufficiently unified," i.e., it was not being applied consistently by all U.S. policy makers and agencies;
2. it was too narrow in that it overemphasized the military aspect of the struggle to the detriment of the political, economic, ideological, and sociological aspects;
3. it was wholly defensive in nature; and
4. it lacked an objective, i.e., it did not seek the "destruction of communist power."

The most serious defect of containment, according to Burnham, was the policy's defensive nature. This criticism appeared in all three books of Burnham's Cold War trilogy, and it was the major theme of *Containment or Liberation?* (1952). A "defensive strategy, because it is negative, is never enough," he wrote. It left unsolved the "intolerable unbalance of world political forces." Containment, he explained, "leaves the timing to the communists. They have the initiative; we react Our policy, as a consequence, is subordinated to, determined by, theirs They select the issues, the field, and even the mood of combat." "Containment doesn't threaten anyone," Burnham explained, "it doesn't ask anyone to give up what he's already got." Furthermore, wrote Burnham, the effort to contain communism "is as futile as to try to stop a lawn from getting wet by mopping up each drop from a rotating sprinkler.... [T]o stop the flow we must get at the source."²³

Even if containment could be successfully implemented by the United States, which Burnham doubted, it would not prevent a Soviet victory in the Cold War. "If the communists succeed in consolidating what they have already conquered," he explained, "then their complete world victory is certain." "The threat," he wrote further, "does not come only from what the communists may do, but from what they have done.... The simple terrible fact is that if things go on as they are now, if for the time being they merely stabilize, then we have already lost."²⁴ Here Burnham was simply taking Mackinder's geopolitical theories to their logical conclusion. At the time Burnham wrote those lines, the Soviet Empire and its allies controlled the Heartland, Eastern and part of Central Europe, China, northern Korea, and parts of Indochina. Political consolidation of such a base, coupled with effective organization of that base's manpower and resources, would give the Soviets command of Mackinder's World Island.²⁵ "That is why," warned Burnham, "the policy of containment, even if 100 percent successful, is a formula for Soviet victory."²⁶

The Truman Administration's focus on Western Europe and the Republican Party's advocacy of what he called an "Asian-American strategy" were both misguided according to Burnham because they excluded efforts to penetrate the Soviet sphere. No positive gains could result from those wholly defensive strategies. At most they would buy time until the Soviets completed their consolidation and organization of their great continental base, after which, to borrow Mackinder's phrase, "the end would be fated." Burnham's strategic vision, however, consisted of more than simply a critique of the policy of containment. He also set forth in some detail an alternative grand strategy that he called "the policy of liberation." That policy, wrote Burnham in *The Struggle for the World*, must seek to "penetrate the communist fortress," to "reverse the direction of the thrust from the Heartland," to "undermine communist power in East Europe, northern Iran, Afghanistan, Manchuria, northern Korea, and China." The United States should seek to exploit Soviet economic and cultural weaknesses. The Western powers should launch a world-wide propaganda offensive against the communist powers. As a result, predicted Burnham, "the communists will be thrown back on the political defensive The walls of their strategic Eurasian fortress... would begin to crumble. The internal Soviet difficulties, economic and social, would be fed a rich medium in which to multiply."²⁷

Burnham became more forceful and specific in his policy proposals three years later in *The Coming Defeat of Communism* (1950). He called for America to adopt a policy of "offensive political-subversive warfare" against the Soviet Empire. America should aim, he advised, to increase Soviet economic troubles; to stimulate discontent among the Soviet masses; to encourage more Tito-like defections from the Soviet orbit; to facilitate the "resistance spirit" of the enslaved satellite nations of the empire; to foment divisions within the Soviet elite; and to recruit from behind the Iron Curtain "cadres of liberation." He was too much of a realist, however, to expect the complete achievement of every U.S. and Western goal in the struggle against communism. In a remarkable chapter in this volume entitled "A Deal With Russia," Burnham set forth five specific conditions that would allow the United States to claim victory in the Cold War without militarily defeating the Soviets:

1. An end to the world wide communist subversive apparatus;
2. an end to the world wide Soviet propaganda offensive;
3. the withdrawal of the Soviet army and security services to the pre-1939 Soviet borders;

4. full sovereignty for those territories conquered or annexed by the Soviets since 1939; and
5. the modification of the Soviet governmental structure to permit unrestricted travel, a free press and international inspection of scientific-military facilities.²⁸

Half a century later, most of Burnham's conditions for victory either are in place or in the process of being achieved.

In *Containment or Liberation?* (1952), Burnham identified Eastern Europe as the crucial target of U.S. strategy. U.S. policy, he wrote, must shift its focus from protecting Western Europe to liberating Eastern Europe. "A strategy which had Eastern Europe as its geopolitical focus — Europe from the Iron Curtain to the Urals — would best serve the American objective," he explained.²⁹ Eastern Europe, he repeatedly asserted, was the key to the world struggle. Here again we see the influence of Mackinder. In his 1919 classic, *Democratic Ideals and Reality*, Mackinder, too, emphasized the importance of preventing a single power from controlling both Eastern Europe and the Heartland. In perhaps the book's most famous passage, Mackinder recommended that an "airy cherub" should whisper to British statesmen the following warning:

Who rules East Europe commands the Heartland:
Who rules the Heartland commands the World-Island:
Who rules the World-Island commands the World.³⁰

When Burnham was writing *Containment or Liberation?*, the Soviet Union controlled the Heartland, Eastern Europe, and was allied to China. Mackinder's geopolitical nightmare was a fact of international life. From Mackinder's 1919 analysis, it logically followed that the only way to prevent Soviet world hegemony was to undermine Soviet positions in Eastern Europe. That is precisely what Burnham's proposed policy of liberation was designed to do.

TWO INFLUENTIAL statesmen who agreed with thrust of Burnham's strategy, at least initially during the early years of the Cold War, were John Foster Dulles, who became President Eisenhower's secretary of state, and, ironically, George Kennan, the author of the Containment doctrine. Dulles, both before and during the early years of the Eisenhower Administration, promoted a policy to "roll back" the Soviet empire.

Kennan, according to Peter Grose in a new book titled *Operation Rollback*, secretly proposed during the Truman Administration an ambitious program of organized political warfare against the Soviets, which included sabotage and subversive operations, propaganda, and help to resistance forces throughout the Soviet empire. Kennan's flirtation with a liberation policy ended, according to Grose, when the Truman Administration's attempts to implement the strategy failed. Dulles abandoned "rollback" after U.S. responses to the East German, Polish, and Hungarian uprisings of the 1950's demonstrated to the world America's unwillingness to support resistance forces within the communist bloc. There is no evidence that either Kennan or Dulles was directly influenced by Burnham's ideas; given his prominence at the time in intellectual circles and his connections with the intelligence community, it is likely that both Kennan and Dulles were familiar with his writings.³¹

Public reaction to Burnham's Cold War trilogy was mixed. Henry Luce gave *The Struggle for the World* prominent play in *Time* and *Life*. Luce even urged President Truman's press aide, Charles Ross, to persuade the president to read it. The *Christian Century* speculated that the book was the intellectual foundation for the Truman Doctrine announced during the same week that Burnham's book was published. The *American Mercury* published excerpts from all three books. Liberal anticommunist reviewers, such as Arthur Schlesinger, Jr., accepted Burnham's analysis of the Soviet threat but dissented from his call for an offensive policy. For conservative anti-communists, however, Burnham's Cold War trilogy achieved almost Biblical status. As George Nash pointed out in his study of the American conservative movement, "More than any other single person, Burnham supplied the conservative intellectual movement with the theoretical formulation for victory in the cold war."³²

Other reviewers were less kind. Charles Clayton Morrison called *The Struggle for the World* a "blueprint for destruction." Harry Elmer Barnes called it a "most dangerous and un-American book." George Soule in *The New Republic* asserted that Burnham wanted "reaction abroad and repression at home." George Orwell accused Burnham of worshiping power. *The Coming Defeat of Communism* received strong criticism from, among others, James Reston, David Spitz, R.H.S. Crossman and Louis Fischer. *Containment or Liberation?* received even harsher treatment. The editors of *Foreign Affairs* commented that Burnham's "temper at times outruns his argument." *The Atlantic Monthly* described the book as "permeated with absolutist thinking." Arthur Schlesinger, Jr. called the book a "careless and hasty job, filled with confusion, contradictions, ignorance and misrepresentation." It was, wrote Schlesinger, "an absurd book by an absurd man."³³

Burnham's relations with his colleagues on the non-communist Left suffered as a result of his Cold War trilogy. Where once there was widespread acclaim for *The Managerial Revolution*, now his colleagues on the Left disdained him as a warmonger who advocated atomic war. For many liberals (and some conservatives) Burnham's geopolitical vision was too sweeping and apocalyptic. To many, a policy of "liberation" was simply too dangerous in the nuclear age. The non-communist Left sought, at most, to contain the Soviet Union while searching for areas of accommodation. Burnham did not think that accommodation with communism was a long-term possibility. For Burnham, the Cold War was a systemic conflict that would only end when one or the other system changed or was defeated.

His final and lasting break with the non-communist Left, however, resulted not from his proposed strategy of "liberation," but from his views toward domestic communism and what came to be known as "McCarthyism." Burnham, unlike many intellectuals of the time, believed the testimony of Whittaker Chambers, Elizabeth Bentley, and other ex-communists who identified and described the activities of a Soviet espionage apparatus that operated in the United States during the 1930s and 1940s. He supported the congressional investigations of domestic communism and even testified before investigating committees. He also called for outlawing the Communist Party of the United States.

As Senator Joseph McCarthy became increasingly reckless in his accusations of communist infiltration of government agencies, including the military, the non-communist Left condemned the very idea of loyalty oaths and congressional investigations of American citizens and their ideological affiliations. This was too much for Burnham. Condemning specific erroneous accusations by Senator McCarthy was one thing, but ignoring the reality of communist penetration of the government was potentially suicidal.

Burnham broke with *Partisan Review* and the American Committee for Cultural Freedom (an organization of anticommunist intellectuals) over this issue. He began writing for *The Freeman*, a conservative journal of opinion. In 1954, with his wife's help, he wrote an analysis of communist penetration of the government entitled *The Web of Subversion*.³⁴ That book, based largely on testimony before congressional committees and the revelations of Chambers, Bentley, and other communist defectors, makes interesting reading today in light of the "Venona project" disclosures which support many of the charges of communist infiltration and subversion that were made in the late 1940s and early 1950s.

In addition to writing books and articles about the Cold War, Burnham lectured at the National War College, the Naval War College, the School for Advanced International Studies, and the Air War College. He was a consultant for the Central Intelligence Agency and is reputed to have had a hand in the successful plan to overthrow Mohammed Mossadegh and install the Shah in power in Iran in the early 1950s.

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During the 1980s, as Peter Schweizer, Jay Winik, Andrew Busch, and others have described, the Reagan Administration formulated and implemented an offensive geopolitical strategy designed to undermine Soviet power.³⁷ While there is no evidence that Reagan or his advisers consciously sought to apply Burnham’s precise strategy of “liberation,” Reagan’s strategy consisted of policies that in a fundamental sense were remarkably similar to Burnham’s proposals. Reagan launched a vigorous ideological and propaganda offensive against the Soviets, calling Soviet leaders liars and cheats, predicting the Soviets’ near-term demise, and daring its leader to tear down the Berlin Wall. Reagan provided aid and encouragement to Poland’s Solidarity movement and the Afghan rebels, two resistance movements within the Soviet Empire. Reagan built up U.S. military forces, deployed intermediate range nuclear missiles in Europe, and announced the plan to develop the Strategic Defense Initiative (SDI), thus putting additional pressure on the already strained Soviet economy, thus serving to convince the Soviets that they could not win an arms race with the United States.

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Burnham had little confidence that such a strategy as his would ever be implemented by the United States. His pessimism in this regard was most profoundly expressed in his 1964 book, *Suicide of the West*. Burnham argued that since reaching the apex of its power in 1914, Western civilization had been contracting, most obviously in a geographical sense. Burnham described the contraction in terms of “effective political control over acreage.” Because the West continued to possess more than sufficient relative economic, political, and military power to maintain its ascendancy, the only explanation for the contraction was an internal lack of will to use that power. Hence, the West was in the process of committing “suicide.” In the book he was highly critical of modern liberalism, but the author did not claim, as some have stated, that liberalism caused or was responsible for the West’s contraction. “The cause or causes,” he wrote, “have something to do...with the decay of religion and with an excess of material luxury; and...with getting tired, worn out as all things temporal do.” Liberalism, instead, was “the ideology of Western suicide.” It “motivates and justifies the contraction, and reconciles us to it.” He expressed his belief that the collapse of the West was probable, although not inevitable. He acknowledged the possibility of a “decisive change” resulting in a reversal of the West’s contraction.³⁸

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In 1978 Burnham suffered a stroke from which he never fully recovered. His last column for *National Review* was an analysis of the potential impact of the Egyptian-Israeli Camp David Accord on U.S.-Soviet relations in the Middle East. In 1983, Ronald Reagan, who presided over the West’s victory in the Cold War, presented the United States’s highest civilian honor, the Presidential Medal of Freedom, to James Burnham, who had envisioned a strategy for that victory nearly forty years before. The citation reads:

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Kennan, according to Peter Grose in a new book titled *Operation Rollback*, secretly proposed during the Truman Administration an ambitious program of organized political warfare against the Soviets, which included sabotage and subversive operations, propaganda, and help to resistance forces throughout the Soviet empire. Kennan’s flirtation with a liberation policy ended, according to Grose, when the Truman Administration’s attempts to implement the strategy failed. Dulles abandoned “rollback” after U.S. responses to the East German, Polish, and Hungarian uprisings of the 1950’s demonstrated to the world America’s unwillingness to support resistance forces within the communist bloc. There is no evidence that either Kennan or Dulles was directly influenced by Burnham’s ideas; given his prominence at the time in intellectual circles and his connections with the intelligence community, it is likely that both Kennan and Dulles were familiar with his writings.³¹

Public reaction to Burnham's Cold War trilogy was mixed. Henry Luce gave *The Struggle for the World* prominent play in *Time* and *Life*. Luce even urged President Truman's press aide, Charles Ross, to persuade the president to read it. The *Christian Century* speculated that the book was the intellectual foundation for the Truman Doctrine announced during the same week that Burnham's book was published. The *American Mercury* published excerpts from all three books. Liberal anticommunist reviewers, such as Arthur Schlesinger, Jr., accepted Burnham's analysis of the Soviet threat but dissented from his call for an offensive policy. For conservative anti-communists, however, Burnham's Cold War trilogy achieved almost Biblical status. As George Nash pointed out in his study of the American conservative movement, "More than any other single person, Burnham supplied the conservative intellectual movement with the theoretical formulation for victory in the cold war."³²

Other reviewers were less kind. Charles Clayton Morrison called *The Struggle for the World* a "blueprint for destruction." Harry Elmer Barnes called it a "most dangerous and un-American book." George Soule in *The New Republic* asserted that Burnham wanted "reaction abroad and repression at home." George Orwell accused Burnham of worshiping power. *The Coming Defeat of Communism* received strong criticism from, among others, James Reston, David Spitz, R.H.S. Crossman and Louis Fischer. *Containment or Liberation?* received even harsher treatment. The editors of *Foreign Affairs* commented that Burnham's "temper at times outruns his argument." *The Atlantic Monthly* described the book as "permeated with absolutist thinking." Arthur Schlesinger, Jr. called the book a "careless and hasty job, filled with confusion, contradictions, ignorance and misrepresentation." It was, wrote Schlesinger, "an absurd book by an absurd man."³³

Burnham's relations with his colleagues on the non-communist Left suffered as a result of his Cold War trilogy. Where once there was widespread acclaim for *The Managerial Revolution*, now his colleagues on the Left disdained him as a warmonger who advocated atomic war. For many liberals (and some conservatives) Burnham's geopolitical vision was too sweeping and apocalyptic. To many, a policy of "liberation" was simply too dangerous in the nuclear age. The non-communist Left sought, at most, to contain the Soviet Union while searching for areas of accommodation. Burnham did not think that accommodation with communism was a long-term possibility. For Burnham, the Cold War was a systemic conflict that would only end when one or the other system changed or was defeated.

His final and lasting break with the non-communist Left, however, resulted not from his proposed strategy of "liberation," but from his views toward domestic communism and what came to be known as "McCarthyism." Burnham, unlike many intellectuals of the time, believed the testimony of Whittaker Chambers, Elizabeth Bentley, and other ex-communists who identified and described the activities of a Soviet espionage apparatus that operated in the United States during the 1930s and 1940s. He supported the congressional investigations of domestic communism and even testified before investigating committees. He also called for outlawing the Communist Party of the United States.

As Senator Joseph McCarthy became increasingly reckless in his accusations of communist infiltration of government agencies, including the military, the non-communist Left condemned the very idea of loyalty oaths and congressional investigations of American citizens and their ideological affiliations. This was too much for Burnham. Condemning specific erroneous accusations by Senator McCarthy was one thing, but ignoring the reality of communist penetration of the government was potentially suicidal.

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Endnotes

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- The facts and circumstances of Burnham’s early life and intellectual activity are derived from John P. Diggins, *Up From Communism: Conservative Odysseys in American Intellectual Development* (New York: Columbia University Press, Morningside Edition, 1994), pp. 161–180; Sidney Hook, *Out of Step: An Unquiet Life in the 20th Century* (New York: Carrol & Graf Publishers, Inc., 1988), pp. 192–204; Samuel Francis, *Power and History: The Political Thought of James Burnham* (Lanham, MD: University Press of America, 1984), p. 7; Kevin J. Smant, *How Great the Triumph: James Burnham, Anticommunism and the Conservative Movement* (Lanham, MD: University Press of America, 1992), pp. 1–21; and Sidney Hook, “Radical, Teacher, Technician,” *National Review* (September 11, 1987), pp. 32–33.
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- For an analysis of Mackinder’s writings, see Francis P. Sempa, “Mackinder’s World,” *American Diplomacy* (Winter 2000), <http://www.americandiplomacy.org>; Francis P. Sempa, “The Geopolitics Man,” *The National Interest* (Fall 1992), pp. 96–102; and Francis P. Sempa, “Geopolitics and American Strategy: A Reassessment,” in Herbert M. Levine and Jean Edward Smith, ed., *The Conduct of American Foreign Policy Debated* (New York: McGraw–Hill Publishing Co., 1990), pp. 330–343.
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- William C. Bullitt appears to have recognized even earlier than Burnham that the United States would have post-war problems with the Soviet Union. Bullitt wrote lengthy, prophetic memos to FDR on January 29 and August 10, 1943, warning the president about Soviet post-war goals. Bullitt also wrote a book in 1946 entitled *The Great Globe Itself* that provided a realistic assessment of Soviet post-war intentions. Burnham’s analyses and proposals as set forth in the OSS paper, the *Partisan Review* essays, and his early Cold War trilogy, however, are more comprehensive than Bullitt’s works.
- Burnham, “Lenin’s Heir,” pp. 71–72; Richard H. Pells, *The Liberal Mind in a Conservative Age: American Intellectuals in the 1940s & 1950s* (New York: Harper & Row, 1985), p. 82; Barrett, *The Truants*, pp. 88–9.
- Burnham, *Struggle for the World*, p. 162; James Burnham, *The Coming Defeat of Communism* (New York: John Day Company, Inc., 1950), p. 14.
- James Burnham, *Containment or Liberation?* (New York: John Day Company, Inc., 1952), p. 147; Nicholas J. Spykman, *The Geography of the Peace* (New York: Harcourt, Brace, 1944); Burnham, *Struggle for the World*, pp. 114–115.

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- Ibid., p. 251.
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The author, principal deputy attorney general for the Commonwealth of Pennsylvania, earned degrees at the University of Scranton and Dickinson University School of Law.

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HAROLD MACMILLAN: LONELY ARE THE BRAVE

The first thing about Harold Macmillan was his bravery, and it was the last thing too. In the Great War he was wounded five times, at the Battle of Loos and at the Somme. At Delville Wood he was hit in the thigh and pelvis and rolled down into a large shell-hole, where he lay for the next ten hours, alternately dosing himself with morphine and reading Aeschylus. He wrote home on 13 September 1916 that 'the stench from the dead bodies which lie in heaps around is awful.' Only a fortnight earlier he had told his mother: 'do not worry about me. I am very happy; it is a great experience, psychologically so interesting as to fill one's thoughts.' In North Africa during the Second World War his plane crashed on take-off at Algiers and burst into flames. Macmillan scrambled through the emergency exit, then went back into the burning plane to rescue a French flag lieutenant – a fact he doesn't mention in his account of the incident in his memoirs or even in his diary. John McCloy, FDR's assistant secretary of war, described it as 'the most gallant thing I've ever seen'.

Macmillan wasn't one of those war heroes who in peacetime are mild and eager to please. He remained dauntless and daunting in politics. He despised Rab Butler for not having fought (he had a withered hand after a riding accident as a child), he sneered at Hugh Gaitskell for not having any medals to wear on Remembrance Day and he loathed Herbert Morrison, his first boss in the wartime coalition, for having been a conscientious objector in the First World War, calling him 'a dirty little cockney guttersnipe'. Macmillan's diary is spattered with abuse of other public figures, often tinged with anti-Semitism. He never hesitated to tell his colleagues or his superiors when he thought they were wrong. He was the only minister who dared to tell Churchill it was time to go, although it had been Churchill who brought him back from the political wilderness in 1940.

He was implacable and proud of it. When his son, Maurice, wondered why his own career had fallen so far short of his father's, Macmillan said: 'Because you weren't

ruthless enough.' When Eden offered him the Exchequer, Macmillan did a Gordon Brown, insisting that 'as chancellor, I must be undisputed head of the home front, under you' and that there could be no question of his predecessor, Butler, being accorded the title of deputy prime minister. Barely a year later, after the Suez debacle, he was promising the American ambassador that, in return for 'a fig leaf to cover our nakedness', he would arrange not only the withdrawal of British troops from Egypt but also the replacement of Eden. When he sacked a third of his cabinet in 1962 after a run of terrible by-election results, this was entirely typical of his undeviating self-interest, although in that Night of the Long Knives it turned out he had been so sharp he cut himself, fatally.

Not surprisingly, throughout his life he was disliked by many and hated by quite a few. At Eton, he received thirteen blackballs in the election for the debating society. The following term, he received eleven. 'He is his own worst enemy: he is too self-centred, too obviously cleverer than the rest of us,' his fellow new MP from the North-east in 1924, Cuthbert Headlam, noted after a dinner with Macmillan. 'He never will let the other man have his say, and he invariably knows everything better than the other man.' This inability to listen gained him a reputation in clubland as a bore and banger-on, despite his undoubted wit and languid charm. In politics, the results of his not listening were frequently calamitous.

Not that he much minded being unpopular. For most of his life he essentially lived alone. His two brothers were years older, his father was away building the great publishing house. His mother, the bossy and possessive Nellie Belles from Indiana, took him away from Eton when he was only fifteen, fearing he was being exposed to 'unnatural practices'. J. B. S. Haldane, who was there at the same time, claimed that Macmillan had been expelled for homosexuality; but Nellie seems to have thought it was the school that was out of order, not her son. Being a strict Nonconformist, she was no better pleased when he formed a close affection for one of his tutors, Ronald Knox, who came within an inch of converting Macmillan to Catholicism. The war saved him from taking this step, which would almost certainly have prevented him from becoming prime minister. In his last letter to Knox before leaving for France, he wrote: 'I'm going to be rather odd. I'm not going to "pope" until after the war (if I'm alive).'

Volunteering for the war meant that at Oxford, as at Eton, he stayed only half the course, being 'sent down by the Kaiser' as he liked to put it. It seems peculiar in retrospect that he should have retained such obsessive loyalties to two institutions he spent so little time in. Nothing gave him more pleasure than being elected chancellor of

Oxford, and he was disappointed not to become provost of Eton in 1965 after he ceased to be prime minister. He continually referred to the Fourth of June, often to people who had no idea that this was the school's great festival, or to those who pretended not to, like the Harrovian Field Marshal Alexander.

There was something strangely fake about his snobbish carry-on, almost as though he was trying to convince himself that he belonged. Some of his smoking-room metaphors were merely mystifying: for example, when pondering whether Cyprus should be granted full Commonwealth status after independence; should the island 'be the RAC or Boodles'? When Roger Hollis, the head of MI5, exulted to Macmillan that they had arrested the spy John Vassall, the prime minister complained that this was the wrong approach: 'When my gamekeeper shoots a fox, he doesn't go and hang it up outside the Master of Foxhounds' drawing room; he buries it out of sight.' To which Hollis might legitimately have replied that some gamekeepers had the sense to hang the vermin they had shot on the nearest fence to warn off other predators.

This clubman's chatter dates from his marriage to the Duke of Devonshire's daughter Dorothy in 1920: a giant leg-up socially but ultimately a disaster. They were both gawky virgins and for nearly a decade were happy, until Dorothy fell in love with Macmillan's fellow MP Bob Boothby and demanded a divorce, claiming that her youngest daughter, Sarah, was Boothby's child. From being regarded as a jolly sort, keen on golf and a dab hand at opening fêtes, Dorothy suddenly revealed unsuspected Wagnerian depths of passion, saying to Boothby: 'Why did you ever wake me? I never want to see any of my family again.' She had four young children at the time. Years later, Boothby described her as 'on the whole, the most selfish and possessive woman I have ever known'.

She did not get what she wanted. Macmillan's solicitor Philip Frere pointed out that divorce would be fatal for his political career and recommended a 'west wing-east wing' solution, traditional among the estranged upper classes who had houses large enough for the purpose. Until she died in 1966 – suddenly, of a heart attack as she was putting on her boots to go out to a point-to-point – if they were both at Birch Grove, Macmillan's house in Sussex, they would meet for dinner and then go their separate ways.

Macmillan remained haunted by the affair. In 1975, he went to see Boothby at his flat and asked, for the sake of his peace of mind, to know the truth one way or another about Sarah. In the unbearably painful conversation that followed, Boothby assured him that Sarah was not his daughter because he was always scrupulously careful in his affairs. What Macmillan did not know was that Boothby had just been presented with a tape recorder by the Royal Philharmonic Orchestra of which he'd been chairman for many

years. Before Macmillan's arrival, he had been taping a Tchaikovsky symphony from the radio. He had turned off the radio but unwittingly left the tape recorder running on the floor behind a sofa. And so all the agony that Macmillan had poured out to him was on tape, and Boothby played it back to his new wife, Wanda, when she came in, with tears running down his face.

This is how D. R. Thorpe tells the story, eloquently and elegantly, as he does everything in this exemplary biography, which complements if it does not entirely supplant Alistair Horne's two-volume official biography; Horne is better on the military, Thorpe on the political and personal. At every juncture Thorpe presents the evidence in a scrupulous and equable style. He is charitable, just as he was in his earlier biographies of Selwyn Lloyd and Eden, both of whom had reasons to be resentful of Macmillan's behaviour. By not taking sides, Thorpe leaves readers room to come to their own judgment.

And if you want my guess here, I don't think that Boothby, that insatiable seducer of both sexes, left the tape recorder on by accident. I don't mean that he had it in for Macmillan exactly, although it is always hard to forgive those you have wronged, especially when you have been wronging them for years. It is more that Boothby, himself the ripest of old hams, would have been unable to resist the dramatic potential of the scene: the aged ex-prime minister with tears running down his face, and then a few hours later Boothby, the man of feeling, recalling the recalling with tears running down *his* face.

Thorpe tells us that Macmillan never looked at another woman. He dismisses the claim of Sean O'Casey's widow (O'Casey was a Macmillan author) to have had an affair with Harold at the time Dorothy first fell for Boothby. Quite out of character, Thorpe argues: Macmillan was straitlaced and not much interested in sex anyway. He was lost for words when JFK turned to him during a break in their discussions on nuclear arms at Key West and enquired: 'I wonder how it is with you, Harold? If I don't have a woman for three days, I get a terrible headache.' What is certain is that Macmillan was deeply lonely. He took refuge in West End clubs to an almost pathological extent: Pratt's, Athenaeum, Buck's, Guards, the Beefsteak, the Turf, the Carlton – he was in and out of them every day. A member of Pratt's calling in there one evening in the 1960s enquired whether there was anyone in that night. 'Nobody at all, sir, only the prime minister.'

His health, always fragile, gave way during his wife's affair. In the summer of 1931 he had a serious breakdown. There were rumours that he had attempted suicide. He was secretly admitted to the Kuranstalt Neuwittelsbach outside Munich. He recovered but

had another bad collapse in October 1943, during an unexpected visit to London from his post in North Africa. He remained an intensely nervous figure, inclined to vomit before big speeches, which was why he always lunched alone before Prime Minister's Questions. The unflappable façade was an amazing effort of the will.

He had become MP for Stockton-on-Tees in 1924, and held the seat almost continuously until 1945 and, in old age, took his title from it. Stockton was (and in its centre still is) a handsome old market town, transformed when it became the birthplace of the railways and the centre of the iron and steel industry. By the time Macmillan appeared there, unemployment was more than 20 per cent and rising (what trade there was had shifted to neighbouring Middlesbrough). His principal loathing was not for the Labour Party, which he periodically thought of joining, but for the hard-faced men on his own benches, the industrialists who had done well out of the war – the Forty Thieves as they were known to Macmillan and his friends. They were mocked in return as 'the YMCA'. All his life, Macmillan retained a distrust of the City and 'the banksters'. He claimed in 1936 that 'Toryism has always been a form of paternal socialism'.

The family firm had published Keynes's *The Economic Consequences of the Peace* and *The General Theory* and done very well with them. If Macmillan never looked at another woman after Dorothy, he never looked at another economist after Maynard. Following Keynes's death in 1946, he relied exclusively on the advice of Roy Harrod, the great man's biographer and disciple. The single thought Macmillan took from *The General Theory* was: reflate at all costs. He got rid of not one but two chancellors – Peter Thorneycroft and Selwyn Lloyd – for refusing to expand demand fast enough. Not long after Lloyd's restrictive 1961 budget, Macmillan was urging him to prepare a reflationary budget for 1962; two days after his 1962 effort, Macmillan was already egging him on to let the brakes off in 1963. Lloyd's successor, Reginald Maudling, was bombarded with memos urging him to go for 'the big stuff – the national plan, the new approach, to expand or die'. Industrial production rose by 11 per cent in the year after the pliable Heathcoat-Amory's 1959 election budget – a completely unsustainable gallop.

Macmillan's obsession with expansion and his utter neglect of inflation were of course a reaction to the bitter experience of the North of England in the 1930s. But badgering chancellors to flood the economy with cash was no substitute for a carefully targeted policy to revive the decayed industrial estuaries of the Tyne, the Tees, the Mersey and the Clyde; sending Lord Hailsham up to the North-east in a cloth cap was an embarrassing afterthought, which only drew attention to the threadbare nature

of Macmillan's economic policy. *The Middle Way* (1938), his most substantial and influential political tract, was, as Thorpe says, not so much a revolutionary piece of work as 'a confirmation of the new orthodoxy', and when after the war it was identified as the origin of the Tories' Industrial Charter, it was because the charter came to terms with the Attlee settlement in precisely the way Macmillan envisaged: nationalization, state planning, the leading role of the trade unions – all these things were to be accepted, because, to misappropriate a later mantra, There Is No Alternative.

For an undeniably clever man, Macmillan left remarkably little evidence of strategic thought in his voluminous diaries. The latest volume covering his years as prime minister does little to improve one's earlier impression of an agile but not very original mind struggling to survive from day to day. The enormous length of the diaries remains a problem. In his introduction, Peter Catterall tells us that 'omissions have, of course, had to occur to reduce the original text to less than half its length. It has been possible to achieve some of that by cutting out repetitions. To a much greater extent than in the first volume [covering Macmillan's cabinet years, from 1950–57], however, it has also been necessary to omit Macmillan's reading, social activities and family life.' This strikes me as precisely the wrong way to go about editing this particular diary, perhaps any diary. The spattering of dots that mark the omitted passages give the text an unsatisfying, wispy feel. Besides, large chunks of the political stuff have, as Catterall himself points out, already been published in the six volumes of Macmillan's memoirs. Indeed, long stretches of those memoirs consist of little but diary extracts. The value of having the diaries in their entirety must be to give us a rounded portrait of this strange, lonely, rather wonderful but also decidedly unpleasant man. Pepys without Mrs Pepys, the delicious Deb Willet or the visits to the play would be a far poorer thing.

The diary also contains gaps. Macmillan admits several times that during a real crisis such as Suez or Profumo his diary-keeping breaks down. Nor does he seem fully alert to his own memorable moments. All he says of his speech at Bedford in July 1957 is that it 'was well reported in the Sunday press, and I think helped to steady things,' omitting to record that it was in this speech that he uttered the immortal phrase about most of us never having had it so good. His Wind of Change speech he does not mention at all in a skimpy retrospect of his African tour of February 1960. Quite a few entries read like a summary of events drawn up by someone else. Not often do you get the feeling of being there yourself or of learning something new about how it went, as you do on almost every page of the Crossman diaries. Only the odd languid wisecrack convinces you that this is the real Mac. I liked his musing during the Cuban Missile Crisis on 'the frightful

desire to *do* something, with the knowledge that *not* to do anything . . . was prob. the right answer’.

What strikes the reader, above all, is Macmillan's obsessive preoccupation with foreign affairs to the near exclusion of the domestic and economic; a good 80 per cent of the diary entries, perhaps more, are concerned with overseas affairs. Pages are filled with the fruitless efforts to save the Central African Federation. Weeks are consumed with overseas visits to prepare the way for a summit, until, as Macmillan wearily concludes, ‘everyone else has visited everyone.’ The summit then collapses and ‘all our plans are in ruins.’ By contrast, it is not until March 1963 – after he has been prime minister for six years – that he publicly launches a campaign for ‘the modernisation of Britain’.

When we see Macmillan at his best is undoubtedly during the war years, which were covered in a volume published separately back in 1984 (*War Diaries: Politics and War in the Mediterranean, January 1943–May 1945*). Those diaries were published pretty much entire and contain fine descriptions of North Africa as well as sharp pen portraits and nippy asides. And besides, they describe an extremely delicate and fascinating mission, told as deftly as it was executed. As ministerial representative at Allied Forces HQ, Macmillan had to devise his own peculiar role. The generals like Eisenhower who at first wondered exactly what he was doing there came to respect his panache, energy and ingenuity. His management of the political chaos in Italy and then of the warring factions in Greece was nothing short of masterly. Richard Crossman, then assistant chief of psychological warfare at AFHQ, concluded in a shrewd single sentence: ‘I suspect it was in Algiers, where he could do all the thinking and take all the decisions while Ike took all the credit, that Harold Macmillan first realised his own capacity for supreme leadership and developed that streak of intellectual recklessness which was to be the cause both of his success and of his failure when he finally reached No. 10.’

It is thus a pity and an irony that of all Macmillan's service in that war the only bit that is much remembered is the tragic finale: the handing over of Cossacks and White Russians and Croats at Klagenfurt in May 1945. The appalling consequences of this decision – thousands of men, women and children were slaughtered by Stalin and Tito – remain a black and unforgettable chapter. The accusations against Macmillan personally became progressively more pointed in Nikolai Tolstoy's three polemics: *Victims of Yalta* (1977), *Stalin's Secret War* (1981) and *The Minister and the Massacres* (1986), which fingered Macmillan as part of ‘the Klagenfurt conspiracy’ and an accessory to mass murder.

After Macmillan's death in 1986, an independent investigation led and largely paid for by Anthony Cowgill concluded unequivocally that, in the words of one of his team, Christopher Booker (who had originally believed that Macmillan was culpable), ‘Macmillan's part in the story was (a) marginal at best, and (b) that he actually knew very little about the Cossacks in Austria, apart from what he was told at the briefing at Klagenfurt airfield.’ In *The Repatriations from Austria in 1945*, Cowgill concluded that Macmillan had nothing at all to do with the decision to send back the dissident Yugoslavs against their will. The general decision to repatriate to the Soviet authorities arose from cabinet decisions dating back to June 1944; it then became part of a quid pro quo agreed with Stalin at Yalta in February 1945. The operational decisions on handover were taken, he argued, not at Macmillan's meeting with General Keightley in a hut by the grass landing strip in Klagenfurt on 13 May, but at a military conference in Udine on 26–27 May, by which time Macmillan was back in England. Those who criticize the orders fail to take account of the chaotic and menacing circumstances of the moment. Tito's forces were threatening to overrun Carinthia and Venezia Giulia. The whole war could have reignited in the region.

This is the new consensus on the subject; and Thorpe subscribes to it. Yet, fair-minded as ever, he offers several pieces of evidence to support those who still believe that Macmillan was, at best, guilty of ‘over-compliance’. In his diary for 13 May, Macmillan wrote: ‘Among the surrendered Germans are about 40,000 Cossacks and “White” Russians, with their wives and children. To hand them over to the Russians is condemning them to slavery, torture and probably death. To refuse, is deeply to offend the Russians, and incidentally break the Yalta agreement. We have decided to hand them over.’ The next day, 14 May, Keightley telegraphed Alexander, the commander-in-chief: ‘On advice Macmillan I have today suggested to Soviet General on Tolbukhin's HQ that Cossacks should be returned to SOVIETS at once.’ As for there being no final authorization for handing over either the Cossacks/White Russians to Stalin or the Croats to Tito until the conference at Udine on the 26th, Lieutenant-Colonel Robin Rose Price wrote in his diary on 19 May: ‘Order of most sinister duplicity received i.e. to send Croats to their foes, i.e. Tits to Yugoslavia under the impression they were to go to Italy.’ Thorpe does not quote the even more sinister sentence that follows in Rose Price's diary: ‘Tit guards on trains hidden in guards van.’ It is not unreasonable then to suppose that the essential decisions were taken, not at Udine, which looks more like a rubber-stamping, but during the two hours Macmillan spent on the airstrip at Klagenfurt.

Whether other orders could have been given in the circumstances of the time remains
Kindle Library at 'marginal' isn't quite the right word to describe Macmillan's role.

What he cannot be acquitted of is callousness. Which is shown by a curious coda to the miserable story. Macmillan's diaries break off (not to resume until 1950) when he flies home on 26 May to become air minister in Churchill's caretaker government. Thorpe, like previous biographers, assumes that this was his final farewell to the mountains and lakes of Austria. But William Dugdale, in his recently published memoir, *Settling the Bill*, describes being deputed to organize a Fourth of June dinner in an orchard by the banks of the Wörthersee. Sixty or seventy Old Etonian guards officers were invited to sing 'Floreat Etona' and toast the Old Coll in slivovitz, along with the army commander, General McCreery, Field Marshal Alexander (who as an outsider made his excuses and left early) and Harold Macmillan. Nothing, it seems, would have deterred him from flying halfway across the ravaged continent to celebrate the two institutions he loved best, Eton and the Grenadiers. At the end of dinner, Macmillan was accosted by Rose Price, aflame with drink and an almost Homeric rage, and lambasted for ordering his battalion to send the Cossacks to their death. Dugdale records beautifully how Macmillan, a cigarette drooping from his lips, turned his strangely flappy hands (weakened by war wounds) outwards in that gesture we came to know so well and replied: 'How else are we to demonstrate our loyalty to Stalin and the Russians?' Thus, long before the controversy reawakened in the 1980s, Macmillan was made forcibly aware of the repugnance the orders aroused among the soldiers who had to carry them out. What is so striking is that he had no hesitation in returning to the scene of the crime only nine days later.

Again and again, one notices the callous insouciance, which, as Crossman spotted, was both his strength and his weakness, leading him to overcome, seemingly without effort, 'little local difficulties' that might have unhorsed more careful operators, but also drawing him into wildly optimistic miscalculations which generated terrible outcomes. Certainly the part he played at Suez seems to fit that description. As chancellor, he was desperately keen to establish that the Americans would back Britain in the use of force. He hammered home as forcefully as he could to Bob Murphy, his wartime comrade who had come to London on Eisenhower's behalf, that the government had decided to drive Nasser out of Egypt and that Parliament and people were behind them. He told John Foster Dulles, the secretary of state, the same thing. 'We are committed to a peaceful settlement of this dispute, nothing else,' Eisenhower said at a press conference on 5 September. But Macmillan refused to believe this or to

grasp the fairly obvious fact that all Ike cared about was being re-elected in November. In Washington at the end of September, Macmillan saw Eisenhower, Dulles and George Humphrey, the US treasury secretary. Yet he still could not grasp that, in Humphrey's words after the invasion, 'You'll not get a dime out of the US government until you've gotten out of Suez.' Roger Makins, Macmillan's private secretary, who took notes at the meeting with Eisenhower, was amazed by the rambling, unfocused nature of the conversation and thought Macmillan was wholly unwarranted in his subsequent optimism about American support. Ike was rambling on purpose in his typically devious way. Macmillan just failed to listen.

Macmillan's diaries break off again on 4 October 1956, to resume only in February 1957, which is when Catterall's second volume begins. In the introduction to the first volume, the editor tells us that another diary covered the missing months, but that Macmillan destroyed it 'at the request of Anthony Eden'. In his introduction to this volume, Catterall says merely that it 'appears to have been destroyed'. It seems more likely that, if it contained material embarrassing to Macmillan, he destroyed it himself. But in any case, his fatal contribution to the fiasco had already been made, in Washington in September.

Thorpe acquits Macmillan of the charges usually laid against him: that he was 'first in, first out', that he pushed Eden into a disastrous venture which he knew would fail, that he exaggerated the ensuing economic crisis and that he poured his energies into outmanoeuvring Butler for the succession. Fair enough, but Thorpe also makes light, much too light, of the secret collusion with the Israelis. Contrary to the long prevailing misconception, he tells us, the cabinet was informed of Lloyd's meeting at Sèvres with the French and the Israelis – which serves only to implicate the lot of them. Then he wheels on the historians Robert Blake and Andrew Roberts to argue that secret diplomacy and *suppressio veri* are necessary to the successful prosecution of war: in Blake's words, 'no one of sense will regard such falsehoods in a particularly serious light'.

This sort of unabashed realpolitik is undermined if not exploded by the final Suez despatch from the supreme military commander, General Keightley, last seen in Klagensfurt: 'The one overriding lesson of the Suez operation is that world opinion is now an absolute principle of war.' Where military action is undertaken for moral reasons, to right a wrong or to turf out a tyrant, any hint of deceit is fatal (see Iraq *passim*). The gravamen of the charge against Macmillan is different: namely, that he

was the only British minister to talk to all the top Americans and that he completely and disastrously misread their intentions.

Which is much what he did again, as prime minister, in gauging whether de Gaulle was ready to let Britain into the Common Market. As late as their meeting at Rambouillet in December 1962, Macmillan still had high hopes that de Gaulle would yield to his suasions. They went for a walk in the woods, accompanied only by Philip de Zulueta, one of Macmillan's private secretaries. Macmillan insisted on talking in French and returned from the walk believing that the conversation had gone well. Again, the private secretary was not so sure. The next morning, de Gaulle explained, as bluntly as he could, that though he was in favour of Britain's eventual membership the time was not yet right. Macmillan was shocked and dismayed. Yet anyone with his head screwed on could have seen it coming. Reginald Maudling, then President of the Board of Trade, had forecast exactly this outcome eighteen months earlier, after the failure of the free trade negotiations in Paris. And Macmillan himself had had repeated meetings with the General over the previous two years at which de Gaulle had made plain his ingrained resistance.

If Macmillan's political vision was impaired, his eye for the main chance was undimmed. He was, quite simply, a magnificent intriguer, opaque when he had to be, brutally swift to jump through any window of opportunity, smashing the glass where necessary. Enoch Powell described the way Macmillan destroyed Butler's chances of succeeding Eden when they both appeared before the 1922 Committee after Eden had flown off to Jamaica as 'one of the most horrible things that I remember in politics' (and he ought to know). Macmillan saw off Butler again, just as effortlessly, in the race to succeed himself in 1963. In his usual charitable way, Thorpe acquits Macmillan of organizing Alec Douglas-Home's startling triumph. As in 1957, he argues, the parliamentary party would not have Rab Butler at any price, and Home was the candidate that fewest people objected to and so the one best qualified to keep the party united. Yet once again Thorpe provides us with the materials to come to a rather different conclusion.

Compared to his dithering over the preceding months about whether he should resign, Macmillan moved with great rapidity once his prostate trouble was diagnosed. Contrary to previous misconception, he was told by his consultant urologist Alec Badenoch before he resigned that he didn't have cancer. The reality was that he was desperately tired and was glad of the medical excuse to pack it in. He told Badenoch that the illness 'came as manna from heaven – an act of God'.

But he was by no means done for. Consider the calendar. The lord chancellor, Lord Dilhorne, had asked all the cabinet ministers at the beginning of September whether they wanted Macmillan to carry on and, if he decided not to, who should succeed him; all but three wanted him to carry on, nobody mentioned Home as a successor. October 4: Macmillan discusses possible successors with his son Maurice; again no mention of Home. On the night of 7–8 October he is taken ill. On the afternoon of the 8th he is diagnosed and in the evening taken to hospital. The next morning, the 9th, he talks to Home about the announcement of his resignation and raises, for the first time, the possibility that Home might make himself available. At the same time, Selwyn Lloyd sets about spreading Home's claims. By the 11th, Lloyd has converted Dilhorne and Martin Redmayne, the chief whip, and is walking along the prom at Blackpool with them, plotting what to do next. It is these two men who are to be responsible for canvassing opinion: Dilhorne doing the cabinet (for the second time), and Redmayne the Tory MPs. By Tuesday the 15th, it is agreed that these soundings should include three questions: who's your first choice, who's your second and who would you oppose? Then, after Lord Hailsham makes a fool of himself at Blackpool, a fourth is added: what do you think of Lord Home as leader? That same day, before the soundings are actually taken, Supermac composes what becomes known as 'the Tuesday memorandum' for the Queen. It is a dithyramb for Sir Alec, comparing him to the heroic Grenadiers of 1914 and lauding his qualities of judgment and selflessness. He also makes a note in his diary after another meeting with Maurice and the party chairman, Lord Poole: 'the basic situation was the same – the party in the country wants Hogg; the Parliamentary Party wants Maudling or Butler; the Cabinet wants Butler.' But what they all got, only three days later, was Home.

Almost at the end of his book, Thorpe tells us, though without giving a source, that 'Macmillan and Home both came in time to think that it might have been better if Rab Butler had become prime minister in 1963.' I would go a lot further. It might have been better if Butler had succeeded Eden in 1957, or even Churchill in 1955. The country would undoubtedly have been better governed. There would have been no Suez, no inflationary stampede, no botched attempt to join the EEC but rather a careful development of a European Free Trade Area. Social reform and economic modernization would have been pursued in a more serious and systematic fashion. It would have been a soberer time, without the showmanship with which Macmillan delighted some and repelled others. We would not have been told we had never had it so good; but we might have been better off.

Alas, the qualities required for being prime minister are not the same as those required for becoming one. Butler had all the charisma of an old flannel. Supermac in his heyday was a class act. In his later years the satirists got at him, and to the young he was a somewhat moth-eaten comic figure. Thorpe tells us at the end that 'Macmillan *was* a great prime minister for much of his time in Downing Street.' There is a certain desperation about those italics. What was his legacy, after all? Premium Bonds and the

Beeching Report. Macmillan said of Eden, quite rightly, that he had been trained to win the Derby of 1938 but had not been let out of the stalls until 1955. If you change the dates slightly, you could say much the same of Macmillan. His best years were already behind him when he reached the top at the age of sixty-two. And somewhere at the back of his mind, I think he knew it.

EDWARD HEATH: THE GREAT SULK

At the end of his official biography of Lord Mountbatten twenty-five years ago, Philip Ziegler wrote: 'There was a time when I became so enraged by what I began to feel was his determination to hoodwink me that I found it necessary to place on my desk a notice saying: REMEMBER, IN SPITE OF EVERYTHING, HE WAS A GREAT MAN.' At the end of his authorized biography of Edward Heath, Ziegler writes: 'He was a great man, but his blemishes, though far less considerable, were quite as conspicuous as his virtues, and it is too often by his blemishes that he is remembered.' In the case of Mountbatten, we were to understand, it was the charm, the deviousness, the sexual vanity, the manipulation of people and the rewriting of history that were in danger of blinding us to the genuine achievements. Heath's traits were almost the direct opposite: charmlessness, rudeness, sexual neutrality, rancour, an excess of candour and an unwillingness to budge. But these too we are to forgive, or at least put to one side, and see beyond to the solid body of achievement. The trouble is that in both cases Ziegler's relentless accumulation and presentation of the evidence diminish that achievement to near-invisible proportions. Mountbatten smashed up almost every ship he skippered, and as a strategic commander his ingenious schemes vanished into the air with alarming rapidity. And Heath?

Ziegler has not lost his silken narrative touch, nor his insidious but brilliant gift of making the best possible case for his subject while not hesitating to show him in the worst possible light. Only thus can a biographer who hopes to be authorized or official please the victim's family or executors while serving the cause of truth. This is a deliciously readable and unfailingly fair book, but I cannot believe that its subject would have liked it any better than he cared for John Campbell's 1993 biography, Heath's own copy of which is scrawled with angry marginalia – 'Nonsense!', 'No!' and 'Wrong!'

Campbell's book was less alluring in style, more detailed in its accounts of interminable negotiations, psychologically no less acute than Ziegler's, but above all

more hopeful that history would judge Heath less harshly than his contemporaries did; indeed, that his reputation was already beginning to be restored. Heath, he wrote, was arguably the true Tory, and his 'lonely doom-mongering looks more prescient than he was given credit for in the heady boom years.' Campbell, writing after the collapse of the Lawson boom, thought that Thatcherism had ended in painful disillusion and that Heath had been 'a political Cassandra, very largely right but not believed'. Yet seventeen years later, there are few signs of any such restoration of Heath's reputation, and Ziegler makes scarcely any such claims. It was to Thatcher, not Heath, that Tony Blair hastened to pay court. And although the Con-Lib coalition made much of its determination to protect the poorest against the cuts better than they were protected in the 1980s, it was common ground that the reduction of the deficit must be given top priority even in a recession. The protests of Keynesians and vulgar-Keynesian journalists were no more listened to than the 364 of their brethren who wrote to *The Times* to protest against the 1981 budget. Ted Heath's angry shade remains unloved and unappeased.

Not since Achilles has a public figure been so notorious for wrath. The journalist George Gale spoke of Heath's 'angry will'. Yet the sources of this anger remain hard to get at. If it was some sexual hurt which made Heath so solitary and so horrible to women (though, as Campbell points out, he could be equally horrible to men – it was just that the women minded it more), then it must have been as obscure as the hurt allegedly suffered by Henry James, since nobody so far has convincingly explained it.

Ted's father and grandfather were convivial, easy-going men, rooted in their native Kent, fond of a drink and ready to pinch any passing bottom. On his eightieth birthday, Heath *père*, who had started life as a carpenter and later done pretty well as a builder in Broadstairs, was asked if he had any regrets and said: 'Yes, that the permissive society did not begin 50 years earlier.' Ted was fond of both of them and they of him. His mother adored him, and her early death distressed him greatly. But even she seems to have been in awe of her fiercely ambitious and gifted son. Once, when she went up to his room and suggested that he was working too hard and should come down and join the family, the ten-year-old Teddy replied: 'Mother, sometimes I think you don't *want* me to get on.'

At school, he was excused football and cricket on the grounds that they might damage his pianist's hands. Yet the force of his character was such that he was never bullied or teased as a milksop. On the contrary, he was popular in every milieu he passed through: Balliol, the army, the whips' office (it is a later invention that he was a notoriously harsh chief whip). His opponents in the Monday Club liked to identify Heath as the original

of Widmerpool – Anthony Powell disavowed the attribution. In any case, Widmerpool would never have been able to lose himself in music or sailing, or to achieve such high standards in either. Rising to wartime lieutenant-colonel, Heath certainly impressed his superiors, but he remained genuinely liked by his messmates and his men too. The fact was that he was almost superhumanly competent and diligent, and it was no surprise when he passed top into the Civil Service after the war. In his attitude to the British people, he reminds me more of the Efficient Baxter vainly attempting to sort out Lord Emsworth's affairs.

Nor was he lacking courage. As an undergraduate, he visited the battlefield of the Spanish Civil War and only just managed to get out of Poland before war broke out. As an artillery officer, he fought his way through Belgium and Germany and saw men die alongside him. Ziegler treats Heath's six years in the army rather skimpily (Campbell is a little better), yet this experience surely generated the hatred of war and determination to avoid it at almost all costs which were so conspicuous in his later attitudes to conflict, and also cemented his view, already formed in the late 1930s, that the best hope was a 'United States of Europe . . . in which states will have to give up some of their national rights'. As an MP in the 1950s, he would declare in his plonking downright style that 'the nation state is dead. What has sovereignty to do with anything in the 20th century?'

From this belief he never wavered. It was the source both of his sole claim to immortality and of the undying loathing he incurred in a considerable portion of his own party. Ziegler shows very well the energy, resourcefulness and mastery of detail that Heath deployed both as Macmillan's minister for Europe in his first, unsuccessful bid to have Britain join the EEC and his later triumph as prime minister. It remains doubtful whether anyone else could have pulled it off. Yet, as Ziegler also makes clear in his unstressed, faintly feline way, the manner of the pulling-off remains at the very least questionable and at worst the cause of long-term public disenchantment not only with the European project but with politics in general.

Heath wanted to gloss over the popular objections, just as his hero Jean Monnet had, believing that the European project could get off the ground only if it was undertaken by the elites, with little or no reference to the people. Heath told Kilmuir, lord chancellor at the time of the Macmillan application, that 'in the modern world if, from other points of view, political and economic, it should prove desirable to accept such further limitations on sovereignty as would follow from the signature of the Treaty of Rome, we could do so without danger to the essential character of our independence and

without prejudice to our vital interests.' In reply, Kilmuir warned that 'these objections ought to be brought out into the open now because, if we attempt to gloss over them at this stage, those who are opposed to the whole idea of joining the Community will certainly seize on them with more damaging effect later on.' To put it bluntly, they would be accused of having taken Britain in on a false prospectus.

Heath would later claim that he had all along said explicitly that 'the main purpose of the negotiations was political.' But quite what 'political' was supposed to mean he did not feel obliged to elaborate on, preferring to point out that any move towards federalism could only come about with the support of all members, so that concerns about sovereignty were misplaced. Ziegler puts it nicely: 'He did not seek actively to mislead the British public about his expectations, but he did not feel it necessary or desirable to spell out the full implications of British entry in any detail.' That seems to me at least *suppressio veri*, with a whiff of *suggestio falsi* too. There was also in Heath's manner what Robert Rhodes James, then a senior clerk in the House of Commons, diagnosed as 'an ominous note of thinly veiled intellectual contempt for those in his party who opposed the application'. Neither then nor later did Heath have much time for vox populi or for anyone who objected to his *grands projets* on grounds either of democracy or history. In old age, he developed a soft spot for dictators and was a fêted visitor to Peking and Baghdad, where they understood how to deal with dissent.

This indifference to popular sentiment was striking in the reforms of local government which he undertook in concert with his protégé Peter Walker. It is a pity that Ziegler doesn't mention these, though Campbell covers them well, for the Heath-Walker reforms show Heathco at its crassest. Counties like Berkshire, which had lasted for a thousand years, were to be axed or have their boundaries sliced. The total number of authorities was to be reduced from more than 1200 to about 400. Bigger was better, more modern, more streamlined. Historical loyalties were for wimps. As a fledgling journalist, I was sent to interview Walker in his Commons cubbyhole and remember how astonished he was that anyone should have qualms about such alterations. Walker recanted long before his recent death; Heath did not. Some but not all of their work has been undone. It is now, I think, widely acknowledged that what we need is not less but more local government.

Elsewhere, Heath's legacy did not endure nearly so long. When he came to power in June 1970 (much to the surprise of his opponents and most of his own side too), he inherited a bad and fast deteriorating situation in Northern Ireland. Unfortunately – an adverb one reaches for far too often in reviewing Heath's life – he totally failed to

grasp the realities of Ulster politics. Ziegler is inclined to give him credit for ramming through the Sunningdale Agreement in 1973. After all, its terms weren't so dissimilar from those of the Good Friday Agreement twenty-five years later – the latter memorably described by the SDLP deputy leader Seamus Mallon as 'Sunningdale for slow learners'. Doing his best for his man, Ziegler declares that 'with the benefit of hindsight it is possible to see that he was right and that the Ulstermen were wrong.' But is it? The trouble with this posthumous rehabilitation is not simply that Sunningdale lasted only two months, before the pro-Sunningdale Unionists were obliterated in the miners' election that Heath had so suicidally called in February 1974. It was blindingly obvious that the Unionists would never accept the plan for an All-Ireland Council, which they regarded as a preliminary step to a united Ireland. A year or so later, Garret FitzGerald, the Irish foreign minister, was asked why they had not warned the British team that the All-Ireland Council was a step too far. FitzGerald, charmingly and not unreasonably, replied: 'We didn't think it was our business to tell the British how to negotiate.'

But what Ziegler also makes clear is that the Unionists really did have reason to distrust British intentions. At an informal meeting between Heath and Lord Rothschild, cabinet secretary Burke Trend and Heath's principal private secretary Robert Armstrong (who were both hugely influential in British dealings with Northern Ireland), everyone had agreed that 'the only lasting solution would lie in bringing about the unification of all Ireland.' The foreign secretary, Alec Douglas-Home, also believed that 'the real British interest would . . . be served best by pushing them [the Unionists] towards a United Ireland.' How revealing the opposition between 'British' and 'them'.

The signing of the Good Friday Agreement in 1998 took place under completely different circumstances: the IRA had been fought to a standstill and had signalled that the war was over, and Blair had told the people of Ulster that he did not expect to see a united Ireland in his lifetime or the lifetime of anyone in his audience. The principle of majority consent was no longer a hurdle which might be dismantled twig by twig, but the foundation of a new settlement and understood as such by all parties.

What one can't help noticing from this miserable story – more than 2000 people were killed after the failure of Sunningdale – is the singularly unresponsive quality of Heath's mind. It is not true, as Enoch Powell claimed, that he shied away violently from anything resembling an idea. On the contrary, he espoused ideas with a passion he scarcely ever showed in human relations. But once an idea was lodged in his head, he did nothing with it; he allowed it no interplay with other ideas or other people. As a result, he had little aptitude for judging political risk or public reaction. It was not just

that he didn't know what made people tick, he made no effort to listen to the ticking. His insensitivity has often been compared with Thatcher's, but until she was overtaken by hubris in her later years she retained a strong prudential sense of how far she could go and what she could get away with.

For the same reason, Heath's grandiose plan for reforming the trade unions ran into collision after collision until it finally expired into irrelevance. He seems to have given little thought to how union members would react to an abrupt scrapping of all the legal exemptions that had built up since Disraeli's day. It did not occur to him that a step-by-step process of whittling away the more indefensible privileges might have worked, as it did for Thatcher. In the same way, he never considered building up the European Free Trade Area by voluntary agreement, gradually extending its reach into other social and economic areas, such as freedom of movement for its citizens and reciprocal welfare benefits. There is a useful alternative model here in the shape of the European Convention on Human Rights, which over the years seeped into the language of our courts until it was finally enshrined in an act of Parliament. Some right-wingers still don't fancy it, but they can't complain that it suffers from a democratic deficit in the way that the European Union itself now clearly does.

Nowhere is this failure to think through the consequences of an idea more embarrassing than in the case of his economic policies: the free-market approach on which he won office and the prices and incomes controls he resorted to two years later, in the great U-turn from which he never really recovered. Ziegler makes it clear that Heath was never a wholehearted believer in 'Selsdon Man' – the phrase was a nifty minting of Harold Wilson's. All he was looking for was a distinct and attractive contrast to Labour's flounderings, and so he promised a 'quiet revolution', in terms which understandably convinced his right wing that he had come over to their way of thinking. By instinct, though, he preferred to control things rather than let them run free and endure the consequences. Indeed, he had hardly stopped denouncing the evils of Labour's prices and incomes freeze before he was designing one himself. It is characteristic that in this secret enterprise he should have relied not on his political colleagues, whom he mostly thought little of, but on the senior civil servants he found so much more congenial, notably Sir William Armstrong, the head of the Home Civil Service. Armstrong became widely known as the deputy prime minister before he went mad and lay on the floor of Number 10 raving about Communist conspiracies and had to be taken away.

A later generation remembers Heath mostly from the years of the Long Sulk. His graceless behaviour began before he was supplanted by That Woman (herself not the best of losers). His refusal to quit Number 10 after the February 1974 election may not have been quite as deplorable as Gordon Brown's later carry-on, which would have made a limpet blush. Heath, after all, had secured more votes nationally than Wilson and had only four fewer MPs. Yet his behaviour imprinted the image of a lousy loser which simply got worse and worse, despite all the efforts of his friends to stage a reconciliation.

It is tempting to assume that things might have turned out better for him if he had been better humoured or if he had been married or had a close confidant. Yet Ziegler points out that there were always plenty of friends, such as the redoubtable Sara Morrison, ready to tell him when his grumpy behaviour, and general refusal to show any sign of life, was damaging his own interests. Campbell argues that he was exceptionally unlucky in having to preside over a fevered period of union unrest and oil

shocks. Yet the pattern of his failures seems too insistent to be entirely excused in this way. Time and again, he tried to mould all-or-nothing answers which came to pieces in his hands before the clay was dry. The underlying trouble strikes me as having been less one of temperament than of intellect, in so far as you can separate the two things. He simply lacked the agility of mind and the openness of imagination to play through the ramifications of a theme. He knew what he wanted to happen and he thought that this was enough to make it happen.

He was, ultimately, a solipsist. Nothing is more characteristic than that he should have left the bulk of his £5.4 million estate not to his brother's children, of whom he saw little, but to the Sir Edward Heath Charitable Foundation, the principal function of which was to house his papers and show his lovely house in the Close at Salisbury to the public. It has now turned out that there is not enough money in the kitty to carry out his wishes. This vision too has foundered on the hard and slippery rocks of reality.

MARGARET THATCHER: MAKING YOUR OWN LUCK

The first lesson that Batman learns is that 'the will is everything'. Disraeli and Schopenhauer said much the same. And in this crop of books about Margaret Thatcher, rushed out in the weeks after her death, it is the raw will that is celebrated. The titles of the two big Lives, the first volume of her official biography by Charles Moore, the former editor of the *Daily Telegraph*, and the single volume by her long-time ghost Robin Harris, bear the same title advertising her unbendable quality. The two slighter works, on her foreign policy by Robin Renwick, the diplomat who was at her side in Rhodesia, Washington and Brussels, and by Gillian Shephard, the former education secretary who has collected reminiscences of what she was like to work with, often from unsung Conservative Party officers and apparatchiks, both remind us of that unforgettable title first conferred on her by *Red Star*, the Soviet Army newspaper. She became the Iron Lady even before she became prime minister, by virtue of a fiery speech delivered in Kensington Town Hall less than a year after she defeated Ted Heath. She has remained the Iron Lady ever since, and that is how she will be, not unjustly, remembered.

Yet we need to clothe this naked will a little. Her tenacity had a peculiar character which, I think, conforms perfectly to Antonio Gramsci's famous formulation, 'pessimism of the intellect, optimism of the will'. Her assessment of the situation was always bleak and unvarnished. She had, as Renwick puts it, 'an absolute contempt for any semblance of wishful thinking' and 'an innate ability to get to the heart of any really difficult or unpleasant problem and not to try to wish it away'. She loathed politicians like Harold Macmillan whose instinct was always to smooth things over – a loathing which was returned with knobs on.

One of the reasons that she thrilled to the company of Keith Joseph was his gloomy tone. In the 'Notes Towards the Definition of Policy' which he presented to an indignant shadow cabinet (the echo of T. S. Eliot was beautifully appropriate to Joseph's message of decline), he argued that 'We made things worse where, after the war, we chose the

path of consensus. It seems to me that on a number of subjects we have reached the end of that road.' They had promised too much and been guilty of 'subordinating the rule of law to the avoidance of conflict'. 'In short, by ignoring history, instincts, human nature and common-sense, we have intensified the very evils which we believed, with the best intentions, that we could wipe away.' No rising Tory star of the Macmillan–Heath generation could accept Joseph's indictment that they themselves might have been complicit in the debacle. It was all the fault of the 'Socialists', and if only the right chaps were back in charge, things would look up. Mrs Thatcher resisted all such Micawberish temptations, and indeed all suggestions that the road might be anything but hard and stony.

The 'economics of joy', as the economist Herb Stein described the policies of the carefree tax-cutters, were anathema to her. She was deeply sceptical about détente too, being convinced that 'we are losing the Thaw in a subtle and disturbing way'. From the start, she was equally sceptical about the practicability of monetary union in Europe. On the very day she arrived in Number 10, she responded to a memo from the cabinet secretary suggesting an open-minded approach to such schemes: 'I doubt whether stability can be achieved by a currency system. Indeed it can't – unless all of the underlying policies of each country are right'. The fortunes of the euro thirty years later suggest that there is no getting round this uncomfortable truth. Nor did she welcome even the most astonishing success at face value. When the Berlin Wall fell, she was quick to point out that the break-up of empires was always a time of danger. She really did act out Kipling's 'If' (her favourite poem, as it was the nation's) and attempt to treat triumph and disaster as equivalent impostors.

Yet at the same time she had an ineradicable belief that 'we (or rather I) shall overcome'. She attacked head-on R. A. Butler's belief that politics was the art of the possible: 'The danger of such a phrase is that we may deem impossible things which would be possible, indeed desirable, if only we had more courage, more insight'. In refusing to accommodate herself to the inevitability of decline, she found herself at odds with virtually all her colleagues.

In her obituaries, the word 'divisive' was much deployed. This is pussyfooting. She was loathed, and usually despised too. Jim Prior, her first employment secretary, said 'She is, of course, completely potty. She won't last six months', and later asserted that 'she hasn't really got a friend left in Cabinet'. Her supposed allies also moaned about her behind her back. Willie Whitelaw called her 'that awful woman'. Even the courtly and cunning Lord Carrington was driven to explode to her principal private secretary, 'Clive,

if I have any more trouble from this fucking, stupid, petit-bourgeois woman, I'm going to go'. (He later said that he would never have used such language, though it is not clear which particular epithet could not have passed his lips.) It was Carrington, too, who, on storming out of a meeting in the cabinet room about the EEC budget without looking where he was going, collided with a Doric pillar and exclaimed, 'My God, I've hit another immovable obstacle'.

At most, four of her first shadow cabinet had voted for her. Despite repeated purges, pretty much the same was true of her last cabinet when it came to the crunch. As for the Civil Service, the upper reaches of the Treasury and the Foreign Office found her alien and unappealing from the start. They were Heathite to a man, distrustful of the free market, wedded to prices and incomes policies and to greater European integration. Only lower down were a few potential kindred spirits emerging – Peter Middleton and Terry Burns in the Treasury, Charles Powell and Robin Renwick in the Foreign Office. Nor were outside assessments any more favourable. Although very taken with her, Henry Kissinger told President Ford in 1975, 'Soames may be a big Conservative leader sometime. I don't think Margaret Thatcher will last'. Peter Jenkins, the *Guardian* columnist, wrote in December 1981 that 'a brief obituary of Thatcherism is now in order'.

Partly, but only partly, this was because of her eccentric and overbearing manner of doing business. John Hoskyns, a businessman who had made a fortune in computers and who became the first head of her Policy Unit, despaired of her lack of any strategic sense. After a couple of years of working with her, he sent her one of the rudest memos a prime minister can ever have received from an understrapper:

You break every rule of good man-management. You bully your weaker colleagues. You criticise colleagues in front of each other and in front of their officials. They can't answer back without appearing disrespectful, in front of others, to a woman and to a Prime Minister. You abuse that situation. You give little praise or credit, and you are too ready to blame others when things go wrong.

Even her most loyal of ghosts, Robin Harris, concedes that 'in matters of man management, she was, by common consent, hopeless – alternately chaotic and domineering, timid and abrasive. She was a notoriously bad chairman'. He also accuses her of being a naive and hopeless picker of ministers. This is surely an unrealistic criticism. She was, after all, operating in a parliamentary democracy. Her cabinet had to be vaguely representative of the parliamentary Conservative Party, or there would have been even more hell to pay. All she could do – which she did – was to keep her most ham-fisted enemies as far from the levers of economic power as possible.

But there is no getting away from the fact that her behaviour towards her colleagues was in the end to prove a fatal flaw. She could and did sweep out the old wets at regular intervals, only to find herself drenched with a shower of Blue Chips off the same block – Chris Patten, Kenneth Clarke and William Waldegrave instead of Christopher Soames, Ian Gilmour and Whitelaw. Much more serious was the attrition rate among her allies, who were less easy to replace. One by one, they limped off the pitch, bruised and affronted: Geoffrey Howe, Keith Joseph, Leon Brittan, Nigel Lawson, Norman Tebbit, John Biffen – consoled only by their CHs, a recurring suffix which an uninformed observer might have mistaken for some obscure religious order, the Confraternity of Humiliation.

There is, however, a counter-argument which I think Moore glimpses but Harris doesn't. If she had been a 'good' chairman, she would, time and again, have found herself summing up the sense of a meeting wholly against her inclinations. When she was so heavily outnumbered, disruption was the only answer. It was essential, as Stephen Potter would have said, to 'break flow'. Interruption, Repetition, Digression – these were the only tools for getting her own way. When all these techniques failed, railroading decisions through smaller hand-picked committees and fixing the agenda were necessary resorts. It was the style of government that Michael Heseltine complained of when he stalked out of the cabinet in the Westland crisis. Harris finds plausible justification for Thatcher's behaviour then, but over a wider field than the helicopter business, Heseltine was not without reason to complain. In fact, a prime minister who does not exploit her mastery of the cabinet agenda, which is one of her relatively few weapons, is probably not doing the job properly. In Thatcher's case, her disruptive style sacrificed collegial harmony to getting things done. It is notable that, when she had confidence in the men in charge, as she did during the Falklands War, she was content to leave most things to the military, herself providing martial spirit on a heroic scale but not attempting to meddle in matters she knew she knew little or nothing about.

Lord Renwick confirms this impression in his absorbing accounts of the negotiations he himself was involved in – the Lancaster House talks on Rhodesia, the stormy Budget negotiations in Brussels, and the transition from apartheid to democracy in South Africa – and of his colleague Sir Percy Cradock's collaboration with her on the handover of Hong Kong. In each instance, he depicts a demanding but entirely rational boss, eager to test any argument to the limit but seeking a stable and realistic solution rather than being pushed to it when her ranting had run its course. The freshest part

of his account is of the encouragement she gave F. W. de Klerk and the steady pressure she exerted for the release of Nelson Mandela. Of course, the sanctions on investment imposed by the US Congress and the change of heart within the Dutch Reformed Church were far more significant factors, but Renwick shows that, when she was not faced with sullen and obdurate opponents, she, too, was someone to do business with. Mrs Shephard's accounts of Mrs Thatcher's encounters with unfamous cogs in the political world supplement this picture on the domestic front, reminding us in particular that, uniquely among recent Conservative leaders, she came from the heart of the Conservative party and was at her happiest in the company of its members. She wrote of her first visit to a Conservative Party conference at Blackpool in 1946, that she was 'entranced'. As Moore drily comments: 'This is perhaps the only recorded occasion when anyone has used that word about a Conservative Party conference'.

Her critics accused her of the illusion of omniscience, that as Hoskyns put it, 'she didn't know what she didn't know'. Hoskyns, while paying full tribute to her guts, determination and lack of pomposity, complained that 'she is quite limited intellectually. The problem is that she is unaware of the fact that other people's intelligence may be superior to her own'. I'm not sure that this is correct. Rather, she was inclined to hero-worship those intellectuals whose views coincided with her own. Out of her notorious handbag at one time or another, she would pull Lord Radcliffe's Reith Lectures, Hayek's *The Constitution of Liberty*, Beveridge's report on social insurance and that speech wrongly attributed to Abraham Lincoln which declares that 'you cannot strengthen the weak by weakening the strong'. She would read anything that was recommended to her: Popper, Burke, Schumpeter, Adam Smith, Dostoevsky, Koestler. It is quite true, though, that she was not an intellectual in the sense of relishing the free play of thought. Every excursion had to be subordinate to her driving purposes.

But where did these driving purposes come from? Caroline Stephens, her redoubtable social secretary for almost all her time in power, used to tell new secretaries, only half-joking, that 'The first thing you have to bear in mind is that Mrs Thatcher is a very ordinary woman'. If so, the first mystery that any biographer has to address is how did such an ordinary woman become Britain's first woman prime minister, and hold power for eleven years and leave such a lasting mark on the nation, rather than more brilliant and idolized characters such as Barbara Castle and Shirley Williams. If the answer lies in the will, we have to track down the ultimate origins of that will.

Mrs Thatcher herself was quite clear on the subject. 'All my ideas about Britain were

formed before I was seventeen or eighteen.' The answer lay in Grantham, and the grocer's premises at No. 1, North Parade, above which Margaret Roberts was born and lived her life until she went from Kesteven Girls Grammar School to Oxford. When she came to write her memoirs, it was, as with many people, her earliest memories of home and school that flooded back. The later stuff had to be extracted with some pain by her two ghosts, Harris and John O'Sullivan, the former *Daily Telegraph* journalist, who added a refreshing *allegrezza* to the end product, which is now reissued in a single volume compressed and edited by Harris.

Yet there is a strange reluctance on Harris's part to accept Grantham as the clue. He dismisses the place as 'a somewhat dreary town in the East Midlands, itself one of the more dreary regions of England'. Well, one could quarrel with that description: the town has ancient coaching inns and a glorious parish church with, according to Simon Jenkins, 'the finest steeple in England' (Ruskin swooned when he saw it), and it lies in gentle country between Belvoir Castle and Belton Hall. Pevsner rightly says that there is even a touch of Vanbrugh about the Wesleyan chapel in Finkin Street where Margaret Roberts worshipped and her father Alfred preached every alternate Sunday when he was not carrying the gospel to the surrounding country. It is true that she herself said that 'it was a great thrill to come to London. In Grantham it was like swimming in a very small pool: you keep bumping into the sides' – and in later life she did not go back there much. But then this is true of many ambitious young people in a hurry. It does not mean that her upbringing did not leave an indelible mark upon her; still less, as Harris claims, that at the deeper level of her being, she may have reacted against her upbringing more than she reflected it.

He deduces 'the lack of impact which Methodism had had on her religious outlook' from the fact that she did not seem to know her Bible very well and had little interest in theology. This is, I think, a dubious linkage. Methodism was never about theological learning. It thrived, in David Hempton's phrase, 'on the raw edge of religious excitement'. For the Methodist, the ideal Christian life was one of ceaseless cheerful activism. Margaret Thatcher's obsession with self-improvement and her hatred of wasting time were signs that her Methodist roots were still very much alive in her; ditto her unquenchable hopefulness and the strange sense of exaltation that she radiated. If she was not much good at forgiving, nor was John Wesley.

E. P. Thompson's blistering attack on Methodism in *The Making of the English Working Class* contained an internal contradiction. If Methodism was such a miserable creed, why did it produce such active, cheerful souls and come to generate the British Labour

movement? But Thompson's scorching rhetoric did succeed in obscuring the virtues of Methodism at its best, so that even today it seems difficult to persuade people that such a queer creed could have had much to do with the nurturing of a Margaret Thatcher.

Moore sets out to rescue her, as did Bishop Richard Chartres in his brilliant oration at her funeral, from the misunderstanding of her notorious remark in the interview she gave to *Woman's Own* that 'there is no such thing as society'. He points out that in her 1977 Iain Macleod Memorial Lecture, she argues that self-interest was not the antithesis of care for others, because 'man is a social creature, born into family, clan, community, nation, brought up in mutual dependence'. Similar messages can be derived from the semi-sermons she gave at St Lawrence Jewry, the City church, and to the General Assembly of the Church of Scotland. But these were texts largely prepared for her by others, notably Alfred Sherman, the capo of what she called her 'awkward squad'. Her actions show less of a Burkean enthusiast for the little platoons. She steadfastly opposed the efforts of Geoffrey Howe and Nigel Lawson to retain some support for marriage when independent taxation of husband and wife was introduced. And she remorselessly squashed the independence of local government through rate-capping, nationalization of the business rates and, ultimately and fatally, the poll tax. She believed in strong but limited government and a strong individual, with nothing much in between. One's duty towards one's neighbour entailed compassion and kindness to others, and her efforts to bring succour to widows, wounded soldiers and anyone who might be lonely or depressed were unrelenting. But ultimately she believed in personal salvation unaided by sacrament or intermediate institutions. And in this, too, she was Methodist to her bones.

Harris paints her childhood as a grim one and advises us not to take at face value the recollection in her memoirs and in earlier interviews of the *douceur de vivre* she experienced at the cinema or the odd musical, for such events were rare in her Spartan adolescence. This picture is undercut by a lucky discovery that Charles Moore made of more than 150 letters that Margaret had written to her elder sister Muriel between the end of the 1930s and the beginning of the 1960s. The letters, which had been lying unsorted in bags in Muriel's attic, not only cast doubt on Harris's assertion that, being four years apart in age, 'the sisters were never close'. They also refute the assumption that she never had much fun. The young Margaret wishes she could have danced like Ginger Rogers, loves the Laurence Olivier-Joan Fontaine film of *Rebecca*, thinks the latest Deanna Durbin flick 'rotten', but says that *Quiet Wedding*, starring Margaret Lockwood, with screenplay by Terence Rattigan, was 'an absolute scream. I laughed

more than I have for months'. Even when she gets to Somerville, most of her letters are not about politics but about the underwear she has just bought.

The letters also disprove the line taken by previous biographers and followed by Harris that, until Denis came along, she had had no romantic friendships with men. This was never likely with such an undeniably pretty girl at Oxford where the sex-starved men were knee-deep and just back from the war. In Somerville Hall, she might be belittled as a humourless Midlands chemist, but she was not short of admirers. One of them, Tony Bray, wept when he was reminded of their walk-out sixty years later.

These letters are important not just because of their *Brief Encounter*-style charm but because they dispel the illusions that Margaret Roberts was some kind of freak. They do not, I hasten to add, transform our picture of her into a sweet, easy-going type. Her comments on her boyfriends are as tart as were to be her comments on her cabinet colleagues.

When she agrees to see Tony Bray a couple of years later, 'more to let him see how I've changed rather than to see him!', she remarks afterwards that 'I quite enjoyed seeing him again for a short time – it satisfied my curiosity – but he's a weird-looking chap to cart around the place!' When Denis Thatcher hove in view, he fared no better, being described as 'not a very attractive creature'. Nor did he improve for her on nearer acquaintance: 'I can't say I really ever enjoy going out for the evening with him. He has not got a very prepossessing personality'. (They were to be happily married for sixty years and she was irremediably shattered by his death.)

But her most remarkable dalliance was with Willie Cullen, one of a group of energetic Scots farmers who had come down to Essex to escape the agricultural depression in Scotland – not unlike Donald Farfrae in *The Mayor of Casterbridge*. Margaret is boundlessly patronizing about him: 'He has a kind of naïveté that only Scotsmen can have – the funniest part is that although I have been introduced to him twice, I can never catch his name and still don't know it! . . . He speaks with a frightfully Scotch accent. I'm afraid he's going to be an awful nuisance'. Then she has a brainwave: 'I showed him the snapshot of you and I [grammar, Miss Roberts!] together – and he said he could scarcely tell the difference so I should think we could easily substitute me for you' (she meant 'you for me' – Kesteven Girls Grammar School has a lot to answer for). Clearly, the bucolic if canny Willie will not do for her, but he might do for Muriel who has just broken up with her current boyfriend. Margaret urges Muriel to come and stay with her to meet Willie. 'By the way, he will never become your brother-in-law though I have big hopes that he may be mine one day!' Which he does. It is a plot out of a

Hardy novel, except that it ends happily. But there is no greater testimony to Margaret Roberts's ability to get her own way than her effortless marrying-off of her elder sister (herself a fairly strong-willed character) to get rid of the incomprehensible Willie. The handover was delayed only because he gave her a very nice black-calf handbag and out of decency she had to go out with him a while longer.

Moore's touch is as sure in retailing these enchanting early days as in recounting her grim struggles to replace Ted Heath and to stamp her principles on the crucial budgets of 1979 and 1981 which were to set the country on its fresh path. Mrs Thatcher's capacity for cunning and caution is well displayed as much in her readiness to succumb without fuss to the first miners' strike, which the government was unprepared to withstand, as to fight with ruthless tenacity Arthur Scargill's decision to call out a national strike without a national ballot in the spring of 1984, by which time her previous energy secretary, Nigel Lawson, had coal stocks piled high. Both Moore and Renwick tell the story of the Falklands in brilliantly nuanced detail, demonstrating Mrs Thatcher's willingness to go to the tolerable edge (and probably beyond) in diplomatic negotiations and her agony at the thought of all the young lives that would be lost. Nobody who reads these pages could ever again think of Margaret Thatcher as heartless.

Moore's is, quite simply, a marvellous biography, and when the succeeding two (or possibly three volumes) are published, it will take its place alongside the monumental multivolume Lives of earlier great prime ministers – Moneypenny and Buckle's Disraeli, Morley's Gladstone and John Grigg's Lloyd George – while being more entertaining than any of these. It is hard to find anything much to quibble with: it was Clement Attlee, not Enoch Powell, who first popularized the phrase 'the enemy within', and surprisingly in relation to communist infiltration into the trade unions, much as Mrs Thatcher was to use the phrase. Harold Macmillan rose to stardom after building 300,000 houses a year, not 300,000 council houses, although in the early years of that Tory government the vast majority of houses built were indeed council houses – a strange thought in the light of subsequent history. Nor would I go along with Moore's proposition that 'she generally eschewed what she would call "personal remarks"'. Only seven pages later, he has her referring to Roy Jenkins as 'Shaky Jowls'. And her descriptions of her cabinet enemies are memorable: Jim Prior 'the false squire'; Michael Heseltine – 'every talent except brains'. But in general, Moore's estimate of her character, actions and achievements is unfailingly just and thoughtful but never uncritical, and his book can safely be recommended to readers who have no smidgen of sympathy for the Iron Lady as well as to her unswerving fans.

Look here upon this picture and on this. Talk about Hyperion to a satyr. While Moore is always keen to be fair to every side in the argument, Robin Harris has Old Vitriolic as his permanent font setting. Yet nobody could be better qualified for the task. As well as writing a history of the Conservative Party, Harris worked for Thatcher in one way or another ever since 1985, writing many of her speeches, intimately engaged in advising her on policy, and, most importantly, coaxing a full set of memoirs out of someone who was constitutionally averse to writing so much as a memo, preferring to scrawl straight lines (Good) or wiggly lines (Bad) under or beside other people's words, interspersed with the occasional 'No!' Indeed, the wayward lollop of her handwriting seems better suited to her gossipy letters to Muriel than to affairs of state. Those two volumes of recollection are an indispensable resource, gracefully written, self-serving, of course, but with the arguments for and against her views fairly and accurately reported. They are as well worth reading as the biographical works under review and much better history than the previous biographies published.

It is as though these Herculean efforts have drained Harris's resources of tolerance. His *Not for Turning* offers us the dark underside of the memoirs, and it is irresistible reading because the brilliance of Harris's gift for narrative has not deserted him. The book administers a monster dose of catharsis, provoking pity, fear and horror in more or less equal measures. We are familiar with other periods of friction in High Politics – the war between the Bevanites and the Gaitskellites, the unending tussle between the followers of Peel, Russell and Disraeli, not to mention the misunderstandings between the Montagues and the Capulets. But in Harris's account, these are all fleeting tiffs compared to the war between the Wets and the Dries. There is scarcely a minister in any of Margaret Thatcher's cabinets who is not denounced as weak, devious, conceited or disloyal – or all of the above. Mrs Thatcher herself, although supposedly the heroine of the drama, is repeatedly ticked off, for 'her alternatively cloying and abrasive performances', for being 'unimaginative', 'incapable of forgiveness', of utterly lacking the logical, scientifically trained mind she was so proud of and on the contrary being remarkable for her 'feminine logic'. Almost all her choices of minister are denounced as 'transparently unsuitable' (it would be unmanly not to mention here that this reviewer's appointment to her staff is fingered in a footnote, no doubt rightly, as 'another of her mistakes'). His account of the manoeuvres leading up to her fall is as savage an indictment of individual and collective treachery as I have ever read.

But even this passage palls beside his account of her last years, which spill over the final hundred pages of the book. In this connection, Harris argues that 'no true portrait

of her can be drawn that omits the dark reality'. He spares us nothing: her heavy drinking, her shouting matches with Denis, her wild suspicions of his infidelity, the cruel effects on her short-term memory of her succession of strokes, until she could no longer string a sentence together, although she was still capable of being wounded when her daughter Carol published a description of her dementia. Harris criticizes 'the intrusive and distasteful elements' of the Meryl Streep film *The Iron Lady*. Yet it is hard to see how his own account can escape the same indictment. By comparison, Kingsley Amis's account of the indignities of old age in *Ending Up* is a drawing-room comedy.

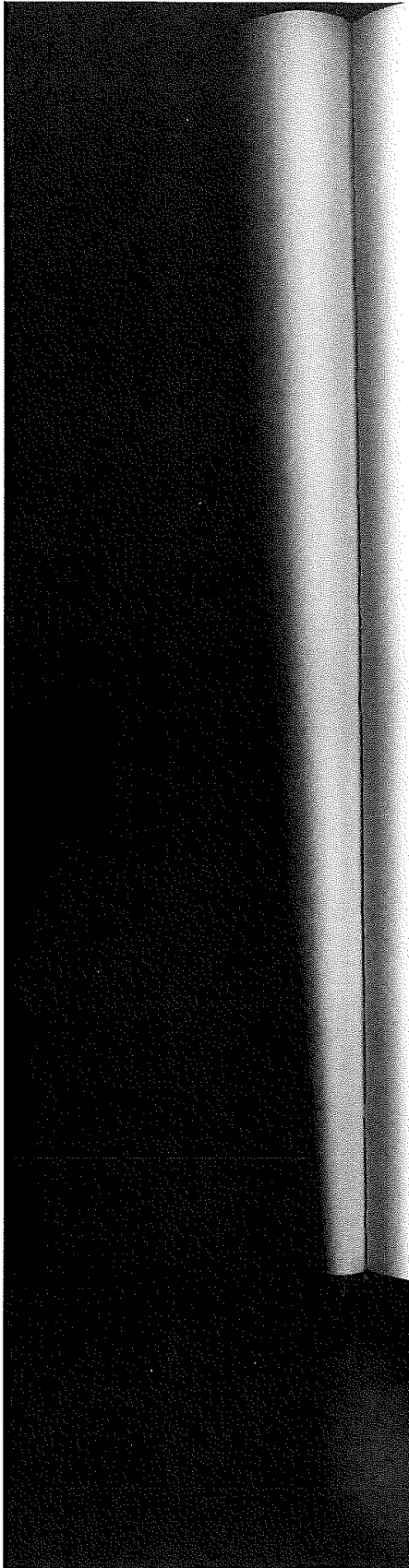
More distressing than mere mental decay and mortality (in which, as Bishop Chartres reminded us, she really was One of Us) is Harris's account of the way that 'in her old age Mrs Thatcher's thought processes became cruder and her vituperation about the Europeans more intemperate'. Increasingly she hobnobbed with the more unsavoury characters knocking about the world stage – Augusto Pinochet, Franjo Tudjman of Croatia, Aslan Maskhadov, the leader of the Chechen rebels, and President Nazarbayev of Kazakhstan, 'the sort of wily authoritarian figure she understood'.

Harris's own lenses become a little blurred too. He conceives a driving hatred for Geoffrey Howe, for whom he had once worked until Howe made a flippant remark about the Falklands War. Howe, he says, was 'raddled with bitterness', but it is surely Harris's own bitterness which leads him to deny the credit that Howe genuinely deserves for the budgets of 1979 and 1981 (ditto with Nigel Lawson, who, for all his errors over monetary policy, will go down as one of the great tax-reforming chancellors). Nor is it

true of Howe's resignation speech that 'its legendary qualities have been bestowed in retrospect'. Those mild, hesitant closing sentences were electrifying at the time, and anyone hearing them knew instantly that Thatcher was finished. It certainly is not true that, if she had gained a couple more votes in the leadership contest, she could have sailed on regardless. You cannot mislay the support of nearly half your MPs and hope to survive for long.

One may feel, as I do, that it would have been better if the general electorate had been given the chance to dismiss her, but one must understand the motives of those MPs who feared that they would be dismissed along with her. It was the same fear that animated those who supported John Redwood's 'no change, no chance' leadership bid five years later (Harris worked for the Redwood campaign) – and indeed the same fear that impelled those who voted for Thatcher to replace Heath. Politics always was a blood sport with no protected species. And it is simply bad history to dismiss in half a sentence John Major's triumph in the 1992 general election, when he totted up more votes than Mrs Thatcher did in any of her three victories.

Despite or perhaps even because of these blemishes, I cannot conceal my feeling that Robin Harris's *Not for Turning* approaches the condition of art. It is as compelling in its unrelievedly black and venomous fashion as the novels of Céline or Thomas Bernhard. Anyone who thinks that, in the modern politics of nudge, soundbites and focus groups, all passion is irretrievably spent has got another think coming.



INTRODUCTION

A Threat to Freedom

The international community's concept of human rights lacks intellectual and moral integrity. It is corrupted by political ideas. A debased and contradictory understanding of human rights has allowed the concept to be exploited by authoritarian states to justify their denial of liberties and to denigrate free societies, and has encouraged ideologues to pursue political agendas under the cover of human rights. While the struggle to protect individual freedom is increasingly marginalized, the idea of human rights has been so loosely applied and so distorted that it is now used to justify restrictions on basic individual freedoms and to advocate the global regulation of an immense range of social and economic activity. The concept of human rights is now rarely informed by the ideas and principles that originally gave it meaning. It has become so much associated with ideological agendas and frivolous demands that few take it seriously anymore. The idea of human rights has been emptied of the moral force that once inspired people around the world seeking freedom and democracy.

The result is profoundly deleterious to the way we think about human rights and apply the concept through international law and institutions. To have any hope of addressing the problem, we must identify the source: the falsehood at the heart of the international community's definition of human rights. It is a definition that mingles protections of basic individual freedoms with guaranteed state entitlements. It mixes natural rights with those estab-

lished by positive law. It blurs the line between what is and is not a *human* right; it degrades the idea of natural rights, thus eroding the moral foundation upon which the entire edifice of human rights rests.

In this book, I show why economic and social human rights, so named under international law, are not universal human rights. Economic and social rights such as the "right to social security" and the "right to an adequate standard of living" are not simply different *kinds* of human rights; they are demonstrably not human rights at all, for they are based on different principles. They are rights granted by states, reflecting political values that are not intrinsic to human beings; they are collective, not individual rights; they embody political values and goals, and do not accord with the essential nonpolitical and nonpartisan character of authentic, universal human rights. They derive from particular political interests and passions, while authentic human rights are based on our common human nature and on reason, the basis of their universality.

In past decades, some have criticized the assertion that economic and social rights are universal human rights to be respected and applied in the same way as fundamental natural rights. Scholars and jurists have shown their weaknesses as human rights—that they are vague and cannot be enforced, and do not deliver what they promise. Conservatives have disparaged economic and social rights as left-wing political utopianism. But serious critiques of economic and social rights are not widely appreciated in the current atmosphere of human rights inflation, while the international community and human rights organizations have succumbed to political and intellectual bullying on the subject. In recent years, acceptance of economic and social rights as human rights has become the norm and an unquestioned dogma, thanks largely to leftist ideological pressure and the heavy-handed influence of United Nations officials. The international human rights system is rapidly developing with a focus on extending these rights.

What is not generally recognized is how this focus has compromised the capacity of the international human rights system, and of civil society, to protect individual liberty. The issue thus needs to be reopened forcefully, to expose the problems of economic and social rights in theory and in practice. The issue needs to be addressed in both practical and philosophical terms, showing what has happened to human rights, and why it has happened.

In what follows, I examine the mingling of human rights with politics at the heart of the international system. The concept of human rights was

opened up to ideological interpretations, and the field has been invaded by actors with political agendas. The international human rights system is losing its credibility under the influence of economic and social rights, leading to destructive doubts about the very idea of universal, internationally codified human rights as a standard for governments and a North Star for people everywhere in search of security, peace and freedom. The human rights package has become too big, too contradictory, too political. Any meaningful clarification of international human rights discourse hinges on removing or marginalizing the extraneous notions that have confused and debased our concept of human rights, and refocusing on protecting individual political freedom. This in turn requires a renewed understanding of the moral and intellectual foundations of human rights.

The need for this renewal is acute, because the cultivation and preservation of the human soul demand free societies. Particularly in the modern world, states and ideologies have shown their power to dehumanize through propaganda; to invade and manipulate the spheres of individual privacy and civil society; to censor and control the flow of information; to abuse the dignity of the individual with high-tech police-state tactics and biomedical technology; and to drain individuals of moral responsibility and accountability with intrusive and paternalistic bureaucracies that limit freedom and choice, and sap our initiative and creativity. Today, the very idea of freedom is challenged by fascistic, nationalistic regimes and by political Islam, but perhaps even more insidiously by the complacency and moral lassitude, and indeed the illiberalism of many members of liberal democracies themselves. Yet the people of free societies cannot defend the concept of human rights in its corrupted and weakened form without also bowing to those who seek to limit individual freedom; indeed, the concept is being used as a weapon against freedom. The modern world needs authentic human rights more than ever, but has largely forgotten their meaning.

As a human rights advocate, I am convinced that clarifying the way we understand and apply human rights is essential to the future of freedom. I ask you, the readers, to open yourself to my arguments even if you start by opposing them. I have come to my conclusions about the nature of human rights through many years of working in the trenches, in both advocacy and investigation. You will already have detected a political prejudice on the side of classical liberalism—a belief that the purpose of governments should be to protect individual rights and freedoms, and to foster civil society. My experi-

ences in dealing with the ravages of communism and authoritarianism have convinced me of the superiority of governments that restrain themselves and defer to individual freedom and civil society. I own up to my own prejudices, but my purpose here is not to make a political argument against socialism or welfare states. I am in favor of government services to assist citizens in need; I am in favor of communities pooling their resources to guarantee minimum standards of living and health, if they so decide. But these are political questions that should be settled in democratic processes. Human rights serve to protect a fair political process, but they should not serve political goals. The consequences are woeful when they are misused in that way.

Eastern Europeans

I began my direct engagement in international human rights after a period of work in Eastern Europe in the years following the end of the Communist regimes. In the late 1980s, as an administrator at Boston University, I had tried to assist the late Polish philosopher and intellectual entrepreneur Krzysztof Michalski in his efforts on behalf of intellectuals in the captive nations of Eastern Europe. In 1991, Michalski invited me to his Vienna-based Institut für die Wissenschaften vom Menschen (Institute for Human Sciences) to run a European Union-funded project to help reform universities and research institutions in Hungary, Poland and Czechoslovakia. Both before and after the events of 1989, the Institute brought together many of the leading intellectuals of Eastern Europe to help them get up to speed in their disciplines by meeting and working with Western colleagues in a propaganda-free environment, and to promote an inclusive Europe. The project on university reform was overseen by a committee headed by Lord Dahrendorf.

Attached to an inchoate liberalism and with an intuitive hatred of communism, I encountered, in my work around the region, the detritus of "real state socialism." My Eastern European colleagues were among the most intelligent and hard-headed people I had ever known—tenacious, principled, disciplined and shrewd. They had survived the forty-five-year nightmare of Soviet-dominated communism—after the murder of millions of their fellow citizens and the plunder of their societies by Nazi Germany—and had come out with their souls intact. They also recognized in themselves what one of them called the "childish irresponsibility" of marginalized intellectuals in

totalitarian societies, with the melancholy luxury of narrowed possibilities. The Communist state had framed their lives with rigid rules and coercive enforcement, restricting their choices while providing prefabricated solutions to the existential dilemmas of freedom. Now they faced rising prices and the collapse of the social welfare apparatus, as well as the ruthless opportunism of former Communist *apparatchiks*. They strove to suppress their nostalgia for the slow pace and economic security of the past, as they coped with the burdens of supporting themselves and their families in the turmoil of the transition years.

In his New Year's address after the Velvet Revolution in 1989, Václav Havel told his countrymen in Czechoslovakia that they lived in "a contaminated moral environment." My Eastern European friends had experienced and analyzed what happens when unconstrained state power marches under the banner of economic and social rights. The Second World War had killed millions and ruined the infrastructure of their societies, but communism had devastated their moral infrastructure. Institutions, including universities, were virtually all controlled by cynical opportunists who had made their way through the ranks of the Communist Party; all of the deans at the Law Faculty of Charles University, for example, had been Communists. The universities were littered with meaningless institutions that existed on virtually nothing, like fungi; they were already almost dead, but it was nearly impossible to kill them.

Everywhere one looked was decay and environmental degradation. A sickening brown air pollution covered cities with a nasty, sour smell. Consumer goods were flimsy and ugly. Horrid 1970s-type attempts at modern design in the form of brutalist, "modern socialist" architecture would appear among dirty, rundown buildings still bearing bullet scars from the war. Some Communist architecture, including Stalin-era state structures, can have aesthetic qualities, but most of what was built in Eastern Europe during the Cold War suggests an aggressive assault on the senses, on classical form and harmony, on the very idea of beauty. It was a demonstration of power over the sensorium, leading to cynicism and nihilism. A Slovak friend who had been imprisoned for his religious beliefs said the Communist regime in Czechoslovakia had "killed beauty, emotions, and creativity." Millions lived in high-rise tenements that looked virtually the same from Hanoi to Havana.

Whatever the law did not explicitly permit was assumed to be illegal. The creaky, Napoleonic continental legal systems of the region had easily accom-

modated totalitarian rule, and continued to put the state first after its retreat. Societies were managed by state ministries imposing inflexible bureaucratic rules. The corridors of these institutions were tomb-quiet, with tall, padded doors behind which officials sat in largely empty rooms, frigid in wintertime. It all seemed like a Kafka novel.

The social mood was dark and subdued. Eastern Europeans still speak of a feeling of meaninglessness and hopelessness under communism, of sad faces everywhere, of people walking with their heads down. This mood persists among many today. Popular music was melancholy and fatalistic. Neighborhoods were quiet and empty; people seemed to move slowly, cautiously, as if to avoid calling attention to themselves. Few seemed to care about their health. There was a modesty and deference about them; the overbearing state seemed to have squeezed the ego and life out of people, dried them out. Constant surveillance, either by state apparatuses or by other citizens snooping on the state's behalf, weighed heavily on the human personality, sometimes distorting it permanently. It destroyed the ability to speak directly, perhaps even to think without paranoid and twisted mental maneuvers. Questions were not answered directly, and letters often not answered at all, as the eventual destination of the written reply was unknown, and it could become evidence for a future accuser.

Decades of communism robbed people of their panache, of any healthy self-confidence. They felt that coercion had ruined them. Perhaps worse, they felt weak because they had not been faced with the moral challenges of a free society, and inferior because they had not been afforded the opportunity to succeed or to fail. Only the former apparatchiks seemed to have any optimism, many of them having morphed from corrupt Communist bureaucrats to managers of American and European development projects, or privatizing entrepreneurs. But among most who had adhered to principles, who refused to lie and cheat, a mood of depression and exhaustion had settled like fog as they took stock of the "mentality problems" that were the legacy of communism, an impediment to reform and the building of a "normal" society.

Pondering this mood of sclerotic caution and regret, I contrasted it with my own coming of age in America in the 1960s. I recalled the exuberance of the demonstrations for civil rights and against the Vietnam War that I had joined as a teenager; the passionate jazz and popular hard-rock music; the feeling of personal power in America, the power of positive ideas and hope, of defiance, iconoclasm, and moral rage freely expressed. As a college

student I was eventually put off by the excesses and the utopianism of the protest era. What remained with me was something more deeply rooted in the American tradition: a feeling that individual citizens had the power and the right to question and confront authorities—not only law enforcement and governmental officials, but intellectual and moral authorities as well. It was a sense that the individual had moral standing, a feeling of personal freedom and dignity. I became aware of my refusal to defer as something I had taken from the political character of my society. Rebellion, and an awareness of the contrast between freedom and tyranny, was in our DNA. America seemed to keep up a “permanent revolution” for freedom.

The people in the post-Communist societies needed to be liberated both politically and psychologically. Respect for human rights, as I understood it experientially, would allow those people to enjoy freedom—not just the absence of coercion, but freedom as a shared sense of the value of the individual person. It would bring creativity into rigid bureaucratic institutions, and give more people a chance to fulfill their potential. Freedom and human rights would allow the people of Eastern Europe finally to take control of their own lives, their destinies, and their societies.

Whereas I had been able to enjoy freedom and human rights without having to define them, my Eastern European colleagues at the Institute for Human Sciences in Vienna had been denied human rights but were able to define what they lacked. The situation reminded me of Plato’s paradoxical observation, in the *Symposium*, that lovers love what they lack. I had enjoyed respect for my human rights, but they *loved* human rights, and they understood that the courage of independent thinking was essential. The Eastern European experts on the higher education committee made fun of “political correctness” in the West, comparing it to the suffocating ideological pressures of communism. The late Hungarian sociologist Elemér Hankiss, who at the time was trying to remove propaganda from the Hungarian state television network, joked that they had had “plenty of PC in the CP” (Communist Party).

Freedom enables us to learn moral lessons. My freedom, even as a child, had sometimes forced me to confront my own weaknesses and failures. Freedom could be bright and hopeful, or dark with uncertainty and fear. How I dealt with a multitude of choices and possibilities had revealed good things and also flaws in my character. Freedom permits individuals and societies to know the painful truth about themselves, and perhaps to change. Like a free

personality, American society reflected both the moral virtues and the faults of its citizens, and it allowed a fair fight between the good and the bad. My Eastern European colleagues had suffered fear, restriction and deprivation, but what they resented most about the nondemocratic, collectivist political system was how limits on freedom either prevented individuals from realizing their potential or inflated their possibilities. The state had manipulated the natural ecology of virtue based on individual merit and moral choice, and the framework of political values imposed from above had deformed the development of personal character.

In my mind, the opposite of the arrogant and corrupt collectivism that had ruined Russia and her captive nations was a society based on human rights. The transcendent principles of human rights would be like the Law for the Israelites as they gazed across the River Jordan at the Promised Land. It was not a promise of utopia, but a set of rules to guide individuals and societies toward success in moral terms, through free choice and deliberate action. Human rights would put the destiny of oppressed people in their own hands.

The Helsinki Human Rights Community

In 1993, I became the executive director of the International Helsinki Federation for Human Rights (IHF), and I have since worked closely alongside human rights advocates from throughout the former Soviet Union and Eastern Europe, in North Africa and the Middle East, and in a few other countries like Cuba, Japan, Iran, Pakistan and the Republic of Korea. The IHF, founded in 1982 on a model envisioned by the Soviet dissident physicist Andrei Sakharov, had won international acclaim for its work in supporting "Helsinki committees" and political prisoners behind the Iron Curtain, indirectly hastening its fall. On my first visit to the office in Vienna's 8th District, I met the IHF's three employees in a rundown, ninety-square-meter apartment leased by a former Czech dissident. In the following years, the IHF was able to build itself out with the project support of the European Union and other donors, and eventually grew to encompass NGOs from over forty countries. In 2007, it fell victim to a financial crime and was forced into bankruptcy after twenty-five years of existence. During my fourteen-year tenure, we dealt, *inter alia*, with the wars in Bosnia-Herzegovina, Croatia and Kosovo; with two wars in

Chechnya; with the rise of Vladimir Putin's repressive Russia; with the harsh dictatorship in Belarus; and with the struggles of local activists to monitor and promote human rights in the Caucasus and Central Asia.

The IHF was a bubble of clarity in the intensifying chaos of human rights politics sweeping the world in the early 1990s. As a diverse, international community of stubborn activists with a mandate to harmonize their approaches and projects, it was certainly not without its problems. Composed of local civil society organizations, and governed by them, the IHF was often pushed from independent human rights work toward partisan political engagement. A number of its associated human rights groups were really fronts for political parties using human rights to advance their objective of deposing or protecting those in power. Principled human rights defenders were forced into political postures by deteriorating conditions in their countries. Others represented particular ethnic interests and were not, in fact, committed to universal human rights. While the older groups in the IHF were clearly driven by principles, some newer ones were more political and attached themselves to human rights to gain legitimacy and funding.

The older human rights communities in Russia and Eastern Europe were largely composed of people who had made huge sacrifices for human rights, and were still doing so; self-interested dilettantes would never join them. Those Soviet-era human rights organizations were socially marginalized, often seen as irritants in the new democracies that did not expect scrutiny about human rights after the end of totalitarian rule. The activists in the dissident human rights organizations had obviously withstood strong pressures for publicly criticizing their governments and their contemporaries, and for defending victims. These people had little to lose except their principles—their most cherished possession, which they would not relinquish. Many faced physical danger. In the course of my work in human rights, six of my acquaintances, colleagues and friends have been murdered because of their human rights and political engagement, including one, a Chechen, gunned down on the street in Vienna.

What made the Helsinki Federation a unique family of human rights activists was its almost complete absence of doctrinal human rights dispute. Around the same period, formations like Amnesty International were ridden with internal, ideological arguments about expanding their mandates to focus more on economic and social rights, which had been given a strong boost by the international community and were also promoted by a number of powerful

philanthropies like the Ford Foundation. The IHF members were of a diverse range of political persuasions. There were former Communists and young neo-Marxists who sought to preserve what they felt were the humanistic ideals of socialism. We had hard-core classical liberals who thought governments were inherently obstacles to individual rights and civil society. We had European conservatives and leftists. One member was an anarchist. They were from vastly divergent class and economic backgrounds, including some millionaires along with many living in pathetic poverty.

All the same, I cannot recall a single debate about politics in the sense of questions about social justice, taxation, wealth redistribution, or the like; people kept their political views separate from their work in human rights. The reason the Helsinki Federation did not suffer polarizing ideological debates is because its members focused almost exclusively on civil and political rights—on matters of principle, not politics. There was no rule or policy against taking up economic or social issues, but no one was interested in doing so, and there were no debates about them. Most of the members of the IHF did not monitor or advocate for compliance with economic and social rights standards, although some took up such issues on occasion in order to gain the favor of constituents or to impress donors, including some U.S.-based foundations. But most of the colleagues, having lived under communism, considered economic and social rights to be an ideological fraud that had been used by the Communists to justify and obscure repression. It was remarkable, in view of the fact that people in post-Communist societies had seen their social benefits dramatically reduced; they were deprived of economic and social rights they had previously enjoyed, and impoverished by the “social costs” of the transition to democracy. But the IHF colleagues nevertheless saw the realization of individual, civil, political rights as the key challenge in their societies, and focused on issues like censorship, unfair elections, arbitrary arrests, unfair trials, interference in religious organizations and other civil society structures, and legal discrimination against members of minority groups. For the same reason that we avoided partisan, ideological issues, we found unity in our consensus about the centrality and the indispensability of civil and political rights.

We understood tacitly that discussion about the allocation of resources, and about group rights, was political; that politics and human rights were different, and should not be mixed. Economic and social rights were different from civil and political rights in form and in substance. Not only did

they reflect partisan positions, but they did not function in the same way as freedom rights. Human rights defenders should focus on the problem of freedom, not become social workers attending to the boundless needs of citizens. Unlike civil and political rights, economic and social rights took time to implement, and required bureaucracies and regulations. They were subject to a huge range of conditions, and to relative definitions and compromise. But human rights, according to their defenders in the IHF, could not be compromised. There were no excuses for violating them.

Real human rights problems could be remedied in straightforward actions, by changing repressive policies. Torture could be ended swiftly by government decrees and by well-publicized litigation and prosecution. Censorship could end in a very short time if governments and courts would stop censoring and intimidating citizens and stop prosecuting thought crimes. While organizing a free and fair election was a complex process, the main challenge was simple: keep politics out of it. The most important human rights issues were matters of urgency. Addressing them was not about finding compromises and gradually implementing long-term solutions, but about the clear-cut application of principle, by a government or a court, with measurable outcomes.

Human rights purism was respected at the IHF. One of the most intellectually astute members of the organization calmly explained during a meeting that there was no such thing as women's rights. This was understood as a statement of principle consistent with the idea of human rights applying equally to all human beings. I don't recall anyone recoiling in horror; everyone trusted the speaker's commitment to individual rights, including those of females. The IHF gave special attention to the members of vulnerable groups whose rights were often trampled, and thus drew attention to how the human rights of women needed to be protected in particular ways. The distinctions upheld by the human rights activists in the IHF showed that the most important human rights are the simplest to understand and to enforce, and those rights are relevant to all people everywhere.

The acceptance of rational rules that protect everyone's basic rights was understood to be the foundation of freedom in society, and the vision of freedom gave hope and life to human rights work. Freedom would allow citizens to build fair and just societies, if they had the strength and will to do so; it was the first and most important prerequisite. Freedom was possible, but it was not utopia. In accepting the legitimacy of civil society, one had to take the bad along with the good. Freedom was also not self-sustaining; it needed

to be actively maintained. Threats to freedom would have to be continually monitored, and this required an engaged, independent civil society.

Human rights, oriented toward freedom, was not an overly complex or technical issue. The call for human rights, while clearly not religious, evoked the spirit of prophets who cut through the obfuscations of rulers, demanding truth and fidelity to the law. Like monotheism, human rights made each of us subject to the discipline of transcendent rules, and equal before them. Among our clients were people whose political and moral views we abhorred, and we often had to put our own opinions in a box, segregated from our obligation to respect the human rights of all. The members of the human rights community were like orphans who had run away from their national identities and loyalties, and their own sensibilities, and had found a home in human rights. Uli Fischer, a former member of the German federal parliament and a leader in the IHF, said that human rights defenders needed to be more loyal to one another than to their own governments. The basic freedom rights, our moral roadmap, presented a clear and accessible surface, but like the deceptive simplicity of Old Testament stories, they had deep human implications underneath.

Moral Challenges to Human Rights

The moral equality of all human beings, and their capacity for reason and choice, is the basis of the universality of human rights. Nationalism and the pull of ethnic and religious identities and loyalties acted as a centrifugal force against the ethos and unity of the IHF, especially when ethnic war erupted in the Balkans and later when NATO bombed Serbia. The ethnic nationalism driving Serbian aggression and violence in Bosnia-Herzegovina, and also present among Croats, Bosniaks and Kosovars, was condemned by human rights communities, but the chauvinistic hostility and victimhood that Tito had forcefully held in check raised its ugly head even among them. Cultural relativism has always posed an intractable challenge to campaigns for universal human rights. Ever since international pressure began to be exerted to respect the Universal Declaration of Human Rights, various regimes have used cultural exceptionalism to argue for special approaches to human rights that exempt them from honoring its principles.

The ethnic nationalism that surfaced in Europe in the early 1990s, and has recently emerged yet again, brooked no notion of individual rights to

be respected in a pluralistic civil society. The nation loomed as the ultimate social fact and reality, and individuals had a meaningful existence only as parts of the whole. The unity of the nation had to be seamless and absolute, like that of an organism. History (generally infused with myths), language, customs, traditions, and attachment to clans and ancestral homes had compelling sentimental power, while individual human rights was dismissed as either a weak cosmopolitan illusion, a kind of sickness, or a trick used by foreigners to weaken and destroy the nation. Ethnic nationalism dehumanized outsiders and legitimized violence against them. It was predatory and heartless, seeking domination, lacking empathy for any who were not kin. Moving forward, it has energy and vitality in part because it is devoid of self-reflection or doubt. Indeed, it presents itself as an "unstoppable force of divine or historical inevitability."¹ While the Helsinki movement sought to limit the power of the state, ethnic nationalism was driven by the "will to power" glorified by Nietzsche.

The former Soviet Union, and especially Russia, was churning with ethnic nationalism that had been largely kept in check by the deep freeze of Soviet ideology. In late 1993, a few months after joining the IHF, I went to St. Petersburg to speak with civil society experts about the rise of the "Red-Brown" movement, a toxic brew of Russian nationalism and Soviet/Stalinist nostalgia, imbued with racist, fascist beliefs. The atmosphere of violence was palpable. NGO monitors and ethnic minorities were regularly being threatened by Russian chauvinists. Anti-Semitic literature was abundant on the streets. The Orthodox Church was emerging as a source of xenophobia and paranoia. Observing mass in several crowded churches, I felt that the priests conveyed a mood of fear and anguish, even aggression. In the dead of winter, the city was in a dreadful state, its people visibly destitute, its canals polluted with trash including the rusting bodies of wrecked automobiles. If Eastern Europe seemed Kafkaesque, this was like a Dostoevsky novel. In the chaos of the early 1990s, different forces were pulling Russians in many directions. The hatred of minorities and the authoritarianism of the violent, Slavophile Red-Browns posed a threat to international human rights standards, because it denied the very principles behind them.

During those years, the political mobilization of the Serbs under Slobodan Milosevic was based on the idea that different national groups should not cohabit in the same state.² It is an idea that might sound reasonable to those who are ignorant of the chauvinism and aggression at its heart. Virtually all societies are pluralistic, and ethnic partitions always threaten the rights of

minorities. A campaign of ethnic cleansing had started in multiethnic former Yugoslav republics. The IHF, still pursuing an understanding of the Red-Brown issue and its relation to the war against the independence of Chechnya, soon encountered its international dimensions.

In January 1995, a meeting was organized in Moscow to gather information about the Chechen situation. IHF members and associates from Serbia, Croatia and elsewhere in the Balkans took part, but others, from political circles, were invited by Russian officials, and it became clear that different agendas were in play. A number of Russian liberals spoke movingly about the brutal war against Chechen independence, expressing grief and a sense of responsibility. Among them was Sergei Grigoryants, one of Russia's most forceful and fearless internal critics. During the conference, his son Timofei was run down and killed on the street under suspicious circumstances; Grigoryants had recently received anonymous threats. But when the Serbian militant Vuk Draskovic appeared on the speakers' list, it became clear that the meeting had been hijacked by Russian nationalists.

Draskovic had organized a violent Serb paramilitary group operating in Croatia. In 1990, he had declared all Muslims to be genetically corrupt, and had said that even if half of all Serbs died defeating the Muslims in the Balkans, it would ensure the future for the other half.³ He spoke in a lilting Russian that charmed his hosts, posing as the true friend of Russia in the Balkans. He spoke mainly about the need for a "strong, democratic Russia" and a "strong, democratic Serbia." It was the voice of power and violence, shrouded in a smooth yet bullying logic of ethnic and national unity. The speech was seductive in its merciless simplicity; it embodied a kind of pre-modern, irrational force, free of ambiguity. Our Croatian colleague walked out. On the way back to Vienna, I overheard another conference participant, a Slovak official, telling a colleague that the conference had consisted of "a bunch of Jews trying to overthrow the Russian government."

These events of more than twenty years ago were precursors of large-scale violence that led to the deaths of hundreds of thousands of people, largely civilians, in Chechnya, in the Balkans and elsewhere. Today, strong nationalist movements are active in numerous European countries and find support from a significant number of Americans. These movements invoke "globalism" as a threat to national interests and to the nation's citizens. As liberal democracies flounder, China is in the grip of a nationalist regime with aspirations for global leadership. In this situation, we must ask ourselves some questions:

Can an idea of human rights gutted of its core meaning—the protection of individual freedom—be an antidote to the metastasis of ethnic nationalist and neofascist ideas? Can a concept of human rights that focuses on groups and differences offer a vision of universal brotherhood against ethnonationalist claims and the politics of groupthink, as well as repressive states? Can a concept of human rights that morally equates the protection of fundamental freedoms with trivial government services move our spirits to resist profound threats to our liberties?

I fear the answer to all these questions is no. Human rights, detached from their roots in natural law and natural rights, have been transformed from moral principles that affirm our freedom into beliefs about what people need from governments, beliefs that undermine the essential moral agency of the person and encourage dependency on governments and global bureaucracies. As a consequence, human rights have lost much of the moral authority embodied in their founding mandate: the urgent protection of individual freedom and the principled criticism of coercive states. What is most concerning is that human rights in their present ideological and legal form—human rights without freedom, and even against freedom—could provide a moral framework for the neofascism that is emerging as a dominant political force.

There are strong signs that this is already happening, as will be documented in the second half of this book. Authoritarian regimes are on the rise, putting the rights of the state above the individual, and repressing political, religious and ethnic minorities. These regimes pose far greater challenges to liberal democracy than those of the early 1990s. Increasingly, they are doing so under the banner of “human rights,” which has become an emblem of the *status quo ante* rather than a beacon of emancipation. At the same time, liberal democracies are restricting basic freedoms in the name of “human rights.” Even in liberal democracies, people are being fined or jailed for what they say or write, as a “politically correct” agenda of “tolerance” takes precedence over freedom of speech. The number of states that deprive their citizens of basic freedoms is climbing each year. Powerful authoritarian states and theocracies, essentially fascist and nationalist in orientation, openly vilify the notion of natural, universal human rights, and some are able to manipulate global politics through their economic power. We also face extremist movements whose barbarism is aimed at frightening free peoples into submission or accommodation. Islamic states, which do not accept the idea of individual human rights, often dominate processes in the United Nations. Independent civil

society monitoring organizations are essential to protecting human rights, but such groups are being thwarted or banned in many countries, and the local nongovernmental human rights community is under increasing pressure. The expected transition to human rights and democracy has stalled in most of the formerly Communist Soviet republics and has regressed in some of them.

What has changed in the confrontation between free and unfree states is that human rights, in the sense of respect for individual freedom, has ceased to be a criterion for distinctions between free societies and tyrannies, or a test of the moral legitimacy of governments. The Communist totalitarian states of the past were understood to violate human rights, and the ideal of human rights gave their citizens a clear alternative and goal. The dangers of collective economic and social rights and the association of those rights with dictatorships were clear. But that is no longer the case. The idea of human rights is being twisted into something that no longer inspires oppressed peoples with the call for individual freedom and universal moral equality. It is being co-opted as the moral justification for strong states to restrict freedom in return for security. Russia, China and the members of the Organization for Islamic Cooperation (OIC) are not on the defensive about human rights, but instead are reshaping it into a rationale for oppression. Even North Korea—where around 200,000 innocent people are confined in brutal concentration camps and where political prisoners are sometimes burned alive—now brags about honoring human rights and has been praised on that score.

Authoritarian and dictatorial nations are working together to establish a new vision of human rights centered on "security." In this vision, basic freedoms are seriously compromised or do not exist; critics are often labeled "terrorists." The state imposes social peace, and the prerogatives of the state are paramount. There is no positive dynamic pointing toward freedom for literally billions of people living in China, Russia, Belarus, Uzbekistan, Cuba, North Korea, Iran, Turkey, the Middle Eastern sultanates, and many other countries, including war-ridden, destitute African states. Dictatorships and authoritarian governments are feeling flush; a palpable mood of cynicism, indifference and appeasement hangs over human rights. It is liberal democracies, which generally take human rights principles and international legal obligations seriously, that are on the defensive. Yet their leaders and representatives no longer have the capacity, or the will, to defend the core human rights guaranteeing freedom.

The idea of human rights that emerged from the Enlightenment provided the foundation for freedom in liberal democracies—in states that put a pre-

mium on restraining their own power. These states formed the most peaceful, humane governments in history, governments under which free people have been able to fulfill their own potential, and contribute to the public good, in unprecedented measure. The revolutionary and emancipative idea of human rights has animated the growth of democracy around the world and inspired an international freedom movement to confront tyrants from the moral high ground of universal values.

But as the concept of human rights is ever more corrupted, the future of liberty and peace is increasingly in question. Neglecting or betraying the central meaning of human rights, the international community is drifting away from the obligation to protect freedom, and toward a notion of human rights that is compatible with the *denial* of freedom. Few experts or activists doubt that the current international human rights system is dysfunctional, but even fewer recognize that the failure to guard human rights and the weakness of our response to ideological challenges to human rights are consequences of a muddled way of *defining* human rights. If our concept of human rights is allowed to erode, the result will be the triumph of a collectivist doctrine that betrays the ideals of universal individual rights. The prevailing discourse and practice in human rights are enabling this to happen.

This book is a critique of the contemporary approach to human rights—of its unmooring from the natural rights tradition, and of the politicized focus on economic and social rights. International human rights has become a technocratic field, yet one that is polluted with leftist political clichés. It needs to be simplified and depoliticized, and it needs to be reanimated by its foundational beliefs and by an authentic call for freedom.

CONCLUSION

On the Future of International Human Rights

The debasement of human rights is one of the main reasons for the decline of the “liberal democratic world order.” It has exposed deep-seated illusions about the power of international law, and has brought longstanding doubts about its efficacy into sharper focus. It has revealed the difficulty of promoting individual freedom through inclusive international institutions. The international community has lost touch with the natural rights foundation for international human rights standards, while its members have imposed a system of positive international law whose politicized character discredits the idea of human rights. Today, despite the proliferation of international human rights law and intergovernmental human rights mechanisms, more and more people are denied their most basic human rights. Autocracies and dictatorships are gaining ground on the world scene: according to Freedom House, “2016 marked the 11th consecutive year of decline in global freedom.” In fewer than half of the world’s states do men and women live in freedom.¹

Unfree states have solidified power over their citizens, abetted by the United Nations human rights system, where the logic of human rights is used to justify repression. And those captive citizens have been deceived into looking toward the “international community” for solutions to their problems, and into believing that “dialogue” and prolonged “transitions to democracy”

will bring true political freedom. They have been pacified by the illusion of a functioning international system of justice, and often blame their plight on neglect by other nations. Their hopes have been misdirected to an international system that promotes peace and stability—indeed, the status quo—over freedom. Drawing the focus of human rights activity toward economic and social rights has hampered mobilization against paternalistic and repressive regimes that restrict moral choice and freedom. It gives cover to political agitation for more intrusive government, and for movements promising solutions to social problems that in fact violate true human rights. It legitimizes calls for restricting freedom in order to promote various interpretations of “social justice.” It inspires reactionary populist movements that violate basic principles of human rights and the rule of law when they come to power.

Civil society campaigns in the free world are likewise beguiled into seeing international institutions as the optimal platforms for their advocacy. Establishing intergovernmental institutions and “high level” positions offers the illusion of doing something about intractable human rights problems, but it essentially kicks those problems upstairs, into a region of largely symbolic activity shared by a narrow range of actors far removed from the struggles of women and men living under repression. International human rights institutions have no effective power over repressive regimes. But the civil society human rights community has developed an obsession with the authority and prestige of the international political world and its institutions. Members of that community often pour their energies into mechanisms and processes with negligible concrete impact.²

At the same time, the idea of the human right to freedom, what Kant called the original right, has lost its magic. Among younger generations in liberal democracies, large percentages attach little value to individual freedom and evince no visceral rejection of totalitarian ideas. According to research conducted by the Victims of Communism Memorial Foundation, 58 percent of “millennials” claimed to prefer socialist, communist or fascist forms of government to capitalism and democracy. The same survey found a serious lack of understanding of how authoritarian political systems actually function and scant knowledge about the extent of the crimes against humanity that have been committed in their name.³ Young Americans are also deeply ambivalent about their country’s most fundamental constitutional human rights protections. According to a survey by the Brookings Institution in 2017, about half do not believe that “hate speech” is protected by law, and think it

legitimate to violently shut down speech with which they disagree. Among those identifying as members of the Democratic Party, fully 62 percent hold the latter view. A majority favor rules on university campuses "prohibiting certain speech or expression of viewpoints that are offensive or biased against certain groups of people."⁴ Influential public opinion leaders have fallen for what Jean-François Revel termed the "totalitarian temptation," and openly wish for strong and unaccountable state power that could implement changes they favor.⁵

These are but a few examples of how far contemporary society has drifted from a principled respect for natural rights. In this book, I have tried to show how contradictions in our concept of human rights reflect a betrayal of some central principles of our moral and political tradition. This in turn pulls back the curtain on a broad deviation from a path that offered magnificent possibilities following the Enlightenment. A detachment from the ideal of natural rights, whether by an ideological assault or by neglect, is a recipe for the use of raw power to achieve the objectives of the state, unimpeded by the obstacle of "archaic" philosophies and standards. It calls to mind the advice that Niccolò Machiavelli offered in Chapter XV of *The Prince*, recommending that rulers meet political challenges with methods unconstrained by "imaginary" moral principles. Machiavelli wrote that he wanted to deal with the world as it was, not as it should be; he aimed to provide a "useful" guide to political action, one based on "the effectual truth of the thing." Thus the moral rules set forth in scripture and classical philosophy had to be bypassed in order to get things done in politics. Similarly, progressives declared the "old doctrines" to be "inadequate"; the "transpolitical" standard derived from the nature of man was deemed defective. The ancient philosophy set goals that were impossible to fulfill, being utopian and dependent on "imaginary standards."⁶

In the postmodern world, the standards of natural rights have been subordinated to political goals, and this debasement of human rights has impaired their capacity to secure and protect the basic freedoms vital to human fulfillment. The human rights community seeks to dismiss the "ancient philosophy" of Enlightenment universalism. It aims to universalize particular political preferences, while undermining the idea of universal natural rights because it sprang from a specific political tradition. This turns things on their head. What is ordinary and conventional is promoted as transcendent, with a hollow reverence. No moral or substantive difference is recognized between natural law and positive law, between fundamental, universal laws and conventional

laws. International human rights law has lost the sense of representing a transcendent standard for nations.

The Disenchantment of Human Rights

Human rights has also become rationalized and routinized, to use concepts from the sociology of Max Weber. International human rights has become a bureaucracy, burdened by an obsession with process and procedure. Under the influence of economic and social rights, it has largely been reduced to small, technical questions. Weber saw modern industrial society moving toward "mechanized petrification," being dominated by "specialists without spirit, sensualists without heart."⁷ Human rights defenders have turned into technocrats. Passion for freedom has been drained from their language. Yet contemporary human rights leaders promoting expanded intergovernmental human rights bureaucracies exhibit a deep complacency; in Weber's words, "this nullity imagines that it has attained a level of civilization never before achieved."⁸

In the Fifth Thesis of the "Idea of a Universal History with a Cosmopolitan Intent," Kant had seen the "achievement of a universal civil society which administers law among men" as the goal of human progress. Originally inspired by Kant's vision of rational progress toward freedom and individual rights, Weber later warned that the modern world was becoming an "iron cage" because of the progressive rationalization of social life, leading to a spiritually empty state of disenchantment; it would be a "polar night of icy darkness."⁹ Weber rejected the "rational kingdom of ends" advocated by Kant. The hubristic crusade to remove risk, to ensure equality of result, to engineer the "conditions for freedom" with global economic and social rights regulation is without doubt the very perversion of Enlightenment rationalism about which Max Weber despaired.

The disenchantment of human rights has led to a disenchantment *with* human rights. The problem is becoming clear, especially in the Anglo-Saxon realm of political culture, but solutions are not. Conservatives in particular have been thoroughly alienated from human rights, but have no alternative plan for protecting freedom. Over a decade ago, the British Conservative leader Michael Howard blamed his country's Human Rights Act of 1998 for "the avalanche of political correctness, costly litigation, feeble justice, and

culture of compensation running riot in Britain today." The act was intended to incorporate the substance of the European Convention on Human Rights into UK law, but the long dispute over how to implement the convention revealed a widespread conservative estrangement from the understanding of human rights that prevails in international institutions. Michael Gove, as justice secretary, complained that "human rights culture... supplants common sense and common law, and erodes individual dignity by encouraging citizens to see themselves as supplicants and victims to be pensioned by the state." Lord Judge, Britain's former chief justice, warned that the European Court of Human Rights disregards democratic processes because it supplants the "sovereignty of Parliament" with rulings by unelected judges.¹⁰

The absurdity of the new human rights is a dirty little secret, yet a problem too big to address. A leading Liberal member of the European Parliament told me that human rights made sense only if defined and interpreted narrowly, but that idea isn't to be heard in public political discourse. Another member agreed, but warned that the issue was "controversial." In 2017, a proposal was made for a European Parliament workshop to discuss how expansion of the concept of human rights affected efforts to protect human rights, but the idea met stiff opposition.

In the United States, conservatives have blocked the ratification of most major international human rights legislation, not because they are against human rights, but because they reject what they view as the ideological content of treaties, and the potential infringement on national sovereignty and on the individual freedoms of U.S. citizens. American discontent with the human rights agenda at the United Nations has led to calls for withdrawing from human rights institutions and for defunding the UN itself.

International law in general, and international human rights law in particular, may have reached a point of unraveling, as widespread reaction to the prospect of global governance rides on a tide of populism and calls for a renewal of national sovereignty. These movements are not demanding respect for individual rights, but are resisting global or regional social engineering. The fragile remains of natural rights and respect for individual freedom are in danger of being swept away under one or another form of authoritarian collectivism. We have encouraged this retreat from international human rights standards by allowing politicized and overreaching global regulations to become untenable. International human rights law and institutions have come to be associated with social engineering, global centralization, and even

global governance. The idea of human rights today carries connotations of moral condescension by a left-wing elite that promotes ideological multiculturalism while scorning national cultural identities. Moreover, most discourse about human rights today consists in complaints about "neoliberalism" and charges that the slide into leftist global politics has not gone far enough. According to Costas Douzinas, "Human rights claims and struggles bring to the surface the exclusion, domination and exploitation and the inescapable strife that permeates social and political life," while the international human rights system keeps a lid on the class struggle by "framing it in terms of legal and individual remedies."¹¹

Hubris has dragged international human rights law and institutions in political directions, and consequently, political division is weakening the commitment to human rights in Western societies. What János Kis called the "indisputable core of human rights" is not a matter of ideology. When restricted to narrow, clear, justiciable principles, human rights provide common ground for people of all political stripes who believe in the protection of individual freedoms on principle, and when these freedoms are guarded, societies can solve their problems through democratic means. But human rights become the focus of political disputes when expansive interpretations drag in questions of social policy better left to legislatures, and when proponents of global governance and social transformation schemes try to use human rights law to achieve them.

A backlash against human rights hubris is thus eroding commitment to the very idea of an international human rights system among heirs to the classical liberal tradition that gave birth to the concept. International human rights are predicated on relinquishing an element of sovereignty in adopting universal standards. But political parties and leaders deeply skeptical of international law are gaining power, and when more states are governed by nationalist parties concerned first to defend sovereignty, international institutions will decline. What, then, can be the future for human rights? Will we "throw the baby out with the bathwater"? Will the excesses of economic and social rights bring down respect for freedom rights as well?

An international regime that promotes and protects natural rights would indeed allow politically neutral observers to expose the failings of oppressive governments, but it would not dictate their political choices, nor would it provide a rationale for abusing their citizens. An international regime that supports economic and social rights, on the other hand, threatens the sovereignty

of citizens in a democracy more than it does the power of states. Despite their revolutionary pedigree, economic and social rights have proved to be engines of the status quo, while natural rights provide a path toward liberation and rational principles for reform.

The current trend toward reasserting nationalism and national sovereignty will bring the question of human rights back home, to the realm of constitutional law, and this can be either good or bad for natural rights. It has the potential to ground natural rights more securely in national institutions and in the consciousness and allegiances of citizens. But nationalism can also subsume the individual into a state conceived as an organic reality, a state built on denying that "the individual is governed by a rule of conduct superior to the arbitrary decrees of the earthly authority."¹² Nationalist approaches to human rights will likely take the form seen under Vladimir Putin, or the Chinese Communists, or many other authoritarian states: Each nation has its own notion of human rights, with no concept of universal natural rights discernable by reason. Ethnic and nationalist chauvinism is thus a threat to human rights both within states and at the international level.

A Future for Human Rights: "We must think!"

Respect for natural rights is threatened on multiple fronts: by the corrosive force of utopianism and hubris in Western democracies; by the resurgence of nationalist statism and totalitarian Islamism; by leftist intellectual critiques that hold liberal internationalism to be a mask for neoliberal exploitation and oppression of national communities. International human rights institutions are deeply infected by antiliberal forces. If there is to be an international program to protect natural rights in the future, it will likely emerge as a loose coalition of free states that work together to assist freedom movements around the world, while evaluating the legitimacy of governments according to common standards.

Hersch Lauterpacht, in looking over the history of the idea of natural law, saw revivals of respect for the concept in periods of rising nationalism, when fears about the dangers of state power became acute. A renewed respect for natural rights will need to be rooted in the civil societies of national states, and nurtured in educational and philanthropic institutions. Civil society organizations devoted to promoting natural rights need to be fostered. Human rights

groups devoted to civil and political rights must be given means of support outside of the mainstream foundations and intergovernmental institutions. Human rights must be understood in philosophical terms, not through "methodological positivism." Respect for individual human rights needs to be firmly rooted in the beliefs and actions of individuals who, like the Soviet human rights dissidents, establish the existence of freedom by their own acts.

There is still a need for inclusive global institutions to provide a platform for discussing challenges to security, for promoting health and environmental protection, and for addressing many other problems that require international cooperation for their solution. But we who uphold the principle of natural rights must come to terms with the fact that the human rights institutions of the United Nations have been victims of a hostile takeover, where levels of hypocrisy have become toxic. The citizens of the world cannot rely on a Human Rights Council composed of members that deny women equal rights; that are controlled by religious extremists and impose the death penalty on those who change their religion; that are autocratic and even totalitarian. Such an institution will not and cannot protect individual rights and freedoms. Perhaps even worse, it is a threat to the very idea of human rights.

States committed to natural rights could stay in those institutions, but if they do, they must articulate and fight for their ideas. Even if we believe those institutions have no future, we can use them to make the case for human rights that is not being made now. It will be expressed not in a toothless international legal regime, but rather in a moral consensus among free peoples to protect their own rights and to express solidarity in concrete ways with the citizens of oppressive states that deny them political freedom. A human rights policy of this form would not rely on multilateral consensus, but would pursue bilateral means to pressure abusive governments and help captive peoples. Citizens of a democratic state that understands and treasures natural rights will likely not be indifferent to the situation of those in other lands who do not enjoy those rights. In the idea of natural rights we find the true foundation of the universality of human rights and the moral obligations it imposes.

The hijacking of human rights as a concept was made possible by a political assault on the idea of freedom, an assault led by condescending leftists seeking greater state power and disrespecting the moral agency of the individual. If we are serious about protecting the idea and the practice of human rights, we must go back to the roots of human rights, declaring that we are not speak-

ing of regulating the fast food industry, the technology available in homes for the elderly, rent control, gender quotas, or reducing carbon emissions. We are speaking about the difference between freedom and coercion, and we are arguing for freedom. If American colonists were ready to die for their natural rights, if Soviet dissidents had the courage to freeze in Gulag camps to uphold their principles, if Chinese students were ready to face slaughter on Tiananmen Square in resistance to totalitarianism, then we must be ready to think deeply about what they sacrificed for, and be prepared to defend it.

The second American president, John Adams, as a young lawyer and revolutionary and an avid student of classical philosophy, declared to his fellow colonists that in order to establish freedom in America, "We must *think!*"¹³ Now, as then, citizens everywhere must think about the meaning of human rights if we truly wish to protect and preserve them. Human rights institutions will not be reformed from the top down; the corrupt international superstructure of human rights must be allowed to wither away. A new human rights community must be formed, a community devoted to human rights universalism but skeptical of global governance. It must draw its members from among those concerned to defend individual freedom, from among those who have given up on human rights and need to be convinced that freedom requires human rights. The tectonic shifts underway as this book is being completed seem like grave threats to international human rights, and indeed we are in a period of "deconstruction." But as is often the case, decline and failure open up new possibilities. As international human rights is sailing into a moral vacuum, there is room to revive a human rights understanding based on natural rights. In the debasement of human rights lies a challenge and an opportunity.

THE WHIG
INTERPRETATION
OF HISTORY

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can be proved to have been wrong by the mere lapse of time.

It may happen that the last word of the historian, pondering upon the results of his study, may be some comment on a principle of progress that lies below everything else in the processes of time, or may be some estimate of the contribution which the whig party has made to our development, or may be an appreciation of the religious genius of Martin Luther. But this is not by any means to be confused with the whig method of selecting facts and organising the story upon a principle that begs all questions. And the conclusions will be very different from those which are arrived at when all problems are solved by the whig historian's rule of thumb. The conclusions will be richer by reason of the very distance that has had to be travelled in order to attain them.

VI. MORAL JUDGMENTS IN HISTORY

It is the natural result of the whig historian's habits of mind and his attitude to history – though it is not a necessary consequence of his actual method – that he should be interested in the promulgation of moral judgments and should count this as an important part of his office. His preoccupation is not difficult to understand when it is remembered that he regards himself as something more than the enquirer. By the very finality and absoluteness with which he has endowed the present he has heightened his own position. For him the voice of posterity is the voice of God and the historian is the voice of posterity. And it is typical of him that he tends to regard himself as the judge when by his methods and his equipment he is fitted only to be the detective. His concern with the sphere of morality forms in fact, the extreme point in his desire to make judgments of value, and to count them as the verdict of history. By a curious example of

the transference of ideas he, like many other people, has come to confuse the importance which courts of legal justice must hold, and the finality they must have for practical reasons in society, with the most useless and unproductive of all forms of reflection – the dispensing of moral judgments upon people or upon actions in retrospect.

And it is interesting to see that the same mind and temper which induced the first act of self-aggrandisement, tend quickly to lead to another one, which is unobtrusive, indefinite, unavowed. The assertiveness which in the first place claimed the prerogatives of eternal justice, now proceeds by a similar logic to a more subtle form of encroachment; for the whig historians have shown a propensity to heighten the colouring of their historical narrations by laying hold on some difference of opinion or some conflict of policies and claiming this as a moral issue. And indeed it is a propensity which requires great self-discipline in any of us to resist. It must be remembered that there are some things in the past which the whig is very anxious to condemn, and some of his views have a way of

turning themselves into something like a moral code. There is at least a chance that the real burden of his indignation may fall on things which are anathema only to the whigs. It is not an accident that he has shown a disinclination to see moral judgments removed from history.

It might be true to say that in Lord Acton, the whig historian reached his highest consciousness; and it is true, and at the same time it is not a mere coincidence, that in his writings moral judgments appeared in their most trenchant and uncompromising form, while in his whole estimate of the subject the moral function of history was most greatly magnified. One may gather from his statements in this connection that he regarded this side of his thought as the consequence of his Catholicism; but one may question his self-analysis at this point, for it is difficult to see that either the actual content of his moral code (as it can be inferred from what might be called his judicial decisions), or the particular way in which he applied his principles to any case that was under consideration, could be regarded as representing a system that was

specifically Catholic or Christian. It is not malicious to suggest that they should be put down rather to his bias as a whig historian. When, in defence of his position, he made the remark that 'Power tends to corrupt and absolute power corrupts absolutely,' he may have been stating the wisest of truths, but we can suspect that it was a truth more dear to the heart of the liberal than there was in him than to the mind of the Roman Catholic; and though the thesis is one which might serve to excuse and explain as much as to condemn a historical personage, it is put forward with a hostile innuendo, it is given as the reason why no allowance is to be made for men in high places. Acton refers with implied approval to a view of history which his theories really elaborate, and he describes this view as follows: 'It deems the canonisation of the historic past more perilous than ignorance or denial, because it would perpetuate the reign of sin and acknowledge the sovereignty of wrong.' It is curious, though it is not incomprehensible, that a professor should find it necessary to warn young historians against an excess of sympathy or appreciation for the

historic past; but what is more interesting is the thorough whig bias that is obvious though latent in the remark. Most illuminating of all would be to pursue if it were possible the connotations in the mind of the whig historian of the words, 'the reign of sin . . . the sovereignty of wrong,' particularly as they are flavoured by their reference to 'the canonisation of the past.' Finally, in this, as in many more of Acton's theses, we find some sign of what is a common feature of whig historians; there is the hint that for all this desire to pass moral judgments on various things in the past, it is really something in the present that the historian is most anxious about. Another statement of Acton's is interesting and is perhaps very acute; it is to the effect that much more evil is due to conscious sin and much less to unconscious error than most of us are usually aware; though whatever its value may be it can scarcely be regarded as a lesson of history, for it is an extreme example of the kind of truth that can only be reached by self-analysis. Coupled with another statement it becomes extremely dangerous; for Acton in his Inaugural Lecture gives reasons why it is

better that the sin should be presumed than that we should search too far for other explanations. 'There is a popular saying of Madame de Staël,' he writes, 'that we forgive whatever we really understand. The paradox has been judiciously pruned by her descendant, the Duc de Broglie, in the words: "Beware of too much explaining, lest we end by too much excusing."' Once again a whig theory of history has the practical effect of curtailing the effort of historical understanding. An undefined region is left to the subjective decision of the historian, in which he shall choose not to explain, but shall merely declare that there is sin. One can only feel that if a historian holds such a combination of theories, there must have been something in the past or the present which he very badly wanted to condemn. In fact, there is too much zest in the remark: 'Suffer no man and no cause to escape the undying penalty which history has the power to inflict on wrong.' The whig historian, like Aquinas – if indeed it was Aquinas – may find perhaps too great comfort in the contemplation of some form of torment for the damned.

But it would be unjust to Lord Acton to overlook the fact that behind his views on moral judgments there lies a more fundamental thesis. Acton held a very attractive theory concerning the moral function of history. It is perhaps the highest possible form of the whig tendency to exalt historical study. To Bishop Creighton Acton wrote that when the historian makes a compromise on the question of moral principles, history ceases to be an 'arbiter of controversy, the upholder of that moral standard which the powers of earth and religion itself tend constantly to depress.' When history tampers with the moral code, 'it serves where it ought to reign.' It is an attractive exaltation of history, which gives it the power to bind and loosen, to be the arbiter of controversy, to reign and not to serve; but one may believe that it is a theory which takes too short a cut to the absolute. It is history encroaching like the Hegelian state, till it becomes all-comprehensive, and stands as the finality in a moral world; taking custody of that moral standard which 'religion itself tends constantly to depress.' It is history raised into something like the mind of God,

making ultimate judgments upon the things which are happening in time. Here is the true Pope, that will not be *servus servorum Dei*; here is the only absolutism that the whig is disposed to defend; here is divine right and non-resistance, for (if a word can be allowed in malice) is not history on the side of the whigs? It is not easy to resist the temptation to personify and idealise history, and there is no doubt that this species of romancing has its effect upon the posture of the historian. In its practical consequences it means the exaltation of the opinions of the historian. It reaches its highest point in the conception of history as the arbiter, history as the seat of judgment, particularly on moral issues. Lord Acton carried it to the extremity of its logical conclusion. 'It is the office of historical science to maintain morality as the sole impartial criterion of men and things.' 'To develop and perfect and arm conscience is the great achievement of history.'

Acton, however, did not exactly set out to defend the moral function of the historian against the unbeliever. He was concerned rather with the manner in which this function

should be construed and the seriousness with which this duty should be carried out. He was attacking the historian who, while taking for granted that moral judgments were part of his province, used his prerogatives to make easy exonerations and dealt loosely with the moral code. Much of his doctrine is a valid protest against the slipshod nature of the excuses that can be adduced by the historian, particularly when these excuses are mechanically applied to any given case. And he raises the serious question how far a historian's explanations – such as the reference to a man's upbringing or to 'the spirit of the age' – can really exonerate an offender, for example, a Pope in the fifteenth century of the Christian era. When all historical explanations of character and conduct have been exhausted, it must be remembered that the real moral question is still waiting to be solved; and what can the historian do about the secret recesses of the personality where a man's final moral responsibility resides? Acton sees the problem, but he merely says that in cases of doubt we should incline to severity. This is the meaning of his statement that more evil is due

to conscious sin, and less is due to unconscious error than many people are aware. And this is why he can say 'Beware of too much explaining lest we end by too much excusing.' Granted that the historian has raised the moral question at all, and has accepted the assumptions which the very raising of the question must imply, he must not then slide down from this lofty moral sphere and fall back into the terms of his own historical world, thereby easing off into a different set of assumptions altogether. And in particular when he has given what is really only the historical explanation of character or conduct, he must not imagine that by this he has done anything to explain moral responsibility away. Acton puts his finger on the very centre of the problem of moral judgments in history; he is unsatisfactory because he cannot answer it; at the crucial point he can merely tell us to incline to severity. His attitude on this special question, therefore, really involves as a fundamental thesis: 'Better be unjust to dead men than give currency to loose ideas on questions of morals.' It is in fact the *reductio ad absurdum* of moral judgments in history. Acton, by

focusing attention upon the real problem of these moral judgments, came very near to providing us with the argument against having them at all. Our only refuge against the impossible dilemma and the impossible ideal which his theories present to us, lies in the frank recognition of the fact that there are limits to what history and the historian can do. For the very thing with which they are concerned is the historical explanation of character and conduct, and if we distrust or discourage this kind of explanation, as even Acton seemed inclined to do, we are running perilously near to the thesis: 'Better be unhistorical than do anything that may lower the moral dignity of history.' The truth is that this historical explaining does not condemn; neither does it excuse; it does not even touch the realm in which words like these have meaning or relevance; it is compounded of observations made upon the events of the concrete world; it is neither more nor less than the process of seeing things in their context. True, it is not for the historian to exonerate; but neither is it for him to condemn. It greatly clears his mind if he can forgive all sins without denying

that there are sins to forgive; but remembering that the problem of their sinfulness is not really a historical problem at all. And though it is certainly not in his competence to declare that moral responsibility does not exist, we may say that this responsibility lies altogether outside the particular world where the historian does historical thinking. He is faced with insuperable difficulties if he tries to stand with one foot in a world that is not his own.

Granting – what is less easy than might appear – an agreement on points of morality, it is a subtle matter to find the incidence of these upon any particular case. And it must be remembered that moral judgments are by their very nature absolute; in the sense that it is pointless to make them unless one can claim definitely to be right. It may be easy for the moralist of the twentieth century to discuss the ethics of persecution, to say perhaps that religious persecution would be wrong to-day, perhaps that it was wrong in all the ages. It may be easy to judge the thing, to condemn the act, but how shall the historian pass to the condemnation of people, and apply his standards to the judgment of a special incident at

any particular moment? Shall he say that in the 16th century all men are absolved, because the age took persecution for granted and counted it a duty; or shall he condemn men for not being sufficiently original in their thoughts to rise above the rules and standards of their own day? Shall he condemn Mary Tudor as a persecutor and praise Catherine de' Medici for seeking toleration, or is it more true to say that Mary was fervent and consistent in her Catholicism, while Catherine was more worldly and indifferent? The historian's function is in the first place to describe the persecutions for which the English queen was responsible, and to narrate the attempts of the French queen to secure toleration; but because he has the art of sifting sources and weighing evidence, this does not mean that he has the subtlety to decide the incidence of moral blame or praise. He is the less a historian certainly if by any moral judgment he puts a stop to his imaginative endeavour, and if through moral indignation he cuts short the effort of historical understanding. Faced with the poisonings of which Alexander VI is accused, it is for the historian to be merely

interested, merely curious to know how such things came to happen. It is his duty to show why Mary persecuted and why Catherine did not wish to, until it seems natural to us that the one should have done the one thing while the other acted differently. Perhaps in proportion as he sets out to show why a certain event took place and how a certain deed came to be done, he actually disarms our moral judgment, and makes an end of the very impulse to moral indignation. By setting himself the task of explaining how Mary Tudor came to be what she was, he makes moral judgments for the time being utterly irrelevant. The truth is that the historian, whose art is a descriptive one, does not move in this world of moral ideas. His materials and his processes, and all his apparatus exist to enable him to show how a given event came to take place. Who is he to jump out of his true office and merely announce to us that it ought never to have happened at all?

The complications to which the exercise of moral judgment may lead us are illustrated in the case of Napoleon Bonaparte. Napoleon claimed that by his genius and by his destiny

he was cut off from the moral world. He considered himself an exception to the usual rules concerning right and wrong, and seems to have been conscious that he was a strange creature fallen among the habitations of men, a completely a-moral person working with the indifference of a blind force in nature – something like an avalanche that had crashed upon the world. It is true that he was not indifferent to morality in other people. It was almost his vocation to restore a moral order that had collapsed in the Revolution, to discipline society again, and to bring back the decencies of life. But this was consistent with his claim to be outside the moral order, because he considered that he himself was so to speak the moral end, as the Hegelian state claims to be. He believed that it was in serving him that other men attained their own good. All that he did in his own interests he could count as done for the glory of France. All that endangered his position was a menace to the state. His situation and his power combined with his instinct to make him avowedly the a-moral man.

When a person has so completely stated his

own outlawry from the moral order, it is tautology for a historian to do anything but describe his own view of himself. It is either redundant or it is extremely subtle to discuss the morality of a man who does not admit the moral order, or regards himself as an exception to its laws. And when a man has so completely stated his whole position, it is not very useful to go on to discuss whether any particular deed of his must be considered immoral. If he claims to be outside morality, it is much more relevant to study his errors; for when a man says that he himself is the state it is essential that he should not make mistakes. If the execution of the Duc d'Enghien was necessary for the maintenance of Napoleon's government, one might argue that it was necessary for the stability and the peace of France; and in this case it raises the tangled question of what one may do to ensure the safety of the state. But, if Napoleon were mistaken, and if the execution was not necessary for that purpose, then the error itself was immorality, and it is not mere callous indifference to say that the mistake was worse than a crime.

But moral judgments are useless unless they can be taken to imply a comparison of one man with another. Otherwise, the historian would have to fall flat with the commonplace that all men are sinners sometimes. At the same time it is impossible to make comparisons of this kind unless we compare also the situation in which men find themselves – the urgency of their position, the purposes for which they were working, the demands which they were willing to make upon themselves at the time when they made their claims on others. It is difficult again to judge a man like Napoleon, who stood so to speak in the free air and had the power to do what he liked. No government controlled his actions; no law or police kept him within the rails; no institutions set the limiting conditions for his moral behaviour; no fear of social disapproval held him back. All the forces which curb the selfishness of all of us, and the circumstances which even limit our desires, were so to speak beneath his hand, and left him free and unconditioned. It is impossible for us even to imagine a man whose situation and power leave him free to choose his conduct and let loose desire – free to do

with other men as he pleases. We do not know that the Prussian king would have been more moderate in his ambitions if he had had the power to carry them out and the chance ever to make free play with his mind. And we do not know that we, who because of our circumstances, have small desires and a thousand automatic repressions of desire, would have been more respectable than he in our lives, if we had been in a position to range over the whole universe of desire. We know, indeed, that this man, whose mind was in some ways so unbridled, did not live without performing upon himself what were marvels of self-discipline. This is not a defence of Napoleon, who knew that his career was a scourge to the whole continent. And these things do not eliminate the moral responsibility upon which Lord Acton set such store. But they do show that Napoleon is not to the historian the object of a simple and absolute moral judgment. They make it necessary for us to translate the whole question into terms with which the historian is competent to deal. We are in the world that is the historian's own if we say that the character of

Napoleon is to him the subject of a piece of description.

It is not his function to tease himself with questions concerning the place where moral responsibility resides; concerning the extent to which ends justify means and good causes cover wicked actions; or concerning the degree to which a man may go in Machiavellianism to save perhaps the very existence of a state. But he can give evidence that Napoleon lied, that Alexander VI poisoned people and that Mary Tudor persecuted; and to say that one man was a coward, or another man a fanatic, or a certain person was an habitual drunkard may be as valid as any other historical generalisation. The description of a man's characteristics, the analysis of a mind and a personality are, subject to obvious limits, part of the whole realm of historical interpretation; for it is the assumption of historical study that by sympathy and insight and imagination we can go at least some way towards the understanding of people other than ourselves and times other than our own. Further, the historian may concern himself with the problem which seems to have troubled Lord Acton:

the effect which the promulgation of slipshod ideas on moral questions may have had at any time upon human conduct. The historian is on his own ground again when he enquires into the consequences at certain periods in the past of various forms of the doctrine that the end justifies the means; or when he shows the historical importance of various ethical theories that concern the state. When Acton asserts that there has been little 'progress in ethics . . . between St. John and the Victorian era,' he may be right or wrong, but he is making what we might call a historical statement. Ethical questions concern the historian in so far as they are part of the world which he has to describe; ethical principles and ideals concern him only in the effect they have had on human beings; in other words, he deals with morality in so far as it is a part of history. If morality is the product of history, the historian may be called upon to describe its development. If it is an absolute system, equally binding on all places at all times, then it does not concern him, for his apparatus only allows him to examine the changes of things which change. But even in this case, it is only the form of the question

which is required to be re-stated; he will be driven now to watch the story of men's growing consciousness of the moral order, or their gradual discovery of it. Morality, even though it be absolute, is not absolute to him.

Taking the broad history of centuries, it is possible to watch the evolution of constitutional government and religious liberty, and one may see this evolution as the co-operative achievement of all humanity, whig and tory assisting in spite of themselves, Protestant and Catholic both necessary to the process, the principles of order and liberty making perpetual interaction, and, on both sides of the great controversies, men fighting one another who were considered good in their day, and who, to the historian, are at any rate 'irreproachable in their private lives.' But if the historian is prepared to discriminate between the purposes for which well-meaning men fought one another, and if he is prepared to see the issue as a moral issue and make it a matter for an absolute judgment, if he insists that it is his business to treat his subject in a realm of moral ideas, he will certainly find a shorter cut to whatever purpose he is working

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for, and his history will be written in stronger lines, for it will be a form of the whig overdramatisation. He may then hold liberty and constitutional government as issues in the perennial clash of the principles of good and evil. He may make ancient quarrels his own and set humanity for ever asunder, and, judging the past by the present, keep all generations for ever apart. And it has happened that he has been able to admit that there were good men on both sides of the great conflict, but to do it without making the least sacrifice of what must be regarded as the luxury and pleasing sensuousness of moral indignation. Behind everything, and notwithstanding something like a cosmic scheme of good and evil in conflict, the whig historian has found it possible to reserve for himself one last curious piece of subtlety. He can choose even to forgive the private life of Fox and save his moral condemnation for 'the repressive policy of Pitt.' For of Lord Acton himself we are informed that 'he had little desire to pry into the private morality of kings and politicians'; and it was Acton who told historians that they must 'suspect power more

than vice.' The whig seems to prefer to take his moral stand upon what he calls the larger questions of public policy. So upon the whig interpretation of history we have imposed the peculiar historian's ethics, by which we can overlook the fact that a king is a spendthrift and a rake, but cannot contain our moral passions if a king has too exalted a view of his own office. Burke's dictum, which Acton endorses, that 'the principles of true politics are those of morality enlarged,' may contain a world of truth, but it can be dangerous in the hands of the historian. And not the least of its dangers lies in the fact that it can be so easily inverted.

The historian presents us with the picture of the world as it is in history. He describes to us the whole process that underlies the changes of things which change. He offers this as his explanation, his peculiar contribution to our knowledge of ourselves and of human affairs. It represents his special mode of thought, which has laws of its own and is limited by his apparatus. If he postures good against evil, if he talks of 'the reign of sin, the sovereignty of wrong,' he sets all the

angles of his picture differently, for he sets them by measurements which really come from another sphere. If he deals in moral judgments at all he is trying to take upon himself a new dimension, and he is leaving that realm of historical explanation, which is the only one he can call his own. So we must say of him that it is his duty to show how men came to differ, rather than to tell a story which is meant to reveal who is in the right. It must be remembered that, by merely enquiring and explaining, he is increasing human understanding, extending it to all the ages, and binding the world into one. And in this, rather than in the work of 'perfecting and arming conscience,' we must seek the achievement and the function and the defence of history.

Finally, against Acton's view that history is the arbiter of controversy, the monarch of all she surveys, it may be suggested that she is the very servant of the servants of God, the drudge of all the drudges. The historian ministers to the economist, the politician, the diplomat, the musician; he is equally at the service of the strategist and the ecclesiastic and

the administrator. He must learn a great deal from all of these before he can begin even his own work of historical explanation; and he never has the right to dictate to any one of them. He is neither judge nor jury; he is in the position of a man called upon to give evidence; and even so he may abuse his office and he requires the closest cross-examination, for he is one of those 'expert witnesses' who persist in offering opinions concealed within their evidence. Perhaps all history-books hold a danger for those who do not know a great deal of history already. In any case, it is never safe to forget the truth which really underlies historical research: the truth that all history perpetually requires to be corrected by more history. When everything has been said, if we have not understanding, the history of all the ages may bring us no benefit; for it may only give us a larger canvas for our smudging, a wider world for our wilfulness. History is all things to all men. She is at the service of good causes and bad. In other words she is a harlot and a hireling, and for this reason she best serves those who suspect her most. Therefore, we must beware even of

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saying, 'History says . . .' or 'History proves . . .,' as though she herself were the oracle; as though indeed history, once she had spoken, had put the matter beyond the range of mere human enquiry. Rather we must say to ourselves: 'She will lie to us till the very end of the last cross-examination.' This is the goddess the whig worships when he claims to make her the arbiter of controversy. She cheats us with optical illusions, sleight-of-hand, equivocal phraseology. If we must confuse counsel by personifying history at all, it is best to treat her as an old reprobate, whose tricks and juggleries are things to be guarded against. In other words the truth of history is no simple matter, all packed and parcelled ready for handling in the marketplace. And the understanding of the past is not so easy as it is sometimes made to appear.

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What Is History?

The George Macaulay Trevelyan Lectures
Delivered at the University of
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by *Edward Hallett Carr*

Fellow of Trinity College



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tween fact and value. He cannot separate them. It may be that, in a static world, you are obliged to pronounce a divorce between fact and value. But history is meaningless in a static world. History in its essence is change, movement or—if you do not cavil at the old-fashioned word—progress.

I return therefore in conclusion to Acton's description of progress as "the scientific hypothesis on which history is to be written." You can, if you please, turn history into theology by making the meaning of the past depend on some extra-historical and super-rational power. You can, if you please, turn it into literature—a collection of stories and legends about the past without meaning or significance. History properly so-called can be written only by those who find and accept a sense of direction in history itself. The belief that we have come from somewhere is closely linked with the belief that we are going somewhere. A society which has lost belief in its capacity to progress in the future will quickly cease to concern itself with its progress in the past. As I said at the beginning of my first lecture, our view of history reflects our view of society. I now come back to my starting-point by declaring my faith in the future of society and in the future of history.

CHAPTER VI

THE WIDENING HORIZON

THE conception which I have put forward in these lectures of history as a constantly moving process, with the historian moving within it, seems to commit me to some concluding reflexions on the position of history and of the historian in our time. We live in an epoch when—not for the first time in history—predictions of world catastrophe are in the air, and weigh heavily on all. They can be neither proved nor disproved. But they are at any rate far less certain than the prediction that we shall all die; and, since the certainty of that prediction does not prevent us from laying plans for our own future, so I shall proceed to discuss the present and future of our society on the assumption that this country—or, if not this country, some major part of the world—will survive the hazards that threaten us, and that history will continue.

The middle years of the twentieth century find the world in a process of change probably more profound and more sweeping than any which has overtaken it since the mediaeval world broke up in ruins and the foundations of the modern world were laid in the fifteenth and sixteenth centuries. The change is no doubt ultimately the product of scientific discoveries and inventions, of their ever more widespread applica-

tion, and of developments arising directly or indirectly out of them. The most conspicuous aspect of the change is a social revolution comparable with that which, in the fifteenth and sixteenth centuries, inaugurated the rise to power of a new class based on finance and commerce, and later on industry. The new structure of our industry and the new structure of our society present problems too vast for me to embark on here. But the change has two aspects more immediately relevant to my theme—what I may call a change in depth, and a change in geographical extent. I will attempt to touch briefly on both of these.

History begins when men begin to think of the passage of time in terms not of natural processes—the cycle of the seasons, the human life-span—but of a series of specific events in which men are consciously involved and which they can consciously influence. History, says Burckhardt, is “the break with nature caused by the awakening of consciousness.”¹ History is the long struggle of man, by the exercise of his reason, to understand his environment and to act upon it. But the modern period has broadened the struggle in a revolutionary way. Man now seeks to understand, and to act on, not only his environment, but himself; and this has added, so to speak, a new dimension to reason, and a new dimension to history. The present

¹ Burckhardt: *Reflections on History* (London: George Allen & Unwin; 1959), p. 31.

age is the most historically minded of all ages. Modern man is to an unprecedented degree self-conscious and therefore conscious of history. He peers eagerly back into the twilight out of which he has come in the hope that its faint beams will illuminate the obscurity into which he is going; and, conversely, his aspirations and anxieties about the path that lies ahead quicken his insight into what lies behind. Past, present, and future are linked together in the endless chain of history.

The change in the modern world which consisted in the development of man's consciousness of himself may be said to begin with Descartes, who first established man's position as a being who can not only think, but think about his own thinking, who can observe himself in the act of observing, so that man is simultaneously the subject and the object of thought and observation. But the development did not become fully explicit till the latter part of the eighteenth century, when Rousseau opened up new depths of human self-understanding and self-consciousness, and gave man a new outlook on the world of nature and on traditional civilization. The French revolution, said Tocqueville, was inspired by “the belief that what was wanted was to replace the complex of traditional customs governing the social order of the day by simple, elementary rules deriving from the exercise of the human reason and from natural law.”² “Never till then,” wrote Acton in one of his manuscript notes, “had men

² Tocqueville: *De l'Ancien Régime*, III, Ch. 1.

sought liberty, knowing what they sought."³ For Acton, as for Hegel, liberty and reason were never far apart. And with the French revolution was linked the American revolution.

Fourscore and seven years ago our fathers brought forth upon this continent a new nation conceived in liberty and dedicated to the proposition that all men are created equal.

It was, as Lincoln's words suggest, a unique event—the first occasion in history when men deliberately and consciously formed themselves into a nation, and then consciously and deliberately set out to mould other men into it. In the seventeenth and eighteenth centuries man had already become fully conscious of the world around him and of its laws. They were no longer the mysterious decrees of an inscrutable providence, but laws accessible to reason. But they were laws to which man was subject, and not laws of his own making. In the next stage man was to become fully conscious of his power over his environment and over himself and of his right to make the laws under which he would live.

The transition from the eighteenth century to the modern world was long and gradual. Its representative philosophers were Hegel and Marx, both of whom occupy an ambivalent position. Hegel is rooted in the idea of laws of providence converted into laws of reason. Hegel's world spirit grasps providence firmly with

³ Cambridge University Library: Add. MSS. 4870.

one hand and reason with the other. He echoes Adam Smith. Individuals "gratify their own interests; but something more is thereby accomplished which is latent in this action though not present in their consciousness." Of the rational purpose of the world spirit he writes that men, "in the very act of realizing it, make it the occasion of satisfying their desire, whose import is different from that purpose." This is simply the harmony of interests translated into the language of German philosophy.⁴ Hegel's equivalent for Smith's "hidden hand" was the famous "cunning of reason" which sets men to work to fulfil purposes of which they are not conscious. But Hegel was none the less the philosopher of the French revolution, the first philosopher to see the essence of reality in historical change and in the development of man's consciousness of himself. Development in history meant development towards the concept of freedom. But, after 1815, the inspiration of the French revolution fizzled out in the doldrums of the Restoration. Hegel was politically too timid and, in his later years, too firmly entrenched in the Establishment of his day to introduce any concrete meaning into his metaphysical propositions. Herzen's description of Hegel's doctrines as "the algebra of Revolution" was singularly apt. Hegel provided the notation, but gave it no practical content. It was left for Marx to write the arithmetic into Hegel's algebraical equations.

⁴ The quotations are from Hegel's *Philosophy of History*.

A disciple both of Adam Smith and of Hegel, Marx started from the conception of a world ordered by rational laws of nature. Like Hegel, but this time in a practical and concrete form, he made the transition to the conception of a world ordered by laws evolving through a rational process in response to man's revolutionary initiative. In Marx's final synthesis history meant three things, which were inseparable one from another and formed a coherent and rational whole: the motion of events in accordance with objective, and primarily economic, laws; the corresponding development of thought through a dialectical process; and corresponding action in the form of the class struggle which reconciles and unites the theory and practice of revolution. What Marx offers is a synthesis of objective laws and of conscious action to translate them into practice, of what are sometimes (though misleadingly) called determinism and voluntarism. Marx constantly writes of laws to which men have hitherto been subject without being conscious of them; he more than once drew attention to what he called the "false consciousness" of those enmeshed in a capitalist economy and capitalist society: "the conceptions formed about the laws of production in the minds of the agents of production and circulation will differ widely from the real laws."⁸ But one finds in Marx's writings striking examples of calls for conscious revolutionary action. "Philosophers have only interpreted the world differ-

⁸ *Capital*, iii (Engl. transl., 1909), 369.

ently," ran the famous thesis on Feuerbach; "but the point is to change it." "The proletariat," declared the *Communist Manifesto*, "will use its political dominance to strip the bourgeoisie step by step of all capital, and concentrate all means of production in the hands of the state." And in *The Eighteenth Brumaire of Louis Bonaparte*, Marx spoke of "intellectual self-consciousness dissolving by a century-old process all traditional ideas." It was the proletariat which would dissolve the false consciousness of capitalist society and introduce the true consciousness of the classless society. But the failure of the revolutions of 1848 was a serious and dramatic set-back to developments which had seemed imminent when Marx began to work. The latter part of the nineteenth century passed in an atmosphere which was still predominantly one of prosperity and security. It was not till the turn of the century that we complete the transition to the contemporary period of history, in which the primary function of reason is no longer to understand objective laws governing the behaviour of man in society, but rather to re-shape society and the individuals who compose it by conscious action. In Marx, "class," though not precisely defined, remains on the whole an objective conception to be established by economic analysis. In Lenin, the emphasis shifts from "class" to "party," which constitutes the vanguard of the class and infuses into it the necessary element of class-consciousness. In Marx, "ideology" is a negative term—a product of the false consciousness of the capitalist order of society. In

Lenin, "ideology" becomes neutral or positive—a belief implanted by an *élite* of class-conscious leaders into a mass of potentially class-conscious workers. The moulding of class-consciousness is no longer an automatic process, but a job to be undertaken.

The other great thinker who has added a fresh dimension to reason in our time is Freud. Freud remains today a somewhat enigmatic figure. He was by training and background a nineteenth-century liberal individualist, and accepted without question the common, but misleading, assumption of a fundamental antithesis between the individual and society. Freud, approaching man as a biological rather than as a social entity, tended to treat the social environment as something historically given rather than as something in constant process of creation and transformation by man himself. He has always been attacked by the Marxists for approaching what are really social problems from the standpoint of the individual, and condemned as a reactionary on that account; and this charge, which was valid only in part against Freud himself, has been much more fully justified by the current neo-Freudian school in the United States, which assumes that maladjustments are inherent in the individual and not in the structure of society, and treats the adaptation of the individual to society as the essential function of psychology. The other popular charge against Freud, that he has extended the role of the irrational in human affairs, is totally false, and rests on a crude confusion between recognition of the irrational

element in human behaviour and a cult of the irrational. That a cult of the irrational does exist in the English-speaking world today, mainly in the form of a depreciation of the achievements and potentialities of reason, is unfortunately true; it is part of the current wave of pessimism and ultra-conservatism, of which I will speak later. But this does not stem from Freud, who was an unqualified and rather primitive rationalist. What Freud did was to extend the range of our knowledge and understanding by opening up the unconscious roots of human behaviour to consciousness and to rational enquiry. This was an extension of the domain of reason, an increase in man's power to understand and control himself, and therefore his environment; and it represents a revolutionary and progressive achievement. In this respect, Freud complements, and does not contradict, the work of Marx. Freud belongs to the contemporary world in the sense that, though he himself did not entirely escape from the conception of a fixed and invariable human nature, he provided tools for a deeper understanding of the roots of human behaviour and thus for its conscious modification through rational processes.

For the historian Freud's special significance is twofold. In the first place, Freud has driven the last nail into the coffin of the ancient illusion that the motives from which men allege or believe themselves to have acted are in fact adequate to explain their action: this is a negative achievement of some importance, though the positive claim of some enthusiasts to throw light

on the behaviour of the great men of history by the methods of psychoanalysis should be taken with a pinch of salt. The procedure of psychoanalysis rests on the cross-examination of the patient who is being investigated: you cannot cross-examine the dead. Secondly, Freud, reinforcing the work of Marx, has encouraged the historian to examine himself and his own position in history, the motives—perhaps hidden motives—which have guided his choice of theme or period and his selection and interpretation of the facts, the national and social background which has determined his angle of vision, the conception of the future which shapes his conception of the past. Since Marx and Freud wrote, the historian has no excuse to think of himself as a detached individual standing outside society and outside history. This is the age of self-consciousness: the historian can and should know what he is doing.

This transition to what I have called the contemporary world—the extension to new spheres of the function and power of reason—is not yet complete: it is part of the revolutionary change through which the twentieth-century world is passing. I should like to examine some of the main symptoms of the transition.

Let me begin with economics. Down to 1914 belief in objective economic laws, which governed the economic behaviour of men and nations, and which they could defy only to their own detriment, was still virtually unchallenged. Trade cycles, price fluctuations, unemployment were determined by those laws. As late

as 1930, when the great depression set in, this was still the dominant view. Thereafter things moved fast. In the 1930's, people began to talk of "the end of economic man," meaning the man who consistently pursued his economic interests in accordance with economic laws; and since then nobody, except a few Rip Van Winkles of the nineteenth century, believes in economic laws in this sense. Today economics has become either a series of theoretical mathematical equations, or a practical study of how some people push others around. The change is mainly a product of the transition from individual to large-scale capitalism. So long as the individual entrepreneur and merchant predominated, nobody seemed in control of the economy or capable of influencing it in any significant way; and the illusion of impersonal laws and processes was preserved. Even the Bank of England, in the days of its greatest power, was thought of not as a skilful operator and manipulator, but as an objective and quasi-automatic registrar of economic trends. But with the transition from a *laissez-faire* economy to a managed economy (whether a managed capitalist economy or a socialist economy, whether the management is done by large-scale capitalist, and nominally private, concerns or by the state), this illusion is dissolved. It becomes clear that certain people are taking certain decisions for certain ends; and that these decisions set our economic course for us. Everyone knows today that the price of oil or soap does not vary in response to some objective law of supply and demand. Everyone knows,

or thinks he knows, that slumps and unemployment are man-made: governments admit, indeed claim, that they know how to cure them. The transition has been made from *laissez-faire* to planning, from the unconscious to the self-conscious, from belief in objective economic laws to belief that man by his own action can be the master of his economic destiny. Social policy has gone hand in hand with economic policy: indeed economic policy has been incorporated in social policy. Let me quote from the last volume of the first *Cambridge Modern History*, published in 1910, a highly perceptive comment from a writer who was anything but a Marxist and had probably never heard of Lenin:

The belief in the possibility of social reform by conscious effort is the dominant current of the European mind; it has superseded the belief in liberty as the one panacea. . . . Its currency in the present is as significant and as pregnant as the belief in the rights of man about the time of the French revolution.⁶

Today, fifty years after this passage was written, more than forty years after the Russian revolution, and thirty years after the great depression, this belief has become a commonplace; and the transition from submission to objective economic laws which, though supposedly rational, were beyond man's control, to belief in the capacity of man to control his economic destiny by conscious action seems to me to represent an ad-

⁶ *The Cambridge Modern History*, XII (1910), p. 15. The author of the chapter was S. Leathes, one of the editors of the *History*, and a Civil Service Commissioner.

vance in the application of reason to human affairs, an increased capacity in man to understand and master himself and his environment, which I should be prepared, if necessary, to call by the old-fashioned name of progress.

I have no space to touch in detail on the similar processes at work in other fields. Even science, as we have seen, is now less concerned to investigate and establish objective laws of nature, than to frame working hypotheses by which man may be enabled to harness nature to his purposes and transform his environment. More significant, man has begun, through the conscious exercise of reason, not only to transform his environment but to transform himself. At the end of the eighteenth century Malthus, in an epoch-making work, attempted to establish objective laws of population working, like Adam Smith's laws of the market, without anyone's being conscious of the process. Today nobody believes in such objective laws; but the control of population has become a matter of rational and conscious social policy. We have seen in our time the lengthening by human effort of the span of human life and the altering of the balance between the generations in our population. We have heard of drugs consciously used to influence human behaviour, and surgical operations designed to alter human character. Both man and society have changed, and have been changed by conscious human effort, before our eyes. But the most significant of these changes have probably been those brought about by the development and

use of modern methods of persuasion and indoctrination. Educators at all levels are nowadays more and more consciously concerned to make their contribution to the shaping of society in a particular mould, and to inculcate in the rising generation the attitudes, loyalties, and opinions appropriate to that type of society; educational policy is an integral part of any rationally planned social policy. The primary function of reason, as applied to man in society, is no longer merely to investigate, but to transform; and this heightened consciousness of the power of man to improve the management of his social, economic, and political affairs by the application of rational processes seems to me one of the major aspects of the twentieth-century revolution.

This expansion of reason is merely part of the process which I called in an earlier lecture "individualization"—the diversification of individual skills and occupations and opportunities which is the concomitant of an advancing civilization. Perhaps the most far-reaching social consequence of the industrial revolution has been the progressive increase in the numbers of those who learn to think, to use their reason. In Great Britain our passion for gradualism is such that the movement is sometimes scarcely perceptible. We have rested on the laurels of universal elementary education for the best part of a century, and have still not advanced very far or very quickly towards universal higher education. This did not matter so much when we led the world. It matters more when we are being

overtaken by others in a greater hurry than ourselves, and when the pace has everywhere been speeded up by technological change. For the social revolution and the technological revolution and the scientific revolution are part and parcel of the same process. If you want an academic example of the process of individualization, consider the immense diversification over the past fifty or sixty years of history, or of science, or any particular science, and the enormously increased variety of individual specializations which it offers. But I have a far more striking example of the process at a different level. More than thirty years ago a high German military officer visiting the Soviet Union listened to some illuminating remarks from a Soviet officer concerned with the building up of the Red air force:

We Russians have to do with still primitive human material. We are compelled to adapt the flying machine to the type of flyer who is at our disposal. To the extent to which we are successful in developing a new type of men, the technical development of the material will also be perfected. The two factors condition each other. Primitive men cannot be put into complicated machines.¹

Today, a bare generation later, we know that Russian machines are no longer primitive, and that millions of Russian men and women who plan, build, and operate these machines are no longer primitive, either. As a historian, I am more interested in this latter phenomenon. The rationalization of production means something far more important—the rationalization of man.

¹ *Vierteljahrshefte für Zeitgeschichte* (Munich), I (1953), p. 38.

All over the world today primitive men are learning to use complicated machines, and in doing so are learning to think, to use their reason. The revolution, which you may justly call a social revolution, but which I call in the present context the expansion of reason, is only just beginning. But it is advancing at a staggering pace to keep abreast of the staggering technological advances of the last generation. It seems to me one of the major aspects of our twentieth-century revolution.

Some of our pessimists and sceptics will certainly call me to order if I fail at this point to notice the dangers and the ambiguous aspects of the role assigned to reason in the contemporary world. In an earlier lecture I pointed out that increasing individualization in the sense described did not imply any weakening of social pressures for conformity and uniformity. This is, indeed, one of the paradoxes of our complex modern society. Education, which is a necessary and powerful instrument in promoting the expansion of individual capacities and opportunities, and therefore of increasing individualization, is also a powerful instrument in the hands of interested groups for promoting social uniformity. Pleas frequently heard for more responsible broadcasting and television, or for a more responsible press, are directed in the first instance against certain negative phenomena which it is easy to condemn. But they quickly become pleas to use these powerful instruments of mass persuasion in order to inculcate desirable tastes and desirable opinions—the standard of desirability being found in the ac-

cepted tastes and opinions of the society. Such campaigns, in the hands of those who promote them, are conscious and rational processes designed to shape society, by shaping its individual members, in a desired direction. Other glaring examples of these dangers are provided by the commercial advertiser and the political propagandist. The two roles are, indeed, frequently doubled; openly in the United States, and rather more sheepishly in Great Britain, parties and candidates employ professional advertisers to put themselves across. The two procedures, even when formally distinct, are remarkably similar. Professional advertisers and the heads of the propaganda departments of great political parties are highly intelligent men who bring all the resources of reason to bear on their task. Reason, however, as in the other instances we have examined is employed not for mere exploration but constructively, not statically but dynamically. Professional advertisers and campaign managers are not primarily concerned with existing facts. They are interested in what the consumer or elector now believes or wants only in so far as this enters into the end-product, *i.e.* what the consumer or elector can by skilful handling be induced to believe or want. Moreover, their study of mass psychology has shown them that the most rapid way to secure acceptance of their views is through an appeal to the irrational element in the make-up of the customer and elector, so that the picture which confronts us is one in which an *élite* of professional industrialists or party leaders through rational processes more highly

developed than ever before attains its ends by understanding and trading on the irrationalism of the masses. The appeal is not primarily to reason: it proceeds in the main by the method which Oscar Wilde called "hitting below the intellect." I have somewhat overdrawn the picture lest I should be accused of under-estimating the danger.⁸ But it is broadly correct, and could easily be applied to other spheres. In every society, more or less coercive measures are applied by ruling groups to organize and control mass opinion. This method seems worse than some because it constitutes an abuse of reason.

In reply to this serious and well-founded indictment I have only two arguments. The first is the familiar one that every invention, every innovation, every new technique discovered in the course of history has had its negative as well as its positive sides. The cost has always to be borne by somebody. I do not know how long it was after the invention of printing before critics began to point out that it facilitated the spread of erroneous opinions. Today it is a commonplace to lament the death-roll on the roads caused by the advent of the motor car; and even some scientists deplore their own discovery of ways and means to release atomic energy because of the catastrophic uses to which it can be, and has been, put. Such objections have not availed in the past, and seem unlikely to avail in the future, to stay the advance of new discoveries

⁸ For a fuller discussion, see the author's *The New Society* (London: Macmillan & Co.; 1951), Ch. 4 *passim*.

and inventions. What we have learned of the techniques and potentialities of mass propaganda cannot be simply obliterated. It is no more possible to return to the small-scale individualist democracy of Lockean or liberal theory, partially realized in Great Britain in the middle years of the nineteenth century, than it is possible to return to the horse and buggy or to early *laissez-faire* capitalism. But the true answer is that these evils also carry with them their own corrective. The remedy lies not in a cult of irrationalism or a renunciation of the extended role of reason in modern society, but in a growing consciousness from below as well as from above of the role which reason can play. This is not a utopian dream at a time when the increasing use of reason at all levels of society is being forced on us by our technological and scientific revolution. Like every other great advance in history, this advance has its costs and its losses, which have to be paid, and its dangers, which have to be faced. Yet, in spite of sceptics, and cynics, and prophets of disaster, especially among the intellectuals of countries whose former privileged position has been undermined, I shall not be ashamed to treat it as a signal example of progress in history. It is perhaps the most striking and revolutionary phenomenon of our time.

The second aspect of the progressive revolution through which we are passing is the changed shape of the world. The great period of the fifteenth and six-

teenth centuries, in which the mediaeval world finally broke up in ruins and the foundations of the modern world were laid, was marked by the discovery of new continents and by the passing of the world centre of gravity from the shores of the Mediterranean to those of the Atlantic. Even the lesser upheaval of the French revolution had its geographical sequel in the calling in of the new world to redress the balance of the old. But the changes wrought by the twentieth-century revolution are far more sweeping than anything that has happened since the sixteenth century. After some four hundred years the world centre of gravity has definitely shifted away from Western Europe. Western Europe, together with the outlying parts of the English-speaking world, has become an appanage of the North American continent, or, if you like, an agglomeration in which the United States serves both as power house and as control tower. Nor is this the only, or perhaps the most significant, change. It is by no means clear that the world centre of gravity now resides, or will continue for long to reside, in the English-speaking world, with its Western European annex. It appears to be the great land-mass of Eastern Europe and Asia, with its extensions into Africa, which today calls the tune in world affairs. The "unchanging East" is nowadays a singularly worn-out *cliché*.

Let us take a quick look at what has happened to Asia in the present century. The story begins with the Anglo-Japanese alliances of 1902—the first admission of an Asiatic country to the charmed circle of Euro-

pean Great Powers. It may perhaps be regarded as a coincidence that Japan signalized her promotion by challenging and defeating Russia, and, in so doing, kindled the first spark which ignited the great twentieth-century revolution. The French revolutions of 1789 and 1848 had found their imitators in Europe. The first Russian revolution of 1905 awakened no echo in Europe, but found its imitators in Asia: in the next few years revolutions occurred in Persia, in Turkey, and in China. The First World War was not precisely a world war, but a European civil war—assuming such an entity as Europe existed—with world-wide consequences: these included the stimulation of industrial development in many Asian countries, of anti-foreign feeling in China, and of Indian nationalism, and the birth of Arab nationalism. The Russian revolution of 1917 provided a further and decisive impulse. What was significant here was that its leaders looked persistently, but in vain, for imitators in Europe, and finally found them in Asia. It was Europe that had become "unchanging," Asia that was on the move. I need not continue this familiar story down to the present time. The historian is hardly yet in a position to assess the scope and significance of the Asian and African revolutions. But the spread of modern technological and industrial processes, and of the beginnings of education and political consciousness, to millions of the population of Asia and Africa, is changing the face of those continents; and, while I cannot peer into the future, I do not know of any standard

of judgment which would allow me to regard this as anything but a progressive development in the perspective of world history. The changed shape of the world resulting from these events has brought with it a relative decline in the weight, certainly of this country, perhaps of the English-speaking countries as a whole, in world affairs. But relative decline is not absolute decline; and what disturbs and alarms me is not the march of progress in Asia and Africa, but the tendency of dominant groups in this country—and perhaps elsewhere—to turn a blind or uncomprehending eye on these developments, to adopt towards them an attitude oscillating between mistrustful disdain and affable condescension, and to sink back into a paralysing nostalgia for the past.

What I have called the expansion of reason in our twentieth-century revolution has particular consequences for the historian; for the expansion of reason means, in essence, the emergence into history of groups and classes, of peoples and continents that hitherto lay outside it. In my first lecture I suggested that the tendency of mediaeval historians to view mediaeval society through the spectacles of religion was due to the exclusive character of their sources. I should like to pursue this explanation a little further. It has, I think, correctly, though no doubt with some exaggeration, been said that the Christian church was "the one rational institution of the Middle Ages."⁹

⁹ Von Martin: *The Sociology of the Renaissance*, p. 18.

Being the one rational institution, it was the one historical institution; it alone was subject to a rational course of development which could be comprehended by the historian. Secular society was moulded and organized by the church, and had no rational life of its own. The mass of people belonged, like pre-historic peoples, to nature rather than to history. Modern history begins when more and more people emerge into social and political consciousness, become aware of their respective groups as historical entities having a past and a future, and enter fully into history. It is only within the last two hundred years at most, even in a few advanced countries, that social, political, and historical consciousness has begun to spread to anything like a majority of the population. It is only today that it has become possible for the first time even to imagine a whole world consisting of peoples who have in the fullest sense entered into history and become the concern, no longer of the colonial administrator or of the anthropologist, but of the historian.

This is a revolution in our conception of history. In the eighteenth century history was still a history of *élites*. In the nineteenth century British historians began, haltingly and spasmodically, to advance towards a view of history as the history of the whole national community. J. R. Green, a rather pedestrian historian, won fame by writing the first *History of the English People*. In the twentieth century every historian pays lip-service to this view; and, though performance lags behind profession, I shall not dwell on these short-

comings, since I am much more concerned with our failure as historians to take account of the widening horizon of history outside this country and outside Western Europe. Acton in his report of 1896 spoke of universal history as "that which is distinct from the combined history of all countries." He continued:

It moves in a succession to which the nations are subsidiary. Their story will be told, not for their own sake, but in reference and subordination to a higher series, according to the time and degree in which they contribute to the common fortunes of mankind.¹

It went without saying for Acton that universal history, as he conceived it, was the concern of any serious historian. What are we at present doing to facilitate the approach to universal history in this sense?

I did not intend in these lectures to touch on the study of history in this university: but it provides me with such striking examples of what I am trying to say that it would be cowardly of me to avoid grasping the nettle. In the past forty years we have made a substantial place in our curriculum for the history of the United States. This is an important advance. But it has carried with it a certain risk of reinforcing the parochialism of English history, which already weighs like a dead hand on our curriculum, with a more insidious and equally dangerous parochialism of the

¹ *The Cambridge Modern History: Its Origin, Authorship and Production*, p. 14.

English-speaking world. The history of the English-speaking world in the last four hundred years has beyond question been a great period of history. But to treat it as the centre-piece of universal history, and everything else as peripheral to it, is an unhappy distortion of perspective. It is the duty of a university to correct such popular distortions. The school of modern history in this university seems to me to fall short in the discharge of this duty. It is surely wrong that a candidate should be allowed to sit for an honours degree in history in a major university without an adequate knowledge of any modern language other than English; let us take warning by what happened in Oxford to the ancient and respected discipline of philosophy when its practitioners came to the conclusion that they could get on very nicely with plain everyday English. It is surely wrong that no facilities should be offered to the candidate to study the modern history of any continental European country above the textbook level. A candidate possessing some knowledge of the affairs of Asia, Africa, or Latin America has at present a very limited opportunity of displaying it in a paper called, with magnificent nineteenth-century *panache*, "The Expansion of Europe." The title unfortunately fits the contents: the candidate is not invited to know anything even of countries with an important and well-documented history like China or Persia except what happened when the Europeans attempted to take them over. Lectures are, I am told, delivered in this university on the history of Russia

and Persia and China—but not by members of the faculty of history. The conviction expressed by the professor of Chinese in his inaugural lecture five years ago that “China cannot be regarded as outside the mainstream of human history”³ has fallen on deaf ears among Cambridge historians. What may well be regarded in the future as the greatest historical work produced in Cambridge during the past decade has been written entirely outside the history department, and without any assistance from it: I refer to Dr. Needham’s *Science and Civilization in China*. This is a sobering thought. I should not have exposed these domestic sores to the public gaze but for the fact that I believe them to be typical of most other British universities and of British intellectuals in general in the middle years of the twentieth century. That stale old quip about Victorian insularity, “Storms in the Channel—the Continent Isolated,” has an uncomfortably topical ring today. Once more storms are raging in the world beyond; and, while we in the English-speaking countries huddle together and tell ourselves in plain everyday English that other countries and other continents are isolated by their extraordinary behaviour from the boons and blessings of our civilization, it sometimes looks as if we, by our inability or unwillingness to understand, were isolating ourselves from what is really going on in the world.

³ Edwin George Pulleyblank: *Chinese History and World History* (Cambridge University Press; 1955), p. 36.

In the opening sentences of my first lecture I drew attention to the sharp difference of outlook which separates the middle years of the twentieth century from the last years of the nineteenth. I should like in conclusion to develop this contrast; and, if in this context I use the words “liberal” and “conservative,” it will be readily understood that I am not using them in their sense as labels for British political parties. When Acton spoke of progress, he did not think in terms of the popular British concept of “gradualism.” “The Revolution, or as we say Liberalism,” is a striking phrase from a letter of 1887. “The method of modern progress,” he said in a lecture on modern history ten years later, “was revolution”; and in another lecture he spoke of “the advent of general ideas which we call revolution.” This is explained in one of his unpublished manuscript notes: “The Whig governed by compromise: the Liberal begins the reign of ideas.”⁴ Acton believed that “the reign of ideas” meant liberalism, and that liberalism meant revolution. In Acton’s

⁴ For these passages see Acton: *Selections from Correspondence* (London: Longmans, Green & Co.; 1917), p. 278; *Lectures on Modern History*, pp. 4, 32; Add. MSS. 4949 (in Cambridge University Library). In the letter of 1887 quoted above, Acton marks the change from the “old” to the “new” Whigs (i.e. the Liberals) as “the discovery of conscience”: “conscience” here is evidently associated with the development of “consciousness” (see pp. 279–80 above), and corresponds to “the reign of ideas.” Stubbs also divided modern history into two periods separated by the French revolution: “the first a history of powers, forces, and dynasties; the second, a history in which ideas take the place of both rights and forms” (W. Stubbs: *Seventeen Lectures on the Study of Mediaeval and Modern History*, 3rd. ed. [1900], p. 239).

lifetime, liberalism had not yet spent its force as a dynamic of social change. In our day, what survives of liberalism has everywhere become a conservative factor in society. It would be meaningless today to preach a return to Acton. But the historian is concerned, first to establish where Acton stood, secondly to contrast his position with that of contemporary thinkers, and thirdly to enquire what elements in his position may be still valid today. The generation of Acton suffered, no doubt, from overweening self-confidence and optimism, and did not sufficiently realize the precarious nature of the structure on which its faith rested. But it possessed two things of both of which we are badly in need today: a sense of change as a progressive factor in history, and belief in reason as our guide for the understanding of its complexities.

Let us now listen to some voices of the 1950's. I quoted in an earlier lecture Sir Lewis Namier's expression of satisfaction that, while "practical solutions" were sought for "concrete problems," "programmes and ideals are forgotten by both parties," and his description of this as a symptom of "national maturity."⁴ I am not fond of these analogies between the life-span of individuals and that of nations; and, if such an analogy is invoked, it tempts one to ask what follows when we have passed the stage of "maturity." But what interests me is the sharp contrast drawn between the practical and the concrete, which are praised, and

⁴ See p. 47 above.

"programmes and ideals," which are condemned. This exaltation of practical action over idealistic theorizing is, of course, the hall-mark of conservatism. In Namier's thought it represents the voice of the eighteenth century, of England at the accession of George III, protesting against the impending onset of Acton's revolution and reign of ideas. But the same familiar expression of out-and-out conservatism in the form of out-and-out empiricism is highly popular in our day. It may be found in its most popular form in Professor Trevor-Roper's remark that, "when radicals scream that victory is indubitably theirs, sensible conservatives knock them on the nose."⁵ Professor Oakeshott offers us a more sophisticated version of this fashionable empiricism: in our political concerns, he tells us, we "sail a boundless and bottomless sea," where there is "neither starting-point nor appointed destination," and where our sole aim can be "to keep afloat on an even keel."⁶ I need not pursue the catalogue of recent writers who have denounced political "utopianism" and "messianism"; these have become the current terms of opprobrium for far-reaching radical ideas on the future of society. Nor shall I attempt to discuss recent trends in the United States, where historians and political theorists have had less inhibitions than their colleagues in this country in openly proclaiming their allegiance to conservatism. I will quote only a re-

⁵ *Encounter*, Vol. VII, No. 6 (June 1957), p. 17.

⁶ Oakeshott: *Political Education* (Cambridge University Press; 1951), p. 22.

mark by one of the most distinguished and most moderate of American conservative historians, Professor Samuel Morison of Harvard, who in his presidential address to the American Historical Association in December 1950 thought that the time had come for a reaction against what he called "the Jefferson-Jackson-F. D. Roosevelt line" and pleaded for a history of the United States "written from a sanely conservative point of view."⁷

But it is Professor Popper who, at any rate in Great Britain, has once more expressed this cautious conservative outlook in its clearest and most uncompromising form. Echoing Namier's rejection of "programmes and ideals," he attacks policies which allegedly aim at "re-modelling the 'whole of society' in accordance with a definite plan," commends what he calls "piecemeal social engineering," and does not apparently shrink from the imputation of "piecemeal tinkering" and "muddling through."⁸ On one point, indeed, I should pay tribute to Professor Popper. He remains a stout defender of reason, and will have no truck with past or present excursions into irrationalism. But, if we look into his prescription of "piecemeal social engineering," we shall see how limited is the role which he assigns to reason. Though his definition of "piecemeal engineering" is not very precise, we are

⁷ *American Historical Review*, Vol. LVI, No. 2 (January 1951), pp. 272-3.

⁸ K. Popper, *The Poverty of Historicism* (London: Routledge & Kegan Paul, 1957), pp. 67, 74.

specifically told that criticism of "ends" is excluded; and the cautious examples which he gives of its legitimate activities—"constitutional reform" and "a tendency towards a greater equalization of incomes"—show plainly that it is intended to operate within the assumptions of our existing society.⁹ The status of reason in Professor Popper's scheme of things is, in fact, rather like that of a British civil servant, qualified to administer the policies of the government in power and even to suggest practical improvements to make them work better, but not to question their fundamental presuppositions or ultimate purposes. This is useful work: I, too, have been a civil servant in my day. But this subordination of reason to the assumptions of the existing order seems to me in the long run wholly unacceptable. This is not how Acton thought of reason when he propounded his equation: revolution—liberalism—the reign of ideas. Progress in human affairs, whether in science or in history or in society, has come mainly through the bold readiness of human beings not to confine themselves to seeking piecemeal improvements in the way things are done, but to present fundamental challenges in the name of reason to the current way of doing things and to the avowed or hidden assumptions on which it rests. I look forward to a time when the historians and sociologists and political thinkers of the English-speaking world will regain their courage for that task.

⁹ *Ibid.*, pp. 64, 68.

It is, however, not the waning of faith in reason among the intellectuals and the political thinkers of the English-speaking world which perturbs me most, but the loss of the pervading sense of a world in perpetual motion. This seems at first sight paradoxical; for rarely has so much superficial talk been heard of changes going on around us. But the significant thing is that change is no longer thought of as achievement, as opportunity, as progress, but as an object of fear. When our political and economic pundits prescribe, they have nothing to offer us but the warning to mistrust radical and far-reaching ideas, to shun anything that savours of revolution, and to advance—if advance we must—as slowly and cautiously as we can. At a moment when the world is changing its shape more rapidly and more radically than at any time in the last four hundred years, this seems to me a singular blindness, which gives ground for apprehension, not that the world-wide movement will be stayed, but that this country—and perhaps other English-speaking countries—may lag behind the general advance, and relapse helplessly and uncomplainingly into some nostalgic backwater. For myself I remain an optimist; and when Sir Lewis Namier warns me to eschew programmes and ideals, and Professor Oakeshott tells me that we are going nowhere in particular and that all that matters is to see that nobody rocks the boat, and Professor Popper wants to keep that dear old T-model on the road by dint of a little piecemeal engineering, and Professor Trevor-Roper knocks screaming radicals

on the nose, and Professor Morison pleads for history written in a sane conservative spirit, I shall look out on a world in tumult and a world in travail, and shall answer in the well-worn words of a great scientist: "And yet—it moves."

Karl
Popper

The Poverty of Historicism



London and New York

IV

CRITICISM OF THE PRO-NATURALISTIC DOCTRINES

27 IS THERE A LAW OF EVOLUTION? LAWS AND TRENDS

The doctrines of historicism which I have called 'pro-naturalistic' have much in common with its anti-naturalistic doctrines. They are, for example, influenced by holistic thinking, and they spring from a misunderstanding of the methods of the natural sciences. Since they represent a misguided effort to copy these methods, they may be described as 'scientistic' (in Professor Hayek's sense¹). They are just as characteristic of historicism as are its anti-naturalistic doctrines, and perhaps even more important. The belief, more especially, that it is the task of the social

¹ See F. A. von Hayek, 'Scientism and the Study of Society', *Economica*, N.S., vol. IX, especially p. 269. Professor Hayek uses the term 'scientism' as a name for 'the slavish imitation of the method and language of science'. Here it is used, rather, as a name for the imitation of what certain people mistake for the method and language of science.

sciences to lay bare the law of evolution of society in order to foretell its future (a view expounded in sections 14 to 17, above) might be perhaps described as the central historicist doctrine. For it is this view of a society moving through a series of periods that gives rise, on the one hand, to the contrast between a changing social and an unchanging physical world, and thereby to anti-naturalism. On the other hand, it is the same view that gives rise to the pro-naturalistic—and scientistic—belief in so-called 'natural laws of succession'; a belief which, in the days of Comte and Mill, could claim to be supported by the long-term predictions of astronomy, and more recently, by Darwinism. Indeed, the recent vogue of historicism might be regarded as merely part of the vogue of evolutionism—a philosophy that owes its influence largely to the somewhat sensational clash between a brilliant scientific hypothesis concerning the history of the various species of animals and plants on earth, and an older metaphysical theory which, incidentally, happened to be part of an established religious belief.²

What we call the evolutionary hypothesis is an explanation of a host of biological and palaeontological observations—for instance, of certain similarities between various species and genera—by the assumption of the common ancestry of related forms.³ This hypothesis is not a universal law, even though

² I agree with Professor Raven when, in his *Science, Religion, and the Future* (1943), he calls this conflict 'a storm in a Victorian tea-cup'; though the force of this remark is perhaps a little impaired by the attention he pays to the vapours still emerging from the cup—to the Great Systems of Evolutionist Philosophy, produced by Bergson, Whitehead, Smuts, and others.

³ Feeling somewhat intimidated by the tendency of evolutionists to suspect anyone of obscurantism who does not share their emotional attitude towards evolution as a 'daring and revolutionary challenge to traditional thought', I had better say here that I see in modern Darwinism the most successful explanation of the relevant facts. A good illustration of the emotional attitude of evolutionists is C. H. Waddington's statement (*Science and Ethics*, 1942, p. 17) that 'we

certain universal laws of nature, such as laws of heredity, segregation, and mutation, enter with it into the explanation. It has, rather, the character of a particular (singular or specific) historical statement. (It is of the same status as the historical statement: 'Charles Darwin and Francis Galton had a common grandfather'.) The fact that the evolutionary hypothesis is not a universal law of nature⁴ but a particular (or, more precisely, singular) historical statement about the ancestry of a number of terrestrial plants and animals is somewhat obscured by the fact that the term 'hypothesis' is so often used to characterize the status of universal laws of nature. But we should not forget that we quite frequently use this term in a different sense. For example, it would undoubtedly be correct to describe a tentative medical diagnosis as a hypothesis, even though such a hypothesis is of a singular and historical character rather than of the character of a universal law. In other words, the fact that all laws of nature are hypotheses must not distract our attention from the fact that not all hypotheses are laws, and that more especially historical hypotheses are, as a rule, not universal but singular statements about one individual event, or a number of such events.

But can there be a law of evolution? Can there be a scientific law in the sense intended by T. H. Huxley when he wrote: '... he must be a half-hearted philosopher who ... doubts that

must accept the direction of evolution as good simply because it is good'; a statement which also illustrates the fact that the following revealing comment by Professor Bernal upon the Darwinian controversy (*ibid.*, p. 115) is still apposite: 'It was not ... that science had to fight an external enemy, the Church; it was that the Church ... was within the scientists themselves.'

⁴ Even a statement such as 'All vertebrates have one common pair of ancestors' is not, in spite of the word 'all', a universal law of nature; for it refers to the vertebrates existing on earth, rather than to all organisms at any place and time which have that constitution which we consider as characteristic of vertebrates. See my *Logic of Scientific Discovery*, section 14 f.

science will sooner or later ... become possessed of the law of evolution of organic forms—of the unvarying order of that great chain of causes and effects of which all organic forms, ancient and modern, are the links ... ?⁵

I believe that the answer to this question must be 'No', and that the search for the law of the 'unvarying order' in evolution cannot possibly fall within the scope of scientific method, whether in biology or in sociology. My reasons are very simple. The evolution of life on earth, or of human society, is a unique historical process. Such a process, we may assume, proceeds in accordance with all kinds of causal laws, for example, the laws of mechanics, of chemistry, of heredity and segregation, of natural selection, etc. Its description, however, is not a law, but only a singular historical statement. Universal laws make assertions concerning some unvarying order, as Huxley puts it, i.e. concerning all processes of a certain kind; and although there is no reason why the observation of one single instance should not incite us to formulate a universal law, nor why, if we are lucky, we should not even hit upon the truth, it is clear that any law, formulated in this or in any other way, must be tested by new

⁵ See T. H. Huxley, *Lay Sermons* (1880), p. 214. Huxley's belief in a law of evolution is very remarkable in view of his exceedingly critical attitude towards the idea of a law of (inevitable) progress. The explanation appears to be that he not only distinguished sharply between natural evolution and progress, but that he held (rightly, I believe) that these two had little to do with each other. Julian Huxley's interesting analysis of what he calls 'evolutionary progress' (*Evolution*, 1942, pp. 559 ff.) seems to me to add little to this, although it is apparently designed to establish a link between evolution and progress. For he admits that evolution, though sometimes 'progressive', is more often not so. (For this, and for Huxley's definition of 'progress', see note 26 on p. 117, below.) The fact, on the other hand, that every 'progressive' development may be considered as evolutionary, is hardly more than trivial. (That the succession of dominant types is progressive in his sense may merely mean that we habitually apply the term 'dominant types' to those of the most successful types which are the most 'progressive'.)

instances before it can be taken seriously by science. But we cannot hope to test a universal hypothesis nor to find a natural law acceptable to science if we are for ever confined to the observation of one unique process. Nor can the observation of one unique process help us to foresee its future development. The most careful observation of one developing caterpillar will not help us to predict its transformation into a butterfly. As applied to the history of human society—and it is with this that we are mainly concerned here—our argument has been formulated by H. A. L. Fisher in these words: 'Men . . . have discerned in history a plot, a rhythm, a predetermined pattern . . . I can see only one emergency following upon another . . . , only one great fact with respect to which, since it is unique, there can be no generalizations . . .'⁶

How can this objection be countered? There are, in the main, two positions which may be taken up by those who believe in a law of evolution. They may (a) deny our contention that the evolutionary process is unique; or (b) assert that in an evolutionary process, even if it is unique, we may discern a trend or tendency or direction, and that we may formulate a hypothesis which states this trend, and test this hypothesis by future experience. The two positions (a) and (b) are not exclusive of each other.

Position (a) goes back to an idea of great antiquity—the idea that the life-cycle of birth, childhood, youth, maturity, old age, and death applies not only to individual animals and plants, but also to societies, races, and perhaps even to 'the whole world'. This ancient doctrine was used by Plato in his interpretation of the decline and fall of the Greek city states and of the Persian

⁶ See H. A. L. Fisher's *History of Europe*, vol. I, p. vii (italics mine). See also F. A. von Hayek, *op. cit.*, *Economica*, vol. X, p. 58, who criticizes the attempt 'to find laws where in the nature of the case they cannot be found, in the succession of the unique and singular historical phenomena'.

Empire.⁷ Similar use of it has been made by Machiavelli, Vico, Spengler, and recently by Professor Toynbee in his imposing *Study of History*. From the point of view of this doctrine, history is repetitive, and the laws of the life-cycle of civilizations, for instance, can be studied in the same way as we study the life-cycle of a certain animal species.⁸ It is a consequence of this doctrine, although one which its originators hardly intended, that our objection, based on the uniqueness of the evolutionary or historical process, loses its force. Now I do not intend to deny (nor, I feel certain, did Professor Fisher in the passage quoted) that history may sometimes repeat itself in certain respects, nor that the parallel between certain types of historical events, such as the rise of tyrannies in ancient Greece and in modern times, can be significant for the student of the sociology of political power.⁹ But it is clear that all these instances of repetition involve

⁷ Plato describes the cycle of the Great Year in *The Statesman*; proceeding from the assumption that we live in the season of degeneration, he applies this doctrine in *The Republic* to the evolution of Greek cities, and in the *Laws* to the Persian Empire.

⁸ Professor Toynbee insists that his method is to investigate empirically the life cycle of 21 odd specimens of the biological species 'civilization'. But even he does not seem to be influenced, in his adoption of this method, by any desire to counter Fisher's argument (quoted above); at least, I do not find any indication of such a desire in his comments on this argument which he is content to dismiss as an expression of 'the modern Western belief in the omnipotence of chance'; see *A Study of History*, vol. V, p. 414. I do not think that this characterization does justice to Fisher, who says in the continuation of the passage quoted: '... The fact of progress is written plain and large on the page of history; but progress is not a law of nature. The ground gained by one generation may be lost by the next.'

⁹ In biology, the position is similar in so far as a multiplicity of evolutions (e.g. of different genera) may be taken as the basis of generalizations. But this comparison of evolutions has merely led to the description of types of evolutionary processes. The position is the same as in social history. We may find that certain types of events are repeated here or there, but no law describing either the course of all evolutionary processes (such as a law of evolutionary cycles) or

circumstances which are vastly dissimilar, and which may exert an important influence upon further developments. We have therefore no valid reason to expect of any apparent repetition of a historical development that it will continue to run parallel to its prototype. Admittedly, once we believe in a law of repetitive life-cycles—a belief arrived at by analogical speculations, or perhaps inherited from Plato—we are sure to discover historical confirmation of it nearly everywhere. But this is merely one of the many instances of metaphysical theories seemingly confirmed by facts—facts which, if examined more closely, turn out to be selected in the light of the very theories they are supposed to test.¹⁰

Turning to position (b), the belief that we may discern, and

the course of all evolution in general appears to result from such a comparison. See note 26 on p. 117, below.

¹⁰ Of nearly every theory it may be said that it agrees with many facts: this is one of the reasons why a theory can be said to be corroborated only if we are unable to find refuting facts, rather than if we are able to find supporting facts; see section 29, below, and my *Logic of Scientific Discovery*, especially ch. X. An example of the procedure criticized here is, I believe, Professor Toynbee's allegedly empirical investigation into the life-cycle of what he calls the 'species civilization' (see note 8 on p. 101, above). He seems to overlook the fact that he classifies as civilizations only such entities as conform to his *a priori* belief in life-cycles. For example, Professor Toynbee contrasts (*op. cit.*, vol. 1, pp. 147 to 149) his 'civilizations' with 'primitive societies' in order to establish his doctrine that these two cannot belong to the same 'species' although they may belong to the same 'genus'. But the only basis of this classification is an *a priori* intuition into the nature of civilizations. This may be seen from his argument that the two are obviously as different as are elephants from rabbits—an intuitive argument whose weakness becomes clear if we consider the case of a St. Bernard dog and a Pekingese. But the whole question (whether or not the two belong to the same species) is inadmissible, for it is based on the scientistic method of treating collectives as if they were physical or biological bodies. Although this method has often been criticized (see, for example, F. A. von Hayek, *Economica*, vol. X, pp. 41 ff.) these criticisms have never received an adequate reply.

extrapolate, the trend or direction of an evolutionary movement, it may first be mentioned that this belief has influenced and has been used to support some of the cyclical hypotheses which represent position (a). Professor Toynbee, for example, expresses in support of position (a) the following views characteristic of (b): 'Civilizations are not static conditions of society but dynamic movements of an evolutionary kind. They not only cannot stand still, but they cannot reverse their direction without breaking down their own law of motion . . .'.¹¹ Here we have nearly all the elements usually found in statements of position (b): the idea of social *dynamics* (as opposed to social *statics*); of evolutionary movements of societies (under the influence of social forces); and of directions (and courses, and velocities) of such movements which, it is said, cannot be reversed without breaking the laws of motion. The terms in italics have all been taken over from physics into sociology, and their adoption has led to a series of misunderstandings which are of an astonishing crudity, but very characteristic of the scientistic misuse of the examples of physics and astronomy. Admittedly, these misunderstandings have done little harm outside the historicist workshop. In economics, for example, the use of the term '*dynamics*' (cp. the now fashionable term '*macro-dynamics*') is unobjectionable, as must be admitted even by those who dislike the term. But even this use derives from Comte's attempt to apply to sociology the physicist's distinction between statics and dynamics; and there can be no doubt of the gross misunderstanding that underlies this attempt. For the kind of society which the sociologist calls '*static*' is precisely analogous to those physical systems which the physicist would call '*dynamic*' (although '*stationary*'). A typical example is the solar system; it is the prototype of a dynamic system in the physicist's sense; but since it is repetitive (or '*stationary*'), since it does not grow or develop, since it does not show any structural changes (apart

¹¹ Toynbee, *op. cit.*, vol. 1, p. 176.

from such changes as do not fall within the realm of celestial dynamics and which may therefore be neglected here), it corresponds, undoubtedly, to those social systems which the sociologist would call 'static'. The point is of considerable importance in connection with the claims of historicism, in so far as the success of the long-term predictions of astronomy depends entirely on this repetitive, and in the sociologist's sense static, character of the solar system—on the fact that we may here neglect any symptoms of a historical development. It is therefore certainly a mistake to suppose that these dynamical long-term predictions of a stationary system establish the possibility of large-scale historical prophecies of non-stationary social systems.

Very similar misunderstandings are involved in the application to society of the other terms from physics listed above. Often this application is quite harmless. No harm is done, for example, if we describe changes in social organization, in the methods of production, etc., as *movements*. But we ought to be clear that we are simply using a metaphor, and a rather misleading one at that. For if we speak in physics of the movement of a body or a system of bodies, then we do not intend to imply that the body or system in question undergoes any internal or structural change, but only that it changes its position relative to some (arbitrarily chosen) system of co-ordinates. As opposed to this, the sociologist means by a 'movement of society' some structural or internal change. He will, accordingly, assume that a movement of society is to be explained by forces while the physicist assumes that only changes of movement, but not movement as such, have to be so explained.¹² The ideas of the speed of a social movement, or of its track, or course, or direction, are similarly

¹² This is so because of the law of inertia.—For an example of a typically 'scientistic' attempt to compute political 'forces' with the help of the Pythagorean theorem, see note 9 on pp. 57–8, above.

harmless as long as they are used merely in order to convey some intuitive impression; but if used with anything like scientific pretensions, they simply become scientific jargon, or to be more precise, holistic jargon. Admittedly, any kind of change of a measurable social factor—for example, population growth—may be graphically represented as a track, just like the path of a moving body. But it is clear that such a diagram does not depict what people mean by the movement of society—considering that a stationary population may undergo a radical social upheaval. We may, of course, combine any number of such diagrams into one single multi-dimensional representation. But such a combined diagram cannot be said to represent the path of the movement of society; it does not tell us more than do the single ones together; it does not represent any movement of 'the whole society', but only changes of selected aspects. The idea of the movement of society itself—the idea that society, like a physical body, can move as a whole along a certain path and in a certain direction—is merely a holistic confusion.¹³

The hope, more especially, that we may some day find the 'laws of motion of society', just as Newton found the laws of motion of physical bodies, is nothing but the result of these misunderstandings. Since there is no motion of society in any

¹³ The confusion created by the talk about 'motion', 'force', 'direction', etc., may be gauged by considering that Henry Adams, the famous American historian, seriously hoped to determine the course of history by fixing the position of two points on its track—the one point located in the thirteenth century, the other in his own lifetime. He says himself of his project: 'With the help of these two points . . . he hoped to project his lines forward and backward indefinitely . . .', for, he argued, 'any schoolboy could see that man as a force must be measured by motion, from a fixed point' (*The Education of Henry Adams*, 1918, p. 434 f.). As a more recent example, I may quote Waddington's remark (*Science and Ethics*, p. 17 f.) that 'a social system' is 'something the existence of which essentially involves motion along an evolutionary path . . .', and that (p. 18 f.) 'the nature of science's contribution to ethics . . . is the revelation of the nature, the character and direction of the evolutionary process in the world as a whole . . .'

sense similar or analogous to the motion of physical bodies, there can be no such laws.

But, it will be said, the existence of trends or tendencies in social change can hardly be questioned: every statistician can calculate such trends. Are these trends not comparable with Newton's law of inertia? The answer is: trends exist, or more precisely, the assumption of trends is often a useful statistical device. But trends are not laws. A statement asserting the existence of a trend is existential, not universal. (A universal law, on the other hand, does not assert existence; on the contrary: as was shown at the end of section 20, it asserts the impossibility of something or other.¹⁴) And a statement asserting the existence of a trend at a certain time and place would be a singular historical statement, not a universal law. The practical significance of this logical situation is considerable: while we may base scientific predictions on laws, we cannot (as every cautious statistician knows) base them merely on the existence of trends. A trend (we may again take population growth as an example) which has persisted for hundreds or even thousands of years may change within a decade, or even more rapidly than that.

It is important to point out that laws and trends are radically different things.¹⁵ There is little doubt that the habit of confusing trends with laws, together with the intuitive observation of trends (such as technical progress), inspired the central doctrines of evolutionism and historicism—the doctrines of the inexorable laws of biological evolution and of the irreversible laws of motion of society. And the same confusions and intuitions also

¹⁴ See my *Logic of Scientific Discovery*, section 15, where reasons are given for considering existential statements to be metaphysical (in the sense of unscientific); see also note 28 on p. 118, below.

¹⁵ A law, however, may assert that under certain circumstances (initial conditions) certain trends will be found; moreover, after a trend has been so explained, it is possible to formulate a law corresponding to the trend; see also note 29 on p. 119, below.

inspired Comte's doctrine of laws of succession—a doctrine which is still very influential.

The distinction, famous since Comte and Mill, between laws of coexistence, alleged to correspond to statics, and laws of succession, alleged to correspond to dynamics, can admittedly be interpreted in a reasonable way; i.e. as a distinction between laws that do not involve the concept of time, and laws into whose formulation time enters (for instance, laws that speak of velocities).¹⁶ But this is not quite what Comte and his followers had in mind. When speaking of laws of succession, Comte thought of laws determining the succession of a 'dynamic' series of phenomena in the order in which we observe them. Now it is important to realize that 'dynamic' laws of succession, as Comte conceived them, do not exist. They certainly do not exist within dynamics. (I mean dynamics.) The closest approach to them in the field of natural science—and what he probably had in mind—are natural periodicities like the seasons, the phases of the moon, the recurrence of eclipses, or perhaps the swings of a pendulum. But these periodicities, which in physics would be described as dynamical (though stationary), would be, in Comte's sense of these terms, 'static' rather than 'dynamic'; and in any case they can hardly be called laws (since they depend upon the special conditions prevailing in the solar system; see the next section). I will call them 'quasi-laws of succession'.

The crucial point is this: although we may assume that any actual succession of phenomena proceeds according to the laws of nature, it is important to realize that practically no sequence of, say,

¹⁶ It may be worth mentioning that equilibrium economics is undoubtedly dynamic (in the 'reasonable' as opposed to the 'Comtean' sense of this term), even though time does not occur in its equation. For this theory does not assert that the equilibrium is anywhere realized; it merely asserts that every disturbance (and disturbances occur all the time) is followed by an adjustment—by a 'movement' towards equilibrium. In physics, statics is the theory of equilibria and not of movements towards equilibrium; a static system does not move.

three or more causally connected concrete events proceeds according to any single law of nature. If the wind shakes a tree and Newton's apple falls to the ground, nobody will deny that these events can be described in terms of causal laws. But there is no single law, such as that of gravity, nor even a single definite set of laws, to describe the actual or concrete succession of causally connected events; apart from gravity, we should have to consider the laws explaining wind pressure; the jerking movements of the branch; the tension in the apple's stalk; the bruise suffered by the apple on impact; all of which is succeeded by chemical processes resulting from the bruise, etc. The idea that any concrete sequence or succession of events (apart from such examples as the movement of a pendulum or a solar system) can be described or explained by any one law, or by any one definite set of laws, is simply mistaken. There are neither laws of succession, nor laws of evolution.

Yet Comte and Mill did envisage their historical laws of succession as laws determining a sequence of historical events in the order of their actual occurrence. This may be seen from the manner in which Mill speaks of a method that

consists in attempting, by a study and analysis of the general facts of history to discover . . . the law of progress; which law, once ascertained, must . . . enable us to predict future events, *just as after a few terms of an infinite series in algebra we are able to detect the principle of regularity in their formation, and to predict the rest of the series to any number of terms we please.*¹⁷

Mill himself is critical of this method; but his criticism (see the beginning of section 28) fully admits the possibility of finding

¹⁷ Mill, *Logic*, Book VI, ch. X, section 3. For Mill's theory of 'progressive effects' in general, see also Book III, ch. XV, section 2 f.

laws of succession analogous to those of a mathematical sequence, even though he expressed doubts whether 'the order of succession . . . which history presents to us' may be sufficiently 'rigidly uniform' to be compared with a mathematical sequence.¹⁸

Now we have seen that there are no laws that determine the succession of such a 'dynamic' series of events.¹⁹ On the other hand, there may be trends which are of this 'dynamic' character; for example, population increase. It may therefore be suspected that Mill had such trends in mind when he spoke of 'laws of succession'. And this suspicion is confirmed by Mill himself when he describes his historical law of progress as a *tendency*. Discussing this 'law', he expresses his 'belief . . . that the general tendency is, and will continue to be saving occasional and temporary exceptions, one of improvement—a tendency towards a happier and better state. This . . . is . . . a theorem of the science' (viz. of the social science). That Mill should seriously discuss the question whether 'the phenomena of human society' revolve 'in an orbit' or whether they move, progressively, in 'a trajectory'²⁰ is in keeping with this fundamental confusion between laws and trends, as well as with the holistic idea that society can 'move' as a whole—say, like a planet.

¹⁸ Mill seems to overlook the fact that only the very simplest arithmetical and geometrical sequences are such that 'a few terms' suffice for detecting their 'principle'. It is easy to construct more complicated mathematical sequences in which thousands of terms would not suffice to discover their law of construction—even if it is known that there is such a law.

¹⁹ For the nearest approach to such laws, see section 28, especially note 29 on p. 119.

²⁰ See Mill, *loc. cit.* Mill distinguishes two senses of the word 'progress'; in the wider sense, it is opposed to cyclic change but does not imply improvement. (He discusses 'progressive change' in this sense more fully, *op. cit.*, Book III, ch. XV.) In the narrower sense, it implies improvement. He teaches that the persistence of progress in the wider sense is a question of method (I do not understand this point), and in the narrower sense a theorem of sociology.

In order to avoid misunderstandings, I wish to make it clear that I believe that both Comte and Mill have made great contributions to the philosophy and methodology of science: I am thinking, especially, of Comte's emphasis on laws and scientific prediction, of his criticism of an essentialist theory of causality; and of his and Mill's doctrine of the unity of scientific method. Yet their doctrine of historical laws of succession is, I believe, little better than a collection of misapplied metaphors.²¹

28 THE METHOD OF REDUCTION. CAUSAL EXPLANATION. PREDICTION AND PROPHECY

My criticism of the doctrine of historical laws of succession is in one important respect still inconclusive. I have tried to show that the 'directions' or 'tendencies' which historicists discern in the succession of events called history are not laws but, if anything, trends. And I have pointed out why a trend, as opposed to a law, must not in general be used as a basis for scientific predictions.

But to this criticism, Mill and Comte—alone in this respect

²¹ In many historicist and evolutionist writings it is often impossible to discover where metaphor ends and serious theory begins. (See for example the notes on pp. 102 and 105 of the present section.) And we must even face the possibility that some historicists may deny that there is a difference between metaphor and theory. Consider, for example, the following quotation from the psycho-analyst Dr. Karin Stephen: 'That the modern explanation which I have tried to put forward may still be no more than a metaphor I will concede . . . I do not think we need be ashamed . . . because scientific hypotheses are in fact all based on metaphor. What else is the wave theory of light . . . ?' (Cp. Waddington's *Science and Ethics*, p. 80; see also p. 76 on gravity.) If the method of science were still that of essentialism, i.e. the method of asking 'what is it?' (cp. section 10 above), and if the wave theory of light were the essentialist statement that light is a wave motion, then this remark would be justified. But as things are, it is one of the main differences between psycho-analysis and the wave theory of light that while the former is still largely essentialistic and metaphorical, the latter is not.

among historicists, I believe—could still have offered a rejoinder. Mill might perhaps have admitted a certain amount of confusion between laws and trends. But he could have reminded us that he himself had criticized those who mistook a 'uniformity of historical succession' for a true law of nature; that he had been careful to emphasize that such a uniformity could 'only be an empirical law'²² (the term is somewhat misleading); and that it should not be considered secure before it had been reduced, 'by the consilience of deduction *a priori* with historical evidence', to the status of a true law of nature. And he could have reminded us that he had even laid down the 'imperative rule never to introduce any generalization from history into the social science unless sufficient grounds can be pointed out for it',²³—that is, by deducing it from some true natural laws which can be established independently. (The laws he had in mind were those of 'human nature', i.e. psychology.) To this procedure of reducing historical or other generalizations to some set of laws of higher generality, Mill gave the name 'inverse deductive method', and he advocated it as the only correct historical and sociological method.

I am ready to admit that there is some force in this rejoinder. For should we succeed in reducing a trend to a set of laws, then we should be justified in using this trend, like a law, as a basis of predictions. Such a reduction, or inverse deduction, would go a long way towards bridging the gulf between laws and trends. The force of this rejoinder is further brought out by the fact that

²² This and the next quotation are from Mill, *Logic*, Book VI, ch. X, section 3. I consider the term 'empirical law' (used by Mill as a name for a law of a low degree of generality) as very unfortunate because all scientific laws are empirical: they are all accepted or rejected on the basis of empirical evidence. (For Mill's 'empirical laws', see also *op. cit.*, Book III, ch. VI, and Book VI, ch. V, section 1.) Mill's distinction has been accepted by C. Menger who opposes 'exact laws' to 'empirical laws'; see *The Collected Works*, vol. II, pp. 38 ff., and 259 ff.

²³ See Mill, *op. cit.*, Book VI, ch. X, section 4. See also Comte, *Cours de philosophie positive*, IV, p. 335.

Mill's method of 'inverse deduction' is a fair (although scrappy) description of a procedure which is used not only in the social sciences but in all sciences, and to an extent far beyond Mill's own estimate.

In spite of these admissions I believe that my criticism remains correct, and that the fundamental historicist confusion of laws with trends is indefensible. But in order to show this, a careful analysis is needed of the method of reduction or inverse deduction.

Science, we may say, is confronted with problems, at any moment of its development. It cannot start with observations, or with the 'collection of data', as some students of method believe. Before we can collect data, our interest in data of a certain kind must be aroused: the problem always comes first. The problem in its turn may be suggested by practical needs, or by scientific or pre-scientific beliefs which, for some reason or other, appear to be in need of revision.

Now a scientific problem, as a rule, arises from the need for an explanation. Following Mill, we shall distinguish between two main cases: the explanation of an individual or singular specific event, and the explanation of some regularity or law. Mill puts it as follows:

An individual fact is said to be explained by pointing out its cause, that is, by stating the law or laws . . . of which its production is an instance. Thus a conflagration is explained when it is proved to have arisen from a spark falling into a heap of combustibles; and in a similar manner, a law . . . is said to be explained when another law or laws are pointed out, of which that law itself is but a case and from which it could be deduced.²⁴

²⁴ Mill, *op. cit.*, Book III, ch. XII, section 1. For the 'derivation' or 'inverse deduction' of what he calls 'empirical laws', see also *ib. cit.*, ch. XVI, section 2.

The case of the explanation of a law is a case of 'inverse deduction', and therefore important in our context.

Mill's explanation of an explanation, or better of a causal explanation, is in the main quite acceptable. But for certain purposes it is not precise enough; and this lack of precision plays an important part in the issue we are here concerned with. I shall therefore re-state the matter, and point out where the differences between Mill's view and my own lie.

I suggest that to give a causal explanation of a certain *specific event* means deducing a statement describing this event from two kinds of premises: from some *universal laws*, and from some singular or specific statements which we may call the *specific initial conditions*. For example, we can say that we have given a causal explanation of the breaking of a certain thread if we find that this thread could carry a weight of only one pound, and that a weight of two pounds was put on it. If we analyse this causal explanation, then we find that two different constituents are involved. (1) Some hypotheses of the character of universal laws of nature; in this case, perhaps: 'For every thread of a given structure s (determined by its material, thickness, etc.) there is a characteristic weight w such that the thread will break if any weight exceeding w is suspended on it'; and 'For every thread of the structure s_1 , the characteristic weight w equals one pound'. (2) Some specific (singular) statements—the initial conditions—pertaining to the particular event in question; in this case, we may have two statements: 'This is a thread of structure s_1 ', and 'The weight put on this thread was a weight of two pounds'. Thus we have two different constituents, two different kinds of statements which together yield a complete causal explanation: (1) *Universal statements of the character of natural laws*; and (2) *specific statements pertaining to the special case in question, called the 'initial conditions'*. Now from the universal laws (1) we can deduce, with the help of the initial conditions (2), the following specific statement (3): 'This thread will break'. This conclusion (3) we may also call a

specific prognosis. The initial conditions (or more precisely, the situation described by them) are usually spoken of as the *cause* of the event in question, and the prognosis (or rather, the event described by the prognosis) as the *effect*; for example, we say that the putting of a weight of two pounds on a thread capable of carrying only one pound was the cause, and the breaking the effect.²⁵

Such a causal explanation will, of course, be scientifically acceptable only if the universal laws are well tested and corroborated, and if we have also some independent evidence in favour of the cause, i.e. of the initial conditions.

Before proceeding to analyse the causal explanation of regularities or laws, it may be remarked that several things emerge from our analysis of the explanation of singular events. One is that we can never speak of cause and effect in an absolute way, but must say that an event is a cause of another event—its effect—in relation to some universal law. However, these universal laws are very often so trivial (as in our example) that as a rule we take them for granted instead of making conscious use of them. A second point is that the use of a theory for predicting some specific event is just another aspect of its use for explaining such an event. And since we test a theory by comparing the events predicted with those actually observed, our analysis also

²⁵ This paragraph, containing the analysis of a causal explanation of a specific event, is a near-quotation from my *Logic of Scientific Discovery*, section 12. At present, I feel inclined to suggest a definition of 'cause' on the basis of Tarski's semantics (which I did not know when that book was written), along the following lines: The (singular) event A is called a cause of the (singular) event B if and only if from a set of true universal statements (laws of nature) a material implication follows whose implicans designates A and whose implicate designates B. Similarly, we could define the concept of a 'scientifically accepted cause'. For the semantic concept of designation, see Carnap, *Introduction to Semantics* (1942). It appears that the above definition could be improved by using what Carnap calls 'absolute concepts'.—For some historical remarks concerning the problem of cause, see note 7 to ch. 25 of my book, *The Open Society and Its Enemies*.

shows how theories can be tested. Whether we use a theory for the purpose of explanation, of prediction, or of testing, depends upon our interest; it depends upon the question which statements we consider as given or unproblematic, and which statements we consider to stand in need of further criticism, and of testing. (See section 29.)

The causal explanation of a *regularity*, described by a universal law, is somewhat different from that of a singular event. At first sight, one might think that the case is analogous and that the law in question has to be deduced from (1) some more general laws, and (2) certain special conditions which correspond to the initial conditions but which are not singular, and refer to a certain kind of situation. This, however, is not the case here, for the special conditions (2) must be explicitly stated in the formulation of the law which we wish to explain; for otherwise this law would simply contradict (1). (For example, if with the help of Newton's theory we wish to explain the law that all planets move in ellipses, then we have to put first explicitly in the formulation of this law the conditions under which we can assert its validity, perhaps in the form: If a number of planets, sufficiently spaced to make their mutual attraction very small, move round a very much heavier sun, then each moves approximately in an ellipse with the sun in the one focus.) In other words, the formulation of the universal law which we try to explain has to incorporate all the conditions of its validity, since otherwise we cannot assert it universally (or as Mill says, unconditionally). Accordingly, the causal explanation of a regularity consists in the deduction of a law (containing the conditions under which the regularity asserted holds) from a set of more general laws which have been tested and confirmed independently.

If we now compare our account of causal explanation with Mill's we see that there is no great difference as far as the reduction of laws to more general laws is concerned, that is to say, in the causal explanation of regularities. But in Mill's discussion

of the causal explanation of *singular events*, there is no clear distinction between (1) universal laws, and (2) specific initial conditions. This is, largely, due to Mill's lack of clarity in his use of the term 'cause' by which he means sometimes singular events, and sometimes universal laws. We shall now show how this affects the explanation or reduction of trends.

That it is logically possible to reduce or explain trends cannot be doubted. Let us assume, for example, that we find that all planets progressively approach the sun. The solar system would then be a dynamic system in Comte's sense; it would have a development or a history, with a definite trend. The trend could easily be explained in Newtonian physics by the assumption (for which we might find independent evidence) that inter-planetary space is filled with some resisting matter—for example, a certain gas. This assumption would be a new specific initial condition which we would have to add to the usual initial conditions stating the positions and momenta of the planets at a certain time. As long as the new initial condition persists, we should have a systematic change or trend. Now if we further assume the change to be large, then it must have a very marked systematic influence on the biology and history of the various species on earth, including human history. This shows how we could, in principle, explain certain evolutionary and historical trends—even 'general trends', i.e. trends that persist throughout the development under consideration. It is obvious that these trends would be analogous to the quasi-laws of succession (seasonal periodicities, etc.) mentioned in the preceding section, with the difference that they would be 'dynamic'. They would, therefore, correspond, even more closely than these 'static' quasi-laws, to Comte's and Mill's vague idea of evolutionary or historical laws of succession. Now if we have reason to assume the persistence of the relevant initial conditions then, clearly, we can assume that these trends or 'dynamic quasi-laws' will persist, so that they may be used, like laws, as a basis for predictions.

There is little doubt that such *explained trends* (as we may call them), or trends which are on the verge of being explained, play a considerable role in modern evolutionary theory. Apart from a number of such trends pertaining to the evolution of certain biological forms such as shells and rhinoceroses, it appears that a general trend towards an increasing number and an increasing variety of biological forms spreading into an increasing range of environmental conditions is becoming explicable in terms of biological laws (together with initial conditions which make certain assumptions regarding the terrestrial environment of organisms and which, together with the laws, imply, for example, the working of the important mechanism called 'natural selection').²⁶

²⁶ For a discussion of evolutionary trends, see J. Huxley, *Evolution* (1942), ch. IX. Concerning Huxley's theory of Evolutionary Progress (*op. cit.*, ch. X) it appears to me that all that can reasonably be asserted is this: the general trend towards an increasing variety of forms, etc., leaves room for the statement that 'progress' (Huxley's definition is discussed below) sometimes occurs, and sometimes not; that the evolutions of some forms is sometimes progressive, while that of most is not; and that there is no general reason why we should expect that forms will occur in the future which have made further progress. (Cp. Huxley's contention—e.g. *op. cit.*, p. 571—that, if man were wiped out, further progress is in the highest degree improbable. Although his arguments do not convince me, they carry an implication with which I am inclined to agree; namely, that biological progress is, as it were, something accidental.) Concerning Huxley's definition of evolutionary progress as increasing *all-round biological efficiency*, i.e. as increasing control over and independence of the environment, I feel that he has indeed succeeded in expressing adequately the intentions of many who have used this term. Furthermore, the defining terms are not, I admit, anthropocentric; they contain no valuation. And yet, to call an increase in efficiency or in control 'progress' appears to me as expressing a valuation; it expresses the belief that efficiency or control is good, and that the spread of life and its further conquest of dead matter is desirable. But it is certainly possible to adopt very different values. I do not think therefore that Huxley's claim that he has given an 'objective definition' of evolutionary progress, free from anthropomorphism and value judgments, is tenable. (See *op. cit.*, p. 559; also p. 565, arguing against J. B. S. Haldane's view that the idea of progress is anthropocentric.)

All this may appear to tell against us, and indeed to support Mill and historicism. But this is not the case. Explained trends do exist, but their persistence depends on the persistence of certain specific initial conditions (which in turn may sometimes be trends).

Now Mill and his fellow historicists overlook the dependence of trends on initial conditions. They operate with trends as if they were unconditional, like laws. Their confusion of laws with trends²⁷ makes them believe in trends which are unconditional (and therefore general); or, as we may say, in 'absolute trends';²⁸ for example, in a general historical tendency towards progress—'a tendency towards a better and happier state'. And if they at all consider a 'reduction' of their tendencies to laws, they believe that these tendencies can be immediately derived from universal laws alone, such as the laws of psychology (or perhaps of dialectical materialism, etc.).

This, we may say, is the central mistake of historicism. Its 'laws of development' turn out to be absolute trends; trends which, like laws, do not depend on initial conditions, and which carry us irresistibly in a certain direction into the future. They are the basis of unconditional prophecies, as opposed to conditional scientific predictions.

But what about those who see that trends depend on conditions, and who try to find these conditions and to formulate them explicitly? My answer is that I have no quarrel with them. On the contrary: that trends occur cannot be doubted. Therefore

²⁷ That in Mill's case it is this confusion which is mainly responsible for his belief in the existence of what I call 'absolute trends' can be seen by an analysis of his *Logic*, Book III, ch. XVI.

²⁸ There are some logical reasons for describing the belief in an absolute trend as unscientific or metaphysical (cp. note 14 on p. 106, above). Such a trend may be formulated by a non-specific or generalized existential statement ('There exists such and such a trend'), which we cannot test since no observation of deviation from the trend can disprove this statement; for we can always hope that, 'in the long run', deviations in the opposite direction will set matters right again.

we have the difficult task of explaining them as well as we can, i.e. of determining as precisely as possible the conditions under which they persist. (See section 32.)²⁹

The point is that these conditions are so easily overlooked. There is, for example, a trend towards an 'accumulation of means of production' (as Marx puts it). But we should hardly expect it to persist in a population which is rapidly decreasing; and such a decrease may in turn depend on extra-economic conditions, for example, on chance inventions, or conceivably on the direct physiological (perhaps biochemical) impact of an industrial environment. There are, indeed, countless possible conditions; and in order to be able to examine these possibilities in our search for the true conditions of a trend, we have all the time to try to imagine conditions under which the trend in question would disappear. But this is just what the historicist cannot do. He firmly believes in his favourite trend, and

²⁹ If we succeed in determining the complete or sufficient singular conditions *c* of a singular trend *t*, then we can formulate the universal law: 'Whenever there are conditions of the kind *c* there will be a trend of the kind *t*'. The idea of such a law is unobjectionable from the logical point of view; but it is very different from Comte's and Mill's idea of a law of succession which, like an absolute trend, or a law of a mathematical sequence, characterizes the general run of events. Besides, how could we determine that our conditions are sufficient? Or what amounts to the same thing: how could we test a law of the form indicated above? (We must not forget that we are here discussing position (b) of section 27, which involves the claim that the trend can be tested.) In order to test such a law we have to try hard to produce conditions under which it does not hold; to this end we must try to show that conditions of the kind *c* are insufficient, and that even in their presence, a trend like *t* does not always occur. A method like this (it is sketched in section 32) would be unobjectionable. But it is inapplicable to the absolute trends of the historicist, since these are necessary and omnipresent concomitants of social life, and cannot be eliminated by any possible interference with social conditions. (We can see here again the 'meta-physical' character of the belief in trends which are not specific, such as general trends; the statements expressing such a belief cannot be tested; see also the foregoing note.)

conditions under which it would disappear are to him unthinkable. The poverty of historicism, we might say, is a poverty of imagination. The historicist continuously upbraids those who cannot imagine a change in their little worlds; yet it seems that the historicist is himself deficient in imagination, for he cannot imagine a change in the conditions of change.

29 THE UNITY OF METHOD

I suggested in the foregoing section that the deductive methods there analysed are widely used and important—more so than Mill, for example, ever thought. This suggestion will now be further elaborated, in order to throw some light on the dispute between naturalism and anti-naturalism. In this section I am going to propose a doctrine of the unity of method; that is to say, the view that all theoretical or generalizing sciences make use of the same method, whether they are natural sciences or social sciences. (I postpone the discussion of the historical sciences until section 31.) At the same time, some of these doctrines of historicism which I have not yet sufficiently examined will be touched upon, such as the problems of Generalization; of Essentialism; of the role played by Intuitive Understanding; of the Inexactitude of Prediction; of Complexity; and of the application of Quantitative Methods.

I do not intend to assert that there are no differences whatever between the methods of the theoretical sciences of nature and of society; such differences clearly exist, even between the various natural sciences themselves, as well as between the various social sciences. (Compare, for example, the analysis of competitive markets and of Romance languages.) But I agree with Comte and Mill—and with many others, such as C. Menger—that the methods in the two fields are fundamentally the same (though the methods I have in mind may differ from those they had in mind). The methods always consist in offering deductive causal

explanations, and in testing them (by way of predictions). This has sometimes been called the hypothetical-deductive method,³⁰ or more often the method of hypothesis, for it does not achieve absolute certainty for any of the scientific statements which it tests; rather, these statements always retain the character of tentative hypotheses, even though their character of tentativeness may cease to be obvious after they have passed a great number of severe tests.

Because of their tentative or provisional character, hypotheses were considered, by most students of method, as *provisional in the sense that they have ultimately to be replaced by proved theories* (or at least by theories which can be proved to be 'highly probable', in the sense of some calculus of probabilities). I believe that this view is mistaken and that it leads to a host of entirely unnecessary difficulties. But this problem³¹ is of comparatively little moment

³⁰ See V. Kraft, *Die Grundformen der wissenschaftlichen Methoden* (1925).

³¹ See my *Logic of Scientific Discovery*, on which the present section is based, especially the doctrine of tests by way of deduction ('deductivism') and of the redundancy of any further 'induction', since theories always retain their hypothetical character ('hypotheticism'), and the doctrine that scientific tests are genuine attempts to falsify theories ('eliminationism'); see also the discussion of testability and falsifiability.

The opposition here pointed out, between deductivism and inductivism, corresponds in some respects to the classical distinction between rationalism and empiricism: Descartes was a deductivist, since he conceived all sciences as deductive systems, while the English empiricists, from Bacon on, all conceived the sciences as collecting observations from which generalizations are obtained by induction.

But Descartes believed that the principles, the premises of the deductive systems, must be secure and self-evident—'clear and distinct'. They are based upon the insight of reason. (They are synthetic and *a priori* valid, in Kantian language.) As opposed to this, I conceive them as tentative conjectures, or hypotheses.

These hypotheses, I contend, must be refutable in principle: it is here that I deviate from the two greatest modern deductivists, Henri Poincaré and Pierre Duhem.

here. What is important is to realize that in science we are always concerned with explanations, predictions, and tests, and that the method of testing hypotheses is always the same (see the foregoing section). From the hypothesis to be tested—for example, a universal law—together with some other statements which for this purpose are not considered as problematic—for example, some initial conditions—we deduce some prognosis. We then confront this prognosis, whenever possible, with the results of experimental or other observations. Agreement with them is

Poincaré and Duhem both recognized the impossibility of conceiving the theories of physics as inductive generalizations. They realized that the observational measurements which form the alleged starting-point for the generalizations are, on the contrary, *interpretations in the light of theories*. And they rejected not only inductivism, but also the rationalistic belief in synthetic *a priori* valid principles or axioms. Poincaré interpreted them as analytically true, as definitions; Duhem interpreted them as instruments (as did Cardinal Bellarmino and Bishop Berkeley), as means for the ordering of the experimental laws—the experimental laws which, he thought, were obtained by induction. Theories thus cannot contain either true or false information: they are nothing but instruments, since they can only be convenient or inconvenient, economical or uneconomical; supple and subtle, or else creaking and crude. (Thus, Duhem says, following Berkeley, there cannot be logical reasons why two or more theories which contradict one another should not all be accepted.) I fully agree with both these great authors in rejecting inductivism as well as the belief in the synthetic *a priori* validity of physical theories. But I cannot accept their view that it is impossible to submit theoretical systems to empirical tests. Some of them are testable, I think; that is, refutable in principle; and they are therefore synthetic (rather than analytic); empirical (rather than *a priori*); and informative (rather than purely instrumental). As to Duhem's famous criticism of crucial experiments, he only shows that crucial experiments can never prove or establish a theory; but he nowhere shows that crucial experiments cannot *refute* a theory. Admittedly, Duhem is right when he says that we can test only huge and complex theoretical systems rather than isolated hypotheses; but if we test two such systems which differ in one hypothesis only, and if we can design experiments which refute the first system while leaving the second very well corroborated, then we may be on reasonably safe ground if we attribute the failure of the first system to that hypothesis in which it differs from the other.

taken as corroboration of the hypothesis, though not as final proof; clear disagreement is considered as refutation or falsification.

According to this analysis, there is no great difference between explanation, prediction and testing. The difference is not one of logical structure, but rather one of emphasis; it depends on what we consider to be our problem and what we do not so consider. If it is not our problem to find a prognosis, while we take it to be our problem to find the initial conditions or some of the universal laws (or both) from which we may deduce a given 'prognosis', then we are looking for an *explanation* (and the given 'prognosis' becomes our 'explicandum'). If we consider the laws and initial conditions as given (rather than as to be found) and use them merely for deducing the prognosis, in order to get thereby some new information, then we are trying to make a *prediction*. (This is a case in which we *apply* our scientific results.) And if we consider one of the premises, i.e. either a universal law or an initial condition, as problematic, and the prognosis as something to be compared with the results of experience, then we speak of a test of the problematic premise.

The result of tests is the *selection* of hypotheses which have stood up to tests, or the *elimination* of those hypotheses which have not stood up to them, and which are therefore rejected. It is important to realize the consequences of this view. They are these: all tests can be interpreted as attempts to weed out false theories—to find the weak points of a theory in order to reject it if it is falsified by the test. This view is sometimes considered paradoxical; our aim, it is said, is to establish theories, not to eliminate false ones. But just because it is our aim to establish theories as well as we can, we must test them as severely as we can; that is, we must try to find fault with them, we must try to falsify them. Only if we cannot falsify them in spite of our best efforts can we say that they have stood up to severe tests. This is the reason why the discovery of instances which confirm a

theory means very little if we have not tried, and failed, to discover refutations. For if we are uncritical we shall always find what we want: we shall look for, and find, confirmations, and we shall look away from, and not see, whatever might be dangerous to our pet theories. In this way it is only too easy to obtain what appears to be overwhelming evidence in favour of a theory which, if approached critically, would have been refuted. In order to make the method of selection by elimination work, and to ensure that only the fittest theories survive, their struggle for life must be made severe for them.

This, in outline, is the method of all sciences which are backed by experience. But what about the method by which we obtain our theories or hypotheses? What about inductive generalizations, and the way in which we proceed from observation to theory? To this question (and to the doctrines discussed in section 1, so far as they have not been dealt with in section 26) I shall give two answers. (a) I do not believe that we ever make inductive generalizations in the sense that we start with observations and try to derive our theories from them. I believe that the prejudice that we proceed in this way is a kind of optical illusion, and that at no stage of scientific development do we begin without something in the nature of a theory, such as a hypothesis, or a prejudice, or a problem—often a technological one—which in some way guides our observations, and helps us to select from the innumerable objects of observation those which may be of interest.³² But if this is so, then the method of elimination—which is nothing but that of trial and error discussed in section 24—can always be applied. However, I do not think that it is necessary for our present discussion to insist upon this point. For

³² For a surprising example of the way in which even botanical observations are guided by theory (and in which they may be even influenced by prejudice), see O. Frankel, 'Cytology and Taxonomy of Hebe, etc.', in *Nature*, vol. 147 (1941), p. 117.

we can say (b) that it is irrelevant from the point of view of science whether we have obtained our theories by jumping to unwarranted conclusions or merely by stumbling over them (that is, by 'intuition'), or else by some inductive procedure. The question, 'How did you first find your theory?' relates, as it were, to an entirely private matter, as opposed to the question, 'How did you test your theory?' which alone is scientifically relevant. And the method of testing described here is fertile; it leads to new observations, and to a mutual give and take between theory and observation.

Now all this, I believe, is not only true for the natural but also for the social sciences. And in the social sciences it is even more obvious than in the natural sciences that we cannot see and observe our objects before we have thought about them. For most of the objects of social science, if not all of them, are abstract objects; they are *theoretical* constructions. (Even 'the war' or 'the army' are abstract concepts, strange as this may sound to some. What is concrete is the many who are killed; or the men and women in uniform, etc.) These objects, these theoretical constructions used to interpret our experience, are the result of constructing certain models (especially of institutions), in order to explain certain experiences—a familiar theoretical method in the natural sciences (where we construct our models of atoms, molecules, solids, liquids, etc.). It is part of the method of explanation by way of reduction, or deduction from hypotheses. Very often we are unaware of the fact that we are operating with hypotheses or theories, and we therefore mistake our theoretical models for concrete things. This is a kind of mistake which is only too common.³³ The fact that models are often used in this

³³ With this and the following paragraph, cp. F. A. von Hayek, 'Scientism and the Study of Society', parts I and II, *Economica*, vols. ix and x, where methodological collectivism is criticized and where methodological individualism is discussed in detail.

way explains—and by so doing destroys—the doctrines of methodological essentialism (cp. section 10). It explains them, for the model is abstract or theoretical in character, and so we are liable to feel that we see it, either within or behind the changing observable events, as a kind of permanent ghost or essence. And it destroys them because the task of social theory is to construct and to analyse our sociological models carefully in descriptive or nominalist terms, that is to say, in terms of individuals, of their attitudes, expectations, relations, etc.—a postulate which may be called ‘methodological individualism’.

The unity of the methods of the natural and social sciences may be illustrated and defended by an analysis of two passages from Professor Hayek’s *Scientism and the Study of Society*.³⁴

In the first of these passages, Professor Hayek writes:

The physicist who wishes to understand the problems of the social sciences with the help of an analogy from his own field would have to imagine a world in which he knew by direct observation the inside of the atoms and had neither the possibility of making experiments with lumps of matter nor the opportunity to observe more than the interactions of a comparatively few atoms during a limited period. From his knowledge of the different kinds of atoms he could build up models of all the various ways in which they could combine into larger units and make these models more and more closely reproduce all the features of the few instances in which he was able to observe more complex phenomena. But the laws of the macrocosm which he could derive from his knowledge of the microcosm would always remain ‘deductive’; they would, because of his limited knowledge of the data of the complex situation, scarcely ever enable him to predict the precise outcome of a particular situation; and he could never verify them

³⁴ For the two passages see *Economica*, vol. ix, p. 289 f. (italics mine).

by controlled experiment—although they might be *disproved* by the observation of events which according to his theory are impossible.

I admit that the first sentence of this passage points to certain differences between social and physical science. But the rest of the passage, I believe, speaks for a complete unity of method. For if, as I do not doubt, this is a correct description of the method of social science, then it shows that it differs only from such interpretations of the method of natural science as we have already rejected. I have in mind, more especially, the ‘inductivist’ interpretation which holds that in the natural sciences we proceed systematically from observation to theory by some method of generalization, and that we can ‘verify’, or perhaps even prove, our theories by some method of induction. I have been advocating a very different view here—an interpretation of scientific method as deductive, hypothetical, selective by way of falsification, etc. And this description of the method of natural science agrees perfectly with Professor Hayek’s description of the method of social science. (I have every reason to believe that my interpretation of the methods of science was not influenced by any knowledge of the methods of the social sciences; for when I developed it first, I had only the natural sciences in mind,³⁵ and I knew next to nothing about the social sciences.)

But even the differences alluded to in the first sentence of the quotation are not so great as may appear at first sight. It is undoubtedly true that we have a more direct knowledge of the ‘inside of the human atom’ than we have of physical atoms; but this knowledge is intuitive. In other words, we certainly use our knowledge of ourselves in order to frame *hypotheses* about some other people, or about all people. But these hypotheses must be

³⁵ Cp. *Erkenntnis*, III, p. 426 f., and my *Logik der Forschung*, 1934, whose sub-title may be translated: ‘On the Epistemology of the Natural Sciences’.

tested, they must be submitted to the method of selection by elimination. (Intuition prevents some people from even imagining that anybody could possibly dislike chocolate.) The physicist, it is true, is not helped by such direct observation when he frames his hypotheses about atoms; nevertheless, he quite often uses some kind of sympathetic imagination or intuition which may easily make him feel that he is intimately acquainted with even the 'inside of the atoms'—with even their whims and prejudices. But this intuition is his private affair. Science is interested only in the hypotheses which his intuitions may have inspired, and then only if these are rich in consequences, and if they can be properly tested. (For the other difference mentioned in Professor Hayek's first sentence, i.e. the difficulty of conducting experiments, see section 24.)

These few remarks may also indicate the way in which the historicist doctrine expounded in section 8 should be criticized—that is to say, the doctrine that social science must use the method of intuitive understanding.

In the second passage, Professor Hayek, speaking of social phenomena, says:

... our knowledge of the principle by which these phenomena are produced will rarely if ever enable us to predict the precise result of any *concrete* situation. While we can explain the principle on which certain phenomena are produced and can from this knowledge *exclude the possibility of certain results*, e.g. of certain events occurring together, our knowledge will in a sense be only negative, i.e. it will merely enable us to preclude certain results but not enable us to narrow the range of possibilities sufficiently so that only one remains.

This passage, far from describing a situation peculiar to the social sciences, perfectly describes the character of natural laws which, indeed, can never do more than exclude certain possibilities.

('You cannot carry water in a sieve'; see section 20, above.) More especially the statement that we shall not, as a rule, be able 'to predict the precise result of any *concrete* situation' opens up the problem of the inexactitude of prediction (see section 5, above). I contend that precisely the same may be said of the *concrete* physical world. In general it is only by the use of artificial experimental isolation that we can predict physical events. (The solar system is an exceptional case—one of natural, not of artificial isolation; once its isolation is destroyed by the intrusion of a foreign body of sufficient size, all our forecasts are liable to break down.) We are very far from being able to predict, even in physics, the precise results of a *concrete* situation, such as a thunderstorm, or a fire.

A very brief remark may be added here on the problem of complexity (see section 4, above). There is no doubt that the analysis of any *concrete* social situation is made extremely difficult by its complexity. But the same holds for any *concrete* physical situation.³⁶ The widely held prejudice that social situations are more complex than physical ones seems to arise from two sources. One of them is that we are liable to compare what should not be compared; I mean on the one hand *concrete* social situations and on the other hand artificially insulated experimental physical situations. (The latter might be compared, rather, with an artificially insulated social situation—such as a prison, or an experimental community.) The other source is the old belief that the description of a social situation should involve the mental and perhaps even physical states of everybody concerned (or perhaps that it should even be reducible to them). But this belief is not justified; it is much less justified even than the impossible demand that the description of a *concrete* chemical reaction should involve that of the atomic and

³⁶ A somewhat similar argument can be found in C. Menger, *Collected Works*, vol. II (1883 and 1933), pp. 259–60.

sub-atomic states of all the elementary particles involved (although chemistry may indeed be reducible to physics). The belief also shows traces of the popular view that social entities such as institutions or associations are concrete natural entities such as crowds of men, rather than abstract models constructed to interpret certain selected abstract relations between individuals.

But in fact, there are good reasons, not only for the belief that social science is less complicated than physics, but also for the belief that concrete social situations are in general less complicated than concrete physical situations. For in most social situations, if not in all, there is an element of rationality. Admittedly, human beings hardly ever act quite rationally (i.e. as they would if they could make the optimal use of all available information for the attainment of whatever ends they may have), but they act, none the less, more or less rationally; and this makes it possible to construct comparatively simple models of their actions and inter-actions, and to use these models as approximations.

The last point seems to me, indeed, to indicate a considerable difference between the natural and the social sciences—perhaps the most important difference in their methods, since the other important differences, i.e. specific difficulties in conducting experiments (see end of section 24) and in applying quantitative methods (see below), are differences of degree rather than of kind. I refer to the possibility of adopting, in the social sciences, what may be called the method of logical or rational construction, or perhaps the 'zero method'.³⁷ By this I mean the method of constructing a model on the assumption of complete rationality (and perhaps also on the assumption of the possession of complete information) on the part of all the individuals concerned, and of estimat-

³⁷ See the 'null hypothesis' discussed in J. Marschak, 'Money Illusion and Demand Analysis', in *The Review of Economic Statistics*, vol. XXV, p. 40.—The method described here seems partly to coincide with what has been called by Professor Hayek, following C. Menger, the 'compositive' method.

ing the deviation of the actual behaviour of people from the model behaviour, using the latter as a kind of zero co-ordinate.³⁸ An example of this method is the comparison between actual behaviour (under the influence of, say, traditional prejudice, etc.) and model behaviour to be expected on the basis of the 'pure logic of choice', as described by the equations of economics. Marschak's interesting 'Money Illusion', for example, may be interpreted in this way.³⁹ An attempt at applying the zero method to a different field may be found in P. Sargant Florence's comparison between the 'logic of large-scale operation' in industry and the 'illogic of actual operation'.⁴⁰

In passing I should like to mention that neither the principle of methodological individualism, nor that of the zero method of constructing rational models, implies in my opinion the adoption of a psychological method. On the contrary, I believe that these principles can be combined with the view⁴¹ that the social sciences are comparatively independent of psychological assumptions, and that psychology can be treated, not as the basis of all social sciences, but as one social science among others.

In concluding this section, I have to mention what I consider to be the other main difference between the methods of some of the theoretical sciences of nature and of society. I mean the specific difficulties connected with the application of quantitative methods, and especially methods of measurement.⁴² Some of these difficulties can be, and have been, overcome by the

³⁸ Even here it may be said, perhaps, that the use of rational or 'logical' models in the social sciences, or of the 'zero method', has some vague parallel in the natural sciences, especially in thermodynamics and in biology (the construction of mechanical models, and of physiological models of processes and of organs). (Cp. also the use of variational methods.)

³⁹ See J. Marschak, *op. cit.*

⁴⁰ See P. Sargant Florence, *The Logic of Industrial Organisations* (1933).

⁴¹ This view is more fully developed in ch. 14 of my *Open Society*.

⁴² These difficulties are discussed by Professor Hayek, *op. cit.*, p. 290 f.

application of statistical methods, for example in demand analysis. And they have to be overcome if, for example, some of the equations of mathematical economics are to provide a basis even of merely qualitative applications; for without such measurement we should often not know whether or not some counteracting influences exceeded an effect calculated in merely qualitative terms. Thus merely qualitative considerations may well be deceptive at times; just as deceptive, to quote Professor Frisch, 'as to say that when a man tries to row a boat forward, the boat will be driven backward because of the pressure exerted by his feet'.⁴³ But it cannot be doubted that there are some fundamental difficulties here. In physics, for example, the parameters of our equations can, in principle, be reduced to a small number of natural constants—a reduction which has been successfully carried out in many important cases. This is not so in economics; here the parameters are themselves in the most important cases quickly changing variables.⁴⁴ This clearly reduces the significance, interpretability, and testability of our measurements.

30 THEORETICAL AND HISTORICAL SCIENCES

The thesis of the unity of scientific method, whose application to theoretical sciences I have just been defending, can be extended, with certain limitations, even to the field of the historical sciences. And this can be done without giving up the fundamental distinction between theoretical and historical sciences—for example, between sociology or economic theory or political theory on the one hand, and social, economic, and political history on the other—a distinction which has been so often and emphatically reaffirmed by the best historians. It is the distinction between the interest in universal laws and the interest in

⁴³ See *Econometrica*, 1 (1933), p. 1 f.

⁴⁴ See Lionel Robbins, in *Economica*, vol. V, especially p. 351.

particular facts. I wish to defend the view, so often attacked as old-fashioned by historicists, that history is characterized by its interest in actual, singular, or specific events, rather than in laws or generalizations.

This view is perfectly compatible with the analysis of scientific method, and especially of causal explanation, given in the preceding sections. The situation is simply this: while the theoretical sciences are mainly interested in finding and testing universal laws, the historical sciences take all kinds of universal laws for granted and are mainly interested in finding and testing singular statements. For example, given a certain singular 'explicandum'—a singular event—they may look for singular initial conditions which (together with all kinds of universal laws which may be of little interest) explain that explicandum. Or they may test a given singular hypothesis by using it, along with other singular statements, as an initial condition, and by deducing from these initial conditions (again with the help of all kinds of universal laws of little interest) some new 'prognosis' which may describe an event which has happened in the distant past, and which can be confronted with the empirical evidence—perhaps with documents or inscriptions, etc.

In the sense of this analysis, all causal explanation of a singular event can be said to be historical in so far as the 'cause' is always described by singular initial conditions. And this agrees entirely with the popular idea that to explain a thing causally is to explain how and why it happened, that is to say, to tell its 'story'. But it is only in history that we are really interested in the causal explanation of a singular event. In the theoretical sciences, such causal explanations are mainly means to a different end—the testing of universal laws.

If these considerations are correct, then the burning interest in questions of origin shown by some evolutionists and historicists, who despise old-fashioned history and wish to reform it into a theoretical science, is somewhat misplaced.

Questions of origin are 'how and why' questions. They are comparatively unimportant theoretically and usually have only a specific historical interest.

Against my analysis of historical explanation⁴⁵ it may be argued that history does make use of universal laws contrary to the emphatic declaration of so many historians that history has no interest whatever in such laws. To this we may answer that a singular event is the cause of another singular event—which is its effect—only relative to some universal laws.⁴⁶ But these laws may be so trivial, so much part of our common knowledge, that we need not mention them and rarely notice them. If we say that the cause of the death of Giordano Bruno was being burnt at the stake, we do not need to mention the universal law that all living things die when exposed to intense heat. But such a law was tacitly assumed in our causal explanation.

Among the theories which the political historian presupposes are, of course, certain theories of sociology—the sociology of power, for example. But the historian uses even these theories, as a rule, without being aware of them. He uses them in the main not as universal laws which help him to test his specific hypotheses, but as implicit in his terminology. In speaking of governments, nations, armies, he uses, usually unconsciously, the 'models' provided by scientific or pre-scientific sociological analysis (see the foregoing section).

⁴⁵ My analysis may be contrasted with that of Morton G. White, 'Historical Explanation' (*Mind*, N.S., vol. 52, pp. 212 ff.), who bases his analysis on my theory of causal explanation as reproduced in an article by C. G. Hempel. Nevertheless he reaches a very different result. Neglecting the historian's characteristic interest in singular events, he suggests that an explanation is 'historical' if it is characterized by the use of sociological terms (and theories).

⁴⁶ This has been seen by Max Weber. His remarks on p. 179 of his *Gesammelte Aufsätze zur Wissenschaftslehre* (1922) are the closest anticipation of which I know to the analysis offered here. But he is mistaken, I believe, when he suggests that the difference between theoretical and historical science lies in the degree of generality of the laws used.

The historical sciences, it may be remarked, do not stand quite apart in their attitude towards universal laws. Whenever we encounter an actual application of science to a singular or specific problem we find a similar situation. The practical chemist, for example, who wishes to analyse a certain given compound—a piece of rock, say—hardly considers any universal law. Instead, he applies, possibly without much thought, certain routine techniques which, from the logical point of view, are tests of such singular hypotheses as 'this compound contains sulphur'. His interest is mainly a historical one—the description of one set of specific events, or of one individual physical body.

I believe that this analysis clarifies some well-known controversies between certain students of the method of history.⁴⁷ One historicist group asserts that history, which does not merely enumerate facts but attempts to present them in some kind of causal connection, must be interested in the formulation of historical laws, since causality means, fundamentally, determination by law. Another group, which also includes historicists, argues that even 'unique' events, events which occur only once and have nothing 'general' about them, may be the cause of other events, and that it is this kind of causation that history is interested in. We can now see that both groups are partly right and partly wrong. Universal law and specific events are together necessary for any causal explanation, but outside the theoretical sciences, universal laws usually arouse little interest.

This leads us to the question of the uniqueness of historical events. In so far as we are concerned with the historical explanation of typical events they must necessarily be treated as typical, as belonging to kinds or classes of events. For only then is the deductive method of causal explanation applicable. History, however, is interested not only in the explanation of specific events but also in the description of a specific event as such. One

⁴⁷ See, for example, Weber, *op. cit.*, pp. 8 f., 44 f., 48, 215 ff., 233 ff.

of its most important tasks is undoubtedly to describe interesting happenings in their peculiarity or uniqueness; that is to say, to include aspects which it does not attempt to explain causally, such as the 'accidental' concurrence of causally unrelated events. These two tasks of history, the disentanglement of causal threads and the description of the 'accidental' manner in which these threads are interwoven, are both necessary, and they supplement each other; at one time an event may be considered as typical, i.e. from the standpoint of its causal explanation, and at another time as unique.

These considerations may be applied to the question of novelty, discussed in section 3. The distinction made there between 'novelty of arrangement' and 'intrinsic newness' corresponds to the present distinction between the standpoint of causal explanation and that of the appreciation of the unique. So far as newness can be rationally analysed and predicted, it can never be 'intrinsic'. This dispels the historicist doctrine that social science should be applicable to the problem of predicting the emergence of intrinsically new events—a claim which may be said to rest ultimately on an insufficient analysis of prediction and of causal explanation.

31 SITUATIONAL LOGIC IN HISTORY. HISTORICAL INTERPRETATION

But is this all? Is there nothing whatever in the historicist demand for a reform of history—for a sociology which plays the role of a theoretical history, or a theory of historical development? (See sections 12 and 16.) Is there nothing whatever in the historicist idea of 'periods'; of the 'spirit' or 'style' of an age; of irresistible historical tendencies; of movements which captivate the minds of individuals and which surge on like a flood, driving, rather than being driven by, individual men? Nobody who has read, for example, the speculations of Tolstoy in *War and*

Peace—historicist, no doubt, but stating his motives with candour—on the movement of the *meu* of the West towards the East and the counter movement of the Russians towards the West,⁴⁸ can deny that historicism answers a real need. We have to satisfy this need by offering something better before we can seriously hope to get rid of historicism.

Tolstoy's historicism is a reaction against a method of writing history which implicitly accepts the truth of the principle of leadership; a method which attributes much—too much, if Tolstoy is right, as he undoubtedly is—to the great man, the leader. Tolstoy tries to show, successfully I think, the small influence of the actions and decisions of Napoleon, Alexander, Kutuzov, and the other great leaders of 1812, in the face of what may be called the logic of events. Tolstoy points out, rightly, the neglected but very great importance of the decisions and actions of the countless unknown individuals who fought the battles, who burned Moscow, and who invented the partisan method of fighting. But he believes that he can see some kind of historical determination in these events—fate, historical laws, or a plan. In his version of historicism, he combines both methodological individualism and collectivism; that is to say, he represents a highly typical combination—typical of his time, and, I am afraid, of our own—of democratic-individualist and collectivist-nationalistic elements.

This example may remind us that there are *some* sound elements in historicism; it is a reaction against the naïve method of interpreting political history merely as the story of great tyrants and great generals. Historicists rightly feel that there may be something better than this method. It is this feeling which makes their idea of 'spirits'—of an age, of a nation, of an army—so seductive.

⁴⁸ This anticipates the problems recently laboured but not answered by Professor Toynbee.

Now I have not the slightest sympathy with these 'spirits'—neither with their idealistic prototype nor with their dialectical and materialistic incarnations—and I am in full sympathy with those who treat them with contempt. And yet I feel that they indicate, at least, the existence of a lacuna, of a place which it is the task of sociology to fill with something more sensible, such as an analysis of problems arising within a tradition. There is room for a more detailed analysis of the logic of situations. The best historians have often made use, more or less unconsciously, of this conception: Tolstoy, for example, when he describes how it was not decision but 'necessity' which made the Russian army yield Moscow without a fight and withdraw to places where it could find food. Beyond this logic of the situation, or perhaps as a part of it, we need something like an analysis of social movements. We need studies, based on methodological individualism, of the social institutions through which ideas may spread and captivate individuals, of the way in which new traditions may be created, and of the way in which traditions work and break down. In other words, our individualistic and institutional models of such collective entities as nations, or governments, or markets, will have to be supplemented by models of political situations as well as of social movements such as scientific and industrial progress. (A sketch of such an analysis of progress will be found in the next section.) These models may then be used by historians, partly like the other models, and partly for the purpose of explanation, along with the other universal laws they use. But even this would not be enough; it would still not satisfy all those real needs which historicism attempts to satisfy.

If we consider the historical sciences in the light of our comparison between them and the theoretical sciences, then we can see that their lack of interest in universal laws puts them in a difficult position. For in theoretical science laws act, among other things, as centres of interest to which observations are related, or as points of view from which observations are made.

In history the universal laws, which for the most part are trivial and used unconsciously, cannot possibly fulfil this function. It must be taken over by something else. For undoubtedly there can be no history without a point of view; like the natural sciences, history must be selective unless it is to be choked by a flood of poor and unrelated material. The attempt to follow causal chains into the remote past would not help in the least, for every concrete effect with which we might start has a great number of different partial causes; that is to say, initial conditions are very complex, and most of them have little interest for us.

The only way out of this difficulty is, I believe, consciously to introduce a *preconceived selective point of view* into one's history; that is, to write *that history which interests us*. This does not mean that we may twist the facts until they fit into a framework of preconceived ideas, or that we may neglect the facts that do not fit.⁴⁹ On the contrary, all available evidence which has a bearing on our point of view should be considered carefully and objectively (in the sense of 'scientific objectivity', to be discussed in the next section). But it means that we need not worry about all those facts and aspects which have no bearing upon our point of view and which therefore do not interest us.

Such selective approaches fulfil functions in the study of history which are in some ways analogous to those of theories in science. It is therefore understandable that they have often been taken for theories. And indeed, those rare ideas inherent in these approaches which can be formulated in the form of *testable hypotheses*, whether singular or universal, may well be treated as scientific hypotheses. But as a rule, these historical 'approaches' or 'points of view' cannot be tested. They cannot be refuted, and apparent confirmations are therefore of no value, even if they are as numerous as the stars in the sky. We shall call such a selective

⁴⁹ For a criticism of the 'doctrine . . . that all historical knowledge is relative', see Hayek, in *Economica*, vol. X, pp. 55 ff.

point of view or focus of historical interest, if it cannot be formulated as a testable hypothesis, a historical interpretation.

Historicism mistakes these interpretations for theories. This is one of its cardinal errors. It is possible, for example, to interpret 'history' as the history of class struggle, or of the struggle of races for supremacy, or as the history of religious ideas, or as the history of the struggle between the 'open' and the 'closed' society, or as the history of scientific and industrial progress. All these are more or less interesting points of view, and as such perfectly unobjectionable. But historicists do not present them as such; they do not see that there is necessarily a plurality of interpretations which are fundamentally on the same level of both suggestiveness and arbitrariness (even though some of them may be distinguished by their fertility—a point of some importance). Instead, they present them as doctrines or theories, asserting that 'all history is the history of class struggle', etc. And if they actually find that their point of view is fertile, and that many facts can be ordered and interpreted in its light, then they mistake this for a confirmation, or even for a proof, of their doctrine.

On the other hand, the classical historians who rightly oppose this procedure are liable to fall into a different error. Aiming at objectivity, they feel bound to avoid any selective point of view; but since this is impossible, they usually adopt points of view without being aware of them. This must defeat their efforts to be objective, for one cannot possibly be critical of one's own point of view, and conscious of its limitations, without being aware of it.

The way out of this dilemma, of course, is to be clear about the necessity of adopting a point of view; to state this point of view plainly, and always to remain conscious that it is one among many, and that even if it should amount to a theory, it may not be testable.

32 THE INSTITUTIONAL THEORY OF PROGRESS

In order to make our considerations less abstract, I shall try in this section to sketch, in very brief outline, a *theory of scientific and industrial progress*. I shall try to exemplify, in this way, the ideas developed in the last four sections; more especially the idea of situational logic, and of a methodical individualism which keeps clear of psychology. I choose the example of scientific and industrial progress because undoubtedly it was this phenomenon which inspired modern nineteenth-century historicism, and because I have previously discussed some of Mill's views on this subject.

Comte and Mill, it will be remembered, held that progress was an unconditional or absolute trend, which is reducible to the *laws of human nature*. 'A law of succession,' writes Comte, 'even when indicated with all possible authority by the method of historical observation, ought not to be finally admitted before it has been rationally reduced to the positive theory of human nature . . .'⁵⁰ He believes that the law of progress is deducible from a tendency in human individuals which impels them to perfect their nature more and more. In all this, Mill follows him completely, trying to reduce his law of progress to what he calls the 'progressiveness of the human mind'⁵¹ whose first 'impelling force . . . is the desire of increased material comforts'. According to both Comte and Mill the unconditional or absolute character of this trend or quasi-law enables us to deduce from it the first steps or phases of history, without requiring any initial historical conditions or observations or data.⁵² In principle, the whole course of history should be thus deducible; the only difficulty being, as Mill puts it, that 'so long a series . . . , each

⁵⁰ Comte, *Cours de philosophie positive*, IV, p. 335.

⁵¹ Mill, *Logic*, Book VI, ch. X, section 3; the next quotation is from section 6 where the theory is worked out in more detail.

⁵² Comte, *op. cit.*, IV, p. 345.

successive term being composed of an even greater number and variety of parts, could not possibly be computed by human faculties'.⁵³

The weakness of this 'reduction' of Mill's seems obvious. Even if we should grant Mill's premises and deductions, it still would not follow that the social or historical effect will be significant. Progress might be rendered negligible, say, by losses due to an unmanageable natural environment. Besides, the premises are based on only one side of 'human nature' without considering other sides such as forgetfulness or indolence. Thus where we observe the precise opposite of the progress described by Mill, there we can equally well 'reduce' these observations to 'human nature'. (Is it not, indeed, one of the most popular devices of so-called historical theories to explain the decline and fall of empires by such traits as idleness and a propensity to over-eat?) In fact we can conceive of very few events which could not be plausibly explained by an appeal to certain propensities of 'human nature'. But a method that can explain everything that might happen explains nothing.

If we wish to replace this surprisingly naïve theory by a more tenable one, we have to take two steps. First, we have to attempt to find conditions of progress, and to this end we must apply the principle set out in section 28: we must try to imagine conditions under which progress would be arrested. This immediately leads to the realization that a psychological propensity alone cannot be sufficient to explain progress, since conditions may be found on which it may depend. Thus we must, next, replace the theory of psychological propensities by something better; I suggest, by an institutional (and technological) analysis of the conditions of progress.

How could we arrest scientific and industrial progress? By closing down, or by controlling, laboratories for research, by

⁵³ Mill, *loc. cit.*, section 4.

suppressing or controlling scientific periodicals and other means of discussion, by suppressing scientific congresses and conferences, by suppressing Universities and other schools, by suppressing books, the printing press, writing, and, in the end, speaking. All these things which indeed might be suppressed (or controlled) are social institutions. Language is a social institution without which scientific progress is unthinkable, since without it there can be neither science nor a growing and progressive tradition. Writing is a social institution, and so are the organizations for printing and publishing and all the other institutional instruments of scientific method. Scientific method itself has social aspects. Science, and more especially scientific progress, are the results not of isolated efforts but of the *free competition of thought*. For science needs ever more competition between hypotheses and ever more rigorous tests. And the competing hypotheses need personal representation, as it were: they need advocates, they need a jury, and even a public. This personal representation must be institutionally organized if we wish to ensure that it works. And these institutions have to be paid for, and protected by law. Ultimately, progress depends very largely on political factors; on political institutions that safeguard the freedom of thought: on democracy.

It is of some interest that what is usually called 'scientific objectivity' is based, to some extent, on social institutions. The naïve view that scientific objectivity rests on the mental or psychological attitude of the individual scientist, on his training, care, and scientific detachment, generates as a reaction the sceptical view that scientists can never be objective. On this view their lack of objectivity may be negligible in the natural sciences where their passions are not excited, but for the social sciences where social prejudices, class bias, and personal interests are involved, it may be fatal. This doctrine, developed in detail by the so-called 'sociology of knowledge' (see sections 6 and 26), entirely overlooks the social or institutional character of scientific knowledge,

because it is based on the naïve view that objectivity depends on the psychology of the individual scientist. It overlooks the fact that neither the dryness nor the remoteness of a topic of natural science prevent partiality and self-interest from interfering with the individual scientist's beliefs, and that if we had to depend on his detachment, science, even natural science, would be quite impossible. What the 'sociology of knowledge' overlooks is just the sociology of knowledge—the social or public character of science. It overlooks the fact that it is the public character of science and of its institutions which imposes a mental discipline upon the individual scientist, and which preserves the objectivity of science and its tradition of critically discussing new ideas.⁵⁴

In this connection, I may perhaps touch upon another of the doctrines presented in section 6 (*Objectivity and Valuation*). There it was argued that, since scientific research in social problems must itself influence social life, it is impossible for the social scientist who is aware of this influence to retain the proper scientific attitude of disinterested objectivity. But there is nothing peculiar to social science in this situation. A physicist or a physical engineer is in the same position. Without being a social scientist he can realize that the invention of a new aircraft or rocket may have a tremendous influence on society.

I have just sketched some of the institutional conditions on whose realization scientific and industrial progress depends. Now it is important to realize that most of these conditions cannot be called necessary, and that all of them taken together are not sufficient.

The conditions are not necessary, since without these institutions (language perhaps excepted) scientific progress would not

⁵⁴ A fuller criticism of the so-called 'Sociology of Knowledge' will be found in ch. 23 of my *Open Society and Its Enemies*. The problem of scientific objectivity, and its dependence upon rational criticism and inter-subjective testability, is also discussed there in ch. 24, and, from a somewhat different point of view, in my *Logic of Scientific Discovery*.

be strictly impossible. 'Progress', after all, has been made from the spoken to the written word, and even further (although this early development was perhaps not, properly speaking, scientific progress).

On the other hand, and this is more important, we must realize that with the best institutional organization in the world, scientific progress may one day stop. There may, for example, be an epidemic of mysticism. This is certainly possible, for since some intellectuals do react to scientific progress (or to the demands of an open society) by withdrawing into mysticism, everyone might react in this way. Such a possibility may perhaps be counteracted by devising a further set of social institutions, such as educational institutions, to discourage uniformity of outlook and encourage diversity. Also, the idea of progress and its enthusiastic propagation may have some effect. But all this cannot make progress certain. For we cannot exclude the logical possibility, say, of a bacterium or virus that spreads a wish for Nirvana.

We thus find that even the best institutions can never be fool-proof. As I have said before, 'Institutions are like fortresses. They must be well designed and properly manned'. But we can never make sure that the right man will be attracted by scientific research. Nor can we make sure that there will be men of imagination who have the knack of inventing new hypotheses. And ultimately, much depends on sheer luck, in these matters. For truth is *not* manifest, and it is a mistake to believe—as did Comte and Mill—that once the 'obstacles' (the allusion is to the Church) are removed, truth will be visible to all who genuinely want to see it.

I believe that the result of this analysis can be generalized. The human or personal factor will remain the irrational element in most, or all, institutional social theories. The opposite doctrine which teaches the reduction of social theories to psychology, in the same way as we try to reduce chemistry to physics, is, I

believe, based on a misunderstanding. It arises from the false belief that this 'methodological psychologism' is a necessary corollary of a methodological individualism—of the quite unassailable doctrine that we must try to understand all collective phenomena as due to the actions, interactions, aims, hopes, and thoughts of individual men, and as due to traditions created and preserved by individual men. But we can be individualists without accepting psychologism. The 'zero method' of constructing rational models is not a psychological but rather a logical method.

In fact, psychology cannot be the basis of social science. First, because it is itself just one of the social sciences: 'human nature' varies considerably with the social institutions, and its study therefore presupposes an understanding of these institutions. Secondly, because the social sciences are largely concerned with the unintended consequences, or repercussions, of human actions. And 'unintended' in this context does not perhaps mean 'not consciously intended'; rather it characterizes repercussions which may violate all interests of the social agent, whether conscious or unconscious: although some people may claim that a liking for mountains and solitude may be explained psychologically, the fact that, if too many people like the mountains, they cannot enjoy solitude there, is not a psychological fact; but this kind of problem is at the very root of social theory.

With this, we reach a result which contrasts startlingly with the still fashionable method of Comte and Mill. Instead of reducing sociological considerations to the apparently firm basis of the psychology of human nature, we might say that the human factor is the ultimately uncertain and wayward element in social life and in all social institutions. Indeed this is the element which ultimately cannot be completely controlled by institutions (as Spinoza first saw⁵⁵); for every attempt at controlling it

⁵⁵ See note 44 on p. 83, above.

completely must lead to tyranny; which means, to the omnipotence of the human factor—the whims of a few men, or even of one.

But is it not possible to control the human factor by science—the opposite of whim? No doubt, biology and psychology can solve, or will soon be able to solve, the 'problem of transforming man'. Yet those who attempt to do this are bound to destroy the objectivity of science, and so science itself, since these are both based upon free competition of thought; that is, upon freedom. If the growth of reason is to continue, and human rationality to survive, then the diversity of individuals and their opinions, aims, and purposes must never be interfered with (except in extreme cases where political freedom is endangered). Even the emotionally satisfying appeal for a common purpose, however excellent, is an appeal to abandon all rival moral opinions and the cross-criticisms and arguments to which they give rise. It is an appeal to abandon rational thought.

The evolutionist who demands the 'scientific' control of human nature does not realize how suicidal this demand is. The mainspring of evolution and progress is the variety of the material which may become subject to selection. So far as human evolution is concerned it is the 'freedom to be odd and unlike one's neighbour'—'to disagree with the majority, and go one's own way'.⁵⁶ Holistic control, which must lead to the equalization not of human rights but of human minds, would mean the end of progress.

⁵⁶ See Waddington (*The Scientific Attitude*, 1941, pp. 111 and 112), who is prevented neither by his evolutionism nor by his scientific ethics from denying that this freedom has any 'scientific value'. This passage is criticized in Hayek's *The Road to Serfdom*, p. 143.

33 CONCLUSION. THE EMOTIONAL APPEAL OF HISTORICISM

Historicism is a very old movement. Its oldest forms, such as the doctrines of the life-cycles of cities and races, actually precede the primitive teleological view that there are hidden purposes⁵⁷ behind the apparently blind decrees of fate. Although this divination of hidden purposes is far removed from the scientific way of thinking it has left unmistakable traces upon even the most modern historicist theories. Every version of historicism expresses the feeling of being swept into the future by irresistible forces.

Modern historicists, however, seem to be unaware of the antiquity of their doctrine. They believe—and what else could their deification of modernism permit?—that their own brand of historicism is the latest and boldest achievement of the human mind, an achievement so staggeringly novel that only a few people are sufficiently advanced to grasp it. They believe, indeed, that it is they who have discovered the problem of change—one of the oldest problems of speculative metaphysics. Contrasting their 'dynamic' thinking with the 'static' thinking of all previous generations, they believe that their own advance has been made possible by the fact that we are now 'living in a revolution' which has so much accelerated the speed of our development that social change can be now directly experienced within a single lifetime. This story is, of course, sheer mythology. Important revolutions have occurred before our time, and since the days of Heraclitus change has been discovered over and over again.⁵⁸

⁵⁷ The best immanent criticism of the teleological doctrine known to me (and one which adopts the religious point of view and especially the doctrine of creation) is contained in the last chapter of M. B. Foster's *The Political Philosophies of Plato and Hegel*.

⁵⁸ See my book *The Open Society and Its Enemies*, especially ch. 2 f.; also ch. 10,

To present so venerable an idea as bold and revolutionary is, I think, to betray an unconscious conservatism; and we who contemplate this great enthusiasm for change may well wonder whether it is not only one side of an ambivalent attitude, and whether there was not some inner resistance, equally great, to be overcome. If so, this would explain the religious fervour with which this antique and tottering philosophy is proclaimed the latest and thus the greatest revelation of science. May it not, after all, be the historicists who are afraid of change? And is it not, perhaps, this fear of change which makes them so utterly incapable of reacting rationally to criticism, and which makes others so responsive to their teaching? It almost looks as if historicists were trying to compensate themselves for the loss of an unchanging world by clinging to the faith that change can be foreseen because it is ruled by an unchanging law.

where it is argued that it is the loss of the unchanging world of a primitive closed society which is, in part, responsible for the strain of civilization, and for the ready acceptance of the false comforts of totalitarianism and of historicism.

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to nature with respect to the other nature; and when both are equally balanced, the action performed seems to be neither painful nor pleasant. For
 25 if someone's nature were simple, the same actions would always be most pleasant. Hence the god always enjoys a pleasure that is one and simple, for there is an activity not only of motion but also of motionlessness, and pleasure resides more in rest than in motion. But "change in all things is sweet," as the poet has it,⁶¹ on account of a certain defective condition.⁶²
 30 For just as the defective person is a human being who readily undergoes change, so also the nature in need of change is defective, for it is neither simple nor decent.

What concerns self-restraint and lack of self-restraint, then, and what concerns pleasure and pain, has been stated—both what each is and how it is that some of them are good, others bad. But in what remains, we will speak also about friendship.

Book 8

CHAPTER ONE

It would follow, after these matters, to go through what concerns friendship. For friendship is a certain virtue or is accompanied by virtue; and, further, it is most necessary with a view to life: without friends, no one
 1155a5 would choose to live, even if he possessed all other goods; and indeed those who are wealthy or have acquired political offices and power¹ seem to be in need of friends most of all. What benefit would there be in such prosperity if one were deprived of [the opportunity to perform] a good deed, which arises and is most praiseworthy in relation to friends especially? Or how could one's prosperity be guarded and preserved without
 10 friends? For the more prosperity one has, the more precarious it is. In poverty as well as in other misfortunes, people suppose that friends are their only refuge. And friendship is a help to the young, in saving them from error, just as it is also to the old, with a view to the care they require and their diminished capacity for action stemming from their weakness; it is a help also to those in their prime in performing noble actions, for
 15 "two going together"² are better able both to think³ and to act.

By nature, friendship seems to be inherent in a parent for offspring and in offspring for a parent,⁴ not only in human beings but also in birds and most animals; it is inherent too in those that are alike in kind to one another, and especially in human beings, which is why we praise people who
 20

61 · Euripides, *Orestes* 234.

62 · The term Aristotle here uses (*ponēria*) is usually translated as "wickedness"; he may here be playing on the fact that the term has both a moral and a nonmoral use.

1 · The term here translated as "power," *dunasteiai* (dynasties), is omitted in the best MS.

2 · Homer, *Iliad* 10.224.

3 · Or, "to perceive by the mind," "to apprehend" (*noēsai*).

4 · The first phrase "in a parent for offspring" is omitted in some of the MSS; the second, "in offspring for a parent," is omitted in others.

are "lovers of humankind."⁵ One might see in one's travels too that every human being is kindred to every other human being and a friend⁶ to him.

It seems too that friendship holds cities together and that lawgivers are more serious about it than about justice. For like-mindedness⁷ seems to resemble friendship, and lawgivers aim at this especially and drive out discord because it especially produces hatred. When people are friends, they have no need of justice, but when they are just, they do need friendship in addition; and in the realm of the just things, the most just seems to be what involves friendship. Yet friendship is not only necessary but also noble, for we praise those who love their friends,⁸ and an abundance of friends is held to be a noble thing. Further, people suppose good men and their friends to be one and the same.

But not a few things about friendship are in dispute. For some set it down as a certain likeness and friends as those who are alike, which is why they assert that "like is to like," "jackdaw to jackdaw,"⁹ and such things. Others, to the contrary, assert that all such persons are "potters" to one another.¹⁰ And concerning these very points, people seek out something higher and pertaining more to nature, Euripides claiming that "the parched earth loves the rain" and that "the august heaven, when full of rain, loves to fall to earth,"¹¹ Heraclitus that "opposition is advantageous,"¹² that "the noblest harmony comes from things that differ," and "all things come into being in accord with strife." Contrary to

5 · *Philanthropoi*, from which is derived our *philanthropic*.

6 · Or, "dear" (*philos*), a term that can be translated either by an adjective, "loved," "beloved," "dear," or by a noun, "a friend."

7 · *Homonoia*, "oneness of mind."

8 · *Philophiloi*, "those who love their friends," though some MSS read simply *philo*, "friends."

9 · This phrase has the same meaning as our proverbial saying "birds of a feather flock together." For the phrase "like to like," see in particular Plato, *Lysis* 214a3–b4.

10 · That is, each vies with each, just as potter does with potter. Aristotle here alludes to Hesiod, *Works and Days* 25–26; this particular strife, according to Hesiod, is good for mortals. The line is also quoted in Plato's *Lysis* 215c8, but the context in that case is the question of whether the good are most hostile to the good.

11 · These verses of Euripides come from a play no longer extant, fragments of which are preserved by Athenaeus. The verb for "love" in these passages is not *philein* (see n. 15 below), the root of "friendship" (*philia*), but *eran*, generally signifying passionate or erotic love.

12 · Or, perhaps, "what is in opposition holds together"; according to Grant, this saying reflects the "oracular style" of the famous Heraclitus of Ephesus (ca. 540–475). Only the last fragment is preserved by another source (Origen) apart from Aristotle.

these are still others, including Empedocles, who claim that like aims at like.¹³

Now, let us leave aside those perplexing questions bound up with matters of nature (for they are not proper to the present examination), and let us examine instead those that are bound up with what is distinctively human and that involve characters and passions: for example, whether friendship arises in all people or whether it is impossible for the wicked to be friends; and whether there is one form of friendship or more. Those who suppose that there is only one form, because it admits of degrees, the more and the less, have trusted in an insufficient indication, for things different in form also admit of more and less. But what pertains to them was spoken of before.¹⁴

CHAPTER TWO

Perhaps what concerns these matters would become apparent if what is lovable¹⁵ should become known. For not everything seems to be loved but only what is lovable, and this seems to be what is good, pleasant, or useful. But what is useful would seem to be that through which something good or pleasant arises, with the result that what is good as well as what is pleasant would be lovable as ends. Is it the good, then, that people love or is it the good for themselves? For sometimes these conflict, as is the case also with the pleasant. For it seems that each person loves what is good for himself and that, while in an unqualified sense the good is what is lovable, what is lovable to each is what is good for each. Yet each in fact loves not what *is* good for him but what *appears* so. Yet this will make no difference at all, since it will be what *appears* lovable [that each will in fact regard as good and so love].

While there are three things on account of which people love, friend-

13 · Empedocles of Agrigentum (ca. 494–434) attempts the reconciliation of Eleatic and Heraclitean thought; according to Diogenes Laertius, the Sophist Gorgias was a student of Empedocles. This saying is preserved also by Athenaeus and Stobaeus.

14 · There is no direct or obvious discussion of this in the *Ethics*; Burnet refers the reader to Aristotle's *On Sense Perception and Perceptible Things*, chap. 6.

15 · Or, "what elicits friendly feeling" (*to philētos*), an adjective (here used substantively) derived from the word for "friend" or "dear one," *philos*. We will always translate the verb *philein* as "to love" (or "to be loved," in the passive voice), while noting Aristotle's use of other verbs closely associated with *love*: *eran* (to love [in the erotic sense]), *stergein* (to feel affection for), and *agapein* (to be fond of).

persons. But it is a great matter, when it comes to friendship, for both to have been brought up together and to be of similar age: "like age [gladdens] like age,"⁴³ and those who live together are comrades. Hence too the friendship of brothers is like that of comrades. First cousins and the other descendants are also bound by ties of kinship as a result of these things, since they come from the same persons. Some are closer in kinship, while others are more foreign by dint of being nearer to or farther from the family founder.

5 The friendship of children for their parents, and that of human beings for gods, is a friendship with what is good and superior. For they have produced the greatest benefits: they are the causes of a child's being and his rearing, and of the education of those born. And this sort of friendship affords both what is pleasant and what is useful to a greater degree than does that between unrelated⁴⁴ persons, inasmuch as their lives have more in common. There are qualities of the friendship of brothers that are found also in the friendship of comrades. These qualities are present even more among those brothers who are decent and generally alike, insofar as there is a closer kinship among them and they begin having affection for one another from birth, and insofar as they share more of the same habits, coming as they do from the same parents and having been reared and educated together. Also, their testing of one another over time is greatest and most certain. And what conduces to friendship is present in proportion also among the rest of those who are kin.

The friendship between a husband and a wife seems to be in accord with nature. For a human being is by nature more a coupling being than a political one, inasmuch as a household is earlier and more necessary than a city and the begetting of children is more common to animals. Among the other animals, then, community exists to that extent; but human beings live together not only for the sake of begetting children but also for the sake of the things that contribute to life, for the tasks involved are divided immediately, those of the husband being different from those of the wife. They assist each other, then, by putting their own things in the service of what is in common. For these reasons, both what is useful and what is pleasant seem to be found in this friendship, though there would be such a friendship also on account of their virtue, should they be decent. For there is a virtue belonging to each, and they would delight in a

43 · A proverb that is quoted in its full form in the *Eudemian Ethics* (1238a33) and *Rhetoric* (1371b15) as well as in Plato, *Phaedrus* 240c1–2.

44 · Literally, "strangers" or "foreigners," but here opposed most directly to "kin."

person of a comparable sort. Children too seem to be a common bond; hence childless couples break up more readily, since children are a good common to both parents, and what is common holds things together.

How a husband must live in relation to his wife, and, in general, a friend in relation to a friend, appears no different a thing to inquire into than how it is just to do so, for the just does not appear to be the same thing for a friend in relation to a friend as it is in relation to a foreigner, a comrade, or a schoolmate.

CHAPTER THIRTEEN

Now, friendships are threefold, as was said in the beginning; and in each case, there are friendships consisting in an equality, others based on a superiority. For those who are similarly good become friends, or a good person befriends a worse one; and those who are pleasant and those who are useful become friends in like manner, whether they are equal in the benefits they confer or different. Those who are equal ought to love each other equally, in accord with the relevant equality, whereas those who are unequal ought to render to each what is proportional given the relevant superiorities.

But accusations and blame arise in the friendship based on utility, either in it alone or in it especially, and with good reason. For those who are friends on account of their virtue are eager to benefit each other (for this belongs to virtue and to friendship); and since they compete with a view to this, there are no accusations or fights: no one is annoyed by someone who loves and benefits him, but if he is refined, he retaliates by doing some good to his friend. And since he who surpasses in doing good obtains what he aims at, he would not level an accusation against his friend, for each longs for the good. There are also not many accusations in the friendships based on pleasure either, since both parties come to possess simultaneously what they long for, if they delight in going through life together. In fact, he who would accuse the other of not pleasing him would appear laughable, since it is possible for him not to spend his days together with him. But friendship based on utility is prone to accusations. For those who use each other with a view to some benefit always want more and suppose they obtain less than what is proper. And so they blame the other because they do not obtain as much as they want and think they merit, and those who perform the benefactions are not able to supply as much as the recipients want.

It seems that, just as there is a twofold distinction in what is just—what is unwritten and what accords with law—so also in the friendship based on utility, there is the moral⁴⁵ friendship and the legal one. Accusations arise, then, especially when people do not dissolve the friendship on the same basis on which they entered into it. And the legal type of this friendship depends on stated terms: one kind belongs wholly to market-place transactions that happen immediately; another is more liberal as regards the time to pay but depends on an agreement that one thing is exchanged for another. The debt is clear and undisputed in this latter case, but it bears the mark of friendship because of the deferral of the payment to the seller. For this very reason, there are no legal arbitrations of these agreements in some places, but people suppose instead that those who entered into agreements on trust ought to feel affection for each other.

The moral type of this friendship, on the other hand, does not depend on stated terms. Instead, a gift (or whatever else) is given as to a friend; but the giver thinks he deserves to receive what is equal, or more than that, in return, on the grounds that he has not given anything but lent it. Yet if someone dissolves the friendship in a way different from that in which he entered into the agreement, the other friend will level an accusation. This happens because all or most people wish for noble things but choose the beneficial ones instead. It is a noble thing to perform a benefit without expecting it to be requited, but it is of course beneficial to receive a benefaction.

He who is able, therefore, must give in return the worth of what he received, and do so voluntarily⁴⁶—for he must not make a friend of someone who is not voluntarily one. On the grounds that he erred completely in the beginning and was done a good deed by someone by whom he ought not to have been done one—for it was not done by a friend or by someone doing this for its own sake—he must therefore dissolve the relation, just as if he had received a benefaction on stated terms. And a person

45 · This is the same adjective, *ēthikē*, that Aristotle uses to speak of “moral virtue.” The “moral” type of friendship Aristotle goes on to discuss is a category within friendship based on utility and is not to be confused with friendship based on character simply.

46 · Bywater brackets “and do so voluntarily,” with some manuscript support. Moreover, commentators dispute whether the phrase refers to the person who is returning the benefit—that he must do so “voluntarily”—or to the one who is receiving it—that he must accept it “voluntarily.”

ought to agree to repay whatever he is able to,⁴⁷ whereas if he should be unable to repay something, not even the giver would expect him to do so. As a result, he must repay it if he can; yet at the outset, he must consider the person from whom he receives a benefaction and on what terms, so that he may submit to these terms or not.

There is also a dispute regarding whether one ought to measure the benefit to the recipient and make repayment with a view to this, or to measure the good deed of the person who performed it. For the recipients assert that they received from those giving the benefaction such things as were small to the givers and which it was possible to receive from others, thus depreciating what they received. Conversely, the givers assert that the recipients received their greatest things, that it was not possible to get them from others, and that they gave them amid dangers or comparable situations of need. Since the friendship is based on utility, then, is the relevant measure the benefit to the recipient? For the recipient is the one in need, and the other aids him on the grounds that he will get back what is equal to the aid. The amount of aid, then, is as much as the recipient has been benefited; and so he must repay as much as he has partaken of, or even more, since doing the latter is nobler.

But in friendships that accord with virtue, there are no accusations; and the choice made by the person performing the benefaction is like a measure, for what is authoritative in matters of virtue and character resides in the choice involved.

CHAPTER FOURTEEN

But differences arise also in friendships based on a superiority, since each thinks he is worthy of having more; and when this happens, the friendship is dissolved. For he who is better supposes that it is proper that he have more, since it is proper to distribute more to a person who is good. Similar too is the case of the greater benefactor. For people assert that someone who is useless ought not to have what is equal: the relation becomes a matter of charitable service and not a friendship if what comes from the friendship will not accord with the worth of the friend's deeds. For people suppose that just as in a financial partnership, those who con-

47 · Bywater and others suggest the following emendation: “he must repay what he would have agreed to repay if he was able.”

tribute more receive more, so it ought to be in friendship too. But he who is in need and is the inferior asserts the converse—that it belongs to a good friend to aid those in need; for, they assert, what advantage is there in being a friend of a serious or powerful person if there is no benefit to be enjoyed from the friendship?

It seems, then, that each partner correctly deems himself worthy of something—that is, that one ought to distribute more to each of them from the friendship, but not more of the same thing. Rather, to the person who is superior, one ought to distribute honor, and to the one in need, gain. Honor is the reward of virtue and of benefaction, whereas aid is the gain appropriate to need.

It appears to be this way also in the regimes. For he who provides nothing good to the community⁴⁸ is not honored, since what is held in common is given to the person who benefits the community, and honor is held in common. For it is not possible to make money from the common affairs and at the same time to be honored [by the community]. No one puts up with having the lesser share in all things, and so people distribute honor to the person who [, in performing a benefaction,] suffers a monetary loss, and they give money to the person who accepts gifts.⁴⁹ For what accords with merit equalizes and preserves friendship, as has been said. It is in this way too, therefore, that one must associate with those who are unequal; and someone who is benefited in money or virtue must give honor in return, thus giving back what he can. For friendship seeks what is possible, not what accords with the merit [of the giver]. In fact, it is not even possible in every case to do so, as in the honors directed toward the gods and parents; for no one could ever repay what they merit, though he who does service to them to the extent of his capacity is held to be decent.

Hence too it would seem impossible for a son to renounce his father, but possible for a father to renounce his son. For the son must repay the debt, but nothing he may do is worthy of what was done for him, with the result that he is always in debt. But those who are owed have the capacity to discharge the debt, and certainly the father does. At the same time, perhaps, it seems that no father would ever cut off a son who was not of exceeding corruption. For even apart from their natural friendship, it is

48 · The Greek here and in the following line is *to koinon*, literally “the common.”

49 · The term (*dōrodokos*) often has the negative connotation of one who accepts not just gifts but bribes.

characteristically human not to reject aid. Yet for the son who is corrupt, aiding his father is something he avoids or does not eagerly pursue. For the many wish to be done a good turn, but they avoid doing one on the grounds that that is unprofitable.

Let what concerns these matters, then, be spoken of to this extent.

Book 9

CHAPTER ONE

In all heterogeneous¹ friendships, what is proportional equalizes and preserves the friendship, as has been said—for example, in a political [friendship], the shoemaker is given in exchange for his sandals what accords with their worth, just as is the weaver and the rest. Here, then, a legal currency has been brought in as a common measure, and so everything is referred to this and measured by it.

But in erotic [love or friendship], the lover sometimes levels the accusation that although he loves² beyond measure, he is not loved in return, though it may so happen that he possesses nothing lovable; the beloved, on the other hand, often levels the accusation that his lover is not now fulfilling anything of all that he had earlier promised. Such accusations arise when the lover loves the beloved for the pleasure involved, the beloved his lover for his usefulness to him, and when both parties do not have what each wants. For the friendship based on these concerns is dissolved when that for the sake of which they loved each other is not attained. The affection they felt was not for what each in himself was, but for the things each supplied, which are not stable; hence the friendships too are not stable. But the friendship based on character, being for its own sake, endures, as has been said.

But people are at odds whenever they come to have something other than what they long for. For whenever somebody fails to obtain what he aims at, it is akin to his attaining nothing. For example, a person promises

1 · *Anomoioeidēs*, that is, friendships in which the two parties seek different kinds of objects; for example, one seeks pleasure, the other something useful. This is the first and only time Aristotle uses this term to describe these sorts of friendships.

2 · Although Aristotle is speaking about erotic love or friendship and a “lover” (*erastēs*), here and in what follows he uses *philein* (and related terms) rather than *eran*.

a cithara player that the better he should play, the more pay he would get; but at dawn, when the player demanded the fulfillment of what he had been promised, the other said that the player had been given pleasure in return for pleasure. If, then, this had been the wish of each party, it would have sufficed; but if the one person had wished for enjoyment and the other gain, and the former had received his wish whereas the latter had not, the terms of the partnership would not have been nobly carried out. For what a person happens to need, he is also intent on, and for the sake of the satisfaction of this need, at any rate, he will give what he does.

But to which of the two parties does it belong to assess the worth of what is given: to the person who takes the initiative in giving, or to the one who is first in receiving? For he who takes the initiative in giving appears to entrust this assessment to the receiver, which is in fact what they assert Protagoras used to do. For when he would teach anything whatever, he used to bid the learner to estimate how much he held these things to be worth knowing, and that is the amount he used to take.³ Yet in such circumstances, some people are content with the “[fixed] wage for a man.”⁴ But as for those who take money in advance and then do nothing of what they claimed, because their promises were excessive, they appropriately become subject to accusations because they do not fulfill what they agreed to. The Sophists are compelled to do this, perhaps, because no one would pay money for what they know.

Those who fail to do what they took a wage for, then, are appropriately subject to accusations. But in the circumstances in which there is no agreement about the service, it was said that those who take the initiative in giving, for their partner’s sake, do not give cause for accusation (the friendship that accords with virtue is of this sort); and one must make the repayment accord with the choice [involved in the giving] (for this is the choice that is the mark of a friend and of virtue). So too in the case of those who share in philosophy. For the worth involved is not measured in monetary terms, and honor could not be evenly balanced with it. But perhaps whatever it is possible to repay would be sufficient, just as it is with

3 · A version of this story is told in Plato, *Protagoras* 328b1–c2.

4 · The saying, given in part here, comes from Hesiod, *Works and Days* 368. The context is:

Let a wage that has been stated for a man who is a friend be fixed,
And even with your brother, while laughing, set things down before a witness,
For, mark you, trust and mistrust alike destroy men.

gods and parents. Yet when the giving is not of this sort, but is done on some condition, then perhaps especially in this case the repayment ought to be what accords with the worth of what is given in the opinion of both parties. But if this should not happen, it would seem not only necessary
 10 but also just that he who was the first to receive assess it. For if the giver receives as much as the recipient is benefited (or however much in return the recipient would have given in choosing the pleasure involved), the giver will have received what was merited from the recipient in question.

In fact, this is what manifestly happens when it comes to goods bought and sold. In some places there are laws to the effect that voluntary trans-
 15 actions are not subject to legal adjudication, on the grounds that it is fitting, with someone one has trusted, to dissolve the transaction [or partnership] on the same terms on which one entered into it. The supposition is that it is more just that the person to whom something was entrusted assess its worth than that the one who entrusted it to him do so. For many things are not valued equally by those who possess them and by those who wish to receive them, since what is one's own and what one gives ap-
 20 pears to everyone to be worth a great deal. Nevertheless, repayment is determined with a view to the amount that the recipients assess, though perhaps one ought not to value what something's worth appears to be when the recipient possesses it, but how much he valued it before possessing it.

CHAPTER TWO

But there is perplexity too regarding such questions as whether one ought to render everything to one's father and obey him in everything, or whether, when a person is sick, he ought rather to trust a doctor, or again
 25 whether one ought to elect as general someone with military skill. Similarly, there is also perplexity as to whether one must serve a friend more than a serious man, and whether one must repay a favor to a benefactor rather than give away something to a comrade, if both are not possible. Is defining all such matters precisely, then, no easy thing? For there are many and various differences at issue, connected with whether what is involved is great or petty, noble or necessary.

30 That someone ought not to give back everything to the same person is not unclear; nor is it unclear that, for the most part, he must repay good deeds more than gratify his comrades, just as a person must pay back a loan to someone he owes, more than he must give away something to a comrade. But perhaps not even this is always so. For example, must a per-

son who has been ransomed from pirates pay in return the ransom of his ransomer, regardless of the sort of fellow he may be, or, if the ransomer
 35 has not been kidnapped, must he pay him back anyway if the fellow demands repayment? Or must he ransom his father [first, even if he owes his ransomer money]? For it would seem that a person should ransom his father even in preference to himself.

Just as has been said, then, a person must in general pay back a debt. But if an act of giving outstrips in its nobility or necessity the repayment of a debt, one must incline toward these noble or necessary acts. For
 5 sometimes the repaying of a previous service is not even equal [or fair]—when someone benefits a person he knows to be serious, but the repayment is to one whom the serious person supposes to be corrupt. And in fact sometimes a person should not make a loan even to someone who has given him a loan, for the original lender, supposing that he would re-
 10 cover the money, made the loan to a decent person, whereas now the decent person has no hope of recovering it from his original lender, who is base. Accordingly, if the original lender is base in truth, then his claim to worthiness to receive a loan is not equal [or fair]; or, if he is not of this character, but people suppose him to be, they would not think it strange to refuse him. So it has been frequently stated, then, that arguments con-
 15 cerning passions and actions possess the same definiteness as those things with which they deal.

It is not unclear, then, that one should not give back the same things to all people or all things even to one's father, just as one does not offer
 15 all sacrifices even to Zeus. But since different things go to parents, brothers, comrades, and benefactors, one must distribute to each what is properly his and fitting. People appear to do this in fact: they invite their relatives to weddings because the family line is something they share in com-
 20 mon, as are the actions pertaining to their family. People also suppose that relatives ought to gather especially at funerals for the same reason. It would seem as well that one ought to provide sustenance especially to parents, on the grounds that we are in their debt and that it is nobler thus to provide for those who are the causes of our being than to provide for ourselves. Honor too we owe to parents, just as to the gods—though not
 25 every honor. For we do not owe the same honor to a father as to a mother; nor, in turn, do we owe them the honor proper to a wise man or general; rather, we owe them the honor due a father and a mother respectively. To every old man is due the honor that accords with age, in rising and giving him a seat at the table and such things. To comrades, in turn, and to

corruption with the utmost effort and attempt to be decent, since in this way he would both be disposed toward himself in a friendly way and become a friend to another.

CHAPTER FIVE

30 Goodwill resembles something friendly, but it is surely not friendship. For goodwill arises even in relation to those whom one does not know and without their being aware of it, whereas friendship does not. (These points too have been spoken of earlier.) But goodwill is not even friendly affection, because it is without intensity or longing, things that accom-
 35pany friendly affection. And friendly affection goes together with the habit of living together, whereas goodwill arises suddenly—for example,
 1167a it even arises for competitors, since people come to have goodwill for competitors and share their intent, though they would do nothing to assist them. For, just as we said, people feel goodwill suddenly and so feel only superficial affection.

Goodwill seems, therefore, to be the beginning of friendship, just as the pleasure stemming from sight is the beginning of erotic love. For
 5no one falls in love who is not first pleased by someone's appearance—though a person who delights in another's looks does not for all that fall in love,¹¹ except whenever he also yearns for the person who is absent and desires his presence. In this way, therefore, it is not possible for those without goodwill to become friends, but those who have goodwill do not for all that feel friendly affection.¹² They merely wish for the good things
 10for those they feel goodwill toward but would do nothing actively to assist them, nor would they even be troubled over them. Hence by way of a metaphor, someone might claim that goodwill is friendship that lies idle; but if that goodwill is prolonged over time and carries over into the habit of living together, it becomes friendship—though not a friendship based on what is useful or pleasant, for goodwill does not arise in these cases.
 15For he who has received a benefaction renders goodwill in return for what he has received, thereby doing what is just. And he who wishes that another fare well because he hopes to be well taken care of by this person does not seem to have goodwill toward him but rather toward himself—

11 · The term for “falls in love” is *eran*, rather than *philein*. Aristotle also uses here the terms *idea* and *eidos* to designate outward “appearance” and “looks,” terms that also have a technical meaning in the philosophy of Plato; see, e.g., I.6.

12 · Here the verb is not *eran*, to love in the erotic sense, but *philein*, to love as a friend.

just as he is also not a friend if he attends to that other person because that person is of some utility to him. On the whole, goodwill arises on account of virtue and a certain decency, whenever someone appears to another as noble or courageous or some such thing, just as we said in the case of competitors as well.

CHAPTER SIX

Like-mindedness¹³ too appears to be a mark of friendship. Hence it is not merely likeness of opinion, since this could belong even to those who do not know one another. But people do not claim that those who are of like mind concerning just anything whatever are like-minded—for example,
 25those who are of like mind concerning the things in the heavens (for it is not a mark of friendship to be like-minded about these). Rather, they claim that cities are like-minded whenever people are of the same judgment concerning what is advantageous, choose the same things, and do what has been resolved in common.¹⁴ It is about matters of action, therefore, that people agree, and in particular about what is of great import and admits of belonging to both parties or to all involved. For example,
 30cities are like-minded whenever it is resolved by all to make the political offices elective, or to conclude an alliance with the Lacedaimonians, or to have Pittacus rule when he too was willing to do so.¹⁵ But when each person wishes that he himself rule, as do those in *The Phoenician Women*,¹⁶ there is civil faction. For to be like-minded is not for each to have the same thing in mind, whatever it may be, but to have it in mind in the same
 35way—for example, when both the *demos* and the decent have it in mind
 1167b for the best persons to rule—since in this way what they aim at comes to pass for everyone.

Like-mindedness, therefore, appears to be political friendship, just as it is also said to be, for it concerns advantageous things and those that

13 · Or, “oneness of mind” (*homonoia*); see also 8.1.

14 · Here and below, we translate the verb *dokein* in its political sense, “it is resolved,” which was the form in which Athenian laws were given: “It is resolved by the people that . . .”

15 · Pittacus (ca. 640–569), considered one of the Seven Sages of Greece, was elected dictator of the Mytilineans during a period of civil strife. He governed for ten years, after which he voluntarily stepped down. Aristotle refers to the “elected” dictatorship or tyranny of Pittacus also at *Politics* 1285a35.

16 · Aristotle here refers to the brothers Eteocles and Polyneices in Euripides's play.

relate to life [or livelihood]. But this sort of like-mindedness is present
 5 among the decent, since they are like-minded both with themselves and
 with one another, being on the same page, so to speak (for with these
 sorts of people the objects of their wishing remain constant and do not
 ebb and flow like a violent strait); they also wish for what is just and what
 is advantageous, and they aim at these also in common. But it is impos-
 10 sible for base people to be like-minded, except to a small degree, just as
 it is impossible for them to be friends: their aim is to grasp for more of
 what is beneficial to them; but when it comes to performing labors and
 public services, they are deficient. While wishing for these beneficial
 things for himself, each of them scrutinizes his neighbor and obstructs
 him [from pursuing his wishes]. For when people do not keep watch over
 the commons, it is destroyed. It results, then, that they fall into civil fac-
 15 tion, compelling one another by force and not wishing to do what is just
 themselves.

CHAPTER SEVEN

Those who perform a benefit seem to love those who receive this benefit
 more than those who are the recipients of the benefit love those who per-
 form it, and this is investigated on the supposition that it occurs contrary
 20 to reason. So, to most people, it appears that one party owes a debt and
 the other is owed. Just as in the case of loans, then, where debtors wish
 that those whom they owe did not exist, whereas lenders even care for the
 preservation of their debtors, so also those who perform a benefit wish for
 the existence of those who receive it, on the grounds that they will, out of
 25 gratitude, do favors for them in turn, whereas the recipients are not anx-
 ious to repay the debt.

Now, perhaps Epicharmus¹⁷ would assert that those who say these
 things take a base view, though it seems characteristically human. For
 most people are forgetful [of favors done them] and aim more at being
 done some good than at doing it. The cause would seem to have more to
 do with nature and is not at all similar to the case of lenders: lenders feel
 30 no friendly affection toward their debtors but only wish that they be pre-

17 · A Greek comic poet from Megara, of the sixth and fifth centuries. The context of the saying is lost, and thus it is not entirely clear whether the “base view” is a result of external obstacles, such as being in a bad seat in the theater, or the result of base character.

served so they may recover the debt. Those who have done others some
 good, on the other hand, love and are fond of those who are the recipients
 of it, even if these recipients are not useful to them and might not be such
 later. This in fact happens with artisans, for every one of them is fond of
 his own work more than he would be loved by that work, should it come
 to have a soul; and this happens especially, perhaps, with poets, since they
 are exceedingly fond of their own poems and feel affection for them just
 as if they were their children. The case of those who perform a benefit is
 like this too, for what has received the benefit is their own work. There-
 fore, they are fond of this more than the work is of its maker. A cause of
 this is that to exist is for all people something choiceworthy and lovable,
 and we exist by means of activity (for this consists in living and acting).
 And in his activity, the maker of something somehow *is* the work; he
 therefore feels affection for the work because he feels affection also for his
 own existence. This is natural, for what he is in his capacity [or potential],
 the work reveals in his activity.¹⁸ But at the same time too, what pertains
 to the action involved is noble for the benefactor, so that he delights in
 the person who is its object. For the recipient, however, there is nothing
 noble in the person doing it,¹⁹ but, if anything, something advantageous,
 and this is less pleasant and lovable. What is pleasant is the activity of the
 present moment, the hope of what is to come, and the memory of what
 has been. Most pleasant, and lovable too, is what pertains to the activity.
 For him who has produced it, then, the work endures (for what is noble
 is long lasting), whereas for the recipient, its usefulness passes away. And
 the memory of noble things is pleasant, but that of useful ones is not at
 all or less so, though the reverse seems to be the case with anticipation.

Friendly affection also resembles an active “making,” whereas being
 loved resembles a passive “undergoing,” and loving and the qualities of
 friendship attend those who excel in the action [rather than those who
 undergo it]. And further, all feel more affection for what arises through
 painful labor, just as those who have themselves acquired their money feel
 more affection for it than do those who have inherited it, for example.
 Being done some good seems to be without toil, whereas doing someone
 some good is troublesome. For these reasons too, mothers love their chil-
 25

18 · Aristotle uses terms here, for “capacity” (*dunamis*) and “activity” (*energeia*), that have a technical meaning in his *Metaphysics* (consider *Metaphysics* 1050a7), and are often translated as “potential” (or “potentiality”) and “actuality.”

19 · Or, perhaps, “there is nothing noble in the deed done.”



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ESSAYS

MORAL, POLITICAL,
AND LITERARY

*Edited and with a Foreword, Notes,
and Glossary by*

EUGENE F. MILLER

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The cuneiform inscription that serves as the design motif for our endpapers is the earliest-known written appearance of the word "freedom" (*ama-gi*), or "liberty." It is taken from a clay document written about 2300 B.C. in the Sumerian city-state of Lagash.

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ESSAY VIII

OF PARTIES IN GENERAL

OF all men, that distinguish themselves by memorable achievements, the first place of honour seems due to LEGISLATORS and founders of states, who transmit a system of laws and institutions to secure the peace, happiness, and liberty of future generations. The influence of useful inventions in the arts and sciences may, perhaps, extend farther than that of wise laws, whose effects are limited both in time and place; but the benefit arising from the former, is not so sensible as that which results from the latter. Speculative sciences do, indeed, improve the mind; but this advantage reaches only to a few persons, who have leisure to apply themselves to them. And as to practical arts, which encrease the commodities and enjoyments of life, it is well known, that

men's happiness consists not so much in an abundance of these, as in the peace and security with which they possess them; and those blessings can only be derived from good government. Not to mention, that general virtue and good morals in a state, which are so requisite to happiness, can never arise from the most refined precepts of philosophy, or even the severest injunctions of religion; but must proceed entirely from the virtuous education of youth, the effect of wise laws and institutions. I must, therefore, presume to differ from Lord BACON in this particular, and must regard antiquity as somewhat unjust in its distribution of honours, when it made gods of all the inventors of useful arts, such as CERES, BACCHUS, ÆSCULAPIUS; and dignify legislators, such as ROMULUS and THESEUS, only with the appellation of demi-gods and heroes.¹

As much as legislators and founders of states ought to be honoured and respected among men, as much ought the founders of sects and factions to be detested and hated; because the influence of faction is directly contrary to that of laws. Factions subvert government, render laws impotent, and beget the fiercest animosities among men of the same nation, who ought to give mutual assistance and protection to each other. And what should render the founders of parties more odious is, the difficulty of extirpating^o these weeds, when once they have taken root in any state. They naturally propagate themselves for many centuries, and seldom end but by the total dissolution of that government, in which they are sown. They are, besides, plants which grow most plentifully in the richest soil; and though absolute governments be not wholly free from them, it must be confessed, that they rise more easily, and propagate themselves faster in free govern-

¹[See Francis Bacon (1561–1626), *Advancement of Learning*, bk. 1. This work was published in 1605. Ceres, Bacchus, and Aesculapius were, respectively, Roman deities of crops, of wine, and of healing. Romulus, the legendary co-founder of Rome, and Theseus, legendary hero and king of Athens, were supposedly offsprings of gods.]

ments, where they always infect the legislature itself, which alone could be able, by the steady application of rewards and punishments, to eradicate them.

Factions may be divided into PERSONAL and REAL; that is, into factions, founded on personal friendship or animosity among such as compose the contending parties, and into those founded on some real difference of sentiment or interest. The reason of this distinction is obvious; though I must acknowledge, that parties are seldom found pure and unmixed, either of the one kind or the other. It is not often seen, that a government divides into factions, where there is no difference in the views of the constituent members, either real or apparent, trivial or material: And in those factions, which are founded on the most real and most material difference, there is always observed a great deal of personal animosity or affection. But notwithstanding this mixture, a party may be denominated either personal or real, according to that principle which is predominant, and is found to have the greatest influence.

Personal factions arise most easily in small republics. Every domestic quarrel, there, becomes an affair of state. Love, vanity, emulation, any passion, as well as ambition and resentment, begets public division. The NERI and BIANCHI of FLORENCE, the FREGOSI and ADORNI of GENOA, the COLONESI and ORSINI of modern ROME, were parties of this kind.²

Men have such a propensity to divide into personal factions, that the smallest appearance of real difference will pro-

²[The Neri ("Blacks") and Bianchi ("Whites") were opposing factions within the Guelf party of Florence, centering around the families of the Donati and the Cerchi. These names came into use in 1301, when the Cerchi intervened on behalf of the "Whites" in the town of Pistoia and the Donati came to the aid of the Pistoiese "Blacks." The Fregosi and Adorni were among the families who contended for the office of Doge in the republic of Genoa, beginning around 1370. In the modern Roman republic, beginning in the early thirteenth century, the nobility split into a Guelf party, headed by the Orsini, and a Ghibelline party, under the Colonna.]

duce them. What can be imagined more trivial than the difference between one colour of livery and another in horse races? Yet this difference begat two most inveterate factions in the GREEK empire, the PRASINI and VENETI, who never suspended their animosities, till they ruined that unhappy government.³

We find in the ROMAN history a remarkable dissension between two tribes, the POLLIA and PAPIRIA, which continued for the space of near three hundred years, and discovered itself in their suffrages at every election of magistrates.⁴

³[In the circus at Rome and the hippodrome at Constantinople, the professional charioteers (*factio*) were distinguished by colors, with green (*prasini*) and blue (*veneti*) being the most important. These contests were followed with special fervor in Constantinople and other cities in the Byzantine (or Greek) Empire, where the populace came to be divided into two factions, the "Blues" and the "Greens," which frequently engaged in bloody and destructive conflicts. These factional disputes are described by Hume's contemporary, Montesquieu, in *Considerations on the Causes of the Greatness of the Romans and Their Decline* (1734), chap. 20, and by Edward Gibbon in *The Decline and Fall of the Roman Empire* (1776–88), chap. 40.]

⁴As this fact has not been much observed by antiquaries or politicians, I shall deliver it in the words of the ROMAN historian. *Populus TUSCULANUS cum conjugibus ac liberis ROMAM venit: Ea multitudo, veste mutata, & specie reorum tribus circuit, genibus se omnium advocans. Plus itaque misericordia ad pœnæ veniam impetrandam, quam causa ad crimen purgandum valuit. Tribus omnes præter POLLIAM, antiquarunt legem. POLLIÆ sententia fuit, puberes verberatos necari, liberos conjugesque sub corona lege belli venire: Memoriamque ejus iræ TUSCULANIS in pœnæ tam atrocis auctores mansisse ad patris ætatem constat; nec quemquam fere ex POLLIA tribu candidatum PAPIRAM ferre solitam*, T. LIVII, lib. 8. [Livy, *History of Rome* 8.37: "The citizens of Tusculum, with their wives and children, came to Rome; and the great throng, putting on the sordid raiment of defendants, went about amongst the tribes and clasped the knees of the citizens in supplication. And it so happened that pity was more effective in gaining them remission of their punishment than were their arguments in clearing away the charges. All the tribes rejected the proposal, save only the Pollian, which voted that the grown men should be scourged and put to death, and their wives and children sold at auction under the laws of war. It seems that the resentment engendered in the Tuscullans by so cruel a proposal lasted down to our fathers' time, and that a candidate of the Pollian tribe almost never got the vote of the Papirian"]

This faction was the more remarkable, as it could continue for so long a tract of time; even though it did not spread itself, nor draw any of the other tribes into a share of the quarrel. If mankind had not a strong propensity to such divisions, the indifference of the rest of the community must have suppressed this foolish animosity, that had not any aliment^o of new benefits and injuries, of general sympathy and antipathy, which never fail to take place, when the whole state is rent into two equal factions.^a

Nothing is more usual than to see parties, which have begun upon a real difference, continue even after that difference is lost. When men are once inlisted on opposite sides, they contract an affection to the persons with whom they are united, and an animosity against their antagonists: And these passions they often transmit to their posterity. The real difference between GUELF and GHIBBELLINE was long lost in ITALY, before these factions were extinguished. The GUELFs adhered to the pope, the GHIBBELLINES to the emperor; yet the family of SFORZA, who were in alliance with the emperor, though they were GUELFs, being expelled MILAN by the king⁵ of FRANCE, assisted by JACOMO TRIVULZIO and the GHIBBELLINES, the pope concurred with the latter, and they formed leagues with the pope against the emperor.⁶

(Loeb translation by B. O. Foster). The Tusculans, upon gaining Roman citizenship, were enrolled in the Papirian tribe, whose vote they were able to control.] The CASTELANI and NICOLLOTTI are two mobbish factions in VENICE, who frequently box together, and then lay aside their quarrels presently.^b

⁵Lewis XII. [Louis, who reigned from 1498 to 1515, invaded Italy in 1499 to assert his claim to the duchy of Milan.]

⁶[Italian cities during the Renaissance were divided between parties aligned with the Holy Roman Emperor (the Ghibellines) and parties loyal to the Pope (the Guelfs). Hume refers here to events of 1499–1500. Ludovico Sforza, Duke of Milan, had formed an alliance with Emperor Maximilian I to stop the French invasion. The French forces were led by Gian Giacomo Trivulzio, who had once been Ludovico's own commander. Ludovico lost the city, retook it, and finally lost it again. He was taken as

The civil wars which arose some few years ago in MOROCCO, between the *blacks* and *whites*, merely on account of their complexion, are founded on a pleasant difference.⁷ We laugh at them; but I believe, were things rightly examined, we afford much more occasion of ridicule to the MOORS. For, what are all the wars of religion, which have prevailed in this polite and knowing part of the world? They are certainly more absurd than the MOORISH civil wars. The difference of complexion is a sensible and a real difference: But the controversy about an article of faith, which is utterly absurd and unintelligible, is not a difference in sentiment, but in a few phrases and expressions, which one party accepts of, without understanding them; and the other refuses in the same manner.^c

Real factions may be divided into those from *interest*, from *principle*, and from *affection*. Of all factions, the first are the most reasonable, and the most excusable. Where two orders of men, such as the nobles and people, have a distinct authority in a government, not very accurately balanced and modelled, they naturally follow a distinct interest; nor can we reasonably expect a different conduct, considering that degree of selfishness implanted in human nature. It requires great skill in a legislator to prevent such parties; and many philosophers are of opinion, that this secret, like the *grand elixir*, or *perpetual motion*, may amuse men in theory, but can never possibly be reduced to practice.⁸ In despotic governments, indeed, fac-

a prisoner to France, where he died in 1508. Pope Alexander VI, who had been an ally of the House of Sforza, formed an alliance with Louis XII in 1498.]

⁷[This reference is probably to the civil war in Morocco that followed the death of Mulay Isma'il in 1727. Hume may have read John Braithwaite's eyewitness account of this conflict and its racial aspects in *The History of the Revolutions in the Empire of Morocco upon the Death of the Late Emperor Muley Ishmael* (1729).]

⁸[The grand elixir is a universal medicine that supposedly can cure all disease. Theories of perpetual motion envision a machine that, being once set in motion, will go on forever.]

tions often do not appear; but they are not the less real; or rather, they are more real and more pernicious, upon that very account. The distinct orders of men, nobles and people, soldiers and merchants, have all a distinct interest; but the more powerful oppresses the weaker with impunity, and without resistance; which begets a seeming tranquillity in such governments.^d

There has been an attempt in ENGLAND to divide the *landed* and *trading* part of the nation; but without success. The interests of these two bodies are not really distinct, and never will be so, till our public debts encrease to such a degree, as to become altogether oppressive and intolerable.

Parties from *principle*, especially abstract speculative principle, are known only to modern times, and are, perhaps, the most extraordinary and unaccountable *phaenomenon*, that has yet appeared in human affairs. Where different principles beget a contrariety^e of conduct, which is the case with all different political principles, the matter may be more easily explained. A man, who esteems the true right of government to lie in one man, or one family, cannot easily agree with his fellow-citizen, who thinks that another man or family is possessed of this right. Each naturally wishes that right may take place, according to his own notions of it. But where the difference of principle is attended with no contrariety of action, but every one may follow his own way, without interfering with his neighbour, as happens in all religious controversies; what madness, what fury can beget such unhappy and such fatal divisions?

Two men travelling on the highway, the one east, the other west, can easily pass each other, if the way be broad enough: But two men, reasoning upon opposite principles of religion, cannot so easily pass, without shocking; though one should think, that the way were also, in that case, sufficiently broad, and that each might proceed, without interruption, in his own course. But such is the nature of the human mind, that it always lays hold on every mind that approaches it; and as it is wonderfully fortified by an unanimity of sentiments, so is

it shocked and disturbed by any contrariety. Hence the eagerness, which most people discover^o in a dispute; and hence their impatience of opposition, even in the most speculative and indifferent opinions.

This principle, however frivolous it may appear, seems to have been the origin of all religious wars and divisions. But as this principle is universal in human nature, its effects would not have been confined to one age, and to one sect of religion, did it not there concur with other more accidental causes, which raise it to such a height, as to produce the greatest misery and devastation. Most religions of the ancient world arose in the unknown ages of government, when men were as yet barbarous and uninstructed, and the prince, as well as peasant, was disposed to receive, with implicit faith, every pious tale of fiction, which was offered him. The magistrate embraced the religion of the people, and entering cordially into the care of sacred matters, naturally acquired an authority in them, and united the ecclesiastical with the civil power. But the *Christian* religion arising, while principles directly opposite to it were firmly established in the polite part of the world, who despised the nation that first broached this novelty; no wonder, that, in such circumstances, it was but little countenanced by the civil magistrate, and that the priesthood was allowed to engross all the authority in the new sect. So bad a use did they make of this power, even in those early times, that the primitive persecutions may, perhaps, *in part*,⁹ be

⁹I say, *in part*; For it is a vulgar error to imagine, that the ancients were as great friends to toleration as the ENGLISH or DUTCH are at present. The laws against external superstition, amongst the ROMANS, were as ancient^c as the time of the twelve tables [The Twelve Tables (451–450 B.C.) codified Roman law]; and the JEWS as well as CHRISTIANS were sometimes punished by them; though, in general, these laws were not rigorously executed. Immediately after the conquest of GAUL, they forbid all but the natives to be initiated into the religion of the DRUIDS; and this was a kind of persecution. In about a century after this conquest,^f the emperor, CLAUDIUS [ruled A.D. 41–54], quite abolished that superstition by penal laws; which would have been a very grievous persecution, if the imitation

ascribed to the violence instilled by them into their followers. And the same principles of priestly government continuing, after Christianity became the established religion, they have engendered a spirit of persecution, which has ever since been the poison of human society, and the source of the most inveterate factions in every government. Such divisions, therefore, on the part of the people, may justly be esteemed factions of *principle*; but, on the part of the priests, who are the prime movers, they are really factions of *interest*.

There is another cause (beside the authority of the priests, and the separation of the ecclesiastical and civil powers) which has contributed to render CHRISTENDOM^o the scene of religious wars and divisions. Religions, that arise in ages totally ignorant and barbarous, consist mostly of traditional tales and fictions, which may be different in every sect, without being contrary to each other; and even when they are contrary, every one adheres to the tradition of his own sect, without much reasoning or disputation. But as philosophy was widely spread over the world, at the time when Christianity arose, the teachers of the new sect were obliged to form a system of speculative opinions; to divide, with some accuracy, their articles of faith; and to explain, comment, confute, and defend with all the subtilty of argument and science. Hence naturally arose keenness in dispute, when the Christian religion came to be

of the ROMAN manners had not, before-hand, weaned the GAULS from their ancient prejudices. SUTONIUS *in vita* CLAUDII. PLINY ascribes the abolition of the Druidical superstitions to TIBERIUS, probably because that emperor had taken some steps towards restraining them (lib. xxx. cap. i.)^g [Pliny, the Elder (A.D. 23–79), *Natural History*, 30.4 in the Loeb edition. The emperor Tiberius ruled A.D. 14–37. The religious practices of the Druids included human sacrifice]. This is an instance of the usual caution and moderation of the ROMANS in such cases; and very different from their violent and sanguinary method of treating the *Christians*. Hence we may entertain a suspicion, that those furious persecutions of *Christianity* were in some measure owing to the imprudent zeal and bigotry of the first propagators of that sect; and Ecclesiastical history affords us many reasons to confirm this suspicion.^h

split into new divisions and heresies: And this keenness assisted the priests in their policy, of begetting a mutual hatred and antipathy among their deluded followers. Sects of philosophy, in the ancient world, were more zealous than parties of religion; but in modern times, parties of religion are more furious and enraged than the most cruel factions that ever arose from interest and ambition.

I have mentioned parties from *affection* as a kind of *real* parties, beside those from *interest* and *principle*. By parties from affection, I understand those which are founded on the different attachments of men towards particular families and persons, whom they desire to rule over them. These factions are often very violent; though, I must own, it may seem unaccountable, that men should attach themselves so strongly to persons, with whom they are no wise acquainted, whom perhaps they never saw, and from whom they never received, nor can ever hope for any favour. Yet this we often find to be the case, and even with men, who, on other occasions, discover no great generosity of spirit, nor are found to be easily transported by friendship beyond their own interest. We are apt to think the relation between us and our sovereign very close and intimate. The splendour of majesty and power bestows an importance on the fortunes even of a single person. And when a man's good-nature does not give him this imaginary interest, his ill-nature will, from spite and opposition to persons whose sentiments are different from his own.



Considerations on the Causes of
**THE GREATNESS OF THE ROMANS
AND THEIR DECLINE**

MONTESQUIEU

*Translated,
with Introduction and Notes, by*

DAVID LOWENTHAL

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an alliance with Sertorius. Also see Plutarch, *Life of Lucullus* (7).

2. Mithridates had made him king of the Bosphorus. At the news of his father's arrival, he killed himself.
3. See Appian, *The War with Mithridates* (XVI, 109).
4. See Plutarch, in the *Life of Pompey* (39), and Zonaras, II (X, 5).

THE DISSENSIONS THAT ALWAYS EXISTED IN THE CITY

While Rome conquered the world, a secret war was going on within its walls. Its fires were like those of volcanoes which burst forth whenever some matter comes along to increase their activity.

After the expulsion of the kings, the government had become aristocratic. The patrician families alone¹ obtained all the magistracies, all the dignities, and consequently all military and civil honors.²

To prevent the return of the kings, the patricians sought to intensify the feelings existing in the minds of the people. But they did more than they intended: by imbuing the people with hatred for kings, they gave them an immoderate desire for liberty. Since royal authority had passed entirely into the hands of the consuls, the people felt they lacked the liberty they were being asked to love. They therefore sought to reduce the consulate, to get plebeian magistrates, and to share the curule magistracies^a with the nobles. The patricians were forced to grant everything they demanded, for in a city where poverty was public virtue, and where riches—the secret road

^a Curule magistracies: those conferring the right of using the *sella curulis* or chair of state—namely, those of the dictator, consuls, praetors, censors, and curule aediles.

to the acquisition of power—were scorned, birth and dignities could not confer great advantages. Thus, power had to return to the greatest number, and gradually the aristocracy had to change into a popular state.

Those who obey a king are less tormented by envy and jealousy than those who live under an hereditary aristocracy. The prince is so distant from his subjects that he is almost unseen by them. And he is so far above them that they can conceive of no relationship on his part capable of shocking them. But the nobles who govern are visible to all, and are not so elevated that odious comparisons are not constantly made. Therefore it has at all times been seen, and is still seen, that the people detest senators. Those republics where birth confers no part in the government are in this respect the most fortunate, for the people are less likely to envy an authority they give to whomever they wish and take back whenever they fancy.

Discontented with the patricians, the people withdrew to Mons Sacer.^b Deputies were sent to appease them, and since they all promised to help each other in case the patricians did not keep their pledge³—which would have caused constant seditions and disturbed all the operations of the magistrates—it was judged better to create a magistracy that could prevent injustices from being done to plebeians.⁴ But, due to a malady eternal in man, the plebeians, who had obtained tribunes to defend themselves, used them for attacking. Little by little they removed the prerogatives of the patricians—which produced continual contention. The people were supported, or rather, animated by their tribunes; and the patricians were defended by the senate, which was almost completely composed of them, was more inclined to the old maxims, and

^b Mons Sacer: a low range of hills about three miles from Rome, consecrated by the people to Jupiter after their secession.

was fearful that the populace would elevate some tribune to tyranny.

In their own behalf the people employed their strength and their voting superiority, their refusal to go to war, their threats to withdraw, the partiality of their laws, and, finally, their judgments against those who resisted them too staunchly. The senate defended itself by means of its wisdom, its justice, and the love of country it inspired; by its benefactions and a wise use of the republic's treasury; by the respect the people had for the glory of the leading families and the virtue of illustrious men;⁵ by religion itself, the old institutions, and the skipping of assembly days on the pretext that the auspices had not been favorable; by clients; by the opposition of one tribune to another; by the creation of a dictator,⁶ the occupations of a new war, or misfortunes which united all interests; finally, by a paternal condescension in granting the people a part of their demands in order to make them abandon the rest, and by the constant maxim of preferring the preservation of the republic to the prerogatives of any order or of any magistracy whatsoever.

With the passage of time, the plebeians had so reduced the patricians that this distinction⁷ among families became empty and all were elevated to honors indifferently. Then there arose new disputes between the common people, agitated by their tribunes, and the leading families, whether patrician or plebeian, who were called nobles and who had on their side the senate, which was composed of them. But since the old morals no longer existed, since individuals had immense riches, and since riches necessarily confer power, the nobles resisted with more force than had the patricians, and this was the cause of the death of the Gracchi and of several who worked for their scheme.⁸

I must mention a magistracy that greatly contributed to upholding Rome's government—that of the censors. They

took the census of the people, and, what is more, since the strength of the republic consisted in discipline, austerity of morals, and the constant observance of certain customs, they corrected the abuses that the law had not foreseen, or that the ordinary magistrate could not punish.⁹ There are bad examples which are worse than crimes, and more states have perished by the violation of their moral customs than by the violation of their laws. In Rome, everything that could introduce dangerous novelties, change the heart or mind of the citizen, and deprive the state—if I dare use the term—of perpetuity, all disorders, domestic or public, were reformed by the censors. They could evict from the senate whomever they wished, strip a knight of the horse the public maintained for him, and put a citizen in another tribe and even among those who supported the burdens of the city without participating in its privileges.¹⁰

M. Livius stigmatized the people itself, and, of the thirty-five tribes, he placed thirty-four in the ranks of those who had no part in the privileges of the city.¹¹ "For," he said, "after condemning me you made me consul and censor. You must therefore have betrayed your trust either once, by inflicting a penalty on me, or twice, by making me consul and then censor."

M. Duronius, a tribune of the people, was driven from the senate by the censors because, during his magistracy, he had abrogated the law limiting expenses at banquets.¹²

The censorship was a very wise institution. The censors could not take a magistracy from anyone, because that would have disturbed the exercise of public power,¹³ but they imposed the loss of order and rank, and deprived a citizen, so to speak, of his personal worth.

Servius Tullius had created the famous division by centuries, as Livy¹⁴ and Dionysius of Halicarnassus¹⁵ have so well explained to us. He had distributed one hundred and ninety-three centuries into six classes, and put the whole of

the common people into the last century, which alone formed the sixth class. One sees that this disposition excluded the common people from the suffrage, not by right but in fact. Later it was ruled that the division by tribes would be followed in voting, except in certain cases. There were thirty-five tribes, each with a voice—four in the city and thirty-one in the countryside. The leading citizens, all farmers, naturally entered the tribes of the countryside. Those of the city received the common people,¹⁶ which, enclosed there, had very little influence on affairs, and this was regarded as the salvation of the republic. And when Fabius relocated among the four city tribes the lower classes whom Appius Claudius had spread among all the tribes, he acquired the surname of Very Great.^{17:c} Every five years the censors took a look at the actual situation of the republic, and distributed the people among the different tribes in such a manner that the tribunes and the ambitious could not gain control of the voting, and the people themselves could not abuse their power.

The government of Rome was admirable. From its birth, abuses of power could always be corrected by its constitution, whether by means of the spirit of the people, the strength of the senate, or the authority of certain magistrates.

Carthage perished because it could not even endure the hand of its own Hannibal when abuses had to be cut away. Athens fell because its errors seemed so sweet to it that it did not wish to recover from them. And, among us, the republics of Italy, which boast of the perpetuity of their government, ought only to boast of the perpetuity of their abuses. Thus, they have no more liberty than Rome had in the time of the decemvirs.¹⁸

The government of England is wiser, because a body^d

^c In Latin, *Maximus*.

^d For Montesquieu's analysis of the English Parliament, see *The Spirit of the Laws*, XI, 6.

there continually examines it and continually examines itself. And such are its errors that they never last long and are often useful for the spirit of watchfulness they give the nation.

In a word, a free government—that is, a government constantly subject to agitation—cannot last if it is not capable of being corrected by its own laws.

NOTES

1. The patricians even had something of a sacred quality: they alone could take the auspices. See Appius Claudius' harangue in Livy, VI (40, 41).
2. For example, they alone could have a triumph, since only they could be consuls and command the armies.
3. Zonaras, II (VII, 15).
4. Origin of the tribunes of the people.
5. Loving glory and composed of men who had spent their lives at war, the people could not refuse their votes to a great man under whom they had fought. They obtained the right to elect plebeians, and elected patricians. They were forced to tie their own hands in establishing the rule that there would always be one plebeian consul. Thus, the plebeian families which first held office were then continually returned to it, and when the people elevated to honors some nobody like Varro or Marius, it was a kind of victory they won over themselves.
6. To defend themselves, the patricians were in the habit of creating a dictator—which succeeded admirably well for them. But once the plebeians had obtained the power of being elected consuls, they could also be elected dictators—which disconcerted the patricians. See in Livy, VIII (12), how Publius Philo reduced them during his dictatorship; he made three laws which were very prejudicial to them.
7. The patricians retained only some sacerdotal offices and the right to create a magistrate called *interrex*.
8. Like Saturninus and Glaucia.

9. We can see how they degraded those who had favored abandoning Italy after the battle of Cannae, those who had surrendered to Hannibal, and those who—by a mischievous interpretation—had broken their word to him. (Livy, XXIV, 18).
10. This was called: *Aerarium aliquem facere, aut in Caeritum tabulas referre* (to make someone a citizen of the lowest class, or to place him on the list of the [voteless] inhabitants of Caere). He was expelled from his century and no longer had the right to vote.
11. Livy, XXIX (37).
12. Valerius Maximus, II (9).
13. The dignity of senator was not a magistracy.
14. I (42, 43).
15. IV, art. 15 ff.
16. Called *turba forensis* (the rabble of the forum).
17. See Livy, IX (46).
18. Nor even more power.

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FROM THOMAS JEFFERSON TO WILLIAM STEPHENS SMITH, 13 NOVEMBER 1787

To William Stephens Smith

DEAR SIR

Paris Nov. 13. 1787.

I am now to acknowledge the receipt of your favors of October the 4th. 8th. and 26th. In the last you apologize for your letters of introduction to Americans coming here. It is so far from needing apology on your part, that it calls for thanks on mine. I endeavor to shew civilities to all the Americans who come here, and who will give me opportunities of doing it: and it is a matter of comfort to know from a good quarter what they are, and how far I may go in my attentions to them.—Can you send me Woodmason's bills for the two copying presses for the M. de la Fayette, and the M. de Chastellux? The latter makes one article in a considerable account, of old standing, and which I cannot present for want of this article.—I do not know whether it is to yourself or Mr. Adams I am to give my thanks for the copy of the new constitution. I beg leave through you to place them where due. It will be yet three weeks before I shall receive them from America. There are very good articles in it: and very bad. I do not know which preponderate. What we have lately read in the history of Holland, in the chapter on the Stadtholder, would have sufficed to set me against a Chief magistrate eligible for a long duration, if I had ever been disposed towards one: and what we have always read of the elections of Polish kings should have forever excluded the idea of one continuable for life. Wonderful is the effect of impudent and persevering lying. The British ministry have so long hired their gazetteers to repeat and model into every form lies about our being in anarchy, that the world has at length believed them, the English nation has believed them, the ministers themselves have come to believe them, and what is more wonderful, we have believed them ourselves. Yet where does this anarchy exist? Where did it ever exist, except in the single instance of Massachusetts? And can history produce an instance of a rebellion so honourably conducted? I say nothing of its motives. They were founded in ignorance, not wickedness. God forbid we should ever be 20. years without such a rebellion. The people can not be all, and always, well informed. The part which is wrong will be discontented in proportion to the importance of the facts they misconceive. If they remain quiet under such misconceptions it is a lethargy, the forerunner of death to the public liberty. We have had 13. states independant 11. years. There has been one rebellion. That comes to one rebellion in a century and a half for each state. What country before ever existed a century and half without a rebellion? And what country can preserve its liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance? Let them take arms. The remedy is to set them right as to facts, pardon and pacify them. What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure. Our Convention has been too much impressed by the insurrection of Massachusetts: and in the spur of the moment they are setting up a kite to keep the hen yard in order. I hope in god this article will be rectified before the new constitution is accepted.—You ask me if any thing transpires here on the subject of S. America? Not a word. I know that there are combustible materials there, and that they wait the torch only. But this country probably will join the extinguishers.—The want of facts worth communicating to you has occasioned me to give a little loose to dissertation. We must be contented to amuse, when we cannot inform. Present my respects to Mrs. Smith, and be assured of the sincere esteem of Dear Sir Your friend & servant,

TH: JEFFERSON

PrC (DLC).

It was to Adams that TJ owed the **COPY OF THE NEW CONSTITUTION** (see Adams to TJ, 10 Nov. 1787), and, thanks to the French chargé d'affaires in New York, TJ was wrong in thinking that it would be **THREE WEEKS** before he would receive other copies from America: Otto's copies arrived two days after the present letter was written (see Otto to TJ, 25 Sep. 1787).

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SOURCE PROJECT	Jefferson Papers
TITLE	From Thomas Jefferson to William Stephens Smith, 13 November 1787
AUTHOR	Jefferson, Thomas
RECIPIENT	Smith, William Stephens
DATE	13 November 1787
CITE AS	“From Thomas Jefferson to William Stephens Smith, 13 November 1787,” <i>Founders Online</i> , National Archives, https://founders.archives.gov/documents/Jefferson/01-12-02-0348 . [Original source: <i>The Papers of Thomas Jefferson</i> , vol. 12, 7 August 1787–31 March 1788, ed. Julian P. Boyd. Princeton: Princeton University Press, 1955, pp. 355–357.]

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FROM THOMAS JEFFERSON TO THOMAS JEFFERSON RANDOLPH, 24 NOVEMBER 1808

MY DEAR JEFFERSON

Washington Nov. 24. 08.

I have just recieved the inclosed letter under cover from mr Bankhead which I presume is from Anne, and will inform you she is well. mr Bankhead has consented to go & pursue his studies at Monticello, & live with us till his pursuits or circumstances may require a separate establishment. your situation, thrown at such a distance from us & alone, cannot but give us all, great anxieties for you. as much has been secured for you, by your particular position and the acquaintance to which you have been recommended, as could be done towards shielding you from the dangers which surround you. but thrown on a wide world, among entire strangers without a friend or guardian to advise so young too & with so little experience of mankind, your dangers are great, & still your safety must rest on yourself. a determination never to do what is wrong, prudence, and good humor, will go far towards securing to you the estimation of the world. when I recollect that at 14. years of age, the whole care & direction of myself was thrown on myself entirely, without a relation or friend qualified to advise or guide me, and recollect the various sorts of bad company with which I associated from time to time, I am astonished I did not turn off with some of them, & become as worthless to society as they were. I had the good fortune to become acquainted very early, with some characters of very high standing, and to feel the incessant wish that I could ever become what they were. under temptations & difficulties, I would ask myself what would Dr. Small, mr Wythe, Peyton Randolph do in this situation? what course in it will ensure me their approbation? I am certain that this mode of deciding on my conduct tended more to it's correctness than any reasoning powers I possessed. knowing the even & dignified line they pursued, I could never doubt for a moment which of two courses would be in character for them. whereas seeking the same object through a process of moral reasoning, & with the jaundiced eye of youth, I should often have erred. from the circumstances of my position I was often thrown into the society of horse racers, cardplayers, foxhunters, scientific & professional men, and of dignified men; and many a time have I asked myself, in the enthusiastic moment of the death of a fox, the victory of a favorite horse, the issue of a question eloquently argued at the bar or in the great council of the nation, well, which of these kinds of reputation should I prefer? that of a horse jockey? a foxhunter? an Orator? or the honest advocate of my country's rights? be assured my dear Jefferson, that these little returns into ourselves, this self-catechising habit, is not trifling, nor useless, but leads to the prudent selection & steady pursuit of what is right. I have mentioned good humor as one of the preservatives of our peace & tranquility. it is among the most effectual, and it's effect is so well imitated and aided artificially by politeness, that this also becomes an acquisition of first rate value. in truth, politeness is artificial good humor, it covers the natural want of it, & ends by rendering habitual a substitute nearly equivalent to the real virtue. it is the practice of sacrificing to those whom we meet in society all the little conveniences & preferences which will gratify them, & deprive us of nothing, worth a moment's consideration; it is the giving a pleasing & flattering turn to our expressions which will conciliate others, and make them pleased with us as well as themselves. how cheap a price for the good will of another! when this is in return for a rude thing said by another, it brings him to his senses, it mortifies & corrects him in the most salutary way, and places him at the feet of your good nature in the eyes of the company. but in stating prudential rules for our government in society I must not omit the important one of never entering into dispute or argument with another. I never yet saw an instance of one of two disputants convincing the other by argument. I have seen many of their getting warm, becoming rude, & shooting one another. conviction is the effect of our own dispassionate reasoning, either in solitude, or weighing within ourselves dispassionately what we hear from others standing uncommitted in argument ourselves. it was one of the rules which above all others made Doctr. Franklin the most amiable of men in society, 'never to contradict any body.' if he was urged to anounce an opinion, he did it rather by asking questions, as if for information, or by suggesting doubts. when I hear another express an opinion, which is not mine, I say to myself, he has a right to his opinion, as I to mine; why should I question it. his error does me no injury, and shall I become a Don Quisoet to bring all men by force of argument to one opinion? if a fact be mistated, it is probable he is gratified by a belief of it, & I have no right to deprive him of the gratification. if he wants information he will ask it, & then I will give it in measured terms; but if he still believes his own story, & shews a desire to dispute the fact with me, I hear him & say nothing. it is his affair not mine, if he prefers error. there are two classes of

disputants most frequently to be met with among us. the first is of young students just entered the threshold of science, with a first view of it's outlines, not yet filled up with the details, & modifications which a further progress would bring to their knolege. the other consists of the ill-tempered & rude men in society who have taken up a passion for politics. (good humor & politeness never introduce into mixed society a question on which they foresee there would be a difference of opinion.) from both of these classes of disputants, my dear Jefferson, keep aloof, as you would from the infected subjects of yellow fever or pestilence. consider yourself, when with them, as among the patients of Bedlam needing medical more than moral counsel. be a listener only, keep within yourself, and endeavor to establish with yourself the habit of silence especially in politics. in the fevered state of our country, no good can ever result from any attempt to set one of these fiery zealots to rights either in fact or principle. they are determined as to the facts they will believe and the opinions on which they will act. get by them therefore as you would by an angry bull: it is not for a man of sense to dispute the road with such an animal. you will be more exposed than others to have these animals shaking their horns at you, because of the relation in which you stand with me. full of political venom, and willing to see me & to hate me as a chief in the antagonist party, your presence will be to them what the vomit-grass is to the sick dog, a nostrum for producing ejaculation. look upon them exactly with that eye, and pity them as objects to whom you can administer only occasional ease. my character is not within their power. it is in the hands of my fellow citizens at large, and will be consigned to honor or infamy by the verdict of the republican mass of our country, according to what themselves will have seen, not what their enemies and mine shall have said. never therefore consider these puppies in politics as requiring any notice from you, & always shew that you are not afraid to leave my character to the umpirage of public opinion. look steadily to the pursuits which have carried you to Philadelphia, be very select in the society you attach yourself to. avoid taverns, drinkers, smokers & idlers & dissipated persons generally; for it is with such that broils & contentions arise, and you will find your path more easy and tranquil. the limits of my paper warn me that it is time for me to close with my affectionate Adieux.

TH: JEFFERSON

P.S. present me affectionately to mr Ogilvie, & in doing the same to mr Peale tell him I am writing with his polygraph & shall send him mine the first moment I have leisure enough to pack it.

DLC: Papers of Thomas Jefferson.

SOURCE PROJECT	Jefferson Papers
TITLE	From Thomas Jefferson to Thomas Jefferson Randolph, 24 November 1808
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DATE	24 November 1808
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THOMAS JEFFERSON TO JOSEPH C. CABELL, 2 FEBRUARY 1816

To Joseph C. Cabell

Dear Sir

Monticello Feb. 2. 16.

Your favors of the 23^d & 24th ult. were a week coming to us. I instantly inclosed to you the deeds of Cap^t Miller; but I understand that the Post-master, having locked his mail before they got to the office, would not unlock it to give them a passage.

Having been prevented from retaining my collection of the acts & Journals of our legislature by the lumping manner in which the Committee of Congress chose to take my library, it may be useful to our public bodies to know what acts and journals I had, and where they can now have access to them. I therefore inclose you a copy of my catalogue which I pray you to deposit in the council office for public use. it is in the 18th & 24th chapters they will find what is interesting to them. the form of the catalogue has been much injured in the publication: for altho they have preserved my division into chapters, they have reduced the books in each chapter to Alphabetical order, instead of the Chronological or Analytical arrangements I had given them. you will see sketches of what were my arrangements at the heads of some of the chapters.¹

The bill on the obstructions in our navigable waters appears to me proper; as do also the amendments proposed. I think the state should reserve a right to the use of the waters for navigation, and that where an individual landholder impedes that use, he should remove the impediment, and leave the subject in as good a state as nature formed it. this I hold to be the true principle; and to this Col^o Green's amendments go. all I ask in my own case is that the legislature will not take from me my own works: I am ready to cut my dam in any place, and at any moment requisite, so as to remove that impediment if it be thought one² and to leave those interested to make the most of the natural circumstances of the place. but I hope they will never take from me my canal, made thro' the body of my own lands, at an expence of twenty thousand Dollars, and which is no impediment to the navigation of the river. I have permitted the riparian proprietors above (and they are not more than a dozen or twenty) to use it gratis, and shall not withdraw the permission unless they so use it as to obstruct too much the operations of my mills, of which there is some likelihood.

Doct^r Smith, you say, asks what is the best elementary book on the principles of government? none in the world equal to the Review of Montesquieu printed at Philadelphia a few years ago. it has the advantage too of being equally sound and corrective of the principles of Political economy: and all within the compass of a thin 8^{vo}. Chipman's and Priestley's Principles of government, & the Federalist are excellent in many respects, but for fundamental principles not comparable to the Review. I have no objections to the printing my letter to mr Carr, if it will promote the interests of science; altho' it was not written with a view to it's publication.

My letter of the 24th ult. conveyed to you the grounds of the two articles objected to in the College bill. your last presents one of them in a new point of view, that of the commencement of the Ward schools as likely to render the law unpopular to the county. it must be a very inconsiderate and rough process of execution that would do this. my idea of the mode of carrying it into execution would be this. declare the county ipso facto divided into wards, for the present by the boundaries of the militia captaincies: somebody attend the ordinary muster of each company, having first desired the Captain to call together a full one. there explain the object of the law to the people of the company, put to their vote whether they will have a school established, and the most central and convenient place for it; get them to meet & build a log school house, have a roll taken of the children who would attend it, and of those of them able to pay: these would probably be sufficient to support a common teacher, instructing gratis the few unable to pay. if there should be a deficiency, it would require too trifling a contribution from the county to be complained of; and especially as the whole county would participate, where necessary, in the same resource. should the company, by it's vote, decide that it would have no school, let them remain without one. the advantages of this proceeding would be that it would become the duty of the Wardens³ elected by the county to take an active part in pressing the introduction of schools, and to look out for tutors.⁴ If however it is intended that the State government shall take this business into it's own hands, and provide schools for every county,⁵ then by all means strike out this provision

of our bill. I would never wish that it⁶ should be placed on a worse footing than the rest of the state. but if it is beleived that these elementary schools will be better managed by the Governor & council, the Commissioners of the literary fund, or any other general authority of the government, than by the parents within each ward, it is a belief against all experience. try the principle one step further, and amend the bill so as to commit to the Governor & Council the management of all our farms, our mills, & merchants' stores. No, my friend, the way to have good and safe government, is not to trust it all to one; but to divide it among the many, distributing to every one exactly the functions he is competent to. let the National government be entrusted with the defence of the nation, and it's foreign & federal relations; the State governments with the civil rights, laws, police & administration of what concerns the state generally; the Counties with the local concerns of the counties; and each Ward direct the interests within itself.⁷ it is by dividing and subdividing these republics from the great National one down thro' all it's subordinations, until it ends in the administration of every man's farm and affairs by himself; by placing under every one what his own eye may superintend, that all will be done for the best. what has destroyed liberty and the rights of man in every government which has ever existed under the sun? the generalising & concentrating all cares and powers into one body, no matter whether of the Autocrats of Russia or France, or of the Aristocrats of a Venetian Senate. and I do believe that if the Almighty has not decreed that Man shall never be free, (and it is blasphemy to believe it) that the secret will be found to be in the making himself the depository of the powers respecting himself, so far as he is competent to them, and delegating only what is beyond his competence by a synthetical process, to higher & higher orders of functionaries, so as to trust fewer and fewer powers, in proportion as the trustees become more and more oligarchical. the elementary republics of the wards, the county republics, the State republics, and the republic of the Union, would form a gradation of authorities, standing each on the basis of law, holding every one it's delegated share of powers, and constituting truly a system of fundamental balances and checks for the government. where every man is a sharer in the direction of his ward-republic, or of some of the higher ones, and feels that he is a participator in the government of affairs not merely at an election, one day in the year, but every day; when there shall not be a man in the state who will not be a member of some one of it's councils, great or small, he will let the heart be torn out of his body sooner than his power be wrested from him by a Caesar or a Bonaparte. how powerfully did we feel the energy of this organisation in the case of the Embargo? I felt the foundations of the government shaken under my feet by the New England townships. there was not an individual in their states whose body was not thrown, with all it's momentum, into action, and altho' the whole of the other states were known to be in favor of the measure, yet the organisation of this little selfish minority enabled it to overrule the Union. what could the unwieldy counties of the middle, the South and the West do? call a county meeting, and the drunken loungers at and about the Court houses would have collected, the distances being too great for the good people and the industrious generally to attend. the character of those who really met would have been the measure of the weight they would have had in the scale of public opinion. as Cato then concluded every speech with the words 'Carthago delenda est,' so do I every opinion with the injunction 'divide the counties into wards.' begin them only for a single purpose; they will soon shew for what others they are the best instruments.⁸ God bless you, and all our rulers, and give them the wisdom, as I am sure they have the will, to fortify us against the degeneracy of our government, and the concentration of all it's powers in the hands of the one, the few, the well-born or but the many.

Th: Jefferson

RC (ViU: TJP); addressed: "Joseph C. Cabell esquire Richmond"; franked; postmarked Milton, 4 Feb.; endorsed by Cabell. PoC (DLC). PoC of Tr (DLC: TJ Papers, 199:35492-3); extract entirely in TJ's hand; at head of text: "Extract of a letter from Th: Jefferson to Joseph C. Cabell esq. Feb. 2. 1816"; conjoined with PoC of Tr of TJ to John Adams, 28 Oct. 1813, and PoC of TJ's Notes on Popular Election of Juries, [ca. 2 Apr. 1816]; enclosed in TJ to Wilson Cary Nicholas, 2 Apr. 1816. Tr (ViU: TJP); extract by Nicholas P. Trist. Tr (Vi: RG 3, Governor's Office, Executive Papers); extract in Cabell's hand; at head of text: "Extract of a Letter from M^r Jefferson to a member of the Senate Feb: 2. 1816."

The **18TH & 24TH CHAPTERS** of the enclosed *Catalogue of U.S. Library* listed works on "Jurisprudence. Equity" and "Politics" respectively. The latter (p. 93) included one of the **SKETCHES OF WHAT WERE MY ARRANGEMENTS**, breaking the category down into "General Theories of Government" and "Special Governments, Antient" and "Modern," followed by sections on France, England, the United States, and "Political Oeconomy," with the last four broken down further still.

MY LETTER TO MR CARR: TJ to Peter Carr, 7 Sept. 1814. **CARTHAGO DELEND EST:** "Carthage must be destroyed" (see note to TJ to John Wayles Eppes, 11 Sept. 1813).

1. Vi Tr consists solely of this paragraph.
2. Preceding five words interlined.
3. In PoC TJ interlined "Aldermen" in place of this word.

4. PoC of Tr to this point consists of the following revision of this paragraph: "the proposition to give to the Visitors of our Albemarle College the power of dividing the county into wards, and of establishing a school in each was with a view to exhibit an example of that salutary measure. I expected that the Aldermen when elected by the county would declare it ipso facto divided into wards, for the present, by the boundaries of the militia Captaincies; that one of them would have attended a meeting of each company on a muster day, would have referred to their election the most eligible site for their school, would have engaged them to join force and build log houses for the school and dwelling of the master, would have taken a roll of the children who would attend, and of the parents able to pay, the unable alone being to be instructed gratis. such buildings, good enough at all times, would certainly have been sufficient, until there should be time and occasion for making a more regular designation of the wards, the variations of which might call for a change of site. the Aldermen would then have had to provide a schoolmaster for every ward, and to induct him." ViUTr begins with the opening sentence only of this revision and continues at this point.

5. Preceding six words not in ViU Tr.
6. PoC of Tr and ViU Tr substitute "our county" for this word.
7. PoC of Tr and ViU Tr delete the "and" at the beginning of this clause and here add "and each man manage his own farm and concerns."
8. PoC of Tr and ViU Tr end here.

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SOURCE PROJECT	Jefferson Papers
TITLE	Thomas Jefferson to Joseph C. Cabell, 2 February 1816
AUTHOR	Jefferson, Thomas
RECIPIENT	Cabell, Joseph Carrington
DATE	2 February 1816
CITE AS	"Thomas Jefferson to Joseph C. Cabell, 2 February 1816," <i>Founders Online</i> , National Archives, https://founders.archives.gov/documents/Jefferson/03-09-02-0286 . [Original source: <i>The Papers of Thomas Jefferson</i> , Retirement Series, vol. 9, <i>September 1815 to April 1816</i> , ed. J. Jefferson Looney. Princeton: Princeton University Press, 2012, pp. 435–439.]

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FROM THOMAS JEFFERSON TO HENRY LEE, 10 AUGUST 1824

Sir

Mon^u Aug. 10. 24.

I have duly received your favor of the 14th and with it the prospectus of a newspaper which it covered. if the style and spirit of that should be maintained in the paper itself it will be truly worthy of the public patronage. as to myself it is many years since I have ceased to read but a single paper. I am no longer therefore a general subscriber for any other. yet to encourage the hopeful in the outset I have sometimes subscribed for the 1st year on the condition of being discontinued at the end of it, without further warning. I do the same now with pleasure for yours, and unwilling to have outstanding accounts which I am liable to forget I now inclose the price of the tri-weekly paper. I am no believer in the amalgamation of parties, nor do I consider it as either desirable or useful for the public; but only that, like religious differences, a difference in politics should never be permitted to enter into social intercourse, or to disturb its friendships, its charities or justice. in that form, they are censors of the conduct of each other, and useful watchmen for the public. men by their constitutions are naturally divided into two parties. 1. those who fear and distrust the people, and wish to draw all powers from them into the hands of the higher classes. 2^{dly} those who identify themselves with the people, have confidence in them cherish and consider them as the most honest & safe, altho' not the most wise depository of the public interests. in every country these two parties exist, and in every one where they are free to think, speak, and write, they will declare themselves. call them therefore liberals and serviles, Jacobins and Ultras, whigs and tories, republicans and federalists, aristocrats and democrats or by whatever name you please; they are the same parties still and pursue the same object. the last appellation of artistocrats and democrats is the true one expressing the essence of all. a paper which shall be governed by the spirit of M^r Madison's celebrated report, of which you express in your prospectus so just and high an approbation, cannot be false to the rights of all classes. the grandfathers of the present generation of your family I knew well. they were friends and fellow laborers with me in the same cause and principle. their descendants cannot follow better guides. accept the assurance of my best wishes & respectful consideration.

TH: JEFFERSON

PP.

SOURCE PROJECT	Jefferson Papers
TITLE	From Thomas Jefferson to Henry Lee, 10 August 1824
AUTHOR	Jefferson, Thomas
RECIPIENT	Lee, Henry
DATE	10 August 1824
CITE AS	"From Thomas Jefferson to Henry Lee, 10 August 1824," <i>Founders Online</i> , National Archives, https://founders.archives.gov/documents/Jefferson/98-01-02-4451 . [This is an Early Access document from The Papers of Thomas Jefferson: Retirement Series. It is not an authoritative final version.]

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