Jun, Nathan. "Liberalism." *Anarchism and Political Modernity*. New York: Continuum, 2012. 47–78. Contemporary Anarchist Studies. *Bloomsbury Collections*. Web. 26 Apr. 2023. <<http://dx.doi.org/10.5040/9781501306785.ch-003>>.

Downloaded from Bloomsbury Collections, www.bloomsburycollections.com, 26 April 2023, 15:17 UTC.

Copyright © Nathan Jun 2012. Released under a CC BY-NC-ND licence (<https://creativecommons.org/licenses/by-nc-nd/3.0/>). You may share this work for non-commercial purposes only, provided you give attribution to the copyright holder and the publisher, and provide a link to the Creative Commons licence.

3

Liberalism

Representationalism

Ancient and medieval political theory, as we saw in the first two chapters, was situated in an *archic* context that presupposed a natural cosmological order. To this extent it is best understood as a kind of ethical naturalism according to which the lives of human beings (ought to) reflect or conform to the order of nature. Political relations and institutions, by extension, are described and/or justified in relation to natural laws. For Aristotle, human beings are social creatures by nature, thus life in the *polis* is natural for human beings. Certain Stoics, while not necessarily disagreeing with the idea that human beings are social by nature, nonetheless deny that the *polis* (or at least certain of its key features, such as private property) is natural in the strict sense. In both cases, the concept of the individual person is at best secondary to the concept of the community, which is in turn secondary to the *archic* concept of natural order. Because human beings are essentially social, and because this essential sociability helps to define the place of human beings within the broader cosmological order, sociopolitical relations within communities and among individual human beings are justified to the extent that they are deemed “natural.”

Political naturalism of this sort is better understood as a species of a wider genre which might be called “political holism.” This “holism,” as I understand it, rests on two crucial theses. The first is that corporate entities such as communities, societies, cultures, and states have interests that transcend those of individual persons.¹ The second, according to Charles Taylor, is that “living in society is a necessary condition of the development of rationality, in some sense of this property, or of becoming a moral agent in the full sense of the term, or of becoming a fully responsible, autonomous being.”² If holism is essentially a descriptive or metaphysical doctrine, naturalism is an ethical doctrine; for the naturalist, after all, what matters is not just that human beings are social by nature, but that “naturalness” is

the standard according to which political practices and institutions are to be ethically evaluated. Later holistic theories, such as those of Vico, Herder, Rousseau, and Hegel, do not necessarily ground ethical evaluation in an account of what is natural even though their accounts of the natural are similar to those which underwrite naturalistic theories.³

Thus the concept of “nature” in general and “human nature” in particular did not vanish in the wake of modernity. On the contrary, questions such as “what does it mean to be human?” or “what is the universal essence shared in common by all human beings?” remained centrally important for liberal and protoliberal philosophers, especially those of the so-called early modern era. One crucial difference is that for such philosophers, human beings are generally understood first and foremost as *individuals* who are to be distinguished from each other as well from the natural world which they inhabit. This constitutes a rather significant departure from the aforesaid ancient and medieval theories, which, while scarcely denying the existence of individuals, tended to analyze them in terms of their relationship to the community and, by extension, to nature as a whole. Liberalism tends to invert this priority by analyzing both the community and nature as a whole in terms of their relationship to individual human beings.

From this we can adduce two distinctively “liberal” theses which serve to distinguish liberal and protoliberal theories from other theories. The first, which Pettit calls “personalism,” claims that “whatever is good or bad about a set of institutions is something that is good or bad for the people whom they affect.”⁴ In contrast to the first thesis of holism mentioned above, personalism claims that there are no distinctly corporate interests or, to put it another way, that all corporate interests are reducible to individual interests. The second thesis, which Pettit calls “solipsism” or “social atomism,” holds that (a) “the solitary individual—the agent who is and always has been isolated from others—is nevertheless capable, in principle, of displaying all distinctive human capacities”; (b) that “any property that can serve as an ultimate political value, any property that can be regarded as a yardstick of political assessment has to be capable of instantiated by the socially isolated person, by the solitary individual”; and (c) “that the ultimate criteria of political judgment . . . are provided by non-social as distinct from social values.”⁵ Taken together, these two theses basically turn political holism on its head.

One way to explain this inversion has to do with the development of modern natural sciences in the late sixteenth and early seventeenth centuries. The scholastic natural philosophy of the Middle Ages, which these sciences eventually surpassed, was a bricolage of ideas drawn from Ptolemaic cosmology, Galenic medicine, Aristotelian physics, and so on. Generally speaking, medieval science retained the Aristotelian emphasis on the empirical observation of material entities and the explanation of natural phenomena in terms of internal principles of change and causation (especially

teleological principles, i.e., final causes). Within this framework human beings, alongside all other material entities, belonged to a hierarchy whose elements were differentiated according to their natural functions and ends. (This way of thinking is captured vividly in the famous Tree of Porphyry and similar classificatory schemes.) The starting point of philosophy, which was almost always regarded, with appropriate reverence, as the “handmaiden” (*ancilla*) of theology, was the natural world as given to the senses.

The human mind or soul, while crucial for locating human beings within the natural order, was not regarded as theoretically foundational. Broadly construed, ancient and medieval philosophy was not concerned with the problem of individuating human beings vis-à-vis mental or spiritual categories, the concept of consciousness, or the question of whether sensory experience correspond authentically to any “external” reality.⁶ For example, Aristotle’s *De Anima*, which is widely regarded as the magnum opus of premodern psychology, pertains chiefly to the operation of the senses and other mental faculties.⁷ Aristotle does not discuss individuation in psychological terms (this would later become important in debates surrounding the so-called problem of other minds) nor the relation between mind and world. In point of fact, correspondence between the senses and the material world was largely taken for granted by Aristotle and his scions.

For a number of reasons, the new scientific and mathematical ideas articulated in the work of Copernicus, Galileo, and Kepler cast significant doubt on the explanatory framework of medieval science.⁸ Descartes, among others, sought to create a new philosophical methodology modeled on and capable of accommodating these developments.⁹ His approach, which we will refer to as *representationalism*, involved nothing less than a comprehensive upheaval of prevailing philosophical wisdom (“rebuilding the house,” as Descartes put it).¹⁰ Adopting a kind of tactical skepticism, Descartes rejected any ideas, concepts, or entities which could, within the limits of logic, be doubted.¹¹ As an immediate consequence, he could no longer take for granted that his perceptions faithfully corresponded to (“represented”) an external reality, or even that there was such a thing as external reality.¹² The best he could do, at least initially, was to establish, by means of the vaunted *cogito*,¹³ that he himself existed as a thinking thing (*res cogitans*).¹⁴

In this way Cartesian philosophy introduces the critical modern notion of the *subject*—literally, “that which is thrown under.”¹⁵ The human being is no longer defined in terms of its functions or attributes or final causes—in short, its position within the Aristotelian cosmological order.¹⁶ Rather, the human is defined as “that which is thrown under” (i.e., the subject of) conscious experiences, including thoughts, perceptions, and sensations.¹⁷ It is the *res* of the *res cogitans*. The question becomes: what, if anything, exists apart from the thinking thing and its representations? Are there objects of knowledge before which stand the subject of consciousness and, if so, how do the former relate to the latter?

Attempts to answer these questions, which can be described broadly as attempts to overcome Cartesian doubt, gave rise to a debate that in many ways shaped the philosophical *Zeitgeist* of the early modern era. On one side we find Descartes himself, along with other “Continental rationalists” such as Leibniz and Spinoza who believed that the epistemological gap between mind and world could be bridged through recourse to fundamental logical and mathematical principles.¹⁸ Such principles, the rationalists alleged, could be known independently of experience (for example, by means of intuition); other things could be known, in turn, by being deduced from these principles.

Far more interesting for present purposes is the so-called empiricist school of the seventeenth and eighteenth centuries. At first glance, the British Empiricists’ emphasis on perceived experience over and above intuited or self-evident knowledge would seem to reinforce Aristotelian philosophical values against the Neoplatonic postures of rationalism. Upon closer examination, however, it becomes clear that for Locke, Berkeley, Hume, and their ilk, empiricism obviates rather than salvages several of the most fundamental Aristotelian doctrines—most importantly, perhaps, the intelligibility of substance and substantial qualities (where substance and its qualities is that which “stands under” not just conscious experience, but being or existence itself). One might say, then, that while the empiricists were of a piece with Aristotle as regards methodology, their conclusions were gravely at odds with Aristotelian ontology. Their goal, strictly speaking, was to rescue human knowledge—not the “real world” of substances and qualities—from the onslaught of Cartesian doubt.

Here the example of Hume is especially illustrative. In *A Treatise of Human Nature*, Hume begins by considering the concept of perception, two forms of which, he claims, can be distinguished. The first, which he calls “impressions,” are those perceptions that “enter with most force and violence” (for example, physical sensations, desires, emotions, et cetera).¹⁹ The second, which he calls “ideas,” are “faint images” of impressions that emerge in the course of thinking and discourse.²⁰ According to Hume, all thoughts and ideas ultimately come from impressions. It is not possible, in other words, to have ideas for things for which we have no impressions whatsoever.²¹

Hume goes on to argue that all ideas are interconnected by means of universal principles.²² The first of these, resemblance, refers to the way in which particular ideas or impressions are said to be similar to other ideas or impressions. The second, contiguity, refers to the way in which particular ideas or impressions are ordered in time and space. The third, cause and effect, refers to the way in which certain ideas or impressions cause or bring about other ideas or impressions. The first two principles pertain to relations between ideas and can be divided into categories such as identity and quality.²³ The principle of cause and effect, in contrast, pertains to all

contingent matters of fact about the world.²⁴ On Hume's view, it is empirical observation, rather than *a priori* reasoning, that leads us to posit cause and effect: "Tho' the mind in its reasonings from causes or effects carries its view beyond those objects, which it sees or remembers, it must never lose sight of them entirely, nor reason merely upon its own ideas . . ." ²⁵ Ultimately the observation of causal relationships among impressions forms the basis of human experience as well as all reasoning about matters of fact.²⁶

Given that resemblance, contiguity, and causation are the only ties that bind our ideas together in consciousness, how are we to distinguish true beliefs about matters of fact from false beliefs? In the first place, Hume says, a belief is not the same thing as a simple idea. Rather, belief is "a particular manner of forming an idea" that convinces the mind of some one thing's existence.²⁷ The idea, moreover, is always formed according to logical or causal relations among past and present impressions—that is, the mind forms beliefs according to the resemblance, contiguity, or causal relations that obtain among particular impressions and ideas.²⁸ In cases of logical demonstration, truth is established precisely because falsity is unintelligible. But in cases of matters of fact, true belief is established to the extent that such a belief corresponds to present impressions, impressions given in the past, or a combination of both. Thus for Hume, all human knowledge is knowledge of ideas; we can have no knowledge of substance (i.e., that which "stands below" our impressions and ideas).

This account of knowledge differs from that of Locke and Berkeley in a number of important ways, a few of which are worth noting briefly. For Locke, the mind can only form simple ideas from the primary substantial qualities of objects of experience (e.g., extension, numbers, the power to produce secondary qualities in minds, etc.). Here Locke is taking for granted that minds exist and that these minds form ideas from the primary qualities of objects of experience. It follows, then, that we can know something of the world as it exists outside our minds (i.e., substance), albeit to the limited extent that it is capable of producing ideas within us. For Berkeley, in contrast, we cannot even know the primary qualities of substances; we can only know the ideas given to the mind. It is impossible, moreover, to know whether these ideas correspond to some external reality or substance separate from our own minds. Hume goes one step further than both Locke and Berkeley by suggesting that we cannot even assume the existence of a "mind" to which ideas are given. After all, if all knowledge reduces to ideas formed from impressions, and if, as Hume contends, the idea of mind is not formed from present or past impressions, it follows that "mental substance" is just as unknowable as physical substance.

Kant's theory of knowledge is often regarded as reconciliation or even a synthesis of rationalism and empiricism. Like Hume, Kant wants to overcome Cartesian doubt by preserving *some* kind of knowledge, though not on pain of jettisoning the idea of a unified consciousness. For Kant, the various

moments of consciousness are not merely conjoined but connected—that is, unified—through experience. The question is not just how we experience things but rather what makes experience possible in the first place. To answer this question Kant extends his gaze beyond consciousness itself to what is consciously experienced. In order to establish conscious experience as the unifying factor among moments of consciousness, however, Kant argues that there is an objectively existing causal connection between objects of experience that is not imposed by the mind. All experiences are given to a subject within structures that Kant refers to as the forms of sensible intuition.²⁹ These include space (or “outer sense”) and time (or “inner sense”). Taken together, the forms of sensible intuition comprise the whole of our perception of objects of appearance. Both are *a priori* conditions of the appearance of objects, for inasmuch as the capacity to be affected by objects relies on space and time, they must precede intuitions of the object. Without prior forms of intuition, appearances of objects would not be possible.³⁰ Space and time, then, are not part of the object itself, but are part of the way we receive experience.

Kant says that we know from experience that consciousness is unified—that is, that each particular moment of consciousness is ordered or linked to another moment before and after it, and all of these are experienced by the same knowing subject across time.³¹ Because there is nothing in consciousness itself to necessitate this ordering, it must come from the experiences that constitute consciousness. For Kant, the relationships that exist among objects of experience themselves make the unity of consciousness, and thus experience, possible. All objects of appearance are given to us via the forms of sensible intuition, but in order to make judgments about these objects, we need concepts that go beyond the forms of sensible intuition. Kant calls these pure concepts of the understanding, which make sense of the relationships between appearances, the categories.³²

The categories precede all judgments about appearances and thus make experience possible, where by experience we mean the addition of judgments onto the appearances of objects via the forms of sensible intuitions.³³ Moreover, they are not subjective, but exist outside the mind among objects of experience. Thus they always provide an objective test against which to determine whether one’s experiences are coherent or not. Kant derives both the forms of sensible intuition and the categories through a transcendental deduction. While the forms of sensible intuition are transcendently necessary for the unity of consciousness and orderly reception of appearances by individual subjects, the categories are transcendently necessary for the unity of consciousness and communicability of experience across all of humanity.

In this way Kant rescues both mind and world from the extreme skepticism of Hume. By arguing that the categories and forms of sensible intuition inhere in objects of experience themselves, Kant avoids Hume’s

groundless subjectivity. We can know the forms of sensible intuition (i.e., phenomena) and the categories by means of a transcendental deduction—that is, by reflecting on what is logically requisite for any experience at all. Thus we can prove that they exist even though we cannot see them or form impressions of them. We can also prove that there is a noumenal world comprised of things-in-themselves, the essential sources of the objects of experience that lie beyond the reach of the senses. Even though we do not have direct access to things-in-themselves, they must exist in order to explain why certain experiences are given to all of us rather than others.

The examples of Hume and Kant reveal several important features of the modern concept of subjectivity. In the first place, the subject becomes conscious of the world through the mediation of representation. As Todd May (somewhat wryly) notes:

This is how it [representation] works. The world is out there, stable and serene. In order to be conceived, it awaits our thought. Our thought represents it. That is what it does. It mirrors what is there, in its stability and its serenity, in our ideas. Thought is nothing more than a representation of the world: a *re-presentation* in our mind of what is *presented* to us once, already, out there.³⁴

There is a world, and the subject is in the world, but unlike the Aristotelian “rational animal,” it does not have direct and immediate access to that world. Rather, the relation between subjects and the world is mediated by representation. It is precisely this representational mediation that constitutes subjectivity. The subject (or Self, or Ego, or *res cogitans*, which is *non cogitum* in turn) is independent from and transcendent of the objects it thinks—both physical objects in the world as well as other “embodied” subjectivities. It is atomized, possessing a substantial individuality and psychological interiority that separates and distinguishes it from everything else that exists. Representation is the bridge by which the atomized, individual subject escapes itself and connects with other things.

Human nature

The subject is not just a blank screen onto which mental representations are projected. It has an essence that, as Sartre might say, precedes its existence. This essence, moreover, is not just defined by how the subject thinks but also by how it acts (or is inclined to act). For many modern philosophers in general and liberals in particular, the essence of subjectivity includes (1) a set of innate capacities or dispositions that govern how the subject thinks and acts, (2) various innate conditions that enable and motivate the subject to think and act according to its capacities and dispositions, and (3) various

other innate psychological factors that prevent subjects from thinking and acting according to their capacities and dispositions. Broadly speaking, this is what is meant by “human nature.”

According to the personalist and atomist theses that underwrite liberal theories, “human nature” is most fully expressed in the individual human subject considered as a *solum ipse*—a “lone self” divorced from all particular social, cultural, and historical contexts. What is truly and essentially “human” is something that comes before, and exists independently of, the social aggregation of individuals. The subject’s innate capacities and dispositions, its interests and desires—all are conditioned to greater or lesser extent by social existence but are never determined by it. Rather, it is the nature of the atomic human subject itself that engenders social existence in various forms and that, by extension, allows us to make both descriptive and normative distinctions among these forms. Human nature, not the cosmos, is the *archē* that organizes human reality.

Classical liberal philosophers and economists—including Locke, Sieyès, de Tracy, Bentham, Smith, de Tocqueville, Madison, Jefferson, Godwin, Malthus, Constant, Say, von Humboldt, Carey, Cobden, Ricardo, and Bastiat—all emphasize to greater or lesser extent the “idea of limited government, the maintenance of the rule of law, the avoidance of arbitrary and discretionary power, the sanctity of private property and freely made contracts, and the responsibility of individuals for their own fates.”³⁵ Modern liberalism, in contrast, “is exemplified by John Stuart Mill’s *On Liberty*, with its appeal to ‘man as a progressive being’ and its romantic appeal to an individuality which should be allowed to develop itself in all its manifold diversity.”³⁶ Mill, along with various “new liberals” (e.g., Hobhouse), politicians (e.g., Gladstone, Asquith, FDR), and Anglo-American philosophers (e.g., Raz, Nagel, Rawls) view liberalism as a political project whose aim “is to emancipate individuals from the fear of hunger, unemployment, ill-health and a miserable old age” and, by extension, to attempt to help members of liberal societies to flourish.³⁷ In the twentieth century, “modern liberalism” of this sort has been associated with government programs like the New Deal and other “social safety measures,” which, taken together, form the basis of the modern “welfare state.”

Classical liberalism generally follows Hobbes in viewing human social existence as a “war of all against all.” Human nature, in turn, is regarded as essentially self-interested, acquisitive, individualistic, egoistic, and aggressive.³⁸ Some forms of modern liberalism, following Rousseau (and, perhaps, Mill), instead regard human nature as essentially good, rational, and progressive and argue that human beings only become corrupted in the face of unjust and irrational forms of social life.³⁹ Others retain the basic Hobbesian outlook but, against classical liberalism, regard government intervention as a necessary condition for achieving a just, peaceful, and relatively equitable society.

For all their disagreements, both traditions are agreed that (1) human beings are, *ceteris paribus*, rational (i.e., capable of knowing and effectively pursuing their interests) and *self-interested* (i.e., inclined to know and effectively pursue their interests).⁴⁰ Likewise, (2) human beings are all equally free, *ceteris paribus*, to know and effectively pursue their interests; and (3) more or less susceptible to various “irrational” psychological factors (e.g., “passions”), which prevent them from both from knowing and effectively pursuing their interests.

On the Hobbesian view, the nastiness and brutishness of life in the state of nature result from the conflict between rational self-interest (1) and (2) and mutually incompatible passions (3). Human actions (i.e., “voluntary” or “animal” motions) are directed toward or away from objects on the basis of thought coupled with passion.⁴¹ Thought is a mechanical process whereby concepts (i.e., mental images of external objects) are formed from sensory perceptions.⁴² Passions, in turn, are natural inclinations directed toward certain objects.⁴³ They are essentially primitive internal motions (“endeavors”) that precede and ultimately determine external motions such as walking. There are two fundamental kinds of passions whence all others passions are derived: desire or appetite (the endeavor toward an object) and aversion (the endeavor away from an object).⁴⁴ Once an object is identified through thought, the natural passions determine whether action is directed toward that object or away from it. Those instances in which our passions are conflicted—that is, directed both toward and away from a particular object—Hobbes calls “deliberation,” and whichever passion happens to determine the final action he calls “will.”⁴⁵

As a materialist, Hobbes denies the existence of deliberative or volitional faculties in the soul or mind; the entire process is physical and mechanistic from beginning to end. As a nominalist, moreover, Hobbes denies the existence of “intrinsic goodness” or “intrinsic badness,” which resides within external objects and possesses independent ontological status. In his view, whatever a particular person desires is “good,” and whatever he is averse to is “bad.”⁴⁶ Even if a group of people happen to regard a particular thing as good, this is not because it’s good in itself, but because they all happen to desire it. Thus there is no such thing as a universal or common conception of “goodness” or “badness” apart from the desires and aversions of some sort of authoritative arbitrator.⁴⁷

For Hobbes, human beings not only desire particular objects and the means to satisfying those desires, but also the continued satisfaction of those desires over the course of a lifetime. The latter Hobbes calls “felicity”—that is, happiness or a contented life.⁴⁸ “Power” is simply the ability to (1) satisfy particular desires as well as (2) the means to enjoy a contented life.⁴⁹ In Hobbes’s view, people desire both kinds of power. However, since the power to enjoy a contented life is nothing more than the power to ensure the continued satisfaction of all particular desires over time, the second kind

of power is basically a desire for ever-increasing amounts of the first kind of power.⁵⁰ As Hobbes explains, this is because a human being “cannot assure the power and means to live well which he hath present, without the acquisition of more power.”⁵¹

In the remaining chapters of *Leviathan*, Hobbes argues that the basic human desire for power comes into conflict with the basic human desire for a contented life. According to the well-known argument, human beings in a state of nature are predominantly self-interested and more or less equal in terms of their overall individual power.⁵² Under conditions of scarcity, competition for goods is inevitable.⁵³ Thus some human beings will make war in order to wrest goods from competitors. Others will make war out of fear, in anticipation of a perceived threat. Still others will make war merely because they take pleasure in their own power and glory and desire to increase it. As Hobbes famously remarks:

In such a condition, there is no place for industry, because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation nor use of the commodities that may be imported by sea; no commodious buildings; no instruments of moving and removing such things as required much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and, which is worst of all, continual fear and danger of violent death; and the life of man solitary, poor, nasty, brutish, and short.⁵⁴

Although human beings are mostly self-interested for Hobbes, this does not mean they are constitutionally incapable of cooperation. Most of us, he thinks, will inevitably find the “war of all against all” intolerable and seek terms of peace.⁵⁵ But because there is no “morality” or “law” in the state of nature, everyone’s passions, as well as the means they take to satisfy these passions, are equally licit.⁵⁶ Every man has a “right of nature” both to defend his life and to seek out his happiness however he sees fit.⁵⁷

In the state of nature human beings are capable of discovering certain “laws of nature” through the use of reason that help vouchsafe the ends of peace—for example, that war is justified only after peace has been tried and fails; that men can enter into covenants wherein they mutually forfeit some of their natural right for the sake of promoting peace and cooperation; that to break a covenant is unjust, and so forth.⁵⁸ But because human beings are not perfectly rational, the possibility always remains that individuals will be motivated by irrational desires (e.g., for glory) to make war or renege on contracts.⁵⁹ For this reason, human beings enter into a mutual covenant whereby they all agree to surrender their power to a commonwealth.⁶⁰ The commonwealth, in turn, is authorized to act as absolute adjudicator and arbiter through the institution and enforcement of positive law.⁶¹ (For

Hobbes, of course, the best kind of commonwealth is an absolute monarchy, which he thinks is least susceptible to corruption.⁶²)

As noted above, many “modern liberal” views of human nature remain essentially Hobbesian. Others, taking their cue from Rousseau and Mill, agree that human beings are rational and self-interested but are more inclined to think of human beings as benign, “progressive beings” whose political aim is to implement social conditions that maximize opportunities for human flourishing as opposed to merely protecting individuals’ rights to life and property. For all liberalisms, however, “rationality” is a key watchword: the abstract individual of political modernity is unfailingly described as “rational.” At minimum this implies, again, that the individual is capable of knowing her interests and taking effective means to achieve them. The individual is also “self-interested,” meaning that she desires to know what her interests are and to achieve them. Within the context of liberal theory, the concepts of rationality and self-interest are usually combined to form a more general concept referred to as “rational self-interest.” The most salient characteristic of “rational self-interest” on the liberal model is that it is somehow universal—that is, that all human beings are, *ceteris paribus*, rationally self-interested and that certain ends are worth pursuing for all human beings simply in virtue of their being rational. No liberal would deny that individual human beings possess personal, idiosyncratic interests that are worth pursuing to greater or lesser degree. At the same time, however, they are agreed that there is a universal criterion or set of criteria that determines what is rational for human beings as such to pursue.

Human beings are not only naturally rational and self-interested but naturally free or, as Kant would have it, autonomous (literally, self-legislating). Kant regards autonomy as the capacity of human beings to act independently of inclinations—that is, in accordance with law as constructed from practical reason alone. A rational autonomous agent determines what it will do based upon a reason provided by itself. It is able to do so, in turn, because it is free from natural causality—that is, it is capable of thinking and acting independently of any efficient cause, such as the desire for happiness or pleasure. Freedom, therefore, is “the property that the will has of being a law to itself.”⁶³ Human beings are free because we give ourselves the law by which we abide, and this law is determined by practical reason. “Ought” implies “can,” then, only insofar as we can *choose* to act according to our own reason (i.e., autonomously) rather than being *caused* to act by something outside ourselves (i.e., heteronomously). If I am not able to perform any other action save X, it makes no sense to suggest that I *ought* to perform X. The proposition “I ought to do X” presupposes that I could do otherwise, and this is, in part, what Kant means by freedom.

A similar view appears in the *Second Treatise of Government*, where Locke contends that the natural state of human beings is one of perfect freedom—that is, a condition of liberty, governed by the rule of reason,

which guarantees certain inviolable rights.⁶⁴ (Because all human beings share a common nature, moreover, it follows that all human beings are equally free.) On Locke's view, freedom consists in the ability to suspend judgment and withhold action in response to the force of desires.⁶⁵ Human action is not determined by particular desires; rather, human beings are free to decide what is conducive to our interests and overall happiness and to act on this decision within the framework of a comprehensive life plan. As rational creatures, human beings are inclined to pursue happiness in general, and particular desires may or may not direct us towards this goal. The point, in any case, is that human beings are always free to suspend judgment and refrain from acting on the basis of any and all particular desires.

Locke makes no real effort to defend this view of freedom. Like Kant, he largely takes for granted that certain types of human actions are performed (or capable of being performed) independently of external causal factors. Of course, one could argue, as certain determinists do, that human beings do not actually "suspend judgment" at all—that any choice is inevitably determined by preceding external factors such as desires and instincts. Assuming that we do exist in a state of perfect, indeterminate freedom, however, this does not entail that we are free to do whatever we please.⁶⁶ Universal reason, according to Locke, imposes limitations on our ability to act on decisions. By nature, we all share in freedom, and we are all equal because we are born of the same nature. We must, therefore, act on our freedom of choice according to the natural law, and so cannot use freedom to limit the natural freedom of others or ourselves. To do otherwise is to declare invalid the very thing which allows us to act freely—namely, freedom itself. Nature does not allow freedom to violate nature.

According to Locke, the fact that we all share a common human nature further implies that we all possess certain natural rights. For example, all naturally free beings possess the natural right to liberty. Because human beings are naturally free, it follows that any human being can demand the preservation of this state. As such, the state of nature affords man a right to liberty, which in turn entails a concomitant right to life (since a being that is not alive obviously cannot exercise a right to liberty). Finally, the right to life entails a right to property. Because one has a right to live, and because living requires property, then one has a right to property.

Freedom, as described in (2) above, is not just an aspect of human nature in itself but a precondition for the realization of other aspects of human nature, such as the rational pursuit of self-interest. As Locke claims, the natural ability of human beings to "order their Actions . . . as they think fit . . . without asking leave, or depending on the Will of any other Man"⁶⁷ is necessary in order to pursue one's own and others' interests and well-being. So too is the "natural freedom" from the coercive interference of others and the freedom to claim property and enter into contracts, and so forth.⁶⁸ Not only do all men possess the natural capacity to pursue these freedoms (*ceteris*

paribus), but also the *equal natural right* to pursue them—meaning that all men are equally and naturally obliged to refrain from limiting or otherwise interfering with the freedoms of other men (except in certain cases, such as in self-defense). That being said, although all liberals value freedom and regard freedom as a basic feature of human nature, they do not necessarily regard freedom as Locke does—that is, as an essentially *negative* concept, according to which one is free “to the degree to which no man or body of men interferes with [his] freedom.”⁶⁹ Some, following Rousseau, argue that freedom is an essentially *positive* concept implying the power to recognize and realize one’s rational will.⁷⁰ Still others, such as Rawls, incorporate both conceptions of freedom.

Another aspect of human nature emphasized by most major liberal theories is equality. As we have already seen, liberals generally take it for granted that human beings are by nature equally free, meaning that they all have an equal *right* to pursue their individual rational interests and to be free of coercive interference. Likewise, they generally hold that human beings possess equal “basic worth” (meaning that no human life is *a priori* more morally valuable than any other human life) and by extension an equal right to life. Political equalities (equalities of primary social goods, such as equality under the law, equality of political rights and privileges, and fair equality of opportunity for equal talents) are typically derived from and defined in terms these more general natural equalities.⁷¹

Some liberals (e.g., Rawls) have also argued for equality of income via the redistribution of wealth, a move which has generated much controversy. As Bo Li notes:

To a democrat, it is easy to justify political equality, social equality, and equality of opportunity as equal access (i.e., equal opportunity for equal talents), because these equalities rest on basic moral and ethical precepts and do not involve too much state intervention (particularly, they do not involve wealth redistribution), and therefore are well accepted principles in liberal democracies. It is harder, however, to justify equality of opportunity as equal start (i.e., equal initial material conditions for equal access to opportunities), because equal start involves wealth redistribution and equalization of circumstances.⁷²

Advocates of what Li calls “equal start” believe that equal opportunity is impossible without equal *access* to opportunities, where such access is itself already determined by wealth and income. To this extent, some degree of wealth redistribution is justified in order to ensure equality of opportunity. Those who are opposed to redistribution, such as Nozick, believe that redistributive schemes (e.g., progressive taxation) are inherently *unequal* insofar as they place an inordinate burden on the wealthy (who, after all, have *ex hypothesi* acquired their wealth fairly).

Normativity

For liberals of all stripes, the natural capacity and right to be free constitutes the foundation of all political normativity.⁷³ Again, if it is true that every person has a right to be free of the coercive interference of others, it follows that all others ought, everything else being equal, to refrain from such coercive interference. For this reason, as Mill notes, “the burden of proof is with those who are against liberty; who contend for any restriction or prohibition,”⁷⁴ which by definition would include all forms of political authority. In order for political authority to be justified, it must be “the product of voluntary, willing, morally significant acts by all parties.”⁷⁵ (This is the principle of voluntarism discussed below.)

It follows, therefore, that the only the political obligations we have are those which we voluntarily take on. This is the underlying assumption of the social contract theories of the seventeenth and eighteenth centuries, which argue that human beings freely forfeit a portion of their natural liberty to the state in order to achieve a greater measure of liberty in the long run. (For certain later theorists, legitimate authority only requires *hypothetical* consent—that is, what one *would* consent to given one’s acceptance of certain basic principles, such as Rawls’s principle of justice or Bentham’s principle of utility.)

Such forfeiture will necessarily be modest in scope, as the corresponding political authority will be limited to protecting or promoting the equal liberty of citizens.⁷⁶ If human beings are indeed rational and self-interested, it follows that they will share certain interests in common. At the same time, however, the fact that all human beings are atomized, individual subjects guarantees that they will have at least some interests which, though rational in and of themselves, are nonetheless unique to them as individuals (Rawls refers to these as “rational plans of life.”⁷⁷) Because rationality and self-interest are necessary preconditions for man to pursue his interests under both descriptions, it follows that whatever preconditions are necessary for man to rationally know and pursue his interests are themselves good. Rawls refers to such preconditions—including health, intelligence, and freedom itself—as “natural goods.”⁷⁸ For Rawlsian liberals, natural goods are considered both *intrinsically good* (i.e., worth pursuing as an end or for their own sake) and *instrumentally good* (i.e., worth pursuing or having as a means or precondition to the attainment of other goods).

Though all humans have an “equal natural right” to freedom (and, in turn, to pursue their rational self-interest), not all humans are born with the same levels of health, intelligence, and so forth. Thus not all humans are born with the same *capacity* to freely pursue their rational interests. Furthermore, all humans are more or less susceptible to irrational passions which compel them to willfully pursue illegitimate interests or else to misidentify illegitimate interests as legitimate. For many liberals, the aim

of social and political institutions is to curtail these natural deficiencies by providing what Rawls calls “primary social goods.” These include political rights and liberties (e.g., the right to free speech, the right to free association, etc.), powers and opportunities (e.g., the opportunity to hold office, the power of attorney, etc.), income and wealth, and the social-bases of self-respect.⁷⁹ Primary social goods are things that every rational person living in a society “is presumed to want” and that “normally have a use whatever a person’s rational plan of life.”⁸⁰

On the basis of the foregoing, we can map liberal normative and axiological commitments along two basic trajectories. Deontological theories, on the one the hand, ascribe fundamental ethical value to rights, duties, and/or obligations and ground politiconormative judgments in said values. Teleological theories, on the other hand, ascribe fundamental ethical value to some specific political end or set of ends, thereby reducing politiconormative judgments to judgments about the conduciveness of political practices, and institutions to the achievement of said end(s). As Pettit and Braithwaite note, theories belonging to the former category recommend the *honoring* of certain values, while the theories belonging to the latter category recommend the *promotion* of certain values.⁸¹

Classical liberals typically adopt a deontological approach to political normativity. For example, the liberal natural law/natural rights tradition, of which Locke is perhaps the foremost representative, holds either that rights are the source of all political obligations or else that political obligations are primitive (i.e., they are neither derived from, nor reducible to, more basic moral concepts).⁸² In other words, there are natural moral constraints on political institutions that are grounded either in the natural rights of individuals or in a broader conception of natural law as such. Thus political institutions and practices are regarded as just to the extent that they respect rights and meet corresponding obligations. (Kant adopts a similar position toward politics in particular and morality in general.)

Modern liberals from Mill onward tend to adopt a more straightforwardly teleological form of political normativity.⁸³ For Mill, and for utilitarians more generally, political practices and institutions are morally evaluated according to the principle of utility—in other words, they are considered just to the extent that they promote the greatest good for the greatest number. Other theories may substitute another value or set of values for utility. For some, liberty or autonomy is the chief value that political practices and institutions ought to promote. Generally speaking, modern liberalism differs from classical liberalism in its insistence that certain other goods need to be *promoted* in order to maximize individual liberty, chief among them the equal distribution of political rights and freedoms, and that such promotion ought to be implemented at the level of public policy. (Welfare programs, for example, are often justified in this way.) Another common view is “that individuals are self-creating, that no single good defines self-creation, and

that taking responsibility for one's own life and making of it what one can is itself part of the good life."⁸⁴ The goal of liberal political practices and institutions, as such, is to provide individuals with the resources necessary for this process of self-creation.

The theories of value and of right underlying liberal conceptions of political normativity typically adduce universalizable values and/or normative principles the justification of which is independent of historical and contextual considerations. This tendency follows directly from the personalistic and atomistic theses: axiological and normative concepts are derived from an abstract, nonsocial conception of "human nature"—the nature of individual "man" considered as a "lone self." Even the modern liberal emphasis on "self-creation" ascribes transcendent value to autonomy and other necessary preconditions for the "development of human nature in all its diversity" and recommends political practices and institutions that promote such preconditions.⁸⁵

One last liberal value is worth discussing—namely, progress. Belief in progress is a more general feature of Enlightenment or "modernist" thought, which holds that rationality and scientific objectivity is capable of providing absolute knowledge about the physical world as well as human social relations.⁸⁶ At the same time, it would be a mistake to claim that all liberals value progress in the same way or to the same degree. Classical liberalism, which gradually metamorphosed into various "conservative" and "libertarian" ideologies in the twentieth century, has tended to avoid valorizing progress, especially at the expense of individual liberty.⁸⁷ Even among classical liberals, however, there has often been a tendency to regard liberalism itself as the present or future culmination of world historical progress—a tendency that might be termed "eschatological." The neoconservative Francis Fukuyama's *The End of History and the Last Man* (1992) is one such work, proclaiming as it does liberalism's inevitable and irreversible triumph over all other political ideologies.⁸⁸ Likewise Margaret Thatcher, who was elected prime minister of Great Britain in 1979, was exceedingly fond of declaring that "there is no alternative" to liberalism (the "TINA" doctrine as it was called by the British press), and Ronald Reagan articulated similar ideas both during and after his presidential campaign the following year. The same is true to greater or lesser extent of Eisenhower, Roosevelt, Churchill, Wilson, and countless other politicians, all of whom, ironically, adopted eschatological rhetoric.⁸⁹

In general, though, the valorization of progress is mostly a feature of modern liberalism beginning with Mill. Here the tendency, which we might call "soteriological" by way of contrast, is to view liberalism not as the end-state of progress but rather as the *soterion*—the "precondition of salvation"—which makes progress toward and eventual attainment of an end-state possible. According to this view, liberalism is an on-going project, a perpetual process of self-questioning and reform, and to this extent remains

engrossed in a kind of crisis or conflict from which it is constantly striving to escape. This is, again, a doctrine shared more or less in common by all “progressive” or modern forms of liberalism from Mills to Rawls.⁹⁰

That said, it would be a mistake to strictly identify soteriological and eschatological thinking with classical (or conservative) liberalism and modern (or progressive) liberalism respectively, or to reduce the distinction between them to “left versus right.” History has shown that the right wing of liberalism is every bit as capable of adopting soteriological thinking as the left wing,⁹¹ and vice versa, depending upon concrete historical circumstances. The distinction is more accurately understood in terms of differing attitudes toward a common premise: namely, that there is a rational political *telos* toward which humanity as a whole is striving. Some liberals, such as Fukuyama, believe that the triumph of liberalism *just* is the goal of political progress, whereas others, such as Mill and Rawls, believe that liberalism is the *means* to such progress. Whether liberalism is understood as the means or the end, however, the nature of the project is always understood in light of other descriptive and normative ideas such as those discussed above.

As we have seen, all liberal theories share in common an emphasis on normative justification, and this is partly what distinguishes them from other political philosophies such as scientific Marxism.⁹² While the eschatological theories mentioned above may be understood as justifying *what is* in terms of *what ought to be*, the soteriological theories may be understood as doing the exact opposite. Fukuyama’s *The End of History*, for example, begins with a normative analysis of human history and attempts to both explain and justify the post-Soviet geopolitical climate in terms of that analysis. John Rawls’s *Theory of Justice*, in contrast, is founded on a variety of descriptive assumptions including the notion that human beings are rationally self-interested. As May notes, “By utilizing the maximin principle of decision theory in a situation (the original position) of ignorance about one’s eventual place in society, Rawls tries to provide the principles which all rational beings would choose as the cornerstone of [a just] society.”⁹³ In both cases, the idea of a rational “end” toward which political progress is tending or has tended is taken for granted.

There are other normative and evaluative ideas that can be regarded as central to liberalism, but the aforementioned provide a more than adequate framework for what might be called the “generic liberal project.” As we have seen, some of the aims of this project include: (1) counteracting man’s natural deficiencies and irrational impulses through the creation of rational, well-ordered social and political institutions, (2) justifying these institutions vis-à-vis basic rights and values, and (3) pursuing liberal practices and institutions both as a means to, and a realization of, human progress. The question remains, however, what sorts of social and political institutions are rightfully called rational and well ordered, and to what extent such

institutions can be justified in light of the general normative commitments of liberal theory.

Politics

As noted previously, the early liberals' rejection of classical holism leads to an inversion of political analysis. Unlike Aristotle, thinkers like Hobbes and Locke valorize the autonomous, atomic individual and, in turn, require justification for any social or political authority that would seek to place limitations on the freedom of the individual. Strictly speaking, liberals abandon the idea that the justification of State or sovereign authority is simply given by human nature. By definition, political authority or government operates by means of repressive power—that is, power “over” the individual that compels her to act and/or prevents her from acting. Thus, as Todd May points out:

The founding question for liberal theory is: “Why should an individual consent to be governed in the first place?” This is the question posed by the initiators of the liberal tradition, thinkers like Thomas Hobbes, John Locke, and Thomas Jefferson. It remains the question for contemporary political theory. John Rawls and Robert Nozick have not shifted the question. They, and others whose writings trace the parameters of our political thought, remain bound to the same starting point.⁹⁴

This “starting point,” again, just is the abstract, atomic individual with its interests, goals, and characteristics. Why and under what conditions should individuals cede their natural rights to a government and form a society founded on and maintained by that government's rule?

Liberals are generally agreed that a state must have a legitimate right to rule that implies a corresponding obligation on the part of citizens to obey. A state's authority, as A. J. Simmons notes, “is the logical correlate of the obligation of citizens to obey the law and to in other ways support the state, that is, to the obligation that is usually referred to as political obligation.”⁹⁵ Thus there can be no general political obligations to “obey the law . . . or to support the political leaders or institutions that try to compel [citizens'] allegiance”⁹⁶ in lieu of legitimate state authority, precisely because of the correlation between political obligations and authoritative rights. Much of liberal theory is given to the task of formulating a minimum set of necessary and sufficient conditions for political authority to be legitimate.

At a high level of generality, theories of legitimacy can be distinguished according to their acceptance or rejection of the principle of voluntarism, which, as I mentioned above, holds that “political relationships among persons are morally legitimate only when they are the product of voluntary,

willing, morally significant acts by all parties.”⁹⁷ Classical liberals, especially those, like Locke, who endorse some form of social contract theory, typically accept this principle.⁹⁸ For these thinkers, the only the political obligations we have are those which we voluntarily assume. Some modern liberals have defended nonvoluntarist accounts of political obligations, including Rawls (who grounds them in the natural duties of justice),⁹⁹ and various utilitarians (who ground them in the principle of utility).¹⁰⁰

Even those liberal theories that are not voluntarist in the strict sense are at least implicitly sympathetic to the principle of voluntarism. Mill, for example, would no doubt agree that individuals must have valid moral reasons to voluntarily accept political authority, though the mere fact of individuals consenting to be governed is not necessarily enough to render a government legitimate. As we have already seen, modern liberal theories are more inclined to regard a government as legitimate to the extent that it successfully promotes certain values; merely honoring the value of individual liberty is a necessary but not sufficient condition for legitimacy. Nevertheless all such theories would generally agree, with Locke, that

... each person is born to a broad right of self-government, which includes the right to be free of coercive interference of others (except to prevent or in response to wrongdoing), the right to act in pursuit of “innocent delights” and to advance one’s own and others’ well-being (within the limits set by others’ equal rights), and the powers to make property, to alienate or acquire rights by contract or promise, and so on.¹⁰¹

Thus it is the presumption of natural freedom—that is, “moral freedom from political obligation and the *de jure* authority of others”¹⁰²—and related concepts like fundamental rights that motivate the central problematic of liberal theory.

It is worth reminding ourselves at this point that the concept of freedom is and always has been inexorably linked to the concept of power. If, as I suggested earlier, power is a relational or polyadic concept—meaning that it always refers to at least two terms, namely, the subject of power and the object of power—it follows trivially that to say “Jones has power” is to identify Jones as the subject of power. The kind of power Jones possesses, however, depends entirely on the object of her power. For example, if the object of power is the successful performance of some action, we can describe Jones’s power as a generic ability to perform that kind of action (“power to”). If, on the other hand, the object of Jones’s power involves compelling Smith to act or else preventing her from acting, we can describe Jones’s power as the generic ability to impose her will in a way that compels, forces, prevents, inhibits, or otherwise limits the actions of someone or something else (“power over”). On this view, “power over” is obviously a species of “power to,” since “Jones has power over Smith” just means “Jones has the

power to compel Smith to ϕ or not ϕ " (where " ϕ " is an action of some sort). In modern political theory, "power over" another person is typically regarded as "repressive," all things considered and *ceteris paribus*, when the object of power does not consent (tacitly or otherwise) to being compelled to act or prevented from acting.

As suggested earlier, the principle of voluntarism presupposes what we might call the "correlativity thesis," according to which X has a political obligation to obey Y only if Y can claim legitimate authority over X (in other words, legitimacy is a necessary condition for political obligations). The principle of voluntarism further entails what we might call the "consent thesis," according to which "power over" another is legitimate only if it is (a) nonrepressive and, by extension, (b) consensual (tacitly or otherwise). Taken together, the principle of voluntarism and its correlates explain *under what conditions* individuals cede their natural rights to government authority. The question of *why* individuals would agree to do this forms the substance of liberal social contract theory.

In general, social contract theory begins by considering how atomic individuals in a real or hypothetical "state of nature" would think and act. From there, it deduces that individuals' most important interests are more likely to be honored and/or promoted if they come together under a common authority than if they remain separate and without government. Thus "Each individual, deciding on his or her own, agrees to come together under a common government, and agrees to obey that government, as long as the government the individual agrees to obey is one that represents his or her most important interests."¹⁰³

We have already seen how Locke, and classical liberals more generally, understand the nature of atomic individuals in the absence of social or political organization. Locke, in the spirit of Hobbes, goes on to suggest that the assertion of rights by free individuals in the state inevitably engenders conflict and this for three reasons. First, the state of nature does not provide a common law or rule. Any human being can interpret the natural law for himself. Second, nature does not designate an authority to settle disagreements about the interpretation and appropriation of rights. Human beings cannot be their own judges in conflicts because they tend to be biased in favor of their own interests. Third, though individuals have rights, they may not be in a position to enforce their rights. If one does not have the power to enforce rights, one is essentially forced to live without rights.

As it turns out, human beings are not very free in the state of nature, and this is what compels them to join into smaller associations the aim of which is to protect natural rights more effectively. In other words, human beings construct a trifold political authority as a solution to the problems that arise in the state of nature: a legislative authority consisting of one or more individuals who establish laws that are binding on the community as

a whole, thereby providing a common legal standard; a judiciary authority that impartially interprets laws and determines what is right or just in complex situations; and finally, an executive authority that has the power to enforce the laws.

Lest the original problems of the state of nature prevail, the rule of reason places certain restrictions on these authorities. First, the executive authority only has the power to enforce laws authored by the legislative authority. It cannot enforce laws of its own arbitrary design. Second, the judicial authority only has the power to decide, according to the law, whether a law has been broken. Third, both the executive and judicial authorities are subordinate to the executive. By extension, laws not arrived at through due process are not binding on the constituents. Once one commits to a society, one no longer has a right to disobey laws so long as they are legitimately created and enforced.

Locke conceives the central problematic of liberal theory in terms of a dilemma. On the one hand, the rule of reason forbids the use of freedom to violate freedom. On the other hand, when one commits to a society, one seems to do just that, at least insofar as one gives up certain natural rights and allows oneself to be governed. How does Locke resolve this dilemma? If one consents to be governed, he argues, the authority is not imposed, but rather derived from the will of the governed.¹⁰⁴ As per the principle of voluntarism, a government is only legitimate if it expresses the will of the governed. Thus individuals, in assenting to government, assent to become corporate—that is, they agree to combine their individuals into a single common will and decide to establish a political authority which has the power to singularly determine the common will. (As Rousseau puts it, “Each of us places his person and all his power in common under the supreme direction of the general will.”¹⁰⁵) Freedom is preserved, therefore, only insofar as an individual agrees to incorporate her own will into the common will of society, and only insofar as the government protects the common interests of all individuals.

Rawls, whom we may discuss here as representative of the modern liberal tradition, offers a generalization and refinement of traditional social contract theory that he calls the “Original Position” (hereafter OP). He describes the OP as follows:

In justice as fairness the original position of equality corresponds to no state of nature in the traditional theory of the social contract. This original position is not, of course, thought of as an actual historical state of affairs, much less a primitive condition of culture. It is understood as a purely hypothetical situation characterized so as to lead to a certain conception of justice. Among the essential features of this situation is that no one knows his place in society, his class position or social status, nor does any one know his fortune in the distribution of natural assets and

abilities, his intelligence, strength, and the like. I shall even assume that the parties do not know their conceptions of the good or their special psychological propensities.¹⁰⁶

Unlike earlier social contract theorists, Rawls shields the parties of the OP behind a “veil of ignorance.”¹⁰⁷ He does this so that none of them will be placed at an unfair advantage or disadvantage owing to health, intelligence, family history, or other “outcome[s] of natural chance.”¹⁰⁸ In the end, the parties are conceived of as purely rational beings with unique ends and a capacity for a sense of justice.¹⁰⁹ This ensures that the principles of justice are the product of a fair agreement arrived at under optimally fair conditions. Furthermore, the parties are characterized as mutually disinterested, insofar as they want to advance their own rational plans of life but not necessarily those of other agents.¹¹⁰ Although they lack specific details about their own individual conceptions of the good and/or plans of life, they at least know that they have such conceptions and plans. For this reason, they will rationally prefer more primary social goods rather than less.¹¹¹

The question becomes: what principles of justice would rational individuals in the OP choose? As we saw above, Rawls doesn’t think that a principle of justice based on utility is compatible with a conception of society as social cooperation among free and equal individuals for mutual advantage. That this is so is confirmed by considering the reasoning process of parties in the OP:

It hardly seems likely that persons who view themselves as equals, entitled to press their claims upon one another, would agree to a principle which may require lesser life prospects for some simply for the sake of a greater sum of advantages enjoyed by others. Since each desires to protect his interests, his capacity to advance his conception of the good, no one has a reason to acquiesce in an enduring loss for himself in order to bring about a net balance of satisfaction. In the absence of strong and lasting benevolent impulses, a rational man would not accept a basic structure merely because it maximized the algebraic sum of advantages irrespective of its permanent effects on his own basic rights and interests.¹¹²

Again, since the parties in the OP are ignorant of all facts about themselves and other agents, they lack the sort of “benevolent impulses” that come about as the result of being a friend, a member of a family, and so forth. Absent such relationships, they have no particular interest in advancing anyone else’s plans of life.

Rawls thinks that persons in the OP would choose two principles of justice.¹¹³ The first requires that “each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others.” The second states that “social and economic

inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices available to all." Again, these principles pertain to the basic structures of society and regulate the distribution of primary social goods. Rawls holds that the first principle of justice applies to structures that "define and secure" rights, duties, and liberties, and the second principle of justice applies to structures that "specify and establish" inequalities in income and wealth.¹¹⁴

As Rawls admits, the second principle is ambiguous as stated and thus subject to a number of interpretations. In the interest of brevity, I shall not discuss these in detail here.¹¹⁵ It is enough to briefly discuss the interpretation which Rawls himself favors. On his view, part (a) of the principle is qualified by what he calls the "difference principle." According to this principle, a distributive system is just if and only if it makes the worst off better than they would be under any other system compatible with the basic liberties.¹¹⁶ Part (b) is qualified by the "principle of fair equality of opportunity." According to this principle, individuals who are equal in terms of natural endowments must also be provided with equal means to compete for available positions.¹¹⁷ Thus, for example, a poor individual must be given the same opportunities to develop her abilities as a rich individual in order to ensure that both are able to compete fairly for jobs and other positions. Rawls calls the combination of the difference principle and the principle of fair equality of opportunity "democratic equality."¹¹⁸

Before moving on, one further point is worth mentioning. At first glance, it may seem as though Rawls tries to justify the two principles of justice merely by connecting them to the impartial and ideally rational situation of the OP, but this is not true. Rather, Rawls adopts a method of justification that he calls "reflective equilibrium."¹¹⁹ In trying to decide on an adequate description of the OP, we begin with a set of basic and common moral intuitions and continue to add premises (both moral and nonmoral, theoretical and practical) until we are able to arrive at substantive principles. If these principles fail to "match our considered convictions of justice," or if they are otherwise mutually incompatible, "we can either modify the account of the initial situation or we can revise our existing judgments, for even the judgments we take as fixed points are liable to revision."¹²⁰ By working back and forth between the conditions of the OP and our existing judgments, we eventually reach a point at which the OP "expresses reasonable conditions and yields principles which match our considered judgments duly pruned and adjusted."¹²¹ From this it is clear that the OP is not entirely value-neutral, since it is ultimately designed in such a way as to accommodate our basic and common intuitions about principles of justice.

From both the Lockean and Rawlsian standpoints, the purpose or role of government is to represent individuals and to honor and/or promote their most important interests. The interrelated questions of whether a government is morally just or political legitimate turn crucially on its

success or failure as concerns this purpose. This, in turn, motivates another question—namely, what form of government is most conducive to success? Once again it is difficult to answer this question in a way that does justice to all the variants of liberal theory. At first blush, one might be inclined to say that liberalism is by definition opposed to political absolutism of any sort. After all, although Hobbes “supplied many of the ingredients for a liberal theory of politics,” it is precisely his defense of “absolute and arbitrary authority” that makes him at worst a proponent of authoritarianism and at best a kind of “protoliberal.”¹²² Yet mere opposition to absolutism is not a sufficient condition for a theory to be liberal. For example, both ancient republicanism as well as English constitutionalism in the seventeenth and eighteenth centuries stood opposed to conferring absolute political authority to any single entity, but not because absolute authority violates the rights and liberties of those over whom it is exercised.¹²³ It is the latter claim that is distinctively liberal.

Historically, one of the principal liberal alternatives to absolutism was, and continues to be, the doctrine of tolerance. While Hobbes, for example, rejected religious tolerance on broadly pragmatic grounds, arguing that to recognize the right of citizens to freely practice the religion of their choice would undermine political order,¹²⁴ Locke claimed that the sovereign did not have any right to dictate religious beliefs and practices and, contra Hobbes, believed that doing so would pose a far greater threat to political order than would tolerance of diverse religious beliefs and practices within one polity.¹²⁵ Later, Mill extended the case for tolerance to freedom of thought and expression more generally, arguing that tolerance for conflicting political, moral, and religious viewpoints was a necessary condition for social progress.¹²⁶

Lastly, liberals have traditionally contended that “just as a man must think for himself, so he must work for himself; just as a society would progress only if each person took responsibility for their own ideas and moral convictions, so it would flourish economically only if everyone stood on their own two feet.”¹²⁷ In other words, liberalism has typically endorsed broad economic freedoms underwritten by a right to private property. We will say more about this in the next section, but for the time being it is worth noting that from Locke onward liberalism has tended to emphasize the individual’s right to private property (under some description or other) and various economic liberties including freedom of contract and employment.

It would be a mistake to claim that liberalism has always favored democratic forms of government, especially if democracy is defined in terms of “majority rule.” As Ryan points out:

Liberals have historically thought at one time that liberalism was threatened by democracy . . . What liberalism is always committed to is constitutional government. Save in emergencies, where the preservation

of a liberal regime may force governments to take powers that would otherwise be intolerable, the requirements of the rule of law extend to the ways in which governments acquire power and exercise it. How this is achieved has no fixed answer.¹²⁸

In the seventeenth and eighteenth centuries, liberals were chiefly drawn from the emerging middle class (the so-called *bourgeoise*) and distinguished themselves mainly by opposing the economic and political monopoly enjoyed by the church and the hereditary aristocracy. In advocating greater intellectual, political, and economic freedom for the middle classes, liberal intellectuals such as Locke, Smith, Montesquieu, Diderot, and Voltaire typically championed political developments (e.g., the Whig Revolution of 1688) that limited the power of the church and the state through republican or constitutionalist reforms. As republicans, they believed strongly in the rule of law, the balance of powers and, in many cases, the establishment of limited parliamentary representation.

As Ryan notes, however, those who favored the latter did not, as a rule, endorse anything close to universal suffrage. The mass of unlettered, unskilled, and/or propertyless people whom Voltaire disparagingly termed “the rabble” (not to mention women, Jews, slaves, and other people regarded as inferior) were generally considered unfit to govern. Even early American liberals such as James Madison exhibited a marked distrust toward such people, “for there is nothing in the bare idea of majority rule to show that majorities will always respect the rights of property or maintain the rule of law.”¹²⁹ Thus early liberalism was chiefly a republican doctrine, which at best endorsed the “aristocratic democracy” of limited parliamentary representation and at worst repudiated any form of majoritarian rule, even among elites.

It was Jean-Jacques Rousseau, more so than any other thinkers, who helped push liberalism in the direction of what is now called “liberal democracy.”¹³⁰ Although Rousseau agrees with Hobbes and Locke that human beings in the state of nature are marked by an instinctive desire for self-preservation,¹³¹ he regards this desire as only one aspect of a more complex characteristic called “self-love” (*amour de soi*).¹³² For Rousseau, self-love is not to be confused with the essentially negative concepts of egoism and acquisitive self-interest.¹³³ On the contrary, self-love involves the capacity of human beings to develop uniquely human capacities through the power of reason (to this extent, it is perhaps better described as “self-sufficiency”). Rousseau further contends, contra Hobbes, that human beings in the state of nature also possess an instinctive disposition toward compassion or pity.¹³⁴ This is in part what motivates the oft-repeated but ultimately mistaken claim that Rousseau regards human beings as “naturally good.”

In point of fact, Rousseau does not argue that human beings are by nature “morally good.” Rather, because human beings in the state of nature

are essentially solitary creatures, and because morality *strictu sensu* is not even possible until human beings enter into society, the natural human state is “pre-moral.”¹³⁵ For Rousseau, social living is a consequence (arguably a *necessary* consequence) of both compassion and self-love. This does not mean, however, that social living is morally superior to solitary existence in the state of nature in the way that Hobbes and Locke suggest. On the contrary, social living gives rise to what Rousseau calls “*amour propre*” (pride), a disposition which compels human beings to compare themselves to one another and which, in turn, engenders a host of vices including suspiciousness, covetousness, jealousy, and even sadism.¹³⁶

Thus Rousseau denies the idea that human beings are *necessarily* social, if by this is meant that human beings are naturally disposed to cooperate and live harmoniously with one another. On the contrary, Rousseau believes that society as such despoils the natural virtue of primitive man and engenders social, political, and economic inequality. The purpose of government, therefore, is to rectify as much as possible the evils that social life, as opposed to solitary life, brings about.¹³⁷ And because Rousseau, unlike most other early liberals, tends to regard inequality as a far greater evil than the mere abridgement of “natural freedom,” his political theory is robustly democratic in a way that Locke’s, for example, is not. It was Rousseau’s ideas, in fact, that exerted the strongest influence on the Jacobins and, by extension, of the fomentation of the French Revolution, the theoretical heart of which was political equality and radical democracy.¹³⁸

Despite its failures, the Revolution’s emphasis on radical democracy proved extremely influential on liberals such as Jefferson, de Tocqueville, and Mill, all of whom believed that “reigns of terror” could be circumvented through the implementation of legal devices such as entrenched bills of rights, as well as broad political efforts to “educate the fledgling democracy of their day in order that democracy should not [become] majority tyranny.”¹³⁹ In general, then, liberal democracy has always involved restricting or otherwise curtailing the authority of the majority to greater or lesser extent. While Ronald Dworkin and others have argued that liberalism necessarily supports democracy insofar as the right to be treated as a free and equal member of society entails the right to “have a say” in government,¹⁴⁰ there can be no doubt that democracy as such has tended to be of secondary importance in liberal theory. It is supported insofar as it is conducive to the protection or promotion of basic rights and liberties but readily restricted when it poses a threat to said rights and liberties.

Economics

As we noted earlier, liberalism traditionally ascribes great value to private property. It should come as no surprise, then, that several of the earliest

liberals were responsible in large part for the development of what is now called “political economy.” Prior to the sixteenth century, economics was primarily understood—as was so much else—in Aristotelian terms.¹⁴¹ For Aristotle, *oikonomia* referred to household management, which involves, among other things, the production of goods or the provision of services that can be traded for other goods or services. In trading of this sort, all that matters is that the “use value” of one good is commensurate with that of another good, where “use value” is understood in terms of a good’s value to a household. With the introduction of currency and other forms of “exchange value,” the problem comes in determining what constitutes a “just price”—that is, the amount of exchange value that a trader may rightfully demand for the goods he brings to market. For the medieval schoolmen, trading was considered a natural and indispensable part of social life conducive to the public good.¹⁴² As such it was left to public authorities to fix prices, settle disputes, and do whatever else was necessary to regulate economic activity.

With few exceptions, the schoolmen regarded the possession of private property as natural and just. The same was not true of what we would now call “profit” or “economic gain.” Because greed was condemned as a vice, and because engaging in economic activity solely for the sake of accumulating wealth was considered a form of greed, practices such as usury were widely prohibited. For most of the Middle Ages, however, the issue was moot because most economic activity was carried out at a subsistence level. Prior to the fourteenth century the vast majority of Europeans did not own private property, which at the time was principally understood in terms of land and material resources. “Wealth” was monopolized by the church and the nobility and could only be acquired through gift or conquest.

Only with the emergence of the “fourth class”—merchants, artisans, and professionals—did it become possible for non-nobles and nonclerics to acquire wealth through economic activity. Even then acquisition of vast wealth in the form of land and material resources was virtually impossible for most members of the emerging middle classes. Consequently they tended to be small-scale producers and craftsmen who possessed modest property and occasionally employed apprentices. The latter, of course, did not work for a “wage” so much as for the practical training provided by the masters. Such training was invaluable, as it eventually allowed young artisans to earn an independent living and ultimately to become masters themselves. The entire system, moreover, had the implicit and explicit support of the Catholic Church and of the major Protestant churches not long thereafter.

The basic economic situation in Europe had not changed all that much by the time John Locke wrote his *Second Treatise on Government* in the late seventeenth century. To be sure, far more people had entered the middle class owing to the growth of cities and the new economic opportunities afforded by maritime exploration, but the vast majority remained small farmers or, in countries such as Russia, serfs on the feudal model. Nevertheless, there can

be no doubt one of Locke's principal goals in writing the *Second Treatise* was to provide a detailed philosophical and moral analysis of civil society, as represented by the new middle class, and its relation to government. For this reason, it comes as no surprise that one of the major themes in this analysis is the right to private property.

As we have already seen, Locke believes that human beings possess certain natural rights in virtue of sharing a common human nature. Because human beings are naturally free, for example, it follows that we possess a natural right to liberty and can legitimately demand that this right be protected and preserved. The right to liberty, moreover, entails a concomitant right to life for the obvious reason that only living persons can possess and exercise that right. Finally, and most important for present purposes, Locke holds that the right to life entails a right to property because the possession of property is a necessary condition for human beings to live and to be free.

Locke points out that material resources, which are necessary to support life, only become private property when an individual "mixes his labor" with them (i.e., when they are acquired by individual labor).¹⁴³ For example, if one is hungry, and if in order to live one must satiate that hunger by eating, then one must claim food exclusively for oneself. A resource is only useful, Locke thinks, to the extent that I can claim it exclusively for myself (i.e., make it my private property), and this is accomplished by "working upon" the resource in some way—for example, by foraging, collecting, growing, harvesting, and so forth. Property is necessary not only for survival but for convenience and enrichment as well.¹⁴⁴ Whenever one exercises her right to property, she appropriates the use of property exclusively for herself not only to continue living, but to enrich her life or otherwise make her life more convenient.

In the state of nature, the appropriation of private property is governed by the rule of reason. On Locke's view there is nothing unjust about the fact that claiming resources for oneself as property prevents others from claiming those same resources as property. Since everyone has an equal right to property, however, it is not just to expropriate the legitimate property of another or to claim more property than one needs or can reasonably use. The right to property does not entail a right to spoil or waste. As Locke says, one must leave "as much and as good" for others to enjoy equally. At the same time, Locke acknowledges that some can and will possess more than others, thus his "doctrine [makes] room for a primitive form of capital accumulation: a man's natural right [is] only to such property as his own labor created, but with the income he derived from it he might acquire 'servants' who would toil for him."¹⁴⁵ Perhaps more perniciously, the *Second Treatise* also devotes an entire section to justifying slavery (which he often refers to euphemistically as "involuntary servitude."¹⁴⁶

A member of the wealthy bourgeois minority himself, Locke was both "an absentee landlord and a stockholder in the slave-trading Royal Africa

Company.”¹⁴⁷ He recognized that most Englishmen of his day owned very little property, or none at all, and this explains in part why he never advocates political democracy nor champions *de facto* economic equality, both of which would pose grave risks to the wealthy minority. At the same time, in fairness, he vociferously maintains the equal right to private property, which, at least in principle, provides all human beings with equal opportunities to generate wealth and improve their stations in life. By extension, Locke strongly rejects the notion that anyone is entitled—whether by nature, birth, or right—to a greater share of wealth or property than anyone else, which is one reason why he emphasizes the duty of governments to protect private property and ensure that no one is arbitrarily denied his or her right to legitimately acquire property.

Locke upholds the medieval notion that exchange value is ultimately reducible to use or labor value. At the same time, however, he insists that prices should be determined in practice by the market rather than fixed by the government.¹⁴⁸ It is worth noting that for Locke “labor” refers to mainly to that of the early entrepreneur. Locke does not distinguish between “labor” and “capital” because large-scale wage labor in the service of massive private profit accumulation simply did not exist during his lifetime; such terms only make sense in the wake of capitalism, which did not fully emerge in England until the early nineteenth century.

Adam Smith concurs with Locke’s basic moral outlook. He recognizes that there was an “original state of things which precedes both the appropriation of land and the accumulation of stock . . . [and where] the whole produce of labor belongs to the laborer . . . [with] neither landlord nor master to share with him.”¹⁴⁹ This state of affairs having passed away, it became possible in his own time for wealth to be accumulated without engaging in physical labor. The landlord takes rent from his tenants, the banker takes interest from those to whom he lends money, and the manufacturer takes the full value of what his laborers produce minus the cost of their wages. For Smith, all such practices produce profit, the wealth that accrues to owners, landlords, bankers, and the like. Unlike later liberals, however, Smith and Locke both believe that the economic relationship between owner and laborer, say, is fundamentally just insofar as it is freely entered into by both parties and proves mutually beneficial to them. What is more, all such economic relationships are subordinate to the broader aims of society. As Lichtheim notes, “There were some conventional values that took precedence over profit-and-loss calculation . . . wealth creation was important, but the stability of the social order came first.”¹⁵⁰ For precapitalist liberals like Smith and Locke, market activity is only justified insofar as it protects and promotes the material welfare of the body politic. Despite their preference for limited government, therefore, neither was opposed to regulating the economy when doing so was necessary to protect individual rights and liberties.

In the wake of the Industrial Revolution, the relatively benign economic liberalism described above was quickly rendered moribund. By the dawn of the nineteenth century in England, the economy of small shopkeepers, artisans, merchants, and farmers had mostly been replaced by a capitalist economy of enormous factories and mills operated by thousands of dispossessed farmers, along with their wives and children. The catastrophic results of this transformation are well known and need not be rehearsed in detail here, though the following quote from Polanyi provides a vivid summary:

Before the process had advanced very far, the laboring people had been crowded together in new places of desolation, the so-called industrial towns of England; the country folk had been dehumanized into slum-dwellers; the family was on the road to perdition; and large parts of the country were rapidly disappearing under the slack and scrap heaps vomited forth from the “satanic mills.” Writers of all views and parties, conservatives and liberals, capitalists and socialists, invariably referred to social conditions under the Industrial Revolution as a veritable abyss of human degradation.¹⁵¹

Despite the broad consensus among liberals that the Industrial Revolution had contributed to unprecedented “human degradation,” several of them remained convinced that capitalism itself would eventually make things better.

The earliest *laissez-faire* liberals in England, many of whom belonged to the Whig Party, adopted and endorsed a four-fold creed: first, that economic laws operate more or less like physical laws and are objectively valid; second, that the operation of the market should not be judged on the basis of its success or failure in promoting moral, cultural, and other noneconomic ends; third, that an unregulated market was in any case more likely to improve the general welfare of the people by creating more jobs and generating ever-increasing wealth, which would eventually make everyone richer and happier; and fourth, that the self-interest of private individuals would promote competition, which would in turn lower the costs of production and, by extension, the prices of goods. In the most important and relevant respects this is the very same creed espoused by *laissez-faire* economists throughout the twentieth century. It is the creed of Friedrich Hayek and Ludwig von Mises of the Austrian School and Milton Friedman of the Chicago School, and it was eventually incorporated into the political platforms of Margaret Thatcher and Ronald Reagan, both of whom enjoyed sweeping victories in the British and American elections in 1979 and 1980, respectively.

As Ryan points out, “The liberal view that the individual is by natural right . . . sovereign over himself, his talents and his property is at once

the basis of limited government, the rule of law, individual liberty, and a capitalist economy.”¹⁵² By the nineteenth century it had become clear that liberalism entailed by definition a commitment to the general framework of capitalist economics. Yet it is precisely the issue of capitalism that gave rise, in roughly the same period, to the split between classical liberals and modern liberals. All liberals recognized that capitalism had generated serious social problems, including increasingly heated conflicts between property owners and laborers (now referred to as the “proletariat”). Modern liberals, however, did not believe that the unregulated market itself was capable of solving these problems. From the mid-nineteenth century onward, reform-minded liberal thinkers (e.g., Mill, Hobson, Bosanquet, Green, Hobhouse, Dewey, Addams, Croly, Keynes, etc.¹⁵³) and politicians (H.H. Asquith, Clement Attlee, Theodore Roosevelt, Woodrow Wilson, Franklin D. Roosevelt, etc.¹⁵⁴) supported a variety of measures intended to publicly regulate the market, decrease social and economic inequality, and otherwise empower the working classes. Broadly speaking, their goal was to *reform* capitalism, not to reject it, and this is precisely what makes them liberals rather than socialists.

Having analyzed the concept of liberalism along the four trajectories mentioned earlier, we are now in a position to summarize its most basic commitments. First, liberal theories rely on an atomistic and transcendental conception of the individual human subject and a view of human nature defined in terms of essential properties—chief among them autonomy, rationality, and self-interest. Second, liberal theories reject the idea of impersonal or purely social goods; ascribe considerable moral value to individual rights and liberties, natural equality, and (in some cases) social progress; and tend to endorse transcendent conceptions of normativity, whether deontojudicial or teleological in nature. Third, liberal theories advocate limited government, the rule of law, the balance of powers, the doctrine of tolerance, and the right to private property; they generally accept voluntarism and, by extension, the idea that government is ultimately justified by real or hypothetical consent (i.e., the social contract). Fourth, and finally, liberal theories endorse private property, the market, and the capitalist economic system in some form or other. Taken together, these trajectories constitute a generic liberal project that began several centuries ago and has since become the dominant political ideology of our time.