

REASON PAPERS

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Editorial

Philosophers and children share a love of the same fundamental question: “Why?” Some would argue that they should have even more than this in common, namely, to embody playfulness in their endeavor to understand the world. Indeed, in the first article of our symposium on the philosophy of play, Christopher Kirby and Brolin Graham maintain that thinkers as different as John Dewey and Hans-Georg Gadamer find play crucial for philosophical inquiry. William Schultz then brings together and examines evidence for how play therapy may benefit children who are experiencing emotional and behavioral difficulties. Furthermore, he argues, play-based therapies show great promise especially when compared with medication-based approaches. In a different application of the role of play in human development, Aaron Harper explores not only the parallels between play in university arts and athletics, but also how higher education institutions could integrate play more ubiquitously on their campuses. Francisco Javier Lopez Frias rounds out this symposium with his reassessment of Bernard Suits’s seminal 1978 work on play, games, and sport: *The Grasshopper*. Lopez Frias contends that Suits’s work is not essentially about play as the human good, as others hold. Instead, Suits offers us Utopia as a Kantian “counterfactual regulative ideal” that we can strive toward but never reach and that can be used to critique our game-playing practices.

Other contributions take up issues in legal and political philosophy, including challenges to liberal political society, whether and to what extent Taoism complements libertarianism, how political dictatorships hijack the arts for propaganda purposes, and what the proper theory of judicial review is. In the second article of a two-part series (which is part of a larger project on the topic), Stephen R. C. Hicks muses about the fate of liberalism. Here, he explains fifteen reasons why liberalism is problematic, inviting feedback from readers. In “Minimal State Taoism,” William Irwin engages in a comparison of Taoism’s core principles, libertarianism’s minimal state, and Austrian economics’ spontaneous order. The result is not to interpret Taoists as full-fledged libertarians, but to glean complementary insights from both schools of thought and synthesize them in novel and useful ways. In two pieces, Gary James Jason tackles the Nazi propaganda machine. In his close scrutiny of Ian Garden’s *The Third Reich’s Celluloid War* and an extensive analysis of films produced early in the Nazi regime, Jason explains the many ways by which propaganda was used to “sell” genocide. In a review of Tara Smith’s *Judicial Review in an Objective Legal System*, Carrie-Ann Biondi carefully analyzes how Smith draws out the revolutionary implications of Ayn Rand’s Objectivism for judicial review.

We continue our practice of including contributions about art and culture with a review of two films and an analysis of a book about a Broadway musical. An important aspect of American culture is its veneration of heroes and heroism—especially the individualist variety where the

underdog succeeds in the face of tremendous obstacles. Both of these pieces assess artistic creations that fit this description. Robert Begley reviews *Hamilton: The Revolution*, a book written about Lin-Manuel Miranda's sensational Broadway hit *Hamilton: An American Musical*. Not only does Begley evaluate the book in its own right; he also uses it as a springboard to explore the significant impact that the musical has had on the larger culture. Last but not least, Timothy Sandefur reviews two recent films—*Joy* (2015) and *A Most Violent Year* (2014)—that positively portray business entrepreneurs and the challenges they face at the hands of enemies and friends alike. *Joy* is based on the real-life example of a determined woman who creates a business empire based on her idea for an innovative mop. *A Most Violent Year* depicts a New York businessman challenged to maintain his integrity amidst corruption. You are guaranteed to walk away from this set of reviews elated, inspired, and hopeful.

May you be as engaged by the contributions included in this issue of *Reason Papers* as we were while editing them.

Carrie-Ann Biondi
Marymount Manhattan College, New York, NY

Shawn E. Klein
Arizona State University, Tempe, AZ

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Symposium: Philosophy of Play

Gadamer, Dewey, and the Importance of Play in Philosophical Inquiry

Christopher C. Kirby
Eastern Washington University

and

Brolin Graham
Independent Scholar

1. Introduction

Over the past eighty years, studies in play have carved out a small, but increasingly significant, niche within the social sciences. Starting with Johan Huizinga's *Homo Ludens*, and culminating in titles such as Mihaly Csikszentmihalyi's *Finding Flow*, Stuart Brown's *Play*, and Thomas Henricks's *Play Reconsidered* and *Play and the Human Condition*, a rich repository has been built which underscores the importance of play to social, cultural, and psychological development.¹ The general point running through these works is a philosophical recognition that play should not be separated from the trappings of everyday life, but instead should be seen as one of the more primordial aspects of human existence. We suggest that a deeper understanding of play might also provide insight into philosophical inquiry.

Hans-Georg Gadamer is frequently associated with the topic of play, especially its connection to aesthetic experience. However, in *Truth and Method*, Gadamer follows Huizinga by insisting more broadly on the significance of play to human understanding, *per se*.² For Gadamer, play

¹ Johan Huizinga, *Homo Ludens: A Study of the Play Element in Culture* (London: Routledge and Kegan Paul, 1949 [1938]); Mihaly Csikszentmihalyi, *Finding Flow: The Psychology of Engagement with Everyday Life* (New York: Basic Books, 1997); Stuart Brown, *Play* (New York: Penguin, 2009); Thomas Henricks, *Play Reconsidered* (Champaign, IL: University of Illinois Press, 2006); and Thomas Henricks, *Play and the Human Condition* (Champaign, IL: University of Illinois Press, 2015).

² Hans-Georg Gadamer, *Truth and Method*, 2nd rev. ed. (New York: Continuum, 2004).

discloses the full context of any given situation by promoting a freedom of possibilities within the horizon of one's own life-world (that is, the world directly and immediately experienced). As such, his philosophical analysis of play is essential to his overall project of philosophical hermeneutics insofar as it explains how meaning is not derived from something essential within an artwork or a text, but rather is constructed from a full range of possibilities. As Monica Vilhauer puts it, Gadamer's purpose is to establish play as "an alternative to modern scientific method . . . which brings forth genuine knowledge of genuine truth and has a structure all its own—a structure which must be accounted for if we are to have an accurate understanding of what knowledge and truth really are."³

We argue that there are good reasons to expand on the limited treatment of play within philosophical studies; we suggest that one way to do so is to compare Gadamer's treatment of play with similar ideas from thinkers often associated with other philosophical schools. Although there are other candidates for such an analysis (for example, Ludwig Wittgenstein's language games), we shall limit our comparison here to the notion of "transaction," as employed by John Dewey in *Knowing and the Known*.⁴ Because Dewey introduces his conception of transaction in a volume that he intended as the culmination of an overarching philosophy of inquiry, we believe that comparing it to Gadamer's use of play can highlight in at least two ways the deep philosophical import of this concept to understanding philosophical inquiry. First, traditional accounts of philosophical inquiry (including Dewey's early work) have modeled themselves too heavily on the sciences by attempting to articulate some formal method. Gadamer's notion of play and Dewey's later characterization of transaction, however, both challenge such systematic approaches by supplanting traditional dualisms (for example, subject/object) with conceptual continuities (for example, events). Second, it is our position that an accurate portrayal of philosophical inquiry *must* include the trappings of lived experience, embodiment, and context, which are best understood in terms of play and transaction.

2. Inquiry and Hegelian *Bildung*

When it comes to the philosophy of inquiry, Gadamer and Dewey share a Hegelian influence. Taking over a line of thought from his mentor, Martin Heidegger, Gadamer offers an alternative to positivistic approaches in "self understanding, historical experience, representation, language, and truth" by

³ Monica Vilhauer, *Gadamer's Ethics of Play: Hermeneutics and the Other* (Plymouth, UK: Lexington Books, 2010).

⁴ John Dewey and Arthur Bentley, *Knowing and the Known* (New York: Beacon Press, 1949). The essays comprising *Knowing and the Known* were originally published separately between 1944 and 1949 and were the culmination of a correspondence between Dewey and Bentley which began in November of 1932.

tying them to the concept of *Bildung*, which G. W. F. Hegel thinks of as education, in the sense of self-cultivation.⁵ As Heidegger argues, a basic structure in human understanding is the fact that *Dasein* (literally, human “there-being”) is always *there* with others, its surroundings being fully disclosed. The best way to understand this notion is perhaps through a rich metaphor occurring throughout much of Heidegger’s work, namely, one of a clearing [*Lichtung*] in the woods. When one walks among the trees, seeing one’s surroundings can be extremely difficult; however, when one steps into a clearing, the sunlight is unfiltered and everything is clearly seen. For Heidegger, each *Dasein* is in effect its own clearing. That is, understanding occurs when one steps into the clearing in which one’s surroundings are disclosed, or illuminated: “To say that [*Dasein*] is ‘illuminated’ [*erleuchtet*] means that as [there-being] it is cleared [*gelichtet*] in itself, not through any other entity, but in such a way that it *is* itself the clearing.”⁶ What this means is the clearing, that is, the region [*Gegend*] where human understanding is possible, is a realm where the surrounding context is made explicit (illuminated) to the individual. Likewise, the clearing, as a wide-open space, is a place where there is room enough for free play to occur between one and one’s fellow speakers.

Although Gadamer mentions Heidegger’s clearing metaphor only once in *Truth and Method*,⁷ it is obvious that Gadamer sees it as a key step in the “historical preparation” for his own work.⁸ The upshot of the idea for him is:

[T]he universal nature of human *Bildung* [is] to constitute itself as a universal intellectual being. Whoever abandons himself to his particularity is *ungebildet* (“unformed”)—e.g., if someone gives way to blind anger without measure or sense of proportion. Hegel shows that basically such a man is lacking in the power of abstraction. He cannot turn his gaze from himself towards something universal, from which his own particular being is determined in measure and proportion.⁹

⁵ Joel C. Weinsheimer, *Gadamer’s Hermeneutics* (New Haven, CT: Yale University Press, 1985). See also G. W. F. Hegel, *The Phenomenology of Spirit*, trans. A. V. Miller (Oxford: Oxford University Press, 1977), secs. 488-526.

⁶ Martin Heidegger, *Being and Time*, 2nd ed., trans. Joan Stambaugh (Ithaca, NY: State University of New York Press, 2010), p. 129.

⁷ Gadamer, *Truth and Method*, part 2, chap. 3.

⁸ Cf. Richard E. Palmer, *The Gadamer Reader: A Bouquet of the Later Writings* (Evanston, IL: Northwestern University Press, 2007), pp. 135 and 323.

⁹ Gadamer, *Truth and Method*, p. 11.

It is precisely here that we believe Gadamer's view could benefit from a comparison with Dewey, particularly with regard to the latter's emphasis on context, social intelligence, and democracy as a way of life—all of which could be encapsulated by what Dewey was calling "transaction" toward the end of his career. As James Good and James Garrison show, Dewey was also influenced by the Hegelian concept of *Bildung*, which played a role in the formation of his socio-political philosophy. In their words:

Dewey's connection to Hegel is apparent when we look specifically at Hegel's account of human cognition. Not only do the two philosophers share the view that the self is always engaged in a project, they also agree that the self ordinarily proceeds in a state of harmony with its environment (Hegel's "natural consciousness").¹⁰

Dewey's Hegelianism is imbued with organic notions from Aristotle and Charles Darwin, and he rejects the dialectic of *Geist* (understood in terms of the historically inevitable self-development of spirit) in favor of a more biological description of the dynamism of nature. On such an account, thought moves from potentiality to actuality, per Aristotle, as the objects of thought become known. On the other hand, being moves from potentiality to actuality, per Darwin, through natural selection. This reading renders the notion of *telos* (end or purpose) a type of biological end in both nature and thinking organisms. Dewey builds on Hegelian ideas insofar as he sees that

the self is at one with its environment. Precisely because it is always engaged in a project, the self inevitably encounters obstacles, which Hegel terms "negations." This occurrence renders consciousness asunder, identifying an object over and against the self (*Gegenstand*), the obstacle that disrupted its project. After analysis of the negation in the stage of understanding (*Verstand*), the self formulates solutions that alter both its project and the object, achieving a reunification of consciousness that allows the self to resume its project.¹¹

On Dewey's transactional model, then, we can come to recognize experience as not only a "machine state" of the brain, but also an "output

¹⁰ James Good and James Garrison, "Traces of Hegelian Bildung in Dewey's Philosophy," in *John Dewey and Continental Philosophy*, ed. F. Paul (Carbondale, IL: Southern Illinois University Press, 2010), p. 49.

¹¹ *Ibid.*

state” of the body, *as well as* the subsequent change produced in the environment. In Gadamerian terms, it could be said that a subject’s play is actually an *interplay* with its context. In “A Propaedeutic to the Philosophical Hermeneutics of John Dewey,” Thomas Jeannot summarizes the connection thusly:

For Dewey, primary experience occurs in the field of *transactions* between the “live creature” and environing conditions. It is not merely psychological or subjective but inclusive, encompassing both the subjects who experience and the subject matter (*die Sache*) of experience, both the “how” and the “what” of experience taken together in their mutual organic connections. Likewise, Gadamer’s famous excursus on “play” (*Spiel*) is strategically situated in *Truth and Method* to develop a phenomenological verification of essentially the same conception.¹²

Jeannot sets the table for considering Dewey’s and Gadamer’s shared goal of contextualizing experience, that is, reinstating the web of significance relations which surrounds every experience, even when taken severally. In Dewey’s view, any experience is always already “transactional,” whereas for Gadamer all experience is, at its core, hermeneutic. Jeannot maintains: “[I]t would be as fair to say of Dewey as of Gadamer that each seeks phenomenologically to shift the grounds of inquiry into the concrete existential phenomenon of understanding from epistemology to ontology.”¹³ Gadamer also makes it a point to note that Edmund Husserl’s appeal to the “unity of a living organism,” as found in *Husserliana VI*, is intended to be more than a mere metaphor.¹⁴ Husserl (by Gadamer’s account) seeks to show that subjectivity should not be taken as the opposite of objectivity; phenomenology is actually intended to be correlation research, and (in a very Deweyan sentiment) the “poles” of subjective and objective are always contained within the whole.

¹² Thomas Jeannot, “A Propaedeutic to the Philosophical Hermeneutics of John Dewey: *Art as Experience* and *Truth and Method*,” *The Journal of Speculative Philosophy* 15, no. 1 (2001), p. 2.

¹³ *Ibid.*

¹⁴ Gadamer, *Truth and Method*, p. 250. See also Edmund Husserl, *The Crisis of European Sciences and Transcendental Phenomenology: An Introduction to Phenomenology*, trans. David Carr (Evanston, IL: Northwestern University Press, 1970).

3. Gadamer's Notion of Play

In *Truth and Method*, Gadamer follows Huizinga by pointing to a kind of seriousness in play, albeit one in which the player lightly holds the meaning of that with which he is playing.¹⁵ For Gadamer (and Huizinga), play is where old ideas are discarded and new ideas are “tried on.” This activity is the very process in which the world is socially structured and one affirms the sacred order of the universe itself. Jean Grondin points to the centrality of the sequence of play-festival-ritual in understanding how Gadamer believes that play structures the world.¹⁶

As the first part of that sequence, play is the most basic and unstructured. According to Gadamer, play is simply a to-and-fro movement.¹⁷ This becomes evident in our use of it in language, as Gadamer points out, when we say, “The play of light, the play of the waves, the play of gears or parts of machinery, the interplay of limbs, the play of forces, the play of gnats, even a play on words.”¹⁸ This may initially lead us to think of play as an interactional event, wherein there is a tension among the elements in play, as if they are opposed to one another. However, Gadamer shows otherwise: “yet in playing, all of those purposive relations that determine active and caring existence have not simply disappeared, but are curiously suspended Play fulfils its purpose only if the player loses himself in play.”¹⁹ As Huizinga puts it, play happens as a “free activity standing quite consciously outside ‘ordinary’ life as being ‘not serious,’ but at the same time absorbing the player intensely and utterly.”²⁰ Such a statement points out that play, as an interpretive experience, remains open-ended to subsequent adjustments in interpretation. It is this openness that allows us to explore new possibilities. This gives us further insight into play as *transaction*, rather than *inter-action*. By characterizing play as a to-and-fro motion, it is likewise indicated that play takes place not between, but among, its players. This is why the structure of play cannot be pinned down—one cannot precisely point out where play happens. Play is a transactional experience, oriented toward the future but focused on the

¹⁵ Gadamer, *Truth and Method*, p. 103.

¹⁶ Gadamer himself does not fully flesh out this sequence until his 1974 lecture “The Relevance of the Beautiful,” although its theoretical foundation can be found in *Truth and Method*; see Hans-Georg Gadamer, “The Relevance of the Beautiful,” in Hans-Georg Gadamer, *The Relevance of the Beautiful and Other Essays* (Cambridge, MA: Cambridge University Press, 1987); and Gadamer, *Truth and Method*, p. 126.

¹⁷ Gadamer, *Truth and Method*, p. 104.

¹⁸ *Ibid.*

¹⁹ *Ibid.*, pp. 102-3.

²⁰ Huizinga, *Homo Ludens*, p. 13.

present. Play cannot be found within any structure or any method, only within the transactions between organisms and their environment.

This lack of structure arises from the fact that there can be no end in mind when one is playing. The to-and-fro motion of play indicates that the end is the same as the beginning. As Gadamer points out, the purpose of play is play itself.²¹ It may be more accurate to say, rather, that to-and-fro play moves in a circular manner: "In any case what is intended is to-and-fro movement that is not tied to any goal that would bring it to an end. . . . [R]ather, it renews itself in constant repetition."²² Having no firm end in sight is also one of the most important requirements for the sort of transactional event that Dewey and Bentley describe in *Knowing and the Known*. It could be said that although play begins with no structure, a structure does eventually emerge. For example, if there are two people passing a Frisbee, one player does not throw the Frisbee in the opposite direction of the other player. To do so is to be a "spoilsport"; in not taking the play seriously, they would fail to engage properly in play. However, if they were to be asked in what framework of rules they play Frisbee, they would likely deny that there are rules of any form, yet, a structure develops. Without structure there would be no interplay. Furthermore, as they continue to play Frisbee, the players may try to do tricks, each one attempting to outdo the other. Yet even in this competitive spirit, one cannot put rules to the game without losing something.

So as to elucidate Gadamer's notion of the structuring of play we will shift the venue of our game of Frisbee from an isolated field to a stadium full of spectators. For Gadamer, play realizes its ideal when it becomes presentation, that is to say, when the players are fully immersed in their roles for the audience. Gadamer calls this the shift from "play" to "the play." In this way, the audience, too, is brought into the realm of the play-world. Performance art is a prime example of such structured, yet still immersive, playing.

When rules are applied to "the play," however, it ceases to become play and instead becomes recreation. What is recreation? The word itself literally means to re-create. What it is attempting to recreate is the spirit of play found within that primal game. (This takes place, for example, when playing catch with a Frisbee is transformed into a sport like Ultimate Frisbee.) There is an attempt to return to the familiar (that is, Frisbee in and of itself) through the mediation of a structured form (Ultimate Frisbee). There is, however, a difficulty in translation. For Frisbee, the structure is such that it naturally emerges through the interplay. Ultimate Frisbee attempts to re-create this structure antecedent to any play taking place. But how could a static system of rules (that is, method) ever duplicate the dynamic, organic understanding that occurs in play? Gadamer suggests that it would be difficult insofar as play is a

²¹ Gadamer, *Truth and Method*, p. 103.

²² *Ibid.*, p. 104.

process that one recognizes but cannot make an object of knowledge. In other words, play marks “the boundary of the objectifiable.”²³ In play there is truth without any method, for method always covers over some aspect of truth. Thus, recreation is not the best means of duplicating the play phenomenon because it begins from an objective set of rules and therefore delimits the players as “subjects.” Any play that emerges within recreation happens in spite of, not because of, these initial conditions.

This leads to festival, the next step in the sequence mentioned above. As Grondin explains, Gadamer elevates the meaning of festival to paradigmatic usage in his account of experience, which

always wishes to be executed in this manner, i.e. to be “gone along with” The reason is that a festival is characterized by a certain temporality into which we are enticed. It occurs at a given time and all who participate in the festival are elevated to a festive state and, in the best case, are transformed into a festive mood.²⁴

Festival lends a rhythmic, temporal quality to our own lives, as well, insofar as a festival stands as a consummatory experience for the flow of experiences surrounding it—for example, celebrating the changing of the seasons, historic moments of the past, or major life changes. As Grondin translates Gadamer’s own words, “The festival is a commonality and is the representation of commonality itself in its consummated form.”²⁵ Festival, in comparison with recreation, is more readily capable of lending the temporal experience of getting swept up in play, of what Gadamer calls “going along with.”

As such, Gadamer argues that human beings, far from being in total control of the play enveloping them, are actually themselves played by the ritual structures of the past. As Grondin puts it:

Human understanding, acting, feeling, and loving . . . have less to do with planning, control and being consciously aware, and much more to do with a subcutaneous fitting into the rituality of life, in forms of tradition, in an event that encompasses us and that we can grasp only stutteringly.²⁶

²³ Jean Grondin, “Play, Festival, and Ritual in Gadamer: On the Theme of the Immemorial in his Later Works,” in *Language and Linguisticality in Gadamer’s Hermeneutics*, ed. L. K. Schmidt (Lanham, MD: Lexington Books, 2001), p. 45.

²⁴ *Ibid.*, p. 54.

²⁵ Grondin, “Play, Festival, and Ritual in Gadamer,” p. 46. Cf. Hans-Georg Gadamer, “Die Aktualität des Schönen,” in Hans-Georg Gadamer, *Gesammelte Werke*, vol. 8 (Tubingen: JCB Mohr, 1986), p. 130.

²⁶ Grondin, “Play, Festival, and Ritual in Gadamer,” p. 57.

4. Dewey's Account of Transaction

Like Gadamer, Dewey became increasingly frustrated over the course of his career with the dualistic tendencies in philosophical treatments of inquiry. He spent much of his life trying to overcome the subject-object dichotomy on which post-Cartesian epistemology traded.²⁷ His work in *Knowing and the Known* seeks to “fix a set of leading words capable of firm use in the discussion of ‘knowings’ and ‘existings’ in that specialized region of research called the theory of knowledge.”²⁸ This is the central motivation behind much of Dewey's philosophy of inquiry. As he defines it:

Inquiry is the controlled or directed transformation of an *indeterminate situation* into one that is so determinate in its constituent distinctions and relations as to convert the elements of the original situation into a unified whole.²⁹

Dewey's notion of “situation,” which he had used since his earliest work, becomes, in *Knowing and the Known*, tied more deeply to “events” and “occurrences.” As Dewey and Bentley explain:

When an event is of the type that is readily observable in transition within the ordinary spans of human discrimination . . . we shall call it *occurrence* Thus, any one of the three words Situation, Occurrence and Object may, if focusing of attention shifts, spread over the range of the others. All being equally held as *Event*.³⁰

The similarities here between Deweyan “situations” and Heideggerian/Gadamerian “clearings” are more than superficial. All three thinkers were suspicious of Cartesian accounts of substance and turned instead

²⁷ The collected Dewey-Bentley correspondence, published separately from *Knowing and the Known*, is a worthwhile study as a proving-ground for a terminology they hoped would clarify key concepts in John Dewey's *Logic: The Theory of Inquiry* (New York: Henry Holt, 1938). Though many terms used by Dewey were dropped for the publication of *Knowing and the Known*, one holdover was “inquiry,” indicating how much of the theoretical structure of their collaboration is owed to Dewey's view. Cf. *John Dewey and Arthur F. Bentley: A Philosophical Correspondence, 1932–1951*, ed. S. Ratner and J. Altman (New Brunswick, NJ: Rutgers University Press, 1964).

²⁸ Dewey and Bentley, *Knowing and the Known*, p. xi.

²⁹ John Dewey, *Logic: The Theory of Inquiry, Later Works*, vol. 12 (Carbondale, IL: Southern Illinois University Press, 1984), p. 108 (emphasis added).

³⁰ Dewey and Bentley, *Knowing and the Known*, p. 70.

to “events” as the centerpieces of their ontologies. This also links up with the abandonment, in *Knowing and the Known*, of the separate terms “experience” and “knowledge” in favor of a single term—“knowing-known”—to cover both, as well as the choice to drop “individual” in favor of “organism.” Under this more precise terminology, Dewey and Bentley hope to make clear how human beings themselves were also events, in transaction with the events of their environment. As Dewey puts it elsewhere, “starting from the events that constitute life, living is a transaction which when it is analytically examined is found to be a continuous series of transactions carried on between organic structures and processes and environing conditions.”³¹

Dewey and Bentley begin their account of transaction in *Knowing and the Known* by comparing it with two general frameworks used to explain the world in the history of Western philosophy. The most ancient is the self-actional type of explanation, which Dewey and Bentley characterize as “where things are viewed as acting under their own power.”³² This is most apparent, perhaps, in early systemizations of physics, such as Aristotle’s, where the nature of the thing determines how it acts. By contrast, the explanatory framework handed down by the scientific revolution is one of interaction. Simply put, interaction is “where thing is balanced against thing in causal interconnectedness.”³³ Dewey and Bentley cite Newtonian physics as the chief example of the reductive approach that such a framework precipitates. The primary premise of interaction seems reasonable enough. If one knows all of the input variables, then the conclusion must follow, and it seems no mistake that such a notion was developed during a period of history when great strides in mathematics were being made. However, such a framework presupposes a fixed and unalterable contextual structure in which these entities interact, a context that is often “omitted from the process itself.”³⁴ Interaction models detach a subject matter from where it is situated; that is to say, they are inherently reductive, which is the greatest weakness of interactional thinking.

Properly understood, Dewey’s notion of transaction recognizes the tendrils of meaning that spread out toward the past and the future as gathered at one point—the present—and brought into focus to show some specific meaning. In this way, Dewey seeks in his philosophy to incorporate further the organism into the environment. An organism, after all, does not live without the necessities of life, food, air, and water, so it makes sense that in

³¹ John Dewey, *Unmodern Philosophy and Modern Philosophy* (Carbondale, IL: Southern Illinois University Press, 2012), p. 235.

³² Dewey and Bentley, *Knowing and the Known*, p. 101.

³³ *Ibid.*

³⁴ *Ibid.*, p. 106.

studying an organism, one must also study the organism's relation to these things.³⁵

Consequently, a transactional way of viewing the world relies upon the continuity between knowings and knowns. Dewey and Bentley take knowings and knowns to share an intimate relationship, where a known is a "firm name" into which knowings inquire, thereby modifying those names to fit better what becomes known. This stresses the event of knowing over the "object" as known. As a result, knowledge requires an openness to future possibilities, while remaining firmly grounded in the present of what we take to be fact—and this is precisely what Gadamer sees as the defining feature of play.

To stop at knowings and knowns, however, is to fall into the same pitfalls that are put forward by self-action and interaction. To do so is to take the knower as a fixed, external part of the process, leaving us to search in vain for "clear and distinct" ideas and rendering knowledge abstract and vacuous. Dewey counters this by putting forward the conceptual sequence of fact, event, and designation. A fact is some aspect of the cosmos that can be known. Dewey emphasizes that facts, as real, are independent of the knower. The cosmos is thus wholly knowable, as all facts are knowable, but there is no underlying substratum to reality. Rather, facts become apparent through events. Events are stressed as "the extensional and the durational" activity in which we observe a fact.³⁶ The observation of these events results in designation, or "naming as taking place in 'fact.'"³⁷ Knowledge is thus emphasized as concrete and experienced, as opposed to abstract and intellectual. When understood in this way, the similarities are striking between Dewey's sequence of fact-event-designation and Gadamer's sequence of play-festival-ritual.

The resulting picture is one where there is no outmoded reliance upon metaphysics in which meaning is put forward as a pre-epistemic entity. Nor is meaning epistemically centered, becoming vacuous, systematic, and abstract. Rather, the transactional model centers on knowledge as ontological. Dewey himself likens inquiry to embodied, organic processes in which an organism shapes and is shaped by its environment:

Hunger is a state of organic imbalance constituting need, not, however, in a mentalistic sense, but as a condition of active uneasiness which manifests itself in search for foodstuffs This biological aspect of activity when it is analyzed as a prototype will be found to furnish all the conditions and processes that describe search or inquiry in

³⁵ Ibid., p. 120.

³⁶ Ibid., p. 59.

³⁷ Ibid., p. 70.

its most thoroughly ideational or intellectual aspect . . . [I]n order to accomplish the function of re-adaptation, which will effect re-integration of living activity (the office for which they are called into play in the case of inquiry), they have finally to take effect through overt activities which modify environing activities. Discourse is use of qualities which we can ourselves generate—such as sounds and marks on paper—when we require them—to serve as intermediary agencies for bringing into existence a unified life-activity.³⁸

Simply put, when inquiry and the acquisition of knowledge are understood transactionally, there is no need to posit some sort of primordial principle of intelligibility; the structures of meaning emerge through the activity itself. In Dewey's terminology, organism and environment metabolize each other and produce growth. In Gadamerian terminology, play is an event that "raises into being" the players, the play things, and especially the play-world in an ongoing fashion.

Growth, as an outcome of transactional inquiry, eradicates the supposed ontological distinction between abstract "Reason," on the one hand, and immediate experience, on the other. According to Dewey, inquiry (and *ipso facto*, the growth that arises out of it) always already takes place in the *having* of an experience. Like Gadamer's view of play, Dewey's view of growth also had *ontological* implications. For instance, Dewey and Bentley see the cosmos "as system or field of factual inquiry," humans "as organisms," and humans' behavior "as organic-environmental events."³⁹

5. Conclusion

Gadamer claims that it is the play-world that becomes "true" for those wrapped up in play. Play is thus not interpreted by contrasting it with our world. It does not subsist in any other reality; it is fully its own. In this way, Gadamer believes that the play-world represents truth. To understand play's meaning is the same as understanding the everyday world, which is pushed into the background when we are in play but does not suddenly reappear to "transform things back to how they were" when play has concluded.⁴⁰ Rather, it is play that makes *this* world more intelligible. The things of the world that are usually hidden are made known to us (or brought into presence) only through the structure of play.

³⁸ Dewey, *Unmodern Philosophy and Modern Philosophy*, p. 224.

³⁹ Dewey and Bentley, *Knowing and the Known*, p. 84.

⁴⁰ Gadamer, *Truth and Method*, p. 112.

When one inquires transactionally, one begins in the spirit of play, understanding that the meanings within the event are tentative.⁴¹ Furthermore, since these meanings are not fixed, one cannot predetermine the output for any given input, and as such, one must seek to bring out the emergent structure of the situation. Through this process, the inquirer, or knowing organism, grows in understanding of the relation between the knower and the event. This new understanding, in turn, becomes the basis of further inquiry. Thus, play, understood transactionally, appears to be basic to thinking philosophically—and free play is the cradle of inquiry. If we should hope to live in a world where more people live philosophically, then everyone (children and adults) must be afforded greater opportunities to play.

⁴¹ Dewey and Bentley, *Knowing and the Known*, p. 113.

Child-Centered Play Therapy

William Schultz
Minnesota School of Professional Psychology at Argosy
University

1. Introduction

This article highlights the role of play in therapeutic work with children. After providing an illustrative case study and discussing the theory of play therapy, I review outcome studies and discuss some important normative treatment implications of this data. The data reviewed here supports the view that play has an important developmental role in children experiencing emotional and behavioral difficulties. Interventions which use play-based therapy offer promising benefits when compared to biologically driven, medication-based interventions.

2. An Illustrative Case Study: Henry¹

“Henry” is a nine-year-old Hispanic boy from a low-income family. His referral information states that he had numerous emotional and behavioral problems at home and school. He frequently stole from family members, classmates, teachers, and even his friends. He exhibited a variety of impulsive behavior, from throwing tantrums at home to storming out of his classroom at school to becoming aggressive with anyone who got in his way.

An intake interview with Henry’s guardian revealed that Henry was a middle child of four siblings. Henry’s mother was in jail and his father did not live with his family and had little contact. The family had a long record of interactions with the police.

When my therapy with Henry began, Henry usually played games such as Jenga and checkers. After around a month of playing games, Henry’s play interests changed to pretend cooking and he used the play kitchen set to cook a variety of meals. Soon after, Henry invited me to cook with him. He told me I needed to cook well so that we could feed all of the customers and keep them happy. He emphasized that if a customer became upset with me, he would keep me safe. After several weeks of primarily cooking-focused play, Henry transitioned to playing in the sand tray—a 3x3 foot table with a 6-inch deep sand pit. In the sand tray, play usually focused on a family of toy turtles

¹ This is a fictional case study with elements commonly found in my clinical work.

and their interactions with a variety of other animals. Typical themes of play included the baby turtle seeing things the mother and father turtle could not (and the disputes that arose because of this incongruity); the mother and father turtle being abducted—for one reason or another—from the pit; and other animals befriending, attacking, feeding, or playing with the turtle family. Henry often identified with a small plastic bird that had the power to turn invisible and fly over the sand and that commented on the interactions of the turtle family and their environment.

In the midst of this three-month development in the play therapy room, Henry's teachers and school staff reported that his emotional dysregulation and problematic behavior had almost entirely disappeared.

3. Child-Centered Play Therapy

Child-centered play therapy (CCPT) is a form of client-centered therapy. Like most psychotherapies, CCPT postulates underlying psychotherapeutic mechanisms of change which are primarily responsible for emotional and behavioral changes. In contrast to more directive psychotherapies, such as cognitive-behavioral therapy (CBT), which emphasize belief modification, behavior modification, and skill building as crucial mechanisms,² CCPT posits that *play*—within a secure environment and in the presence of an accepting therapist—is the primary mechanism of change. An examination of the concepts “play,” “secure environment,” and “accepting therapist” will illuminate this mechanism.

Play is a “deceptively simple” concept which is difficult to define.³ One reason play is challenging to define is that it seems to include a wide variety of behaviors. For instance, sensorimotor play is characterized by repeated interactions with an object(s), such as a one-year-old putting a star-shaped block into a star-shaped slot.⁴ Rough-and-tumble play includes behavior such as climbing, chasing, and play fighting.⁵ Fantasy and pretend

² Robert D. Friedberg and Jessica M. McClure, *Clinical Practice of Cognitive Therapy with Children and Adolescents: The Nuts and Bolts* (New York: Guilford Publications, 2015).

³ Karen Stagnitti, “Understanding Play: The Implications for Play Assessment,” *Australian Occupational Therapy Journal* 51, no. 1 (2004), pp. 3-12; Robert Fagen, *Animal Play Behavior* (New York: Oxford University Press, 1981).

⁴ Angeline S. Lillard, “The Development of Play,” in *Handbook of Child Psychology and Developmental Science, Cognitive Processes*, ed. Richard M. Lerner, Lynn S. Liben, and Ulrich Mueller (New York: Wiley & Sons, 2015), pp. 425-68.

⁵ Peter K. Smith, “Play Fighting and Real Fighting,” in *New Aspects of Human Ethology*, ed. Alain Schmitt et al. (New York: Plenum Press, 1997), pp. 47-64.

play typically unfold in narrative sequences and often involve props (for example, dolls, miniatures, a toy stove).⁶

Many attempts have been made to refine and integrate the concept of play. One approach is to integrate behavior with consequences. For example, sometimes play fighting and real fighting are difficult to distinguish. However, if two children remain together and friendly after the conclusion of a “fight,” then it is best characterized as play rather than aggression.⁷ Another influential observation is that play behavior does not appear to serve an immediate purpose. From this perspective, non-instrumentality is a central characteristic of play.⁸

Even if we assume that non-instrumentality is a necessary feature of play, it is also true that children benefit from it in many ways. For instance, play encourages self-regulation of attention, emotion, and behavior.⁹ That is, it provides children a time during which they, not their parents, teachers, or instructional materials, guide experience and decision making. This type of experience encourages the development of metacognitive and self-regulatory skills which, in turn, support the growth of other skills such as problem solving.¹⁰ Self-regulated experience can also be important in educational development. For example, literacy education necessarily includes structured instruction in letter recognition, decoding, and reading. Yet, it is also important to give children space and time to experiment with their newly developing literacy skills outside of structured instruction, because this setting allows children to broaden and deepen their understanding in a way that is more effective than “top-down didactic transmission.”¹¹ The beneficial effects of play have been documented in math,¹² geometric knowledge,¹³ and general

⁶ Anthony D. Pellegrini and Peter K. Smith, “The Development of Play During Childhood: Forms and Possible Functions,” *Child Psychology and Psychiatry Review* 3, no. 2 (1998), pp. 51-57.

⁷ Ibid.

⁸ Johan Huizinga, *Homo Ludens: A Study of the Play-Element in Culture* (New York: Routledge, 1950).

⁹ Ageliki Nicolopoulou, “The Alarming Disappearance of Play from Early Childhood Education,” *Human Development* 53, no. 1 (2010), pp. 1-4.

¹⁰ David Whitebread, Penny Coltman, Helen Jameson, and Rachel Lander, “Play, Cognition and Self-Regulation: What Exactly Are Children Learning When They Learn Through Play?” *Play and Learning in Educational Settings* 26, no. 2 (2009), pp. 40-50.

¹¹ Nicolopoulou, “The Alarming Disappearance of Play from Early Childhood Education,” p. 2.

¹² Julie Sarama and Douglas H. Clements, *Early Childhood Mathematics Education Research: Learning Trajectories for Young Children* (New York: Routledge, 2009).

academic achievement¹⁴ as well as in emotional competence¹⁵ and social competence.¹⁶

In the context of CCPT the central features of play are that it is an intrinsically motivated activity that is intrinsically complete.¹⁷ That is, the client initiates play for his own purposes for its own sake. To the greatest extent possible, the therapist allows the child to dictate the course of each therapy session, such as choosing the type of play to participate in and following along within that form of play. In the example of Henry discussed above, play includes activities ranging from participating in board games to pretend cooking to activities in the sand tray.

A secure environment is the physically safe space of the play-therapy room. More importantly for an emotionally troubled child is that the child can predict and understand what unfolds within a play-therapy room. It is hoped that the child quickly learns that he is in control of the play-therapy room—that this is his space to *be*.

Intimately related to a secure environment is the presence of an accepting therapist.¹⁸ Virginia Axline, a pioneer of CCPT, describes an accepting therapist's approach to working with a child as follows: In the play-therapy room, "no one criticizes what he does, no one nags, or suggests, or goads. . . . He can say anything that he feels like saying—and he is accepted completely. He can play with the toys in any way that he likes to—and he is accepted completely. He can hate and he can love and he can be as indifferent as the Great Stone Face—and he is still accepted completely."¹⁹

¹³ Kelly R Fisher, Kathy Hirsh-Pasek, Nora Newcombe, and Roberta M. Golinkoff, "Taking Shape: Supporting Preschoolers' Acquisition of Geometric Knowledge Through Guided Play," *Child Development* 84, no. 6 (2013), pp. 1872-78.

¹⁴ Pedro J. Blanco, Dee C. Ray, and Ryan Holliman, "Long-Term Child Centered Play Therapy and Academic Achievement of Children: A Follow-Up Study," *International Journal of Play Therapy* 21, no. 1 (2012), pp. 1-13.

¹⁵ Eric W. Linsey and Malinda J. Colwell, "Preschoolers' Emotional Competence: Links to Pretend and Physical Play," *Child Study Journal* 33, no. 1 (2003), pp. 39-53.

¹⁶ Emma Newton and Vickii Jenvey, "Play and Theory of Mind: Associations with Social Competence in Young Children," *Early Child Development and Care* 181, no. 6 (2011), pp. 761-73.

¹⁷ Kevin J. O'Connor, *The Play Therapy Primer* (Hoboken, NJ: John Wiley & Sons Inc, 2000), p. 4.

¹⁸ David A. Crenshaw and Sueann Kenney-Noziska, "Therapeutic Presence in Play Therapy," *International Journal of Play Therapy* 23, no. 1 (2014), pp. 31-43.

¹⁹ Virginia Axline, *Play Therapy*, rev. ed. (New York: Ballantine, 1969), p. 16.

This radically accepting attitude is likely an unusual experience for a troubled child. In most circumstances, such as when the child is at home or at school, the child experiences a variety of demands. These demands can range from simple and probably unavoidable demands—such as eating, sleeping, and complying with commands—to complicated processes such as navigating the emotional demands placed upon him by his guardians, siblings, friends, and teachers.²⁰ Consider, for example, the emotional demands faced by a child raised by an abusive father. Imagine the awareness a child likely develops in this context: noticing the triggers and cues that tend to precede abusive situations and developing an awareness of behavioral strategies to placate the father or avoid confrontation. Regardless of the particular demands on a particular child, due to the formative stage of children, demands are especially powerful experiences which are related to long-term neural, emotional, behavioral, and social development.²¹

Enter the accepting play therapist. The therapist does not bring to the child more demands. The therapist does not “demand” that the child learn emotion-regulation techniques or cognitive-reframing strategies. The therapist does not demand that the child immediately or quickly adopt new feelings or new behaviors. The therapist holds a space for the child to manifest his own identify *separate* from the problems the child typically experiences, and then bears witness to that manifestation.²² Underlying this approach is the belief that the child “has within himself . . . the ability to solve his own problems.”²³ As a result, the therapist “grants the individual the permissiveness to be himself; it accepts that self completely, without evaluation or pressure to change”²⁴

From this perspective, a therapist’s essential functions in therapy are to pay attention to the client, unconditionally accept the client,²⁵ communicate that attention and acceptance to the client (that is, demonstrate attention by

²⁰ Eliana Gil, *The Healing Power of Play: Working with Abused Children* (New York: Guilford Press, 1991).

²¹ R. L. Gaskill, and B. D. Perry, “The Neurobiological Power of Play: Using the Neurosequential Model of Therapeutics to Guide Play in the Healing Process,” in *Creative Arts and Play Therapy for Attachment Problems*, ed. C. Malchiodi and D. Crenshaw (New York: Guilford Press, 2014), pp. 178-94.

²² Brie A. Turns and Jonathan Kimmes, “‘I’m NOT the Problem!’ Externalizing Children’s ‘Problems’ Using Play Therapy and Developmental Considerations,” *Contemporary Family Therapy* 36, no. 1 (2014), pp. 135-47.

²³ Axline, *Play Therapy*, p. 15.

²⁴ *Ibid.*

²⁵ Ethical guidelines and state laws prohibit the “unconditional acceptance” of behavior that poses significant risk of injury to self or others.

stating factual descriptions of the child's behavior; for example, "You are paying close attention to what you're cooking in your frypan"), and demonstrate acceptance by adopting a non-judgmental attitude (that is, non-judgmentally commenting; for example, "The dinosaur killed the baby elephant even though the elephant asked it not to"). This non-directive approach nurtures a secure and warm relationship with the client.²⁶

Underneath this non-directive assumption that a client has the ability to solve his own problems is belief in a developmental trajectory inherent within human beings which will unfold predictably unless obstructed.²⁷ This trajectory includes physical, cognitive, emotional, social, and play development. For instance, if a child's emotional development is obstructed because of a traumatic event or a chronically abusive relationship, the assumption underlying CCPT is that a child's inherent developmental drives can overcome the obstruction as long he is given the time and space to do so.

The inclusion of play development is instructive because it points to a central tenet of play therapy: children process their inner experience through play.²⁸ Thus, as a child's inner experience deepens and matures, so does his play. For example, researchers have identified the relationship between the typical developmental milestones and various types of play activities. For instance, while manipulation of the physical environment is a predominant form of play for very young children, pretend play becomes dominant in children ages two through six. By age five, children's play typically includes multi-faceted fantasy which incorporates a variety of toys or other props.

Researchers have also identified familiar patterns in the progression of play within play therapy.²⁹ The case study of Henry is a good example of this progression. As therapy progressed and our relationship deepened, Henry's play transformed. At first, Henry was reluctant to speak with me and we mostly played games. As our relationship grew, Henry transitioned from board games to pretend cooking to incorporating me into his pretend cooking within a narrative (keeping customers happy) to the sand tray in which in-depth scenarios, usually involving families, were played out. This process highlights the development of the therapeutic relationship and the child processing his experiences. That is, as Henry's trust in me grew, so did his emotional openness, evidenced by his incorporating me into his stories and

²⁶ O'Connor, *The Play Therapy Primer*, p. 31.

²⁷ *Ibid.*, p. 91.

²⁸ Sue C. Bratton, Dee Ray, Tammy Rhine, and Leslie Jones, "The Efficacy of Play Therapy with Children: A Meta-Analytic Review of Treatment Outcomes," *Professional Psychology: Research and Practice* 36, no. 4 (2005), pp. 376-90.

²⁹ Virginia Ryan and Andrew Edge, "The Role of Play Themes in Non-Directive Play Therapy," *Clinical Child Psychology and Psychiatry* 17, no. 3 (2012), pp. 354-69.

involving me in the family dynamics of the miniatures in the sand tray. This transition within the play-therapy room was accompanied by a dramatic reduction of Henry's problematic behavior at home and school. The case example of Henry is not unique and it is a process that is supported by research, which will be examined below.

4. Why Does Play Work in Therapy?

Researchers are not sure why play contributes to positive treatment outcomes.³⁰ Play is almost certainly effective for a variety of reasons that are common to all forms of therapy, such as the therapeutic alliance and consistent and compassionate attention to the child.³¹ However, there are numerous theories about why play specifically is a beneficial therapeutic intervention.³² Three prominent possibilities are reviewed below.

First, there is a large body of research which strongly suggests a relationship between self-expression and well-being.³³ This research typically links self-expression to personal autonomy and self-determination, which both contribute to well-being.³⁴ Thus, therapeutic interventions which foster conditions for self-expression, such as a trusting and caring therapeutic relationship, could be expected to improve well-being. This is, in fact, what a wide variety of psychotherapy research has identified.³⁵ Understandably, child and adult self-expression in psychotherapy differs. Unlike many adults, children generally "do not have the vocabulary to accurately express their emotions or their understanding of situations."³⁶ As a result, children use play to communicate: "Toys are their words, and play is their language."³⁷ Thus,

³⁰ Charles E. Schaefer and Athena A. Drewes, eds., *The Therapeutic Powers of Play: 20 Core Agents of Change* (New York: John Wiley & Sons, 2013).

³¹ Bruce E. Wampold and Zac E. Imel, *The Great Psychotherapy Debate: The Evidence for What Makes Psychotherapy Work* (New York: Routledge, 2015).

³² Athena A. Drewes and Charles E. Schaefer, "How Play Therapy Causes Therapeutic Change," in *The Therapeutic Powers of Play*, ed. Schaefer and Drewes, pp. 1-5.

³³ C. Welzel and R. Inglehart, "Agency, Values, and Well-Being: A Human Development Model," *Social Indicators Research* 97, no. 1 (2010), pp. 43-63.

³⁴ E. L. Deci and R. M. Ryan, "The 'What' and 'Why' of Goal Pursuits: Human Needs and the Self-Determination of Behavior," *Psychological Inquiry* 11, no. 4 (2000), pp. 227-68.

³⁵ Wampold and Imel, *The Great Psychotherapy Debate*.

³⁶ Mary M. Bennett and Stephanie Eberts, "Self-Expression," in *The Therapeutic Powers of Play*, ed. Schaefer and Drewes, pp. 11-23.

³⁷ *Ibid.*, p. 23.

some of CCPT's psychotherapeutic effectiveness is likely related to creating an environment in which children can express themselves in a developmentally appropriate way.

Another possible mechanism contributing to the effectiveness of play is its role in developing self-regulation. Self-regulation encompasses an individual's ability to control and moderate pleasant and unpleasant emotions, and it contributes to an individual's sense of self.³⁸ Self-regulation is strongly associated with feelings of subjective well-being as well as better health and goal achievement.³⁹ Self-regulation includes processes such as response inhibition, cognitive flexibility, self-monitoring, and shifting focus.⁴⁰ Crucially, children develop response inhibition, cognitive flexibility, etc. via play.⁴¹ For instance, toddlers often grab, manipulate, take apart, and reassemble objects or toys. This process is rudimentary cognitive flexibility. As children grow older and their play moves beyond simple object manipulation to imaginative and narrative play, they recruit and develop deeper levels of cognitive flexibility, self-monitoring, and focusing—as well as practice a variety of other cognitive processes, such as working memory. As a result, play in CCPT likely contributes to positive therapeutic outcomes in part because it creates a space in which children develop self-regulatory skills which, in turn, decrease emotional dysregulation and increase a sense of well-being.

A third possible reason for play's effectiveness is its cathartic properties. Catharsis is the release or discharge of emotion. In the context of CCPT, catharsis is most frequently related to emotions resulting from traumatic experiences.⁴² Children who have experienced traumatic events,

³⁸ Kalevi Korpela, Marketta Kyttä, and Terry Hartig, "Restorative Experience, Self-Regulation, and Children's Place Preferences," *Journal of Environmental Psychology* 22, no. 4 (2002), pp. 387-98.

³⁹ Albert Bandura, "Social Cognitive Theory of Self-Regulation," *Organizational Behavior and Human Decision Processes* 50, no. 2 (1991), pp. 248-87; Carsten Wrosch et al., "Adaptive Self-Regulation of Unattainable Goals: Goal Disengagement, Goal Reengagement, and Subjective Well-Being," *Personality and Social Psychology Bulletin* 29, no. 12 (2003), pp. 1494-1508.

⁴⁰ Marcie Yeager and Daniel Yeager, "Self-Regulation," in *The Therapeutic Powers of Play*, ed. Schaefer and Drewes, pp. 269-92.

⁴¹ Laura E. Berk, Trisha D. Mann, and Amy T. Ogan, "Make-Believe Play: Wellspring for Development of Self-Regulation," in *Play = Learning: How Play Motivates and Enhances Children's Cognitive and Social-Emotional Growth*, ed. Dorothy Singer, Roberta Golinkoff, and Kathy Hirsh-Pasek (Oxford: Oxford University Press, 2006), pp. 74-100; Cynthia L. Elias and Laura E. Berk, "Self-Regulation in Young Children: Is There a Role for Sociodramatic Play?" *Early Childhood Research Quarterly* 17, no. 2 (2002), pp. 216-38.

⁴² Athena A. Drewes and Charles E. Schaefer, "Catharsis," in *The Therapeutic Powers*

such as natural disasters, kidnapping, domestic violence, abuse, etc. often reenact the events during play therapy.⁴³ Crucially, these reenactments occur in the safe context of the play-therapy office and the therapist's presence. Furthermore, the reenactments often involve slight modifications which emphasize the child's control instead of his powerlessness in the original traumatic situation. These two factors combine to foster in a child an increased sense of security and mastery over situations and emotions that were previously experienced as unsafe, uncontrollable, and overwhelming. As a result, a child's previously held unpleasant emotions related to their trauma are discharged and transformed into newer, more manageable states: "In the safety of the playroom, the child can verbally or physically express and release emotional tensions. . . . This termination of 'unfinished business' prevents future emotional arousal."⁴⁴

5. CCPT Outcomes

The first meta-analysis of play therapy was conducted in 2001.⁴⁵ This meta-analysis reviewed forty-two studies of play therapy. The results indicated that play therapy produced an effect size of 0.66, which indicates that play therapy had an effect size comparable to other forms of child psychotherapy. This finding is congruent with the "common-factors" psychotherapy research which supports the view that the type or technique of therapy is less important than factors that are common to all forms of psychotherapy, such as goal consensus, the therapeutic alliance, empathy, and expectations.⁴⁶

Subsequent meta-analyses attempted to increase their scope and to include more recent and rigorous controlled studies. The largest meta-analysis of CCPT examined ninety-three controlled studies which identified treatment outcomes over a variety of domains, such as behavior, social adjustment and functioning, and self-concept.⁴⁷ In sum, this meta-analysis identified a mean

of Play, ed. Schaefer and Drewes, pp. 71-80.

⁴³ Yumiko Ogawa, "Childhood Trauma and Play Therapy Intervention for Traumatized Children," *Journal of Professional Counseling, Practice, Theory, & Research* 32, no. 1 (2004), pp. 19-29.

⁴⁴ Drewes and Chaefer, "Catharsis," in *The Therapeutic Powers of Play*, ed. Schaefer and Drewes, p. 96.

⁴⁵ Michael Leblanc and Martin Ritchie, "A Meta-Analysis of Play Therapy Outcomes," *Counselling Psychology Quarterly* 14, no. 2 (2001), pp. 149-63.

⁴⁶ Wampold and Imel, *The Great Psychotherapy Debate*.

⁴⁷ Bratton, Ray, Rhine, and Jones, "The Efficacy of Play Therapy with Children," pp. 376-90.

effect size of 0.80—generally considered a large treatment effect.⁴⁸ Interestingly, and at odds with common-factors predictions, this meta-analysis identified significant differences in effect size between non-directive and directive play therapies. The mean effect size for non-directive play therapies was 0.92 while the mean effect size for directive play therapies was 0.71, which is a statistically significant difference. The authors of the meta-analysis argue that, at the least, their data supports the practice of CCPT and possibly suggests reasons to prefer CCPT over more directive therapies. Yet, the authors note that there are some limitations to their meta-analysis, such as the fact that some of the included studies lacked rigor and called for further research.

Subsequent meta-analyses have found less impressive results, which are more congruent with the common-factors psychotherapy research. Two of the most recent meta-analyses, published in 2015, identified effect sizes between 0.21 to 0.38⁴⁹ and 0.47.⁵⁰ When compared to previous meta-analyses, the significant decrease in the effect size was almost certainly the result of including studies with stricter methodology and more specific estimates of effect sizes. Nevertheless, while subsequent meta-analyses were unable to make a strict comparison between treatment types due to methodological reasons, their findings suggest that CCPT may provide superior treatment effects when compared to other forms of therapy and that it is at least as effective as other interventions (for example, behavioral therapy). CCPT research continues to expand, focusing on diverse populations, specific and comorbid diagnoses, and the mediators and moderators of change.⁵¹

The outcomes reviewed above suggest that CCPT has powerful effects on children's emotional states and behavior. These effects are important to consider when planning interventions to assist children who are experiencing distress or behavioral problems. This is especially true because there is a tendency to biologize children's distress and problematic behavior, resulting in a tendency to intervene with medication instead of psychosocial interventions such as CCPT. I discuss below the increasing trend in explaining

⁴⁸ Jacob Cohen, *Statistical Power Analysis for the Behavioral Sciences*, 2nd ed. (Hillsdale, NJ: Lawrence Erlbaum Associates, Publishers, 1988).

⁴⁹ Dee C. Ray, Stephen A. Armstrong, Richard S. Balkin, and Kimberly M. Jayne, "Child-Centered Play Therapy in the Schools: Review and Meta-Analysis," *Psychology in the Schools* 52, no. 2 (2015), pp. 107-23.

⁵⁰ Yung-Wei Lin and Sue C. Bratton, "A Meta-Analytic Review of Child-Centered Play Therapy Approaches," *Journal of Counseling & Development* 93, no. 1 (2015), pp. 45-58.

⁵¹ Sue C. Bratton, "The Empirical Support for Play Therapy: Strengths and Limitations," in *Handbook of Play Therapy*, ed. Kevin J. O'Connor, Charles E. Schaefer, and Lisa D. Braverman (Hoboken, NJ: Wiley, 2016), pp. 651-68.

distress and problematic behavior via biology, some reasons this tendency is clinically problematic, and how an approach that integrates CCPT and other psychosocial interventions can more comprehensively and humanely assist children.

6. Biologizing Distress and Problematic Behavior

There is a pronounced trend to seek primarily or exclusively biological explanations of distress and problematic behavior. To illustrate this, consider that when the fifth edition of the *Diagnostic and Statistical Manual of Mental Disorders* (DSM-5) was published in 2013, many of its producers had mixed feelings about it. Many of those responsible for creating the DSM-5 had hoped that neuroscience, genetics, and other biological sciences would significantly inform the diagnostic criteria.⁵² Yet, the DSM-5 states that there are no x-rays, lab tests, or biomarkers for psychiatric disorders such as major depressive disorder (MDD), attention-deficit hyperactivity disorder (ADHD), generalized anxiety disorder (GAD), or any other psychiatric disorder.⁵³ In fact, Thomas Insel, until recently the head of the National Institute of Mental Health (NIMH), laments that researchers and clinicians have no clinically actionable biomarkers for any psychiatric disorder; even the biological markers associated with psychiatric disorders have seldom been replicable.⁵⁴

Nevertheless, as it became increasingly clear that the DSM-5 would not integrate biomarkers, the NIMH undertook a new research program: the Research Domain Criteria Project (RDoC).⁵⁵ Many factors motivated launching the RDoC.⁵⁶ One of the most important is that it appears that those responsible for the RDoC endorse a form of physicalism which implies that the brain is responsible for psychological experience and, as a result, disordered psychological function is the result of disordered brain function.⁵⁷

⁵² B. J. Casey et al., “DSM-5 and RDoC: Progress in Psychiatry Research?” *Nature Reviews Neuroscience* 14, no. 11 (2013), pp. 810-14.

⁵³ Colin A. Ross, “Biology and Genetics in DSM-5,” *Ethical Human Psychology and Psychiatry* 15, no. 3 (2013), pp. 195-98.

⁵⁴ Thomas A. Insel, “A Different Way of Thinking,” *New Scientist* 227, no. 3035 (2015), p. 5.

⁵⁵ Thomas Insel et al., “Research Domain Criteria (RDoC): Toward a New Classification Framework for Research on Mental Disorders,” *American Journal of Psychiatry* 167, no. 7 (2010), pp. 748-51.

⁵⁶ For instance, it is hoped that the RDoC can solve an important problem with the DSM-5. Many DSM-5 diagnostic categories have difficulty obtaining consistent diagnoses from multiple clinicians. That is, different clinicians frequently diagnosis the same client with a different DSM-5 diagnosis. Another motivation is related to the emphasis on precision medicine in medical fields.

⁵⁷ See Brett J. Deacon, “The Biomedical Model of Mental Disorder: A Critical

This sort of thinking can be seen in studies that attempt to link divergent brain activity with psychiatric disorders. There are thousands of such studies. For example, one recent study found statistically significant results indicating that children and adolescents who have been diagnosed with ADHD, oppositional defiant disorder, and conduct disorder have, on average, smaller brain structure and reduced brain activity in brain areas such as the bilateral amygdala, bilateral insula, and right striatum.⁵⁸ The study's authors suggest that their findings will one day provide an integrated brain model which will both explain and suggest treatment of these disorders, such as giving stimulant medication to children who have reduced brain activity.

The development of the RDoC has resulted in numerous articles identifying and lamenting its overemphasis on biology, an emphasis which poses important research and clinical implications.⁵⁹ For example, one author worries that "investigators operating within the RDoC framework must be careful not to confuse biological mediation with biological etiology. . . . For example, in principle, a psychological condition could be triggered largely by psychosocial factors, such as childhood sexual or physical abuse. Although this condition would of course be mediated by brain circuitry, its etiology would be primarily environmental."⁶⁰ This author elsewhere claims that the RDoC's emphasis on disordered brains causing psychiatric problems is akin to placing an emphasis on gravity causing airplane crashes—true, but not informative. Others worry that it is not presently possible, and may never be possible, to understand the complex, dynamic causal loops which exist

Analysis of Its Validity, Utility, and Effects on Psychotherapy Research," *Clinical Psychology Review* 33, no. 7 (2013), pp. 846-61; Kenneth S. Kendler, "Toward a Philosophical Structure for Psychiatry," *American Journal of Psychiatry* 162, no. 3 (2005), pp. 433-40; and Henrik Walter, "The Third Wave of Biological Psychiatry," *Frontiers in Psychology* 4 (2013), pp 1-8.

⁵⁸ Siri Noordermeer, Marjolein Luman, and Jaap Oosterlaan, "A Systematic Review and Meta-analysis of Neuroimaging in Oppositional Defiant Disorder (ODD) and Conduct Disorder (CD) Taking Attention-Deficit Hyperactivity Disorder (ADHD) into Account," *Neuropsychology Review* 26, no. 1 (2016), pp. 44-72.

⁵⁹ Amitai Abramovitch and A. Schweiger, "Misuse of Cognitive Neuropsychology in Psychiatry Research: The Intoxicating Appeal of Neo-Reductionism," *Behavior Therapist* 38, no. 7 (2015), pp. 187-91; Scott O. Lilienfeld, "The Research Domain Criteria (RDoC): An Analysis of Methodological and Conceptual Challenges," *Behaviour Research and Therapy* 62 (2014), pp. 129-39; Scott O. Lilienfeld and Michael T. Treadway, "Clashing Diagnostic Approaches: DSM-ICD Versus RDoC," *Annual Review of Clinical Psychology* 12 (2016), pp. 435-63; Joal Paris and Laurence J. Kirmayer, "The National Institute of Mental Health Research Domain Criteria: A Bridge Too Far," *The Journal of Nervous and Mental Disease* 204, no. 1 (2016), pp. 26-32.

⁶⁰ Lilienfeld, "The Research Domain Criteria (RDoC)," p. 132.

between cognition, belief, brain function, and psychiatric problems.⁶¹ Still others express concern that the RDoC is very unlikely to succeed because of the irreducible social component of psychiatric disorders.⁶² These concerns lead to deep questions in the philosophy of mind and the philosophy of science (which won't be answered here). It's clear that many scholars in the field have noted an increasing trend to rely on biological explanations in psychiatry.

7. Negative Consequences of Biologizing Distress

This increased tendency to understand psychiatric disorders from a primarily biological perspective has significant clinical implications. Two implications are reviewed here. First, consider the relationship between emphasis on biological etiologies of psychiatric disorders and medication use. Numerous studies have found that the more that mental health practitioners, mental health patients, and the public endorse a biological etiology of psychiatric disorders, the more likely they are to endorse medication.⁶³ To illustrate this, consider ADHD, one of the most commonly diagnosed psychiatric disorders among children.⁶⁴ The Centers for Disease Control (CDC) has identified that, despite newer recommendations that children should first be treated with psychological and/or social interventions, they are often immediately treated with ADHD medication⁶⁵ and, unfortunately,

⁶¹ Thomas Fuchs, "The Brain—A Mediating Organ," *Journal of Consciousness Studies* 18, nos. 7-8 (2011), pp. 196-221.

⁶² Owen Whooley, "Nosological Reflections, the Failure of DSM-5, the Emergence of RDoC, and the Decontextualization of Mental Distress," *Society and Mental Health* 4, no. 2 (2014), pp. 92-110.

⁶³ Matthew S. Lebowitz, "Biological Conceptualizations of Mental Disorders among Affected Individuals: A Review of Correlates and Consequences," *Clinical Psychology* 21, no. 1 (2014), pp. 67-83; John Read et al., "Beliefs of People Taking Antidepressants about Causes of Depression and Reasons for Increased Prescribing Rates," *Journal of Affective Disorders* 168 (2014), pp. 236-42.

It is almost certainly true that other important factors influence the emphasis on medication over psychosocial interventions, such as the power and influence of pharmaceutical companies and the relative lesser emphasis placed on psychosocial intervention research for psychiatric disorders. Nevertheless, the reliance on medication is pervasive and importantly linked to biological etiologies.

⁶⁴ B. D. Fulton et al., "National Variation of ADHD Diagnostic Prevalence and Medication Use: Health Care Providers and Education Policies," *Psychiatric Services* 60, no. 8 (2009), pp. 1075-83.

⁶⁵ S. N. Visser et al., "Vital Signs: National and State-Specific Patterns of Attention Deficit/Hyperactivity Disorder Treatment among Insured Children Aged 2-5 Years—United States, 2008–2014," *Morbidity and Mortality Weekly Report* 65 (2016), pp. 443–50.

sometimes with antipsychotics.⁶⁶ Research has shown that parents who believe less in psychological causes of ADHD are significantly more likely to treat their children with medication.⁶⁷ Another line of evidence supporting the increased preference for medication can be seen in cultural practices. For instance, in France, where understanding of childhood psychiatric disorders often more comprehensively integrates psychological and social information about children's context, only about .5% percent of children are diagnosed with ADHD and treated with medication.⁶⁸ This is significantly less than the 9% of children diagnosed with ADHD and treated with medication in the United States.⁶⁹

This emphasis on medication is concerning.⁷⁰ First, medications have a variety of negative side-effects. For instance, a recent study identified that Ritalin—a common ADHD medication—significantly increases the risk of myocardial infarction and arrhythmias during the initial phases of treatment.⁷¹ The study's authors emphasize that medication should be used only after alternative treatments have been considered. Many other studies have identified other adverse reactions to ADHD medication, such as loss of appetite, growth disruption (in height and weight), sleep disturbance, mood disruption, stomach pain, psychotic symptoms, and higher rates of adolescent and adult obesity.⁷² In addition to these negative side-effects, the long-term

⁶⁶ Minji Sohn, Daniela C. Moga, Karen Blumenschein, and Jeffery Talbert, "National Trends in Off-Label Use of Atypical Antipsychotics in Children and Adolescents in the United States," *Medicine* 95, no. 23 (2016), accessed online at: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4907659/>.

⁶⁷ C. Johnston et al., "Treatment Choices and Experiences in Attention Deficit and Hyperactivity Disorder: Relations to Parents' Beliefs and Attributions," *Child: Care, Health and Development* 31, no. 6 (2005), pp. 669-77.

⁶⁸ Marilyn Wedge, *A Disease Called Childhood: Why ADHD Became an American Epidemic* (New York: Avery, 2016).

⁶⁹ Note that the rate of diagnosis appears similar in both countries; it is the prevalence of various treatments that is different.

⁷⁰ I limit my discussion here to ADHD medication. It should be noted, though, that antidepressant and antipsychotic medication also commonly have significant negative side-effects, sometimes very severe ones.

⁷¹ Ju-Young Shin, Elizabeth E. Roughead, Byung-Joo Park, and Nicole L. Pratt, "Cardiovascular Safety of Methylphenidate among Children and Young People with Attention-Deficit/Hyperactivity Disorder (ADHD): Nationwide Self Controlled Case Series Study," *British Medical Journal* 353 (2016), accessed online at: <http://www.bmj.com/content/353/bmj.i2550>.

⁷² See Samuele Cortese et al., "Practitioner Review: Current Best Practice in the

effects of ADHD medication are relatively unknown and may pose other serious risks.⁷³

The second concern is the relationship between biological etiologies and prognostic pessimism. This concern is based on a relatively new body of evidence which has identified that individuals who endorse biological etiologies of their psychiatric conditions are significantly more likely to have increased levels of prognostic pessimism. That is, they believe that their symptoms are likely to occur at increased levels for longer periods of time.⁷⁴ The leading hypothesis explaining this phenomenon is that individuals who more strongly endorse biological etiologies of psychiatric disorders are also more likely to adopt essentialist views of themselves and their psychological states. This view holds that our psychological/emotional states are relatively immutable.⁷⁵ This is of significant clinical concern because whether individuals expect that they will or can get better, has a significant effect on whether they do get better. Thus, individuals with increased levels of prognostic pessimism will likely have decreased levels of clinical improvement.⁷⁶ Consider these facts in combination with data which found

Management of Adverse Events During Treatment with ADHD Medications in Children and Adolescents,” *Journal of Child Psychology and Psychiatry* 54, no. 3 (2013), pp. 227-46; Eric Konofal, Michel Lecendreux, and Samuele Cortese, “Sleep and ADHD,” *Sleep Medicine* 11, no. 7 (2010), pp. 652-58; L. E. MacKenzie et al., “Stimulant Medication and Psychotic Symptoms in Offspring of Parents With Mental Illness,” *Pediatrics* 137, no. 1 (2016), pp. 1-10; Brian Schwartz et al., “Attention Deficit Disorder, Stimulant Use, and Childhood Body Mass Index Trajectory,” *Pediatrics* 133, no. 4 (2014), pp. 668-76.

⁷³ Florence T. Bourgeois, Jeong Min Kim, and Kenneth D. Mandl, “Pre-market Safety and Efficacy Studies for ADHD Medications in Children,” *Plos One* 9, no. 7 (2014), accessed online at: <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0102249>.

⁷⁴ See Brett J. Deacon, “The Biomedical Model of Mental Disorder: A Critical Analysis of Its Validity, Utility, and Effects on Psychotherapy Research,” *Clinical Psychology Review* 33, no. 7 (2013), pp. 846-61; Lebowitz, “Biological Conceptualizations of Mental Disorders among Affected Individuals”; William Schultz, “Neuroessentialism: Theoretical and Clinical Considerations,” *Journal of Humanistic Psychology* (December 2015), accessed online at: doi: 10.1177/0022167815617296.

⁷⁵ Nick Haslam and Erlend P. Kvaale, “Biogenetic Explanations of Mental Disorder: The Mixed-Blessings Model,” *Current Directions in Psychological Science* 24, no. 5 (2015), pp. 399-404.

⁷⁶ Michael Constantino, Rebecca M. Ametrano, and Roger P. Greenberg, “Clinician Interventions and Participant Characteristics that Foster Adaptive Patient Expectations for Psychotherapy and Psychotherapeutic Change,” *Psychotherapy* 49, no. 4 (2012), pp. 557-69.

that, among children aged eight to eighteen, “brain differences” were listed as the cause of ADHD by 92% of respondents, a far higher percentage than any other causal story, such as parenting (32%), low effort (23%), or stress (65%).⁷⁷

8. An Alternative

The negative consequences described above are especially worthy of consideration because there is general agreement that psychosocial interventions, such as CCPT and other therapies, are as effective as medication for many childhood and adolescent psychiatric disorders.⁷⁸ In addition, psychosocial interventions appear more comprehensively and humanely to account for the distress and disturbance of individuals. Consider, for instance, the emotional and behavioral problems experienced by many foster children. These children often come from troubled backgrounds and have fewer psychological, emotional, and financial resources available to them than do others. Unfortunately, they are also medicated, often with powerful antipsychotics being used off-label and at high rates.⁷⁹ At first glance, it is unlikely that these children suffer from a higher rate of brain disorders. Instead, it is more likely that their distress and behavioral problems are largely a reaction to their challenging environments. To claim that these children are experiencing difficulty because of disordered brains seems to sweep the relevant psychosocial factors under the rug. While medications may

⁷⁷ Daniel Coleman et al., “Children’s Beliefs about Causes of Childhood Depression and ADHD: A Study of Stigmatization,” *Psychiatric Services* 60, no. 7 (2009), pp. 950-57.

⁷⁸ See Jennifer N. Baggerly, Dee C. Ray, and Sue C. Bratton, eds., *Child-Centered Play Therapy Research: The Evidence Base for Effective Practice* (Hoboken, NJ: John Wiley & Sons, 2010); Alicia L. Fedewa et al., “Does Psychotherapy Work with School-Aged Youth? A Meta-Analytic Examination of Moderator Variables that Influence Therapeutic Outcomes,” *Journal of School Psychology* 56 (2016), pp. 59-87; William E. Pelham Jr. et al., “Behavioral Versus Behavioral and Pharmacological Treatment in ADHD Children Attending a Summer Treatment Program,” *Journal of Abnormal Child Psychology* 28, no. 6 (2000), pp. 507-25; William E. Pelham Jr. and Gregory A. Fabiano, “Evidence-Based Psychosocial Treatments for Attention-Deficit/Hyperactivity Disorder,” *Journal of Clinical Child & Adolescent Psychology* 37, no. 1 (2008), pp. 184-214; Dee Ray, Sue Bratton, Tammy Rhine, and Leslie Jones, “The Effectiveness of Play Therapy: Responding to the Critics,” *International Journal of Play Therapy* 10, no. 1 (2001), pp. 85-108; John R. Weisz, Carolyn A. McCarty, and Sylvia M. Valeri, “Effects of Psychotherapy for Depression in Children and Adolescents: A Meta-Analysis,” *Psychological Bulletin* 132, no. 1 (2006), pp. 132-49.

⁷⁹ Stephen Crystal et al., “Rapid Growth of Antipsychotic Prescriptions For Children Who Are Publicly Insured Has Ceased, But Concerns Remain,” *Health Affairs* 35, no. 6 (2016), pp. 974-82.

be useful in controlling problematic symptoms, psychological approaches (such as CCPT) are also effective. In addition, they significantly avoid the negative effects of focusing primarily or exclusively on biological explanations of distress and problematic behavior. It is thus worth emphasizing the power and beneficial effects of Child-Centered Play Therapy to children (and their parents) who are experiencing psychiatric problems.

Reflections on the Presence of Play in University Arts and Athletics

Aaron Harper
West Liberty University

1. Introduction

a. The question of play

In December 2014 the University of Alabama at Birmingham cut its football, bowling, and rifle programs.¹ That same week, East Stroudsburg University announced a decision to cut its music program and lay off two tenured faculty members.² In both cases, finances were blamed for making the cuts necessary. From the outside these situations may appear similar; with tightening budgets and reduced state allocation, many universities must make significant program cuts. Yet the actual elimination of these programs is quite different given their status at the university. Athletics have been associated with the university since the nineteenth century, but they have been seen traditionally as distinct from academics. Even physical education requirements, once present at most universities, are becoming increasingly scarce. In contrast, music is a core academic department or discipline at most universities. It is a staple of liberal arts education, while athletics are considered extracurricular activities.

Recent work has explored the extent to which intercollegiate athletics even belong at the university or meet the university's mission.³ A common response from the academy holds that athletics are too frivolous or insignificant, essentially too playful, to be associated with intellectual endeavors. Yet, just as play seems evident in athletics, it is also present in music, art, and theater. While these programs are popular targets when discussing possible cuts, few question their legitimacy at the university. I believe that incorporating music, art, and theater within the academy while keeping intercollegiate sports extracurricular is, in general, well-founded.

¹ All three programs were reinstated in 2015, with football scheduled to return in 2017.

² An agreement was later reached to keep the two faculty members in question.

³ See, e.g., Myles Brand, "The Role and Value of Intercollegiate Athletics in Universities," *Journal of the Philosophy of Sport* 33, no. 1 (2006), pp. 9-20; and Peter A. French, *Ethics and College Sports* (Lanham, MD: Rowman and Littlefield, 2004).

However, in this article I argue that the justification for retaining the extracurricular status of intercollegiate sports should be based on their being especially playful. Indeed, on the basis of this argument, I suggest that universities offer even greater and wider access to sport through club and intramural sports.

Moreover, while athletics might appear to be more playful, I hold that there is substantially more play present in university music, art, and theater programs than there is in intercollegiate sports. Examination of the claim that there is a more significant presence of play in the arts than in intercollegiate athletics provides two additional benefits to our understanding of the nature of play. First, by examining the existence of play currently found in the university, we can better understand the nature of play itself and the various forms in which it is found. Second, we are reminded that common sentiment about the value of play is misleading. Many believe that play is supposed to be a matter primarily for children, not a component of core university activities like the transmission of knowledge and critical inquiry.⁴ However, the presence of play in the university, be it in the arts or sport, suggests that play holds value for adults as well. Thus, it is valuable for universities to expand both playful sport and the arts at the university rather than further restrict these opportunities.

b. A note on the nature of play

Examining the complex nature of play in any context requires addressing two central obstacles. The first pertains to defining play. Despite increased academic attention, play has not sufficiently been distinguished from other activities. Without a clear set of necessary and sufficient characteristics, play remains a moving target for philosophical analysis. I submit that activities cannot themselves be characterized as play or not play, but we can explore play through the features most commonly associated with it. For the purposes of this article, I accept the well-known characteristics of play presented by John Loy, which were derived from previous work by Johan Huizinga and Roger Caillois. According to Loy, play is free, separate (that is,

⁴ Robert Simon proposes these as the major functions of the university. See Robert L. Simon, Cesar R. Torres, and Peter F. Hager, *Fair Play: The Ethics of Sport*, 4th ed. (Boulder, CO: Westview Press, 2015), p. 162. Simon provided this definition in an earlier, single-authored edition of this book. I have argued elsewhere that the engagement of play serves the Nietzschean goals of becoming oneself and creating meaningful activities in life; see Aaron Harper, “Playing, Valuing, and Living: Examining Nietzsche’s Playful Response to Nihilism,” *Journal of Value Inquiry* 50, no. 2 (2016), pp. 318-20. While I cannot defend here the importance of continually remaking identity and character throughout life, if play is in fact a significant feature of programs currently found within the academy, I believe we can reasonably infer that the value of play continues through adulthood and does not diminish with age.

spatially and temporally limited), uncertain, unproductive, and make-believe (that is, outside ordinary or real life).⁵

Play occurs in numerous forms. In competitive play, such as games, it involves the creation of a play-world based on rule and order. In other forms, play embodies the characteristics of freedom, exploration, and creativity. Kenneth Schmitz differentiates the play varieties of frolic and make-believe, in which imagination trumps rule-creation.⁶ Through play, features of the world gain new significances; a mountain becomes an obstacle literally to be overcome, a previous time is a challenge to be bested, or a room is transformed into a faraway kingdom. These new meanings allow an individual to test herself or explore new possibilities. In doing so, she may adopt new identities or roles, which can be ephemeral or have lasting significance. Play also instigates a re-imagination of social relations. The interaction of individuals in the play-world upsets traditional dynamics and provides individuals with new forms of interaction, even new relationships. For instance, in the play of a basketball game or holiday party, the relationship between a manager and employee may take the form of teammate, rival, or karaoke partner. Many forms of play are inherently social or occur within a play community, with membership renewed upon each instance of play, sometimes spilling over into real life.

A second obstacle to examining play is that it seems to depend, at least in part, on the individual's attitude. To play requires a certain motivation or form of engagement, a spirit of play independent from the activity itself. If so, then virtually anything—or nothing—can be play at any given moment. Consequently, if play depends on an individual's attitude in the moment, it might seem a fool's errand to look for any essential play independent of particular people. Yet, I propose that we can approach activities and institutions, in this case those of the university, in terms of commonly associated motivations and incentives. While most activities are undertaken for various aims, playful and otherwise, we can evaluate which activities tend to be, or are more likely to be, engaged in a playful manner or include playful elements.

⁵ See John W. Loy, Jr., "The Nature of Sport: A Definitional Effort," *Quest* 10, no. 1 (1968), pp. 1-15. Loy's list also includes being rule-governed, but his description of this element refers only to games and sports, not to play itself. I have not included it, since I do not believe that all play must be rule-governed. In some forms of play the rules themselves are up for grabs, unlike games and sports, which require a relatively stable set of rules.

⁶ See Kenneth Schmitz, "Sport and Play: Suspension of the Ordinary," in *Sport and the Body: A Philosophical Symposium*, 2nd ed., ed. Ellen W. Gerber and William J. Morgan (Philadelphia, PA: Lea & Febiger, 1979), pp. 23-24.

2. Playing in Intercollegiate Athletics

a. Professionalization and trickle-down

In this section I examine the amount of play present in intercollegiate athletics, and I argue that play appears to be diminished by the manner in which sports have developed at the university. I begin with a comparison of intercollegiate athletics to professional sports, which many also believe present a diminished experience of play. Sports might seem to be obvious instances of play in nearly every context, perhaps even paradigmatic instances of play. After all, an individual “plays” a sport, and the choice to play sports is usually motivated by enjoyment and indicates preference to sport over other possible activities. Nonetheless, many scholars suggest that sports occasionally deviate from play. For instance, in their analysis of the “tricky triad” of play, games, and sport both Bernard Suits and Klaus Meier hold that professional sports remain outside the category of play. Chad Carlson aptly terms this puzzle the Paradox of Professional Athletes, though I propose that it applies to intercollegiate athletes as well.⁷

A common strategy to exclude professional sports from play is to deny that it embodies one of play’s essential characteristics. For example, Suits claims that professional sports are “instruments for external purposes” like money, differentiating them from amateur sports which are fundamentally play.⁸ Meier stresses that play must be done for its own sake, which is not itself a necessary condition of games or sport. In his estimation, the commercialization of sport has increasingly diminished the play motive in contemporary sport.⁹ On these interpretations, non-play sports are distinguished by being obligatory, not done for their own sake, or insufficiently distinct from the concerns of ordinary life.

Another strategy uses work to contrast professional sports with play. If play is unproductive and unordinary, work is supposed to be the epitome of production and real life. When playing a sport constitutes one’s job, this would seem to preclude it as an instance of play. Nonetheless, while the play/work opposition seems intuitive, the complexities of human motivation

⁷ Chad Carlson, “A Three-Pointer: Revisiting Three Crucial Issues in the ‘Triad Trickery’ of Play, Games, and Sport,” in *Defining Sport*, ed. Shawn E. Klein (Lanham, MD: Lexington Books, 2016), forthcoming.

⁸ Bernard Suits, “Tricky Triad: Games, Play, and Sport,” *Journal of the Philosophy of Sport* 15, no. 1 (1988), p. 8.

⁹ See Klaus V. Meier, “Triad Trickery: Playing With Sport and Games,” *Journal of the Philosophy of Sport* 15, no. 1 (1988), pp. 25-28. Similarly, John Gerdy argues that “college sports is packaged, marketed, and projected purely as entertainment, with the promotion of educational themes, values, and information an afterthought at best”; see John R. Gerdy, “Higher Education’s Failed Experiment with Professional Athletics,” in *New Game Plan for College Sport*, ed. Richard E. Lapchick (Westport, CT: American Council on Education and Praeger Publishers, 2006), p. 65.

should lead us to recognize that play and work do not always occur separately. Carlson, building on the work of Scott Kretchmar, proposes that work and play function as a complementary pair, with many activities being a mixture of the two. Individuals continually shift between them, although one intention—play or work—is usually the dominant one at any given time.¹⁰ I agree with Carlson’s approach because I believe it works from a more plausible understanding of motivation and action. Activities are not always done for a single reason, and the reasons do not remain constant. The complementary-pair approach allows professional athletes to be engaged in both work and play, even if professional athletes often experience less intrinsic satisfaction than do amateur athletes, as may be the typical case with work.

Unlike professional sports, intercollegiate athletics have not received extensive examination with respect to play. The so-called revenue-producing sports of football and men’s basketball are akin to professional sports in terms of their external purposes and commercialization, so if play is diminished in professional sports, we can likely conclude that it is also diminished in these college sports. But other college sports like swimming or lacrosse do not seem substantially professionalized. In particular, the amount of money involved is comparatively small, and few see these sports at the college level as means to lucrative professional careers.¹¹ Accordingly, the amount of play present in these other sports cannot be settled solely by a comparison to professional sports.

Schmitz offers a useful framework we can utilize to evaluate the play elements in intercollegiate athletics more generally. He presents three features of modern sport that serve to diminish the spirit of play.¹² The first two features are internal to the activity: the exaggeration of victory and techniques of efficiency, the latter making sports explicitly rational and abstract with too narrow a conception of good performance. These serve to diminish play by separating out victory and performance from their play context. The third feature, the presence of spectators, constitutes an external threat to play. Schmitz argues that spectators threaten to alienate play because they risk introducing a new set of values in opposition to those fundamental to play. In support, he notes that spectators often introduce a commercial element to sport which changes the nature of the contest. After further explication, though, it is clear that Schmitz’s worry goes beyond money to the motivation to play. Playing for the spectators, including for reasons of money, fame, or contract,

¹⁰ See Carlson, “A Three-Pointer.”

¹¹ Of course, relatively few players actually go on to play professional football or basketball. However, I would argue that far more players in these sports at the college and high school levels see themselves as potential professionals or draft picks.

¹² See Schmitz, “Sport and Play,” pp. 27-29.

becomes obligatory, thus undermining values associated with the play-world, such as relationships with teammates.

Using Schmitz's standards, it is reasonable to conclude that intercollegiate sports of all types and at most levels offer, at the very least, a diminished experience of play. College sports clearly exaggerate victory. While standards are certainly highest at Division I universities and in football and men's basketball, a coach's job security at all levels in every sport is closely tied to wins and losses. Consequently, the importance of victory motivates the extreme efficiency that Schmitz highlights. Since evaluation of the team's success is largely in terms of victories, job security depends on defeating the next opponent through any available means. If coaches, including both head coaches and assistants, are evaluated in terms of winning, their focus, and ultimately that of players, narrows to the scoreboard and the short-term strategies to win.

Athletic scholarships add commercial and contractual components to sport, akin to the effect of spectators, because they essentially make student-athletes employees under the purview of coaches and athletic departments.¹³ For many Division I and Division II student-athletes, the possibility of an affordable or debt-free education outweighs their actual (dis)interest in competing for another four years, rendering scholarship-inclusive intercollegiate athletics more work than play. Scholarships also exaggerate the importance of victory, given that few schools give out four-year scholarships. Most scholarships must be renewed every year. There is a general understanding that a student-athlete's scholarship will be continued absent extraordinary circumstances. Yet many counter-examples can be found in which scholarships were not renewed. The tenuous nature of scholarships highlights the limited control, outside of transferring, that many student-athletes have. In order to continue their education, they may feel forced to follow very specific instructions, well beyond the ordinary considerations of the sport, in order to remain in good standing with those who determine their scholarships.

One might argue that the other aspects of college athletics I have described also apply only to larger schools in conferences known for athletic success. I concede that less commercial sports or programs at smaller schools may remain somewhat freer from some elements of professionalization, such as the values introduced by the presence of spectators that might threaten to undermine the essential playfulness of sport. However, I argue that victory

¹³ This status was reaffirmed by a 2015 National Labor Relations Board (NLRB) decision regarding student athletes. The NLRB dismissed a petition by Northwestern University football players to unionize as employees with the right to collective bargaining, effectively reaffirming the NCAA view that college athletes are primarily students. See Ben Strauss, "N.L.R.B. Rejects Northwestern Football Players' Union Bid," *The New York Times* (August 17, 2015), accessed online at: http://www.nytimes.com/2015/08/18/sports/ncaafotball/nlrbsays-northwestern-football-players-cannot-unionize.html?_r=0.

and efficiency are exaggerated in nearly all college sports through what I call the revenue-producing trickle-down effect. Football and men's basketball in power conferences require significant university infrastructure and resources. Although these are created primarily for success in these sports, their rules, requirements, and standards apply to other sports as well. For instance, we find schools at all levels building impressive new athletic facilities primarily for use by athletes, often to the exclusion of the general student population. Nearly all sports, from baseball to women's bowling, including many sports at levels below Division I, hold championship tournaments televised by ESPN and other major networks. There is more pressure than ever for athletic programs to garner national attention. Meanwhile, success by some schools in a conference or region leads other schools to try to keep up with the Joneses, otherwise risking status, recruiting power, and revenue. This same motivation applies to smaller Division I and Division II schools, especially as transferring becomes more common among student-athletes. Even schools with a marginal history of athletic success cannot easily opt-out of a system that highlights athletic success above all, with athletics aiding marketing and alumni contributions. Thus, when play is diminished in some intercollegiate athletics, the effect spreads to its competitors, diminishing the amount of play present elsewhere.

b. The conception of play in intercollegiate athletics

Even if the amount of play present in intercollegiate athletics is relatively diminished through its infrastructure, professional, and commercial elements, play surely remains in some form, and this play provides value for the participants. Myles Brand, a philosopher who served as president of Indiana University and head of the NCAA, provides a list of the positive values demonstrated in intercollegiate athletics, including “striving for excellence, perseverance, resilience, hard work, respect for others, sportsmanship and civility, and losing—and winning—with grace.”¹⁴ While these values are not unique to either sport or play, their inclusion highlights some aspects of play still present in intercollegiate athletics. In particular, the appeal to sportsmanship and grace in both winning and losing provides a counter to the exaggeration of victory and efficiency. That is, to the extent that we can find such values present in intercollegiate athletics, we may conclude that playful elements retain influence.

Of course, one may question whether Brand's view of sport and its role in building character is too romanticized.¹⁵ My argument in the previous

¹⁴ Brand, “Intercollegiate Athletics,” p. 17.

¹⁵ In all likelihood, we should not be so quick to grant these benefits to sport. For two excellent critical discussions of the claim that intercollegiate athletics build character, see French, *Ethics*, pp. 31-62, and John R. Gerdy, *The Successful College Athletic Program* (Phoenix, AZ: American Council on Education and the Oryx Press, 1997), pp. 36-38.

section suggests that we should expect these values to be eroded further by victory and professionalization, if current trends continue. Moreover, in other attempts to defend the value of athletics to the university, we find that play is not given a central role. In their influential book *Fair Play*, Robert Simon, Cesar Torres, and Peter Hager characterize athletics as a test in which participants must understand their own strengths and weaknesses, work hard for improvement, and react intelligently and skillfully within the context. Sporting contests also promote good judgment, critical analysis, and focus under pressure. They go on to argue that sports provide “significant mutual reinforcement” with academics.¹⁶ While undergraduates are basically novices in most areas of research, they may attain higher levels of success in athletics and other performance-based activities. Achievement in sports may aid value and skill development, such as analyzing and overcoming weaknesses or reacting effectively to new situations, which also benefit their academic and professional careers.

These valuable achievements again do not seem unique to sport. More to the point, though, the values of intercollegiate sports are developed through a conception of them as physical activities of a highly competitive nature, organized around the pursuit of victory. Competition itself obviously does not preclude play, and it is inherent to forms of play like games, but we must acknowledge that whatever play exists in intercollegiate athletics is of a limited form. Play, I suggested above, occurs in many forms, some competitive but others highlighting imagination, creativity, and improvisation. By taking only the form of highly competitive, rule-governed play, intercollegiate athletics do not embody the diverse possibilities of play. If play is itself diminished in intercollegiate athletics, then even this narrow experience of play is not widely shared.

From these considerations, we can draw two initial conclusions about the play present in intercollegiate athletics. First, their play is diminished when compared to other instances of these same sports. Football and men’s basketball closely resemble professional sports, which bear more elements of work than play. Other sports are trending in this direction, given the exaggeration of victory and efficiency; structural considerations like scholarships; and schools modeling the methods of successful, more professional programs. Second, the form of play present in intercollegiate athletics is relatively narrow, reflecting a certain conception of competitive team sports at the expense of other forms of play.

3. Playing in the Arts

We can now turn to the play present in university arts like music, art, and theater. Outside of the university, these activities would seem to be paradigmatic instances of play, freely chosen for their own sake. Schmitz’s

¹⁶ Simon, Torres, and Hager, *Fair Play*, p. 176.

analysis of the conditions that diminish the presence of play can help to evaluate these activities as they exist within the university. On his first point, these activities are unlikely to risk exaggerating the importance of victory. Competitions in music, art, and theater are not nearly as pervasive as in sport, and their associated university jobs rarely hinge on championships. Furthermore, while many schools offer scholarships for artistic programs and extracurricular activities, these scholarships do not dominate the creation of an ensemble or participation in the activities to the same degree as they do for Division I and Division II athletics.

Schmitz's latter two causes of the diminishing of play, exaggerated efficiency and spectators, are potentially greater cause for concern. To take the latter first, I hold that spectators do not generally diminish play in the arts. Of course, spectators have some analogous effects in each. For instance, a pickup basketball game feels quite different when played in front of a crowd. Some players may feel nervous, while others might seek to fire up the crowd. Similarly, a musician may feel nervous when playing in front of a crowd. The point, though, is not whether the activity is transformed at all, but instead whether the fundamental values of the activity are altered by the presence of spectators. This is often the case in sport, but I argue that usually spectators do not have this transformative effect on the values of artistic performance. Although art need not be created directly for others, most artists create for an audience or otherwise expect their work to be consumed by others, even when creating primarily for themselves. More simply, an audience is unlikely to disrupt significantly the play-world through the likes of commercialization or professionalization, or make the activity obligatory in any novel manner.¹⁷ Therefore, any university audience is unlikely to diminish substantially the play already present in the arts, as does occur in intercollegiate athletics.¹⁸

Though spectators are not necessarily a problem, the university setting produces a unique kind of spectator who may introduce divergent values, namely, the instructor. When artistic creations are to be evaluated by a specific person in an academic capacity, the portending evaluation can easily influence the aims and techniques of the project. However, unlike sport, the

¹⁷ One might object to this distinction based on the definition of sport. One tradition, following Bernard Suits, holds that an activity must have a wide following in order to be considered a sport. However, I am claiming that there is an important difference between a sport having a wide following in general and any particular game being played for spectators. The latter can be a cause of diminished play, but not the former.

¹⁸ Though I cannot explore the matter further here, I speculate that the fundamental difference between art and sport with respect to spectators can be explained by the presence of competition. I have argued that intercollegiate sports are essentially about competition, while the arts are not, even though the arts may have occasional competitions. Yet, if we imagine a music program organized like a sport, in which the primary aim is to defeat an opponent in a competition, spectators may then have a deleterious effect on the presence of play.

new audiences for artistic creations are less likely to create a commercial environment for the endeavor. Any commercial or advertising components will pale in comparison to those of major college sports.

The more general risk to play is that an instructor increases the presence of the work motivation, pushing aside that of play. This highlights a larger point: the forces that diminish the play elements of university music, art, and theater are primarily those that undercut the voluntary nature of play. In the academic setting, students often have limited choices regarding their projects. In a related fashion, artistic endeavors completed for an assignment are less likely to be created or performed for their own sake and do not stand outside the concerns of real life. Of course, artists may be able to develop their own projects that fit broad assignment parameters, but in many cases artistic projects are obligatory or otherwise modified in ways that they would not be outside the university. Again, the level at which the work is done, along with the particular instructor, suggest that the dominance of play in any particular artistic endeavor will vary greatly from one case to another.

Music, art, and theater differ from intercollegiate sports in that they have both academic and extracurricular forms. I have argued thus far that the academic or classroom versions of these retain significant play elements, especially at more advanced levels, even as projects are routinely constrained by university requirements. The amount of play in the arts compares favorably, and often outstrips, that of intercollegiate athletics. However, the extracurricular analogues of these arts, such as a musical ensemble, literary magazine, or theater production, are likely to sustain even more features of play, since their extracurricular nature reintroduces voluntary and autotelic elements. When the performances are no longer done for academic credit, participants are freer to engage simply for reasons of enjoyment or preference.

As for the former concern, it initially seems plausible that the study and performance of music, art, and theater in an academic setting could exaggerate efficiency and other limiting techniques at the expense of creativity, though individual cases will vary widely. As a general rule, we might expect that introductory classes or lower-level performances will emphasize common techniques or motifs, with advanced work more likely to provide opportunities for experimentation. For example, a student of ceramics will likely study and apply well-known strategies in required coursework before creating her own style in a thesis or capstone project. Thus, efficiency in this context is used as a means of education, but students are expected to move beyond these methods once they are mastered. Accordingly, efficiency in the arts functions more often as a means to increased playfulness through creativity and freedom, rather than serving to alienate the activity from play as is commonly the case in sports.

It is noteworthy that the arts housed within the academic structure of the university retain a significant presence of play, especially as students reach more advanced levels, as noted above in the ceramics example. This suggests that play does not exist in opposition to academics. Rather, playfulness is routinely essential to meeting course objectives in the arts. While basic skills

and techniques must be imparted, the ability of students to create and perform works of art succeeds primarily when a professor is able to embrace the fundamental playfulness of the activity. Art made at the university is created in a playful process, even when done for academic requirements. Even though extracurricular artistic endeavors may offer paradigmatic instances of play, the playful creative process is not significantly diminished from music, art, and theater in an academic context.

In addition to the greater presence of play when compared to intercollegiate athletics, the arts embrace more fully the many forms of play as described in Section 1.b. I argued above that whatever play remains present in intercollegiate sport is defined narrowly, conceived of as physical competition to attain victory over an opponent. Music or art can admit of similar competitions, but like other games they can also be played without a significant physical component, or in a more relaxed or social atmosphere. Furthermore, forms of play like frolic and make-believe, which emphasize imagination and creativity, are far more evident in music, art, and theater performances. Playing, creating, or play-acting need not be defined by rules or formal structure, and are instead invented and remade as the participants aver. The movements and obstacles are created within the play-world; their significance depends on how they are approached, as when the artist chooses the medium or the musician chooses the style and piece to perform. Ultimately, music, art, and theater better capture the freedom of play and its intrinsic exploration of new perspectives.

The play present in the arts, when compared to intercollegiate athletics, is more obviously unproductive, voluntary, and done for its own sake. The arts also better capture the manner in which play remakes social relations. Sports and games may implement a new dynamic between individuals, but interactions between players are typically more rigid and rule-governed. Sports categorize those one encounters as either teammates or opponents, with either potentially becoming a personal antagonist. In contrast, music and theater offer an array of interactions, from scripted to fully improvisational. The arts also reflect solitary and social varieties of play, without the constraints of the team environment.

In the end, we find that play is significantly more present at the university in music, art, and theater than in intercollegiate athletics for two overarching reasons. First, the arts at the university, in both their academic and extracurricular forms, are more freely chosen and less constrained. Even when done for a specific assignment, the goal is the development of an individual perspective or approach to the pursuit. Second, these activities employ and promote a wider range of play forms, including both competitions and creative performances, highlighting freedom and creativity. Any values that emerge from play are more likely to be gained from the arts than intercollegiate athletics.

4. Rethinking Play and Sport at the University

In the modern university we find play in both the academic components of the university, such as music, art, and theater, and its extracurricular activities, including these same arts and athletics. However, I have argued that the arts include far more elements of play than do intercollegiate athletics, in which play is diminished in numerous ways. Moreover, most universities do a reasonable job of providing opportunities for students from all disciplines to engage in artistic endeavors, such as choirs, theater troupes, or artistic programs. Assuming that the activities of play have important value for participants, athletics face what Randolph Feezell characterizes as a problem of distributive justice. Large amounts of money are spent on a relatively small percentage of the student body (student-athletes), and sometimes this is even subsidized by student fees.¹⁹

While I have examined intercollegiate athletics, I have not discussed other aspects of sports at the university, including physical education, intramurals, and club sports. In particular, intramural and club sports serve to make athletics more available to the student body, but in doing so they also help to return play itself to sport. Intercollegiate athletics minimize their elements of play in favor of external goods, money, or the values of the “real world.” Intramural sports are played with relatively minimal external goods at stake. They are much more likely to be played voluntarily for their own sake. Additionally, intramural sports come in a variety of forms, including traditional sports like basketball, emerging sports like ultimate Frisbee, and non-traditional sports like Wiffle ball. The significance of these forms is twofold. First, they expand the notion of play in sport, moving from the narrow conception of overcoming an opponent through physical prowess to embracing the creativity and imagination found in other forms of play. Second, these varieties allow for more players with differential skill sets. Many universities further offer intramural divisions to allow students of all talent levels and experience to play against relative equals. These divisions promote activities with varying degrees of competition and play for a wide dissemination of their values.

At most universities, intramural and club sports receive minimal attention. They are commonly organized by university recreation departments or other housing offices, many of which have other stated goals beyond the promotion of athletic participation. Even at schools with significant intramural participation, the amount of money and resources provided is relatively paltry, especially when compared to the resources afforded to intercollegiate athletics. Based on my argument, I advocate the expansion of intramural and club sports not so much for the values of athletics, but for the values of play.²⁰

¹⁹ See Randolph Feezell, “Branding the Role and Value of Intercollegiate Athletics,” *Journal of the Philosophy of Sport* 42, no. 2 (2015), p. 194.

²⁰ Another way to increase the presence of play would be to eliminate athletic scholarships. I cannot explore the viability of this proposal here, and it is far beyond

I am not alone in this argument; other philosophers have argued that a real commitment to the values of physical skills through sport requires increased opportunities for the entire student body through physical education courses, intramurals, or club sports.²¹ Of course, I should note that the expansion of intramural athletic opportunities need not be done at the expense of intercollegiate athletics. However, with respect to increasing the presence of play, the impetus must be on athletics that are not of the overly competitive or scholarship variety.

The model of intramural and club sports might also be expanded to other forms of play. For instance, the arrangement of non-athletic play activities is often left to individual clubs. While student-run organizations may receive minimal funding from the university, they commonly lack the structure provided by campus recreation offices. By organizing and promoting an array of athletic and artistic organizations, the university can share the extracurricular values of play with a greater number of its students. For now, play remains in many forms throughout activities like music, art, and theater, while intercollegiate athletics, which are the primary form of athletics on campus, offer at best diminished experiences and thin forms of play.²²

the scope of this article. However, I am sympathetic to it. For two excellent discussions, see Gerdy, "Failed Experiment," and Simon, Torres, and Hager, *Fair Play*.

²¹ For example, see Feezell, "Intercollegiate Athletics," p. 194; French, *Ethics*, p. 3; and Leslie Francis, "Title IX: Equality for Women's Sports?" *Journal of the Philosophy of Sport* 20, no. 1 (1993), pp. 42-43.

²² I want to thank Eric Schaaf and Shawn Klein for their essential roles in helping me to think through and to develop the ideas discussed here, along with their insightful comments on earlier drafts of this article.

The Reconstructive and Normative Aspects of Bernard Suits's Utopia

Francisco Javier Lopez Frias
Pennsylvania State University

1. Is Suits's Work More than a Theory of Games?

Since its publication in 1978, Bernard Suits's *The Grasshopper* has become a classic in the philosophy of sport. In the book, Suits aims to provide a traditional definition of games to counter the anti-definitionalist position that Ludwig Wittgenstein proposes in his *Philosophical Investigations*.¹ Given the interest of sport philosophers and kinesiologists in the main features of games, a large debate quickly sprang from Suits's work and it became a seminal book in the discipline. His analysis of the so-called "tricky triad," which refers to the relationship between play, games, and sport, is foundational. The major role Suits's definition has played in the philosophy of sport has a downside.² Kinesiologists and sport philosophers have focused on concrete details of games, but neglected other philosophical aspects of Suits's work.

One such neglected aspect is what Doug McLaughlin calls "Suits's Utopian thesis." This thesis suggests that the life most worth living, the life in Utopia, consists in game-playing.³ On McLaughlin's interpretation of *The Grasshopper*, which remains controversial, the Utopian thesis is central and the definition of games is secondary, for the former serves the larger purpose of fully understanding the good life. If McLaughlin is right, then Suits's primary goal in his magisterial work goes far beyond providing a definition of games or game-playing. Rather, it is aimed at engaging one of the most frequently discussed philosophical topics, namely, the meaning of life.

By drawing on McLaughlin's thesis, I argue that Utopia plays a fundamental role in Suits's definition of games. However, I reject

¹ Ludwig Wittgenstein, *Philosophical Investigations*, trans. G. E. M. Anscombe (Oxford: Blackwell, 2001); see also Colin McGinn, *Truth by Analysis: Games, Names, and Philosophy* (New York: Oxford University Press, 2012), chap. 2.

² Douglas W. McLaughlin and R. Scott Kretchmar, "Reinventing the Wheel: On Games and the Good Life" (PhD diss., Pennsylvania State University, 2008), p. 11.

³ Bernard Suits, *The Grasshopper: Games, Life and Utopia* (Ontario: Broadview Press, 2005), pp. 1-2.

McLaughlin's claim that Utopia has to do with the best human life possible. Instead, I regard Utopia as a counterfactual regulative ideal, whose functions are: (a) to delineate the defining elements of game-playing, and (b) to provide a normative element by which to criticize instances of game-playing, such as those found in the sports context.

2. Suits's Utopia in the Grasshopper's Dream

One explanation for the neglect of the relevance of Suits's Utopia in his definition of games is the way Utopia is presented. Suits's utopian creation is presented as a riddle in a dream of Grasshopper.⁴ In the dream, while believing themselves to be going on with their ordinary affairs by engaging in serious and productive activities, everybody is involved in playing elaborate games. Discovering this has a "terrifying" consequence for people: annihilation. They cease to exist when they find themselves not engaged in serious activities, as they believed, but in playing games.⁵ After presenting the dream, the Grasshopper dies and leaves the reader with two of his disciples, Skepticus and Prudence, who try to make sense of the dream by reconstructing their conversations on games with the Grasshopper.

Once they reconstruct the Grasshopper's definition of games, as "the voluntary attempt to overcome unnecessary obstacles,"⁶ but fail to solve the riddle in the dream, the Grasshopper resurrects and formulates the fiction of Utopia to help them:

I would like to begin by representing the ideal of existence as though it were already instituted as a social reality. We will then be able to talk about a Utopia which embodies that ideal—that is, a state of affairs where people are engaged only in those activities which they value intrinsically. Let us imagine, then, that all of the instrumental activities of human beings have been eliminated. All of the things ordinarily called work are now done by wholly automated machines which are activated solely by mental telepathy, so that not even a minimum staff is necessary for the housekeeping chores of society.⁷

In Utopia, all social, economic, and political needs and desires are satisfied. Utopians have no vital problems with which to deal. Machines do all of their work. They are detached from the so-called "realm of necessity," for

⁴ Avery Kolers, "The Grasshopper's Error: Or, On How Life Is a Game," *Dialogue: Canadian Philosophical Review/Revue Canadienne de Philosophie* 54, no. 4 (December 2015), pp. 727-46.

⁵ Suits, *The Grasshopper*, pp. 11-12.

⁶ *Ibid.*, p. 43.

⁷ *Ibid.*, p. 182.

nothing needs to be done. Such a detachment frees people to spend their time on intrinsically valuable activities, chosen for their own sake, instead of for instrumental or prudential reasons. Utopian life is the one beyond prudential and instrumental thinking. Utopians “always do things because they want to, and never because they must.”⁸ What kind of activities does Suits include as intrinsically valuable activities? Why are Utopians’ lives restricted to such activities? More generally speaking, what role does Utopia play in a book aimed at providing a definition of game-playing?

3. A Reconstruction of the Defining Elements of Game-Playing

Since Thomas More coined the term “utopia,”⁹ the concept has had two main functions, which I call “transcendental reconstruction” and “normative evaluation.”¹⁰ The first one is where we examine phenomena of interest—say, morality, speech acts, or justice—and uncover what they are and what makes them possible. The second is where we imagine how the world could be so as to have a goal to strive for and by which we critically evaluate how the world is. Both functions are realized in the utopian creations of philosophers like Immanuel Kant, Jürgen Habermas, and John Rawls, among others.

In order to accomplish the first task of “utopian thinking,”¹¹ Suits builds Utopia around game-playing exclusively and reconstructs the defining elements or conditions of possibility of game-playing. He aims to bring forth what the defining elements of game-playing are “by representing the ideal of [game-playing] as though it were already instituted as a social reality.”¹² Suits eliminates from Utopia both extrinsically motivated activities like work and intrinsically valuable activities that are not instances of game-playing:

[T]here does not appear to be anything to do in Utopia, precisely because all instrumental activities have been eliminated. There is nothing to strive for precisely because everything has already been achieved. What we need, therefore, is some activity in which what is instrumental is inseparably combined with what is intrinsically

⁸ Ibid., p. 191.

⁹ Thomas More, *Utopia*, ed. and trans. David Wootton (Indianapolis, IN: Hackett, 1999).

¹⁰ Michael K. Power, “Habermas and the Counterfactual Imagination,” *Cardozo Law Review* 17 (1996), p. 1005; Pauline Johnson, “Habermas: A Reasonable Utopian?” *Critical Horizons* 6, no. 1 (February 21, 2005), pp. 101-18.

¹¹ John Friedmann, “The Good City: In Defense of Utopian Thinking,” *International Journal of Urban and Regional Research* 24, no. 2 (June 1, 2000), pp. 460-72.

¹² Suits, *The Grasshopper*, p. 182.

valuable, and where the activity is not itself an instrument for some further end. Games meet this requirement perfectly. For in games we must have obstacles which we can strive to overcome just so that we can possess the activity as a whole, namely, playing the game. Game playing makes it possible to retain enough effort in Utopia to make life worth living.¹³

One might ask, “Why must a life freed from the necessity to work be identical with a life dedicated to games?”¹⁴ For Suits, to work is to do things necessary for survival or the sake of something else. Work has an instrumental character and is human beings’ main activity as members of the realm of necessity. They must satisfy their basic needs and desires in order to survive. In contrast to this, playing involves doing things for their own sake, just for the fun of doing them. Activities of this type are referred to as belonging to the realm of voluntary choice or leisure. In Utopia, people are freed from the obligations imposed by the realm of necessity; they are constantly involved in intrinsically valuable leisure activities. However, it is worth remembering that *The Grasshopper* is an essay on game-playing, not on play. If, according to my interpretation, Utopia is aimed at providing a transcendental reconstruction of game-playing, then Suits’s perfect world must be exclusively based on game-playing. What makes game-playing so different from other intrinsically valuable practices, especially from those included within the broader category of play?

“Autotelicity” (that is, carrying the purpose within itself) is the first necessary condition for play but not a sufficient one.¹⁵ For Suits, activities like Aristotle’s contemplating the essence of justice and a cat chasing its tail are autotelic activities but not instances of play. On Suits’s account of play, what differentiates playing and game-playing from other autotelic activities is the “temporary relocation to autotelic activities of resources primarily committed to instrumental purposes.”¹⁶ Playing and game-playing share the relocation of resources in common. Both are experienced as a voluntarily chosen unnecessary activity.¹⁷ Despite the commonalities between “playing” and “game-playing,” Suits distinguishes them sharply:

¹³ Ibid., pp. 188-89.

¹⁴ Ibid., p. 170.

¹⁵ Emily Ryall, “Playing with Words: Further Comment on Suits’ Definition,” in *The Philosophy of Play*, ed. Emily Ryall, W. Russell, and M. MacLean (London: Routledge, 2013), pp. 44-53.

¹⁶ Bernard Suits, “Words on Play,” *Journal of the Philosophy of Sport* 4, no. 1 (January 1, 1977), p. 124.

¹⁷ Chad Carlson, “The ‘Playing’ Field: Attitudes, Activities, and the Conflation of Play and Games,” *Journal of the Philosophy of Sport* 38, no. 1 (May 1, 2011), pp. 74-87.

In contending that playing and playing games are logically independent, I mean that, even though game-playing very often is playing, one cannot conclude that because x is an instance of playing that x is therefore an instance of game playing, and also that one cannot conclude that because y is an instance of game playing that it is therefore an instance of playing.¹⁸

Play is a broad concept that includes activities like vacationing, reading a novel, playing chess, or playing the trombone.¹⁹ Game-playing is a sub-class of play activity that is defined as:

[the] attempt to achieve a specific state of affairs [prelusory goal], using only means permitted by rules [lusory means], where the rules prohibit use of more efficient in favour of less efficient means [constitutive rules], and where the rules are accepted just because they make possible such activity [lusory attitude].²⁰

The defining element of game-playing, in contrast to other types of playing and, especially, to work, is that players voluntarily choose to overcome unnecessary obstacles to achieve a goal. This turns inefficiency and problem solving into the defining elements of game-playing. Games occur within an artificial world where inefficiency creates a set of challenges for the players to overcome.

As opposed to the instrumental and calculative logic that dominates our society, games are created by voluntarily choosing to use less efficient means over the most efficient ones. While obstacles are natural in everyday life, they are artificial in games. For this reason, the ends in instrumentally valued activities are independent of the means. In games, means and ends are logically connected, so the way to achieve the goal matters more than the goal itself. For example, the main goal of soccer is to get the ball to pass the score-line using any part of the body other than the arms. Participants can employ instrumental reason to plan plays, defend their score-line, improve their training methods and equipment, and so on. This would increase their chances to win by finding the most efficient means allowed by the rules. However, they cannot adopt the tactics of carrying the ball with their hands or of slaughtering any opposing teams that appear on the field.²¹ In these two last

¹⁸ Suits, "Words on Play," p. 120.

¹⁹ Suits, *The Grasshopper*, p. 18.

²⁰ *Ibid.*, p. 43.

²¹ *Ibid.*, p. 22.

cases, by not using the right means, the soccer “players” would not be playing the game of soccer, but doing something else, namely, rugby or murder. Game-players embrace the obstacles posed by the game because overcoming them is what makes the activity intrinsically valuable. Erasing or avoiding the obstacles created by the rules goes against the logic of games. The pivotal roles of obstacles and inefficiency are key differences between game-playing and playing.²²

Play activities like playing the trombone or vacationing are not based on the inefficient overcoming of obstacles, but on achieving a certain goal, such as mastering the instrument or visiting places. Play activities are not fully engaged in for their own sake, but also for a purpose different from the activity itself. This is not the case of intrinsically motivated game-playing. Only game-playing is the perfect instantiation of autotelic motivation. However, this does not mean that game-playing cannot be beneficial or productive. In fact, in Suits’s theory of games, “productivity”²³ seems to be another key difference between playing and game-playing. The different relation they have with instrumentality is clearly illustrated by the fact that play activities that are not games are eliminated from Utopia.

According to Suits, a life of continuous play would lead to “boredom,” which would kill Utopia. If Utopians spent their lives on any type of leisure activities, they might soon end up “having nothing to do” or having “nothing to strive for.” Everything would eventually be achieved,²⁴ which would lead to a dystopian life, not a utopian one.²⁵ In a world where everything can be accomplished easily, activities like reading, vacationing, or playing the trombone become meaningless. The pleasure of traveling around the world wears off as soon as one has visited every place in the world. Likewise, there is no joy in reading books, if one has read them all and knows everything about them. As Scott Kretchmar argues, play activities might be engaging for a while, but they lack the capacity to become meaningful for a long time. Fun wears off easily in play activities.²⁶ For Suits, the reason for

²² Suits distinguishes between primitive play and sophisticated play to refer to play and games, respectively. “Primitive play” is an activity which is “not engaged in any instrumental enterprise,” whereas “sophisticated play” is primitive play with the addition of the skill required to overcome the obstacles posed by the constitutive rules.

²³ Deborah P. Vossen, “Utopia Is Intelligible and Game-Playing Is What Makes Utopia Intelligible,” *Journal of the Philosophy of Sport* 43, no. 2 (2016), pp. 251-65.

²⁴ Suits, *The Grasshopper*, p. 188.

²⁵ McLaughlin and Kretchmar, “Reinventing the Wheel,” p. 47.

²⁶ R. Scott Kretchmar, *Practical Philosophy of Sport* (Champaign, IL: Human Kinetics, 1994); R. Scott Kretchmar, “Gaming Up Life: Considerations for Game Expansions,” *Journal of the Philosophy of Sport* 35, no. 2 (October 1, 2008), pp. 142-55.

this is that play activities still have an instrumental character, that is to say, they are aimed at achieving a goal. When such a goal is achieved, the activity is not so engaging anymore. A life exclusively dedicated to play would, at the end of the day, lead to boredom.

The only way to overcome boredom in Utopia is to find an intrinsically valuable activity, where people strive endlessly. For Suits, such activity is game-playing. Not only are games more durable and engaging than mere play activities,²⁷ they are essentially related to overcoming challenges created by limiting the use of efficient means. Play activities are only incidentally related to problem solving and inefficiency. There are moral or prudential reasons for using less efficient means to achieve a goal. However, only in games is the acceptance of limitation for the sake of the activity itself.²⁸ Inefficiency makes the experience of overcoming artificial challenges possible. The acceptance of a set of (constitutive) rules is what creates artificial challenges by restricting the use of the most efficient means.

Game-playing is the result of “the acceptance of constitutive rules just so the activity made possible by such acceptance can occur.”²⁹ This is to say, game-playing is impossible without what Suits calls “lusory attitude,” which is the “without which not of”³⁰ game-playing.³¹ The lusory attitude is what makes participants forgo efficiency through the creation and acceptance of rules that set artificial obstacles, compelling game players to seek challenges or artificial problems just for the sake of overcoming them, just because the activity as such is meaningful to them. One cannot be playing a game without adopting the lusory attitude.

Games and lusory attitude are logically connected ideally but not *de facto*. Sometimes, people engage in games for extrinsic reasons, just because the game allows them to achieve something else, not autotelically from intrinsic reasons. Playing does not follow from being engaged in games. For instance, the prevalent fitness ideology focuses on the mental and health benefits of engaging in sports, overlooking their intrinsic value. Game-playing, in the case of sports practitioners who seek health benefits, is just a mere means to an extrinsic end.³²

²⁷ Carlson, “The ‘Playing’ Field,” pp. 83-84.

²⁸ McLaughlin and Kretchmar, “Reinventing the Wheel,” p. 106.

²⁹ *Ibid.*, p. 43.

³⁰ *Ibid.*, p. 194.

³¹ McLaughlin and Kretchmar, “Reinventing the Wheel,” p. 35.

³² Moira Howes, “Challenging Fitness Ideology: Why an Adventurous Approach to Physical Activity Is Better for Well-Being,” *Sport, Ethics, and Philosophy* 10, no. 2 (April 2, 2016), pp. 132-47; Brian Pronger, *Body Fascism: Salvation in the Technology*

Sport philosophers refer to Suits as a formalist philosopher because his notion of games is essentially grounded in rules and rule-following.³³ My interpretation of Suits's notion of games presented here—in alignment with that of William Morgan,³⁴ McLaughlin, and Kretchmar—places less emphasis on the role played by rules and more on the participants' attitude. This takes Suits's notion beyond formalism and shows that identifying Suits as the main proponent of formalism is misguided.³⁵ It might well be true that the creation of obstacles through rules that prohibit the use of the most efficient means is essential to games, for there would be no obstacle to overcome without such rules. However, the creation of obstacles is the result of an ulterior element: the lusory attitude. Rules are the result of the participants' will to solve problems just for the fun of doing so. The lusory attitude is what defines games:

One's attitudes might influence one's distaste or enjoyment of solving mathematical problems, but is irrelevant to the fact that it is a math problem. One's attitude might influence how well or how poorly one plays the cello, but does not dictate what it means to play the cello. But in games, the lusory attitude not only makes the activity intelligible, it makes the activity.³⁶

4. Utopia: A Counterfactual Assumption

The second function of utopian thinking is normative. From this standpoint, Utopia is, in Kant's terms, a counterfactually³⁷ grounded *regulative ideal*. To explain what regulative ideals are, Kant opposes them to

of *Physical Fitness* (Ontario: University of Toronto Press, 2002).

³³ William J. Morgan, "The Logical Incompatibility Thesis and Rules: A Reconsideration of Formalism as an Account of Games," *Journal of the Philosophy of Sport* 14, no. 1 (May 1, 1987), pp. 1-20; Robert L. Simon, "Internalism and Internal Values in Sport," *Journal of the Philosophy of Sport* 27, no. 1 (May 1, 2000), pp. 1-16; Francisco Javier Lopez Frias, *La Filosofía Del Deporte Actual. Paradigmas Y Corrientes Principales* (Rome: Quapeg, 2014).

³⁴ William J. Morgan, "On Suits on the Moral Normativity of Games" (unpublished manuscript), accessed online at: https://www.humanities.utoronto.ca/uploaded_files/content/1630/file/Morgan_On_Suits_on_Normativity_of_Games.pdf.

³⁵ *Ibid.*; Lopez Frias, *La Filosofía Del Deporte Actual*.

³⁶ Suits, *The Grasshopper*, p. 32.

³⁷ M. Andrew Holowchak, "Games as Pastimes in Suits's Utopia: Meaningful Living and the 'Metaphysics of Leisure,'" *Journal of the Philosophy of Sport* 34, no. 1 (May 1, 2007), pp. 88-96.

constitutive categories.³⁸ Constitutive categories, such as mathematical and geometrical concepts, are in relation to an object in the world.³⁹ In contrast, regulative ideals are beyond the possibility of experience.⁴⁰ This does not mean that they are useless or mere fantasies. Rather, they are humanly necessary assumptions, whose function is to make comprehensible *actual* notions or practices like motion, human species, scientific knowledge, and morality. The idea of an ordered cosmos, for instance, is a regulative ideal for Kant. For knowledge to be possible, it is necessary to presuppose that natural laws result from an ordered, broader cosmos. However, experiencing the ordered cosmos is impossible for the cosmos is not, argues Kant, an objective reality.

Kant's best known regulative ideal is found in his ethics: the "kingdom of ends." The "kingdom of ends" provides a social realization of his "categorical imperative"⁴¹ that commands us to "act in such a manner as to treat humanity . . . in every case and at all times as an end as well, never as a means only."⁴² In the "kingdom of ends," the categorical imperative becomes a social reality. Individuals have created a systematic union by abstracting from the content of private ends and treating themselves as ends, instead of as means to further ends. In this way, people live in harmony, allowed to pursue their life plans with nobody interfering with them. This fiction provides an ideal view of morality that we must strive to approach.

As with any Kantian regulative ideal, the "kingdom of ends" has a dual role. It is used to guide critique by highlighting the possibility conditions of morality and provides a "fertile *ground of transcendental illusion*."⁴³ On the one hand, in the "kingdom of ends" individuals are fully autonomous. Not only is the capability to make autonomous choices a possibility condition of morality, but autonomy is the source of morality because autonomous beings are valuable in themselves; they have dignity and cannot be valued as means

³⁸ Immanuel Kant, *Critique of Pure Reason* (New York: Penguin, 2007), secs. A643/B671; Jürgen Habermas, *Between Naturalism and Religion: Philosophical Essays* (Malden, MA: Polity Press, 2008), p. 30.

³⁹ Michael Friedman, "Regulative and Constitutive," *The Southern Journal of Philosophy* 30, no. S1 (March 1, 1992), pp. 73-102.

⁴⁰ Michael Bennett McNulty, "Rehabilitating the Regulative Use of Reason: Kant on Empirical and Chemical Laws," *Studies in History and Philosophy of Science Part A* 54 (December 2015), p. 4.

⁴¹ Anton-Hermann Chroust, "About a Fourth Formula of the Categorical Imperative in Kant," *The Philosophical Review* 51, no. 6 (1942), pp. 600-605.

⁴² Immanuel Kant, *Groundwork for the Metaphysics of Morals*, ed. and trans. Allen Wood (New Haven, CT: Yale University Press, 2002), p. 4, sec. 429.

⁴³ Habermas, *Between Naturalism and Religion*, p. 24.

to other ends. This eliminates instrumental relationships from “the kingdom of ends.” There, everybody is treated as an end, showing that autonomy and dignity are conditions of possibility of morality that must be accepted. On the other hand, Kant’s “kingdom of ends” sets an ideal world that human beings can approach. In cases where cooperation is flawed, the fiction of the “kingdom of ends” raises hope and expectations of future coordination with others. The hope that things can always improve is made possible by envisioning a world where human beings are treated as ends in themselves. The kingdom of ends will never be realized fully. However, it is always being realized to some extent and with some intensity.⁴⁴

My contention is that Suits gives Utopia the same dual nature as Kantian regulative ideals. Suits’s Utopia, understood as a counterfactual presupposition, is an “imaginable future toward which humans, through technological advances, are actually converging [and] from which we can learn something about ourselves today.”⁴⁵ Aligned with Kant’s elimination of instrumental relationships from the “kingdom of ends,” Suits, through counterfactual imagination, creates a fictional world in which game-playing is pivotal and instrumental actions are eliminated. In Utopia, as Suits argues, “there is no need for . . . instrumental actions—that is, actions whose value lies not in themselves but solely in their further purposes.”⁴⁶ Everybody is engaged in game-playing. The ideal type of life that Suits portrays in *The Grasshopper* is neither a life devoted to playing nor one dedicated to engaging in what we call games. A Utopian existence is “not a life of frolic, leisure, and sensuousness.”⁴⁷ Utopia is a place where human beings face freely chosen problems:

All kinds of activities . . . can be valued for themselves, even those normally *regarded* as instrumental. . . . Does this destroy the Grasshopper’s game-playing Utopia? Not at all . . . for all such activities, if they were to exist in Utopia, would be games . . . [A]ny effort a Utopian put into the production of those commodities would be unnecessary. And so Utopians who *worked* at producing such things would be engaged in the voluntary attempt to overcome unnecessary obstacles; that is, they would be playing games.⁴⁸

⁴⁴ Julio De Zan, “La Utopía Kantiana de la Comunidad Ética,” *Isegoria* 33 (2005), p. 157.

⁴⁵ Holowchak, “Games as Pastimes in Suits’s Utopia,” p. 93.

⁴⁶ Bernard Suits, “Games and Utopia Posthumous Reflections,” *Simulation & Gaming* 15, no. 1 (March 1, 1984), p. 8.

⁴⁷ McLaughlin and Kretchmar, “Reinventing the Wheel,” p. 85.

⁴⁸ Suits, “Games and Utopia Posthumous Reflections,” p. 11.

Utopians are constantly involved in the voluntary attempt to overcome (natural or artificial) obstacles, that is to say, playing games. In Utopia, where all basic human needs are already satisfied, every problem is freely chosen. Autotelic activities are intrinsically valuable; they cannot be produced, just experienced. This is one of the main lessons of Suits's Utopia. A carpenter, like John Striver, who chooses to build a house, would be playing a game. As there is no need for houses in Utopia, Striver's decision voluntarily to attempt overcoming the *unnecessary* challenge of building a house should be regarded as a game.⁴⁹ Likewise, a Utopian, like William Seeker, who wants to know the explanation of planetary motion only needs to ask for the truth, and computers would reveal it to him.⁵⁰ If he *unnecessarily* were to attempt to arrive at an explanation of planetary motion, then he would be playing a game.

The lusory attitude is key, here. It predisposes players to find challenging situations.⁵¹ Any activity can be turned into a game by adopting a lusory attitude toward it. The lusory attitude makes game-players focus less on the result of their activity and more on the activity itself. A game-player would not reduce the experience of enjoying carpentry to the ends produced. The lusory attitude points to something that cannot be reduced to utility, just as Kant's "kingdom of ends" is grounded in human beings' dignity—both are intrinsically valuable. Game-players truly play when they play for the sake of doing it, just for the unique experience resulting from it.

This aspect of Utopia is not merely descriptive, but normative—or "stipulative," in Suits's terms. It tells us the right way to engage in games: by adopting the lusory attitude. Leaving room open to game-playing motivated for extrinsic reasons destroys the essential experience and function of the activity: experiencing the attempt to overcome an obstacle. Engaging in games with a utilitarian attitude is a performative contradiction, for trying to do so implies the *elimination* of obstacles to achieve the lusory goal. However, instrumental motivation and lusory attitude are *logically incompatible*.⁵² Based on this point, and drawing on the second formulation of Kant's Categorical Imperative, we could formulate a "Suitsian" categorical imperative of game-playing: "Engage in the game in such a way that you treat the game never merely as a means to an end, but always at the same time as an end in itself." As with the Kantian "kingdom of ends," Suits's utopian creation serves to project an ideal situation where all players engage in games

⁴⁹ Suits, *The Grasshopper*, pp. 191-92.

⁵⁰ *Ibid.*, p. 193.

⁵¹ McLaughlin and Kretchmar, "Reinventing the Wheel," p. 45.

⁵² Morgan, "The Logical Incompatibility Thesis and Rules."

essentially for intrinsic reasons. This ideal world will never be possible, but it can be approached.

5. The Anthropological Assumption Underlying Utopia

The affirmation that the life most worth living consists in game-playing assumes that game-playing is the main and most essential dimension of human nature. This negates the principles upon which modernity is built. In modern societies, as analyzed by thinkers of the Frankfurt School of Social Thought, human beings are viewed as rational, utility-maximizing animals. As such, humans use instrumental reason, based on scientific knowledge and technical progress, to master and bend nature so as to satisfy all human needs. This is precisely what has been achieved in Suits's Utopia. Human beings need only to think about something to have it, since computers provide them with all they need and want.

In this sense, it could be argued that, in claiming that the life most worth living consists in game-playing, Suits is making a postmodern claim.⁵³ Perhaps the prevalence of instrumental reason in modern society must be criticized and rejected in order to search for a more free and ludic world, where human beings get to realize their inner lusory attitude toward life. Suits might thus be regarded as a social theorist, but my contention is that he is not. Suits is essentially a theorist of games, and *The Grasshopper* is essentially a book on game-playing. The normative ideal situation that Utopia proposes has to do with *the way* participants engage in games. Game players *must* engage in games *because* they want to overcome artificial problems, that is to say, by adopting the lusory attitude. The lusory attitude is more than a descriptive element of game-playing. It is a normative component. Adopting it "is not a choice, but a *must*."⁵⁴ In order to further this idea, Suits explains:

A game Utopia is a logical inevitability. [The] argument that it might be better for us to accept a non-Utopian over a Utopian existence rests upon a false premise, namely, that we have a choice in the matter. The Utopia I envisage is not a state of affairs that is *ideally desirable*; it is simply a state of affairs that is *logically inevitable*.⁵⁵

Utopia is a "logical inevitability" in two senses. First, game players must presuppose Utopia for their game-playing to be possible and make sense. When they engage in a game, they must respect the "integrity of the game"⁵⁶

⁵³ Allan Bäck, "The Paper World of Bernard Suits," *Journal of the Philosophy of Sport* 35, no. 2 (October 1, 2008), pp. 156-74.

⁵⁴ Suits, *The Grasshopper*, p. 11.

⁵⁵ Suits, "Games and Utopia Posthumous Reflections," pp. 19 and 15.

⁵⁶ John Gleaves, "Exploring New Avenues to the Doping Debate in Sports: A Test-Relevant Approach," *FairPlay, Revista de Filosofía, Ética y Derecho del Deporte* 1,

by accepting the obstacles and challenges and trying to overcome rather than eliminate them. Without this expectation, the game would be either very fragile or untenable since participants would constantly need to pay attention to whether the other participants are trying to face the same obstacle or just want to eliminate them through the use of more efficient means. A necessary assumption for the game to be possible is that participants will cooperate instead of defect by cheating.

In a second sense, the logical inevitability of Suits's Utopia relates to a sociological and anthropological assumption, namely, that modern human beings' nature is based on maximizing efficiency. Utopia is the realization of the dreams and potentials of modern human beings' calculative, instrumental reason. However, for *modern* game players, autotelic reasons might not be the only reason they have. Such motives are necessary to engage in a game, but they do not exhaust the array of reasons that might motivate game players. The lusory attitude is not contradictory with a productive attitude,⁵⁷ but with exclusively instrumental attitudes: to say that "Utopians only do those things which they value intrinsically is to say that they always do things because they want to, and never because they must."⁵⁸

Utopian or ideal game players must engage in activities for intrinsic reasons mainly because they want those activities to occur. They are trying to approach an ideal game situation where nobody is engaged in the game just for extrinsic reasons.⁵⁹ This is the normative component of *The Grasshopper* and what Utopia realizes fully as a social reality. Although Utopia will never be achieved, it provides guidance (and hope) to approach Suits's ideal world, where perfect cooperation among game players is a reality. In Utopia, Suits portrays an alternate reality, where the lusory attitude has already been instituted as a social reality. Utopians engage only in activities which they value intrinsically, thus eliminating instrumental motives. Utopia is, paraphrasing Kant, a "kingdom of game-players with a lusory attitude." My interpretation of Utopia does not exclude the possibility of using Suits's ideas to provide a "ludic" interpretation of human nature and the life most worth living. However, it focuses on Utopia as a fictional creation that (a) reconstructs the possibility conditions of game-playing to demarcate it from other autotelic activities, and (b) provides a normative criterion by which critically to evaluate instances of game-playing. Such a critical criterion

no. 2 (2013), pp. 39-63; Robert Butcher and Angela Schneider, "Fair Play as Respect for the Game," *Journal of the Philosophy of Sport* 25, no. 1 (May 1, 1998), pp. 1-22.

⁵⁷ Suits, *The Grasshopper*, p. 190.

⁵⁸ *Ibid.*, p. 191.

⁵⁹ McLaughlin and Kretchmar, "Reinventing the Wheel," p. 45.

depends on whether the participants embody the lusory attitude that motivates them to create unnecessary, artificial obstacles to overcome.⁶⁰

⁶⁰ I would like to thank Shawn Klein and Carrie-Ann Biondi for their valuable comments and suggestions on earlier versions of this article.

Articles

Minimal State Taoism

William Irwin
King's College, Wilkes-Barre, PA

1. Introduction

It is understandable why the dominant political interpretation of Taoism has been anarchistic.¹ After all, Taoism eschews authority and coercion in the interest of a harmonious society. But, as Frederic L. Bender argues, “While Taoism has the conception of an ideal, naturally harmonious society, its acceptance of the continued existence of a ruler as the locus of political change is hardly anarchistic in the Western sense, since it retains, albeit in improved form, ruler, rule, and the means of rule; the state.”² If Taoist political philosophy is not strictly anarchistic, what then is it? After arguing that the main text of Taoism, the *Tao Te Ching*, is not anarchistic, Alex Feldt concludes that “the best way to understand Daoist political thought is to see it as an early Chinese anticipation of the minimal, ‘nightwatchman’ state of Nozickean libertarianism.”³ Feldt does not, however, develop this interpretation in detail, concluding that “there is ample room for continued expansion.”⁴

In fact, Feldt is not the first to note this connection. Earlier, Austrian economist Murray N. Rothbard declared that “[t]he first libertarian intellectual was Lao-tzu, the founder of Taoism.”⁵ Rothbard’s remark was made in

¹ Representative advocates of this interpretation include Roger T. Ames, “Is Political Taoism Anarchism?” *Journal of Chinese Philosophy* 10 (1983), pp. 27-47; John P. Clark, “On Taoism and Politics,” *Journal of Chinese Philosophy* 10 (1983), pp. 65-88; and John A. Rapp, *Daoism and Anarchism: Critiques of State Autonomy in Ancient and Modern China* (London: Continuum, 2012).

² Frederic L. Bender, “Taoism and Western Anarchism,” *Journal of Chinese Philosophy* 10 (1983), p. 12.

³ Alex Feldt, “Governing Through the Dao: A Non-Anarchistic Interpretation of the *Laozi*,” *Dao* 9 (2010), p. 336.

⁴ *Ibid.*

⁵ Murray N. Rothbard, “Concepts of the Role of Intellectuals in Social Change Toward Laissez Faire,” *Journal of Libertarian Studies* 9 (1990), p. 44.

passing, though, and was discussed only very briefly.⁶ It is the purpose of this article, then, to develop an interpretation of Taoism in terms of the minimal state of libertarian political philosophy and Austrian economics.⁷ The parallels are striking, most notably the parallel between the Taoist concept of wu-wei and the Austrian concept of spontaneous order. Beyond the comparison, though, is the unique synthesis that can emerge: capitalism without consumerism, the free markets of the Western entrepreneur tempered by the voluntary simplicity of the Eastern sage. To be clear, my thesis is not that the Taoist philosophers Lao-tzu and Chuang-tzu were full-fledged libertarians or only libertarians, nor is it that all libertarians should become Taoists. Rather, my thesis is that Taoism can be interpreted in accord with libertarianism in a way that sheds light on both and that results in a novel view. Taking examples from libertarian philosophy and contemporary American society, we can apply and understand Taoist wisdom.

2. Governing Lightly with Te

“Government is best which governs least,” according to Henry David Thoreau.⁸ In the spirit of Thoreau’s statement, Lao-tzu warns us about the problems that result from too much government: “The more elaborate the laws, / The more they commit crimes” (sec. 57).⁹ Some laws advertize forbidden activities and perversely make them appear desirable. Presumably, these laws are made to protect people, but paradoxically some laws harm people by turning them into criminals. The over-legislation and regulation of society means that we all break the law intentionally or unintentionally on a regular basis. In contemporary America, for example, the war on drugs turns pot smokers into criminals and drives what should arguably be legitimate commerce underground and into the black market with all of its attendant danger and criminality.

⁶ Ibid., pp. 44-46. A passing reference is also made by David Boaz in his *The Libertarian Mind: A Manifesto for Freedom* (New York: Simon & Schuster, 2015), pp. 39-40.

⁷ On the libertarian parallels with Confucianism, see Roderick T. Long, *Rituals of Freedom: Libertarian Themes in Early Confucianism* (Auburn, AL: The Molinari Institute, 2016).

⁸ Henry David Thoreau endorses this as a motto in his “Civil Disobedience,” accessed online at: <http://thoreau.eserver.org/civill.html>.

⁹ Lao-tzu, *Tao Te Ching*, trans. Stephen Addiss and Stanley Lombardo (Indianapolis, IN: Hackett, 1993). The numbers given for citations refer to section numbers rather than page numbers, and shall be cited parenthetically in the text. The section numbers are the same in nearly all translations of the text. For the sake of uniformity, all quotations (unless otherwise noted) are from Addis and Lombardo’s translation.

Lao-tzu quips, “Trying to control the world? / I see you won’t succeed” (sec. 29). The key to ruling successfully is to leave people alone. As he says, “When people are not in awe of power, / Power becomes great. / Do not intrude into their homes. / Do not make their lives weary. / If you do not weary them, / They will not become weary of you” (sec. 72). The point is that people can govern and regulate themselves. When the hand of government is heavy, people become resentful and become less likely to respect political authority.

Still, we might think that people like government doing things for them. Perhaps they do like the idea of it, at least at first, but ultimately they prefer to do things for themselves. Taoist philosopher Chuang-tzu tells us, “The swamp pheasant has to walk ten paces for one peck and a hundred paces for one drink, but it doesn’t want to be kept in a cage. Though you treat it like a king, its spirit won’t be content.”¹⁰ People want to be free to succeed on their own; they do not want to be caged and cared for. Chuang-tzu gives us the following exchange:

“What was Chung Shih telling you the other day?”

Chien Wu said, “He told me that the ruler of men should devise his own principles, standards, ceremonies, and regulations, and then there will be no one who will fail to obey him and be transformed by them.”

The madman Chieh Yu said, “This is bogus virtue! To try to govern the world like this is like trying to walk the ocean, to drill through a river, or to make a mosquito shoulder a mountain! When the sage governs, does he govern what is on the *outside*? He makes sure of himself first, and then he acts. He makes absolutely certain that things can do what they are supposed to do, that is all. The bird flies high in the sky where it can escape the danger of stringed arrows. The field mouse burrows deep down under the sacred hill where it won’t have to worry about men digging and smoking it out. Have you got less sense than these two little creatures?”¹¹

The Sage thus leads by example, modeling what is best, governing through his charismatic moral integrity, his *Te*, such that he appears hardly to act at all.¹² The Sage does not rule by trying to change people, but rather by

¹⁰ Chuang-tzu, *Chuang Tzu: Basic Writings*, trans. Burton Watson (New York: Columbia University Press, 1996), p. 48.

¹¹ *Ibid.*, p. 90.

¹² *Te* is a notoriously difficult term to translate and has different meanings in different contexts. Like the term *Tao*, *Te* is often left untranslated. Possible translations include integrity and personality. In the context of political leadership, I interpret *Te* as involving charisma stemming from moral authority. For discussion of this issue, see Victor H. Mair’s translation and commentary, *Tao Te Ching* (New York: Bantam

seeing what is best in people.¹³ Lao-tzu says, “Taoist rulers of old / Did not enlighten people / But left them dull. / People are difficult to govern / Because they are clever. / Therefore, / Ruling through cleverness leads to rebellion. / Not ruling through cleverness. / Brings good fortune” (sec. 65).¹⁴ I take this to mean that trying to change people is cynical and produces cleverness in the form of scheming and cynicism. Ironically, people who are made clever in this way turn on those who made them that way. By contrast, leaving people in their natural state, “dull” like an unpolished gem or uncarved block, leaves them happier, less clever, and thus easier to govern.

Lao-tzu says, “A great nation desires nothing more / Than to unite and protect people. / A small nation desires nothing more / Than to enter the service of people. / When both get what they wish / The great one should be low” (sec. 61). Uniting, protecting, and serving do not require the proliferation of laws and regulations. Quite the opposite. To be effective in uniting, protecting, and serving, a government must be “low” as Lao-tzu says, must be minimal, must be nearly invisible. Such a government is unlike a hovering nanny. As Chuang-tzu says, “The government of the enlightened king? His achievements blanket the world but appear not to be his own doing. His transforming influence touches the ten thousand things but the people do not depend on him.”¹⁵

Taoism calls for governing seemingly without governing: “If kings and lords could possess it [Tao], / All beings would become their guests. / Heaven and earth together / Would drip sweet dew / Equally on all people / Without regulation” (sec. 32). Possessing Tao, being a ruler with Te, means not interfering, or steering without touching the wheel: “Therefore the Sage / Squares without cutting, / Corners without dividing, / Straightens without extending, / Shines without dazzling” (sec. 58). Lao-tzu says, “The most effective leader takes the lowest place” (sec. 68). This is leading without leading, or leading from behind. Rather than seizing control, the Sage humbles himself and the people look to him in his humility: “Give birth and cultivate. /

Books, 1990), pp. 133-35. Mair prefers to translate Te as “integrity,” but he includes “charisma” among the possible translations.

¹³ The Sage need not be perfect and need not be a philosopher-king, but the Sage should live in accord with the Tao. Lao-tzu idealizes the “rulers of old” as having been Sages in this way.

¹⁴ Some interpreters, such as Ch’eng I, accuse Lao-tzu of advocating tricks, tactics, and deceit in keeping the people ignorant. As Wing-tsit Chan argues, however, this is an uncharitable interpretation of *Tao Te Ching*, sec. 65. In context it is clear that this passage rejects deceit and manipulation. See Wing-tsit Chan, “Chu Hsi’s Appraisal of Lao Tzu,” *Philosophy East and West* 25 (1975), p. 135.

¹⁵ Chuang-tzu, *Chuang Tzu: Basic Writings*, pp. 91-92.

Give birth and do not possess. / Act without dependence. / Excel but do not rule. / This is called dark Te” (sec. 10).

Lao-tzu’s most overtly libertarian and quintessentially Taoist statement is: “When rulers tax grain / People are hungry. . . . When rulers are meddling / People are rebellious” (sec. 75).¹⁶ Actively imposing one’s will, paradoxically has the opposite of the intended effect. Thus, actively imposing taxes does not lead to prosperity but to hunger. Lao-tzu adds elsewhere that “[t]he more prohibitions and rules, the poorer people become” (sec. 57). The Tao of ruling is not to rule actively, but simply to model Te. Active ruling does not subdue the people but riles them up, makes them rebellious. The Tao of economic policy is not to have or impose an economic policy, but simply to let economic activity occur.

3. Wu-wei and Spontaneous Order

The spontaneous order and laissez-faire of Austrian economics share a kinship with Taoist wu-wei, or non-action. Lao-tzu is not calling for anarchy (that is, the complete absence of government), but rather for the unobtrusive government of a Sage. When the Sage models Te and things are allowed to happen naturally, we see spontaneous order emerge. As Lao-tzu says, “With Tao under heaven / Stray horses fertilize the fields” (sec. 46). We still need rule of law and protection of property rights. Consider this in contemporary terms. In many places in the world property rights are not well-defined, making it inadvisable for someone to make the investments of time and capital necessary to innovate or start a business. When governments are corrupt or unstable, rule of law cannot be counted on, again making it inadvisable for someone to make the investments of time and capital necessary to innovate or start a business. Lao-tzu may not have had the Western concepts of rule of law and property rights, but he would have appreciated their necessary simplicity.

Lao-tzu says, “The more prohibitions and rules, the poorer people become” (sec. 57). Though people need to know what to expect, too many laws stunt spontaneous activity. Consider all of the bars to entry in starting a new business in contemporary America; consider the way that regulation cripples business, especially small business. Prohibitions, rules, and regulations may have the good intent of protecting people, but they end up impoverishing people. Along these lines, Lao-tzu says, “If government is muted and muffled / People are simple and honest. / If government investigates and intrudes, / People are worn down and hopeless” (sec. 58).¹⁷ We need government, but an intrusive and overly active government hurts the people, kills their spirit, and diminishes their creativity and their Te. We need a “muted and muffled” government, a limited and laissez-faire government

¹⁶ Translation modified using Derek Lin’s translation, *Tao Te Ching: Annotated and Illuminated* (Woodstock, VT: SkyLight Paths Publishing, 2006).

¹⁷ Translation modified using Lin’s translation.

that inconspicuously provides rule of law and protects property rights. Nothing more. And indeed, such basic and minimal rights can become internalized to such an extent that they are experienced as completely natural and unobtrusive.¹⁸

Rothbard champions the idea of spontaneous order in the economic realm, meaning that efficient economies arise and can be maintained without central planning. Attempts at centrally planning or managing an economy paradoxically have negative effects in the form of economic inefficiencies. This occurs because, as Friedrich A. Hayek argues, the price mechanism conveys a vast amount of information that no individual or government committee could ever gather and synthesize. Knowledge, as Hayek argues, is widely dispersed.¹⁹ Information in a market economy is not only local but immediate, requiring the kind of quick action that is impossible if a government is going to intervene in a timely fashion.²⁰ Making a government planning committee that is as efficient as the free market of individual actors would require a complexity akin to making a map of a territory as big and detailed as the territory itself. In other words, what would be required would be absurd, if not impossible, and certainly counterproductive.

Lao-tzu, who is wary of knowledge claims, would surely agree that there is more information communicated by the impersonal agency of the whole than could be found by a willful scholar analyzing the parts.²¹ He asks, “Can you love people / And govern the country / Without knowledge?” (sec. 10). The implied answer here is yes, that is the only effective way to do it. The Sage is suspicious of knowledge claims, recognizes what he does not know, acknowledges his own limitations and ignorance, does not try to impose order, and allows order to emerge spontaneously. Lao-tzu probably did not understand the price mechanism, but he did understand wu-wei.²² Aligning oneself with the Tao requires non-action. This points to the superiority of the natural way, free from government interference, though not free from government. Lao-tzu advises us to “[u]se the expected to govern the country, / Use surprise to wage war, / Use non-action to win the world” (sec. 57). The

¹⁸ On rights being experienced as natural, see John Hasnas, “Toward a Theory of Empirical Natural Rights,” *Social Philosophy and Policy* 22 (2005), pp. 111-47.

¹⁹ Friedrich A. Hayek, “The Uses of Knowledge in Society,” *American Economic Review* 35 (1945), pp. 519-30. On the Confucian parallels, see Long, *Rituals of Freedom*, p. 24.

²⁰ See Mark Spitznagel, *The Dao of Capital: Austrian Investing in a Distorted World* (Hoboken, NJ: Wiley, 2013).

²¹ On Lao-tzu’s wariness about knowledge claims, see *Tao Te Ching*, sec. 71.

²² Sima Qian, a Confucian, may have understood the price system. See Long, *Rituals of Freedom*, p. 23.

stability of “the expected,” rule of law, is important for domestic tranquility. People need to be able to know what to expect, what they can count on.

“Govern big countries / Like you cook little fish” (sec. 60), Lao-tzu cryptically implores. Presumably, this means that you mostly leave them alone. Little fish are delicate, and if you keep flipping them or fussing with them they fall apart. In cooking, they just need to be seasoned properly and then left alone. One needs to be mindful of the law of unintended consequences in governing and in instituting economic policy. The system is much more vast and chaotic than one might think, and so unintended consequences of actions and policies are inevitable. The Sage avoids creating new problems through the unintended consequences that result from trying to solve old problems. Acceptance is key. Do not attempt actively to fix problems. Rather, allow solutions to problems to emerge spontaneously: “Therefore the Sage says: / I do nothing / And people transform themselves. / I enjoy serenity / And people govern themselves. / I cultivate emptiness / And people become prosperous. / I have no desires / And people simplify themselves” (sec. 57). Here we see the Taoist combination of prosperity and simplicity. The Sage leads by example, by the power of his Te. The Sage does not meddle in the lives of people by enacting complex laws; the people govern themselves without the need for complex legal codes.

4. Free Markets, Desire, and Voluntary Simplicity

The result of people following the example set by the Sage is capitalism without consumerism. East meets West. Thanks to the free market, people prosper; thanks to the model of the Sage, people do not go to excess and overindulge in their consumption or displays of wealth. They know what is most important, namely, their own peace and serenity. As Lao-tzu says:

Don't treasure rare objects, / and no one will steal. / Don't display what people desire, / And their hearts will not be disturbed. / Therefore, / The Sage rules / By emptying hearts and filling bellies, / By weakening ambitions and strengthening bones; / Leads people / away from knowing and wanting; / Deters those who know too much / from going too far: / Practices non-action / And the natural order is not disrupted. (sec. 3)

The Sage does not create covetousness, does not provoke desire by indulging in luxury. Rather, he lives a life of simplicity, and the people are happy to follow that model.

Despite Lao-tzu's minimalist approach to government, it might still seem that he could not be advocating a free market. After all, Lao-tzu calls for a kind of voluntary simplicity that is anti-consumerist, telling us that “[k]nowing what is enough is wealth” (sec. 33) and that “[t]he Sage wears rough clothing / And carries jade inside” (sec. 70). By “consumerism” I mean the addictive drive and desire for the newest and latest goods and services for the sake of deriving self-worth and for signaling one's worth to others.

Consumerism impoverishes us, robs us of proper perspective: “There is no greater calamity / Than not knowing what is enough. / There is no greater fault / than desire for success. / Therefore, / Knowing that enough is enough / Is always / Enough” (sec. 46). Here we see a call for voluntary simplicity through examining and quelling desire. Desire run amok leads us away from natural contentment with simplicity. As Lao-tzu says, “Exotic goods ensnarl human lives” (sec. 12) and “When gold and jade fill the hall, / They cannot be guarded. / Riches and pride / Bequeath error” (sec. 9).

There is no contradiction involved in advocating capitalism without consumerism. One can be in the world but not of the world. One can enjoy the liberty and prosperity that accompany a free market without succumbing to crass consumerism. What’s more, a person of Te can inspire others to be selective consumers, thereby encouraging producers to make what is needed at a lower price and higher quality than the competition. Lao-tzu says, “If kings and lords could possess it [Tao], / All beings would transform themselves. / Transformed, they desire to create; / I quiet them through nameless simplicity. / Then there is no desire. / No desire is serenity, / And the world settles of itself” (sec. 37).

Consumerism “manufactures” desire through marketing and salesmanship, attempting to get people to buy what, in a strictly minimalist sense, they don’t need and previously didn’t even want. Lao-tzu would frown upon this, but Hayek is correct that the source of one’s desire does not automatically make it less worthy. After all, our desire for literature and the arts is not so much natural as it is manufactured by education, yet we deem the desire worthy.²³

We may wonder, though, are we really responsible for our desires? The answer is yes, to the extent that we can manage them. Desires may arise outside our voluntary control, but we can work to manage them once they arise. And if we do that, they will arise less frequently.²⁴ Our environment is largely beyond our control, but how we handle our reactions is potentially within our control. Lao-tzu favors a minimalist, even primitivist environment in which consumer desires are less likely to arise. But, as a corrective to Lao-tzu, we should note that we empower ourselves when we refuse to be victims of our environment. Living in a consumer culture does not doom us to being mindless consumers filled with envy and resentment for those who have more than we do.

Lao-tzu depicts the contentment of the ideal Taoist society:

²³ Friedrich A. Hayek, “The Non Sequitur of the ‘Dependence Effect,’” *Southern Economic Journal* 27 (1961), pp. 346-47.

²⁴ Adapted from William Irwin, *The Free Market Existentialist: Capitalism without Consumerism* (Oxford: Wiley-Blackwell, 2015), p. 72.

Small country, few people— / hundreds of devices, But none are used. / People ponder on death / And don't travel far. / They have carriages and boats, / But no one goes on board; / Weapons and armor, but no one brandishes them. / They use knotted cords for counting. / Sweet their food, / Beautiful their clothes, / Peaceful their homes, Delightful their customs. / Neighboring countries are so close / You can hear their chickens and dogs. / People grow old and die / but do not go back and forth with one another. (sec. 80)²⁵

In the ideal Taoist society, people have plenty, including modern conveniences, but they prefer simple ways of living. They are not envious, acquisitive, or striving. Consumer products are like alcohol. Everyone should have the right to them, but each of us needs to monitor our own consumption and be mindful of whether we are consuming or being consumed. We may worry, though, that if everyone practiced voluntary simplicity the economy would collapse. There is not much need to worry actually, because to the extent that people practice voluntary simplicity, that consideration will motivate producers to offer better or alternative products.²⁶

Still, we might worry about whether there will be enough to go around for everyone. Lao-tzu describes a situation in which “[t]he government is divided, / Fields are overgrown, / Granaries are empty, / But the officials’ clothes are gorgeous, / Their belts show off swords, / And they are glutted with food and drink. / their wealth is excessive. / This is called thieves’ endowment, / But it is not Tao” (sec. 53).²⁷ It would be easy to misread this as a condemnation of income inequality, but the real condemnation is of corrupt desire. The ruling class greedily over-taxes the poor. It is a “thieves’ endowment.” Clearly, these officials have done nothing to earn their wealth as an entrepreneur would in the free market. The solution is not for Robin Hood to enter the picture and steal from the rich to give to the poor. The solution is to allow spontaneous order to emerge under a system with minimal taxation, property rights, and rule of law tempered by voluntary simplicity.

Those with a zero-sum mentality get things wrong. They think and act as if there is only so much pie to go around, when the truth is that we can make a bigger pie. Wealth is not some fixed, limited resource to which no one has a special claim. It is an unlimited resource, and those who create it have a claim. In this regard, wealth is like the Tao. Speaking of the Tao, Lao-tzu says, “Use it— / You will never use it up” (sec. 35); “Heaven and Earth / And all the space between / Are like a bellows: / Empty but inexhaustible, / always

²⁵ Translation modified using Lin’s translation, so as to capture the sense in the last line that the people do not cause trouble for one another.

²⁶ Adapted from Irwin, *The Free Market Existentialist*, p. 76.

²⁷ Translation modified using Lin’s translation.

producing more” (sec. 5). This is not to say that natural resources or material objects are unlimited, but rather that, to the extent that it relies on intellect, the creation of wealth is virtually unlimited.

None of this is a call for selfishness or a condemnation of charity. Quite the opposite: “The Human Route / Is not like this, / Depriving the poor, Offering to the rich. / Who has a surplus / And still offers it to the world? Only those with Tao” (sec. 77). The Sage leads by example, living a life of simplicity and service to others rather than manipulation of others: “The Sage is not acquisitive— / Has enough / By doing for others, / Has even more / By giving to others” (sec. 81).

5. Conclusion

Ultimately, we should not neglect ourselves or others. We must find the proper balance. As Chuang-tzu tells us, “Shan Pao looked after what was on the inside and the tiger ate up his outside. Chang Yi looked after what was on the outside and the sickness attacked him from the inside. Both these men failed to give a lash to the stragglers.”²⁸ The lesson to draw is that the happy medium lies between asceticism and consumerism. The minimal state of free market Taoism can help us achieve that happy medium.²⁹

²⁸ Chuang-tzu, *Chuang Tzu: Basic Writings*, p. 123.

²⁹ Thanks to George Dunn, an anonymous reviewer, and the editors of this journal for very helpful feedback on an earlier draft of this article.

Liberalism: The Fifteen Strongest Challenges¹

Stephen R. C. Hicks
Rockford University

1. Introduction: The Stakes and the Method

a. What liberalism is

The key political issue of the modern era is the fate of liberalism. Liberalism is a newcomer to human history, after millennia of tribalism, feudalism, and many types of dictatorship. Liberalism had a few short-lived successes in classical Greece and Rome and more recently in some Renaissance Italian and Baltic states. Only in the past few centuries has liberalism become a prevailing theory and practice, and only in some parts of the world. It is a work in progress and, aside from resistance from traditional forms of politics, it faces formidable practical and theoretical opposition from other political newcomers, such as modern communalism, fascism, updated military dictatorship, and systems that try to mix them in some combination.

Whether liberalism is viable is an open question. By “liberalism” I mean the social philosophy that makes foundational liberty of the individual in all areas of life—artistic, religious, economic, sexual, political, and so on.²

The question of the proper role of government within a society is central to any political theory. A government is a social institution distinguished by two traits: its principles apply to the whole of society and they are enacted by physical force or its threat. Governments claim and practice universality and compulsion.

¹ This is the second of a two-part series on this topic, with the first part being an overview of fifteen arguments for liberalism and the second part being an overview of fifteen arguments against it. For the first part, see Stephen R. C. Hicks, “Liberalism: The Fifteen Best Arguments,” *Reason Papers* 37, no. 2 (Fall 2015), pp. 108-32, accessed online at: http://reasonpapers.com/wp-content/uploads/2016/02/rp_372_9.pdf. (The introductory section there overlaps substantially with this article’s introduction.) I am developing this into a larger project, so I welcome substantive feedback on either (or both) parts of this series. All feedback can be directed to: shicks@rockford.edu.

² I use “liberal” philosophically and not journalistically to report how it is used in different parts of the world. Language evolves, sometimes for peculiarly local or tententiously ideological reasons. When a term strays from its cognitive roots, it is important to clarify and re-establish its useful meaning.

In these two respects government is distinguished from other social institutions, such as businesses, religious associations, sports teams, and so on, which are particular and voluntary. Not everyone in a society does business with a given company; joins a given church, temple, or mosque; or plays a given sport. When a member disagrees with or breaks from one of those institutions' rules, the most that the institution can do is dissociate itself from that member.

A government, by contrast, claims and enacts the authority to apply its rules to everyone in a society, and it claims and enacts the authority to use physical force against those who break its rules. It is a universal institution of compulsion.

Consequently, the two key questions to answer when defining the proper, principled role of government are: What principles are so important that everyone in society should respect and live by them? What principles are so important that physical force may be used against those who violate them?

The liberal answer to both of those questions is, of course, liberty. All individuals are entitled to liberty and all individuals should respect each other's freedoms. That is the universality element. Any individual who violates the liberty of another can properly be subject to physical force. That is the compulsion element.

In order to protect freedoms, liberal societies devise a network of institutional elements. They specify religious liberties, property rights, free-speech rights, liberties to engage in commercial activities, and more. They set up police, courts, and prisons to investigate those who violate others' freedoms and to restrain those guilty of doing so. They place limitations on the scope and power of government in order to lessen the risk that government itself will violate liberties. They articulate a commitment to the rule of law by making their general principles explicit in a constitution and devising their particular rules by reference to those general principles.

All of that follows from making liberty the foundational political value. Advocates of other systems disagree, and the debate is engaged. Is liberty really the most important social value? What about security, equality, justice, peace, efficiency, prosperity, or spiritual purity? Is liberty compatible with them, and if so, how? Or if it is in tension with them, why prioritize liberty?

b. Taking up the strongest arguments

My method starts by taking up the best fifteen arguments for (in Part I of this series) and against liberalism. These are not exhaustive lists, but they include the arguments that have had the most staying power in the debates. The reason they have had that staying power is that each identifies and stresses a genuinely important value at stake in politics.

John Stuart Mill, in his *On Liberty*, best expresses the reason for using such a method.³ No one is educated who knows only one side of an

³ John Stuart Mill, *On Liberty* (London: Penguin, 1974 [1859]), chap. 2.

argument. No one should commit to a position without knowing the competition. Especially in complicated matters like politics, where a huge number of facts about the world must be integrated into a theory, a critical test for any theory is how well it compares with other theories. Does it overlook key facts? Does it make leaps of logic? The best way to answer for oneself those questions is to put the contender theories, with reference to their strongest defenders, in explicit competition with each other.

An advocate of liberalism has to know not only the best arguments for liberalism, but also the best arguments against liberalism—and how to respond to them. While I ultimately advocate liberalism, warts and all, my first goal will be to rise to Mill's challenge. Liberalism has many intelligent, decent, and articulate enemies; their qualms and fears about liberalism must be taken seriously.

We make progress as individuals only when we know the most powerful arguments for and against what we judge to be true, and we can best judge the truth of a position by testing it against its worthy competitors. We often want shortcuts, perhaps out of intellectual laziness, an unwillingness to admit error, or to protect some belief we feel is core to our identity. There are no shortcuts, however, on complicated matters.

We make progress socially only when we are able to articulate our views clearly to others who are trying to understand—and when we ourselves genuinely understand—what others think and why. We tend to talk past each other, and discussion degenerates when one party senses that the other isn't really listening or is addressing a weaker, easily attackable version of one's position.

The test of my method will be this: Could a reader tell, if he or she read only my presentation of the arguments for and against liberalism, which side of the debate I am on?

The next step is to compare the two sets of arguments. Where are the sharpest and most persistent disagreements between liberals and their opponents? Some disagreements turn on issues within economics (e.g., Do free markets lead to monopoly?), within politics (e.g., Was the American Revolution ideologically conservative or libertarian?), or about history (e.g., Were the British Acts of Toleration primarily about religion?), and so on.

My claim will be that the most significant differences between liberals and their opponents are driven by disagreements in philosophy. That is, disagreements about values, human nature, metaphysics, and epistemology drive our deepest and most protracted arguments.

Consider this claim, for example: "Free societies may be practically efficient at generating wealth, but they are not moral." That raises issues of ethics: What conception of morality is at work here, and why is it opposed to the practical? Or consider the opposite claim: "Liberalism is a fine ideal, but it's unrealistic to expect it actually to work in the real world." That raises a set of metaphysical concerns: What is the real world, where do ideals come from, and why are fine ideals not realistic?

Or one can challenge my method sketched above: “This arguments-back-and-forth procedure—isn’t that pointless given human psychology? Don’t studies show that people reject or accept empirical data for or against a policy depending on their prior commitments? So what is the point of reasoning?” This challenge illustrates the importance of epistemology. Political arguments often turn on philosophical assumptions about cognition: Are humans rational or irrational? Or if a mix, what level of rational competency can we expect from them? If we are devising a set of political principles for human beings, then they must be based on an accurate understanding of human nature, which must include an accurate understanding of our cognitive powers. Those with dramatically different epistemologies are almost always led to very different politics, and they advocate them by very different methods.

Historically, philosophy is the mother discipline, giving birth to the specific sciences and nurturing them to maturity. The point about the importance of philosophy, though, is not to assert a professional monopoly on philosophy by professional philosophers. Everyone is philosophical to some extent; we are necessarily philosophical when we think about social theory, whether we do so as professional economists, political scientists, historians, or voting citizens. Philosophy is a practice common to all thinking human beings.

Explicit attention to the philosophical issues embedded within any political theory is necessary for understanding, defending, or attacking that theory competently. The value-added by professional philosophers is part of an overall intellectual division of labor. Economists, political theorists, historians, and others all have specialties that contribute the knowledge necessary to a comprehensive social theory, but labor that has been divided also must be coordinated again. The coordinating work of integrating knowledge from various disciplines is a task that each of us must perform individually. No one can do social theory adequately without being also an economist, a political theorist, a historian—and, especially, a philosopher.

I will initially present arguments (for and) against liberalism in qualitative form only and save relevant quantitative data for later. I will also keep the scholarly apparatus to a minimum by putting in the footnotes relevant quotations from major thinkers who make points supporting or illustrating the argument in question. The footnotes may be useful for those interested in the historically important thinkers who have contributed to the debate. They can be ignored, however, by those interested primarily in focusing quickly on the arguments’ essential points and putting them in collision with each other.

2. Fifteen Arguments against Liberalism

a. Humans are not intelligent enough for freedom

Liberalism is too idealistic. It gives people a lot of freedom and responsibility and expects them to be able to handle it. However, most people do not have the knowledge, intelligence, and judgment needed to decide the best course of action for their lives. We all like to think that we are smart, but

the math is cruel. Half of us are below median intelligence, and some of us are considerably lower. So why should we think that freedom is a good policy for everyone?

A free society presupposes that people are capable of self-responsible living. That in turn presupposes that they are intelligent enough to do so. A liberal democracy presupposes that the majority will consistently make good political decisions. That also presupposes that they have enough intelligence.

Here is a sobering contrary anecdote. A reader wrote to a columnist with a perplexing math problem he had been debating over dinner with his wife and brother-in-law.⁴ Suppose that you pour one cup of 100% bran cereal into a bowl, and then you pour one cup of 40% bran cereal into the same bowl. What percentage of bran is now in the bowl? The reader's wife said 140%—apparently one should add the two percentages to get the right answer. The brother-in-law disagreed, holding that one should subtract the lower from the higher percentage, so the correct answer is 60%. The reader himself thought that both answers were wrong—and that the right answer depends on whether one first pours the 100% bran or the 40% bran into the bowl.

Here are three individuals who cannot do basic math. Do they have the cognitive skills necessary to make good decisions in our complex, high-tech world? Intellectually, they are nearly helpless to navigate the world, but in the name of freedom the liberals want us to leave them to their own devices.

It gets worse. Perhaps *you* can do basic math, but in a democracy the three citizens above can easily outvote you on any public policy issue. What are the chances that their three math-challenged votes will be better than your one math-informed vote? Liberal democracy is nothing more than the slow suicide of the collectively stupid.⁵

Consequently, a managed freedom is best for most people. Some of us are smarter than others. The most intelligent can do social good by making the important decisions for their less intelligent brethren, or at least firmly nudging them in the proper direction.⁶ That would be more benevolent than

⁴ See Marilyn vos Savant, "Ask Marilyn," *Parade Magazine* (April, 1991).

⁵ John Maynard Keynes holds: "It is *not* a correct deduction from the principles of economics that enlightened self-interest always operates in the public interest. Nor is it true that self-interest generally *is* enlightened; more often individuals acting separately to promote their own ends are too ignorant or too weak to attain even these"; see John Maynard Keynes, *The End of Laissez-Faire* (1926), sec. 4, accessed online at: <http://www.panarchy.org/keynes/laissezfaire.1926.html>.

⁶ Richard Thaler and Cass Sunstein say this about how government regulations can help people by "framing" their decision-making: "Framing works because people tend to be somewhat mindless, passive decision makers. Their Reflective System does not do the work that would be required to check and see whether reframing the questions would produce a different answer. One reason they don't do this is that they wouldn't know what to make of the contradiction. This implies that frames are powerful nudges,

leaving them to their own precarious intelligence. We should therefore design the political system to assign power to the most intelligent and informed.⁷ We should take decision-making power away from the less intelligent—for their own good and the good of society as a whole. In ancient times, Plato argued that we need philosopher-kings.⁸ For our modern science-and-technology-intensive society, we need philosopher-scientist-kings.⁹

The degree of control assigned to government authorities will be tied to the degree of our confidence in people's intellectual capacities. The more pessimistic we are about the average intelligence, the more wide-ranging decision-making powers we will give to the authorities.¹⁰

Perhaps most people need guidance only on complicated matters. If so, then we can include some democratic elements. We can permit the majority of voters to determine who will have the authority to make important decisions on their behalf. To make voters' choices easier, we can have political parties pre-select suitably intelligent candidates, and voters will then choose the best from among them.

and must be selected with caution"; see Richard Thaler and Cass Sunstein, *Nudge: Improving Decisions about Health, Wealth, and Happiness* (New Haven, CT: Yale University Press, 2008), p. 37.

⁷ Ortega y Gasset states: "Man, whether he like it or not, is a being forced by his nature to seek some higher authority"; see Ortega y Gasset, *The Revolt of the Masses* (New York: W. W. Norton, 1932), p. 116.

⁸ Plato, *Republic*, Book 5, 473d, accessed online at: <http://classics.mit.edu/Plato/republic.html>.

⁹ Or psychologist-kings; see, e.g., B. F. Skinner, *Walden Two* (Indianapolis, IL: Hackett, 1948).

¹⁰ Joseph de Maistre claims: "Man is so muddled, so dependent on the things immediately before his eyes, that every day even the most submissive believer can be seen to risk the torments of the afterlife for the smallest pleasure"; see Joseph de Maistre, "First Dialogue," in Joseph de Maistre, *Les Soirées de Saint-Petersbourg*, trans. Richard A. Lebrun (Montreal: McGill-Queens University Press, 1993 [1821]), accessed online at: https://openlibrary.org/books/OL1175368M/St._Petersburg_dialogues_or_Conversations_on_the_temporal_government_of_providence.

For the strong version, one can look to Fyodor Dostoevsky's Grand Inquisitor: "Freedom, free reason, and science will lead them into such a maze, and confront them with such miracles and insoluble mysteries, that some of them, unruly and ferocious, will exterminate themselves; others, unruly but feeble, will exterminate each other; and the remaining third, feeble and wretched, will crawl to our feet and cry out to us: 'Yes, you were right, you alone possess his mystery, and we are coming back to you—save us from ourselves'"; see Fyodor Dostoevsky, *The Brothers Karamazov*, trans. Richard Pevear and Larissa Volokhonsky (New York: Farrar, Straus and Giroux, 2002 [1880]), 2.v.5, p. 258.

Once elected, though, the political representatives will face a problem. The world is complex and many important decisions must be made, but they themselves do not always have the necessary knowledge to decide wisely. So our representatives will create a series of government agencies staffed with intelligent people who are experts about such things as manufacturing and trade, banking and finance, food and drink, pharmaceuticals and medicine, transportation, and the education of our children. The expert agencies will be empowered to make necessary decisions. Citizens can then make choices, but within a framework selected and enforced by their society's most intelligent and informed members. In that system, those of lower intelligence are protected from the consequences of their ignorance in their private lives, and the rest of us are protected from the consequences of their voting in our public lives.

b. Human nature is too immoral for freedom

An ancient myth tells of a man who found a magical ring. He was a shepherd, responsible for tending his village's sheep as they grazed in the meadows away in the hills. His job was lonely, poorly paid, and most of the time he smelled like a sheep. In a cave one day he found a gold ring with a jewel in it. He put the ring on his finger and discovered something amazing: when he turned the ring so the jewel faced inward, he became invisible. When he turned the jewel outward, he again became visible. One can predict what happened next: a crime wave. The shepherd abandoned his flock and returned to the village. Expensive things were stolen. Women were raped. People were killed. There were no witnesses. He moved on to greater conquests—stealing, deceiving, and killing his way to the top. He eventually murdered the king, put himself on the throne, and took the dead king's wife to bed as his own queen.

Ancient storytellers from Herodotus to Plato used the myth of the ring to meditate upon political ethics.¹¹ The shepherd, they argued, is not a peculiar individual; he is everyman and a stand-in for human nature. The ring is a metaphor for power—the power to do what one wants without consequences. What does the shepherd want? He wants what any human being wants: wealth, sex, revenge upon one's enemies, and unendingly more.

The ring's power of invisibility means that he can now satisfy his strongest desires in the easiest ways possible. He need not work hard for money. He need not elaborately woo women. He need not devise complicated plans to kill his enemies. Thus, in philosophy-mathematics: Human Nature plus Power equals Crime. Humans are beings of predatory passions—greed, lust, anger, and more. To the extent that we act on our strongest passions, we make social living either brutish or impossible.

The ring's power gave the shepherd the freedom to do anything he wanted. Clearly, freedom is socially destructive, because it unleashes human

¹¹ Plato, *Republic*, Book 2, 359d-360c.

nature and human nature is degenerate. If we want a peaceful and productive society, then freedom is the enemy.

The foregoing is a Greek myth, but we get a similar account of humanity as we move east to other ancient Mediterranean cultures. In the book of Genesis, a common source for the Western world's three major religions, we learn that Eve and Adam, in their first significant act of freedom, stole the fruit.¹² In the next generation, Cain killed Abel.¹³ Subsequent generations, left free to their own devices, constantly lied, raped, assaulted, massacred, and more—until God returned in the generation of Noah. God saw the corruption that humans had wrought and decided to kill them and start over.¹⁴ But even in the “do-over” era, human nature again revealed itself and caused the same destructive outcomes, hence the doctrine of Original Sin.

In both religious and secular form, the argument is that human nature is dominated by desires that make us unfit for freedom. Freedom is a kind of power, but power either corrupts us¹⁵ or releases an already-corrupt human nature.¹⁶

¹² Gen. 3:6.

¹³ Gen. 4:8.

¹⁴ Gen. 6:11.

¹⁵ Lord Acton states: “All power tends to corrupt, and absolute power corrupts absolutely”; see Lord Acton, “Letter to Creighton,” April 5, 1887, accessed online at: <http://oll.libertyfund.org/quote/214>.

¹⁶ De Maistre claims: “Man in general, if reduced to himself, is too wicked to be free. . . . He is a monstrous centaur, born of some unimaginable offence, some abominable miscegenation”; see his “First Dialogue.”

Genghis Khan supposedly said: “The greatest joy a man can know is to conquer his enemies and drive them before him. To ride their horses and take away their possessions, to see the faces of those who were dear to them bedewed with tears, and to clasp their wives and daughters in his arms”; quoted in Steven Dutch, “The Mongols” (1998), accessed online at: <http://www.uwgb.edu/dutchs/WestTech/xmongol.htm>.

Sigmund Freud holds: “Men are not gentle creatures who want to be loved, and who at the most can defend themselves if they are attacked; they are, on the contrary, creatures among whose instinctual endowments is to be reckoned a powerful share of aggressiveness. As a result, their neighbor is for them not only a potential helper or sexual object, but also someone who tempts them to satisfy their aggressiveness on him, to exploit his capacity for work without compensation, to use him sexually without his consent, to seize his possessions, to humiliate him, to cause him pain, to torture and kill him. *Homo homini lupus*”; see Sigmund Freud, *Civilization and Its Discontents* (New York: W. W. Norton, 1930), p. 58.

Alexander Solzhenitsyn maintains: “Destructive and irresponsible freedom has been granted boundless space. Society has turned out to have scarce defense against the abyss of human decadence, for example against the misuse of liberty for moral violence against young people, such as motion pictures full of pornography,

Given this grim truth, what should we do to make social living possible? Let's return to the philosophy-math: If human nature combined with freedom leads to badness,¹⁷ then in order to avoid badness, we either have to change human nature or take away freedom. If we cannot change human nature, then we must focus on stifling its negative manifestations.

One way to accomplish this end is through fear. Before he found the ring, the shepherd did not act upon his passions because he was afraid of being caught. The ring eliminated that fear, and his passions were unleashed. We thus should ensure that humans remain the way the shepherd was before the ring: relatively powerless and afraid of the authorities.

In secular form, we can give the police and the courts great surveillance and punishment powers. In religious form, we can make people believe in a God who is always watching and who will punish them strictly. For example, "Fear of the Lord is the beginning of wisdom."¹⁸ Whether secular or religious, we must instill the fear of authoritarian forces to counter natural human depravity.

crime, and horror"; see Alexander Solzhenitsyn, "A World Split Apart," commencement address delivered at Harvard University (1978), accessed online at: <http://www.americanrhetoric.com/speeches/alexandersolzhenitsynharvard.htm>.

Robert Bork argues: "Because both libertarians and modern liberals are oblivious to social reality, both demand radical personal autonomy in expression. That is one reason libertarians are not to be confused, as they often are, with conservatives. . . . Free market economists are particularly vulnerable to the libertarian virus" because too often the free market economist "ignores the question of which wants it is moral to satisfy" and fails to recognize that "unconstrained human nature will seek degeneracy often enough to create a disorderly, hedonistic, and dangerous society"; see Robert Bork, *Slouching Towards Gomorrah* (New York: Harper Perennial, 1996), pp. 150, 151, and 153.

William Golding states: "The desire to squeeze and hurt was overmastering"; see William Golding, *Lord of the Flies* (London: Faber and Faber, 1954), chap. 7.

John Gray asserts: "Cruelty and conflict are basic human traits"; see John Gray, "The Truth about Evil," *The Guardian* (October 21, 2014), accessed online at: <http://www.theguardian.com/news/2014/oct/21/-sp-the-truth-about-evil-john-gray>.

¹⁷ Immanuel Kant claims: "the history of freedom begins with *badness*, for it is *man's* work"; see Immanuel Kant, "Speculative Beginning of Human History," in his *Perpetual Peace and Other Essays*, trans. Ted Humphrey (Indianapolis, IN: Hackett, 1983), p. 54.

¹⁸ Prov. 9:10.

Rene Descartes argues: "And since in this life one frequently finds greater rewards offered for vice than for virtue, few persons would prefer the just to the useful if they were not restrained either by the fear of God or by the expectation of another life"; see Rene Descartes, "Letter of Dedication," in his *Meditations*, trans. Laurence J. Lafleur (Upper Saddle River, NJ: Prentice-Hall, 1952 [1641]), p. 61.

Fear of external powers like the police or the gods is one check,¹⁹ but we can also use internal checks by teaching people to stifle themselves. Instead of political fear, use moral guilt.²⁰ If the problem is greed, for example, then from infancy we can teach children a moral lesson: loving money is the root of all evil.²¹ When they naturally come to desire money, an internal battle will be waged between their greed and their taught belief that wanting money is immoral. The guilt will not work perfectly, but it will make them more likely to suppress their greed. If the problem is lust, then teach sexual abstinence as the moral ideal.²² It will not work all of the time, but sexual guilt will help dampen the lust. If the problem is anger, then teach that one should always forgive.²³ The natural desire for vengeance and the taught morality of forgiveness will fight mightily within them, and if we feel guilty about wanting revenge, then they will be less likely to seek it.

In summary, if these various myths capture a deep truth about human nature, then we have only two solutions: a morality of guilt or a politics of fear—or both. Freedom is power, and human nature will abuse it, so liberalism is a non-starter.

c. Liberalism is amorally self-interested

Liberals often cite the practical consequences of free societies, such as the increasing quantity of goods available, rising life expectancy, and so on. However, we must question the moral motivation of its agents. The great moral teachers in history have almost always condemned self-interest. Yet liberalism consistently emphasizes the self: *my* freedom,²⁴ *my* privacy,²⁵ *my*

¹⁹ Leo Strauss claims, in the context of assessing Carl Schmitt's politics: "Because mankind is intrinsically wicked, he has to be governed"; quoted in Heinrich Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue*, trans. J. Harvey Lomax (Chicago, IL: University of Chicago Press, 1995), p. 124.

²⁰ Solzhenitsyn says: "I have come to understand the truth of all the religions of the world: They struggle with the *evil inside a human being* (inside every human being). It is impossible to expel evil from the world in its entirety, but it is possible to constrict it within each person;" see Alexander Solzhenitsyn, *The Gulag Archipelago, 1918-1956*, trans. Thomas P. Whitney (New York: Harper and Row, 1973), Part IV, chap. 1; accessed online at: https://ia601308.us.archive.org/0/items/TheGulagArchipelago-Threevolumes/The-Gulag-Archipelago_vol2_III-IV_Solzhenitsyn.pdf.

²¹ 1 Tim. 6:10.

²² 1 Cor. 7.

²³ Matt. 18:21-22.

²⁴ Ortega y Gasset says this about how liberalism has created the mass man: "[A]t the center of his scheme of life there is precisely the aspiration to live without conforming to any moral code," and: "The mass-man is simply without morality, which is always, in essence, a sentiment of submission to something, a consciousness of service and

pursuit of happiness,²⁶ my right to life.²⁷ With its individualistic emphasis upon *Me* and *Mine*, liberalism denies the proper moral basis of society.²⁸

obligation”; see Gasset, *Revolt of the Masses*, pp. 187 and 189.

²⁵ Plato: “The first and highest form of the state and of the government and of the law [is a condition] in which the private and individual is altogether banished from life, and things which are by nature private, such as eyes and ears and hands, have become common, and in some way see and hear and act in common, and all men express praise and blame and feel joy and sorrow on the same occasions, and whatever laws there are unite the city to the utmost”; see Plato, *Laws*, 739c-d, accessed online at: <http://www.perseus.tufts.edu/hopper/text?doc=Perseus%3Atext%3A1999.01.0166%3Abook%3D5%3Asection%3D739c>.

²⁶ W. G. Maclagan claims: “[A] man may and should discount altogether his own pleasure or happiness as such when he is deciding what course of action to pursue”; see W. G. Maclagan, “Self and Others: A Defense of Altruism,” *Philosophical Quarterly* 4 (1954), pp. 109-10.

Solzhenitsyn on the moral superiority of suffering as exemplified by the Russian experience: “Through deep suffering, people in our own country have now achieved a spiritual development of such intensity that the Western system in its present state of spiritual exhaustion does not look attractive”; see Solzhenitsyn, “A World Split Apart.”

Mother Teresa is quoted as saying: “I think it is very beautiful for the poor to accept their lot, to share it with the passion of Christ. I think the world is being much helped by the suffering of the poor people”; quoted in Christopher Hitchens, *The Missionary Position* (New York: Verso, 1995), p. 11.

Ludwig Wittgenstein claims, wryly: “I don’t know why we are here, but I’m pretty sure that it is not in order to enjoy ourselves,” accessed online at: http://www.bbc.co.uk/radio4/history/inourtime/greatest_philosopher_ludwig_wittgenstein.shtml.

²⁷ G. W. F. Hegel holds: “A single person, I need hardly say, is something subordinate, and as such he must dedicate himself to the ethical whole. Hence, if the state claims life, the individual must surrender it”; see G. W. F. Hegel, *Philosophy of Right*, trans. T. M. Knox (New York: Oxford University Press, 1952 [1835]), p. 241.

²⁸ Iris Murdoch claims: “In the moral life the enemy is the fat, relentless ego”; see Iris Murdoch, *The Sovereignty of Good* (London: Routledge & Kegan Paul, 1970), p. 52.

Johann Gottlieb Fichte argues: “There is only one virtue—to forget one’s own person, and only one vice—to think of oneself”; quoted in E. Westermarck, *Ethical Relativity* (New York: Harcourt, Brace and Company, 1932), p. 225.

Arthur Schopenhauer claims: “In war we must first recognize the enemy; in the impending struggle, *egoism*, as the chief force on its own side, will be the principal opponent of the virtue of *justice*, which, in my opinion, is the first and really cardinal virtue”; see Arthur Schopenhauer, *On the Basis of Morality* (Indianapolis, IN: Hackett, 1995 [1835]), p. 134.

John Rawls suggests: “The idea of justice expressed in the political theories of Hobbes and Locke, the view of Adam Smith that we best serve our fellow-men by enlightened self interest, are all false views of community. Any society which explains

In the economic sphere, for instance, many liberals argue that free-market capitalism has proved to be more economically productive than socialism has. They draw the conclusion that capitalism is better. However, any system that depends upon the profit motive is by definition an unethical system,²⁹ and any system that strives to replace the profit-motive with non-profit motivation is by definition an ethical system. Therefore, socialism or feudalism—or any non-profit-based system—is more moral, even if it is not as practical.

Furthermore, in the personal sphere, liberals emphasize the pursuit of personal happiness and insist that individuals have the freedom to define their own pleasures and decide how they are going to achieve them. Liberalism therefore subordinates duty to self-interested inclinations, when the opposite is true.³⁰ Liberalism denies the deep moral truth that morality is about doing what one is obligated to do. Duty means doing what is right whether one wants to or not and whether it brings one any pleasure or not.³¹

Concerning life in general, liberals insist upon each individual's right to life and deny the authority of higher moral entities to insist upon sacrifice when necessary. Yet the willingness to sacrifice oneself selflessly—and the social imperative of sacrifice—are the heart of ethics.³² While liberalism's

itself in terms of mutual egoism is heading for certain destruction"; see John Rawls, *A Brief Inquiry into the Meaning of Sin and Faith: With "On My Religion,"* ed. Thomas Nagel (Cambridge, MA: Harvard University Press, 2010), p. 189.

²⁹ Amartya Sen: "The self-interest view of rationality involves *inter alia* a firm rejection of the 'ethics-related' view of motivation"; see Amartya Sen, *On Ethics and Economics* (Oxford: Blackwell, 1987), p. 15.

³⁰ Kant states: "Now an action done from duty must wholly exclude the influence of inclination and with it every object of the will, so that nothing remains which can determine the will except objectively the law, and subjectively pure respect for this practical law, and consequently the maxim that I should follow this law even to the thwarting of all my inclinations"; see Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. H. J. Paton (New York: Harper, 1956 [1785]), sec. 397.

³¹ Kant argues: "the concepts of pleasure and pain, of the desires and inclinations, etc., all of which are of empirical origin, yet in the construction of a system of pure morality these empirical concepts must necessarily be brought into the concept of duty, as representing either a hindrance which we have to overcome, or an allurements, which must not be made into a motive"; see Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (London: Macmillan, 1929 [1781/1787]), secs. A15/B29.

³² Adam Smith says: "The wise and virtuous man is at all times willing that his own private interest should be sacrificed to the public interest of his own particular order or society. He is at all times willing, too, that the interest of this order or society should be sacrificed to the greater interest of the state or sovereignty, of which it is only a subordinate part. He should, therefore, be equally willing that all those inferior interests should be sacrificed to the greater interest of the universe, to the interest of that great society of all sensible and intelligent beings, of which God himself is the

self-interest may be productive, its “What’s-in-it-for-me?” egoism undercuts any moral worth it may have.³³ Manure might produce a flower, but we hold our noses in its presence.

d. Liberalism’s individualism is atomistic

Man is primarily a social being, not an individual one. As a result, liberalism undermines one’s humanity by denying one’s deepest social needs and social identity.

In the modern world especially, liberalism has stressed individualism, and as a consequence it has lessened the individual’s identification with family,³⁴ community,³⁵ nation,³⁶ race,³⁷ and even God.³⁸ It

immediate administrator and director”; see Adam Smith, *The Theory of Moral Sentiments* (Indianapolis, IN: Liberty Fund, 1982 [1759]), VI.2.3, p. 384, accessed online at: <http://oll.libertyfund.org/pages/smith-adam-1723-1790>.

Alfred Rocco claims: “the necessity, for which the older doctrines make little allowance, of sacrifice, even up to the total immolation of individuals, in behalf of society. . . . For Liberalism, the individual is the end and society the means; nor is it conceivable that the individual, considered in the dignity of an ultimate finality, be lowered to mere instrumentality. For Fascism, society is the end, individuals the means, and its whole life consists in using individuals as instruments for its social ends”; see Alfred Rocco, “The Political Doctrine of Fascism” (1925), accessed online at: <http://fascism-archive.org/books/PoliticalDoctrinesRocco.html>.

³³ C. S. Lewis argues: “Men have differed as regards what people you ought to be unselfish to—whether it was only your own family, or your fellow countrymen, or everyone. But they have always agreed that you ought not to put yourself first”; see C. S. Lewis, *Mere Christianity* (Lakewood, CO: Collier, 1952), p. 5.

³⁴ Russell Kirk claims that in liberal society, man becomes “a social atom, starved for most emotions except envy and ennui, severed from true family-life and reduced to mere household-life, his old landmarks buried, his old faiths dissipated”; see Russell Kirk, *The Conservative Mind* (Washington, DC: Regnery, 1953), p. 228.

³⁵ Wendell Berry holds: “I believe that the community—the fullest sense: a place and all its creatures—is the smallest unit of health and that to speak of the health of an isolated individual is a contradiction in family or community or in a destroyed or poisoned ecosystem”; see Wendell Berry, *The Utne Reader* (September-October 1995), p. 61.

³⁶ According to Herder, a nation is a “family writ large,” and its language, culture, and history constitute the individual’s core identity; see Johann Herder, *Outlines for a Philosophy of the History of Mankind*, in F. M. Bernard, *Herder’s Social and Political Thought: From Enlightenment to Nationalism* (Oxford: Clarendon Press 1965), p. 54.

³⁷ Fichte claims that “the individual life has no real existence, since it has no value of itself, but must and *should* sink to nothing; while, on the contrary, the Race alone exists, since it alone *ought to be* looked upon as really living”; see Johann Fichte, *The*

has stressed independence, and so encouraged individuals to see dependence as a weakness to be denied. It has also stressed freedom, and so urged individuals to seek themselves outside of or even in rebellion against the social.

The result is individuals who are alone, isolated, and at their core, empty of true humanity. The rugged individualist who rides off alone into the sunset. The financier who isolates himself with his millions from the rest of society's struggles. The shock artist who feels the need to spit in the face of decent society in order to find her artistic uniqueness. The city-dweller who—even though living among millions—feels alienated. All are products of liberalism's false theory of human individual identity.³⁹

The truth is that humans are made by their societies. They are born into social units—families, neighborhoods, and larger social and political units—that define their roles.⁴⁰ They are born into a language that shapes their thinking and gives them a social-linguistic group identity.⁴¹ They are born

Characteristics of the Present Age, trans. William Smith (London: John Chapman, 1847 [1806]), p. 36.

³⁸ Solzhenitsyn concludes: “The West has finally achieved the rights of man, and even excess, but man’s sense of responsibility to God and society has grown dimmer and dimmer. In the past decades, the legalistic selfishness of the Western approach to the world has reached its peak and the world has found itself in a harsh spiritual crisis and a political impasse”; see Solzhenitsyn, “A World Torn Apart.”

³⁹ Pope Paul VI against “philosophical liberalism,” which is at its “very root an erroneous affirmation of the autonomy of the individual in his activity, his motivation and the exercise of his liberty”; see Pope Paul VI, “Apostolic Letter,” 1971, on the 80th anniversary of *Rerum Novarum*, accessed online at: <http://www.ewtn.com/library/papaldoc/p6oct.htm>.

⁴⁰ F. H. Bradley argues that the child “is born not into a desert, but into a living world, a whole which has a true individuality of its own, and into a system and order which it is difficult to look at as anything else than an organism, and which even in England, we are now beginning to call by that name.” Consequently, he concludes: “What is it then that I am to realize? We have said it in ‘my station and its duties.’ To know what a man is . . . you must not take him in isolation. He is one of a people, he was born in a family, he lives in a certain society, in a certain state. What he has to do depends on what his place is, what his function is, and that all comes from his station in the organism”; see F. H. Bradley, “My Station and Its Duties,” in F. H. Bradley, *Ethical Studies* (London: Henry S. King & Co., 1876), p. 155.

⁴¹ Edward Sapir claims: “No two languages are ever sufficiently similar to be considered as representing the same social reality. The worlds in which different societies live are distinct worlds, not merely the same world with different labels attached”; see Edward Sapir, “The Status of Linguistics as a Science,” *Language* 5, no. 4 (1929), p. 207.

Herder’s philosophy of language includes this thesis: “A language, then, is the criterion by means of which a group’s identity as a homogeneous unit can be

malleable in their tastes and values, which are formed by prevailing social practices and norms. Their highest aspirations are realized in achieving their social being.⁴² The individual is a myth, and attempts to isolate the individual lead only to pathologies.

Consequently, the best society for human beings will be one that puts the social above the individual,⁴³ that encourages each of us to put the group's needs before our own,⁴⁴ and that when necessary demands that the individual be subordinated to society's higher standing.⁴⁵ The atomistic individualism that liberalism leads to is bad not only for individuals, as it undercuts their

established. Without its own language, a *Volk* is an absurdity (*Unding*"); see Barnard, *Herder's Social and Political Thought*, p. 57.

⁴² Alasdair MacIntyre argues: "We all approach our own circumstances as bearers of a particular social identity. I am someone's son or daughter, someone else's cousin or uncle; I am citizen of this or that city Hence what is good for me has to be good for one who inhabits these roles. As such, I inherit from the past of my family, my city, my tribe, my nation, a variety of debts, inheritances, rightful expectations and obligations. These constitute the given of my life, my moral starting point. . . . This thought is likely to appear alien and even surprising from the standpoint of modern individualism"; see Alasdair MacIntyre, *After Virtue* (Notre Dame, IN: University of Notre Dame Press, 1981), p. 220.

Charles Taylor argues that we must reject the "atomistic" liberal view that "affirms the self-sufficiency of man alone or, if you will, of the individual"; see Charles Taylor, "Atomism," in Charles Taylor, *Philosophy and the Human Sciences: Philosophical Papers 2* (New York: Cambridge University Press, 1985), p. 189.

⁴³ Jean-Jacques Rousseau claims: "Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole"; see Jean-Jacques Rousseau, *The Social Contract*, trans. Donald A. Cress (Indianapolis, IN: Hackett, 1987 [1762]), sec. I.6, p. 24.

⁴⁴ Karl Marx believes: "My *own existence* is a social activity. For this reason, what I myself produce I produce for society, and with the consciousness of acting as a social being"; see Karl Marx, *Economic and Philosophical Manuscripts* (1844), accessed online at: <https://www.marxists.org/archive/marx/works/1844/manuscripts/comm.htm>.

⁴⁵ Hegel claims that the State is "an absolute unmoved end in itself" and "has supreme right against the individual, whose supreme duty is to be a member of the state"; see Hegel, *Philosophy of Right*, sec. 258, p. 156.

true identity as social beings,⁴⁶ but also for society itself, which is the only vehicle through which the highest human values can be realized.⁴⁷

e. Liberalism is materialistic

Liberalism may generate material wealth, but its emphasis upon such prosperity fosters materialistic values that are trivial, ultimately empty, and even undercut our capacity for pursuing truly important values.⁴⁸

Advocates of free markets typically emphasize material measures of success. For example, they measure production and consumption activity, such as gross domestic product, how financial markets are performing, the number of automobiles purchased, and the size of people's homes. That is, they measure value by means of money and physical quantities, with the assumption that more is better.

This sends a wrong signal to consumers. It leads them to define their worth in terms of their possessions, and so to believe that they need unendingly more.⁴⁹ That in turn leads to many social pathologies. The basest material desires—for food and sex—are often the easiest to satisfy. Driven by consumer demand, the free market devotes disproportionate amounts of resources to those materialist values. Another is the social-psychology motivation of “keeping up with the Joneses,” which causes unhealthy competition: my neighbor has acquired some material good, so I feel compelled to acquire it myself so as not to be perceived as less worthy. Yet another pathology is a cultural version of Gresham's Law: free-market

⁴⁶ Dostoevsky's Grand Inquisitor says that “this need for *communality* of worship is the chief torment of each man individually, and of mankind as a whole, from the beginning of the ages”; see Dostoevsky, *The Brothers Karamazov*, p. 254.

⁴⁷ John Dewey claims this for real community as consensus: “Individuals do not even compose a social group because they all work for a common end. The parts of a machine work with a maximum of cooperativeness for a common result, but they do not form a community. If, however, they were all cognizant of the common end and all interested in it so that they regulated their specific activity in view of it, then they would form a community”; see John Dewey, *Democracy in Education: An Introduction to the Philosophy of Education* (New York: Macmillan, 1916), p. 6; accessed online at: https://archive.org/stream/democracyeducati1916dewe/democracyeducati1916dewe_djvu.txt.

⁴⁸ Kant maintains: “To behold virtue in her proper shape is nothing other than to show morality stripped of all admixture with the sensuous and of all the spurious adornments of reward or self-love”; see Kant, *Groundwork of the Metaphysics of Morals*, sec. 426, footnote.

⁴⁹ William Wordsworth indicates this in his poem “The World Is Too Much With Us” (1802): “The world is too much with us; late and soon /Getting and spending, we lay waste our powers.”

capitalism is driven largely by the mass market, but mass taste and culture are at best of low-to-moderate standards, so the market for lower-quality material goods tends to drive out higher-quality cultural goods.⁵⁰

A further pathology is that a free-market society increasingly develops sophisticated and powerful institutions devoted to sales and consumerism. That is to say, its advertising industry makes the problem worse.⁵¹ Advertisers use sophisticated psychology and expend large amounts of society's resources, often in the service of selling trivialities. Millions are spent to promote a new style of sneakers or hair gel while budgets are cut for education and the fine arts. Often, we do not even "know" that we need something until advertising induces us to feel that we "need" it.⁵²

Therefore, we must reject liberalism's insistence upon unlimited freedom in production and consumption choice, and we must reject its insistence upon unbridled freedom of advertising. Good social policy should guide producers and consumers away from base materialism and ensure that advertising directs people toward genuinely valuable goods.⁵³

In stronger form, our argument is that the empty materialism of liberal capitalism causes a value crisis for mankind.⁵⁴ We are not merely animals but creatures with strong psychological and spiritual needs.⁵⁵

⁵⁰ Gresham's Law: "Bad money drives out good."

⁵¹ Robert Heilbroner states: "If I were asked to name the deadliest subversive force within capitalism—the single greatest source of its waning morality—I would without hesitation name advertising"; see Robert Heilbroner, "Demand for the Supply Side," *The New York Review of Books* 38 (June 11, 1981), p. 40.

⁵² John Kenneth Galbraith claims this about advertising's "dependence effect": "If the individual's wants are to be urgent they must be original with himself. They cannot be urgent if they must be contrived for him. And above all they must not be contrived by the process of production by which they are satisfied. For this means that the whole case for the urgency of production, based on the urgency of wants, falls to the ground. One cannot defend production as satisfying wants if that production creates the wants"; see John Kenneth Galbraith, *The Affluent Society* (New York: Houghton Mifflin Harcourt, 1958), p. 124.

⁵³ C. S. Lewis argues that if we imagined a truly Christian society, we would see that "its economic life was very socialistic." He also says that, in such a society, "there will be no manufacture of silly luxury items and then even sillier advertisements to persuade us to buy them"; see C. S. Lewis, "Social Morality," in his *Mere Christianity* (New York: Macmillan, 1952), Book 3, chap. 3, p. 84.

⁵⁴ Irving Kristol, "godfather" of neo-conservatism, states: "The inner spiritual chaos of the times, so powerfully created by the dynamics of capitalism itself, is such as to make nihilism an easy temptation. A 'free society' in Hayek's sense gives birth in massive numbers to 'free spirits'—emptied of moral substance"; see *Capitalism Today*, ed. Daniel Bell and Irving Kristol (New York: Basic Books, 1971), p. 13.

⁵⁵ Solzhenitsyn claims: "[T]he human soul longs for things higher, warmer, and purer

Capitalism's materialism—while it generates lots of stuff—empties our lives of genuine meaning, leaving us vulnerable to neurosis and nihilism.⁵⁶

If we ask what a life of genuine meaning is, then of course a variety of philosophical possibilities will emerge. But the main thrust of our argument is that the government must take an active hand in human psychological and spiritual development. Just as we cannot leave provision of healthy material needs to the free market, we cannot expect the free market to fulfill humans' true psychological and spiritual needs.⁵⁷ "Statecraft," to borrow a line, "is soulcraft."⁵⁸

In moderate form, a non-materialist society will use its government to find a healthy balance between our physical and psychological wants, between our material and spiritual needs. Government policy will be directed toward curbing the materialist excesses of liberal capitalism and toward supplying remedies for its psychological and spiritual deficits.⁵⁹

In strongest form, anti-materialism will require government policy to deny the significance of physical values at all and to direct humanity in a purely spiritual direction. Materialists make physical life on Earth of highest value—note their obsession with increasing life expectancy, as if human beings are merely bodies to be preserved indefinitely. While life on Earth is brief, life after physical death is forever. Our true vocation is to live and die so

than those offered by today's mass living habits, introduced as by a calling card by the revolting invasion of commercial advertising, by TV stupor, and by intolerable music"; see Solzhenitsyn, "A World Split Apart."

⁵⁶ Ortega y Gasset says of modern Europe: "She has adopted blindly a culture which is magnificent, but has no roots"; see Ortega y Gasset, *Revolt of the Masses*, p. 189.

⁵⁷ Amitai Etzioni's left-communitarian version is: "Man and woman do not live by bread alone; it is unwise to believe that all we need is economic rehabilitation. We require our daily acts to be placed into a context of transcendent meaning and their moral import made clear"; see Amitai Etzioni, "Nation in Need of Community Values," *The London Times*, February 20, 1995, accessed online at: <https://www.gwu.edu/~ccps/etzioni/B262.html>.

Kirk's right-conservative version holds: "The conservative is concerned, first of all, with the regeneration of the spirit and character—with the perennial problem of the inner order of the soul, the restoration of the ethical understanding, and the religious sanction upon which any life worth living is founded. This is conservatism at its highest"; see Kirk, *The Conservative Mind*, p. 469.

⁵⁸ See George F. Will, *Statecraft as Soulcraft* (New York: Touchstone, 1984), p. 94.

⁵⁹ For example, in his *My Brother's Keeper: A Memoir and a Message* (Lanham, MD: Rowman & Littlefield, 2003), Amitai Etzioni argues for a Third Way politics that is neither capitalist nor communist, but rather more like a "three-legged stool" (p. 372) in which society achieves a balance between the state (the public sector), the market (the private sector), and the community (the social sector).

as to be worthy of ultimate justice.⁶⁰ If liberalism leads to materialism and materialism is anti-spiritual, then liberalism must be rejected at its root.

The fundamental three sources of immorality are the desires for wealth, sex, and doing one's own will.⁶¹ Note that the great moral teachers in both the major Eastern⁶² and Western religious traditions have always made the anti-materialist, ascetic virtues the first step toward ethical idealism: poverty,⁶³ chastity,⁶⁴ and obedience. Note especially that the first *sin* in the Garden of Eden was disobedience. Consequently, the first virtue is obedience, not liberty. A moral society will be one in which material pursuits are minimized as much as possible, and one in which its members are willing to

⁶⁰ Miguel de Unamuno, in his *The Tragic Sense of Life*, trans. J. E. Crawford Fitch (New York: Dover, 1954 [1913]), claims: "A human soul is worth all the universe, someone—I know not whom—has said and said magnificently. A human soul, mind you! Not a human life. Not this life. And it happens that the less a man believes in the soul—that is to say in his conscious immortality, personal and concrete—the more he will exaggerate the worth of this poor transitory life. This is the source from which springs all that effeminate, sentimental ebullition against war," accessed online at: <http://www.gutenberg.org/ebooks/14636>.

⁶¹ I John 2:15-16: "Love not the world, neither the things that are in the world. If any man love the world, the love of the Father is not in him. For all that is in the world, the lust of the flesh, and the lust of the eyes, and the pride of life, is not of the Father, but is of the world."

⁶² Jain monks renounce worldly life in its entirety and embrace a rigorously ascetic life, often to the point of not wearing clothing no matter what the weather. A Hindu monk is forbidden from having personal possessions or touching money or other valuables, maintaining personal relationships, eating food for pleasure, and sexual contact with women (or looking at or even thinking about them).

⁶³ Matt. 6:24: "You cannot serve God and money. Therefore, I tell you, do not worry about life, wondering what you will have to eat or drink, or about what you will have to wear."

⁶⁴ Rev. 14:4: "It is these who have not defiled themselves with women, for they are chaste; it is these who follow the Lamb wherever he goes; these have been redeemed from mankind as first fruits for God and the Lamb."

Eastern Orthodox Archpriest Avvakum says: "A woman came to confess to me, burdened with many sins, guilty of fornication and all of the sins of the flesh, and, weeping, she began to acquaint me with them all, leaving nothing out, standing before the Gospels. And I, thrice accursed, fell sick myself. I inwardly burned with a lecherous fire, and that hour was bitter to me. I lit three candles and fixed them to the lectern and placed my right hand in the flame, and held it there till the evil passion was burned out, and when I had dismissed the young woman and laid away my vestments, I prayed and went to my house, grievously humbled in spirit"; quoted in Robert K. Massie, *Peter the Great* (New York: Random House, 1980), p. 62.

sacrifice their physical possessions, their physical satisfactions,⁶⁵ and even their physical lives⁶⁶ in order to achieve spiritual fulfillment.

f. Liberal societies are boring

We do not need to glamorize tribal or feudal life in order to see that modern liberalism's replacement is another form of tedium occasionally sprinkled with low-grade pleasures. The imperative of liberal capitalism is productiveness, which has proceeded to transform the workplace. Agriculture was mechanized. Factories filled were with machines and workers as their semi-robotic adjuncts. Corporations populated their office towers with cubicle farms filled with business-suits.⁶⁷

Everything was more productive—but at a cost: production, sameness, standardization. Even time was made uniform and work became shift-work—whether 9-to-5 or the graveyard shift—with a demand that all workers, whether blue- or white-collar, conform to the pace.⁶⁸

⁶⁵ Solzhenitsyn's answer to the question, "What about the main thing in life?" is: "Live with a steady superiority over life—don't be afraid of misfortune, and do not yearn for happiness"; see Alexander Solzhenitsyn, *One Day in the Life of Ivan Denisovich*, trans. Ralph Parker (New York: E. P. Dutton, 1963), p. 136.

⁶⁶ Seyyid Qutb on martyrdom: "When Islam strives for peace, its objective is not that superficial peace which requires that only that part of the earth where the followers of Islam are residing remain secure. The peace which Islam desires is that the religion (i.e., the Law of the society) be purified for God, that the obedience of all people be for God alone." Furthermore, he holds: "The highest form of triumph is the victory of soul over matter, the victory of belief over pain, and the victory of faith over persecution," and finally: "All men die, and of various causes, but not all gain such victory. It is God's choosing and honoring a group of people who share death with the rest of mankind but who are singled out from other people for honor"; see Seyyid Qutb, *Milestones* (Damascus: Dar Al-Ilm, 1964), pp. 63 and 151.

⁶⁷ Jean-François Lyotard claims: "The experience of the human subject—individual and collective—and the aura that surrounds this experience, are being dissolved into the calculation of profitability, the satisfaction of needs, self-affirmation through success. Even the virtually theological depth of the worker's condition, and of work, that marked the socialist and union movements for over a century, is becoming devalORIZED, as work becomes a control and manipulation of information. These observations are banal"; see Jean-François Lyotard, "The Sublime and the Avant-Garde," in his *The Inhuman: Reflections on Time*, trans. Geoffrey Bennington and Rachel Bowlby (Stanford, CA: Stanford University Press, 1991), p. 102.

⁶⁸ Solzhenitsyn says: "There is no open violence, as in the East; however, a selection dictated by fashion and the need to accommodate mass standards frequently prevents the most independent-minded persons from contributing to public life and gives rise to dangerous herd instincts that block dangerous herd development"; see Solzhenitsyn, "A World Split Apart."

The same stultification of liberal capitalism carries over when we turn from production to consumption. The modern world gave mankind freedom, just as liberalism claims. It did lower the barriers of inequality and improve their material condition. However, look at what its free people chose: the soft life of suburban sprawl and shopping malls and lowest-common-denominator entertainment. They chose to be conformist in their tastes and fashions and to avoid causing friction with their neighbors and in-laws. They traded their souls for comforts and quiet, low-grade hedonism. They chose safety and a risk-averse life. And they call it “progress.”⁶⁹ We can label this set of values the “bourgeois code.” The bourgeoisie’s top values are security, standardization, conformity, and peace.⁷⁰

But man does not live by bread, internet porn, and cat pictures alone. He needs a quest, a mission, a sense of his life as a grand adventure.⁷¹ Yet modern liberalism has created and enshrined a petty and inauthentic life. A human being in quest of an authentic life must break with liberalism’s stultifying bourgeois lifestyle.⁷² He must reject the soft imperialism of liberalism’s standardized culture and its passive-aggressive demands that everyone be nice. Authenticity will embrace uniqueness, risk-taking, danger—and the exalting experience of everything being at stake, even one’s own precious life.

The quest for authenticity can take several forms. One is via Religion—a religion that is born of disgust with the complacency of the apathetic herd and its soul-deadening pursuits. By rejecting everyday society and the ordinary pursuits of bourgeois life, one can free one’s spirit, one’s soul, and one’s true self and become open to enthusiasm, ecstasy, or nirvana.⁷³

⁶⁹ Friedrich Nietzsche disparages the “last men”: “What is love? What is creation? What is longing? What is a star?” thus asks the last man, and he blinks. “The earth has become small, and on it hops the last man, who makes everything small. His race is as ineradicable as the flea-beetle; the last man lives longest. “‘We have invented happiness,’ say the last men, and they blink”; see Friedrich Nietzsche, “Preface,” in his *Thus Spake Zarathustra*, ed. and trans. Adrian Del Caro and Robert Pippin (Cambridge, UK: Cambridge University Press, 2006 [1883]), p. 5.

⁷⁰ Carl Schmitt offers this definition of the bourgeois: “aspiring to a life without political risk”; see Carl Schmitt, *The Concept of the Political*, trans. George Schwab (Chicago, IL: University of Chicago Press, 1996 [1927]), p. 51, n. 22.

⁷¹ Dostoevsky’s Grand Inquisitor: “Without a firm idea of what he lives for, man will not consent to live and will sooner destroy himself than remain on earth, even if there is bread all around him”; see Dostoevsky, *The Brothers Karamazov*, p. 254.

⁷² Martin Heidegger states that the quest for authenticity first requires “the overcoming of the *whole bourgeois essence*”; see Martin Heidegger, “Reunion Speech” (1934), accessed online at: <http://www.stephenhicks.org/2015/05/27/heideggers-reunion-speech-of-1934/>.

⁷³ Hermann Hesse says of Buddha’s journey: “Siddhartha had spent the night in his

Another route is via Art. The low-grade art of the bourgeoisie is of course beneath contempt; it is about copying tired old tropes,⁷⁴ it is about prettiness and easy beauty,⁷⁵ and it is kitsch.⁷⁶ Consequently, the journey of one's artistic development may require shocking the bourgeoisie to demonstrate to them, contemptuously, and oneself that one has truly broken with them. Once so freed, one can genuinely seek the original and the sublime.⁷⁷

house with dancing girls and wine, had acted as if he was superior to them towards the fellow-members of his caste, though this was no longer true, had drunk much wine and gone to bed a long time after midnight, being tired and yet excited, close to weeping and despair, and had for a long time sought to sleep in vain, his heart full of misery which he thought he could not bear any longer, full of a disgust which he felt penetrating his entire body like the lukewarm, repulsive taste of the wine, the just too sweet, dull music, the just too soft smile of the dancing girls, the just too sweet scent of their hair and breasts. But more than by anything else, he was disgusted by himself, by his perfumed hair, by the smell of wine from his mouth, by the flabby tiredness and listlessness of his skin. Like when someone, who has eaten and drunk far too much, vomits it back up again with agonising pain and is nevertheless glad about the relief, thus this sleepless man wished to free himself of these pleasures, these habits and all of this pointless life and himself, in an immense burst of disgust.”

Thus, “Siddhartha had one single goal—to become empty, to become empty of thirst, desire, dreams, pleasure and sorrow—to let the Self die. When all the Self was conquered and dead, when all passions and desires were silent, then at last must awaken, the innermost of Being that is no longer Self—the great secret!”; see Hermann Hesse, *Siddhartha* (New York: Bantam Books, 1981 [1922]), p. 14.

⁷⁴ Clement Greenberg notes: “Twenty-odd years ago all the ambitious young painters I knew in New York saw abstract art as the only way out. Rightly or wrongly, they could see no other way in which to go in order to say something personal. Therefore new, therefore worth saying. Representational art confronted their ambition with too many occupied positions. But it was not so much representation *per se* that cramped them as it was illusion”; see Clement Greenberg, “After Abstract Expressionism,” *Art International* (1962), p. 24.

⁷⁵ Barnett Newman claims: “The impulse of modern art is this desire to destroy beauty”; see Barnett Newman, “The Sublime Is Now,” *The Tiger's Eye* (1948), p. 172.

⁷⁶ Hermann Broch identifies kitsch as “the evil within the value-system of art” and holds: “The maker of kitsch does not create inferior art, he is not an incompetent or a bungler, he cannot be evaluated by aesthetic standards; rather he is ethically depraved, a criminal willing radical evil”; see Hermann Broch, *Geist and Zeitgeist: The Spirit in an Unspiritual Age, Six Essays by Hermann Broch* (New York: Counterpoint Publishing, 2003), p. 37.

⁷⁷ Lyotard argues that the sublime is an attack on “the metaphysics of capital, which is a technology of time.” Furthermore, with the sublime, “the will is defeated. The avant-gardist task remains that of undoing the presumption of the mind with respect to time. The sublime feeling is the name of this privation”; see Lyotard, “The Sublime and the Avant-Garde,” p. 107.

Yet another authentic possibility is War. Liberals of course want peace so that their money-making trade networks are not disturbed. However, the point of life is not crass money-making. The commercial life is not suited for the highest human development, as it cultivates the softer and, shall we say, more effeminate, shopkeeper traits; it wants orderly ledgers, the comforts of home and ordinary life,⁷⁸ and to be distracted from its petty troubles by entertainment.⁷⁹ By contrast, war at its best inculcates more vigorous and hardy traits that lift humans to their true potential, individually and communally, as it seeks the great deed and the deadly serious mission.⁸⁰ For any of us to live fully, humankind needs predators more than traders,⁸¹ self-sacrificers more than self-seekers,⁸² and those who embrace pain and difficulty more than those who want pleasure and ease.⁸³

⁷⁸ Werner Sombart's 1915 *Merchants and Heroes* is representative. Sombart was early an admirer of Marx, though he drifted to the right after repeatedly being disappointed when the communist revolution failed to materialize. *Merchants and Heroes* contrasts two types—the merchant (represented in his era by the English) and the hero (represented by the Germans). Merchants are of a lower order: they are calculating, interested in profit, money, and the physical comforts of life. Heroes, by contrast, are of higher historical significance, motivated by the ideal of the great deed and sacrifice for a noble calling. Early in *Händler und Helden* Sombart explains his purpose: “at issue in this war are the *merchant* and the *hero*, the mercantile and heroic *Weltanschauung*, and the culture that pertains to each. The reason why I am trying, by means of these terms, to isolate a profound and comprehensive antagonism between world-views and experiences of the world is the subject of the following analysis”; see Werner Sombart, *Händler und Helden* (Munich: Duncker & Humblot, 1915); accessed online at: <https://archive.org/details/hndlerundhelde00somb>.

⁷⁹ Carl Schmitt, in 1927, describes a world without war as one of mere entertainment: “A world in which the possibility of war is utterly eliminated, a completely pacified globe, would be a world without the distinction of friend and enemy and hence a world without politics. It is conceivable that such a world might contain many very interesting antitheses and contrasts, competitions and intrigues of every kind, but there would be not a meaningful antithesis whereby men could be required to sacrifice life, authorized to shed blood, and kill other human beings”; see Carl Schmitt, *The Concept of the Political*, trans. George Schwab (Chicago, IL: University of Chicago Press, 1996), p. 35.

⁸⁰ Already by 1934 Heidegger was calling the Great War “the *first* world war”; see Heidegger, “Reunion Speech” (emphasis added).

⁸¹ Nietzsche urges: “To take the right to new values—that is the most terrible taking for a carrying and reverent spirit. Indeed, it is preying, and the work of a predatory animal”; see Nietzsche, “On the Three Metamorphoses,” in his *Thus Spoke Zarathustra*, I.10, p. 17.

⁸² Nietzsche argues: “*War essential*. It is vain rhapsodizing and sentimentality to continue to expect much (even more, to expect a very great deal) from mankind, once

g. Power is the reality, so liberalism is naïve

Liberalism makes freedom the top social value, but that is naïve because freedom is neither an accurate description of human social reality nor the most desirable value. Instead, life is about power. Weeds and grasses vie for soil and sunlight. The insect eats the grass. The rat eats the insect. The hawk catches the rat and devours it. The man captures the hawk and puts it in a cage—and makes it fly according to *his* will.

Power relations dominate reality. *Within* any power framework, there can be sub-areas of peace, freedom, and affection. The alpha lion may let the other lions eat after he has had his fill, and he may play occasionally with the cubs. But those are interludes with an ongoing power struggle. The younger beta lions are waiting for their chance to dethrone him, neighboring prides are probing for weakness, the pride will soon need to kill again, and battles against diseases and the elements are constant.

Human life is continuous with the rest of organic life, and all of human history is testament to this fact.⁸⁴ Life is struggle—a conflict between

it has learned not to wage war. For the time being, we know of no other means to imbue exhausted peoples, as strongly and surely as every great war does, with that raw energy of the battleground, that deep impersonal hatred, that murderous coldbloodedness with a good conscience, that communal, organized ardor in destroying the enemy, that proud indifference to great losses, to one's own existence and to that of one's friends, that muted, earthquakelike convulsion of the soul"; see Friedrich Nietzsche, *Human, All Too Human: A Book for Free Spirits*, trans. R. J. Hollingdale (New York: Cambridge University Press, 1996), sec. 477.

⁸³ According to his translator, David Durst, Ernst Jünger “rejects the liberal values of liberty, security, ease, and comfort, and seeks instead the measure of man in the capacity to withstand pain and sacrifice”; see Ernst Jünger, *On Pain*, trans. David Durst (Candor, NY: Telos Press, 2008 [1934]), back cover.

George Orwell writes that Adolf Hitler “knows that human beings *don't* only want comfort . . . they want struggle and self-sacrifice, not to mention drums, flags and loyalty parades.” His view about all of the totalitarians is: “However they may be as economic theories, Fascism and Nazism are psychologically far sounder than any hedonistic conception of life. The same is probably true of Stalin's militarized version of Socialism. All three of the great dictators have enhanced their power by imposing intolerable burdens upon their people. Whereas Socialism, and even capitalism in a more grudging way, have said to people ‘I offer you a good time,’ Hitler has said to them ‘I offer you struggle, danger and death,’ and as a result a whole nation flings itself at his feet”; see George Orwell, “Review of *Mein Kampf*,” 1940, accessed online at: <https://docs.google.com/file/d/0BzmBhYakPbYtT3k5cDd4SmISRUE/view>.

⁸⁴ Nietzsche claims: “Here one must think profoundly to the very basis and resist all sentimental weakness: life itself is *essentially* appropriation, injury, conquest of the strange and weak, suppression, severity, obtrusion of peculiar forms, incorporation and at the least, putting it mildest, exploitation—but why should one for ever use precisely these words on which for ages a disparaging purpose has been stamped?”; see Friedrich Nietzsche, *Beyond Good and Evil*, trans. Walter Kaufmann (New York:

life and death and a choice between dominance and submission. War is not merely an extension of politics, but our basic metaphysical condition.⁸⁵ The relations between men and women,⁸⁶ competing businesses,⁸⁷ and even the pursuit of knowledge⁸⁸—with its claimed imperatives of objectivity and intellectual freedom—are manifestations of exploitative power.

So we must reject liberalism's insistence upon the moral rights of individuals to their own freedom.⁸⁹ That philosophy may be a rhetorical

Vintage, 1966), sec. 259, p. 203.

⁸⁵ Heraclitus argues: "War is father of all and king of all; and some he manifested as gods, some as men; some he made slaves, some free"; and: "We must know that war [πόλεμος/polemos] is common to all and strife is justice, and that all things come into being through strife necessarily"; see Heraclitus, *The Presocratics*, trans. Philip Wheelwright (New York: Odyssey Press, 1966), frags. B53 and B80.

⁸⁶ Millicent Bell claims: "All unions are doomed to be compromises of dominion and submission"; see Millicent Bell, "The Bostonian Story," *Partisan Review* 2 (1985), p. 113.

⁸⁷ Carl von Clausewitz holds: "Rather than comparing [war] to art we could more accurately compare it to commerce, which is also a conflict of human interests and activities; and it is still closer to politics, which in turn may be considered as a kind of commerce on a larger scale"; see Carl von Clausewitz, *On War* (1832), Book I, chap. 3, accessed online at: <https://www.clausewitz.com/readings/OnWar1873/TOC.htm>.

Kevin O'Leary claims: "Business is war. I go out there, I want to kill the competitors. I want to make their lives miserable. I want to steal their market share. I want them to fear me and I want everyone on my team thinking we're going to win"; see Kevin O'Leary, "'Business Is War,' Kevin O'Leary Tells University of Waterloo Students," *The Record*, February 5, 2015, accessed online at: <http://www.therecord.com/news-story/5322749--business-is-war-kevin-o-leary-tells-university-of-waterloo-students/>.

⁸⁸ Michel Foucault says: "All knowledge rests upon injustice; there is no right, not even in the act of knowing, to truth or a foundation for truth; and the instinct for knowledge is malicious (something murderous, opposed to the happiness of mankind)"; see Michel Foucault, "Nietzsche, Genealogy, and History," in his *Language, Counter-Memory, Practice: Selected Essays and Interviews* (Ithaca, NY: Cornell University Press, 1980). He also notes: "I am simply a Nietzschean, and I try as far as possible, on a certain number of issues, to see with the help of Nietzsche's texts"; see Foucault, *Foucault Live, Collected Interviews, 1961-1984*, ed. Sylvère Lotringer, trans. Lysa Hochroth and John Johnston (New York: Semiotext[e], 1989), p. 471.

⁸⁹ Nietzsche states: "people now rave everywhere, even under the guise of science, about coming conditions of society in which 'the exploiting character' is to be absent:—that sounds to my ear as if they promised to invent a mode of life which should refrain from all organic functions"; see Nietzsche, *Beyond Good and Evil*, sec. 259.

strategy used by the weaker to get what they want⁹⁰—namely, a zone of safety free from the stronger—but the powerful have no need for such devices and will always find a way to wrest what they desire from whatever system happens to be in place. They will do so as a matter of right,⁹¹ as long as we understand right to be a clear-eyed acceptance of realism.⁹²

The reality and the glory of life are the acquisition and exercise of power over others. As the cliché has it, all really is fair in love and war. When we define normative concepts such as justice, we might strive to mask the underlying power relations. However, the battle over definitions is simply one more dimension in the struggle for dominance, and definitions that delude our enemies give us an advantage over them. Of course, when we are strong enough we will dispense with the masks and proclaim straightforwardly that justice is whatever the powerful want it to be.⁹³

Domination is therefore basic to the political.⁹⁴ Those who acquire dominion power will be those who recognize this reality of the human condition and who do not flinch from using the stratagems necessary to

⁹⁰ Foucault claims that “power is tolerable only on condition that it mask a substantial part of itself. Its success is proportional to its ability to hide its own mechanisms”; see Michel Foucault, *The History of Sexuality, Volume 1, An Introduction*, trans. Robert Hurley (New York: Random House, 1978), p. 86.

⁹¹ Schmitt urges: “In case of need, the political entity must demand the sacrifice of life. Such a demand is in no way justifiable by the individualism of liberal thought. No consistent individualism can entrust to someone other than to the individual himself the right to dispose of the physical life of the individual”; see Schmitt, *The Concept of the Political*, p. 71.

⁹² Thucydides renders the Athenian delegates’ speech to the Spartans this way: “We have done nothing extraordinary, nothing contrary to human nature in accepting an empire when it was offered to us and then in refusing to give it up. Three very powerful motives prevent us from doing so—security, honour, and self-interest. And we were not the first to act in this way. Far from it. It has always been a rule that the weak should be subject to the strong; and besides, we consider that we are worthy of our power”; see Thucydides, *History of the Peloponnesian War*, trans. Rex Warner (New York: Penguin, 1972), p. 76.

⁹³ Thrasymachus in Plato’s *Republic* says: “I affirm that the just is nothing else than the advantage of the stronger”; see Plato, *Republic*, 338c.

⁹⁴ Leo Strauss summarizes Schmitt’s view this way: “[B]ecause man is by nature evil, he therefore needs *dominion*. But dominion can be established, that is, men can be unified only in a unity against—against other men. Every association of men is necessarily a separation from other men . . . the political thus understood is not the constitutive principle of the state, of order, but a condition of the state”; see Heinrich Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue*, trans. J. Harvey Lomax (Chicago, IL: University of Chicago Press, 1995), p. 125.

maintain it.⁹⁵ Any other philosophy of life is a foolish and childish attempt to escape from the harsh adult realities of life and death.

h. Liberalism does not guarantee that everyone's basic needs will be met

Liberalism attempts to guarantee freedom, but it does not guarantee that everyone's basic needs will be met.⁹⁶ Yet on the most fundamental requirements of life, we should not cold-heartedly force anyone to trade off between liberty's risks and being secure in one's basic needs. Security is more important than liberty.

Especially in the wealthy parts of the world, there is no excuse for allowing poverty. Yet in such places, the rich typically indulge themselves in luxuries and frivolities.⁹⁷ Survival needs are of greater moral significance than luxuries, though, and morality requires that we sacrifice the inessential to the essential. It is a matter of moral obligation that those with more than they need provide for those with less than they need.⁹⁸

Most people in comfortable material circumstances, however, seem unwilling voluntarily to act to meet the greater needs of others.⁹⁹ Consequently, when voluntary sacrifice is not forthcoming in sufficient quantities, some measure of government redistribution is warranted.

⁹⁵ On whether it is more important for a ruler to be feared or loved, Niccolò Machiavelli concludes: "The answer is of course, that it would be best to be both loved and feared. But since the two rarely come together, anyone compelled to choose will find greater security in being feared than in being loved"; see Niccolò Machiavelli, *The Prince*, trans. Robert M. Adams (New York: W. W. Norton, 1977 [1532]), chap. 17, p. 47.

⁹⁶ Rousseau claims: "Every man by nature has a right to everything he needs"; see Jean-Jacques Rousseau, *The Social Contract*, trans. Donald A. Cress (Indianapolis, IN: Hackett, 1987), I.9, p. 27.

⁹⁷ Rousseau claims: "[I]t is obviously contrary to the law of nature, however it may be defined, for a child to command an old man, for an imbecile to lead a wise man, and for a handful of people to gorge themselves on superfluities while the starving multitude lacks necessities"; see Jean-Jacques Rousseau, *Discourse on the Origin and Foundations of Inequality among Men*, trans. Donald Cress (Indianapolis, IN: Hackett, 1992 [1755]), p. 71.

⁹⁸ Peter Singer holds that "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it"; see Peter Singer, "Famine, Affluence, and Morality," *Philosophy and Public Affairs* 1, no. 1 (Spring 1972), pp. 229-43.

⁹⁹ Victor Hugo: "There is always more misery among the lower classes than there is humanity among the rich"; see Victor Hugo, *Les Misérables*, trans. Chas. E. Wilbour (New York: Carleton, 1862), p. 11.

Furthermore, human dignity is a basic right.¹⁰⁰ There is no dignity in poverty and there is no dignity in having to ask for charity, so—as an institution morally responsible for protecting human rights—the government should grant to each human being by right at least the minimum necessary to avoid poverty.

A standard liberal response is to cite capitalism’s productivity and to argue that the poorer parts of the world can become richer by adopting free markets and property rights, but that is to focus on the long term—perhaps the very long term. In the short term, people are suffering and dying.

Another standard liberal response is to cite everyone’s self-responsibility and to assert their competence at satisfying their basic needs. However, this overlooks the vulnerable status of children, especially in poorer nations. If adults in such circumstances struggle and often fail to provide for their own needs, it is too much to expect their children to succeed in doing so. Without their basic needs being met during their crucial developmental stages, children will not grow into adults with a fighting chance at life. Our social responsibility therefore extends at a minimum to providing basic sustenance to the young.¹⁰¹

We can argue about what range of services should be considered basic needs, such as food and drink, education, healthcare, infrastructure, safety, and sex. Unlike the vagaries of free markets, only governments have the power and the will to ensure that basic needs are met consistently.¹⁰² Global capitalism, by contrast, has led to a world in which millions are not provided for. A moral social system will recognize the interdependence of all

¹⁰⁰ According to the United Nations: “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation”; and: “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control”; see United Nations, “The Universal Declaration of Human Rights,” Preamble and art. 25, sec. 1 (1948), accessed online at: <http://www.un.org/en/documents/udhr/>.

¹⁰¹ Michael Harrington argues: “The basic necessities of life—food, shelter, clothing, education, medical care—are met in my Utopia. I don’t care if they are lazy, promiscuous, irreverent, rotten people. No one should have to go hungry or cold—scoundrel or not. And in my Utopia I wouldn’t change a single facet of human nature as we now know it”; see Michael Harrington et al., “Paradise Tossed: Visions of Utopia,” *Omni Magazine* 10 (April, 1988), pp. 36-108.

¹⁰² Karl Marx says: “From each according to his ability, to each according to his needs!”; see Karl Marx, *Critique of the Gotha Program* (1875), accessed online at: <https://www.marxists.org/archive/marx/works/1875/gotha/ch01.htm>.

of humanity¹⁰³ and address itself to redressing the under-supply of basic goods to many.¹⁰⁴

i. Liberalism is unfair

Fairness is a basic moral concept.¹⁰⁵ Fairness is often connected to desert, that is, ensuring that people get what they deserve. So as to ensure as much as possible that people do get what they deserve, a fair society will design its rules and institutions with that purpose in mind.

Liberalism is fundamentally unfair in two important ways: (1) Many people start out with undeserved advantages in life. (2) Liberalism's rules both perpetuate the unfairness and enable many to acquire further outsized and undeserved social rewards.

No one deserves his or her starting place in life, however. In the great lottery of human existence, some are born with greater natural endowments than others and some are born into favorable social circumstances. Individuals are born more or less healthy and with more or less potential for intelligence, endurance, and bodily strength. Individuals are born into more or less wealthy families, neighborhoods, and societies and with more or less opportunities for education and character development. Consequently, the decisive factors for each of us are a matter of luck¹⁰⁶—they are not within our control, and so we cannot claim any form of moral credit for them.

A liberal society simply takes this undeserved initial distribution of social goods as its unquestioned starting point. It then leaves people free to find their own way and considers as fair whatever results follow from free exchanges. Yet if the initial conditions of a society were a matter of undeserved luck, then the resulting distribution of goods is also undeserved.

Since gaining from undeserved advantages is unfair, a society concerned with fairness will make efforts to redress the undeserved

¹⁰³ Roger Scruton formulates a conservative version: “That, in my view, is the truth in socialism, the truth of our mutual dependence, and of the need to do what we can to spread the benefits of social membership to those whose own efforts do not suffice to obtain them”; see Roger Scruton, *How to Be a Conservative* (London: Bloomsbury Continuum, 2014), p. 61.

¹⁰⁴ We should here note the contrast to the above “Liberalism is materialist” and “Liberal societies are boring” arguments, which claim that liberal capitalism *oversupplies* people's basic material needs and so makes them fat and unhealthy, unmotivated and lazy.

¹⁰⁵ John Rawls says: “The duty of fair play stands beside those of fidelity and gratitude as a fundamental moral notion; and like them it implies a constraint on self-interest in particular cases”; see John Rawls, “Justice as Fairness,” *Journal of Philosophy* 54, no. 22 (October, 1957), p. 659.

¹⁰⁶ See, e.g., Thomas Nagel, “Moral Luck,” in Thomas Nagel, *Mortal Questions* (Cambridge, MA: Cambridge University Press, 1979), pp. 24-38.

advantages.¹⁰⁷ This will require either direct redistribution from the advantaged to the disadvantaged or an indirect redistribution by designing rules and institutions to the advantage of the initially disadvantaged.

An additional form of unfairness stems from liberalism's claim about the individual nature of wealth creation. It emphasizes the self-made man and gives outsized recognition and monetary rewards to such. The architect takes the credit for the building, ignoring the hundreds or thousands of workers who actually built the structure. The industrialist puts his name on the factory and takes the largest share of the profits, overlooking the fact that the factory's output is the result of collective effort.¹⁰⁸ The banker and the venture capitalist collect interest and take profits, when the wealth was actually created by the efforts of others.¹⁰⁹ Every one of us is dependent upon the achievements of many others who went before us.

Our initial life circumstance was made possible by our parents and their parents before them. Our upbringing is also due to our parents and

¹⁰⁷ Rawls says: We should consider "the distribution of natural talents as a common asset," but since human beings are "born into different positions," such "undeserved inequalities call for redress; and since inequalities of birth and natural endowment are undeserved, these inequalities are to be somehow compensated for"; see John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), p. 100.

¹⁰⁸ Elizabeth Warren argues: "There is nobody in this country who got rich on his own. Nobody. You built a factory out there? Good for you. But I want to be clear: you moved your goods to market on the roads the rest of us paid for; you hired workers the rest of us paid to educate; you were safe in your factory because of police forces and fire forces that the rest of us paid for. You didn't have to worry that marauding bands would come and seize everything at your factory, and hire someone to protect against this, because of the work the rest of us did"; see "You didn't build that," s.v. Wikipedia, accessed online at: https://en.wikipedia.org/wiki/You_didn%27t_build_that.

¹⁰⁹ Aristotle on the barrenness of money-lending: "The most hated sort [of wealth acquisition] and with the greatest reason, is usury, which makes a gain out of money itself and not from the natural object of it. For money was intended to be used in exchange but not to increase at interest. And this term interest [*tokos*], which means the birth of money from money is applied to the breeding of money because the offspring resembles the parent. Wherefore of all modes of getting wealth, this is the most unnatural"; see Aristotle, *Politics*, trans. Jonathan Barnes (Princeton, NJ: Princeton University Press, 1984), 1258b.

Karl Marx quotes Martin Luther: "There is on earth no greater enemy of man, after the Devil, than a gripe-money and usurer, for he wants to be God over all men. . . . Usury is a great, huge monster, like a werewolf. . . . And since we break on the wheel and behead highwaymen, murderers, and housebreakers, how much more ought we to break on the wheel and kill . . . hunt down, curse, and behead all usurers!"; see Karl Marx, *Capital: A Critique of Political Economy, Volume 1: The Process of Capitalist Production*, trans. Samuel Moore and Edward Aveling (Chicago, IL: Charles H. Kerr & Co., 1916 [1867]), p. 650.

others,¹¹⁰ including the government's rules about marriage, family, and the requirements of children's nurturance and education.¹¹¹ Consequently, we all owe a debt to the broader society to which we belong. Debt brings with it an obligation to repay. Yet liberal capitalism urges us to see ourselves as the authors of our own lives and to take more for ourselves from society rather than recognizing our indebtedness.¹¹²

j. Equality is threatened by freedom

Liberalism does allow for many important equalities. It agrees that we should judge everyone by the same general standards, that adults should be equally free to participate in the political process, and that there should be equality under the law.

However, liberalism does not allow for economic and more radical forms of social equality, and its making freedom more fundamental than equality only guarantees that inequalities will result. Radical equality across all social dimensions should be a fundamental imperative.¹¹³

¹¹⁰ Rawls holds: "So you were an educated man, yes, but who paid for your education; so you were a good man and upright, yes, but who taught you your good manners and so provided you with good fortune that you did not need to steal; so you were a man of a loving disposition and not like the hard-hearted, yes, but who raised you in a good family, who showed you care and affection when you were young so that you would grow up to appreciate kindness—must you not admit that what you have, you have received? Then be thankful and cease your boasting"; see Rawls, *A Brief Inquiry into the Meaning of Sin and Faith*, p. 19.

¹¹¹ In *Crito*, Socrates rejects his right to escape by having the Law make this argument on behalf of the State: "In the first place did we not bring you into existence? Your father married your mother by our aid and begat you. Say whether you have any objection to urge against those of us who regulate marriage?" None, I should reply. "Or against those of us who regulate the system of nurture and education of children in which you were trained? Were not the laws, who have the charge of this, right in commanding your father to train you in music and gymnastic?" Right, I should reply. "Well, then, since you were brought into the world and nurtured and educated by us, can you deny in the first place that you are our child and slave, as your fathers were before you?"; see Plato, *Crito*, trans. Thomas G. West and Grace Starry West (Ithaca, NY: Cornell University Press, 1984), 50d-51d, p. 109.

¹¹² In theological versions, our entire indebtedness is to God. Augustine says: "Why should there be such great glory to a human nature—and this undoubtedly an act of grace, no merit preceding unless it be that those who consider such a question faithfully and soberly might have here a clear manifestation of God's great and sole grace, and this in order that they might understand how they themselves are justified from their sins by the selfsame grace which made it so that the man Christ had no power to sin?"; see Augustine, *Enchiridion on Faith, Hope, and Love*, trans. Albert C. Outler (1955), chap. 11, sec. 36, accessed online at: http://www.tertullian.org/fathers/augustine_enchiridion_02_trans.htm#C11.

¹¹³ Kai Neilson contends: "For contemporary egalitarians, some form of economic

Economic inequality is both morally objectionable in itself and leads to pathological social consequences. We should recognize that the resources of the Earth originally belong to all human beings equally, so those who take from the common stock and assert a private property right are taking from the rest of us.¹¹⁴

Liberals sometimes respond that allowing private property unleashes the productive power of the profit motive and the free market, which in turn benefits everyone, including the least advantaged. They assert that some departures from strict equality are thus justified.¹¹⁵

Once initiated, though, such departures from equality will be difficult to contain and will lead only to further and worse inequalities. It is the natural tendency of free markets to move toward concentrations of wealth and monopolies. Free-market capitalism is a system of competition between unequals—rather than a system of cooperation with equals—and successive rounds of capitalist competition lead to winners and losers. The economic winners are then able to establish powerful concentrations in major industries and to dominate their markets. Aside from the threats to consumers this poses—monopoly pricing, for example—such big businesses can make it difficult to impossible for new and smaller businesses to gain entry into the market and compete successfully.¹¹⁶

equality is central as part of a package with legal, political, and social equalities”; see Kai Neilson, *Equality and Liberty: A Defense of Radical Egalitarianism* (Lanham, MD: Rowman and Littlefield, 1984), p. 6.

¹¹⁴ Rousseau says: “The first person who, having enclosed a plot of land, took it into his head to say *this is mine* and found people simple enough to believe him, was the true founder of civil society. What crimes, wars, murders, what miseries and horrors would the human race have been spared, had someone pulled up the stakes or filled in the ditch and cried out to his fellow man: ‘Do not listen to this impostor. You are lost if you forget that the fruits of the earth belong to all and the earth to no one!’”; see Rousseau, *Discourse on the Origin of Inequality*, p. 44.

Proudhon answers: “If I were asked to answer the following question: *What is slavery?* and I should answer in one word, *It is murder*, my meaning would be understood at once. No extended argument would be required to show that the power to take from a man his thought, his will, his personality, is a power of life and death; and that to enslave a man is to kill him. Why, then, to this other question: *What is property?* may I not likewise answer, *It is robbery*, without the certainty of being misunderstood; the second proposition being no other than a transformation of the first”; see Pierre-Joseph Proudhon, “What Is Property?” (1840), chap. 1, accessed online at: <https://www.marxists.org/reference/subject/economics/proudhon/property/>.

¹¹⁵ Rawls claims: “Social and economic inequalities . . . are just only if they result in compensating benefits for everyone, and in particular for the least advantaged members of society”; see Rawls, *A Theory of Justice*, pp. 14-15.

¹¹⁶ For example, the German Social Democrats on the need to equalize the size of businesses: “Private ownership of the means of production can claim protection by

Inequalities of wealth exacerbate other social inequalities. The richer are better able to influence and use their wealth to corrupt the political process. The elite tend to socialize, marry, and inter-breed among themselves, thus perpetuating their high social status. Unequally wealthy neighborhoods contribute to social stratification, as a given school district may spend a small amount of money per year per student for education while a neighboring district spends many times that amount.

As a result, even if the poorer members of society are raised above subsistence and absolute poverty, their *relative* poverty will cause social frictions.¹¹⁷ The poorer will envy the richer and the richer will lord it over the poorer.¹¹⁸ Therefore, even if liberalism does produce greater overall prosperity, that is not worth the trade-off damage that it does to equality. It is better that society be less rich and more equal.¹¹⁹

society as long as it does not hinder the establishment of social justice. Efficient small and medium sized enterprises are to be strengthened to enable them to prevail in competition with large-scale enterprises”; see “Godesberg Program of the SPD” (November 1959), sec. 6, accessed online at: http://germanhistorydocs.ghi-dc.org/sub_document.cfm?document_id=3049.

¹¹⁷ Michael Harrington, *The Other America: Poverty in the United States* (New York: Macmillan, 1962).

Adam Smith may have been first to identify the phenomenon of relative poverty: “By necessities I understand not only the commodities which are indispensably necessary for the support of life, but what ever the customs of the country renders it indecent for creditable people, even the lowest order, to be without. A linen shirt, for example, is, strictly speaking, not a necessary of life. The Greeks and Romans lived, I suppose, very comfortably, though they had no linen. But in the present times, through the greater part of Europe, a creditable day-laborer would be ashamed to appear in public without a linen shirt, the want of which would be supposed to denote that disgraceful degree of poverty which, it is presumed, nobody can well fall into, without extreme bad conduct. Custom, in the same manner, has rendered leather shoes a necessary of life in England”; see Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (Hartford, UK: Peter Gleason & Co., 1811 [1776]), p. 287.

¹¹⁸ Karl Marx and Friedrich Engels argue: “The modern bourgeois society that has sprouted from the ruins of feudal society has not done away with class antagonisms. It has but established new classes, new conditions of oppression, new forms of struggle in place of the old ones”; see Karl Marx and Friedrich Engels, *The Communist Manifesto* (1848), accessed online at: <https://www.marxists.org/archive/marx/works/1848/communist-manifesto/>.

¹¹⁹ Rousseau explains why comparative advantage and free trade are threats: “It cannot be denied that it is advantageous to have each sort of land produce the things for which it is best suited; by this arrangement you get more out of a country, and with less effort, than in any other way. But this consideration, for all its importance, is only secondary. It is better for the land to produce a little less and for the inhabitants to lead better-regulated lives. With any movement of trade and commerce it is impossible to

We should, accordingly, make every effort now to redistribute goods, opportunities, and statuses equally. The rich themselves should feel an obligation to make society more equal, both for moral and prudential reasons.¹²⁰ The rich's voluntary efforts are unlikely to be sufficient, so active government redistribution is necessary.

Liberals sometimes point out that even if we make people again equal, inequalities will simply re-assert themselves. Differences in natural endowments, efforts, and luck will again lead to economic inequalities.¹²¹ This means that ongoing government management is needed in order to maintain equality as much as possible. Also, with proper education and social conditioning,¹²² we can perhaps alter those differences in human nature that cause social inequality.¹²³

Achieving equality will likely be impossible in a global economy where nations and regions have different economic strengths. Liberals like to point out that the principle of comparative advantage combined with international free markets leads nations to specialize in production and then to

prevent destructive vices from creeping into a nation"; see Jean-Jacques Rousseau, "Constitutional Project for Corsica" (1765), accessed online at: <http://www.constitution.org/jjr/corsica.htm>.

¹²⁰ Joseph Stiglitz says: "There are good reasons why plutocrats should care about inequality anyway—even if they're thinking only about themselves. The rich do not exist in a vacuum. They need a functioning society around them to sustain their position. Widely unequal societies do not function efficiently and their economies are neither stable nor sustainable. The evidence from history and from around the modern world is unequivocal: there comes a point when inequality spirals into economic dysfunction for the whole society, and when it does, even the rich pay a steep price"; see Joseph Stiglitz, "The 1 Percent's Problem," *Vanity Fair* (May 31, 2012), accessed online at: <http://www.vanityfair.com/news/2012/05/joseph-stiglitz-the-price-on-inequality>.

¹²¹ David Hume says: "Render possessions ever so equal, men's different degrees of art, care, and industry, will immediately break that equality. Or if you check these virtues, you reduce society to the most extreme indigence; and, instead of preventing want and beggary in a few, render it unavoidable to the whole community"; see David Hume, "Of Justice," in David Hume, *An Enquiry concerning the Principles of Morals*, ed. J. B. Schneewind (Indianapolis, IN: Hackett, 1983 [1751]), p. 28.

¹²² Perhaps various cultures' wise folk sayings are relevant here: "The nail that sticks up gets hammered down" and "In a field of wheat, only the stalk whose head is empty of grain stands above the rest."

¹²³ Rousseau claims: "Those who dare to undertake the institution of a people must feel themselves capable, as it were, of changing human nature, of transforming each individual . . . into a part of a much larger whole from which this individual receives, in a sense, his life and being; to alter man's constitution in order to strengthen it"; see Rousseau, *The Social Contract*, II.7, p. 39.

trade with each other to mutual advantage. It is impossible to imagine how such an arrangement will not lead to some nations becoming richer than others and the inhabitants of each nation desiring, often enviously, the superior advantages of other nations. That can only exacerbate international tensions and contribute to the threat of war.

In order to avoid all of these dangers, we face a choice between two broad options. One is to work toward a human society united under a single government charged with maintaining global equality. The other is to move toward a number of small-scale, simpler, localized societies that keep their separateness in order to maintain the internal equality of their membership.¹²⁴

While economic matters are important, we should attend also to other dimensions of social equality. In more radical and general forms of egalitarian thinking, privileging oneself in *any* way is counter to the moral imperative of equality. To say “I prefer myself to others” or “I prefer some people to others” is to apply a standard that allows inequality. Countering inequality generally has implications for relations between the races, ethnicities, sexes, the family, and humanity in general.

Unfortunately, most people tend to identify themselves with their own racial and ethnic groups.¹²⁵ Left unchecked and in combination with liberalism, such identifications can lead to racist and ethnocentric groupthink. Such groupthink, combined with a belief in property rights, is complicit in race-based slavery.¹²⁶

Furthermore, liberalism in combination with biological differences between males and females can lead to unequal outcomes for men and women. Gender equality therefore requires active intervention to achieve both more equal opportunities and outcomes.¹²⁷

Family members tend to love and privilege their own—husbands and wives, parents and children, brothers and sisters. That in practice means that

¹²⁴ Rousseau says: “Everyone should make a living, and no one should grow rich; that is the fundamental principle of the prosperity of the nation”; see Rousseau, “Constitutional Project for Corsica.”

¹²⁵ Richard Rorty argues that social theory must grapple with our “ethnocentric” predicament: “we must, in practice, privilege our own group.” Accordingly, he holds, “there are lots of views which we simply cannot take seriously”; see Richard Rorty, *Objectivity, Relativism, and Truth* (Cambridge, MA: Cambridge University Press, 1991), p. 29.

¹²⁶ See Sven Beckert’s survey review, “Slavery and Capitalism,” *The Chronicle of Higher Education*, December 12, 2014, accessed online at: <http://chronicle.com/article/SlaveryCapitalism/150787/>.

¹²⁷ Catharine MacKinnon applies this to speech in a call for government-management: “The law of equality and the law of freedom of speech are on a collision course in this country”; see Catharine MacKinnon, *Only Words* (Cambridge, MA: Harvard University Press, 1993), p. 71.

they treat unequally their neighbors, fellow citizens, and the rest of humanity.¹²⁸

Therefore, a full commitment to equality as our fundamental moral goal requires a rejection of liberalism's leaving people free to evaluate and interact with others by almost any standards they choose. The thrust of liberalism puts it in tension with equality in all areas of social life. Allowable freedoms must be nested within a broader social mandate of achieving full equality.¹²⁹

k. Scarcity means that freedom is dog-eat-dog

We live in a world of scarce resources. Scarcity is the condition in which the demand for a good outstrips its supply by a significant amount. The world has only so many resources—mineral, land-based, and atmospheric. At any given time, quantities are finite, and in the future there is a necessary finite limit to possible growth.¹³⁰ At the same time, there is vastly more desire to consume those resources. The human population has increased dramatically, which means that collectively we are putting greater demands on the Earth. Not only that, as we have become more prosperous, we are no longer content with simplicity but require more resources to maintain our complicated lifestyles. We eat more and more varied foods, we live in larger homes, we travel further, and so on. In sum, resources are limited, while

¹²⁸ In the *Republic*, Plato has Socrates suggest that to avoid the corruptions that family attachments can cause, the guardian class should institute a communism of women and children; see Plato, *Republic*, 423e-424a.

Religious versions of egalitarianism here cite Jesus's command to "Love your neighbor as yourself" (Matt. 22:39). Later, someone came to Jesus when he was conversing with his disciples and said, "Your mother and your brothers are standing outside seeking to speak to you." But Jesus answered and said, "Who is my mother and who are my brothers?" Stretching out his hand toward his disciples, he said, "Behold my mother and my brothers!" (Matt. 12:47-49).

A character in Thomas Hardy's novel *Jude the Obscure* claims: "The beggarly question of parentage—what is it, after all? What does it matter, when you come to think of it, whether a child is yours by blood or not? All the little ones of our time are collectively the children of us adults of the time, and entitled to our general care. The excessive regard of parents for their own children, and their dislike of other people's is, like class-feeling, patriotism, save-your-own-soul-ism, and the other virtues, a mean exclusiveness at bottom"; see Thomas Hardy, *Jude the Obscure* (New York: Penguin Books, 1998 [1895]), pp. 340-41.

¹²⁹ Rousseau states: "[T]he private will tends by its nature toward preferences and the general will toward equality," so the state "ought to have a universal compulsory force to move and arrange each part in the manner best suited to the whole"; see Rousseau, *The Social Contract*, II.1 and II.4, pp. 29-30 and 32.

¹³⁰ See Donella H. Meadows, Dennis L. Meadows, Jørgen Randers, and William W. Behrens III, *The Limits to Growth* (New York: Universe Books, 1972).

human wants are unlimited. Consequently, scarcity means that not everyone's wants can be met. How, then, should we decide whose wants will be satisfied and whose will not?

In nature, the balance between the supply of resources and any animal population's demand for them is maintained by conflict, disease, and starvation. Animals compete for food resources and for mates, in the case of those that reproduce sexually. While available food resources can go up and down in the short term, they remain relatively constant over time. Meanwhile, animal populations tend to increase geometrically.¹³¹ Eventually, the population's demand outstrips the available food resources; especially when that point is reached, animals fight, often brutally.¹³² Those that are weaker tend to lose the battles; they die immediately or go hungry and eventually succumb to the elements. Those that are stronger tend to win the battles; they eat and survive to have sex and reproduce themselves, thus passing their traits on to the next generation.¹³³ Such battles carry on unendingly across the generations.

If we believe that humans are a part of nature, then we are driven to apply the logic of the same brutal dynamics to human society.¹³⁴ So we ask

¹³¹ Thomas Malthus claims: "Population, when unchecked, goes on doubling itself every 25 years or increases in a geometrical ratio"; see Thomas Malthus, *An Essay on the Principle of Population* (1798), chap. 7, accessed online at: <http://www.econlib.org/library/Malthus/malPop.html>.

¹³² "Nature, red in tooth and claw"; see Alfred, Lord Tennyson, *In Memoriam A. H. H.* (1850), canto 56, accessed online at: <http://www.online-literature.com/tennyson/718/>.

¹³³ Charles Darwin argues: "More individuals are born than can possibly survive. A grain in the balance will determine which individual shall live and which shall die,—which variety or species shall increase in number, and which shall decrease, or finally become extinct"; and: "With animals having separated sexes there will in most cases be a struggle between the males for possession of the females. The most vigorous individuals, or those which have most successfully struggled with their conditions of life, will generally leave most progeny"; see Charles Darwin, *Origin of Species* (London: John Murray, 1859), chap. 14, accessed online at: <http://darwin-online.org.uk/content/frameset?itemID=F373&viewtype=side&pageseq=1>. Darwin warns against misunderstanding "strongest," saying: "It is not the strongest of the species that survives, nor the most intelligent, but the most responsive to change."

¹³⁴ Malthus argues: "The power of population is so superior to the power of the earth to produce subsistence for man, that premature death must in some shape or other visit the human race. The vices of mankind are active and able ministers of depopulation. They are the precursors in the great army of destruction, and often finish the dreadful work themselves. But should they fail in this war of extermination, sickly seasons, epidemics, pestilence, and plague advance in terrific array, and sweep off their thousands and tens of thousands. Should success be still incomplete, gigantic inevitable famine stalks in the rear, and with one mighty blow levels the population with the food of the world"; see Malthus, *An Essay on the Principle of Population*, chap. 7.

again: How should we decide whose wants will be satisfied and whose will not?

Liberalism says that we should do so by means of competition and property rights, but in capitalistic competition for scarce resources there will necessarily be winners and losers. The stronger—that is, the quicker, the more physically powerful, the more cunning—will prevail against the weaker—that is, the slower, the less muscular, and the less ruthless. As we come to recognize that we are all locked in a zero-sum struggle,¹³⁵ the competition will intensify and bring out the worst in us.¹³⁶

Since liberalism simply leaves us free and urges us to act as we wish, it is encouraging us to act as predators—or allowing us to be victimized by predators.¹³⁷ This survival-of-the-fittest mentality¹³⁸ means that liberal capitalism is a species of Social Darwinism.¹³⁹

The scarcity-driven economic conflict naturally spills over into political conflict. When government's leaders face or fear a scarcity of

¹³⁵ Nietzsche claims: “‘One furthers one’s ego always at the expense of others’; ‘Life always lives at the expense of other life’—he who does not grasp this has not taken even the first step toward honesty with himself”; see Nietzsche, *The Will to Power*, sec. 369.

¹³⁶ The zero-sum conflict also holds for psychological values: “We acquire glory only to the detriment of others, of those who seek it too, and there is no reputation that is not won at the cost of countless abuses. The man who has emerged from anonymity, or who merely strives to do so, proves that he has eliminated every scruple from his life, that he has triumphed over his conscience, if by some chance he ever had such a thing”; see E. M. Cioran, *History and Utopia* (Chicago, IL: University of Chicago Press, 1998), pp. 65-66.

¹³⁷ Marx and Engels believe that capitalism “has drowned the most heavenly ecstasies of religious fervour, of chivalrous enthusiasm, of Philistine sentimentalism, in the icy water of egotistical calculation. It has resolved personal worth into exchange value, and in place of numberless infeasible chartered freedoms, it has set up that single, unconscionable freedom—free trade. In one word, for exploitation, veiled by religious and political illusions, it has substituted naked, shameless, direct, brutal exploitation”; see Karl Marx and Friedrich Engels, *The Communist Manifesto* (New York: International Publishers, 1948 [1848]), p. 11.

¹³⁸ Herbert Spencer holds: “This *survival of the fittest*, which I have here sought to express in mechanical terms, is that which Mr. Darwin has called ‘natural selection’, or the preservation of favoured races in the struggle for life”; see Herbert Spencer, *Principles of Biology*, vol. 1 (London: Williams and Norgate, 1864), p. 444.

¹³⁹ Richard Hofstadter, *Social Darwinism in American Thought, 1860–1915* (Philadelphia, PA: University of Pennsylvania Press, 1944).

resources that are essential to their nation's interests, international political tensions will increase and war will become more likely.¹⁴⁰

As a species, we *must* keep our human demand for resources in balance with supply. To do so we have only two options: (1) either the law-of-the-jungle method of free-market capitalism, which will only further diminish the supply and increase the demand, or (2) the calmer and more humane method of government management. With some significant degree of intervention or perhaps full socialism, we can replace competition for resources with cooperation in managing them.¹⁴¹ Instead of letting people breed willy-nilly, we can formulate a rational population policy that keeps supply and demand in balance.¹⁴²

1. Liberalism is unsustainable

Many parts of the world are environmental hells. They are dirty and depleted, making them unhealthy and economically unsustainable. Human greed is the culprit: self-interest manifested in the profit motive and institutionalized by capitalism. Self-interest means that people want more at the least cost to themselves. Profit means using up resources sooner rather than later and getting rid of the waste by the easiest way possible. Capitalism's rule-minimalism only serves to encourage wanton behavior.¹⁴³

¹⁴⁰ Dale C. Copeland reports: "[L]eaders are likely to fear a loss of access to raw materials and markets, giving them more incentive to initiate crises to protect their commercial interests"; see Dale C. Copeland, *Economic Interdependence and War* (Princeton, NJ: Princeton University Press, 2014), p. 16.

¹⁴¹ Michael Harrington on the socialist vision: "It is the idea of an utterly new society in which some of the fundamental limitations of human existence have been transcended. Its most basic premise is that man's battle with nature has been completely won and there is therefore more than enough of material goods for everyone. As a result of this unprecedented change in the environment, a psychic mutation takes place: invidious competition is no longer programmed into life by the necessity of a struggle for scarce resources; cooperation, fraternity and equality become natural"; see Michael Harrington, *Socialism* (New York: Saturday Review of Books, 1970), p. 344.

¹⁴² Keynes claims: "The time has already come when each country needs a considered national policy about what size of population, whether larger or smaller than at present or the same, is most expedient. And having settled this policy, we must take steps to carry it into operation. The time may arrive a little later when the community as a whole must pay attention to the innate quality as well as to the mere numbers of its future members"; see Keynes, *The End of Laissez-Faire*, sec. 4.

¹⁴³ Devon G. Peña argues: "Since capitalism is inherently expansionist it eventually and inevitably must degrade the environment. This is the second contradiction: Because of its expansionist quality, capitalism inevitably destroys the natural conditions of production (land, water, other resources, and labor)"; see Devon G. Peña, "Why Capitalism, Not Population Is Our Greatest Environmental Threat," *Alternet*,

Liberalism's unsustainability occurs on both the production and the consumption sides of the economic equation. Its imperative of greater production causes resources to be depleted at an unsustainable rate, and its emphasis upon greater consumption causes unsustainable amounts of waste.

On the production side of the equation, a classic example is that of herdsmen using a common pasture.¹⁴⁴ Each herdsman is a self-interested farmer who wants to put as many cows as he can into the pasture because each additional cow increases his profits. Each additional cow, however, means that less pasture is available for the other herdsmen's cows. The other profit-seeking herdsmen are of course doing the same thing; as more cows are added, the pasture's grasses become depleted more quickly. The herdsmen become locked into a zero-sum competition that leads to the destruction of the pasture. We can generalize from the pasture to all resources. Resources are limited, but the dynamic of profit and competition necessarily leads to a violation of those limits.¹⁴⁵

The solution is clear. If short-sighted self-interest, anti-social profit-seeking, and the capitalist free market's anything-goes laissez-faire are part of the problem, then the fix will require an institution able to override selfish profit-seeking and impose rules about resource use that take into account the long-term needs of society as a whole. That is to say, the government should manage society's resources.

In the case of the herdsmen, the government should decide how many cows each may put out to pasture and for how long. It should mandate that each herdsman does his fair share of maintenance and improvements in the pasture, such as weeding, fence-building, well-digging, and waste collection. It will hire police to ensure that none of the herdsmen cheats or shirks. It will impose taxes in order to fund the rule-making and monitoring. That is to say, good environmental policy will require some combination of rationing, conscription, policing, and taxation.

Let us turn to the consumption side of the economic equation. At the end of the consumer process is a waste product: packaging to be thrown away and items that break or otherwise reach the end of their useful life. The production process itself generates significant amounts of waste: solid

September 24, 2012, accessed online at: <http://www.alternet.org/environment/why-capitalism-not-population-our-greatest-environmental-threat>.

¹⁴⁴ Garrett Hardin, "The Tragedy of the Commons," *Science* 162, no. 3859 (December 1968), pp. 1243-48, accessed online at: <http://www.sciencemag.org/content/162/3859/1243.full>.

¹⁴⁵ John Muir laments: "These temple-destroyers, devotees of ravaging commercialism, seem to have a perfect contempt for Nature, and instead of lifting their eyes to the God of the mountains, lift them to the Almighty Dollar"; see John Muir, *The Yosemite* (1912), chap. 15, accessed online at: http://vault.sierraclub.org/john_muir_exhibit/writings/the_yosemite/.

garbage, liquids, and gases that end up in our landfills, waterways, and atmosphere. Liberal capitalism's celebration of consumerism means that increasingly more waste will be generated; its self-interested motivation means that the waste will be disposed of in the lowest-cost manner possible and in ways that shift the costs and risks to others.

Consequently, government regulation is also essential to reduce the quantity of waste produced, by some combination of controls on packaging, mandating recycling, or reducing the human population.¹⁴⁶ A sustainable resource policy requires some measure of authoritarianism. At a minimum, it implies increasing the powers of existing government agencies to regulate resource use and waste disposal. At a maximum, it implies a revolution against capitalism¹⁴⁷ and the need for a world government.¹⁴⁸

m. Liberalism is socially inefficient

A liberal system leads to lack of coordination at the social level. Liberalism decentralizes decision-making and action to the individual level, which leads to inefficiency, counter-productive conflict, and social weakness.

¹⁴⁶ Paul Ehrlich and Anne Ehrlich claim: "We must cut out the cancer of population growth. Coercion? Perhaps, but coercion in a good cause"; see Paul Ehrlich and Anne Ehrlich, *The Population Bomb* (New York: Ballantine Publishers, 1968), p. 11.

Paul Taylor believes: "Given the total, absolute, and final disappearance of Homo Sapiens, not only would the Earth's community of life continue to exist, but in all probability, its well-being would be enhanced. Our presence, in short, is not needed. And if we were to take the standpoint of that Life Community and give voice to its true interests, the ending of the human epoch on Earth would most likely be greeted with a hearty 'Good riddance!'" see Paul Taylor, *Respect for Nature: A Theory of Environmental Ethics* (Princeton, NJ: Princeton University Press, 2011), p. 115.

¹⁴⁷ Razmig Keucheyan says: "A world of environmental desolation and conflict will work for capitalism, as long as the conditions for investment and profit are guaranteed. And, for this, good old finance and the military are ready to serve. Building a revolutionary movement that will put a stop to this insane logic is therefore not optional. Because, if the system can survive, it doesn't mean that lives worth living will"; see Razmig Keucheyan, "Not Even Climate Change Will Kill Off Capitalism," *The Guardian*, March 6, 2014, accessed online at: <http://www.theguardian.com/commentisfree/2014/mar/06/not-even-climate-change-will-kill-off-capitalism>.

¹⁴⁸ E.g., a document prepared for the United Nations Conference on Sustainable Development holds: "Basic resources and companies should be in the hands of the public sector and society." Furthermore, "sustainable development can only be achieved from a global perspective and cannot be achieved only in the national level"; see "End Poverty, Overcome Inequality, Save the Earth: Inextricably Linked Objectives in 2012" (January 2012), accessed online at: <http://climateandcapitalism.com/2012/01/01/bolivias-proposal-to-rio20-for-the-rights-of-nature/>.

Within their own spheres, individuals may very well be able to judge what needs to be done. However, coordination at the social level does not happen automatically or by free-market magic. Society-wide efficiency requires a broader cognitive perspective and the power to coordinate scattered social resources.¹⁴⁹

Just as any boat with many oars needs a coxswain, every team needs a coach, and every army needs a general, every society needs leadership that establishes goals, determines strategy, and motivates and directs the subordinate units. Consider a factory in which each worker is capable of doing his or her own job competently. Nonetheless, a foreman is needed to coordinate the efforts of the workers in his team. The foreman's broader perspective enables him to see what adjustments are necessary so as to direct the individual workers appropriately. As we scale up to the level of the factory as a whole, the general manager's perspective enables her to see what the various foremen in different parts of the factory cannot see—the connections between activities in receiving, manufacturing, inventory, sales, finance, and more—so as to direct the foremen to make adjustments as necessary. The same principles hold as we consider the industry sector that the particular factory is operating in, as well as when we consider each industry sector as part of an economy as a whole. At each level, coordinating management is needed.¹⁵⁰

Otherwise, the tendency is to create activity that is at best disconnected and at worst counter-productive. Only proper leadership can integrate information that is available only at the macro level and formulate long-term plans.¹⁵¹

¹⁴⁹ Keynes suggests: “Let us clear from the ground the metaphysical or general principles upon which, from time to time, laissez-faire has been founded. It is not true that individuals possess a prescriptive ‘natural liberty’ in their economic activities. There is no ‘compact’ conferring perpetual rights on those who Have or on those who Acquire. The world is not so governed from above that private and social interest always coincide. It is not so managed here below that in practice they coincide. It is not a correct deduction from the principles of economics that enlightened self-interest always operates in the public interest. Nor is it true that self-interest generally is enlightened; more often individuals acting separately to promote their own ends are too ignorant or too weak to attain even these. Experience does not show that individuals, when they make up a social unit, are always less clear-sighted than when they act separately”; see Keynes, *The End of Laissez-Faire*, sec. 4, accessed online at: <http://www.panarchy.org/keynes/laissezfaire.1926.html>.

¹⁵⁰ Keynes claims: “The most important Agenda of the State relate not to those activities which private individuals are already fulfilling, but to those functions which fall outside the sphere of the individual, to those decisions which are made by no one if the State does not make them. The important thing for government is not to do things which individuals are doing already, and to do them a little better or a little worse; but to do those things which at present are not done at all”; see *ibid*.

¹⁵¹ See Newt Gingrich's right-conservative version, which he calls “opportunity

What holds for the domestic economy also holds for foreign policy and national security. The problem is not only that individuals have narrow value-interests that lead them to discount society-as-a-whole's military needs, such as the shopkeeper who wants only to stay home and conduct business, the mother who does not want to expose her son to risk, everyone's petty rivalries that lead them to fight each other rather than pulling together against a common enemy. The problem is cognitive; most citizens have a narrow cognitive focus and are not aware of the demands of the international context.

Liberal societies, history has shown, are therefore vulnerable to centralized cultures. Athenian democratic dithering and the narrowness of its citizens' private commercial interests explain much of why it lost to Sparta, why it was later controlled by Macedon, and why the whole of Greece was taken over by Rome.¹⁵² Consequently, in all major social sectors—economic, educational, military, and the rest—top-down power is regularly needed to supplement or override bottom-up initiatives. Some form of society-as-a-whole leadership must in principle take precedence over liberalism's decentralization.

n. Liberalism is merely another subjective narrative

Liberals claim that their political philosophy is based upon compelling empirical and theoretical argument. They also claim that liberalism should be applied to all human beings. That is, they present their case as if objectivity and universality were possible to achieve.

Liberalism requires much confidence in the power of reason. It leaves common citizens free to make their own major life choices about friendships, marriage, and religion. It leaves them alone to make their own transactions in a free market, and it urges them to participate politically in a democratic republic. The assumption is that in all of those areas of life

society conservatism": "The opportunity society calls not for a *laissez-faire* society in which the economic world is a neutral jungle of purely random individual behavior, but for forceful government intervention on behalf of growth and opportunity"; see Newt Gingrich, *Window of Opportunity: Blueprint for the Future* (New York: Tor Books, 1984), quoted in David Brooks, "The Gingrich Tragedy," *The New York Times*, (December 8, 2011), accessed online at: <http://www.nytimes.com/2011/12/09/opinion/brooks-the-gingrich-tragedy.html>.

See Nobel-Prize-winning Joseph Stiglitz's left-egalitarian version, which argues: "Markets on their own will not do a good job in creating a learning society. Laissez-faire market economies will not succeed. They will not be the most efficient. There need to be systematic interventions by government"; see Joseph Stiglitz, "Mind the Gap," RSA Angus Millar Lecture, *Herald Scotland*, August 31, 2014, accessed online at: <http://www.heraldscotland.com/business/company-news/mind-the-gap.25180183>.

¹⁵² See Thucydides, *History of the Peloponnesian War*, pp. 141-44.

individuals are capable of assessing their circumstances objectively and so, on balance, of making good decisions.

Liberalism also requires much confidence in the more sophisticated reason of its theorists. It presupposes that they can assess the historical and contemporary evidence accurately, that it can use the tools of mathematics and the scientific method more generally, and that it can logically integrate all of that into an objective theory that is universally true and good.

The “truth,” though, is that objectivity and universality are myths. All claims to evidence, logic, and rational argument are shot through with subjectivity and relativity. For centuries, many of our strongest religious thinkers have argued that reason is incompetent. Reason, they conclude, fails to prove the existence of God and even purports to show that religion is inconsistent or worse. Reliance upon reason thus leads people away from God.¹⁵³ If people turn away from God, the weakness of their own reason will lead them to nihilism. Liberalism depends upon reason, but reason leads to subjectivism, which leads to relativism, which leads to nihilism. So, they conclude, in order to avoid nihilism, we must commit to a strong faith in higher authority. Human beings need the submission and obedience of faith, not hubristic independence and confidence in the power of reason. That defense of faith in God first requires an attack on reason.¹⁵⁴

Yet such faith involves a subjective leap, and many intellectuals are unable to make themselves commit to it. Even so, many will continue to advocate religion publicly for political reasons. While they personally do not need to believe, they judge that most people cannot get through life without some sort of religion. Religion is the common man or woman’s philosophy, giving them personal structure and a reason to follow society’s rules. On prudential grounds, therefore, a society’s intellectual leaders should encourage

¹⁵³ St. Augustine says this of the sin of intellectual pride by those who learn natural philosophy: “[T]hey that know it, exult, and are puffed up; and by an ungodly pride departing from Thee, and failing of Thy light, they foresee a failure of the sun’s light, which shall be, so long before, but see not their own, which is”; see Augustine, *Confessions*, trans. Maria Boulding (New York: Vintage, 1997), Book 5, 3.4, p. 78.

John Calvin claims: “Our reason is overwhelmed by so many forms of deceptions, is subject to so many errors, dashes against so many obstacles, is caught in so many difficulties, that it is far from directing us aright”; see John Calvin, *Institutes of the Christian Religion* (1536), 2:2:25, accessed online at: <http://www.ccel.org/ccel/calvin/institutes/>.

¹⁵⁴ Kant claims this value of showing reason to be incapable of knowing reality: “But, above all, there is the inestimable benefit, that all objections to morality and religion will be forever silenced, and this in Socratic fashion, namely, by the clearest proof of the ignorance of the objectors”; see Kant, *Critique of Pure Reason*, sec. B, p. xxxi.

Soren Kierkegaard concludes that faith requires “a crucifixion of the understanding”; see Soren Kierkegaard, *Concluding Unscientific Postscript to Philosophical Fragments*, trans. H. V. Hong and E. H. Hong (Princeton, NJ: Princeton University Press, 1992 [1846]), p. 564.

widespread belief in the gods or a God. Even if a religion is not true, it is better for society that most people believe that it is true.¹⁵⁵

Of course, apologists for faith and “noble lie” theorists are merely expressing their subjective preferences for a certain kind of society. Even so, a wide variety of considerations support belief in deep subjectivity.

One is the distinction between fact and value, is and ought, descriptive and normative—a commonplace in modern philosophy. From any set of factual statements, no value statements follow. Purportedly objective truths about how the world is do not imply any conclusions about how the world ought to be.¹⁵⁶ Values are only subjective preferences.¹⁵⁷ Even propositions of logic and mathematics are empty and merely reflect subjective choices.¹⁵⁸ As a result, no amount of objective data, hard mathematics, and

¹⁵⁵ Plato suggests that a society’s guardians are justified in noble lies: “The rulers then of the city may, if anybody, fitly lie on account of enemies or citizens for the benefit of the state”; see Plato, *Republic*, 389b.

Alexis de Tocqueville argues that citizens of a democracy need dogmatism in religion even if the religion is not true: “I have laid it down in a preceding chapter that men cannot do without dogmatical belief; and even that it is very much to be desired that such belief should exist amongst them. I now add, that of all the kinds of dogmatical belief the most desirable appears to me to be dogmatical belief in matters of religion”; see Alexis de Tocqueville, *Democracy in America* (1835), 2.1.5, accessed online at: <https://www.marxists.org/reference/archive/de-tocqueville/democracy-america/ch21.htm>.

Sigmund Freud is an atheist who is contemptuous of religion: “the whole thing is so patently infantile, so foreign to reality—but he argues that the common man needs religion as he is not sophisticated to seek a meaningful life through the more demanding pursuits of art and science”; see Sigmund Freud, *Civilization and Its Discontents*, trans. James Strachey (New York: W.W. Norton and Company, 1961), p. 22.

¹⁵⁶ Hume notes wryly about those who make this mistake: “In every system of morality, which I have hitherto met with, I have always remarked, that the author proceeds for some time in the ordinary way of reasoning, and establishes the being of a God, or makes observations concerning human affairs; when of a sudden I am surprized to find, that instead of the usual copulations of propositions, is, and is not, I meet with no proposition that is not connected with an ought, or an ought not”; see David Hume, “Moral Distinctions Not Derived from Reason,” in David Hume, *A Treatise of Human Nature*, ed. L. A. Selby-Bigge (Oxford: Clarendon Press, 1888 [1738]), 3.1.1, p. 469.

¹⁵⁷ C. L. Stevenson claims: “‘This is good’ means *I approve of this; do so as well*”; see C. L. Stevenson, “The Emotive Meaning of Ethical Terms,” in *Logical Positivism*, ed. A. J. Ayer (New York: The Free Press, 1959), pp. 264-81.

¹⁵⁸ Ludwig Wittgenstein says: “Theories which make a proposition of logic appear substantial are always false”; see Ludwig Wittgenstein, *Tractatus Logico-Philosophicus*, trans. Daniel Kolak (Mountain View, CA: Mayfield, 1998 [1922]), 6.111, p. 40.

logical argument about liberalism can support the view that liberalism is good or desirable.

Furthermore, human beings' perceptual capacities are subject to occasional illusions and regular relativities; what is sweet to you is bland to me, and what is appealing to eat when one is healthy is repulsive when one is sick.¹⁵⁹ There is never any guarantee that our basic observational data are objective or even mutually consistent.

Further still, all interpretations of the data are shaped by prior theoretical commitments. Anyone's theory about the world or a part of it has built into it assumptions about what is real and what is not, what is possible and what is not, what to look for and what to ignore. Necessarily, therefore, our ideological preconceptions infect our interpretations with bias. Even our basic perceptions of the world are laden with theory and are thus subjective.¹⁶⁰

Further yet still, human beings are emotional as well as rational. We often see and hear only what we want to see and hear, and the deepest sources of our wants are often unknown to us. Consequently, our beliefs and our value decisions are largely passion-driven rather than the result of reason.¹⁶¹

A. J. Ayer claims: "The principles of logic and mathematics are true universally simply because we never allow them to be anything else"; see A. J. Ayer, *Language, Truth, and Logic* (New York: Dover, 1952 [1936]), p. 77.

¹⁵⁹ Heraclitus says: "The sea is the purest and the impurest water. Fish can drink it, and it is good for them; to men it is undrinkable and destructive"; see Heraclitus, frag. B61.

¹⁶⁰ Norwood Russell Hanson claims that "theories and interpretations are 'there' in the seeing from the outset"; see N. R. Hanson, "Observation," in Norwood Russell Hanson, *Patterns of Discovery* (Cambridge, UK: Cambridge University Press, 1958), p. 10.

Karl Popper argues that "there is no sense organ in which anticipatory theories are not genetically incorporated," and sense organs "incorporate, more especially, theory-like expectations. Sense organs, such as the eye, are prepared to react to certain selected environmental events—to those events which they 'expect', and *only* to those events. Like theories (and prejudices) they will in general be blind to others: to those which they do not understand, which they cannot interpret (because they do not correspond to any specific problem which the organism is trying to solve)"; see Karl Popper, *Objective Knowledge* (New York: Oxford University Press, 1972), pp. 72 and 145.

¹⁶¹ Blaise Pascal says: "The heart has its reasons, which reason does not know"; see Blaise Pascal, *Pensées*, trans. W. F. Trotter (New York: E. P. Dutton, 1958 [1670]), sec. 277, accessed online at: <http://www.gutenberg.org/files/18269/18269-h/18269-h.htm>.

Hume argues: "Reason is, and ought to be the slave of the passions"; see Hume, *Treatise*, 2.3.3.4.

Nietzsche claims: "It is our needs that interpret the world; our drives and their For and Against. Every drive is a kind of lust to rule; each one has its perspective that it would like to compel all the other drives to accept as a norm"; see Nietzsche, *The Will to Power*, sec. 481.

In addition, human beings are social beings; they acquire beliefs and values and the very language they think in from their society. What is “rational” is socially conditioned. Since societies vary widely, what is rational is also socially relative.¹⁶²

The point is that *any* theory that bills itself as objective and true is a non-starter¹⁶³ and any political theory that requires general rationality of its members is naïve. Instead, we face a variety of arbitrary subjective options.¹⁶⁴

Liberals will sometimes grant that everything is subjective and relative, but argue that in order to make social living possible we should all agree to disagree when necessary. That is to say, we should accept toleration as our governing principle. We cannot expect or demand that everyone agree on substantive values, but we can push for a universal procedural principle: Live, and let live. That is admittedly to make an exception by insisting that we treat one principle as generally and objectively true, but in the interest of social peace, the principle of tolerance is the minimally necessary and achievable social objective.

If we are instead of a pragmatic disposition, we will reject robust liberalism as being too absolutist about its principles. The best we can do is make case-by-case judgments about what works rather than expecting universal principles to apply in all cases. Even toleration may work in some circumstances but not in others. We need flexibility rather than mechanical rules, and we need to understand that individuals, societies, and the world at large evolve over time. What works therefore itself evolves, and we should not be bound by allegedly timeless principles. Admittedly, “what works” is a subjective and relative criterion, but that is our human condition.

If we are a conservative of a religious temperament, we will agree that the failures of reason make critical our need for faith in a set of absolute, timeless principles. Some beliefs and actions cannot be tolerated socially.

¹⁶² Cass Sunstein claims: “For the individual agent, rationality is a function of social norms. A norm-free conception of rationality would have to depend on a conception of what peoples’ rational ‘interests’ are in a social vacuum. Since people never act in a social vacuum, such a conception would not be intelligible”; see Cass Sunstein, *Free Markets and Social Justice* (New York: Oxford University Press, 1997), p. 54.

Foucault says: “I claim that reason is a long narrative, which ends today and makes room for another, and makes no sense”; see Foucault, *Foucault Live*, p. 251.

¹⁶³ Thomas Kuhn concludes: “We may, to be more precise, have to relinquish the notion, explicit or implicit, that changes of paradigm carry scientists and those who learn from them closer and closer to the truth”; see Thomas Kuhn, *The Structure of Scientific Revolutions* (Chicago, IL: University of Chicago Press, 1962), p. 170.

¹⁶⁴ Brian Medlin claims: “[I]t is now pretty generally accepted by professional philosophers that ultimate ethical principles must be arbitrary”; see Brian Medlin, “Ultimate Principles and Ethical Egoism,” *Australasian Journal of Philosophy* 35, no. 2 (1957), pp. 111-18.

Giving ourselves and our political leaders license to do whatever we think “works” is to abandon society to a free-for-all of depravity and decay. Faith does admittedly require a subjective leap, but perhaps it is our only escape from nihilism.

Alternatively, we can note, as postmoderns do, that the above choices and others are conditioned by our racial, gender, class, and ethnic origins. Advocates of liberal capitalism in particular are very often white, male, prosperous, and of European background. Thus their liberalism is merely an expression of their socially subjective conditioning. If we are of some other culture or subculture, then we are under no universalist imperative to suppress or give up the values that shape our social identities and replace them with liberal ones. Such social subjectivism does admittedly lead to harsher and unending conflicts of cultures, but at least we are not pretending that objective universality is possible.

At most, therefore, liberalism is merely one more subjective option to be considered in the mix of possible systems. Anyone’s choice among the possibilities is itself a subjective preference.

o. Freedom does not exist

The core assumption of liberalism is that human beings are by nature free. That is, they have the capacity to make genuine choices in their thoughts and actions. That is the basis of treating humans as moral agents who are responsible for their behaviors, both positive and negative. That in turn is the basis for liberalism’s political claim that we should respect every human’s freedom. However, the fact is that there is *no* freedom, either politically or metaphysically.

In religious form, the argument is that the omnipotence of God makes impossible human free will. Free will is supposed to be a species of power; if humans have some power, then God cannot have it all. Asserting human free will therefore contradicts the infinity of God. The omnipotence of God therefore implies a rigorous predestination: all of reality has been pre-ordained, and God’s omniscience implies that he knows all—past, present, and future.¹⁶⁵

In naturalistic form, the argument is that all of reality is governed by a cause-and-effect matrix that leaves no room for volition. The iron laws of physics, chemistry, biology, and the other sciences describe the natural world in deterministic terms. Human beings are physical-chemical-biological complexes embedded within broader systems of physical-chemical-biological

¹⁶⁵ Calvin claims: “By predestination we mean the eternal decree of God, by which he determined with himself whatever he wished to happen with regard to every man. All are not created on equal terms, but some are preordained to eternal life, others to eternal damnation; and, accordingly, as each has been created for one or other of these ends, we say that he has been predestinated to life or to death”; see Calvin, *Institutes of the Christian Faith*, 3.21.5.

complexes. All of us are subject to gravity and to chemical and biological processes, and in the mathematics that describes it all, two plus two always equals four. Cause and effect does not somehow stop with humans. Everything we do is an effect of a set of prior causal factors, which are themselves effects of prior causes, and so on forever into the past. Everything we do in turn becomes part of the set of causal factors that determine subsequent effects, and so on forever into the future.¹⁶⁶

We can of course continue to debate whether the determining causes are primarily theological,¹⁶⁷ biological,¹⁶⁸ environmental,¹⁶⁹ or some weighted

¹⁶⁶ Nietzsche claims that we are before “a brazen wall of fate; we *are* in prison, we can only *dream* ourselves free, not make ourselves free”; see Friedrich Nietzsche, *Human, All-Too-Human*, vol. 2, trans. R. J. Hollingdale (Cambridge, UK: Cambridge University Press, 1996 [1878]), sec. 33, p. 223. He also claims that “the voluntary is absolutely lacking . . . everything has been directed along certain lines from the beginning”; see Nietzsche, *The Will to Power*, sec. 458.

¹⁶⁷ St. Augustine argues: “What merit, then, has man before grace which could make it possible for him to receive grace, when nothing but grace produces good merit in us; and what else but His gifts does God crown when He crowns our merits? For, just as in the beginning we obtained the mercy of faith, not because we were faithful but that we might become so, in like manner He will crown us at the end with eternal life, as it says, ‘with mercy and compassion.’ Not in vain, therefore, do we sing to God: ‘His mercy shall prevent me,’ and ‘His mercy shall follow me.’ Consequently, eternal life itself, which will certainly be possessed at the end without end, is in a sense awarded to antecedent merits, yet, because the same merits for which it is awarded are not effected by us through our sufficiency, but are effected in us by grace, even this very grace is so called for no other reason than that it is given freely; not, indeed, that it is not given for merit, but because the merits themselves are given for which it is given. And when we find eternal life itself called grace, we have in the same Apostle Paul a magnificent defender of grace: ‘The wages of sin,’ he says, ‘is death. But the grace of God life everlasting in Christ Jesus our Lord’”; see Augustine, “Letter to Sixtus,” in *St. Augustine, Letters*, vol. 4, trans. Sr. Wilfred Parsons (Washington, DC: Catholic University of America Press, 1955).

¹⁶⁸ E. O. Wilson argues: “[T]he question of interest is no longer whether human social behavior is genetically determined; it is to what extent. The accumulated evidence for a large hereditary component is more detailed and compelling than most persons, even geneticists, realize. I will go further; it is already decisive”; see E. O. Wilson, *On Human Nature* (Cambridge, MA: Harvard University Press, 1978), p. 19.

¹⁶⁹ Marx claims: “It is not the consciousness of men that determines their lives, but, on the contrary, their social being that determines their consciousness”; see Karl Marx, *A Contribution to the Critique of Political Economy*, trans. S. W. Ryazanskaya (Moscow: Progress Publishers, Moscow, 1977 [1858]), accessed online at: https://www.marxists.org/archive/marx/works/download/Marx_Contribution_to_the_Critique_of_Political_Economy.pdf.

David Riesman says: “Social science has helped us become more aware of the extent to which individuals, great and little, are the creatures of their cultural conditioning; and so we neither blame the little nor exalt the great”; see David

combination of them. The point is, though, that the feeling of volition is an *illusion*—an epiphenomenal byproduct of underlying causal forces.¹⁷⁰ There is no free will, and consequently no choice, and consequently no responsibility, and consequently no morality, and consequently no point to liberalism.

We should thus get rid of all normative language—or recognize that our use of normative language is merely one more causally determined outcome. Some people are determined to say “Liberalism is good!” and others are determined to say “Liberalism is bad!” Some people are made to act “liberally” and others are made to act “illiberally.” In any case, no ultimate evaluative significance can be attached to anyone’s expressions or actions, and it is pointless to argue about liberalism.¹⁷¹

3. Conclusion: What Next?

Liberalism should be rejected because it undermines, fails to achieve, or contradicts fifteen major truths or values. Liberalism:

- Over-estimates average intelligence
- Underestimates human depravity
- Is based on amoral self-interest
- Is atomistic
- Is materialistic
- Is boring
- Denies the priority of power
- Does not guarantee basic needs
- Is unfair
- Undermines equality
- Is dog-eat-dog
- Is unsustainable

Riesman, *Individualism Reconsidered* (New York: Free Press, 1954), p. 38.

B. F. Skinner claims: “The illusion that freedom and dignity are respected when control seems incomplete arises in part from the probabilistic nature of operant behavior. Seldom does any environmental condition ‘elicit’ behavior in the all-or-nothing fashion of a reflex; it simply makes a bit of behavior more likely to occur”; see B. F. Skinner, *Beyond Freedom and Dignity* (Indianapolis, IN: Hackett Publishing Company, 2002), pp. 231-32.

¹⁷⁰ Marx argues: “The phantoms formed in the human brain are also, necessarily, sublimates of their material life-process, which is empirically verifiable and bound to material premisses. Morality, religion, metaphysics, all the rest of ideology and their corresponding forms of consciousness, thus no longer retain the semblance of independence”; see Karl Marx, *The German Ideology* (1845), A.1.4, accessed online at: <https://www.marxists.org/archive/marx/works/1845/german-ideology/>.

¹⁷¹ A Stoic is about to beat his slave for an infraction, but the slave is learned about Stoic philosophy and exclaims, “Master, do not punish me for what I did, for I was determined to do it and could not help it!” “Well,” replies the master, “then it was determined that I punish you. Stop complaining.”

- Is inefficient
- Is merely a subjective narrative
- Is epiphenomenal

The significance of these anti-liberal arguments, individually and collectively, is the strength of their challenge to the arguments made by liberals. Each argument can and should be assessed by its own merits. Yet that task can be aided by comparing each argument with related arguments on the other side of the debate. Placing opposed arguments into direct collision with each other often highlights the core disagreements, reveals that the two (or more) sides have been speaking past each other, and points to an underlying issue that must be made explicit and attended to before cognitive progress can be made.

Most of our longstanding and ongoing debates in politics do in fact depend upon underlying philosophical issues in metaphysics, epistemology, human nature, and values. Thus, the third stage of this project will be to pair the liberal and anti-liberal arguments in such a way that highlights those philosophical issues.

For example, an initial listing and re-ordering of the pro- and anti-liberal arguments from the two parts of this project yields several interesting pairings:

Liberals claim that liberalism:	Anti-liberals claim that liberalism:
Increases freedom	Denies the priority of power
Motivates hard work	Is based on amoral self-interest
Motivates smart work	Overestimates average intelligence Is inefficient
Incentivizes creative work	Is unsustainable
Improves the average standard of living	Is materialistic
Improves the lot of the poor	Does not guarantee basic needs
Increases philanthropy	Is atomistic
Improves the prospects of the outstanding	Is unfair
Increases interestingness and diversity; Increases happiness	Is boring

Motivates religious tolerance; Leads to the decline of sexism and racism	Undermines equality
Incentivizes peace	Is dog-eat-dog
Lessens government corruption	Underestimates human depravity
Is more just	Is merely a subjective narrative
	Is epiphenomenal

A selective focus on just some of the pairings shows:

- One side of the argument argues that the self-interested profit motive is good, while the other holds that self-interested motives are amoral or outright immoral. That points to a deeper ethical debate about the status of self-interest.
- One side of the argument claims that a great accomplishment of liberalism is its improvement of our material condition, while another side attacks liberalism precisely for being materialistic. That points to a deeper metaphysical debate about the significance of the material world.
- One side argues that humans are capable of objective and creative thinking and that liberal societies enable effective coordination of our knowledge to mutual benefit, while contrary arguments hold that humans are basically irrational or that “knowledge” is a subjective narrative complicit in zero-sum oppression. That points to a deeper epistemological debate about our cognitive powers.

Metaphysics, epistemology, and ethics are the fundamental branches of philosophical inquiry. The debates over liberalism thus depend upon issues specific to politics, economics, and history, but a full defense or rejection of liberalism is also a consequence of philosophy.

Selling Genocide I: The Earlier Films

Gary James Jason
California State University, Fullerton

1. Introduction

In an earlier article in this journal,¹ I began an inquiry into the role of cinema as an instrument of propaganda. The questions that frame this research program are easy to raise, but not necessarily easy to answer. They include: What is propaganda? Is it inherently immoral or at least morally suspect, and if so, why? What use has historically been made of film for propaganda? If film is effective as a propaganda vehicle, by what psychological mechanisms does it work? Is film the medium best suited for propaganda, and if so, why? I suggested in that article that a good place to start this research program is with the Nazi film industry, but I omitted an explanation of why. Let me correct that mistake here. It seems to me that there are several reasons why the Nazi film industry is a natural starting point.

First, the Nazis explicitly praised the power of film as a tool for propagandizing. In this, they unabashedly emulated the Bolsheviks, a group they otherwise despised—indeed, regarded as their mortal enemies. This allows us to understand how they thought they could use the medium as part of their propaganda campaign. Second, the Nazis (like the Bolsheviks) early on in their reign of power took control of—and then completely nationalized—the country’s film industry. This insured that only movies that promoted the regime’s agenda were produced, so we can see precisely how they tailored their films to promote that agenda. Third, the Nazis used every medium of communication to propagandize; by looking at the role film played in contrast with other propaganda media they employed, we can get a sense of the relative usefulness of film in their propaganda campaign.

In this article, I focus on the question of how the Nazis tailored their propaganda movies to the regime’s agenda. In order to do this, it is important to make a distinction. In business, the word “marketing” is ambiguous. It can refer to advertising, which typically aims at making your target audience generally aware of your brand (that is, your whole product line). It can also refer to (direct) sales, which aims at getting specific people to buy specific

¹ Gary James Jason, “Film and Propaganda: The Lessons of the Nazi Film Industry,” *Reason Papers* 35, no. 1 (July 2013), pp. 203-19.

products from your brand's product line. The Nazis did both by using cinema to promote their general "brand" and their specific policies and actions.

As an example of advertising, consider Leni Riefenstahl's famous (or notorious) 1935 documentary, *Triumph of the Will*.² That film clearly was designed to promote Hitler and the Nazi Party generally to the German people. (As I have commented at length on the film elsewhere,³ I will touch on it briefly here.)

Triumph of the Will is a documentary, and labeled as such, of the huge 1934 Nazi rally in Nuremberg. That event was a major propaganda opportunity, since Hitler had been appointed Germany's Chancellor just the year before and he was still not well known among much of the public. The film was powerfully effective in achieving its goals. It opens with footage of Hitler in his plane, which (in Messiah-like symbolism) descends from the heavens through the clouds and over masses of his worshippers in formation below. In another scene, we see a large Hitler Youth camp, with handsome, wholesome young men washing and shaving, and then having fun gathering wood as the cooks prepare a common breakfast. In yet another scene, we see members of the German Labor Front identify where they are from, each naming a different region in Germany.

What purpose did these scenes serve in promoting the Nazi Party? The first served to convey the larger-than-life quality of the Fuhrer. The second equates the Nazi brand with wholesome youthfulness, not the "depravity" that supposedly characterized the Weimar Republic which Hitler just swept away. The third stresses the theme of the Party as the workers' protector—"Nazi" comes from the abbreviation for its full name, the National Socialist German Workers Party—as well as a force for national unity.

It was the sales aspect of Nazi film upon which I focused in my earlier article for this journal.⁴ In that piece, I reviewed in detail a classic German documentary on Nazi cinema—*Germany Awake!*—directed by Erwin Leiser.⁵ The Nazis took control of the highly advanced German film industry when Hitler was named Chancellor in 1933, took control of film criticism and banned foreign films in 1936, and finally completely nationalized the industry in 1937. The film industry was, for the duration of the war, used to promote the Nazi Party and its policies (as well as to provide general entertainment).

² *Triumph of the Will*, directed by Leni Riefenstahl (Reichsparteitag-Film, 1935).

³ Gary James Jason, "Ein Volk, Ein Fuhrer," *Liberty* (April 2007), pp. 48-51, accessed online at: http://www.libertyunbound.com/sites/files/printarchive/Liberty_Magazine_April_2007.pdf.

⁴ Jason, "Film and Propaganda."

⁵ *Germany Awake!* directed by Erwin Leiser (Erwin Leiser Film Productions, 1968).

Leiser's film does an outstanding job of showing which Nazi films were aimed at selling which policies. In order to pull worker support away from the German Communist Party (its main rival in its early days), the Nazis produced *Hans Westmar* (1933) and *Hitler Youth Quex* (1933). They push the Nazi party line regarding the Soviets (which shifted because the two regimes first entered into a non-aggression pact, but then the Nazi regime violated it), by producing *Frisians in Peril* (1935) and *Bismarck* (1940). So as to demean democracy and portray it as weak, they produced *My Son, the Minister* (1937). In order to promote their historical narrative (which I call the Nazi Historical Narrative⁶), the Nazis produced *For Merit* (1938), *D III 88* (1938), *Venus on Trial* (1941), and *Homecoming* (1941). They promoted with several films their view of pan-Germanism, or "Aryanism"—that is, the idea that citizens of another country who are of German ancestry ("blood") are members of a Greater Germany. The Nazis produced *Request-Concert* (1940), *Victory in the West* (1941), *Stukas* (1941), and *Kolberg* (1945) so as to persuade Germans to support the larger war, and produced *Carl Peters* (1941) and *Uncle Kruger* (1941) to persuade them to support war specifically against Britain. In order to promote the view of Hitler as a military genius, they produced *The Great King* (1942). In order to persuade Germans of their virulent anti-Semitism policy, the Nazis produced *Robert and Bertram* (1939), *Linen from Ireland* (1939), *The Eternal Jew* (1940), *The Rothschilds* (1940), and *Jew Suss* (1940).⁷

In this article I will focus on how the Nazis employed cinematic propaganda—in *Robert and Bertram* and *Linen from Ireland*—to make the German people support, or at least not oppose, the genocide of the Jews. (In a

⁶ The Nazi Historical Narrative is an outgrowth of the stab-in-the-back theory that the Germans lost World War I because liberal democratic and communist traitors in the German government sold out the military.

⁷ *Hans Westmar*, directed by Franz Wenzler (Siegel-Monopolfilm, 1933); *Hitler Youth Quex*, directed by Hans Steinhoff (Universum Film AG, 1933); *Frisians in Peril*, directed by Willi Krause (National Socialist State Propaganda Directorate, 1935); *Bismarck*, directed by Wolfgang Liebeneiner (Tobis Filmkunst, 1940); *My Son, the Minister*, directed by Veit Harlan (Universum Film, 1937); *For Merit*, directed by Karl Ritter (Universum Film, 1938); *D III 88*, directed by Herbert Maisch (Tobis Filmkunst, 1938); *Venus on Trial*, directed by Hans Zerlett (Bavaria-Filmkunst, 1941); *Homecoming*, directed by Gustav Ucicky (Wien-Film, 1941); *Request-Concert*, directed by Eduard von Borsody (Universum Film-Verleih, 1940); *Victory in the West*, directed by Karl Ritter (Universum Film, 1941); *Stukas*, directed by Karl Ritter (Universum Film, 1941); *Kolberg*, directed by Veit Harlan (Universum Film, 1945); *Carl Peters*, directed by Herbert Selpin (Bavaria-Filmkunst, 1941); *Uncle Kruger*, directed by Hans Steinhoff (Tobis Filmkunst, 1941); *The Great King*, directed by Veit Harlan (Tobis Filmkunst, 1942); *Robert and Bertram*, directed by Hans Zerlett (Tobis Filmkunst, 1939); *Linen from Ireland*, directed by Heinz Helbig (Bavaria-Filmkunst, 1939); *The Eternal Jew*, directed by Fritz Hippler (Deutsche Filmherstellungs, 1940); *The Rothschilds*, directed by Erich Waschneck (Universum Film, 1940); and *Jew Suss*, directed by Veit Harlan (Terra-Filmkunst, 1940).

subsequent article in this journal, I will focus on *The Eternal Jew*, *The Rothschilds*, and *Jew Suss*.) While much contention surrounds the issue of whether the German people generally knew that the “Final Solution of the Jewish Problem” entailed the mass murder of Jews in concentration camps (which I discuss in more detail below), the general German public did not in any way visibly oppose the Jews being shipped away *en masse*. Historically, anti-Semitism was (and clearly continues to be) endemic in German culture, as it was (and is) in all European countries—and in America as well.⁸ Yet the level of out-group hatred the Germans felt toward the Jews had to be amplified by Nazi propaganda so as to facilitate their extermination campaign. German cinema—and other media—were called upon to sell, if not genocide as such, at least genocidal hatred. Before turning to our two films (in Sections 4 and 5), I will first explain in Section 2 what genocidal hatred is and why it typically has to be cultivated. Section 3 will be devoted to a brief articulation of the psychological mechanisms involved in marketing. These will provide us with useful tools for analyzing how the Nazis used film for propaganda purposes.

2. Genocide and Absolute War

It is worth noting here that genocide is in fact rather common in human history, especially during the twentieth century. This case has been made forcefully in a recent book by Abram de Swann.⁹ He calculates that since the late-nineteenth century, while the total killed in “regular wars” (by which he means “direct combat”) is about 25 million, the total killed in genocides is 100 million. These genocides range from the killing of one million Congolese villagers by Belgian troops around 1900 to Stalin’s Great Terror in the 1930s (killing perhaps 20 million) to the Holocaust (killing about 11 million) to the killing of one million Hindus in Bangladesh by Pakistan’s army—and the list continues.

De Swann emphasizes the role of propaganda in conditioning citizens of a genocidal regime to overcome their innate sympathies for others so that they participate in (or at least not oppose) mass killing of a group targeted by the regime. He makes this point when characterizing “genocidaires” (his term for those who participate in mass killings):

The genocidaires are overwhelmingly young and healthy men, and the great majority of them have a background in the military, the

⁸ In fact, it seems likely that anti-Semitism is growing again in Europe; for a defense of this claim, see Gary James Jason, “Disquieting Developments,” *Liberty* (April 22, 2015), accessed online at: <http://libertyunbound.com/node/1404>.

⁹ Abram de Swann, *The Killing Compartments: The Mentality of Mass Murder* (New Haven, CT: Yale University Press, 2014). For a review of de Swann’s book, see Gary James Jason, “Are We All Little Eichmann’s?” *Philosophia* (forthcoming).

police, and the regime's militias. Most of them by far sympathize with the regime, having joined the party or its auxiliary movements. They have been steeped in the official propaganda and learned to identify with their peers and disidentify from the target group, often with corresponding feelings of loyalty and loathing.¹⁰

However, de Swann says almost nothing about what form this propaganda takes. Moreover, by his own concession, he includes in the term "genocide" mass killings that don't fit the standard definition of the term, such as mass killings of people of a certain economic class; the mass killing of opponents of a regime; or the mass killing, rape, and plunder of civilians by soldiers who have conquered a territory. It is not likely that the type of propaganda that would be used to support the killing of an ethnic group would be the same as, say, that used to justify killing regime opponents.

In order to understand genocide more precisely and how it typically needs to be sold, let's turn to a classic piece of sociology written at the outset of World War II by Hans Speier.¹¹ Speier offers an insightful analysis of war not through a discussion of its political causes, but by how the enemy is perceived or "socially defined."

Suppose that one tribe/community/nation (the "in-group") attacks another tribe (the enemy or "out-group"). In what ways can the in-group view or define the out-group? Speier characterizes three basic ways, which inform three different types of war, differing markedly in ferocity: "instrumental war," "agonistic war," and "absolute war."¹²

For the in-group, the purpose of instrumental war is to defeat the out-group and take or control its assets. That is, the in-group wants the territory, markets, or natural resources of the out-group. This may include viewing the out-group population itself as an additional resource, in which case the in-group might want to enslave the out-group's population. While instrumental war can be quite fierce, the warfare is usually constrained because the out-group is not viewed as inherently evil or loathsome. Moreover, the out-group is often seen to be of economic use (as an export market, say, or source of labor).

In agonistic war, the in-group views the out-group as being the same sort of people as it is, and even share its values, but wants to fight the out-group for glory or justice. Speier gives the example of wars between ancient Greek city-states, and I might suggest that jousting knights and (later) dueling

¹⁰ De Swann, *The Killing Compartments*, p. 215.

¹¹ Hans Speier, "The Social Types of War," *American Journal of Sociology* 46, no. 4 (January 1941), pp. 445-54.

¹² *Ibid.*, p. 453. Speier concedes that these are abstractions, in that most actual wars often have characteristics of more than one pure form and can mutate from one form to another as events progress.

cavaliers are similar. In agonistic war, Speier adds, the fighting often has a kind of ritual function, rather like a religious (“morality”) play.

Both instrumental and agonistic wars are often, if not usually, “regulated” wars, meaning they are constrained by shared rules of warfare. These are rules about where battle can take place, what times it can occur, what forms of conduct have to be observed (for example, regarding the treatment of prisoners), what weapons can be used, on what people the weapons can be used (for example, combatants), and what can be done to the opponent’s territory.

In absolute war, by contrast, the out-group is viewed as inherently evil, essentially different from the in-group, and intrinsically threatening to the very existence (or at least the internal cohesion) of the in-group. The out-group is viewed as being essentially different either in appearance, religion, culture, or race in a way that is at the same time disgusting and threatening, hence intolerable to the in-group. Reverting to the example of the ancient Greeks, Speier points out that while the wars between Greek city-states were agonistic, the wars the Greeks fought against tribes they characterized as “barbarian” were absolute.¹³ He also includes as modern examples of absolute war the following: ideological wars, “fought in the name of political beliefs so dear to the belligerents that they arouse a crusading spirit”¹⁴; civil wars, where one side regards the other as treasonous in betraying the tribe itself and thus deserving of annihilation; religious wars; and colonial wars.

As a consequence of the way the in-group perceives the out-group, the goal of absolute war is to exterminate the out-group. As Speier so trenchantly puts it, “Peace terminating an absolute war is established *without* the enemy. The opponent is an existential enemy. Absolute war is waged in order to annihilate him.”¹⁵ As a result, there are no rules in absolute war—no limitations on the weapons used, the degree of suffering inflicted, the amount of treachery utilized, or quantity of terror employed. Worse yet, there are no distinctions about which members of the out-group can be killed; they are all to be killed in this sort of war.

Speier wrote his piece in 1941, so he didn’t use the term “genocide,” which was a neologism coined by Raphael Lemkin in 1944 to describe the Nazi’s systematic extermination of whole groups, most systematically the Jews.¹⁶ He defined it in part as “a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with

¹³ Ibid., p. 446.

¹⁴ Ibid., p. 447.

¹⁵ Ibid., p. 445.

¹⁶ “What Is Genocide?” United States Holocaust Memorial Museum, accessed online at: <https://www.ushmm.org/confront-genocide/defining-genocide>.

the aim of annihilating the groups themselves.”¹⁷ Clearly, the aim of absolute war is the genocide of the out-group.

The term “genocide” was used as a descriptive term at the 1945 Nuremberg War-Crime trials. In 1948 the United Nations (U.N.) approved the Convention on the Prevention and Punishment of the Crime of Genocide, which in effect made genocide an international crime, a crime against humanity. The U.N. characterizes genocide as

any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.¹⁸

I would add here as an analytical point that exactly how the in-group tribe decides to commit genocide against the out-group tribe depends in great part on the in-group tribe’s view of metaphysics. For example, if the in-group tribe views tribal membership as conferred by conversion to its religious faith, this suggests the genocidal strategy of killing all those out-group adults who refuse to convert and then turning their children over to be raised by in-group parents. If the in-group has a patrilineal view of tribal membership, it suggests a different genocidal strategy: kill all of the out-group adult males and turn the out-group women over to in-group males to marry. (Here, social acceptance of polygamy assists the implementation of the strategy.) The in-group tribe might also kill the out-group tribe’s male children, and then raise the out-group female children until they can be married off to in-group males. (Here, social acceptance of child marriage assists the implementation of the strategy.) Note, however, that if the in-group tribe holds that all out-group members—including people of mixed in-group/out-group lineage—are inherently evil (or racially inferior, or inherently diseased in some way), it suggests the genocidal strategy of wholesale extermination. This might be done by killing the out-group children (and elderly) outright and then working the out-group adults to death. Indeed, it was this latter approach that the Nazi regime pursued.

Returning to Speier’s tripartite categorization of war, one could say that Nazi Germany in fact pursued all three types of war. Toward France in particular, it pursued an agonistic war. Hitler clearly felt that the victory of the French (and the other allies) in World War I was a humiliation for his country, so when France capitulated early in World War II, he insisted that the

¹⁷ Ibid.

¹⁸ Ibid.

surrender document be signed in the same railway car in which the Treaty of Versailles had been signed. The Nazi occupation of France during the remainder of the war was comparatively benign—at least until substantial resistance developed.

The Nazi war against Eastern Europe and Russia was an instrumental war, or at least started as such. Hitler was clear about his intentions regarding this area early in shaping his regime. The Ukraine was the breadbasket of Europe, Russia and Romania had immense reserves of oil, and Germany required “living space” for its growing population which those lands (or at least the western parts thereof) would furnish. The inhabitants—primarily Slavic peoples—would serve as pools of (essentially slave) labor as well as markets for Germany’s factories. This war, especially when Hitler made the decision to attack Russia, was ferocious, with high casualties on both sides as battlegrounds included major cities. Initially, captured soldiers on both sides were put in concentration camps for the duration, but as the war became more ferocious, the POWs of each side were increasingly abused and killed by the other side. The Nazis killed upward of two million Soviet POWs, while various sources estimate that between 380,000 and 1.1 million German POWs died in Soviet prison camps.¹⁹

The domestic war against the Jews was absolute. The Jews in occupied Europe were sent to concentration camps precisely to die—either worked to death or killed outright. On the Eastern front, the SS Einsatzgruppen widely massacred Jews wherever they found them—including whole villages, such as Babi Yar, where nearly 34,000 Jews were shot in two days.

In order to support an absolute war, especially one that is aimed at genocide, the work of the in-group propagandist is difficult. He probably would have to make the out-group appear both vile and threatening, and so much so that the members of the out-group should be eradicated. That would involve arousing the in-group members’ emotions of disgust and fear to such a degree that they overcome the innate feeling of sympathy for the vulnerable, especially children. “Selling” genocide requires the in-group propagandist to engage in deep and sustained emotional manipulation of the in-group’s members. That would be necessary for moving people to commit the nearly indescribable horrors that were perpetrated against the Jews and most of the concentration camp prisoners. One must look at footage of the terrible deeds inflicted upon the prisoners—the beatings, the rapes, the grotesque medical “experiments,” the acts of obscene humiliation, and the tortures—to understand the level of hatred at work.²⁰

¹⁹ “German Prisoners of War in the Soviet Union,” s.v. Wikipedia, accessed online at: https://en.wikipedia.org/wiki/German_prisoners_of_war_in_the_Soviet_Union.

²⁰ A number of Holocaust documentaries are currently available online and through catalogs. These documentaries are ghastly viewing. If the reader has not seen any of these films, I would recommend that he start with Director George Steven’s

De Swann's perspective helps us understand how the Nazis were able to carry out the Holocaust, and it ties in with Speier's view of total war. The selling of anti-Semitism—a major part of the Nazis' ideological underpinnings—was crucial to their regime. Upon defining the Jews as the “disgusting” out-group who threatened the “purity” and existence of the in-group (the “Aryans”), they called for absolute war. Since much of the regime's domestic agenda was focused on the “Jewish problem” from the day it achieved power, their agenda necessitated some sort of justification for massive changes to German law and culture.

I disagree with Nicholas O'Shaughnessy, who views the Nazis' anti-Semitic propaganda as having been targeted at only a segment of the public: “It was an audience which constituted a particular market, namely those citizens of the Third Reich who had a particular appetite for incendiary anti-Semitic imagery.”²¹ This is historically false, as I believe a number of facts show.

First, Adolf Hitler never hid his anti-Semitism; it was manifest from the beginning. His 1925 book *Mein Kampf*²² presented his worldview and was widely available to the German public. After 1933 it was commonly given to German couples as a wedding gift. It bristles with anti-Semitic statements, such as “There were few Jews in Linz. In the course of the centuries their outward appearance had become Europeanized and had taken on a human look; in fact, I even took them for Germans.”²³ Even prior to taking control of the government, the Nazi Party made its antipathy toward Jews unmistakably clear by forbidding Jews from attending Nazi rallies from the outset. Furthermore, the Party's organized mob staged constant attacks on Jews, vandalizing synagogues and organizing local boycotts against Jewish businesses.

Second, consider the timeline of the regime after it took power.²⁴ Anti-Semitism was central to the regime—not just in theory, but in practice. This must have been obvious to the average German citizen. In January 1933,

documentary *Nazi Concentration Camps* (1945). It is a concise yet comprehensive account made specifically to acquaint Americans with what actually occurred, since previous reports had been met with skepticism.

²¹ Nicholas O'Shaughnessy, “Selling Hitler: Propaganda and the Nazi Brand,” *Journal of Public Affairs* 9 (2009), pp. 55-76.

²² Adolf Hitler, *Mein Kampf*, trans. Ralph Manheim (New York: Houghton Mifflin Co., 1999).

²³ *Ibid.*, p. 52. Hitler expresses his anti-Semitism in numerous other places throughout the book; see, e.g., pp. 50-65, 119-21, 300-316, 319-20, 622-24, and 637-40.

²⁴ For a full timeline of the Holocaust, see “Holocaust Timeline,” accessed online at: <http://www.historyplace.com/worldwar2/holocaust/timeline.html>.

Hitler was named Chancellor of Germany. At this time, Germany had a population of 67 million, but a Jewish population of only about 500,000.²⁵ In March 1933, the Nazis opened Dachau concentration camp near Munich, quickly followed by Buchenwald near Weimar (Germany's cultural center) and Sachsenhausen near Berlin. In other words, the first concentration camps were located *in open view near major German cities*, not hidden out in the mountains somewhere. In April 1933, the Nazis organized a national boycott of Jewish businesses. In July 1933, the Nazi Party was decreed the only legal party; furthermore, the Nazis stripped resident Polish Jews (who were about 20% of German Jewry) of their German citizenship. In September 1933, Jews were stripped of the legal right to own land. In January 1934, Jews were kicked out of the German Labor Front, which was the unified trade union the Nazis had earlier created to replace all prior workers' unions for all negotiations with industry. In 1935, the Nazis prohibited Jews from serving in the military. Later that year, the Nuremberg Race Laws were passed, which defined Jews as a separate race; defined being Jewish not as practicing the faith, but as having at least three Jewish grandparents; stripped Jews of German citizenship; stripped Jews of the right to vote; and most notoriously forbade "Aryan" Germans from marrying or even having sexual relations with Jews. How many Germans could possibly have been ignorant of these laws?

I won't rehearse the rest of the timeline in much detail. Already in 1937, the Nazis had set up the infamous traveling propaganda exhibition "The Eternal Jew." In 1938, the Nazis moved to strip Jews of their wealth and to be readily identifiable as Jews. In late 1938, Polish Jews were expelled from Germany; when one of them assassinated a German diplomat, the Nazis orchestrated Kristallnacht. Jews were then kicked out of public schools and their businesses turned over to "Aryans." In 1939, with the conquest of Poland, Polish Jews were ordered to wear yellow stars of David and do forced labor. In 1940, German Jews started being shipped to the concentration camps as well. The year 1941 was crucial: with the war expanded to include Russia and then America, the Final Solution was decided upon. The Nazis forbade German Jews from emigrating, used poison gas to kill prisoners in the camps, and ordered SS killing squads to shoot massive numbers of Jews in Eastern Europe. In early 1942, the Final Solution was formalized in writing at the Wannsee Conference, and from this point on until their defeat in 1945, the Nazis gathered Jews from all over Europe with the plan of exterminating them all.

Thus it seems obvious that, from early on, most of the German public must have known that the Jews were being specifically targeted for harsh measures, perhaps complete expulsion or outright death. It is important to keep in mind how extensive the Nazi concentration camp system was. During the dozen years the regime existed, it set up about 20,000 concentration

²⁵ "Germany: Jewish Population in 1933," United States Holocaust Memorial Museum, accessed online at: <https://www.ushmm.org/wlc/en/article.php?ModuleId=10005276>.

camps,²⁶ within which 11 million souls perished. The majority of those killed were Jews, but all of them were considered “enemies of the state.” As the war progressed, virtually the entire German public had to have been increasingly suspicious that the option of extermination had been chosen.

This acceptance of (and even support for) absolute war against the Jews was precisely what the Nazis intended their anti-Semitic propaganda to engender. The Nazis intended to intensify the already culturally pervasive anti-Semitism of the German people. Cinema was considered by the Nazi Party to be an important tool in promoting an absolute war mindset. In other words, film was crucial to selling genocide.

3. Marketing and Mechanisms

I now turn to a review of some marketing tactics used in advertising and sales, as well as the psychological mechanisms that underlie them, before analyzing two of the films that were crucial in arousing the twin sides of anti-Semitism—disgust at and fear of Jews. This will help us see how those tools were used to accomplish that goal.²⁷

I will first briefly characterize propaganda²⁸ and then explain how it relates to marketing. Some people regard propaganda as including techniques for selling products (goods and services) in a market. However, most people confine the term “propaganda” to the realm of *ideas* (specifically political, social, and religious ideas and ideologies),²⁹ and confine the term “marketing” to the realm of the *market* (that is, the exchange of goods and services).

There is a common underlying activity in both marketing and propaganda: promotion, that is, attempted persuasion. Marketing (that is, sales and advertising) is used to attempt to persuade people either to support a brand or to adopt (buy) specific goods or services. Persuading someone to support a brand just means increasing the chances that person will buy products from that company in the future. Notice that I use “attempt to

²⁶ “Nazi Camps,” United States Holocaust Memorial Museum, accessed online at: <https://www.ushmm.org/wlc/en/article.php?ModuleId=10005144>.

²⁷ I have written more extensively about this elsewhere; see Gary James Jason, *Critical Thinking: Developing an Effective Worldview* (Belmont, CA: Wadsworth, 2001), esp. chap. 17 (on advertising and consumer choice) and chap. 18 (on political rhetoric and democratic choice).

²⁸ Two especially fine historical discussions of the multiple meanings of propaganda are Richard Taylor, *Film Propaganda: Soviet Russia and Nazi Germany*, 2nd ed. (London: I. B. Tauris & Co. Ltd., 2009), pp. 7-17, and Randal Marlin, *Propaganda and the Ethics of Persuasion*, 2nd ed. (Buffalo, NY: Broadview Press, 2013), pp. 1-13.

²⁹ Historically, the term propaganda was originally used in the context of spreading (i.e., propagating) the Catholic faith.

persuade” rather than simply “persuade.” We use propaganda and marketing to persuade others, but of course we can and often do fail in the attempt.³⁰

Propaganda and marketing both also involve symbolic messaging to attempt to convey feelings, thoughts, beliefs, concepts, values, emotions, and attitudes about their objects. Symbolic messaging systems include natural language, mathematics, music, art, film, photography, dance, flags, architecture, gestures, coins (or tokens), emblems, dress/uniforms, etc.

In light of these similarities and differences, I will use “propaganda” to mean: symbolic messaging intended to persuade a target audience to adopt the ideas, ideology, political policies, or candidates the propagandist desires them to adopt. I will use “marketing” to mean: symbolic messaging intended to persuade a target audience to buy the products or brand the marketer desires them to adopt.³¹

The most effective marketing and propaganda techniques often employ psychological mechanisms that cognitive psychologists have explored over the last two decades. One the most eminent psychologists of persuasion is Robert Cialdini.³² Understanding his theory will help to shed light on how the Nazis so effectively used the medium of film for their purposes.

Cialdini defines a psychological mechanism as a recurrent pattern of behavior whenever a specific “trigger” feature of the animal’s environment is encountered. His illustration is that of a turkey hen’s mothering behavior (pulling chicks beneath her wing, clearly a protective mechanism), which is triggered when the hen hears a specific “cheep-cheep” sound (typically issued by chicks in distress). Whether that sound is emitted by an actual chick, a tape recorder, or a tape recorder placed inside a stuffed skunk (the natural enemy of the turkey), the hen will scoop under her wing whatever makes that sound. The sound doesn’t make the hen “think” that her chick may be endangered; it is a trigger for behavior programmed in her by evolution. Parallel psychological mechanisms are found in humans. Some of the most common ones are: contrast, reciprocity, social proof, authority, sympathy, association, salience, and resentment of inequality.

“Contrast” refers to the tendency of people to judge a thing or situation by comparing it with things that are near it in time or physical proximity. For example, a group of male college students who watch a movie featuring beautiful young actresses and then are asked to rate pictures of coeds, will rate those young women as less attractive on average than will a matched group of male students who have not watched the movie.

³⁰ Pro-Romney propaganda did not succeed in electing Mitt Romney in 2012, and all of the marketing for Blockbuster did not stop it from going out of business.

³¹ We should note that the propagandist or marketer may be operating on his own behalf or on the behalf of another party paying him.

³² Robert Cialdini, *Influence: The Psychology of Persuasion* (New York: Morrow, 1993).

“Reciprocity” refers to the tendency of people to return favors for favors. That is, people who are given something tend to want to give something in return. For example, in one experiment, a psychology professor sent 100 Christmas cards to total strangers; 96 of them sent him back a card, even though they never heard of the researcher before.

“Social proof” refers to the tendency of people to judge what is correct or proper by looking at what other people around them think is correct or proper. For example, if a person goes to dinner with people he doesn’t know well, and (say) pizza is served, he will likely watch to see how the others eat it. Do they pick up slices by their hands, or do they transfer the slices to their plates and slice small portions off and eat them at the end of their forks? How others eat will influence how he eats.

“Authority” refers to the tendency of people to obey perceived figures of authority. A classic experiment by Stanley Milgram illustrates this well.³³ Volunteers were told that they were going to participate in an experiment on learning. Each volunteer was told that he or she would be paired with another putative volunteer (who in reality was an actor paid to play the part). The real volunteer was invariably cast as the “teacher” and the actor would be the “learner.” The learner would be strapped in a chair with what appeared to be electrodes attached to him. The teacher would be told to read a question from a list to the learner, and when the learner answered incorrectly, the teacher would be instructed (by Milgram or his assistant, dressed in a white lab coat) to administer a shock by pushing a button on a panel. After each shock, the learner would feign pain. With each new wrong answer, the teacher would be instructed to increase the voltage. Milgram and his associates discovered to their surprise that most of the teachers, who were ordinary folks, would administer shocks up to what were labeled dangerous levels, even after the learner would cry out that he was having a heart attack and slump into apparent unconsciousness. People tend to obey authorities.

“Association” refers to the tendency of people (and animals) to infer causal connections between things they see associated in time or space. This tendency explains Pavlovian classical conditioning: if a bell rings before feeding dogs for a few days in a row, very quickly the dogs will associate the bell with the food and salivate at the sound. There is both negative and positive association. “Positive association” involves transferring or projecting one or more desirable qualities present in one object to some object temporally or spatially connected with it. In one classic experiment, young men shown a picture of a “concept car” (that is, a car not yet in production about which they could have had no prejudices) with an attractive bikini-clad model touching it rated the car as more attractive than did a matched group of young men seeing a picture of the exact same car without the sexy model. “Negative association” involves transferring or projecting one or more

³³ See “Milgram Experiment,” s.v. Wikipedia, accessed online at: https://en.wikipedia.org/wiki/Milgram_experiment.

undesirable qualities present in one object to some object temporally or spatially connected with it. Studies of criminal trials show that men rated as unattractive by ordinary college student volunteers were twice as likely to be given jail sentences as were defendants the students rated as attractive.

Another mechanism is “salience,” which is when one focuses more upon the unusual features of a situation than the commonplace. That is, unusual features appear as more prominent in one’s awareness. For instance, in a robbery, the victim will tend to focus on the gun held by the robber than on his other features (such as hair color, clothing, etc.).

Cialdini and other psychologists have shown that these mechanisms are exploited in both marketing and propaganda. A few examples will suffice for our purpose.

Let us consider the mechanism of negative association. It is behind many ads that aim to arouse fear, disgust, or hatred of a thing by (often irrelevantly) linking something unpleasant to it. For example, an advertiser of mouthwash might show attractive women turning away from a young man as he tries to talk with them. The advertiser is hoping the viewers will transfer their fears of social rejection to failing to use that brand of mouthwash. Similarly, an ad for a candidate may show his or her opponent’s picture juxtaposed with a closed factory. The campaign staff is hoping that the viewer will transfer his or her negative feelings about unemployment to the candidate’s opponent. A particularly egregious case of this was the infamous “Daisy ad” run by Lyndon Johnson’s U.S. presidential campaign against Barry Goldwater in 1964, which pictured a little girl pulling leaves from a daisy shortly before an atomic bomb detonates.³⁴

Next, we’ll consider the use of social proof in advertising. A marketer might advertise a food supplement by featuring letters of satisfied customers who rave about how effective it is at (say) invigorating the sex drive. The advertiser is hoping that the viewer will follow the example of all those satisfied customers. Similarly, a candidate’s campaign staff might stage a campaign rally in which hundreds of that candidate’s supporters gather, listening to him or her deliver a standard vapid speech and cheering him or her after every line. The staff is hoping that the viewer will follow the example of all those adoring supporters.

Finally, consider the use of authority in advertising. The producer of one multi-vitamin pill advertised it under the name “God’s Recipe.” The advertiser was hoping that the viewer would feel a duty to obey God’s will and buy the product. Similarly, a political candidate’s staff might approach local pastors in an area to have them publicly support the candidate. The staff is hoping that the parishioners will obey the recommendations of their pastors and vote for the candidate.

³⁴ The “Daisy ad” can be viewed on the Internet at: <https://www.youtube.com/watch?v=dDTBnsqxZ3k>.

These mechanisms can be utilized in combination. For example, both social proof and authority can be used together powerfully in advertising. The producer of a pain medication might show actors in white coats simulating doctors and speaking about how effective the medication is. Similarly, a candidate's campaign team might run an ad with professors of (say) philosophy speaking about what an outstanding candidate he or she is. In both cases, the appeal is to the social proof of many people, all appearing to be some kind of relevant authority.

4. *Robert and Bertram*

Armed with an overview of psychological mechanisms that have been exploited in illogical but persuasive marketing and propaganda campaigns, let us now review two of the major Nazi anti-Semitic movies. As David Welch notes,³⁵ anti-Semitism was common in Nazi cinema from the first. He gives as examples the *Kampfzeit*³⁶ films, such as *Hans Westmar* (in which Jews are portrayed as dividing workers from the government), *Homecoming* (which portrayed Jews as inciting the Poles to attack the ethnic Germans), and *Bismark* (about a Jewish man who attempted to assassinate the Iron Chancellor). However, feature films that clearly intended to advance the anti-Semitic core of Nazism were rather late in coming.

The first such feature film was produced right after Kristallnacht (1938) and released in 1939. It was a musical comedy called *Robert and Bertram*, set in 1839, and written and directed by Hans H. Zerlett. Zerlett specialized in musicals and comedies, and was one of Joseph Goebbels's preferred directors.

The movie opens with the intertitle, "This is a story of two vagabonds . . . who in spite of their misdeeds, ended up in heaven . . . because they possessed the fairest of all human virtues: Gratitude!" We are introduced to a fair-haired young man, Michel, who is carving a heart on a tree with the name "Lenchen" underneath, and the gorgeous fair-haired Lenchen, who is the tart-tongued daughter of innkeeper Mr. Lieps. Michel joins Lenchen at work; while he is shy and tongue-tied around her, it is clear that they are in love. Michel lets her know he is going to Berlin to serve in the Prussian army. Lenchen gives Michel some ham to take to his uncle, the warden of the town's jail.

We then meet two vagabonds: the tall, thin Robert, in jail already, and the fat, short Bertram.³⁷ Bertram is arrested in mid-dream, taken to the

³⁵ David Welch, *Propaganda and the German Cinema 1933-1945* (London: I. B. Taurus & Co. Ltd., 2007), p. 238.

³⁶ The term means "time of struggle," and refers to the period when the Nazis were contending with communist and socialist parties for power.

³⁷ The pair of comics resembles to some degree Stan Laurel and Oliver Hardy, a popular American comic team of the time.

same jail, and put in a cell directly below Robert. Robert cuts a hole in the floor of his cell and, seeing Bertram (the two are obviously close friends), pulls him up. They then manage to escape, after tricking the warden and his nephew Michel. Throughout all of this, various characters sing and dance.

Robert and Bertram find their way to Lenchen's village. She kindly offers them food if they will wash dishes in her father's inn at that night's wedding celebration. At the wedding, the rogues overhear Biedermeier, a seemingly wealthy money lender, trying to force Lenchen to marry him. He threatens Mr. Liep that unless he pushes his daughter into the marriage, Biedermeier will take over the inn. The two rogues decide to help. After entertaining the guests with a song and dance routine, they steal Biedermeier's wallet and ride off on stolen horses.

Later, they discover that Biedermeier is himself in debt to one Nathan Ipelmeyer and being pressured to pay back the money *he* had borrowed. Robert sarcastically remarks to Bertram, "We've stepped right into the midst of the business relations of two especially fine gentlemen." The clever Robert explains to Bertram that Biedermeier borrowed the money to support Lieps's Inn only in order to make Lieps and his daughter dependent upon Biedermeier, thus forcing Lenchen to marry him. Robert and Bertram, grateful for the hospitality they received from Lieps and his daughter, again decide to help.

They sell the stolen horses and go to Berlin to con Ipelmeyer. We see them in Berlin, dressed like gentlemen, where they contrive to greet each other in a restaurant Ipelmeyer frequents. We see him sitting there—corpulent, repellent looking, hook-nosed, and bearded, with flashy clothes and jewelry, ordering caviar. The rogues con him into believing that Bertram is a professor of music, giving lessons to Robert, who is passed off as a Count ("the Count of Monte Cristo"). Ipelmeyer, an obvious social climber, invites them to a costume ball. We know that Ipelmeyer is Jewish from an infamous exchange: he leans forward and says to Bertram, "But first I have to tell you a big secret: I am an Israelite." The corpulent Bertram immediately replies, "Then I have to tell you a big secret as well—I have a [big] belly." This retort implies that Ipelmeyer is obviously Jewish by his looks.

We now see Ipelmeyer in his garishly ornate house, on the night of the masked ball. He gives directions to his servant Jacques, saying, "I beg you to get rid of your Jewish pronunciation." Ipelmeyer then turns as his wife enters and ironically says "Oi!" She is also enormously obese, hook-nosed, and gaudily dressed with flashy jewelry. When she asks him (in Yiddish) how she looks, he replies, "From the front you look nebbish like Catherine the Great, and from the back you look healthy like Napoleon." She objects, saying that Napoleon was anti-Semitic, to which he replies, "That's why he went bust in Moscow," implying that the Soviet Union is controlled by Jews.

As the guests arrive, Ipelmeyer greets his secretary Fochheimer, letting him know that he realizes Fochheimer has been stealing from him and having sex with his wife. Then the rogues arrive. As the music plays, we see Ipelmeyer caress not his wife's hand, but her rings. As she smiles at him, he

rolls his eyes. It is obvious that there is no love there. We see Robert lean over to Ipelmeyer, and again we get some anti-Semitic dialogue:

Robert: Your home seems to be a true temple of the arts.

Ipelmeyer: What do you mean, temple? Are you also . . . [Jewish]?

Robert: Me? No. How could I be?

Ipelmeyer: Who knows . . . I know an archbishop named Kohn and a lord named Rothschild.

The insinuation here is that Jews work their way into high places incognito.

After Robert sings an aria, the guests change into their costumes. At the costume ball, we hear more anti-Semitic dialogue. Mrs. Ipelmeyer, when Fochheimer touches her, tells him to take his hand away. When he asks her how she knew it was him, she replies, "Because of your feet"—presumably, a dig at how he smells.³⁸ We then see a guest greet Ipelmeyer by name, who replies, "Who says I'm Mr. Ipelmeyer?" The guest shoots back, "If I couldn't tell by the pronunciation, I would know by your wayward glances at the dance soloist." Ipelmeyer goes on to make clear he intends to bed her (presumably a non-Jewish girl). We also see Jacques refer to Mrs. Ipelmeyer as looking like "a filthy old market bag."

Jacques also says of the Ipelmeyers' daughter, Isadora, that she came as Queen "Kleptomania," meaning Queen Cleopatra—a gibe at the presumed acquisitiveness of the family. An earlier scene showed the Ipelmeyers hoping that Isadora will marry the "Count of Monte Cristo." We now see a scene that mocks the values of the daughter. When her boyfriend Samuel asks how she could fall for "a goy" (referring to Robert), she replies "But he's a Count. A Count!" When Ipelmeyer hears this, he tells Samuel that he is too poor to marry Isadora: "My daughter will not love for less than a million."

Ipelmeyer then walks into the young dance soloist's room, intent on a tryst with the maiden. Outside, the guests all dance, with Robert taking Isadora as partner, while Bertram takes Mrs. Ipelmeyer. As they all dance, the two rogues adroitly steal their partners' jewelry. This happens while Ipelmeyer, whose doctor had given him a sleeping potion, falls asleep.

The mother and daughter soon discover that they have been robbed, and the mother cries out for her husband, who is being robbed by the two rogues while he sleeps. As the guests shout and beat at his door, the rogues calmly take all of his jewelry, down to his diamond shoe-buckles. As the rogues make their escape and the guests flee, Jacques wryly remarks, "Now they're all galloping in Jewish haste!"

We cut to the Lieps sadly discussing how they will lose the inn because they cannot pay back Biedermeier, when the postman delivers a package for the father and a letter for the daughter. In the package is the stolen jewelry, with the letter instructing them to give the stolen goods to "the man

³⁸ Hitler makes a similar gibe in *Mein Kampf*, p. 57.

who is after Lenchen” (meaning Biedermeier) and to tell him that the jewelry belongs to the Ipelmeyers. Returning the jewelry to Ipelmeyer will clear Biedermeier’s bills as well as theirs. At this point, Michel—looking resplendent in his Prussian uniform and walking with pride and confidence—enters and says to the Lieps, “See what the Prussians can turn a man into!” As the father slips away, Michel kisses Lenchen and presents her with a ring. The father tells his friends that Michel has become a corporal (which was Hitler’s rank).

We next see an intertitle with a police indictment of two unknown men named Robert and Bertram for theft. The top minister is puzzled, because the two crooks “didn’t commit their crimes to further their own interests.” We cut to Michel and Lenchen strolling at the town fair, and we see the two rogues (dressed as women) reading a poster offering a reward for their capture. While dancing a polka, they are discovered and pursued. They jump into a balloon, which carries them to heaven, where they dance past the pearly gates in the midst of angels.

Some commentators have regarded this film as being not markedly anti-Semitic, and thus not particularly effective as propaganda. For example, in his comprehensive treatise on German propaganda cinema, Ian Garden says that while the movie did in fact caricature Jews, it isn’t particularly remarkable in this regard. As he puts it, “While there are certainly some stereotypical presentations of the Jewish characters in the film . . . there is nothing particularly offensive about the portrayals. Indeed, it is more reminiscent of the clichéd portrayals of the national characteristics of (say) the Scots or the French.” He adds that “just as much fun is poked at non-Jewish characters, and the real villains are the two non-Jewish vagabonds who steal jewelry from Ipelmeyer, but who are still accepted into heaven because their crimes were not committed for personal gain but to insure the happiness of the two lovers.”³⁹

This strikes me as mistaken for several reasons. First, none of the other characters is singled out for such vicious stereotypical satirization. The Jews are portrayed as greedy, lacking in taste, lacking in hygiene, uniformly ugly, dishonest, and so on, especially in comparison with the blond, wholesome, Aryan lovers.

Second, Garden seems to equate Jewishness with a separate nationality (like being Scottish or French), as if Jewish Germans aren’t truly Germans. The fact that the Nuremberg Laws were passed to *define* who was Jewish is strong evidence that most German Jews in fact looked and sounded like other Germans.

Most importantly, Garden overlooks the main argument for recognizing this as effective propaganda. The film clearly presents the idea that theft from Jews is praiseworthy and noble if it is done to help “Aryans.”

³⁹ Ian Garden, *The Third Reich’s Celluloid War: Propaganda in Nazi Feature Films, Documentaries, and Television* (Gloucestershire, UK: The History Press, 2012), p. 74.

Considering that to a large degree the Nazis funded their Wehrmacht by assets seized from Jews, down to the gold in the teeth of Jews killed in the extermination camps, this message was very much a Nazi one.

This movie was in fact powerfully effective in promoting the ideas and emotions the Nazis wanted to arouse against the Jews. The film is selling three feelings about the out-group Jews, which would increase tolerance of a total genocidal war against them: difference, disgust, and danger. Let us take these in order, and see which scenes in the film fit each category.

By “difference” I mean elaborating and reinforcing the false stereotype that Jews look, talk, and think differently from “Aryan” Germans. Numerous scenes highlight the alleged difference of Jews (from other Germans). A few examples include: the scene of Ipelmeyer in the restaurant, odd looking, peculiarly dressed, and ordering caviar; the scene where Bertram tells Ipelmeyer (in effect) that Ipelmeyer’s appearance is obviously “Jewish”; the size of the Ipelmeyer house and its ornate furnishings; the scenes showing Ipelmeyer’s wife as different in her physical appearance and attire; the scenes showing various members of the Ipelmeyer household speaking German with Yiddish words mixed in; the scenes where Ipelmeyer disregards his wife’s infidelity and those that accentuate his own; the scene where he caresses not his wife’s hand, but her jewelry; and the scenes in which Ipelmeyer and Samuel refer to ordinary Germans as “Goyim.”

By “disgust” I mean emphasizing that not only are Jews different, but that their differences are all for the worse. After all, you can view other people as having customs that are different from your own, but still regard them as benign or even charming. Here, Jewish manners are portrayed as loathsome, dirty, or even degenerate. Their appearance is portrayed not merely as different, but as ugly and repellent. Their values are portrayed not merely as different, but as corrupt and vicious. Numerous scenes in the movie are designed to arouse disgust toward Jews: the scenes showing Ipelmeyer and his wife as ugly and obese, the scene in which Mrs. Ipelmeyer insinuates that her lover is malodorous, the scene in which Ipelmeyer rolls his eyes at the sight of his wife, the scene in which even the Ipelmeyers’ servant makes fun of her looks, the scene in which Ipelmeyer shows tolerance of the fact that his wife is cheating on him, the scenes showing Ipelmeyer lusting after the young dancer, the scenes showing all of the Ipelmeyers desiring the daughter to marry royalty rather than the man who loves her, and the scenes showing how devoted the family is to their material possessions.

The difference and disgust are underlined by contrast with the virtuous, modestly dressed, truly loving, honest, hard-working, physically fit, and beautiful lead characters (Lenchen and Michel). Even the rogues come off as good by contrast, with their gratitude and charm.

By “danger” I mean that the Jews are portrayed as dangerous or a threat to other Germans for several reasons: they steal from Aryans; they are disloyal and “cosmopolitan” as opposed to being patriotic; they use their financial and media power to advance their international agenda at the expense of the nation; and they lust after non-Jewish girls—again using their

wealth as a weapon to threaten “racial pollution.” Numerous scenes aim at portraying Jews in this fashion. The scenes showing Biedermeier using Lieps’s debt to pressure Lieps into forcing Lenchen to marry Biedermeier, and Ipelmeyer in turn squeezing Biedermeier, portray Jews as money-lenders who use usury as a tool of power. The scenes of Ipelmeyer lusting after the young dancer and Biedermeier after Lenchen suggest the constant danger of “racial pollution” of Aryans by Jews.

These messages are usually hidden by the musical numbers and dances. In terms of marketing, this is analogous to using jingles to distract the viewer from thinking rationally about the product being sold. Indeed, this point illustrates one of the major features of cinema that makes it potentially a powerful tool for propaganda: it is a multi-media art. It combines the power of writing to convey information verbally with the power of visual messages and music to distract rational thought.

5. *Linen from Ireland*

The second film under review is unusual in that it is at once anti-Semitic and anti-capitalist (or at least anti-classical-liberal). I will focus here only on its anti-Semitism. *Linen from Ireland* was directed by Heinz Helbig, is set in 1909 Bohemia, and appeared in 1939 only a few months after *Robert and Bertram*.

The film opens with simple, folksy weavers walking in the summer sun to deliver their products to a factory, owned by a man named Hubermayer. As they discuss how much they will be paid, one of them remarks of Hubermayer, “Such a rich, fine gentleman. He still has a heart for us simple weavers.”

We cut to Hubermayer meeting with two men from Prague who represent a firm called Libussa, Inc. One of the men says to Hubermayer, “We can’t force you to do what’s good for you. If you think you can get along without us, very well.” Hubermayer turns to the men, angrily calling them and their firm cutthroats and crooks. He opens a side door to show them a year’s supply of linen, unused and stored because Libussa has refused to buy from him. They tell him that it’s because his product is bad, but he vehemently rejects that claim—his company has been producing the same good linen for 150 years. When one of the Libussa representatives asks why he continues to produce linen nobody is buying, he points to the weavers waiting outside—“Isn’t that reason enough? Do you want them to starve, you scoundrels?”

Hubermayer capitulates in order to provide for the weavers he wants to save. Under the new contract, he becomes a silent partner with only a 10% stake in the company and is no longer part of management, which will be taken over by a man named Nagel. He demands that the contract guarantee that the new management will buy from the town weavers for at least twenty years, but the Libussa representatives just laugh and refuse, holding out the prospect that the weavers will get nothing today. He reluctantly signs, and Nagel goes out to tell the weavers that they will deal with him from now on and work just as before. As the Libussa representatives leave, Hubermayer

tells his assistant that he has been given the boot, and he will go to the Kaiser if necessary.

We next witness the board of directors of Libussa Textile Industries as they consider presenting a petition to the government to be allowed to import linen from Ireland tariff-free. Dr. Kuhn, the Jewish chairman of the board, promises that if they can get the government to remove the tariffs on imported linen, Libussa will become a powerful multinational company. When one of the other board members suggests that the government's Minister of Trade and Commerce will not go along with the scheme, Kuhn indicates that he has insider knowledge that there is soon to be a new minister in charge. When another board member asks what the domestic linen-makers will say about this, he smugly replies that he anticipated resistance, so he "quietly bought" the Bohemian linen companies "one after another" so there would be no opposition. To another board member's query about what will then happen to the weavers, he disdainfully replies, "Any progress demands sacrifice. . . . [T]here is more at stake here than the fate of a few weavers." It is them or the weavers; they all sign the petition.

After the other members have gone, Kuhn goes into the president's office, and finds Lilly Kettner, the beautiful blond daughter of the company's president. She mockingly compliments him on all he's accomplished. When he responds that he has done all of this for Libussa, she replies, "And also for me. I know." When he says to her that he hasn't done anything to her, she replies, "I can't avoid the impression that if I [gave] you my little finger you'll take my whole hand. And [if you take] my hand"

At this point, Lilly's father walks in. She hears Kuhn report to Kettner that the board has agreed and the company can now submit their petition. Kuhn also lets Kettner know that he has arranged a formal dinner in Vienna that Kettner and Lilly must attend. At this, Lilly gets annoyed, telling Kuhn that she isn't his employee. Her father tells her, though, "We must do as we are told." As he leaves, Kuhn smirks at Lilly. When Kuhn is out of the room, Lilly tells her father that Kuhn is revolting.

We cut to the exterior of the Imperial Ministry of Trade and Commerce where a sign states: "Not open to the public today." The new Minister walks in, and we learn that he is from the Liberal Democratic Party (presumably, a party that favors classical liberal economics, such as free trade). The new Minister introduces himself, declaring bluntly that he wants to implement sweeping reforms as quickly as possible. He tells the staff that he wants to end the narrowness of the previous administration and sweep away barriers to trade, even if a few of the "little guys" may complain: "Our commerce must conquer the world market!"

We next cut to Kuhn's Vienna hotel room, where his uncle Sigi Pollack is announced. Kuhn welcomes his uncle, who is obese, bearded, with of course the stereotypical aquiline nose. Pollack, inspecting the room and noticing the large bathtub, asks Kuhn how long he intends to stay. When Kuhn replies, "three or four days," Pollack replies, "Why do you need a bathroom [with a bathtub] then?" This is again the Hitlerian gibe alleging that

Jews do not bathe often. Pollack comments on how fine Kuhn's clothes are, adding "You've become a big shot" who has come a long way in twenty years from their old Jewish neighborhood. This irritates Kuhn, who says, "Please stop that, Uncle. I've forgotten where I came from." As they stand side by side, the viewer sees that while Pollack has a beard and his nephew Kuhn is clean-shaven and more polished, the subtext is that "they" (that is, the Jews) are the same. You can take the Jew out of the ghetto, the film urges, but you can't take the ghetto out of the Jew.

When Pollack tells Kuhn, "You've made a great career," Kuhn replies, "This is only the beginning." Kuhn explains that he is ambitious beyond Austro-Hungary, which he views as small: "Berlin, Paris, London, New York—That's my world! That's where I belong." In that world, he says, he will have wealth, status, and—even more importantly—power: "And I will come into power! I'll be at the top and others will obey." Kuhn adds that on that day he will celebrate by marrying Lilly Kettner. He reveals that this is why he engineered the petition, namely, so that "the old man will have to give me his daughter, whether he wants to or not."

At the ball, we see Kuhn waiting for Goll, the new ministry official who will consider Libussa's petition. Goll arrives late; he is young, handsome, and charming. Kuhn has a servant tell Lilly to meet her father in the library, but when she walks in, only Kuhn is there. Closing the door, he tells her it would be very helpful to Libussa if she were nice to one guest in particular (meaning Goll), because "every man has his price." She responds that she wants nothing to do with Kuhn's dealings, and won't dance with some old bureaucrat. She tells Kuhn angrily that she will dance with the first young man she sees, and leaves. She asks the first young man to dance with her—and Kuhn smiles when he sees that it is Goll. When Lilly discovers that the young man she has just danced with is from the Ministry, she gets flustered and leaves him. He is obviously attracted to her, and is told by his friend and superior, a Baron, that she is the niece of the party's hostess and the heiress to a large company. He is puzzled why she would want to dance with him.

We next see Kuhn apologize to Lilly, saying that the person with whom he wanted her to dance won't be coming to the party after all. She laughs and says, "So I won't be able to do the company any more favors tonight?" He replies that she should enjoy herself, "laughing, dancing, and flirting." We cut to Goll preparing to leave the party, but when Lilly comes up and asks him to stay, he does. They are now clearly falling in love, and the scene dissolves with them sitting and talking in the garden.

We cut to the front door of the ministry. Hubermayer is also there to present a petition. We then see Goll waking up his friend—the whimsical Baron—telling the Baron that he wants to discuss official business. The Baron asks Goll whether this is about Lilly Kettner. Goll, surprised, asks the man how he knew. The Baron tells him that Lilly is rich and Goll isn't. The man suggests that Lilly must have some ulterior motive for "bewitching a minor official."

That afternoon, Kuhn goes in to meet Goll. Goll doesn't remember him, and Kuhn reminds him they met at the ball the night before. Goll asks why he is there and Kuhn indicates that it is about the Libussa petition. While Goll finds the petition and reads it, Kuhn pitches the proposal. Goll tells Kuhn he will read it and reach a decision. Kuhn becomes pushy, revealing to him that Libussa's president (and Kuhn's boss) is Lilly's father. The oily Kuhn reminds Goll that Lilly was enthralled by him. Goll replies, "Now I understand this connection," and summarily asks Kuhn to leave, saying he will study the petition.

We see Kuhn return to his apartment, and he discovers Pollack in the bathtub. Pollack tells Kuhn he wants to bathe and shave off his beard, presumably so that he can insinuate himself into high society as well. Kuhn and Pollack hatch a plan to have a friend, who is an editor, print a story that the top minister of trade is insincere in his support for the expansion of German trade because he ignores "a brilliant industrial magnate from Prague" who has a proposal that could do wonders for the textile industry.

We cut to see the visibly angry Minister reading this story aloud to his underlings, demanding a written report on this sabotage of his instructions. Hubermayer then knocks on the doors in the Ministry with *his* petition. In a comedy of errors, the Minister takes Hubermayer to be the brilliant industrialist from Prague. Hubermayer hands his proposal to the confused Minister, who takes it to be the Kuhn proposal, and tells Hubermayer that it will be handled "at once." The Minister explains that he knows all about the Libussa plan to import linen duty-free from Ireland, because "not enough [of it] can be produced in Bohemia." Hubermayer shows utter amazement on his face as he listens. As the confused Minister tells Hubermayer that Goll is studying the proposal, Hubermayer begins to figure out Kuhn's scheme. He grabs his petition back from the Minister and goes off to find Goll's office.

We cut to Goll and Lilly strolling in a garden. Goll thanks her for putting in a good word about him to Kuhn, and Lilly replies that she never mentioned him to Kuhn. When Goll asks whether she knows who is to decide on Kuhn's petition, she replies that she neither knows nor cares: "I don't like to be used for the interests of Herr Kuhn." She adds—to Goll's evident delight—that she hates Kuhn. Someone is lurking in the bushes watching the couple.

We later see Kuhn in his office, and we find that it was Pollack spying on the couple. Kuhn instructs Pollack to follow them when they meet again the next day. Kuhn then receives a call from the top minister, after which the smirking Kuhn hands Pollack some money and says the minister has told him Libussa's petition will be granted. Pollack reminds him that it was Pollack's idea to publish the letter, and says that the business is as good as settled. "[B]ut what about love?" Kuhn smirks again and says the settling of the business will settle the love, and gloats, "There's no one left to stop me!"

In Goll's office, Hubermayer searches the desk and finds the Kuhn/Libussa petition. We cut again to Kettner's room, with Kuhn waiting as Kettner calls out for his daughter to get ready. Kettner observes that since she

is taking unusually long, she must want to look unusually pretty. Kuhn suggests it is because they are meeting Goll, and tells Kettner that Goll is the man considering the Libussa petition, and Lilly has been seeing Goll every day. Kuhn deviously adds that Goll had pretensions of integrity, and is their strongest opponent at the ministry. Kettner falls for this line, saying of Goll sarcastically that he is a fine fellow “who could cost us millions.”

Kettner angrily goes to Lilly’s room to confront her. She readily admits to seeing Goll and wanting to marry him. Kettner tells her that he doesn’t dislike Goll, but wants her to marry someone who can take over and run Libussa, but that Goll opposes the petition and wants to thwart Libussa’s plans. Kettner tells his daughter that she must test Goll by convincing him to support the petition. This clearly bothers her. She asks her father that if Goll goes against his own convictions just to win her hand, what would Kettner really think of him? When her father replies that he would view Goll as being intelligent, she reluctantly agrees to try to convince Goll to support the petition.

We watch next as both Goll and then Lilly walk into a restaurant. Goll asks her if he can go to her father and ask for her hand. She looks uncomfortable as she replies that she has already talked with her father about him, and while her father has no objections to him, if Goll is to join the family, Goll would have to “lend [Kettner] your support just as a son would.” When Goll says, “Yes . . . And . . . ?” Lilly replies that Goll should approve the Libussa petition, or there will be no marriage. Goll is incredulous that Kettner should expect him to act against conviction, but indicates that he will, although he is clearly disappointed in her.

The next morning, Goll goes to the ministry early, and when he enters his office, finds Hubermayer sitting at the desk. Hubermayer tells Goll cheekily that he is almost done. When Goll angrily demands to know who he is, Hubermayer identifies himself and proceeds to tell Goll that Hubermayer’s company and all the other domestic wholesale linen producers were ruined by Libussa to keep them from opposing Libussa’s proposal. Hubermayer tells Goll that if the Libussa petition is approved, the company will then shut all the domestic producers down, adding: “Do you know how many families will starve?” Goll tells the hot-headed Hubermayer to calm down, that he has already suspected what Hubermayer has discovered, and that the matter is still open. Goll sits with the petition and asks Hubermayer answer some questions.

Meanwhile, Kuhn enters Lilly’s room and congratulates her for helping her family’s company. When she tells Kuhn that the petition matter is still undecided, the smarmy Kuhn replies that he is confident Goll’s love for her will overcome Goll’s reservations about the petition. She shoots back that not all men are as unprincipled as Kuhn, adding that “Doctor Goll will never act against his convictions.” Kuhn haughtily replies, “We’ll see.”

Back at the Ministry, we see Goll dictating a report (in Hubermayer’s presence). The Baron calls him into another office, and when Goll confirms that he is recommending rejection of the Libussa petition, the Baron points out that the head of the Ministry wants it approved and that Goll’s career will end

ignominiously if he refuses. Goll immediately replies that this is unimportant compared to “preventing hundreds of thousands from perishing.” The Baron agrees, but says that if the Minister wills it, there is nothing Goll can do about it—Goll will just be sacked and replaced by someone willing to sign. When Goll and the Baron are summoned to the Minister’s office, the Minister says to Goll, “So, you’re the revolutionary!” The Minister quotes Goll’s report with hostility, amazed that Goll would go against the Minister’s wishes, and orders Goll to write a positive report. Goll refuses, and says he is prepared for the consequences. The Minister tells the Baron to write a favorable report and then phones Kettner.

We cut to Kettner, Kuhn, and Lilly in Kettner’s hotel room, as the phone rings. Kuhn answers, thanks the Minister obsequiously, and then relays to Kettner that they are to show up at the Ministry tomorrow to receive their petition’s formal approval. Kuhn suggests to Kettner that this was done with Goll’s approval and, smirking at Lilly, with Lilly’s help. Lilly hotly retorts that she thinks he is lying, and that Goll wouldn’t go against his convictions.

We cut to Lilly and Goll separately entering the Baron’s office. Lilly tells him she is disappointed that he caved to the pressure and wants to see him no more. Stricken, he leaves, and as she cries, the Baron—realizing her innocence in the Libussa scheme—tells her he owes her an apology.

The next day, we see the Minister telling Kettner and Kuhn that the Libussa petition has been approved. He opens an envelope to check that it is the approval form, but as he reads it, he suddenly tells Kettner and Kuhn that there is a minor error in it, so he will have to sign it and mail it to them. They leave suspecting nothing. After the Libussa executives leave, we learn what was really in the letter—Goll’s resignation, with the explanation that the Minister is acting against the interests of the people. Outside, Kettner tells Kuhn that he wants to stay and talk with Goll personally. Kettner enters Goll’s office, only to find Hubermayer. The ever-gruff Hubermayer tells Kettner that Goll has resigned because of “the Libussa rabble.” At this point the Minister calls Goll’s office, whereupon Hubermayer picks up the phone and tells the Minister that Goll has quit “this Imperial pigsty!” The Minister is incensed, and tells the staff what the ministry has been called, and the staff march to Goll’s office to see what person would dare say such a thing.

The staff members enter to find a defiant Hubermayer (with Kettner standing quietly to the side). They usher Hubermayer to the Minister directly, but to the Minister’s surprise, Hubermayer is not cowed, refuses to apologize, and accuses the Minister of not caring about the citizens who will starve. As Kettner quietly enters the room, Hubermayer shouts at the Minister that Libussa lowered its prices for cloth from the domestic manufacturers so as to push them into bankruptcy and buy them out cheaply. He and the Minister argue, whereupon Hubermayer calls the Libussa petition a “swindle.” The Minister wants to call the police, but Kettner intercedes, saying that Hubermayer’s outrage is reasonable. He then identifies himself to Hubermayer as “the swindler, the cutthroat.” Kettner tells the Minister that because of what he has learned from Hubermayer, he wants to withdraw his

petition. Hubermayer apologizes for his intemperate comments, and he and the Minister become amicable.

We move now to Goll's apartment, as he is packing to go. The Baron, ever his true friend, is explaining to Goll that he is wrong about Lilly—she was crying because she thought that Goll had given in to the petition, not opposed it. While Goll finally grasps what the Baron is saying, Goll says he still didn't like being played with and still plans to leave town.

We see a triumphant Kuhn enter his hotel room and tell Pollack that he anticipates winning Lilly's hand. Pollack replies in joy, "If only your mama, my sister, could have lived to see this!" Kettner enters his room, accompanied by Hubermayer—the two are now obviously friends. Kettner says to Hubermayer that he now realizes he has been duped by someone, and he intends to clear everything up with Hubermayer there. Meanwhile, the Baron visits Lilly in her room, where she is packing to leave.

We see a servant announce to Kettner that Kuhn wants to see him. Kettner tells the man to bring Kuhn in, sarcastically saying to Hubermayer, "I have to take stock with my capable Doctor Kuhn." Back in Kuhn's room, Pollack pops the cork on the champagne and sloppily pours some for Kuhn and himself, toasting "L'chaim!" The servant comes in and tells Kuhn that Kettner will see him now. Kuhn smugly gloats to Pollack, "Now I'll name my price! . . . Uncle Sigi, I've reached my goal!" Pollack replies, "Mazeltov!"

Back in Lilly's room, we see the Baron—obviously playing Cupid for the stubborn young lovers—finally get through to her that in fact Goll had rejected the petition, and that's why he resigned. He tells her that Goll is leaving on the 1:00 pm train, and the two leave immediately, with Lilly saying that she will drag him off the train if necessary.

Kuhn enters Kettner's room and congratulates Kettner in a self-serving manner, saying it wasn't easy, but Kuhn's skill in manipulation paid off. Kettner capably replies that that it is now time to revise their relationship. Kuhn, ever confident, thinks Kettner is hinting at elevating him. He insolently tells Kettner that he wants no money, but wants instead to marry Lilly. Kettner lets Kuhn have it, telling him that he is untrustworthy, has deceived Kettner for years, and has cheated honest businessmen in Kettner's name. Kettner fires Kuhn, saying, "Maybe our Fatherland is too small for your urges." He hands Kuhn a severance check and says that he has withdrawn the Libussa petition: "It's useless to give you my reasons. You would never understand them anyway." The disgraced Kuhn slinks out.

Kuhn, back with Pollack, tells his uncle that he's been fired and he did not get Lilly's hand in marriage. He hands Pollack the check, and says, "Buy two tickets for New York. Europe is not for us." Pollack, impressed by the check, tells Kuhn not to worry—money is the only important thing in life.

At the train station, the Baron walks up to the car containing Goll. Goll asks the Baron why the Baron came, and the Baron replies fatherly that "I just wanted to say good-bye, and be the first to congratulate you." Goll is stunned, and turns to see a smiling Lilly behind him. We watch them kiss as the train pulls away.

The movie ends with Hubermayer returning to his factory—now his again—while the townspeople cheer. He tells them to get back to work making the linen they have produced for 150 years—linen from Bohemia.

Let us examine the anti-Semitic messaging in this movie. Again we see Jews depicted as different, disgusting, and dangerous—but with a different emphasis: the danger is more pronounced in this second movie than in the first. It begins with numerous scenes pushing the message that Jews are different, and continues by showing how the difference is for the worse—indeed, for the disgusting.

First, the Jewish characters Kuhn and Pollack have a very different conception of business from the non-Jewish businessmen Hubermayer, Kettner, and even the other Libussa board members. They are portrayed as predatory in business, indifferent to the fact that their machinations inflict suffering on the small artisans, as seen in Kuhn's remark that "[t]here is more at stake . . . than the fate of a few weavers." By contrast, the non-Jewish businessmen have a more cooperative approach to business. They also worry deeply about the workers and small businesses, and want to shield them with protectionist tariffs.

Second, the Jewish characters are "cosmopolitan." This standard anti-Semitic accusation is seen in Kuhn's comment to Pollack that he has forgotten his home town and in Pollock's observation that Kuhn is now a "big shot" who has come a long way from his ghetto roots. Kuhn longs to move in the biggest international financial circles: "Berlin, Paris, London, New York—That's my world!" By contrast, the "Aryan" businessmen have a sense of homeland. Hubermayer is proud of his company's roots in Bohemia, going back 150 years, and his ties with its humble, decent linen-makers. Indeed, Kettner explicitly attacks Kuhn for his total lack of patriotism when he says, "Maybe our Fatherland is too small for your urges."

Third, the Jewish businessmen are portrayed as completely devious, whereas the non-Jewish ones are ethical. Kuhn deceives his superior Kettner about what he is doing, deceives the other board members about the impact of the Libussa scheme on the small tradesmen, and misleads Lilly about the nature of his scheme. Pollack cheerfully spies on the young lovers, funnels insider information about people in the ministry (especially Goll) to Kuhn, and colludes to place a manipulative story in the newspaper about the Libussa affair, all for monetary rewards from his nephew. Kuhn deliberately refuses to buy linen from the domestic producers so that he can buy majority stakes in them and eventually close them all down, even at the cost of hundreds of thousands of people starving. By contrast, the "Aryans" show nothing but honesty in their business dealings. Goll refuses to compromise his principles, even in the face of termination. Kettner withdraws the Libussa petition and fires Kuhn the minute he discovers what he is up to. Hubermayer is steadfast in his mission to keep the integrity of his company intact and to protect the jobs and incomes of the weavers.

Fourth, the Jews are portrayed once again as physically repellent. Kuhn and Pollack are overweight with stereotypical hooked noses. Pollack is

bearded, and (the Hitlerian gibe again) not accustomed to bathing frequently. In contrast, the young “Aryan” lovers Goll and Lilly are both physically fit and handsome, as is Kettner.

Fifth, both of the Jewish characters, but especially Kuhn, are shown to be lacking in romantic love. Kuhn tries to use Lilly as essentially sexual bait to sway Goll in favor of the Libussa scheme. Even though Kuhn wants to marry her, it is because she is to be a trophy or prize for his scheming work. In contrast, the “Aryan” lovers are truly in love. Lilly tries briefly to influence her sweetheart, but only after resisting Kuhn’s attempts to push her and finally succumbing to her father’s wishes (while he was being manipulated by Kuhn). The friendly Baron—a romantic at heart—works hard to see that the lovers finally reconcile.

Finally, the Jews are portrayed as having different and disgusting values. Specifically, Kuhn has only two things he values: money and power. In his view, power comes from the money he has gotten by manipulating others. Pollack, portrayed as less menacing, values only money. In contrast, Hubermayer and Kettner value the welfare of the artisans, the economic health of the Fatherland, the traditional methods of making products, and the quality of the products.

In the leitmotifs of difference and disgust, *Linen from Ireland* is similar to *Robert and Bertram*, but *Linen from Ireland* puts vastly more emphasis on the leitmotif of danger. Kuhn—the stereotypical Jew—is clearly a menacing man. He frankly craves power, having achieved money already. He wants the Gentile girl as a kind of prize, for which he is willing to have a marriage take place in a church. This eagerness to hide his “true” identity extends to his attire, clean-shaven appearance, and refined manners. The one time Kuhn appears angry is when Pollack reminds Kuhn of his origins, that is, his “true” identity.

Furthermore, Kuhn’s ability to manipulate and deceive even such a decent man as Kettner shows the danger he poses. His craftiness in planning the internationalization of the linen industry shows the threat of giving power to such a dissembler. His utter indifference to the possible deaths of hundreds of thousands artisans and their families shows that he is a ruthless cosmopolitan who is disconnected from the community. Then there is Kuhn’s power, with the help of Pollack, to use their connections in the media. This shows the threat posed by Jewish control of the media (a constant theme in anti-Semitic propaganda to this day).

Also salient is Kuhn’s lust for the Gentile girl who continuously rebuffs his advances. He plans on getting her by forcing her father, through deceit and manipulation, to turn his “Aryan” girl over to Kuhn. The movie in this way portrays the threat of “racial pollution” which the 1935 Nuremberg Laws sought to forbid.

This leitmotif of danger is so strong that it is in fact jarring in what is supposed to be a comedy. Comedies typically portray their villains as harmless or even sympathetic: silly, bungling, or perhaps good-hearted after all (as are the two rogues in *Robert and Bertram*). But Kuhn is *not* funny,

silly, harmless, or bungling in any way, and he is surely not good-hearted. He is portrayed as a serious, evil, merciless, manipulative, single-minded narcissist. Not many laughs there.

Garden considers this a stronger piece of anti-Semitic propaganda than *Robert and Bertram*, because the dialogue is much more pointedly antagonistic toward Jews. While I agree on that last point, I still consider the first movie at least as effective, for several reasons. First, *Linen from Ireland* moves slowly and as a comedy seems rather heavy, for the reasons given above. The first movie actually had higher gross revenues than did the second.⁴⁰ More importantly, the music in the first movie more effectively masks the intention of the movie. Goebbels himself held that the most effective propaganda is that which appears as pure entertainment.

Let us take up the topic of how certain psychological mechanisms (explained above in Section 3) are exploited in these films. Among the most common of these mechanisms are contrast, social proof, sympathy, salience, and association.

A powerful mechanism often exploited in marketing is contrast, which works in propaganda as well. In both films, the contrast between the non-Jewish (or “Aryan”) and the Jewish characters are drawn to maximum effect in conveying the message that Jews are different, disgusting, and dangerous. In terms of appearance, the young Aryan lovers (Lenchen and Michel, Lilly and Goll) are young, physically fit, beautiful, and attractive, while the Jewish counterparts (Ippelmeyer and his wife and daughter, Kuhn and his uncle) are middle-aged, obese, ugly, and repellant. The Aryan characters are wholesome and clean, while the Jewish ones are unhygienic.

In manners and mores, again the contrast is stark—nay, Manichean. The Aryans are honest and work productively at their legitimate trades, while the Jews are deeply dishonest and work as economic parasites. The Aryans are transparent and supportive of others, while the Jews are manipulative and sly. The Aryans simply want to earn decent livings, while the Jews want excessive wealth and economic power. The linen-makers have a sense of homeland, while Kuhn repeatedly shows by contrast that he is “cosmopolitan.”

The mechanism of social proof is frequently used in propaganda. In these movies, the townspeople serve as the cuing audience. In *Robert and Bertrand*, we see the townspeople applaud as the vagabonds sing and dance. In *Linen from Ireland*, we see the humble townsfolk at the beginning eager to support the honest Hubermayer.

The mechanism of sympathy is also commonly exploited in both marketing and propaganda. In *Robert and Bertrand*, we feel sympathy for the honest businessman Lieps, who is pressured to give up his tavern or force his daughter to marry the manipulative money-lender. In *Linen from Ireland*, we feel sympathy for the honest tradesmen and their families whose livelihoods the evil Kuhn wishes to destroy. We also feel sympathy for the two Aryan

⁴⁰ Welch, *Propaganda and the German Cinema 1933-1945*, p. 269.

maidens (Lenchen and Lilly), who are the targets of the libidinous designs of Jewish malefactors (Biedermeier and Kuhn, respectively).

Salience is another commonly exploited mechanism in marketing and propaganda. In the films under review, the main Jewish characters are shown as strikingly different. The Ipelmeyer family, with its garish looks, gaudy clothes, luxurious home, and coarse behavior and speech, strike the viewer as grotesque. The scenes of Kuhn and his uncle at his hotel room are also striking in showing Kuhn to be a dissembler, hiding his “true” background. Also salient is Kuhn’s materialistic, rather than romantic, view of love; for him, Lilly is a prize in a power-contest. The horrified viewer yet finds it difficult to turn away from such displays.

Association (both positive and negative) is among the most commonly used mechanisms in both marketing and propaganda. In seeing handsome, honest, and decent “Aryan” characters, the viewer positively associates honesty, cleanliness, and decency with non-Jewish ethnic Germans. Conversely, he sees ugly, duplicitous, and manipulative Jewish characters, so that he negatively associates crookedness, dirtiness, and craftiness with being Jewish.

A “stereotype” is a fixed over-generalized belief or set of beliefs about a group of people or things.⁴¹ When we stereotype groups of people, we are engaging in social categorization. This can lead to prejudice and discrimination, especially if the underlying stereotype is negative. The films under study here most centrally use the mechanisms of contrast, social proof, sympathy, and association to arouse and intensify the feelings of difference, disgust, and danger. These in turn reinforce and amplify the longstanding German cultural stereotypes about Christian Germans and Jewish Germans.

6. Conclusion

I have suggested here that the Nazi propaganda machine, arguably the most powerful in history, devoted considerable effort to arousing profound antipathy toward Jews, specifically intended to sell the German public on the Party’s anti-Jewish campaign. While this campaign started out as one of ridding Germany and its incorporated lands of its Jewish population by harassing Jews to emigrate (and taking their property when they left), it mutated to become an absolute war against Jews. The aim became genocide.

After Kristallnacht in 1938, the German film industry produced a number of anti-Semitic propaganda films. *Robert and Bertram* and *Linen from Ireland* are two such films that effectively conveyed antipathetic feelings toward Jews, especially feelings of difference, disgust, and danger.⁴² Both

⁴¹ Saul McCloud, “Stereotypes,” *Simple Psychology* (2015), accessed online at: <http://www.simplypsychology.org/katz-braly.html>.

⁴² Since these films are both comedies, the leitmotif of danger was not as pronounced as it was in later films, as we shall see in my subsequent article in this series.

films were released in 1939, a pivotal year in the malevolent reign of the Nazi Regime. It was mid-way between the year the regime achieved control (1933) and the year it was vanquished (1945). More importantly, it was the year that the Nazi Wehrmacht invaded Poland, bringing England and France into the war. Up until 1939, Hitler's victories were achieved without war. Having undertaken war, Hitler became intent on carrying through with his sociopathic threat that "if international finance Jewry inside and outside Europe were to succeed in pushing people into another world war, then the result would be, not the victory of Judaism, but the destruction of the Jewish race in Europe."⁴³ In 1939, Goebbels thus turned the Nazi propaganda machine into high gear and directed the major studios to produce even more virulent anti-Semitic films.⁴⁴

⁴³ Quoted in Richard Taylor, *Film Propaganda: Soviet Russia and Nazi Germany*, 2nd rev. ed. (London: I. B. Tauris, 2006), p. 185.

⁴⁴ I wish to thank my colleague Ryan Nichols for his comments on an early draft of this article.

Review Essays

Review Essay: Lin-Manuel Miranda and Jeremy McCarter's *Hamilton: The Revolution*¹

Robert Begley
New York Heroes Society

1. Introduction

All revolutions start in the minds of individuals. The ideas are often rejected at first, then catch on and eventually are put into action on a massive scale. Whether it is daring to sail west across the Atlantic, inventing a light bulb, flying to the moon, or creating an iPhone, that can-do spirit with pride-in-achievement is distinctive of the American psyche. This theme is found in Lin-Manuel Miranda and Jeremy McCarter's *Hamilton: The Revolution*, as alluded to on the back cover:

This book does more than tell us the surprising story of how a Broadway musical became a national phenomenon: It demonstrates that America has always been renewed by the brash upstarts and brilliant outsiders, the men and women who don't throw away their shot.

I believe that the current Alexander Hamilton phenomenon,² of which this *New York Times* bestselling book is an example, demonstrates a sign of positive cultural change.

Whenever Hamilton's name was held in esteem, America flourished. His pro-Constitution, pro-finance, anti-slavery, anti-foreign entanglement ideas were most prevalent after slavery was wiped out, during the post-Civil

¹ Lin-Manuel Miranda and Jeremy McCarter, *Hamilton: The Revolution* (New York: Grand Central Publishing, 2016).

² Here is some background context about my participation in this phenomenon: I've seen *Hamilton: An American Musical* ten times, including opening nights, off- and on-Broadway. I wrote a book review of Ron Chernow's biography, *Alexander Hamilton* (New York: Penguin Books, 2004), long before I knew there would be a musical based on it. I've given many speeches on "Hamilton: The Man, the Myth, and the Musical."

War period, especially in the North. Immigrants flooded in from all over the globe to take part in the booming Industrial Revolution that he forecasted. Living standards and population skyrocketed. Hopefully, with the enthusiasm generated by Hamilton's example, we can usher in a renewed era of the liberty and prosperity that he envisioned.

Where can we see this cultural change? Roughly one year ago, there was a plan to remove Hamilton from the ten-dollar bill. Due to Hamilton's surge in popularity and to the joint efforts of fans and pro-Hamilton organizations, that terrible idea has been struck down.³ Museums in New York and across America have Hamilton exhibits, many of which are inspired by the musical.⁴ Ron Chernow's 2004 biography of this hero is back on the bestseller list and can be found at just about any airport. Thousands of high school students have attended the musical⁵ and can be heard on the streets and subways of Hamilton's very own New York City belting out the lyrics of songs from *Hamilton: An American Musical*. It remains to be seen whether this initial fascination with all-things-Hamilton leads to more fundamental social and political change.

Hamilton: The Revolution is also superb as a work of art. Its many full-page photographs, primarily done as nineteenth-century stills, put you right on stage with the actors. This book gives the reader insight into the details of the creative process by which the musical was made. It is pleasing that so many talented people—from Tommy Kail (direction) and Alex Lacamoire (orchestration) to David Korins (set design) and Paul Tazewell (costumes)—gain recognition and earn praise for their behind-the-scenes work. The book is an excellent substitute for those who have not seen *Hamilton: An American Musical*, yet a bonus for those who have seen it and want an "inside story" that makes it all the more transfixing. *Hamilton: The Revolution* perfectly complements the non-stop action of the musical's live performance as well as the cast recording.

³ See "An Open Letter from Secretary Lew," accessed online at: <https://medium.com/@USTreasury/an-open-letter-from-secretary-lew-672cfd591d02#.to6im93d3>.

⁴ For example, at The New-York Historical Society's "Summer of Hamilton," accessed online at: <http://www.nyhistory.org/exhibitions/summer-hamilton>, and the New York Public Library's "Alexander Hamilton: Striver, Statesman, Scoundrel," accessed online at: <https://www.nypl.org/events/exhibitions/hamilton>.

⁵ By means of a generous grant from the Rockefeller Foundation; see "Broadway's 'Hamilton' Will Be Field Trip for 20K Students at \$10 a Pop," accessed online at: <http://deadline.com/2015/10/broadway-hamilton-new-york-city-students-rockefeller-foundation-1201595040/>.

2. The Evolution of a Theatrical Masterpiece

As McCarter puts it,

this book tells the stories of two revolutions. There's the American Revolution of the 18th century, which flares to life in Lin's libretto, the complete text of which is published here, along with his annotations. There's also the revolution of the show itself: a musical that changes the way that Broadway sounds, that alters who gets to tell the story of our founding, that lets us glimpse the new, more diverse America rushing our way. (p. 10)

In the process of telling this revolutionary story, the reader gets insight into many of the goose-bump moments that those of us who are fortunate to have seen the musical have experienced. For instance, here's a description of what composer, lyricist, librettist, and star, Lin-Manuel Miranda, went through on opening night on Broadway:

He entered at the back of the stage and strode all the way to the front. 'What's your name, man?' asked Leslie [Odom, Jr., who plays Aaron Burr], and he replied, 'Alexander Hamilton.' The audience roared. For 27 seconds he stood there, bombarded by a crowd he couldn't see Finally he gave a slight nod to signal that they had better let him finish the song. (p. 276)

I and others who were present never experienced anything like this in a theater.

One innovative aspect of the musical is that the story-telling is done largely (though certainly not exclusively) in the Hip-Hop genre with minority actors portraying founders who were white. Regardless of whether one likes Hip-Hop, one definite advantage of that genre on Broadway is that you can say many words (and tell a long, complicated story) in a shorter period of time. Its fast pace also reflects Hamilton's sense of urgency in seeking to accomplish a tremendous amount in a brief period of time.

What makes a theatrical masterpiece? A great subject, a strong conflict, and a satisfying resolution, all structured logically with events pushing the story forward. In this book we also get a song-by-song description and learn how a musical is constructed. An excellent example comes early on:

'My Shot' is, in the lingo of musical theater, an 'I want' song. These are the numbers that appear early in the show, when the hero steps downstage and tells the audience about the fierce desire that will propel the plot. . . . Without a song like this, you wouldn't get very far in a musical: A character needs to want something pretty badly to sing about it for two and a half hours. (p. 21)

After witnessing the obstacles of Hamilton's childhood (father abandons family, mother dies next to him, cousin commits suicide, hurricane devastates his Caribbean island), we see that this self-made man wants to earn honor and glory—and is ready to fight for it. So we understand why he's willing to take a shot whenever the opportunity arises.

The book also provides hundreds of annotated notes to the lyrics, which Miranda thought important enough to explain. He describes how a song like "My Shot" took him years to write on account of his show-me-don't-tell-me approach to characterization: "We have to systematically prove that Hamilton is the most fearsome intellect in the room, not just by saying so, but by demonstrating it" (p. 27, n. 10). Hamilton's leadership skills, facility with language, confidence in his mind, can-do spirit, and brisk call to principled action immediately earn from his new friends their endorsement to "get this guy in front of a crowd."

Additional elements of the musical's structure are identified. For instance, if Act One had ended with the victory at Yorktown, the audience would have a predictable and understandable feel-good sense during intermission. Miranda risks pushing the upward arc even higher and manages to finish with a different kind of flourish:

In 'Non-Stop,' Lin very explicitly asks what makes a genius relentless, what turns a gifted individual into a monster of creativity. The Act One finale covers six furiously productive years in Hamilton's life, from his return to war-ravaged New York City in 1783 to his ascension to Washington's cabinet in 1789. It rips through 12 scenes in six minutes, and staging it demands the same kind of ingenuity that it describes. (p. 133)

Also explained is a change made between the show's off- and on-Broadway productions. Having seen and loved the musical twice off-Broadway, the opening night on Broadway disappointed me only in that Act Two's "One Last Ride" (where George Washington and Hamilton ride to squash the Whiskey Rebellion) was changed to "One Last Time" (where Washington asks Hamilton to draft his Presidential Farewell Address). Miranda uses sound reason in making the change:

The rewrite to 'One Last Ride' illustrated what all those creative impulses, all those pragmatic experiments, were trying to achieve: to ensure that every single element in the show, at every moment, was serving The Story. The Story was not a list of events on a historical timeline, in Tommy [Kail]'s view, it was the emotional journey that Hamilton and the other key characters needed to make . . . It needed to reveal how Hamilton was affected when his friend, mentor, and father figure retired from public life. (pp. 206-7)

Aside from needing to reduce the length of the musical, the number condenses many aspects of Washington's and Hamilton's lives more dramatically—and always leaves me in tears.

My decades spent in ballet class have taught me to observe keenly how effectively dance or purposeful movements are presented onstage. Do they enhance or contradict the story? Choreographer Andy Blankenbuehler gives behind-the-scenes insight about how he chose to choreograph the movements of opponents Hamilton and Burr: “Burr moves in straight lines because he sees no options, and Hamilton moves in arcs, because he sees all the possibilities” (p. 134). He continues, “Dance is just meant to be a framing device that matches emotionally what I want the audience to feel.” We certainly do feel it, even when we might not have been consciously aware of the significance of those movements.

Miranda clarifies some of his artistic-license choices. For example, we are introduced in Act One to several friends of the hero, though when and how he came to know each of them did not occur as staged. Some of them are not well known, like John Laurens, and others have interesting nomenclature. Miranda states that “[Hercules] Mulligan didn't grow up to be a statesman like Lafayette or Hamilton. But his name is just the best rapper moniker I ever heard in my life” (p. 25, n. 9).⁶ Miranda then amusingly has the same actors who play Hamilton's friends (Marquis de Lafayette and Mulligan) in Act One, play his opponents (Thomas Jefferson and James Madison) in Act Two. It's a testament to the great talent of actors Daveed Diggs (Lafayette/Jefferson) and Okieriete Onaodowan (Mulligan/Madison) that they are equally convincing in both sets of roles, enabling Miranda to pull off this clever casting choice.

3. The Enlightenment with a Modern Twist

More than anything else, what drives *Hamilton: An American Musical* are the lyrics. Without the profound and clever word schemes,⁷ all else would have much less of an impact. In order to have a theatrical masterpiece, though, all other aspects of its production must strive to equal the lyrics. The book shows us how this succeeds.

The book's full title, in keeping with eighteenth-century titling practices, is, *Hamilton: The Revolution—Being the Complete Libretto of the Broadway Musical with a True Account of Its Creation, and Concise Remarks on Hip-Hop, The Power of Stories, and The New America*. The chapter titles and graphics style also emulate that of the Enlightenment era, so they put the reader in the mood for that period. In keeping with that timeline, photos show

⁶ Miranda is reminded of rapper monikers by Hercules Mulligan's name, but what comes to my mind is how his name sounds like he could be a hero in an Ayn Rand novel. Indeed, a brilliant banker in Rand's 1957 epic, *Atlas Shrugged*, is named Midas Mulligan.

⁷ Which I discuss elsewhere; see my “Hamilton: An Act of Justice—in Two Acts,” *Reason Papers* 37, no. 2 (Fall 2015), pp. 163-77.

the costumes and staging with ropes, bricks, and wooden props everywhere. There is an earned pride which comes from a job well done, such as attention to details. One of the many examples of this is: “The candles onstage are real wax, because nothing else looks like wax. The seals on the letters by Washington and Hamilton are real wax as well. Each man gets *his own personalized seal*” (p. 133).

I’ll have more to say about race below, but for now I’ll say that if one is stuck on the perceptual level (where skin color is the primary concern, instead of the ideas and convictions of the characters), then many might not enjoy the show. Fortunately, this is not the case. One reason pertains to the design rule that was deliberately adopted: “Period from the neck down, modern from the neck up” (p. 113). This was to demonstrate that an actor of any race can perform these great roles, as long as the actor understands the essence of the character. If the audience is initially jarred by the visual effects of these casting choices, they get over it very quickly.

The purpose of art is to refuel the spirit. This is often done by the portrayal of heroes, who overcome all kinds of obstacles, many of which the audience can relate to. However, too much of today’s art and theater demonstrate the opposite, such as showing how the villain can “get away” with the perfect crime or how life is just some farce that warrants only cynical laughter. David Brooks pinpoints succinctly the massive appeal of *Hamilton: An American Musical*: “Every single person walks out of the theater thinking about Hamilton and saying, ‘I want to have *that* kind of ambition.’ . . . That’s why the show is universal. Because everyone wonders, *Are my dreams big enough? Am I really making the most out of my life?*” (p. 257).

What makes “*that* kind of ambition” possible? Thinkers who take decisive action. The Enlightenment respect for reason forges a nation that longed to be based solely on merit instead of class, race, gender, or political pull. Hamilton’s words from *The Federalist No. 36* exemplify this: “There are strong minds in every walk of life that will rise superior to the disadvantages of situation and will command the tribute due to their merit” (p. 174). Given the historical context in which he penned those words, they were truly revolutionary. Just as important is how much they resonate today.

4. The Book’s Flaws: “I wrote my way out. Wrote everything down far as I can see.”

While this book is splendid, it does have some flaws, none more glaring than its obsession with race. Whether it is Nuyorican, Latin, Black, Irish, Cuban, Chinese, Jewish, or West Indian, it feels like you can’t go more than a few pages without being told about someone’s race. This is dismaying, since the content of one’s character is much more important than the color of one’s skin. Hamilton himself was concerned with merit, not race. This constant identification of one’s race denies the freely chosen actions that an

individual takes which others of that same race might or might not have taken. “The smallest minority on earth is the individual.”⁸

Another flaw is Miranda’s blanket claim that “we continue to forget that immigrants are the backbone of the country” (p. 47). This is inaccurate. Although tens of millions of immigrants flocked to America, and many of them have certainly helped to make America the greatest country in world history, they are far too generally addressed in the musical and book. Hamilton’s success did not come from being an immigrant, but from being an individualist. Hamilton knew that he would perish under the oppressive conditions in the Caribbean, where his ideas would not have been implemented. It was only pro-reason, pro-individualism America that allowed orphan immigrants like him to “rise up” and “make a difference.” He was likely the most consistent defender of individual rights in his era. His individualism led him to the belief, for example, that because blacks had free will and could be effective soldiers, they should attain their freedom if they helped America win the war. Hamilton’s individualism is the only cure for racism. He rejected the collectivist, tribalist, and determinist view of human nature.

I also disagree with the book’s criticism of Hamilton over the war bonds issue (see p. 153, n. 6, and p. 199, n. 3). Many Revolutionary War soldiers chose to sell their war bonds to speculators. The speculators faced great risk (as is often the case) in having those bonds pay off, since the odds of America winning the war were miniscule. If we lost the war, I don’t think too many people would have shed tears for the money the speculators would have lost. However, Hamilton upheld the sanctity of contract and made sure that the speculators were paid. That turned out to be a core principle of his brilliant financial system, which was based on the protection of individual rights and “took America from bankruptcy to prosperity.”

5. Conclusion

McCarter quotes Henry Cabot Lodge: “The dominant purpose of Hamilton’s life was the creation of a national sentiment, and thereby the making of a great and powerful nation from the discordant elements furnished by thirteen jarring States” (p. 11). McCarter then remarks how Hamilton continues to unify us beyond his lifetime: *Hamilton: An American Musical* “draws from the breadth of America’s culture and shows its audience [that] what we share doesn’t just dramatize Hamilton’s revolution: It continues it” (p. 11).

I’m personally happy for this revolution. For eighteen months I lived in the Hamilton Heights section of Manhattan and regularly stood in awe of his statue uptown, as people strolled by, oblivious to who he was. The Grange,

⁸ Ayn Rand, “America’s Persecuted Minority: Big Business,” in Ayn Rand, *Capitalism: The Unknown Ideal* (New York: New American Library, 1962), p. 61.

where Hamilton lived at the end of his life and which now stands as a museum, was empty whenever I'd go in it. Not anymore.⁹

I am elated with this book and highly recommend it. Not only will it enhance my experience the next time I see the musical, it gives me hope for the future. I am eager to see the Hamilton revolution continue in American culture. How can the success of this revolution be measured? There would be no better way than to have our intellectuals and leaders grant full respect for the document which Hamilton so tirelessly fought to defend: The U.S. Constitution.

⁹ See Wendy Lu, "Off the Stage, 'Hamilton' a Hit," *amNewYork* (June 10, 2016), p. A34.

Review Essay: Whence Did German Propaganda Films
Derive Their Power?

Ian Garden's *The Third Reich's Celluloid War:
Propaganda in Nazi Feature Films, Documentaries,
and Television*

Gary James Jason
California State University, Fullerton

The history of cinema is an important tool for understanding the use of film for propaganda and indoctrination. Scholars of propaganda should be grateful to Ian Garden, because his *The Third Reich's Celluloid War*¹ is a comprehensive and insightful history of Nazi propaganda films. He holds that the Nazis understood propaganda to be a powerful weapon and that they wielded it more effectively than did the Allies. He also notes, though, that the Nazi propaganda machine made a great number of mistakes. He seeks to explain the key features of the major German propaganda films, the degree to which they were propagandistic, and how effective they were. Upon reviewing his work, I conclude that although Garden offers thoughtful reflections in many ways, he understates the unique power of Nazi propaganda film.

Garden discusses briefly the nature of propaganda, defining it as messaging aimed at persuasion (p. 11). Understood that way, propaganda is a benign concept; however, after persistent misuse over a century by political agents, it now pejoratively means the dispersing of mendacious information. On his view, propaganda doesn't necessarily involve lying or distorting the truth—though it often does. Propaganda may involve stating facts that are true, but they are so selectively presented that they mislead the audience into the point of view the propagandist is pushing. Garden adds that this sort of biased reporting—called “special pleading”—is difficult to get away with in a society that has a free and balanced press, because competing media can present the other side (p. 12).

¹ Ian Garden, *The Third Reich's Celluloid War: Propaganda in Nazi Feature Films, Documentaries, and Television* (Gloucestershire, UK: The History Press, 2012).

Propaganda was essential to the Nazi regime. Adolf Hitler wrote at length about it in his political manifesto, *Mein Kampf*.² When he first joined the German Labor Party in 1921, he took charge of the party's propaganda campaign. Hitler believes that the main reason Germany lost World War I was that the British and French used propaganda more effectively than did Germany (p. 14). He especially admires the way the Marxist Socialists used propaganda in the Soviet Union. He also believes in "market differentiation," that is, that different subgroups had to be addressed differently. While sophisticated people need more well-reasoned propaganda, the masses require cruder methods and constant repetition. Hitler's rules regarding propaganda are that it should be: focused, consistent, never diluted by objective analysis, limited in scope, and repeated often (p. 15).

Garden next discusses Joseph Goebbels's theory of propaganda. Immediately upon taking power in January 1933, the Nazi regime set up the Reich's Ministry for Public Enlightenment and Propaganda. Headed by Goebbels, it grew rapidly, winding up by 1941 with a budget of 187 million Reich marks and a staff of 2,000 (p. 16). This ministry controlled all media, including the one Goebbels felt to be the most important: radio. He pays special attention to the film industry, since he believes that film is easily comprehended even by the uneducated and that it has a more immediate impact on emotions. A specific branch of the ministry—the Reich's Film Chamber—was set up to handle film. Goebbels had total control; he approved all scripts, decided which films could air, and directed film companies regarding the sorts of film they would make. Also cementing Nazi control of film production was the establishment of a state bank for funding movies. By early 1942, the whole cinema industry was nationalized.

Goebbels's theory of propaganda overlaps with Hitler's, but it is more sophisticated and involves seven core theses (p. 19). First, one central authority should direct all propaganda. Second, propaganda must attract the public's attention and be transmitted through a medium the public finds interesting. Third, propaganda must be credible—true wherever feasible, but if lies are employed, they should be wherever possible unprovable. Fourth, propaganda should be part of a campaign, meaning it should be carefully planned and effectively timed. Fifth, propaganda should include loaded phrases, labels, and descriptions, repeated continuously.³ Sixth, propaganda

² Adolf Hitler, *Mein Kampf*, trans. Ralph Manheim (New York: Houghton Mifflin Co., 1999).

³ Garden never mentions the crucial influence on Hitler and Goebbels of nineteenth-century social psychologist Gustave Le Bon. Le Bon wrote a highly influential treatise that shaped the minds of all propaganda theorists (including Benito Mussolini and V. I. Lenin) in the first half of the twentieth century called *The Crowd: A Study of the Popular Mind* (1895). He explores the crucial role of repetition in advertising and propaganda.

should not raise false hopes, but should instead instill fear of defeat and a sense of solidarity in the struggle for victory. Seventh, propaganda should focus the public's hatred upon specific objects.

Garden observes that Nazi cinema had five overarching goals (pp. 20-21). The first was promoting the Nazi Party in general and Hitler in particular to the German public. Remember that the Nazis assumed power by plurality, never by majority vote, so the party needed "up-selling." Here, the purpose was selling the Nazi "brand." Second, Nazi cinema was intended to promote the central tenets of Nazi ideology. Third, the regime's movies were intended to promote its image to the rest of the world. Fourth, Nazi cinema aimed at justifying the war to the German public. Finally, Nazi cinema was designed to bolster public morale—in effect, to sell Stoicism—which was very important after 1940, as German cities were being bombed.

Garden then reviews five Nazi anti-British films. Hitler's thinking about Britain evolved over time (pp. 23-24). Hitler secretly admired Britain for its imperial success, and from 1932 to 1938, Hitler hoped that Britain would join Germany in dividing up Europe. Even after Britain entered the war in 1939, Hitler hoped for some peaceful accommodation. Goebbels, however, pushed the film companies to come up with anti-British films.

In the first film, *The Fox of Glenarvon* (1940), the attack on the English is mounted by a defense of Ireland. The convoluted plot is set in Ireland of the early twentieth century. It involves a love triangle between an Irish nobleman and the patriotic Irish wife of the local duplicitous Justice of the Peace. The story centers around the (ultimately unsuccessful) attempt by a brutal Englishman to put down the Irish resistance.

The second anti-British film the Nazis produced was *The Heart of the Queen* (1940). This film was based upon the actual historical figures of Mary, Queen of Scots, and her cousin Elizabeth, Queen of England. By various machinations, Elizabeth is able to try, convict, and execute Mary, whose death is portrayed as unjustly driven by Elizabeth's envy and hatred of Mary.

The third anti-British film, *My Life for Ireland* (1941), centers on the Irish war for independence. The plot involves the son of an Irish rebel who was executed when the boy was still in his mother's womb. He is enrolled in an English boarding school that was set up to indoctrinate Irish children to support British control of Ireland. He is smitten by his friend's mother, informs on her out of jealousy (resulting in her incarceration), but then is instrumental in freeing her.

The fourth anti-British Nazi film, *Uncle Kruger* (1941), is set during the Second Boer War (between the British and the Dutch settlers who had earlier moved to South Africa). The movie recounts the history of the war through the eyes of elderly Boer leader Paul ("Uncle") Kruger. It portrays the British as deciding to take over South Africa for its rich gold reserves. A British agent tries to incite the indigenous blacks, leading Kruger to help his people fight the British. The British send in their troops, who burn Boer villages and intern Boer women and children in concentration camps. In one

scene, we see a British officer who looks like Winston Churchill shoot an unarmed woman in a concentration camp for protesting the conditions. It is arguably the most powerful of the anti-British propaganda movies.

The fifth anti-British propaganda movie is *Titanic* (1943). The Nazi treatment of this familiar story portrays the sinking as due to the greed of capitalists, especially the head of the cruise ship line, who ignores warnings by the (fictional) German First Officer. The film ends with the intertitle: “THE DEATHS OF 1500 PEOPLE REMAIN UNATONED FOR—AN ETERNAL CONDEMNATION OF ENGLAND’S QUEST FOR PROFIT!”

The first four of these films portray the British as cold and cunning international bullies. The two films set in Ireland push the narrative of a bond between the Germans and the Irish, who are both depicted as victims of British aggression. When shown in Nazi-occupied territories, the films underscored the evils of imperialism (p. 51). The last two films advance the image of the British as venal capitalists.

Garden then examines four feature-length anti-Semitic films. He points out that although both Hitler and Goebbels were clearly committed anti-Semites by the early 1920s, there were no explicitly anti-Semitic movies until 1939. He explains that Hitler did not want to antagonize Jews, viewing them as powerful in international finance (p. 74). It was only in 1939 when Hitler became annoyed at what he saw as anti-Nazi films coming out of Hollywood that he decided to produce anti-Jewish films.

I’m not convinced that Garden’s explanation here works. The Nazis never hid their anti-Semitism. They passed laws in 1933 depriving Jews of the right to own land, kicked them out of the labor front in 1934, and kicked them out of the military in 1935. In 1935 they also passed the infamous Nuremberg Race Laws. These measures hardly show a fear of international Jewish financiers.⁴

Garden then turns to anti-American propaganda films. He suggests insightfully that there were several reasons why the Nazis didn’t release many anti-American films (p. 92). First, millions of Americans were of German ancestry, who the Nazi Regime viewed as citizens of the Third Reich and hoped would become a fifth column. Second, the longer America could be kept out of the war, the better, so why antagonize a still-neutral country? Third, the U.S. didn’t enter the war until December 1941, and since feature films typically take a year or more to produce, any explicitly anti-American film would have to have been started in 1942, at which point the Nazis were focused on the war with Russia and the Final Solution.

Garden discusses three films with anti-American themes. The first, *The Prodigal Son* (1934), is a “homeland” movie set in Tyrol and New York. It compares the splendor of the German mountain region with the squalor of

⁴ For extensive evidence of early anti-Semitic Nazi films, see Gary James Jason, “Selling Genocide I: The Early Films,” *Reason Papers* 38, no. 1 (Spring 2016), pp. 127-57.

the American big city in the Depression era. The story is about a Tyrolian boy who is tempted to move to New York, only to become disillusioned and return to his home and true love. The second film, *The Emperor of California* (1936), is loosely based upon the life of Johann Suter (John Sutter), a Swiss of German birth. Suter moved to the U.S. West, where he became quite successful after many struggles. The third anti-American film is *Sensation Trial: Casilla* (1937). The complex plot concerns a German wrongly accused of killing a “child” star, a girl being abused by her step-parents and given drugs to keep her small so as to pass her off as a youth. The German had hidden her in South America. At a circus trial, the German looks doomed, but in the end the star shows up, thus freeing him.

The first film sells Nazi socialism by showing America as a materialist capitalist hell. It also shows Americans as uncaring egoists in an attempt to bolster the Nazis’ solidarity message. The second film isn’t particularly anti-American, though it portrays Americans as being so greedy that they will become prospectors. The third is more negative in its portrayal by showing that the adversarial American legal system leads to circuses rather than real trials, with attorneys more concerned with winning than justice.

Garden then turns to five Nazi anti-Eastern European films. These films fall into two broad categories. First are films that decry the treatment of citizens of German ancestry in other countries. Second are films that warn of Bolshevism and urge that it and, by extension, the Soviet Union had to be destroyed (pp. 117-18). (The latter films were held in abeyance during the year-and-a-half that the non-aggression pact with the Soviets was in effect [p. 119].)

From the first category Garden discusses *Refugees* (1933), in which Bolshevik soldiers attack the Volga-German refugees stuck in the Russia-China borderland in Manchuria. He also discusses *Homecoming* (1941), set in 1939 Poland. It shows Polish citizens destroying a German school. Later, when the Polish army mobilizes, the German community grows deeply anxious. When some of them are caught listening to a speech by Hitler on the radio, they are arrested and a number of them are killed before being rescued by the German army and returning to Germany. In these films, the Russians and the Poles, respectively, are portrayed as having a genocidal hatred of Germans and as vicious killers.

Regarding anti-Bolshevik films, Garden discusses *For the Rights of Man* (1934). It is set in Germany at the end of World War I, and tells the story of four returning German soldiers, two of whom join the communist party. In this film, communists are portrayed as drunken womanizers, and as Jews loyal to the Soviet Union rather than Germany. He also discusses *Frisians in Peril* (1935), in which Bolsheviks are shown as atheistic criminals. Here, an innocent ethnic German village is invaded by the Bolshevik army, demanding all of their grain and livestock to help the starving Soviet masses. The Soviets are shown defiling churches and homes, as well as raping German girls. Garden then discusses *G.P.U.* (1942). The GPU was the Soviet secret security service, and they are depicted as murderous thugs. The convoluted plot

involves two GPU spies, one who passes as a concert violinist and the other as a diplomat. The violinist/agent discovers that the other informed on her parents; she informs on him and commits suicide in the end.

Garden takes up Nazi feature films that propagandize nationalism and pro-Nazi sentiment. He discusses four sorts of films in this regard: Kampfzeit films, military action films, spy films, and total war films (pp. 135-44).

Kampfzeit films glorify the Nazis “time of struggle” against their political competitors: mainstream socialists and communists in the late 1920s and the early 1930s. All of these films portray communists as ruthless murderers, who are disloyal to Germany, and some portray them as licentious and degenerate. The first of these that Garden discusses is *Storm Trooper Brand* (1933), which presents a vision of the Nazi Brown Shirts as standing up for Germany and against the exploitation of the German worker. The second film, *Hitler Youth Quex* (1933), features a young hero who is the son of an unemployed communist worker. His father is disappointed when his son (representing the new generation of Germans) is drawn to the Hitler Youth rather than the Internationale youth group. When his son is killed by the communists after discovering that they intend to bomb a Hitler Youth camp, the father is won over to the Nazi side. The third film is *Hans Westmar* (1933), which was the most influential and popular of the Kampfzeit films. It is loosely based on the life of Horst Wessel, beloved by the Nazis as a martyr and the composer of the Party’s anthem (made Germany’s co-anthem), “Die Fahne Hoch” (“The flag on High”). The film’s protagonist, Hans, is a Nazi organizer in Berlin. The film portrays Berlin as no longer being a German city, but instead “cosmopolitan”—with nightclubs full of decadent jazz and lascivious dancing. Germany is being paralyzed by communists, who kill Hans to silence him.

Military action movies praise the German fighting spirit. These films all fostered pride in being German by showing Germans as tough, unselfish fighters. Garden’s view is that many of these films were poorly done and include a lot of newsreel footage. Of the four he discusses, three poor-quality ones were released in 1941: *Battle Squadron Lutzow*, *Stukas*, and *U-Boats Westward!* The first film is about members of a bomber crew who see action in Poland before heading off to fight in England. Among other scenes, we see their bomber fend off Polish soldiers bent upon killing defenseless ethnic German civilians. The second film is about a Stuka (dive bomber) squadron. The airmen are shown to be a tightly knit group and fearless in action, rescuing downed comrades and bearing up under mistreatment when three of their ranks become French prisoners-of-war (POWs). The third film is about a U-boat (submarine) in action off the Orkney Islands. This film spends a good deal of time on scenes of the crew members interacting with their shipmates and their families at home.

The best of the four films is *Request-Concert* (1940). Besides being popular with the public, it was one of Goebbels’s favorites as well. The plot is basically an uplifting love story, centered on a heroic pilot, his true love, and

several soldiers. Unifying the story and the characters is the “Wunschkonzert” (“Request-Concert”), which was a very popular radio program in Nazi Germany that played music requested by listeners. The key scene in the movie shows one of the soldiers playing a church organ to help his fellows find their way home, but paying for it with his life. This film fostered pride in German culture and the supportive role of German women.

The third group of nationalistic propaganda feature films is spy films. Garden briefly discusses *Traitor* (1936), *Watch Out! The Enemy Is Listening!* (1940), and *The Golden Web* (1943). He characterizes them all as B-quality films with predictable plots. The first is about a foreign agent of an unnamed government trying to get information on the strength of the growing German armed forces. The second involves British agents trying to steal information about a new type of wire invented by the Nazis. The third is about Soviet agents trying to get the plans for a new German tank.

The fourth type of nationalistic feature propaganda film is total war films. These are movies made near the end of the war urging the civilian populace to fight in the face of forces soon to invade Germany itself. The greatest of these was *Kolberg* (1945). Filmed in color and using as extras thousands of German troops taken off the battlefield at a time when the Nazis were losing on all fronts, it was the most expensive feature film the Nazis ever made (p. 160). The film recreates the battle of the city of Kolberg against Napoleon’s forces in 1807, and it features a heroic general defending the city against overwhelming odds. It was not a box office hit, in great part because by the time it appeared, most German theaters had been hit by bombs (p. 169), and Kolberg fell to the Soviets just a short time after the film was released. Garden comments that it failed to rouse German civilians to fight to the bitter end. This comment is unpersuasive, however, because even as the Allies entered from the West and the Soviets from the East, there was no collapse of the home front.

Garden also examines the Nazi production of “pure” entertainment movies. Between its rise to power to its final defeat, the regime produced over 1,300 feature films, with the onset of war in 1939 dropping annual film production by 25% (p. 170). As he insightfully notes, the Nazis so revered the power of cinema that even with the nation fully at war, they diverted a lot of scarce resources to continue the extensive production of movies. Only about 10% were propaganda movies, in Garden’s view, though of the remaining 90% that were entertainment, he acknowledges that many contained some or a lot of covert propagandistic elements (p. 171).

I regard Garden’s constriction of what counts as a propaganda film to be a general problem with his book. One aspect of messaging that makes it propaganda is when that message is subliminal, that is, completely deceptive about its true nature. (I will return to this point below.) To his credit, though, Garden notes that even if a movie is purely entertainment, it can serve a propagandistic purpose—specifically, getting civilians’ minds off the hardships of war. As he points out, after the war broke out in 1939, attendance

at German theaters tripled (p. 171). Additionally, such films drew people to the theater, where the regime also aired propaganda shorts and newsreels.

Garden turns next to examining Allied—that is, British and American—propaganda films. He comments that during 1933-1938, neither Britain nor the U.S. produced any overtly anti-Nazi films (p. 193). However, Britain had secretly formulated plans for controlling information should war occur (p. 195). It then created the Ministry of Information (MOI) the day after war broke out in 1939. From then on, the MOI vetted British films, suggested subjects to film producers, and at the start of the war it even financed some of the movies. The themes the MOI promoted were the justice of the British cause and the need for sacrifice.

The U.S. established its own Office of War Information to oversee all government information services, and it in turn set up the Bureau of Motion Pictures (BMP) to work with American producers to create films that would help the war effort (p. 195). Since the U.S. had been attacked first by Japan (after which Germany declared war on it as well), little need existed to justify the war to the American public. The focus was primarily on showing the need for sacrifice and portraying the war as going well (which, early on, it wasn't). As the war progressed, films got more anti-Nazi.

Garden points out several differences between the Allied and Nazi propaganda campaigns (p. 197). The Nazis moved to control all media (including film) immediately upon achieving power, using the media to justify their regime and portray their enemies as evil nations or races. The Allies didn't control the film industry until actually going to war, didn't use film to justify their democratic form of government, and tended to target the Nazis specifically rather than Germans generally. I would add that at no point did the Allied governments totally control their film industries, much less nationalize their film industries, much less totally control all media, much less entirely eliminate free speech.

Garden also compares the themes and styles of the propaganda films that both sides produced. Nazi propaganda films portray the British generally as ruthless, mendacious imperialists. Americans are portrayed generally as greedy, decadent, and weakly governed. Allied propaganda films tend to portray the Nazis as mendacious, ruthless imperialists, as well as murderous fanatics (p. 198); such films often attempt to distinguish Nazis from "ordinary" Germans. However, distinguishing Nazis from ordinary Germans was rather difficult in the face of the fact that the Nazis won a decisive plurality of the votes (44%, more than double that of the runner-up party) in the last election before the Regime took control.

The British portrayed themselves as unflappable and brave (p. 199). In a few films, the MOI allowed the filmmakers to show men called up for service as initially unenthusiastic, but when in action, those men became good soldiers, brave and committed to the defense of their country (p. 200). American films portray American soldiers as uniformly brave. Both sides tended to portray God as being on their side, but a number of Allied films went further, showing Nazis desecrating churches or even shooting

churchgoers (p. 201). What Garden doesn't question is whether Nazi ideology was accepting of Christianity specifically or monotheism generally. To the extent they revered Friedrich Nietzsche as one of their philosophic heroes—which they surely did—and to the extent Nietzsche rejected Judeo-Christian thought as “slave morality,” you would not expect to see Nazis routinely invoking God in their propaganda.

Garden notes that both the Nazis and the Allies were similar in stressing the need for women to sacrifice and be supportive of spouses who were called to war (p. 202), though Allied films elevate the role of women to a much greater degree. For evidence, he points to *Mrs. Miniver* (1942), which shows the title character capturing an escaped Nazi pilot, and to *Went the Day Well?* (1942), which shows an elderly English woman killing a Nazi paratrooper (p. 203). Moreover, the Allies had movies showing women working in the armed services and as secret agents. Garden doesn't conjecture why there was this difference in focus, but I would suggest that it is due to Nazis emphasizing the idea that all good German (Aryan) women should produce many children for the state.

One comes away from this discussion feeling that Garden has set up a (false) moral equivalence between Nazi and Allied propaganda films. For example, did the Allies create anything like *Jud Suss* or *Campaign in Poland*? Can we even put *Mrs. Miniver* in the same category as *The Eternal Jew*? (I will return to this point below.)

Garden next discusses Nazi documentaries, mentioning a number of relatively unknown ones in addition to examining some prominent ones. Two relatively unknown early films are *Blood and Soil—Foundations for the New Reich* (1933) and *Eternal Forest—[The] Meaning of Nature in the Third Reich* (1936). *Blood and Soil* focuses on the growing wave of farm bankruptcies during the 1920s and early 1930s. The film's main plot is about a poor farming family struggling during the Weimar Republic, and it ends by showing the new, wonderful Nazi farms. *Eternal Forest* shows a forest changing through the four seasons, and then displays the role that forests played in German history.

Garden's take on these documentaries is that they are intended to convey the message that “all people of German blood should maintain the right to live on the land of their forefathers” (p. 212). However, I don't think that, in these films, the Nazis were selling the idea that Germans had a right to their land—something most Germans would have considered obvious. Instead, these films are marketing the Nazi brand, its defining ideology. Specifically, the first film focuses on the unity of the Volk, which means elevating the importance of the farmer. Nazi ideology holds that all of the Volk (businesspeople, intellectuals, workers, professionals, tradesmen, soldiers, farmers, etc.) must unite under the Party's direction for the higher national purpose. The second film focuses on an often overlooked aspect of the Nazi worldview: its neo-paganism. Nazis are believers in the purity of nature and in encouraging people to experience it firsthand as an antidote to

unhealthy, cosmopolitan urban life. In short, Nazi ideology includes a big dollop of environmentalism.

Garden also reviews documentaries intended to promote Hitler and celebrate key events in the Party's history. Famous (or infamous) German director Leni Riefenstahl made documentaries promoting the Nazi Party and Hitler. All were paeans to the Party, lovingly celebrating the Party's pageants, parades, and spectacles. One was a film about the Fifth Party Congress, called *The Victory of Faith* (1934). Garden notes that while the film was popular in Germany, it was not particularly outstanding.

Riefenstahl's film about the Sixth Party Congress, *Triumph of the Will* (1935), is much better done—indeed, it is widely considered to be one of the most powerful propaganda films ever made. Shown continuously throughout the regime's reign, it was banned in Germany after the war, and is still banned. Garden observes that this film's main purpose is to portray the Fuhrer and the Party as powerful and a unifying force for Germany. This is done by scenes showing crowds' adoration of Hitler and the power that his rhetoric had on listeners. I would add that the film stresses the unity of Germany, and cite a scene that Garden omits.⁵ In it, young workers present their spades like rifles. A handsome worker asks each where he is from, and we find out that each represents a different region of Germany. The idea here is twofold: all regions of the country and all types of people (workers, farmers, soldiers, etc.) are united under Hitler.

A third Riefenstahl documentary is *Olympia* (1938), based on the 1936 Berlin Olympic Games. The film is in two parts. The first, *Festival of the People*, takes the viewer through space and time, from the ruins in Greece to the runners carrying the Olympic torch across Europe into the giant Berlin Olympic Stadium. It then shows the opening ceremony, highlights the key moments of some of the competitions, and shows the final winners. The second, *Festival of Beauty*, shows various athletes in training and competition, including a mass gymnastic exercise with thousands of young men and women.

Artistically, the film was quite a success, especially when you consider that it was the first documentary of the Olympics ever made. But how does it rank as propaganda? Here, Garden seems puzzled: "It would be harsh to class this film in the same category as *Triumph [of the Will]* because, despite several scenes featuring Hitler and the Nazi elite, the content of the film is actually a fairly accurate representation of what occurred at the Berlin Olympics, and there is little attempt to conceal those scenes which are less than flattering to Nazi ideology and Aryan supremacy" (p. 226). For example, "non-Aryan" athletes are figured prominently winning events. He concedes

⁵ For a discussion of this omitted scene, see Gary James Jason, "Ein Volk, Ein Fuhrer," *Liberty* (April 2007), pp. 48-51, accessed online at: http://www.libertyunbound.com/sites/prINTERarchive/Liberty_Magazine_Apri_2007.pdf.

that there are slight elements of propaganda, such as Nazi Germany hosting such an event flawlessly, Hitler opening the events, and swastikas affixed to the German athletes' uniforms. He also notes that the film was funded by the Nazi regime, and Goebbels classified it as being "politically and artistically especially worthy." Would they likely have done such things, if they were really valueless as propaganda?

While propaganda is often designed to sell policies and actions, I would argue that it often more generally aims at advertising the brand. The function of *Olympia*, I suggest, is to sell the Nazi focus on physical health and beauty. That was a big part of Nazi ideology and helped justify their eugenicist program. Nor should we dismiss the Aryan angle. In the 1936 Olympics (which were boycotted by a number of nations), the Germans won 89 out of the 388 medals awarded—25% of all the medals awarded. Compare this with runner-up USA (at almost double the population) receiving only 56 medals. Add to this figure the total number of medals awarded to Austria (13), Sweden (20), the Netherlands (17), Norway (6), Denmark (5), and other countries the Nazis regarded as racially Aryan, and you are at nearly half of all medals awarded.

Documentaries about the Nazis' war victories are indisputably propagandistic in anyone's book. *Campaign in Poland* (1940) advances the narrative that the German population had been brutalized by the (Slavic) Poles, and that Hitler tried to find a peaceful compromise but was repeatedly rebuffed while the Poles amassed their forces on Germany's border. The film ends with footage of the victorious troops in Warsaw, parading past Hitler as the narrator intones, "Germany ought to feel safe under the protection of such an army!" Shortly after *Campaign in Poland*, which focuses primarily on the German Army's operations, the Regime released *Baptism of Fire* (1940), which documents the overwhelming power of the Luftwaffe. It shares the same narrative about why the Nazis "had" to invade Poland. Even more popular was *Victory in the West* (1941). This film argues that Germany's buildup of military forces, which was necessary for protecting its borders, triggered World War I. It further argues that Germany was winning that war completely until England imposed a food blockage on Germany, forcing it to surrender, whereupon it was saddled with the Versailles Treaty that caused Germany's economic depression. The upshot of this narrative, which I call "the Nazi Historical Narrative," is that World War II was merely a continuation of World War I. The bulk of the film celebrates Germany's military campaign against the British forces.

Garden next discusses documentary films advancing the Nazi racial theory and its eugenics and genocide policies. Regarding eugenics, the Regime's Office for Racial Policy early on produced six short films that talked about mental illness and hereditary diseases, and the alleged need for sterilization and euthanasia to combat them. Garden holds that the outbreak of war caused a shortage of hospital resources in 1939, which in turn led the Nazis to implement the Aktion T4 euthanasia campaign. Films produced prior to this campaign include: *The Inheritance* (1935), *The Hereditary Defective*

(1936), *Victims of the Past* (1937), and *All Life Is Struggle* (1937). There were several other short films that Garden might have mentioned in this group. Two silent films were produced in 1935: *Sons of the Father* and *Off Track*. A third silent film was released in 1939: *What You Inherit*. All of these shorts played between feature films at almost every German theater, and were used to push the regime's extermination campaign against the mentally disabled and the sterilization of the genetically physically disabled. Garden notes that the last movie explicitly uses Charles Darwin's theory of evolution to justify the program, but so did the first film, for that matter.

Regarding the genocide of the Jews, Garden focuses primarily on two documentaries. He notes that *The Eternal Jew* (1940) was conceived in 1939, but he doesn't note that the Nazis had an eponymous travelling propaganda exhibition as early as 1937. The film uses archival film footage and presents various historical statements along with putative statistical data to pass itself off as a documentary, but it is clearly a cinematic jeremiad aimed at arousing disgust toward and fear of Jews—their appearance, character, business ethics, religious practices, and contributions to the arts. Garden does a good job of exploring the film's mendacity (pp. 244-45). Although the film was a box-office flop (p. 246), mainly because of the disgusting scenes within it, it was widely shown to various Nazi organizations, including the Hitler Youth.

The second Nazi documentary regarding the Jews is about Theresienstadt, which was held up as the "model" concentration camp. This camp, located in what is now the Czech Republic, functioned from its opening in 1941 until its liberation in mid-1945 as a "transit camp" to hold Jews before sending them to the death camps (such as Auschwitz). After an official visit by the International Red Cross in 1944 resulted in a favorable report about the camp, the Nazis decided to do a documentary showing how well Jews were being treated there. The Nazis coerced a well-known Jewish actor and director, Kurt Gerron, to direct it under close SS supervision. Originally titled *The Fuhrer Gives a City to the Jews*, Gerron called the film *Theresienstadt: A Documentary Film from the Jewish Settlement Area*. The filming was finished in late 1944, but the movie was not completed until March of 1945 and only shown briefly in Prague. By then, a number of Nazi concentration camps had been liberated and the atrocities committed therein had been reported worldwide. The film had limited release and fooled few.⁶

Garden next explores television (TV) in the Nazi era and its use by the regime for propaganda. Although TV technology had existed in the developed world throughout the 1920s and 1930s, with the BBC making its first broadcast as early as 1929, the fact is that the Nazis were the first government to institute regular programming, starting in 1935 and lasting through much of the war. However, Nazi-era TV was limited in reach.

⁶ This film is the subject of a documentary directed by Irmgard Von Zur Muhlen: *Theresienstadt: Deception and Reality* (Artsmagic, Ltd., 2005).

Initially, TV sets were located primarily in “salons,” in post offices, and (later) hospital wards. Still, something like 160,000 Germans watched the Berlin Olympics on TV (p. 262).

As a tool of propaganda, TV was relatively ineffective. As Garden rightly observes, one major Nazi propaganda technique was spectacle—huge parades and intricately choreographed rallies—and those don’t show well on a tiny screen (p. 263). The regime did find TV useful for news and commentary shows, which were of course propagandistic in content. Recalling the point that something can itself not be propaganda but still have a propagandistic use, TV programming featured sports shows and musical reviews which served to entertain war-weary civilians and wounded soldiers in hospital wards. Moreover, the mere fact that the regime beat the world in utilizing this new technology again was of propaganda value to the Party.

Garden concludes the book by asserting that as the Nazi era becomes “distant memory,” several myths have taken hold that he attempts to dispel. First, the Nazis were the masters of propaganda. Second, the majority of Nazi-era cinema was propagandistic. Third, all Nazi-era films were full of lies and evil, and should be “discounted accordingly” (p. 269).

Regarding the myth that the Nazis were masters of propaganda, Garden lists a number of “avoidable” mistakes they made (pp. 270-71). The first was failing to stop films from being completed that were not fully supportive of the regime. As Garden notes, more than thirty films subsequently had to be banned. Second was failing accurately to predict how a propaganda film would affect an audience. For example, the Propaganda Ministry didn’t foresee domestic audiences’ reaction to *The Eternal Jew* or the reaction of audiences in occupied countries to *My Life for Ireland*. A third failure was due to production delays caused by Goebbels’s intervention, including killing some of the directors before completing the film—as happened with the Theresienstadt film. Fourth was the regime’s over-reliance on historical rather than fictional films.

Garden also lists two “unavoidable” mistakes (pp. 271-72). First was the fact that Nazi films often had to be withdrawn because of changing war conditions. For example, anti-Marxist films had to be withdrawn with the signing of the Molotov-Von Ribbentrop Pact of 1939, and then re-released when the Wehrmacht invaded Russia two years later. Second was the difficulty in measuring the real effectiveness of any piece of propaganda. Ticket sales were misleading, as were Goebbels’s own judgment and the SS reports based upon agents planted in every movie audience.

Regarding the myth that all Nazi films were propaganda, Garden merely repeats his earlier point that the vast majority were entertainment and hence cannot be categorized as propaganda.

Regarding the myth that all Nazi films are full of lies and ought to be written off, Garden first makes the logical point that just because the Nazi Regime was viciously evil, that doesn’t mean everything it stood for or created was evil. It invented the freeway, but freeways aren’t evil. Second, while many of the Regime’s propaganda movies exaggerate history, that

doesn't mean that they contain no historical truth. For example, the anti-British movies weren't all false: England did rule Ireland with a heavy hand and fought the Boer War for other than altruistic reasons.

Garden does believe, however, that the Nazi regime clearly showed the power of film propaganda. He makes a point worth more discussion than he gives, namely, that a free press blunts the power of propaganda. Faced with a propaganda movie in a free society, the public can read critical reviews that expose its lies and half-truths, watch movies or read books that lampoon it, or go on the Internet to see what others—especially other countries—think about it (p. 274).

As well done as Garden's book generally is, there are a number of critical observations worth making beyond ones that I note briefly above. One concerns Garden's analysis of Nazi anti-British propaganda. He notes that the Nazis produced little anti-British propaganda before 1940, and even then, it was done over Hitler's reluctance. Garden attributes this to Hitler's secret admiration of British "imperialistic successes" and his hope for British neutrality (pp. 23-24), but this overlooks other plausible explanations. For one thing, the British (Anglo-Saxons) are a Germanic people; their language is derived from German, so Hitler viewed them as essentially "Aryan." Consequently, Hitler never showed toward the British the degree and kind of ideological animosity he displayed for Jews, Slavs, and other ethnicities. I would also add a historical note. When Hitler was serving in the trenches in World War I, he apparently was spared being shot by a British soldier (Henry Tandey), who couldn't bring himself to shoot a wounded German.⁷

Another problem concerns Garden's review of *Robert and Bertram* as anti-Semitic propaganda. He regards the film as not very propagandistic, for two reasons. First, the stereotyping of the Jewish characters is mild, akin to how other national groups like the Scots and the French are caricatured. Second, Garden claims that the real villains in the movie are the two lead characters, both non-Jewish vagabonds, who steal jewelry from the stereotypical Jewish characters. They are portrayed frankly as thieves, even though they go to heaven in the end (p. 74).

Regarding the first point, Garden seems to accept the Nazi view that German Jews are not Germans, but are a separate nationality with distinctive characteristics. However, Jewish Germans were in fact just Germans, acting and speaking like other Germans. Most German Jewish families in Germany traced back many generations. If they did look stereotypically different, why did the Regime have to define "Jewishness" by the Nuremberg laws?

Regarding the second point, I would reply that Nazi propaganda promoted the idea that stealing from Jews to help Aryans is a Godly thing to do. Indeed, the Nazis funded their war machine to a large degree by the

⁷ See "British Soldier Allegedly Spares the Life of an Injured Adolf Hitler," accessed online at: <http://www.history.com/this-day-in-history/british-soldier-allegedly-spare-the-life-of-an-injured-adolf-hitler>.

ruthless confiscation of Jewish resources: imposing a confiscatory “exit tax” for those Jews lucky enough to emigrate; stealing Jews’ financial assets; taking their personal property; working them to death; and burning their corpses and using the ash as fertilizer, the hair for cloth, the teeth for gold, and so on. The amount of property systematically seized from the Jews was valued in the billions of Reich marks, and as Gotz Aly argues, was likely the distinguishing feature of Nazi economics.⁸

I am also concerned about Garden’s view that the Nazi regime initiated the Aktion T4 program because of the outbreak of war and the “urgent need for hospital space for military purposes” (p. 215). This claim is dubious. First, as Michael Berenbaum notes, Hitler signed the order for the euthanasia program a month *after* the war commenced and back-dated the order to correspond with the declaration of war.⁹ Note, too, that the blitzkrieg in Poland hardly resulted in a massive wave of injured German soldiers; injured soldiers’ flooding the German domestic hospital system would only come later. Moreover, it was soon after the regime took power in 1933 that the Bavarian Minister of Health called for the euthanasia of the mentally retarded and psychopaths, indicating that this was already being implemented at local concentration camps. Berenbaum further indicates that, by 1934, mental institutions were instructed to withhold food and medical supplies from those in mental wards. Additionally, he quotes Hitler as saying, “Wartime is the best time for the elimination of the incurably ill.”¹⁰ *Pace* Garden, the degree to which the program was truly a measure to free up bed space for injured troops is highly debatable.

Garden’s cursory treatment of the Nazi films on eugenics, euthanasia, and sterilization raises another problem. A brief review of all of those films would have been useful, since it is a historical fact that the extermination of the mentally and physically disabled—especially during 1934 to 1941—laid the groundwork for the genocides to come. The most expedient ways to kill people (gassing and lethal injection in particular) were first explored on the disabled. The Aktion T4 program from 1939 to 1941 was just the transparent phase of this program, which started in 1933 and lasted until 1945. In addition to short films put out by the Office of Racial Policy to justify eugenics, the Reich’s Film Chamber produced a feature length melodrama, *I Accuse* (1941)—a film surprisingly not mentioned in Garden’s book—about a man seeking to get permission to allow him to assist his terminally ill wife to kill herself.

⁸ Gotz Aly, *Hitler’s Beneficiaries: Plunder, Racial War, and the Nazi Welfare State* (New York: Holt Paperbacks, 2005).

⁹ Michael Berenbaum, “T4 Program: Nazi Policy,” s.v. *Encyclopedia Britannica*, accessed online at: <https://www.britannica.com/event/T4-Program>.

¹⁰ *Ibid.*

Understanding the importance of these films is crucial to understanding why *Olympia* really was propaganda. *Olympia* was shown in German theaters in 1937, the same year that key eugenicist shorts were being shown with all movies. Imagine the impact of seeing *both* films together. In the first, the viewer sees footage of the perfect human form celebrated, even glorified, while in the second the viewer sees footage of the severely disabled denigrated. Humans judge by contrast, psychologists have shown. What might the viewer's judgment of the disabled be at that point?

Regarding the "myths" Garden refutes, I think that two of them are straw men. Take the myth that all Nazi film was full of lies and so should be discounted. I doubt that anyone has held that a film like *Munchhausen* should not be enjoyed because it was produced by the Nazis, any more than we would oppose freeways because the Nazis built them. That would be a laughable example of the genetic fallacy. In addition, many Nazi films were not pure entertainment, and those that aren't *should be* discounted. Even Garden concedes that many contain historical distortion, and some contain gross historical fabrication (such as *Campaign in Poland*).

Even more troublesome is his critique of the claim that the Nazis were masters of propaganda, interpreting "mastery" to mean wielding the weapon flawlessly. However, being a master of something hardly means that one never makes mistakes; it means only that one does that thing far better than the vast majority of others. The Nazis employed propaganda in general and propaganda film in particular more effectively than anyone else, the Soviet regime included.

Most troublesome is Garden's sketchy analysis of what propaganda means. Garden tells us that while propaganda films often contain lies and/or fallacies, many don't; the latter sort mislead by selective presentation of facts. This lack of a clear delineation of what counts as propaganda renders unclear what counts as a "propaganda movie" and why. For example, why does Garden classify *Mrs. Miniver* as propaganda at all? Why include it in a book discussing movies such as *Jud Suss*? Because the protagonist captures a Nazi? This does not fit the pejorative sense of propaganda that Garden sketches; it only seems to fit the benign sense of the term.¹¹

My various objections do not change the fact that Garden's book is a valuable and substantial contribution to the history of film as well as the study of propaganda. Comprehensive, concise, and clearly written, it should be part of the library of anyone interested in the philosophy of film or propaganda theory.

¹¹ For a view of propaganda that allows us to classify clearly what should count as propaganda, see Gary James Jason, "Film and Propaganda I: What Nazi Cinema Has to Tell Us," *Reason Papers* 35, no. 1 (July 2013), pp. 203-19.

Book Review

Smith, Tara. *Judicial Review in an Objective Legal System*. New York: Cambridge University Press, 2015.

Having provided the necessary moral and political groundwork in three books¹ and dozens of articles, Tara Smith is well placed to draw out the implications of Objectivism for legal philosophy and to challenge directly its main rivals. One can read her previous work to grasp more fully the underlying arguments for certain key premises, but *Judicial Review in an Objective Legal System* can stand on its own. Smith condenses the essence of prior work into clear, concise summaries that she builds on in order to defend her view that the “specific role of judicial review, within a proper [i.e., objective] legal system, is to ensure that it is the law that actually governs” (p. 275). This simple-sounding claim actually involves some astonishingly radical ideas that—if implemented—will revolutionize the field.

The book is divided into two parts: Part I’s five chapters address the nature of an objective legal system and Part II’s three chapters examine the implications of that view for judicial review. An important qualification that Smith makes at the outset is limiting the scope of her analysis to U.S. constitutional law. Even when she explores (in Chapter 8) how her view can function in non-ideal circumstances, that task is undertaken in the American context. (We’ll see below the significance of this qualification.)

Prior to discussing legal philosophy in Part I, Smith sets epistemological groundwork in Chapter 1 by articulating Ayn Rand’s theory of objectivity and concept-formation. Objectivity concerns “the basis on which a belief is held” (p. 25); one is objective when that “procedure is reality-oriented and logic guided” (p. 27). She defends objectivity against intrinsicism and subjectivism, clearing the way for its evidence-based method of forming our concepts about reality. Once Smith distinguishes objectivity from other phenomena that it is commonly confused with (such as neutrality, even-handedness, and transparency), she explains in Chapter 2 what is required in order to be objective in a legal system’s network of rules, institutions, offices, and agencies. These requirements include properly understanding the content of law (the “what”), the administration of law (the “how”), and the grounds on which law is justified (the “why”). Chapter 3

¹ See Tara Smith, *Moral Rights and Political Freedom* (Lanham, MD: Rowman & Littlefield Publishers, 1995); Tara Smith, *Viable Values: A Study of Life as the Root and Reward of Morality* (Lanham, MD: Rowman & Littlefield Publishers, 2000); and Tara Smith, *Ayn Rand’s Normative Ethics: The Virtuous Egoist* (New York: Cambridge University Press, 2007).

explains how the Rule of Law—also often confused with objectivity—is not value-neutral and how its normativity does not lead to the subjective Rule of Men.

Chapters 4 and 5 explain moral and legal authority, respectively. Legal authority may be “the ultimate arbiter of legitimacy *within* a legal system” (p. 88, n. 1), but we must look *outside of* that system to locate the basis of its authority in morality. Law’s moral authority to wield force can only be used for the purpose of protecting individual rights, a conclusion that Smith grounds in Chapter 4’s five-step argument (itself condensed from two of her previous books). Since each person is “an end in himself,” needs to use reason to discover and secure his objective well-being, and needs “freedom from others’ initiation of force” in order to reason (p. 94), he thus “is entitled to freedom of action” so as to pursue his own happiness (p. 95). Given those claims, people thus need a government that protects individuals’ rights in order to make possible such value-pursuit. Protection of rights requires not only punishing rights-violators, but also creating the conditions needed through legal rules so as to prevent or minimize rights-violations (pp. 107-8). That’s where the crucial role of a constitution enters the scene. Smith argues in Chapter 5 that a written constitution is the sovereign “bedrock” of legal authority. She maintains that a significant “threat” to that authority comes from the common law, which emerges through judicial case precedent (as contrasted with statute law issued from the legislature) (pp. 113-14).

Having provided substantial accounts of an objective legal system’s “what” and “why” and a sketch of its “how,” Smith is ready to explore more deeply in Part II the “how” of the judicial branch. Chapter 6 reviews and critiques at length five prominent theories of judicial review: Textualism, Public Understanding Originalism, Democratic Deference/Popular Constitutionalism, Perfectionism/Living Constitutionalism, and Minimalism. These five theories have significant differences, but they share in common misidentification of legal authority and (direct or indirect) subjective methods of legal interpretation. Such errors unleash legal power to serve illegitimate ends by non-objective means, with individual rights being the casualty. After exposing those theories’ flaws, Smith outlines in Chapter 7 her view of objective judicial review in ideal circumstances. When cases are brought to court, judges must identify what the law is, make sure that no government agency (itself included) exceeds its authority, determine whether a specific action or item is covered by the relevant law, be clear about valid legal presumptions (e.g., innocence, individual liberty), and courageously avoid all irrelevant considerations (e.g., personal preference, majority will, foreign law) that might derail objective judicial review. Since actual U.S. law is non-ideal, Smith explains in Chapter 8 how objective judicial review should be modified—albeit, “only minimally” (p. 254). She calls for the judiciary henceforth to reject the current practice of three-tiered legal scrutiny (“strict,” “intermediate,” and “rational basis”). Instead, it should employ the only one consistent with the U.S. Constitution: strict scrutiny. Realizing that this alteration in judicial practice will upset a vast array of citizens’ expectations,

she “counsel[s] a gradual transition back to a fully objective application of the relevant law” (p. 267).

Judicial Review in an Objective Legal System has many merits. I cannot here do justice to all of them, but five should be pointed out as especially insightful: (1) explaining the objective nature of concept-formation, (2) articulating the moral value of the Rule of Law, (3) defending the U.S. Constitution over common law as the legal bedrock, (4) exposing the false dichotomies involved in five rival theories of judicial review, and (5) suggesting that the courts enforce one uniform standard of strict scrutiny. Each of these has significant ramifications for philosophy of law and jurisprudence.

It might seem unusual to begin a book on legal philosophy with a chapter on epistemology. However, judicial review concerns the meaning and interpretation of legal concepts, so Smith wisely starts there. The best way we have of getting reality right is by cultivating good epistemic methods. Too much philosophy of law begins mid-stream with stipulated, vague, or conventional meanings of legal language. Fundamental conceptual and logical errors have profound implications for subsequent analysis of increasingly complex, higher-level abstractions that exist in metaphysics, ethics, politics, and law. A mistaken view of, say, the concept “person” could lead unjustly to excluding individuals who deserve legal protection or diverting resources to protect beings that do not warrant such protection. Among the several traits needed to be a good judge are conceptual analysis, logical reasoning, and categorization—in short, “thinking in principle” (p. 33). It takes an immense amount of intellectual labor and legal expertise to discern what the relevant law is and means as well as to figure out whether something is a case of, say, an exercise of religion or speech.

Such intellectual activity, though, does not entail judges’ fabricating legal concepts. Another aspect of the book’s first merit is showing how Objectivism avoids the false dichotomy of intrinsicism and subjectivism. Intrinsicism holds that objective truths exist “out there” and we need only passively receive truth in our minds, and subjectivism holds that our beliefs about something make it true (pp. 40-43). The former thus has metaphysics mysteriously determining epistemology, while the latter has epistemology relativistically dictating metaphysics. Objectivism, instead, is “relational,” in that it strives to achieve a certain relationship—via the proper epistemic method—between the contents of one’s mind and mind-independent reality (p. 41). This method, in principle, allows concepts formed objectively to be “open-ended,” in that they are rationally revisable in light of further experience, expansion of one’s context of knowledge, and integration across levels and domains of understanding (pp. 34-39). Well-formed concepts are thus not held hostage to any person’s beliefs about the world at a particular time, nor are they unmoored from the world they seek to reflect. (As we’ll see below, avoiding this false dichotomy here provides Smith with ammunition against the five rival theories of judicial review examined in Chapter 6.)

Smith should also be applauded for providing a moral defense of the Rule of Law. The Rule of Law is typically held to be the *sine qua non* of state legitimacy on the ground that its (allegedly) value-neutral, formal proceduralism is “fair.” After all, the Rule of Men amounts to arbitrary dictatorship that fails to provide the order, stability, evenhandedness, and transparency of the Rule of Law. Smith does not dispute that the Rule of Law is an important aspect of a justified legal system; and she rejects the Rule of Men as antithetical to individual rights. She asks, though: How “fair” is it to impose the same promulgated law on all in a system where the content of the law is unjust, such as in a theocracy whose religion regards some people as inferior (p. 79)? She argues that legal “[f]orm cannot be severed from function” (p. 81). On the one hand, a legal system’s Rule of Law is only as good as its moral underpinnings. On the other hand, apart from the more fundamental purpose of a state that the Rule of Law serves, the elements of the Rule of Law (versus the Rule of Men) are themselves normative. The reason why “deviations from those formal conditions” (p. 83) of the Rule of Law—such as being written, clearly formulated, broad in scope, general in nature, mutually consistent, etc.—are morally bad is that they (directly or indirectly) cause rights-violations.

It’s difficult to know which of Smith’s radical ideas may draw the most fire, but the third strong point of her view is a likely target. Since U.S. legal practice carried over its reliance on the British common law tradition from the colonial period to independence, Smith’s view that common law threatens proper legal authority pushes back against longstanding legal practice. Not only that, such practice has been defended across the political spectrum. From those claiming that common law is the judicial avenue to “progressive” practice in advance of slow legislative change to those who defend it as the spontaneous-order mechanism for local legal practices to emerge/evolve to those claiming that it is the way for local jurisdictions democratically to maintain “community standards,” common law has many advocates.

Smith explains the understandable appeal of looking to common law, for it has been used to address deeply unjust wrongs, including rights-violating racism and sexism (pp. 117-21). However, relying on common law to right these wrongs is bad in several ways. First, it allows the judiciary to overstep its proper constitutional function: “A court’s role is interpretive. A court is not to add to the law or to alter the law, but to ascertain its meaning so as to illuminate its proper application in practical use” (p. 146). There already exists a constitutional legislative mechanism for legal reform. Second, creating law through the courts yields conflicting rulings and makes the law indeterminate, which in turn makes it impossible *ex ante* to know what the law is or to be able to follow it consistently (pp. 124-27). Third, common law’s defenders “cherry-pick” their favorite cases in order to cast the practice in a positive light (p. 127). Common law has often been used to oppress individuals by its appeal to legal precedent and social practice, as, for

instance, in segregation and sodomy laws. Following precedent or practice, however, does not make law right—only a good moral argument can do that.

The best way to protect individual rights is to develop properly “a written constitution [that] translates the mission and moral commitments of a government into legal practice by using those commitments to establish the government’s specific powers and the boundaries around those powers” (p. 113). Once established, it is the judiciary’s role to see to it that the law governs and to serve as a check on the other branches, whether they overreach or abdicate their legal responsibilities. “[W]hile the common law can be a useful auxiliary in clarifying the demands of a legal system” (p. 140), the Constitution’s legal authority cannot be shared with common law. Smith notes that “*final* authority cannot be divided” (p. 138). Divided authority would always need either some other, higher unitary principle or some *ad hoc* mechanism by which to choose between them. Either of those options lacks the moral authority needed to ground legal authority, leaving such a system open to rights-violations that vitiate its purpose.

Smith’s defense of objectivity in Chapter 1 reemerges in Chapter 6 to provide the fourth merit of her book: explaining how the five rival theories of judicial review lapse into false dichotomies. I cannot here comment on all of Smith’s careful argumentation in Chapter 6’s densely packed, seventy-page demolition of those five views. To the extent that she succeeds (and I think she does) in placing these views into either the intrinsicist or subjectivist method categories, she has already made the epistemological case against them in Chapter 1.

More interestingly, Smith shows how even those views that take themselves to be objective in eschewing subjective “judicial activism”—namely, Textualism and Public Understanding Originalism—inadvertently smuggle “subjectivism through the back door” (p. 159). She does this by scrutinizing their views of meaning. Textualism holds that “meaning resides in the plain words of the text” (p. 149) and Public Understanding Originalism maintains that the written law means what “speakers at the time would have taken it to represent” (p. 163). Both views err in thinking that writing down words make them objective anchors for law. Words hold no intrinsic meaning that will leap off the page into one’s mind. We need context—not the social context of other people’s beliefs, but the context of the world and our active, logical reflection about it—to discern meaning. Without reality as the check, legal interpretation is chained to the beliefs of those who wrote the law—and that is subjectivism.

Of the various strengths of Smith’s book, perhaps the fifth one offers the most hope for how her ideas can be used to make a positive difference now and in the long run. Understanding the proper epistemology and moral justification of the law gets one only so far. Going forth with the motto “Be objective in the legal system” is not immediately action-guiding. One still needs to figure out specifically what to do with that knowledge. Smith knows well that concrete prescriptions for action “cannot be reduced to a mechanical procedure,” but can emerge only from “a process of abstract thought” akin to

the judgment employed in Aristotelian *phronesis* (“practical wisdom”) (p. 248). At best, one can provide an example—along with its justification—to illustrate the kind of action that can be taken. This is exactly what Smith does in rejecting three-tiered judicial scrutiny.

Smith’s suggestion that the judiciary enforce one uniform standard of strict scrutiny is concrete, clear, and far-reaching. It is also constitutionally warranted. As Smith explains, “[t]here is no basis for granting more or less protection to any of the different ways in which an individual might choose to exercise his rights. . . . [A]ll laws serve the same, single vital interest: the protection of individual rights” (p. 264). The idea that some individual rights are more important than others is a notion that has crept into the legal system over time—and it finds no basis in the Constitution. For example, on the three-tiered legal scrutiny model, people are less protected in their “freedom to engage in economic activity” than in their “freedom to pray” (pp. 230-31). Regulation of the former to serve a “legitimate state interest” needs to meet only “rational basis scrutiny,” while attempts to regulate the latter to serve a “compelling state interest” must meet a “strict scrutiny” standard. Courts have created this uneven protection of rights at the behest of the legislature, which itself claims to reflect the will of the people. However, individual rights are not justified—but only destroyed—by leaving them to popular vote.

In short, with this one example, Smith shows us how objective law can “be restored brick by brick” (p. 273). It’s all too easy to throw up one’s hands in despair in a large country, thinking that one person cannot make a difference. Carefully planned, strategically powerful choices, though, done enough times by enough people can make a palpable difference in the quality of life.

While *Judicial Review in an Objective Legal System* offers great positive value, I have two sets of concerns. One pertains to what should be done when moral authority and legal authority come apart. The other has to do with what comprises a legal system and the role of philosophy in that system.

As already noted, Smith believes that one should not conflate moral and legal authority, since legal authority is “the ultimate arbiter of legitimacy *within* a legal system” (p. 88, n. 1). That “ultimate arbiter” is the state’s constitution. Wanting to distance herself from the classic Natural Law view that “an unjust law is not truly a law,” she states that “whether a legal system exists in a given area . . . is a simpler, non-normative matter of fact” (p. 89, n. 2). This leaves open the possibility that a state’s constitution can lack proper moral authority without the state lacking a legal system.

Smith’s aversion to standing with Natural Law theory on this issue, though, is in tension with other claims that she makes. For example, she says: “The system must be morally justified in wielding its power” (p. 61); “When a legal system is nonobjective, force is used without warrant and individual rights are not protected” (p. 66); and “The propriety of . . . people’s obedience is entirely determined by the government’s activities being in service to protecting individual rights” (p. 92). These statements indicate not only that

unjust law lacks moral authority, but that people are not obliged to obey it. This is consonant with Natural Law theory, at least on this one issue (though Smith disagrees with it on other counts [see pp. 89-90, n. 2]).

Even if one concedes that bad law is still law, what is one to do when one lives under a legal system that has bad laws? Smith is absolutely clear that it is not the U.S. judiciary's role to reform law (see, e.g., pp. 146, 200, and 237). What if there is legislative inertia or the majority will thwarts individual rights? Is civil disobedience off the table, then, as Smith nowhere discusses this topic? Perhaps not. Under the U.S. Constitution, citizens who think that the legislature has passed laws violating individual rights can choose to break those laws. Smith hints as much in tethering "the propriety . . . of people's obedience" to the law to whether it is protecting their rights. "[C]ourts are not free to initiate judicial review unilaterally" (p. 216), but conscientious citizens can trigger such review and face the legal consequences as they wait to see whether the judiciary will do its job. This is a risky strategy, but sometimes worth it, especially if citizens are able to secure good constitutional lawyers to represent them. Under wholly nonobjective political-legal systems, civil disobedience may need to be replaced with some sort of revolution.

My second set of concerns has to do with what comprises a legal system and the role of philosophy in that system. Smith defines a legal system in general as "the formal institution . . . through which government serves its function. It consists of rules that will coercively govern social relationships . . . , along with all of the practical apparatus necessary to establish and implement those rules" (p. 46). Such rules are most fundamentally embodied in the constitution, with others left to emerge from constitutionally circumscribed statute and case law. Smith keeps this view of a legal system firmly in the forefront when rejecting Ronald Dworkin's Perfectionist theory of judicial review.

According to Dworkin, the judicial review process is like a "chain novel." The judge as "author" should make rulings that "fit" previous chapters and move the story forward by making law "better" according to moral principles in the larger legal system (pp. 188-89). Smith rejects Dworkin's theory, in part, because it turns judges into "philosopher kings" who usurp "lawmaking authority" when they make law "better" (p. 199). She says that laws might be "inconsistent with a nation's underlying political philosophy," yet "consistent with its bedrock law" found in the constitution (p. 199). She also states that "the only end that courts should 'aspire' to is accurate, objective interpretation of the Constitution and the specific moral judgments therein; nothing more, nothing less" (p. 237). Such claims sound as though any moral and political principles that do not make it into the Constitution should not be considered during the judicial review process.

However, when articulating the way in which courts should engage in judicial review, Smith holds that "the law is philosophical . . . and judicial review, correspondingly, must be philosophically informed" (p. 233). If what Smith means here is that the judiciary needs to employ objective

epistemological methods in concept-formation and interpretation of legal texts, then that would be compatible with her rejection of Perfectionism. She adds, though, that the “Constitution did not emerge in a vacuum. It is ‘backlit by the Declaration [of Independence]’” (p. 233). She also points to the *Federalist Papers* to shed light on judicial interpretation (p. 234). Are extra-constitutional documents in moral and political philosophy now allowed to be part of the legal system, contrary to what Smith argues when critiquing Perfectionism? If so, which ones and why?

Realizing that these claims sound dangerously like Perfectionism, Smith spends three pages explaining how her view does not collapse into Perfectionism. She makes a subtle distinction between the judiciary looking to extra-constitutional documents to see how certain clauses are “informed” or “animated” by “noble aspirations” and courts using “such wider aspirations” to change law (pp. 235-36). It’s true that it is not the courts’ place to change law and that “to make existing law *better* [per Perfectionism] is to make the law different” (p. 237). However, the point that Smith introduces here about the role of extra-constitutional documents in judicial interpretation makes it unclear whether a state’s “underlying political philosophy” (p. 199) is part of its legal system. She could develop her reasoning here so as to bolster her account of the parameters of the legal system as well as philosophy’s proper place in it.

All people holding positions in the legal system—especially ones seated on a judicial bench—would do well to read *Judicial Review in an Objective Legal System*. The responsibility of the judicial branch of government is immense, for it is in the unique position of being tasked with “watching the watchers.” What’s at stake in getting judicial review right is nothing less than upholding the proper purpose of the state: “the protection of individual rights” (p. 7) against unwarranted uses of government’s coercive power. That’s something in which we all have an interest.

Carrie-Ann Biondi
Marymount Manhattan College

Afterword

The Creator: Male and Female: Russell's *Joy* and Chandor's *A Most Violent Year*

Timothy Sandefur
Goldwater Institute

Russell's *Joy*¹

Joy is really two films, or perhaps a film which emerges from another film in which it is cocooned, and with which the better half seems to have little in common. The one that emerges is as fresh and compelling a portrait of the American businessman, or in this case businesswoman, as I can imagine. She is presented to us with all of the affection and honor which other movies lavish on poets or soldiers. Given how rarely Hollywood honors the "bourgeois virtues," this is an outstanding achievement, whatever the film's other flaws.

Those flaws mainly take the form of extraneous matter, in particular director David O. Russell's ineffectual efforts at screwball comedy and supporting characters who, however faithfully rendered, are tangential and distracting. Against such a background, Jennifer Lawrence's portrayal of Joy leaps out like a *bas relief* sculpture. The *New York Times*'s A. O. Scott puts it well: the supporting characters seem like "grotesques who might have wandered out of a Roald Dahl novel."² But Joy herself is different. She is shown to us as a small miracle: the kind of miracle that happens every day in a magical land of opportunity and vision. What gives the movie its power is this energy, this certain slant of light that gives not death, but life. It is the magic of creation, and it is to Russell's credit that he doesn't just mention it or dramatize it, but gives it to us with all of the lyricism of which he is capable.

¹ *Joy*, directed by David O. Russell (Fox 2000 Pictures, 2015). A slightly different version of a review of this film, entitled "The *Joy* of Creation," appears on Timothy Sandefur's blog *Freespace*, January 5, 2016, accessed online at: <http://sandefur.typepad.com/freespace/2016/01/the-joy-of-creation.html>.

² A. O. Scott, "Review: Jennifer Lawrence as a Modern-Day Cinderella in 'Joy'," *New York Times*, December 24, 2015, accessed online at: http://www.nytimes.com/2015/12/25/movies/review-jennifer-lawrence-as-a-modern-day-cinderella-in-joy.html?_r=0.

Joy makes an interesting comparison with another of the exceedingly rare instances in which Hollywood has chosen to celebrate the businessman, 1954's *Executive Suite*,³ except that Jennifer Lawrence's character is . . . well, perhaps the best word is feminine. In the earlier movie, the main character is Don Walling (William Holden), the vice-president of a furniture company who believes so strongly in the integrity of his products that he strives to rescue the firm from the owner's blasé heirs. He's driven by his vision of the ultimate product, as something that, in an effective masculine metaphor, he can be proud to have his name on (a line from Walling's climactic speech). Joy, on the other hand, is a creator, and she strives to build a life—to create a new thing that, without her, would not exist at all. This fact is beautifully underscored by one scene without dialogue, in which Lawrence peers through a Christmas display window over which artificial snow is falling. We sense that here is a wholly artificial, man-made (woman-made) world, now available to us, exclusively on account of the perseverance and vision of this unique individual. The owner of that store, like Lawrence's character, has created a space for joy.

That is the singular feeling that gives so much light to the best parts of *Joy*. In its most powerful sequence, Lawrence's character meets with QVC executive Neil Walker (Bradley Cooper) who explains to her in passionate detail just how massive an opportunity the meeting really offers her as an unknown entrepreneur. If her newly invented mop is accepted for sale on the shopping channel, she stands to sell 50,000 units and to become an overnight success. It will be only the beginning of her hard work, but it will be the first motion toward the new world she dreams of. Such a scene might have proven fairly ordinary, except that David Russell films it with a loving, almost lyrical quality, and does not let up. Russell has said that the film is about "living a fairy tale," and the movie gives to moments like this a fairy-tale feeling, that sweeps Joy and the audience along with a gentle but unmistakable power. Most movies can do this only with giant CGI armies arrayed for battle or musclemen screaming "We are Spartans!" Others must always smuggle in some element of snarky self-betrayal under the badge of "irony." Not here. This film gives us its miracle straight. With sincerity comes vulnerability, which is why so many directors are afraid of it. But only with sincerity do we see true beauty. That Russell gives us so much sincerity in a movie about a woman who invented a mop is a testament of its own kind.

But of course it's not about the mop. It's about the creator. In one scene, we see Joy taking command of a small but devoted group of workers, offering them jobs and opportunities they would not otherwise have had. In others, we see Joy confronting the corrupt contractors who conspire to rob her of her creation and the jealous and meddling family members who try to sabotage her efforts. Throughout it all, Joy is driven by an energy that seems

³ *Executive Suite*, directed by Robert Wise (Metro-Goldwyn-Mayer, 1954).

to come from nowhere except from her own creativity, and that creativity is the only real energy in her world. Almost everything else in the movie depends upon it, or sits like a vulture waiting to feed off its morbidity. Only Joy creates. She alone gives life to lifeless things.

Here, of course, one thinks of Ayn Rand, who sarcastically nicknamed one of her characters, a banker, “Midas.”⁴ John Chamberlain was one of the few critics to spot Rand’s irony. The Midas of legend was cursed because everything he touched turned to lifeless gold. But the banker, the creator, the entrepreneur, the capitalist, do the opposite: they have the “faculty for changing un sentient metal into glorious growth.”⁵ When we speak of wealth creation, we should always keep in mind that we mean that phrase with the utmost literalness. The wealth creator does not merely rearrange raw materials and sell the result at a markup. She makes something unique that never existed at all before her. She does what in a physicist’s sense is impossible: true creation *ex nihilo*. That such a thing ever occurs is, compared to most of humanity’s violent and meaningless history, a mind-boggling fact. That such things are *the source of all progress* is simply staggering. That we have a culture and a nation in which such things are not merely possible, but rewarded, is too precious a thing to let go unsaid. In America, said Alexis de Tocqueville, all honest callings are honorable.⁶ I have seen too few films that celebrate this seemingly humble fact as it deserves. Without it, life would be bleakness itself.

If life is a kind of fire, a special state of matter that creates itself out of a lifeless background, then we see the circle come to completion in the concluding scene, when Joy, now wealthy and sophisticated, listens to a product pitch from a young and idealistic inventor and her husband. “I know how it feels,” she tells them, when they are overjoyed at her approval. She does, indeed, as few others could. She is not Cinderella, who waited for someone else to take her off to a better life. She is, at least in this respect, the author of her own fairy tale.

Joy is not a philosophical film, and as I’ve said, it includes clumsy comedic elements that distract from the pearl at its center. Jennifer Lawrence’s character, however, is rendered in such good faith, with so much undisguised admiration, with such an unashamed appeal to the values of freedom and opportunity, that it stands out like a torch. It makes you long for a world in which everyone saw and celebrated this little miracle: this joy of creation.

⁴ In Ayn Rand, *Atlas Shrugged* (New York: Random House, 1957).

⁵ John Chamberlain, “A Reviewer’s Notebook: *Atlas Shrugged*,” *The Freeman* 12 (December 1957), p. 56.

⁶ Alexis de Tocqueville, *Democracy in America*, vol. 2, trans. Henry Reeve (New York: J. & H. G. Langley, 1840), chap. 18.

Chandor's *A Most Violent Year*⁷

J. C. Chandor's *A Most Violent Year*, on the other hand, has the gritty look of a mobster flick: gunshots, hired goons, secretive meetings in Italian restaurants and barbershops. It isn't one, though, notwithstanding the presence of one or two Mafiosi. The film is actually a portrait of a man's devotion to his own integrity, which is ultimately a function of his pride. If *Joy* is self-consciously feminine, Chandor's movie is thoroughly masculine. As masculine as *Moby Dick*. As masculine as *The Godfather*. In everything from its spare set design and plain-color costuming, to the single-mindedness of its characterization and the precision of its dialogue, *A Most Violent Year* has a minimalist feeling not unlike Chandor's previous film, the ingenious allegory *All Is Lost*. But where that movie drew its elegant, almost dialogue-free drama out of a simple man-against-nature premise, this film features the interpersonal conflict between businessman Abel Morales (Oscar Isaac) and those who seek to compromise his business' success—sometimes in the name of “helping.”

Morales is the owner of a small heating oil company trying to break into the Manhattan market and poised at the brink of a major deal: if he can buy an expensive riverside facility to land and store oil, he will ensure his firm's survival and success. But the deal must be closed in a month, and in the meantime, he is vulnerable on two other fronts: hijackers are seizing his trucks and stealing his oil, on the one hand, and on the other, a crusading assistant district attorney (David Oyelowo)—who has done nothing to stop the robberies—is bringing unspecified charges against him for financial wrongdoing. His business partners, including his wife (Jessica Chastain) and attorney (Albert Brooks) mean well, but their attempts to aid him typically involve even more wrongdoing, as when Brooks's character agrees on the quiet to let the company's drivers illegally carry guns. A single shootout could destroy the firm.

Morales—whose surname means “moral,” and whose namesake was the first person murdered out of envy—is a prime practitioner of Aristotelian virtue without realizing it:

“You should know that I have always taken the path that is most right,” he tells the assistant D.A.

“Most right?” the lawyer asks.

“The result is never in question for me. Just what path do you take to get there? And there is always one that is most right.”

⁷ *A Most Violent Year*, directed by J. C. Chandor (FilmNation Entertainment, 2014).

As with Aristotle, Morales's virtue is almost entirely self-regarding. In scene after scene, he explains his motivations, not in terms of either greed or self-sacrifice, but of self-esteem. He cannot imagine how his enemies could degrade themselves by stooping to the tactics they employ. "These men are cowards," he tells one of his drivers, who is badly beaten by the robbers. "They're too weak to make a living or even fight with their own hands. And too stupid to think of anything else to do." These lines might seem cloying in an age in which insincere politicians mouth similar words almost weekly, after the latest terrorist rampage. But Morales actually means it, and it's clear that he's right. For him, business success is the public projection of his innermost self—of the self he cherishes and cannot stand to see disfigured. Through his loyalty to that vision, he provides a comfortable home for his wife and children as well as a living for his employees—but even these are not his principal aims. Compromise or lawbreaking would accomplish those goals more easily than the long route of honest, hard work. But winning is not actually winning if it is done the wrong way. When his wife offers what she thinks is a solution to their financial problems—but which is actually illegal—Morales explodes at her. He cannot stand to be contaminated by wrong. "I'm going to get this done and it's not gonna be as a cheat!" he exclaims.

This explains why the film sounds in the register of gangster movies like *The Godfather*, which have long been seen as American cinema's most direct meditations on masculinity. Such films typically emphasize themes of initiative, loyalty, and *omertà*: pursuing one's goals, protecting one's family, and paying one's dues. Not that such things are in any sense off-limits to women, but put together, they represent that unadorned, possessive, and obsessive version of practical wisdom that the Romans called *virtus*—from *vir*, or manliness—and which we today call masculinity.⁸ It was because Don Corleone embodies such classical virtues as *auctoritas*, *constantia*, *dignitas*, *disciplina*, *gravitas*, and so forth, that Mario Puzo said his novel was really about "the American Dream."⁹ The criminal plots were in a sense only romantic adjuncts to his depiction of these gifts. And so Abel Morales, struggling in *A Most Violent Year* to keep the criminals at bay, is no less a study in classical masculinity than are the Corleones. More so, in that, unlike Michael Corleone, Abel manages to resist being "pulled back in" to the life of crime. This he accomplishes solely through his self-esteem.

Chandor's film does not pretend that such confidence comes without a price. Oscar Issac plays the role with an intense, almost Mephistophelian, dignity that enables the viewer to grasp how hard it can be to resist the pressure to compromise on the most essential things—and just how crucial

⁸ Classically speaking, the female counterpart to *virtus* was honor; contemporary English has strangely swapped these words, so that today men have honor and women virtue.

⁹ Mario Puzo, *The Godfather* (New York: G. P. Putnam's Sons, 1969).

that resistance really is. To recur again to Ayn Rand, “To sell your soul is the easiest thing in the world If I asked you to keep your soul—would you understand why that’s much harder?”¹⁰ By the end of the film, it is not even clear whether Abel’s marriage will survive the strain.

Chandor conveys a hint of what’s at stake in one scene in which Abel instructs his young salesmen on the little techniques for closing deals with new customers. His theme: know your worth so you can carry yourself with dignity, and carry yourself with dignity so you can inspire confidence. If the customer offers coffee or tea, he advises, take the tea; if he offers water or lemonade, take the lemonade. When the boys chuckle, Morales quiets them. This is not funny. Choosing the fancier option emphasizes the fact that quality, not price, is your selling point:

“I’m only interested in this company growing, and when it doesn’t, it’s not very funny to me at all. These people work very hard for their money. These other guys are ripping them off and treating them poorly because they don’t know. So when you look them in the eye you have to believe that we are better. And we are. You’ll never do something as hard as looking someone straight in the eye and telling them the truth.”

A Most Violent Year looks the viewer straight in the eye and tells them the truth.

¹⁰ Spoken by Howard Roark, in Ayn Rand, *The Fountainhead*, 50th anniversary ed. (New York: Signet, 1993), p. 577.

