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Articles

Preface

Thoreau as philosopher: Why does this theme still seem a bit strange, a bit forced - like an attempt to fob something ungenue off on us? Well, one problem is that most of us met Thoreau too early. We met him in adolescence, and we thought of him then as a quirky nature prose-poet; or, as a rustic rebel whose name connected up vaguely with peaceful political protest. Did we think of Thoreau as a philosopher? - No; we poeticized him; we rusticated him. How, then to reclaim him?

At a time when philosophy is increasingly professionalized, Thoreau is worth reading because he reminds us of the distinction - and of the relationship - between philosophy professed and philosophy lived. Like the Greeks, Thoreau heard philosophy's call, heard philosophy call for a life, heard philosophy call for professing - in Thoreau's case, for writing. What Thoreau understood was that the authority of philosophical writing must always be won anew, word by word, inkling by inkling. The authority of philosophical writing is won anew not by displays of virtuosity, whether literary or argumentative, but by displays of vitality, by finding words that incorporate, and are incorporated by, a well-lived life. Philosophically authoritative words are words that stand face-to-face with a well-lived life; such words and such a life reciprocally implicate one another. Thoreau demonstrates his understanding of this by writing in the first-person and by providing what he demands from others - "a simple and sincere account of his own life." Clearly, this understanding of philosophical authority is dangerous - by that I mean, has its dangers: empty self-obsession, stultifying idiosyncrasy, blank unintelligibility. But perhaps worse than these dangers is the danger that such an understanding of philosophical writing renders philosophy written in its service unavailable to contemporary professional philosophy. Put crudely, the danger is that philosophy written in the service of such an understanding and contemporary professional philosophy will end up out of even spitting distance of one another. To contemporary professional philosophy, Thoreau's writing is writing *ad hominem*, or worse, writing *ad personam*: philosophical writing conceived in a matrix of fallacies, not to be borne. If philosophy as Thoreau writes it and contemporary professional philosophy continue to recoil from each other, philosophy will lose much of what has made it admirable - its stubborn attempts to make ends meet, to keep body and soul together. Philosophy will then exist only as a zombie, or as a ghost, of its former self, demanding either voodoo or exorcism.

Thoreau's philosophical writing alternately provokes and pacifies. It knots together paradox and platitude. Thoreau does not write books to be held at arm's length; he writes books to be either pitched angrily or clutched greedily; or, maybe, both. Thoreau gives and requires a live response, the response of a life. Call this Thoreau's Concordian Revolution: Copernicus taught us that our sun with all its furies is at the center of the galaxy; Kant taught us that our mind with all its categories is at the center of space and time; Thoreau teaches us that our life with all its forms is at the center of things. Kant set reason after reason, because reason is fated to ask itself questions that it cannot answer. Thoreau set life after life, because life is fated to ask itself questions it cannot answer.

Wildness, Language, and Solitude

Crispin Sartwell, University of Alabama

I wish to speak a word for Nature, for absolute freedom and wilderness, as contrasted with a freedom and a culture merely civil, - to regard man as an inhabitant, or a part and parcel of Nature, rather than a member of society. I wish to make an extreme statement, if so I may make an emphatic one, for there are enough champions of civilization: the minister, and the school-committee, and every one of you will take care of that.¹

Yes, every one of us will take care of that. We all speak, insofar as we speak, as champions of the human, right?: people taught us to speak, and they teach us still: to speak is to speak out of a shifting human crowd into a shifting human crowd. To speak against the human, or in favor of the inhuman, to speak wildly on behalf of wildness, is already to be embroiled in hypocrisy. To speak is to be engulfed in the human, swept away into the chattering of millions for millennia. Even our silences and solitudes are humanized; even our inmost recesses have been reached by the chatter: we learned by logging and paving the world to log and pave ourselves, until we seem to be perfectly processed, until even our killings are human.

I doubt that Thoreau could have imagined our saturation by the human; I doubt that he could have tolerated our soddenness. There are whole philosophical edifices today in which there is no mention at all of anything that is not a human being or an object made by a human being: Wittgenstein's, Foucault's. There are environments so humanized that it is a pain and an entrapment to be a human being in them: in the concrete and broken glass and broken persons we are so human that we are dying; we have already killed everything else. There are human environments engineered at such a scale that they dwarf the human body, reduce the human to a pure and puny humanity. There are environments to perfectly processed that animal bodies like ours seem disconcerting and unclean in them: gleaming corporate interiors where it is impertinent to be a mammal. There are environments where there are no trees, and environments where the trees are tended as decorations, as ornaments or badges of status. There are environments in which trees must be caged for their own survival, wherein people must be constrained from tearing them out by the roots. There are environments where form follows function so closely that, God help us, there is nothing that is not comprehensible or that stands in excess of the human. There are environments so perfectly and so frozenly humanized that it is impossible to be human in them.

I'd like to say a few words about getting less human, a few words that are self-immolating, words that attack themselves for being words, that attack me for uttering them, attack you for reading them. I'd like to explore whether it is possible to stop being artifacts, or to realize the ways in which we still exceed artifactuality; whether there is a power in us that is not given to us or taken from other human beings, whether we can make ourselves wilder, destroy ourselves as we are, or love ourselves as we are, find again a context in which "the social" takes place: a world to which we are open or which opens us to it. "There is in my nature, methinks, a singular yearning toward wildness. I know of no redeeming qualities in myself but a sincere love for some things."² What becomes,

Wildness is dangerous. It threatens us with itself: to live wildly or to live in the wilderness is to live a short life and a painful life. Perhaps, then, to tame something means to make it safe, safe for us. Why then, what is wrong with safety? For God's sake it beats continual endangerment. And yet what we have made safe, humanized, first, bores us. And second, it endangers us too, for there are wild animals in it, even if none but persons: the most dangerous predator of persons. Why is it that we can always humanize trees and animals and mountains and deserts but not always people? Why do we exceed our own grasp?

And, in a situation in which human beings are natural things, what are human beings doing yearning toward nature? What would it mean to be reconciled to that of which we are all along part and parcel? In what sense have we become distanced from nature and is not the possibility of that precisely what I am denying? What do we yearn toward when we yearn toward nature? Does it make sense to yearn toward what is already obviously the case? How have we gotten into the bizarre position of wanting what we already have, of wanting to be what we already are? And what would it be like to come to possess what we never lost, or to become what we never ceased to be?

Alright, that's too many questions, isn't it?

II

I've calmed a bit now. I wrote that last bit in Manhattan. I felt enclosed in the little apartment where I stayed with a friend and argued about "social constructionism." I felt almost as enclosed when I got outside and the crowds milled and the building lowered. As I say, I think Thoreau was a claustrophobe, that he kept feeling *enclosed* by people and their things, that he kept wanting out. The quotation that opens this essay expresses a disdain, found throughout Thoreau's writings, for human institutions, and their "representatives," or more accurately for the way people get reduced or enclosed into representations by and in institutions, by and in themselves. (That particular claustrophobia connects Thoreau and Foucault, by the way). To tame something is to reduce it to a function, to simplify it toward usefulness, to rub off the raw and inconvenient and living edges. "I love man-kind, but I hate the institutions of dead un-kind" (*A Week*, 106). "Wherever a man goes, men will pursue and paw him with their dirty institutions" (*Walden*, 459). "In short, as a snow-drift is formed where there is a lull in the wind, so, one would say, where there is a lull in the truth, an institution springs up. But the truth blows right over it, nonetheless, and at length blows it down."³ Maybe that's why what is tamed is dull in our eyes: it surprises us less because it does what we want. We want what *doesn't* do what we want. The minister and school committee are tame in this sense like hens: the perfect school committee would not consist of organisms at all but of sheer functions.

So anyway, I took a walk out of the Village looking for an open space where I could breathe. I finally dodged through the traffic on the West Side Highway and walked out onto a pier on the Hudson. There were a lot of people on it. It was made of concrete. And there were chain-link and barbed-wire fences and highway-type barricades. But people had cut up the fences so that they could get out near the water. There seemed to be a gay

recommendation when a book will stand the test of mere unobstructed sunshine and daylight" (*A Week*, 74). When I am alone I am still surrounded: connected by memory and projection and by an amazing elaborate web of wires with people all over. I am not alone when I am alone: I carry my parents, my dead brothers and my live one, my friend in New York, my teachers, anyone who has looked on me with love or contempt or amused or unamused indifference. I have been shaped by them, by our human rituals and practices, like a piece of jade carved and polished, as Confucius, that champion of the social, put it. So what does it mean to yearn toward people, to feel alone? In a world where there is no surcease from our permeation by the human, why is there a zone of indifference, disconnection? Why, when I am looked at by someone, can I usually tell that they do not see me? ("It is rare that one gets seriously looked at" (*A Week*, 52)). What would it mean to get connected to the social networks and social practices in which one is all the time embedded? How could I ever be alone? Why do I usually *feel* alone when aloneness is an impossible fantasy or nightmare? What would it mean to affirm that I am socially constructed when that affirmation is socially constructed, when there seems to be no "outside" from which to see the social?

III

What I'd really like to do is leave all those questions sitting there as questions; there's a certain wildness to them as questions; to answer them is to tame them. But I guess I'm not able, finally, to do that. I'm a philosophy professor after all, pathetic as that is. So here's my personal dilemma. I hold that man is as natural as a wolf or a buffalo. I can deploy no distinction between the natural and the artificial. But in fact I *use* that distinction all the time. I think of the traces of the human in the woods as pollution. I'm more at peace in "unspoiled" nature than anywhere else, except perhaps in the bedroom of my lover (often I'm not at peace there, either). I think the distinction is incomprehensible, indefensible. But the distinction is decidedly active in my life, determinative of such decisions as where I will live and where I will travel. Obviously, my own tensions do not bear on the legitimacy of the distinction per se, but I'm not that interested, any more, in the legitimacy of distinctions per se; I'm trying to figure out how the hell to live without hypocrisy. For that, I guess, it could be enough to leave the questions as questions and keep doing what I do, but maybe you're expecting a philosophy paper.

Well, then, let's try this: the natural/artificial distinction, which amounts, finally, to no less than the claim that human beings are separated by an insuperable gap from the order and disorder of nature, that is, from the world, is indeed a complete mess. It is a delusion. We are fully fused with the natural environment, are without remainder of the earth. But delusions have concrete effects; in this case, they have effects made of concrete. How we think of ourselves in relation to the earth actually effects ways of being on the earth. The Western tradition conceives of a separation, conceives of the earth as inanimate and unintelligent, and of ourselves as animate and intelligent. It conceives of the earth as means, persons as ends. It conceives of human action technologically, or according to the canons of 'practical rationality.' So we want to *liquidate* means into ends: to regard something as a mere means is to want to *annihilate* it into our end. The means are always simultaneously what enables us toward the end and what constitutes the barrier to the end: it is the recalcitrance of means, their opacity, their intrinsic character, that constitute them

beautiful. I looked with awe at the ground I trod on, to see what the Powers had made there, the form and fashion and material of their work. This was that Earth of which we have heard, made out of Chaos and Old Night. Here was no man's garden, but the unhand-selled globe. It was not lawn, nor pasture, nor mead, nor woodland, nor lea, nor arable, nor waste-land. It was the fresh and natural surface of the planet Earth, as it was made for ever and ever, - to be the dwelling of man, we say, - so Nature made it, and man may use it if he can. Man was not to be associated with it. It was matter, vast, terrific, - not his Mother Earth that we have heard of, not for him to tread on or be buried in, - no, it were being too familiar even to let his bones lie there, - the home, this, of Necessity and fate. There was there felt the presence of a force not bound to be kind to man. It was a place of heathenism and superstitious rites, - to be inhabited by men nearer of kin to the rocks and to wild animals than we... What is it to be admitted to a museum, to see a myriad of particular things, compared with being shown some star's surface, some hard matter in its home! I stand in awe of my body, this matter to which I am bound has become so strange to me. I fear not spirits, ghosts, of which I am one, - *that* my body might, - but I fear bodies, I tremble to meet them. What is this Titan that has possession of me? Talk of mysteries! - Think of our life in nature, - daily to be shown matter, to come into contact with it, - rocks, trees, wind on our cheeks! the *solid* earth! the *actual* world! the *common sense*! *Contact! Contact! Who are we? where are we?* (*The Maine Woods*, 645-46).

That is an amazing passage. It says, first, that to experience wilderness is to experience the world as indifferent to our ends, as not made for our sakes and not transformable by will, or rather, only transformable by an incredibly long, elaborate process. We may use it if we can, but it was not made for us. To experience wilderness is to be *dwarfed* and it is to be dwarfed in a particular way: by fate. For if there is one thing that we could pit against practical rationality, it is fate, and traditions that emphasize fatality are always opposed to the annihilation of the world into means, always hold that to be an illusion. To experience fatality is to experience the dissolution of the delusion of agency, hence of the delusion of human detachment from nature. You can reconcile yourself to fate, or to what is fated, or what comes to you as a fate, but you cannot *use* it. That makes *you* wild, kin to rocks, because to be tame is precisely to enter into the "freedom" of agency and the reduction toward use. (It is this "freedom of the will" that separates us inexorably from nature, right?)

The perfect contrast here would be of the natural history museum to the Maine woods, the structure of taxonomic representation and purification and humanization to the bewildering or overwhelming surface of a star. The former displays the organization of things simultaneously for appreciation and for possible use, assures us of our power and of the victory of the human. It demystifies, educates. The latter overwhelms our categories and resists our uses, bewilders us into a realization of our vast and beautiful ignorance, assures us that somewhere there is a surcease from our own power, an effortless resistance to our wills, shows us our own wildness. And hence it brings us face to face with our own complete actuality and physicality, lets us experience ourselves again as bodies. That means that it brings us into identity with it, lacerates the delusion of distance imposed by the structure of language and representation as it breaks our wills, teaches us the mysteries of our bodies, teaches us our unfreedom, reconciles us with the world. *That* is why we need wilderness: not because it is more nature than Manhattan, but because it teaches us

the face of the earth already, clearing, and burning, and scratching, and harrowing, and subsoiling, in and in, and out and out, and over and over, again and again, erasing what they had already written for want of parchment. (*A Week*, 9).

Even writing, after all, makes use of the physical: is the physical act of a physical body using physical bodies (yes, even at the computer). Farming changes the landscape, "humanizes" it, but farming is a continual mutual physical adjustment of land and man: farming is, or may be, a *devotion* to land. It brings forth things for us out of the land, and transforms the land into something that brings forth things for us. But it works in and with fatality: farming that does not acknowledge the seasons, the drought, the deluge, the character of the soil, is hopeless. What compromises practical rationality is not a letting-go of ends, but a devotion to means, a love of the land and of the process of altering it and being weathered in one's alteration of it. But then if we thought of farming as a kind of writing, or writing as a kind of farming, what would we be thinking?

The weapons with which we have gained our most important victories, which should be handed down as heirlooms from father to son, are not the sword and the lance, but the bush-whack, the turf-cutter, the spade, and the bog-hoe, rusted with the blood of many a meadow, and begrimed with the dust of many a hard-fought field... In Literature it is only the wild that attracts us. Dullness is but another name for tameness. It is the uncivilized free and wild thinking in "Hamlet" and the "Iliad," in all the Scriptures and Mythologies, not learned in the schools, that delights us. As the wild duck is more swift and beautiful than the tame, so is the wild - the mallard - thought... A truly good book is something as natural, and as unexpectedly and unaccountably fair and perfect, as a wildflower discovered on the prairies of the West or in the jungles of the East. ("Walking," 64)

If we could stop thinking of language as something that distinguishes us from or in the order of nature, and start thinking of it as a craft by which we sense our connection to the earth, we could write wildly on behalf of wildness, and do it without hypocrisy. If we could learn to take comfort in the human not for its dominance or its "humanity," but for the more-than-human fate and the web of connectedness that makes us what we are, gives us to speak, and pulls us toward one another and toward death, we could learn to let the world be. That would be a lesson of love.

Is forgiveness possible?: The concrete cases of Thoreau and Rushdie (on) (writing) the unforgivable¹

Rupert Read, Manchester Metropolitan University

What can this title mean? It might seem, at first thought, that little could be farther from *Henry Thoreau's* work, at least, from his interests and from the content of what he wrote about, than the concept of forgiveness. Aloneness, ecology, animal nature, political resistance, metaphor, peacefulness and mindfulness, even philosophy, yes; but *forgiveness*? What could have been further from his mind?

Well, but, our modern critical training is such that we can instantly recognize here a double opportunity; firstly, one can claim that the very absence of 'forgiveness' from Thoreau's work, from his writing, is a presence, that there is a pregnant silence here. Secondly, and more specifically (and thus much more plausibly and interestingly *qua interpretational strategy*), one can point out the respects in which Thoreau's work is arguably directed against the very ethico-religious perspectives which would have forgiveness to be a central topic or focus of one's principles (and something which we all ought (to strive to grant and) deeply to desire to receive). For example, one might delineate the elements of Thoreau's thought which work against Christian (and, more broadly, monotheistic priestly) modes of emphasis on being granted (and granting) forgiveness; on charity; on pity; and so forth.

That is; in good company with Emerson and Nietzsche, Thoreau can quite easily be read as casting doubt on the salience and centrality and healthiness of certain character-traits that are reckoned to be signs of virtue and piety. Thoreau's critiques of philanthropy and of conventional understandings of 'neighbourliness', for instance, are well-known.

But still, does Thoreau really take this so far as to put into doubt the desirability of forgiving others their sins; can he completely revalue not only (say) philanthropy and pity but even forgiveness (and mercy)? Surely not; surely, the many things for which or for the lack of which he castigates his fellow men, 'even while' holding himself pretty rigorously apart from them, are things he would at least aspire to.

Maybe. But that last sentence hardly rings very definitively true. To get much further, we are going to have to look properly at Thoreau's text(s).

Though that could be difficult or profitless, if his discussions of these matters are entirely indirect at best, insofar as they exist at all.

But we may be in luck. We may not have to wade all through Thoreau's unique treatment of *resentment* etc. to come across what we are in search of, still less its poignant absence. For, and this might surprise even some devotees of the text, there in fact exists one beautiful and concise present-to-hand example in which there is a 'direct' and explicit treatment of the topic of...forgiveness.

we are to speak of forgiveness, Thoreau is perhaps saying, *we might as well* speak of it as involved in the lives of those to whom it can seem desperately alien - our ready-to-hand examples of it are liable to be comparatively unsatisfying, even hypocritical. (The irony, then, is in part that it nevertheless seems clear that we are probably not describing the native Americans's world-view aright if we describe it through a generally Judeo-Christian frame). We ought to think carefully, perhaps, before we claim ever to be forgiving, or even to see forgiving. "Forgiveness", like "neighbourliness" and various other neighbouring concepts, is a word which has become dangerously de-valued. One ought to take the remarks quoted above on the Jesuits and the Indians literally - at least in the sense that their power is such that we must take them deadly *seriously*.

The question I wish to concentrate on in this paper, is not whether forgiving others is desirable. I take it that, *ceteris paribus* (though that clause is going to be of extreme import and complexity here), it *is*. At least, that it *is* for anyone for whom the issue of whether forgiveness is (in the right circumstances etc.) desirable does not generally *arise* - not, I mean, because forgiveness is desperately alien to that person/to their culture (in which case forgiveness would not be desirable (or undesirable), because it would not be relevant), but rather because it is part of a *presumed* background, part of the stream of their life.

No, my question is the connected but also importantly distinct and prior question of whether forgiveness is possible, and, if so, of what it (forgiveness) *is*; what is its nature, in what does it consist? Do we know what we are doing with this concept; do we have a *right* to presume it?

And the route I will take toward answering this perhaps surprising question, the seemingly-bizarre question of whether forgiveness is possible at all, is to look closely at the concept of unforgiveness, of unforgivability. It might reasonably be thought prior to reflection that nothing can be truly eternally, unalterably, unforgivable; in which case very obviously forgiveness will very probably take place pretty frequently. But if it is to be argued that there *is no such thing* in the world as true forgiveness, it must follow trivially that nothing is forgivable. Such that it is natural to consider the category of the unforgivable, and to determine its breadth of application. Let us start with some perhaps unusually clear examples of unforgivability, then, and proceed from there.

What is unforgivable? One example may be Thoreau's; how could one possibly forgive one's own torturers? We don't actually believe that the Indians forgave the Jesuits, except possibly after a *very* new fashion. Surely, the *most* anyone could imagine, let alone expect, would be for forgiveness not to be an *issue* here, as it probably is best said not to be for those who, again like Thoreau's Indians, seem able not to feel bitterness to the point even of treating their torture or execution as some kind of interesting practical exercise.³

What else is unforgivable? Well, what could be less forgivable than betrayal and mentally-torturing maliciousness? Here, then, is another possible (fictional - but how true to life!?! How many of us have not at some point felt betrayed in our love by a friend, or by someone, at least?) example of unforgivability, to enrich our diet. It is I think richly-

*I like butter, I like toast,
You're the one I love the most.*

Give her that message too; if you'd be so kind. There was something demonic, Gibreel decided, something profoundly immoral about cloaking corruption in this greetings-card tum-ti-tum.

*Rosy apple, lemon tart,
Here's the name of my sweetheart.*

A...l...l... Gibreel, in disgust and fear, banged down the receiver, and trembled...

...One by one, [the voices] dripped into Gibreel ears, weakening his hold on the real world, drawing him back little by little in to their obscene web, so that little by little their obscene, invented women began to coat the real women like a viscous, green film, and in spite of his protestations to the contrary he started slipping away from her; and then it was time for the return of the little, satanic verses that made him mad.

*Roses are red, violets are blue,
Sugar never tasted as sweet as you.*

And lastly, when...Allie was absent at the ceremonial opening of a freezer food mart in Hounslow, the last rhyme

*Violets are blue, roses are red,
I've got her right here in my bed.*

Goodbye sucker.

Dialling tone.

Alleluia Cone returned to find Gibreel gone, and in the vandalized silence of her apartment she determined that this time she would not have him back, no matter what the sorry condition or how wheedlingly he came crawling to her, pleading for forgiveness and for love; because before he left he had wrought a terrible vengeance upon her, destroying every one of the surrogate Himalayas she had collected over the years...

[W]eeping, she rang [her friend and Gibreel's,] Saladin Chamcha, to tell him the bad news..."⁵

Now, I might be inclined to ask at this point, to strengthen my case: It might be debatable whether Gibreel's actions were really unforgivable; but how could what Chamcha did even be *imagined* to be forgiven? How could one ever forgive a demonic set of actions like that, like the story detailed above? But such questions may even yet in a certain sense be premature; it may be clearer to us that something like the example just given involves unforgivability than it could be clear to us *how* it could imaginably be adjusted so as to encompass the possibility of forgiveness. For again, we do not yet have,

felicitous, can never be enough. *One can always turn out to have been mistaken* in saying, "I forgive you" even sincerely, in appropriate circumstances, *etc.*; while one cannot have been *mistaken* in having said "I promise you".

What is the additional factor? What guarantees an instance of forgiving, makes it authentic? It can seem to be something metaphysical. Recall the sense in which for Hegel, as for many less important and less abstruse theologians and moralists, the right punishment literally cancels out a crime, theoretically literally redresses it, wipes it away. Can we effect a tight comparison between such a view of punishment and a like take on forgiveness?

"But surely we needn't resort to such desperate measures, we need not cite or posit a hopeless metaphysic: the 'additional factor' is the will of the person in a position to forgive; their will must be a good will, and they must be ready not to think ill any more of the offender they are forgiving. That is the 'authenticity' required to validate forgiveness."⁹ Well, indeed, quite probably so; but does this enable us to understand how a particular act that was wrong and has been conceded to be wrong can be removed of its 'sting', of its harmful attachment to the committer of the act? That is to say: having a good and no-longer-angry will seems to be reasonably called a precondition for forgiveness, but does its mention manage to *explicate* or paraphrase or yield comprehension of it even in the fashion which the 'Hegelian' proposal above at least *pretends* to? (Metaphysics is an appealing substitute for a sound and full conceptual/grammatical understanding of a term's use (that is, for instance, one rooted-in-our-lives). It is among other things the latter that we need here).

Even something that looks like a correct 'analysis' of forgiveness does not *satisfy* us. It does not enable us to understand it; any more perhaps than a knowledge of the English language enables someone truly to understand the sentence "Love your enemy."

"But look, you must at least concede that in the case of relatively trivial harms, forgiveness is frequent, straightforward, comprehensible."

But here's the rub: don't we tend to say in such cases, "Forget it/Don't worry about it; *there's nothing to forgive*"? Who is to say that such a locution ought not itself to be taken straightforwardly, literally?¹⁰ The problem that is emerging into focus is this; that one can only forgive when one acknowledges that there is something to forgive. But then how can even a humble and genuine admission of wrong-doing, together perhaps with acts of contrition; how can these lead right into forgiveness, *even of small/middling offences*? For, just insofar as there remains something to forgive, just insofar as the wrong act has not been literally wiped away¹¹ or utterly redressed, it seems that forgiveness has not really taken place; but once there is nothing left to forgive, then there is no forgiveness either.

Taking stock, we should recall that an understanding of partial forgiveness cannot, for the sake of understanding the grammar/nature of 'forgiveness', be satisfactory; but our efforts to comprehend and effectually define forgiveness ('complete/full' forgiveness, if you prefer) seem to have reached something of an *impasse*. We have made some negative progress (we now know a little about what forgiveness is not), and a tiny bit of positive

But it also seems as though forgiving is an important human behaviour and attitude, and that it is quite absurd to deny its occurrence. A veritable paradox.¹³

How might this paradox be eliminated? Perhaps the most obvious and best possibility, already hinted at, is a construal of forgiveness as (a) process. Forgiveness is less a thing than a process that must normally be temporally extended, and thus resists analysis, at least along anything remotely resembling traditional philosophical lines.

Well, sure, maybe this is all we can say; but do we now really understand forgiveness any better? Do we understand the *transitions* in this process? I do not think we do. The move toward a processive 'account' of forgiveness is fine, perhaps; but it is essentially a major move away from any substantive account of forgiveness. It is essentially to admit one of my main claims; that, insofar as forgiveness as we imagine it actually occurs, it is incomprehensible, a mystery.

The only other obvious strategy which might avoid this admission is to distinguish rigorously between act and actor ("love the sinner, hate the sin"). Perhaps we might dissolve the paradox by having it be only *acts* whose forgiveness we cannot clearly envision. But it is not clear that this proposal makes sense. As R.G. Collingwood once put it, "[We cannot] escape by an abstraction distinguishing the sinner from the sin. We punish not the sin, but the sinner for his sin; and we forgive not the sinner distinguished from his sin but identified with it and manifested in it. If we punish the sin, we must forgive the sin too..."¹⁴

So far, then, we are no nearer to understanding how the paradox of forgiveness can be dealt with. We are forced back toward a more 'indirect' route. Let us return to examples which *might* enable us to reach a resolution if there is one available, if only we can understand them aright.

Stanley Cavell's strong misreading of 'Walden' as being *about* writing (and about writing (as living) as (a) moral/perfectionistic endeavour) suggests the following: that we might, with profit, consider whether the writing of 'Walden' was a 'speech act' - a linguistic act of a fairly distinctive illocutionary character - that anyone of his time (or, indeed, of other times) who was in any strong sense a subject of Thoreau's powerful 'critique' could really forgive. If one were the object of one of Thoreau's savage and uncompromising indictments, *could* one, in actual fact, forgive the indicter his savagery?¹⁵

Think again of Thoreau's Indians. As hinted above, it seems reasonable to suggest that Thoreau is identifying himself much more closely with them than with their persecutors, who purportedly come with the intent of doing good, of being philanthropic. He does not want to play the language-game of philanthropy, of Christianity - and so he mocks it by having the Indians turn out to be more forgiving and Christian than the Jesuits. What the worldly Jesuit torturers are doing is hypocritical, probably unforgivable. But now, how will a Christian be able to take Thoreau's savage wordly mockery here? Can Thoreau possibly be forgiven for writing as he does? He says that there is no odor so bad as that emerging from the 'consoling' voices and the 'persuasive' fires of Christian missionaries. He says that philanthropy, that Christian good works, ought to be run away from with the

Mahagonny, Babylon, Alphaville. But Gibreel has already named it, I mustn't interfere: Proper London...

Who am I?

What else is there?

...Gibreelsaladin Farishtachamcha, condemned to this endless but also ending angelicdevilish fall, did not become aware of the moment at which the processes of their transmutation began.

Mutation?

Yessir, but not random...changes took place that would have gladdened the heart of old Mr Lamarck: under extreme environmental pressure, characteristics were acquired.

What characteristics which? Slow down; you think Creation happens in a rush? So then, neither does revelation...take a look at the pair of them. Notice anything unusual? Just two brown men falling hard, nothing so new about that, you may think; climbed too high, got above themselves, flew too close to the sun, is that it?

That's not it. Listen:"¹⁸

[We then have an account, the *logos* of Rushdie, of how Chamcha and Farishta mysteriously survive the fall from their wrecked jumbo jet, which ends thus:]

"God we were lucky", [Chamcha] said, "How lucky can you get?"

I know the truth, obviously, I watched the whole thing. As to omnipresence and - potence, I'm making no claims at present, but I can manage this much, I hope. Chamcha willed it and Farishta did what was willed.

Which was the miracle worker?

Of what type - angelic, satanic - was Farishta's song?

Who am I?"¹⁹

[And here is 'the authorial voice' again, in the allegory of the birth of Islam (in God (or is it God? how could one tell? - the central theological question in 'The Satanic Verses') talking through Gabriel/Gibreel) given us under the heading, 'Mahound' (cf. 'Mohammed'):]

"Question: What is the opposite of faith?

Not disbelief. Too final, certain, closed. Itself a kind of belief.

Doubt.

The human condition, but what of the angelic? Halfway between Allahgod and homosap, did they ever doubt? They did: challenging God's will one day they hid muttering beneath the Throne, daring to ask forbidden things, antiquations. Is it right that. Could it be argued that...// [But] Angels are easily pacified; turn them into instruments and they'll play your harpy tune. Human beings are tougher nuts, can doubt anything, even the evidence of their own eyes. Of behind-their-own-eyes. Of what, as they sink heavy-lidded, transpires behind closed peepers...angels, they don't have much in the way of a will. To will is to disagree; not to submit; to dissent.

I know: devil talk. Shaitan interrupting Gibreel.

Me?"²⁰

[Above, Rushdie toys explicitly with the satanic voice being his. As again, perhaps, here]:

invasion of the private by the public in a modern world whose intellectual elites *at least* ought to know better.²³)

Again, then: Should we not try to read Rushdie's works as though the (possible) death of their author has no relevance to them? And this is certainly what Rushdie himself has asked us to do.²⁴

And indeed, I think we should - try. It is, of course, difficult - try reading "Pale Fire" without thinking of Zembla. 'The Satanic Verses' is unavailable - irrecoverable - in its pre-(anti)-religious-propaganda state; but that by no means implies that we have to treat it as that *and nothing else*, that we have to regard it as a focus for historical study as the centre-piece of a famous dispute, and (e.g.) mine it reductively for salacious evidence for Rushdie's guilt! For it is: a great *novel*, a uniquely-valuable *dramatic* meditation on the concepts of revelation, of forgiveness, of personal change; and it is often very funny, or quirky, or beautiful, besides.

So, we certainly ought to (try to) read 'The Satanic Verses' as much more than the premonition of a death sentence.

But we can hardly help it if we read it as that too.²⁵

And, while we surely ought most vociferously to defend Rushdie's right to publish, and even more so given that what he has written here is arguably not bad art, but great art (for bad art shades into not being art at all, and thus not being so worthy of defence; the greater the art, the more vigorously the rights of all of access to it must be supported and preserved), and while we ought therefore I think to speak out against those (such as John Le Carré) who serves as apologists for the *fatwa-istas*, and engage, if necessary, in Thoreauvian risks to preserve the possibility of loudly saying the unpalatable, of pursuing one's vision (e.g.) of free art and of a free, just, secular society; *nevertheless*, one ought perhaps simultaneously to maintain that Rushdie must in some sense - perhaps in a sense familiar to readers of Cavell - take *responsibility* for his words. What does this amount to? It amounts, among other things, to recognising plainly that the *genre* of the novel does not provide *carte blanche*, that Kundera's (and Rushdie's) dream of art as non-truth without consequences is an unrealizable ideal (at least, that its realisation would have many costs - e.g. the elimination of the category of the novel rightly legible as having a moral point (compare for example Rorty on Nabokov and Orwell; and note, as I have already implied, that Rushdie and Kundera do not 'escape' being morality-minded, and, PLAINLY, dramatise *ideas*, including political and religious ideas, in their texts)); above all, that Rushdie's act of writing must have *been predictably unforgivable* (as far as many, from particular communities, are concerned). Yes, in regretful sum: Rushdie's act of writing 'The Satanic Verses' was, for many adherents of one of the world's leading religions - and must have been known ahead of time, to a considerable extent, to have been - unforgivable, heretical, satan-esque.

The pessimistic conclusion that I draw from my general arguments, and from the specific case both of the drama enacted in the pages of 'The Satanic Verses', and from the very fact of the book's composition (of the self-conscious composition of a book like that), and from the lovely irony in and of the example from Thoreau with which I began,

be able to forgive those who, unlike Thoreau's Indians, cannot (and do not even want to (try to)) perform the preternatural and *sui generis* task of forgiving (the unforgivable) - in this case, the writing of a book that, as I have suggested Rushdie *clearly* must have foreseen, strikes to the very core of their *weltanschauung*.

So one should not blame Salman Rushdie (or, likewise, the apparently-misanthropic Thoreau), for not forgiving those who would deaden or kill his words, or even him. Even if, to paraphrase Ludwig Wittgenstein,²⁸ those he cannot forgive would have fighting words such as these that follow that they could say back: "I see a man saying over and to himself, "This is unforgivable, this is unforgivable," while pointing to a book. It would surely not be absurd of me to say: "Do not think that this man is insane. He is not exactly doing philosophy. He is enacting part of the world as he and many others have found it.""

1995)); (2) A more special (would-be? ultimately incoherent?) type: forgiveness of one's present self for some fault or disposition.

Just one more word on this in the present context: "Forgive thyself" arguably must be a harder precept to live by even than "Know thyself". For the latter is arguably a prerequisite for the former, which thus requires additional work.

7. For a real-life example in a different register, consider these quotations from Bishop D. Tutu, the Head of South Africa's Truth and Reconciliation Commission: "The point about forgiveness is that we are opening the door to a new beginning. This is different from justice - which says that we are doling out just deserts." Tutu illustrates the concept of justice with a story. "This man posed for a portrait to be painted and, when he came to see the finished article, he said to the artist, 'Oh, this doesn't do me any justice.' And the artist says, 'Sir, you don't need any justice, you need mercy.' ... Tutu favours as broad a process of forgiveness as possible, provided that those who perpetrated murders and tortures can prove they did it for political motives... "If you don't look the beast in the eye, then that beast is going to haunt you forever. Forgetting is dangerous. You cease to be a human being if you forget." ("Sweet Truth," interview with Phillip van Niekirk, *The Observer*, 24 Dec. 95.)

8. The latest book-length effort to comprehend forgiveness philosophically is Haber's *Forgiveness* (Savage, Maryland: Rowman and Littlefield, 1991). Haber claims, amazingly, that *trying* to forgive can be a sufficient condition for forgiving, and that a speech act analysis of forgiveness can thus cope fully with the concept, i.e. To say sincerely at a moment "I forgive you" (or even just "I'm trying to forgive you!") amounts normally to forgiveness. Clearly, I consider this position to be wrong, to be hopelessly over-optimistic.

9. This interlocutorial remark is again roughly the position argued for in Haber, *op.cit.*

10. And if it be objected that such a locution is invariably a cover for a feeling of hurt or resentment that continues, then we have not as yet in any case been presented with a genuine case of forgiveness! (Forgiveness requires not bearing ill will. Saying that there is nothing to forgive *insincerely* thus obviously does not qualify!) In cases where there actually *was* no fault, and saying "Sorry" is recognised even by the person saying it as a mere politeness, it is even clearer that there is no cause (and no space) here for forgiveness to be required or given.

11. And, *contra* Haber, an act that is still in one's mind - that has not been forgotten - and is still thought of as wrong, only needs mental rehearsal oftentimes for one to be back resenting again. Forgiveness arguably cannot withstand reminescence.

12. When you've (apparently) forgiven something, haven't you necessarily reconceptualised it such that it doesn't need forgiving any more?! My point hereabouts is supported by the line taken by Jeffrie Murphy in his debate with Jean Hampton, *Forgiveness and Mercy* (Cambridge: U.Cambridge Pr., 1988); though I would not wish to foist on him my Zenoian metaphors here.

18. *The Satanic Verses*, pp.4-5. [Spaced out ellipses are in the original].

19. *Ibid.*, p.10. The next, deflationary, line reads: "Let's put it this way: who has the best tunes?" We hear some (of Salman Rushdie's) different tunes later in the novel, for example in the next passage quoted. We might also note one of the sections of the book in which Saladin Chamcha becomes devilish: "Stories rushed across the city in every direction...*no smoke without fire*, people said; it was a precarious state of affairs...that would send the whole thing higher than the sky. Priests became involved, adding another unstable element - the linkage between the term *black* and the sin *blasphemy* - to the mix...He opened his eyes; which still glowed pale and red." (*Ibid.*, p.288, and p.294).

20. *Ibid.*, p.92.

21. *Ibid.*, p.95. If there were space, it would be interesting here to enter into a whole discourse on analogies and differences between the creation of the novel/the Creation of the world/the creation of a religion, and to speak also the democracy of dreaming, of dream-creation. See p.390f. On p.392, we find a quite startling anticipation of a possible fate of Rushdie: "In the old days you mocked the recitation," Mahound said in the hush. "Then, too, these people enjoyed your mockery. Now you return to dishonour my house, and it seems that once again you succeed in bringing the worst out of the people." So [Baal] was sentenced to be beheaded, within the hour, and as soldier manhandled him out of the tent towards the killing ground, he shouted over his shoulder: "Whores and writers, Mahound. We are the people you can't forgive." Mahound replied, "Writers and whores. I see no difference here."

22. This in my view entails a tragic loss of much of the great quality of Plath's art. I hope to ignore the occlusion of her work by her life and death in a futurer paper on her work that will focus obsessively on that work as poetic/dream-work, and (most of all) as fine literary/grammatical display, in something like Kundera's non-ethical and non-political space.

23. Cf. p.20f, p.37f and p.123ff of Kundera's *op.cit.* But my question here again has to be: When Kundera brilliantly attacks the *roman à clef* (p.264f), or the reading of novels as allegories of the author's lives (*passim*), or indeed the kind of writing found in the likes of Orwell (on p.224f.; "it is political thought disguised as a novel"), *does* his attack successfully establish that Rushdie's work (or indeed his own) contains none of these elements (is it clear that Rushdie's 'Mahound' is a figure of a totally different *genre* from Brod's St. Garta (or Orwell's O'Brien)?)? Or, indeed, on the other foot, does Kundera establish that these elements can never be of value, even within what is transparently or transcendently a novel? Plainly, I believe the answer to these questions has to be 'No'.

24. In his pamphlet, "Is nothing sacred?"

Our task is made no easier by the course of some of Rushdie's recent writings, however - I refer to his fiction, not to his non-fictional addressings of and reckonings with the *fatwa*, etc. For example, his *Haroun and the sea of stories* is easily legible as a *morality tale* in which Haroun and his guru(s) have their lives threatened while they take on the

from himself. He couldn't forgive his own earlier tendencies toward error, and so, unable to forgive himself, he blasted his almost flawless early product, the 'Tractatus', as though it were written by another. He feared in his later work being tainted by (the odor of, the (reified) substance of) his early work; he feared being influence by his (earlier) self; and thus he tried to distance that self, 'the author of the 'Tractatus', far more from himself than is actually reasonable, based on the best available readings of the texts. He thought at the time of writing 'Philosophical Investigations' that he was looking at the reality of his great early work, when actually he was looking only at a frame through which one could choose, uncharitably, to look at it (as opposed, unfortunately, to noticing *its* frame).

The faults are demanded because (1) exhibiting *Walden* as a work of philosophy requires that I find a vantage point from which to survey, to overlook, *Walden* entire - and such a survey will lose sight of detail; and, (2) exhibiting *Walden* as a work of philosophy requires that I show *Walden* to be conceptually integral, that I show its central concepts to meld, naturally, one with the other - and showing that leaves little room for justificatory, over-arching argument. If I can show *Walden* to be conceptually integral, show its central concepts to meld, then that will itself constitute all the justificatory, over-arching argument that should be necessary. The faults are amended, at least somewhat, because exhibiting *Walden* as a work of philosophy adds a vital book to the shelf of philosophy books and shows that there is yet another way of inflecting "philosophy", the inflection of Conceptual Appreciation. (I also try to amend the faults in the notes, both by providing a bit more detail and by sketching a few justificatory, overarching arguments - or at least by pointing the way to such arguments).

4. I take it that *Walden* is a book written, to use Thoreau's own words, "deliberately and reservedly."⁶ What is it to write deliberately and reservedly? Thoreau's response to this question - at least insofar as the question asks after the writing of such a book as *Walden* - is in the chapter entitled "Baker's Farm". In the course of describing his conversation with John Field, Thoreau comments: "...I purposely talked to him as if he were a philosopher, or desired to be one." This comment may not lighten the deliberate and reserved writing of *Walden* on its own; but when paired with Thoreau's earlier remarks on philosophy, it is of considerable help. In "Economy" Thoreau writes:

There are nowadays professors of philosophy, but not philosophers. Yet it is admirable to profess because it was once admirable to live. To be a philosopher is not merely to have subtle thoughts, nor even to found a school, but so to love wisdom as to live according to its dictates, a life of simplicity, independence, magnanimity, and trust. It is to solve some of the problems of life, not only theoretically, but practically.

The student of *Walden* is talked to as if he were a person who loves wisdom enough to live a certain way, or at least as if he were a person who desires to love wisdom enough to live a certain way. Stress here should fall squarely on "to live". Thoreau is not talking to people who want a parcel of information, exactly - who want a record of subtle thoughts had by someone else; a system, say - he is talking to those in the grip of one or more of the problems of life, someone facing a task or lacking a trade. To talk to such an audience is to cast your talk a particular way, to undertake to instruct those to whom you are talking to make correct judgements, i.e. to recognize (in the lives of others but primarily in their own) what is genuine (recognizing what is genuine is a fair characterization of wisdom). Showing how to achieve the knowledge needed for such recognition is Thoreau's occupation in *Walden*. It is hard work because, as Wittgenstein notes in *Philosophical Investigations* (PI II, xi., pg.227),

There is in general no such agreement [like the agreement in judgements of colors] over the question of whether an expression of feeling is genuine or not.

I am sure, *sure*, that he is not pretending; but some third person is not. Can I always convince him? And if not is there some mistake in his reasoning or observations?

to be hints or tips. When Thoreau says he "will only hint" he is not admitting willful obscurity but conceding necessary obscurity - an obscurity that comparing his trade to other trades, trades that apply calculating-rules, shows to be necessary. (Wittgenstein, too, had to concede necessary obscurity (in his Preface to *PI*):

After several unsuccessful attempts to weld my results together into...a whole, I realized I should never succeed...And this was, of course, connected with the very nature of the investigation.)

Second, Thoreau recognized that a trade that turned on hints was going to be one that traded in secrets, that had trade secrets. The secrets, I think, are secrets only to those inexperienced in Thoreau's trade; inexperienced, that is, in the byways and bywords of *Walden*. Once a person has acquired the needed experience, the secrets will turn out only to be the natural indefinitenesses of a trade (connected with the very nature of a trade) that does not admit of a technique, that is not systematic.

Thoreau continues the passage above by reporting

I long ago lost a hound, a bay horse, and a turtledove, and am still on their trail.

Without speculating overmuch here, now, on what these three creatures represent, if anything, I want to consider the trailing comment, about still being on their trail. Why does Thoreau describe his trade in terms of 'trailing'? While Thoreau has lost the hound, the horse and the turtledove, he has not lost their trail. He is still on their track, still on track. He still has the scent.

But, trails and tracks look like evidence; and, I have been construing Thoreau's trade as one that does not allow for evidence. How is this conflict resolved? A bit after his remark about knowledge of humankind, Wittgenstein points out the following:

It is certainly possible to be convinced by evidence that someone is in such-and-such state of mind, that, for instance, he is not pretending. But 'evidence' here includes 'imponderable' evidence. (*PI*, II, xi, pg. 228).

So the inapplicability of evidence in teaching someone to recognize genuineness is the result of the fact that the evidence that plays a part in such teaching includes imponderable evidence. And evidence that includes imponderables is not what we normally think of as evidence. (Consider: is recognizing that someone is not pretending, where the recognition turns on imponderable evidence, ever sensibly said to be justified, to any degree? Can we make sense of imponderables as necessary or sufficient conditions?) That the trail Thoreau is still on must be such that it includes imponderable evidence is shown, if by nothing else, by the differences in the types of trail each of the creatures would leave. The trail of a hound and a horse might overlap for a space, but the hound can travel where the horse cannot. And the trail of the turtledove, unless it were grounded (which it is not, because, as Thoreau later notes, it has been seen "disappearing behind a cloud"), would not overlap with that of the hound or horse. Since Thoreau claims to be on "*their* trail", i.e. on *one* trail, he must not be following evidences (of their passing) of a normal sort.

with his students. When Thoreau refers to his students as "poor", the poverty to which he refers is a poverty not only of knowledge, but of experience. In his essay "Walking" he underscores this. "It is remarkable...how little exercised we have been in our minds; how few experiences we have had."

If I was right before in maintaining that claims to knowledge of humankind cannot be proven and that evidence for them includes imponderable evidence, then it may seem as if knowledge of humankind could not be something philosophical, something that concerns the philosopher. Most philosophers disrelish obscurity, have no appetite for indefiniteness. Knowledge of humankind looks to be too "unlicked and incondite" (to borrow Lamb's phrase) to have any claim to the attention of the philosopher or would-be philosopher. So, if Wittgenstein is right, and even the most general claims of this sort "yield *at best* what looks like the fragments of a system" [emphasis mine], then knowledge of humankind does not look to be philosophical knowledge. Indeed, knowledge of humankind may not look to be knowledge at all.

7. From one angle, these charges are all right. A philosopher who is interested in knowledge of humankind, who is swayed by remarks on the natural history of human beings, who reads *Walden* as a work of philosophy, is a philosopher reconstituted. To most philosophers, whether analytical or metaphysical (i.e. Continental), a philosopher reconstituted is someone without a philosophical constitution - without a philosophical bone in his body, without a philosophical charter. But to the philosopher reconstituted, the analytical and metaphysical philosopher alike resemble John Field's wife "with the never absent mop in one hand, and yet no effects of it visible anywhere" ("Baker's Farm"). The analytical and metaphysical philosophers both contend that they will mop the floor so well that it will be possible to see the super-floor beneath it, a crystalline floor, like slippery ice, frictionless, ideal (*PI* 107). The philosopher reconstituted points to the dirty floor, the rough ground, that actually allows for and supports everyday traffic, and recommends that the analytical and metaphysical philosophers give up on the mop, except perhaps for occasional tidying-up.

Anyway, the philosopher reconstituted is willing to make do with less, is willing to live with the obscurities and secrets, the indefiniteness, of knowledge of humankind. Because this philosopher regards the hankering for systematic knowledge of humankind as bootless, he confines himself to hints and tips, so that he will not give the impression that philosophy as he practices it promises more than scattered, occasional certainties. These certainties, the certainties that knowledge of humankind allows, are not certainties at all to the analytical or metaphysical philosopher.

Thoreau's reacts to their complaint by reminding the analytical and metaphysical philosophers that

There are other letters for the child to learn than those which Cadmus invented. The Spaniards have a good term to express this wild and dusky knowledge, - *Grammatica parda*, tawny grammar, - a kind of mother-wit... ("Walking")¹³

Wittgenstein responds to their complaint by pointing out that it results from thinking that there is only one kind of certainty (a complaint resulting from a one-sided diet), so that

One problem, at least one potential problem, with what I am saying is that it makes the doubts of the analytic or metaphysical philosopher look alarmingly real: while I may not overlook or miss the ticking of my alarm clock when I am asleep, it nonetheless *really is* ticking. So, the analytic or metaphysical philosopher can claim that the doubts that distress him are doubts that are really there, doubts he discovers. But this gives listening to the ticking the wrong significance. While it is true that any expression of pain can be doubted, not every expression of pain is a genuine opportunity for doubt. In fact, if we were to treat every expression of pain as a genuine opportunity for doubt, we would lose our hold on the concepts of "simulating pain" and "being in pain". If I were to listen to every tick of my alarm clock, the alarm clock would no longer be able to perform its function: since I would never sleep, I would never need the alarm.¹⁴

As I said, this does not mean that we never doubt that others are in pain. Instead it means that we are only awake to that doubt when we are called to it - when an alarm goes off. Such doubt is doubt to which we must arise. If we judge that someone is pretending to be in pain, then we open our eyes to doubt. But we open our eyes to doubt only because of our judgement about the pretending: if I do not judge that someone is pretending to be in pain *and* if I do not judge that he is in pain, then, again, doubt has no place. I simply do not know what to think; I am certain of nothing and doubt nothing.

Thoreau treats the analytic or metaphysical philosopher's distress about these doubts by pointing out (in "Economy") that

...we may safely trust a good deal more than we do...Nature is as well adapted to our weakness as to our strength. The incessant anxiety and strain of some is a well-nigh incurable form of disease...How vigilant we are! determined not to live by faith if we can avoid it; all day long on the alert, at night we unwillingly say our prayers and commit ourselves to uncertainties.

Thoreau is well aware of how difficult it is to cure someone kept awake by these doubts (someone suffering from, to twist Joyce's phrase, an "ideal insomnia"). His therapy consists in reminding his student of the central place of trust in our dealing with things, with one another. (A therapy Wittgenstein will later try in *On Certainty*: "At the bottom of human life is trust.") Trust is not a response to doubt. (And, importantly, neither is faith). When we trust someone or something, we do not close our eyes to our doubts about him or it. When we doubt, we do not trust. When we trust, we foreclose doubt. This is why a breach of trust matters so much, is so painful - such a breach blindsides us. If trust were a response to doubt, then when someone we trust fools us, it ought normally to be something that we are, in a way, prepared for: we knew that it might happen but chose to ignore it, to shut our eyes in the face of the possibility. Such a breach would then normally chagrin us, annoy us, perhaps disappoint us. But this is not our normal response to such a breach. When we trust someone, we normally are not, in any way, prepared to be fooled: Not to chivvy language too far beyond its coarser nuances, but there *is* a difference between *hoping for the best from someone* and *trusting him*.

8. Thoreau's point in telling his student that Nature is as well adapted to our weakness as to our strength is that our budget of concepts, and hence our certainties and uncertainties (which stand in the middle of our nature as well as Nature) are not poorly fitted to our

(So much of philosophy turns on, over, against, around prepositions.²⁰) But this assurance is the assurance of someone hard up for categories. (Just as the argument over whether there is one world or two, the argument between the monist and the dualist, results from the same assurance: assurance that there are only a few worlds - surely two at most, or maybe one, instead of, say, nineteen.²¹) If someone were to stare at a statement, or to repeat an utterance again and again and explain his doing so by saying that he was looking for the pain in the statement or listening for the pain in the utterance - would we correct him by saying that he took something literally that was meant figuratively? Or, would we simply say that he misunderstood? The claim that pain cannot be seen or heard is the result of a prejudice, an ancient prejudice at that, about what seeing and hearing come to, about the proper objects of the various senses. It is true I guess that 'pain' is not normally accepted as a candidate for completing the statement "I see ___." or "I hear ___.", but this does not entail that 'see' in statements like "I see that he is in pain" or "I see the pain in his face" is misused or modelled or mistaken. We can see more than colors and can hear more than sounds.²² Only someone plumping for a particular theory of sight, and not someone who has appreciated the concept of 'sight', might think otherwise (*Zettel 223*). As Hanson and Ziff realized, there is more to seeing than meets the eye (and more to hearing than meets the ear). Thoreau calls this into view by underscoring that "his sight [had] been whetted by experience." Seeing and hearing are not always only states; they are also *often* achievements. We can and are taught to see and to hear. ("This is why I speak to them in parables, because seeing they do not see, and hearing they do not hear.") The eyes of critics of painting or the ears of critics of music are different in degree, and not in kind, from the eyes and ears of the rest of us. Statements like "I see the pain in his face" or "I hear the pain in his words" are in order as they stand; we do not need to explain them, or explain them away, by falling back on the literal/figurative distinction. Seeing and hearing are more complicated businesses than this distinction allows.

An expression of something - say, pain - differs from an expression for it in that (in painful circumstances) occurrences of the former are natural and non-occurrences unnatural whereas occurrences and non-occurrences of the latter are neither. Yelling or grunting or whining or exclaiming "That hurts!" is a natural expression of pain. Waving a red flag is not natural (nor is it unnatural); although it could be agreed upon as an expression for pain. Expressions-for are conventional in a way that expressions-of are not. If I accidentally drop a huge rock on your foot and hear bones break and see blood, your scream would be a natural expression of your pain. If you do nothing, not even grimace or whimper, I will think that something is wrong, that your reaction is unnatural. However, if we agree that waving a red flag is to be an expression for pain, and I then drop the rock accidentally and you wave the flag, I will not think your waving natural; I will think that you have remembered our agreement. If you do not wave the flag, I will not think your failure to wave it unnatural; I will think that you have forgotten our agreement. But expressions of pain are not things that can sensibly be remembered or forgotten. (Can babies forget to cry?) If I accidentally drop the rock and you do nothing and then, responding to my expression of worry, you claim that you forgot to grimace or whimper (or something), I will not know what to make of your claim. You may, of course, explain to me that you are a stoic sort of fellow and I may accept this as an explanation of what looked to me unnatural; but this is nothing like forgetting to grimace or whimper (or something); it

Walden is the expression of Thoreau.

Endnotes

1. I thank David L. Norton, Iakovos Vasiliou, Rupert Read and Clif Perry for helpful comments on this essay. I also record my debt, first to the writings of Stanley Cavell and Virgil Aldrich, and then to those of John McDowell and Cora Diamond.

2. Ziff, P. *Philosophic Turnings* (Ithaca: Cornell University Press, 1966), pg. vii.

3. I have transposed into these remarks some remarks of Virgil Aldrich's. Cf. Aldrich, V. *Philosophy of Art* (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1963), pp. ix and 5.

4. Because it is so tempting to think that we could steal a philosophical glance behind our conceptual situation - a glance that would permit an account of it, or a justification - I note an argument of David Bell's (*Frege's Theory of Judgement* (Oxford: Oxford University Press, 1979), pp. 138-9):

Any acceptable philosophical account of human judgement must have a terminus. But for obvious reasons that terminus cannot be, or presuppose, those very discursive abilities which were to be elucidated. And so our ability to think, to judge, to manipulate concepts depends upon our performing acts which are essentially non-conceptual, and which are, therefore, inaccessible to philosophical analysis...There can no more be a philosophical account of [human judgement] than there can be a philosophical account of the human digestive process: both are non-conceptual, non-discursive processes. At this point one's philosophical spade is turned. Kant, having argued that the categories are the fundamental rules governing the creation of propositional unity, observes that 'this peculiarity of our understanding, that it can produce *a priori* unity of apperception by means of the categories, and only by such and so many, is as little capable of further explanation as why we have just these and no other functions of judgement' (B146). All we can say here is: this is what we do.

Bell argues that Kant, Frege and Wittgenstein all participate in a philosophical tradition that centers on the notion of judgement (cf. pp. 1-12 and *passim*). A secondary task of this paper is to scrape together more reasons for thinking of Thoreau as participating in that philosophical tradition. I say "more", because a theme of Cavell's masterpiece, *The Senses of Walden*, is that Thoreau does participate in the tradition. (On this tradition, see also James Conant's invaluable "The Search for Logically Alien Thought", *Philosophical Topics*, Fall, 1991, pp. 115-180). Frege, Wittgenstein and Thoreau are all "gifted composers of variations on Kantian themes" (Sellars).

5. This is another way in which Thoreau belongs to the Kantian tradition (cf. note 4): As Conceptual Appreciation, Thoreau's philosophy continues Kant's Critical Philosophy - and I don't think this twists "Critical" in a way disloyal to Kant's use of it.

6. Thoreau, H. *Walden* (New York: Modern Library, 1950). All quotations from *Walden* will be taken from this edition. I will identify passages (in the text) by noting the title of the chapter in which they occur.

more than 'He looks like my friend', and is not this entirely sufficient? Do you keep a card file in your head of all your acquaintances' facial and bodily characteristics, and thumb through it every time you see someone to find who it is?

10. Think here of the need for what Kant above (note 9) calls "a natural gift."

11. Some comments from G.A. Paul's essay, "Wittgenstein" (in Ryle, G. ed. *The Revolution in Philosophy* (London: MacMillan and Co. Ltd., 1957), pg. 96), are in order here:

Here is why Wittgenstein presents no method in philosophy; there is no method for inventing cases, no method for arranging them.

And there is no method for "*being struck by*" one fact rather than another...The fly in the fly-bottle may countless times eye the way out - and not be particularly struck by it.

12. Since my talk of necessary obscurity may seem unnecessarily obscure, let me say a word or two more about it. Another way of thinking about the necessary obscurity in Thoreau's trade is this: the obscurity embodies a knowledge of the unsayable. Stanley Cavell, from whom I have borrowed the phrase "knowledge of the unsayable," introduces it by noting that

The knowledge of the unsayable is the study of what Wittgenstein means by physiognomy. His continuous sketches of it occur in Part II of the *Philosophical Investigations* [in section xi]...(The World Viewed (Cambridge, Massachusetts: Harvard University Press, 1979), pg. 157).

So we can say of Thoreau's obscurity that it embodies a knowledge of physiognomy. But what does that mean? "Knowledge of physiognomy" looks to be a more drumly phrase than any I have used so far.

Wittgenstein uses the term "physiognomy" four times in *PI*: *PI* 568; II, vi, pg. 181; II, xi, pp. 210 and 218. The last three times he uses it, he uses it when talking about words. Wittgenstein's idea is that words have a familiar physiognomy, a face - that words "look at us" (pg. 181). At 568, after talking about the distinction between what is essential and inessential (in a game), Wittgenstein notes, parenthetically, that "Meaning is a physiognomy". I take this to mean that meanings, like words, have familiar physiognomies, faces. And I take this to mean that we can recognize a meaning, just as we can recognize a face. When I recognize the meaning, say, in a passage of music, I have seen its face, recognized it. This hooks up, in ways that I hope are obvious, with my construal of Thoreau as teaching his reader to recognize genuineness. *Walden* sketches the face, the physiognomy, of genuineness - first from one angle, and then from another. (For more on the notion of faces, of physiognomies, cf. Diamond, C. "The Face of Necessity", in *The Realistic Spirit* (Cambridge, Massachusetts: MIT Press, 1991), pp. 243-66.) Why does such teaching by such sketches involve knowledge of the unsayable? Well, part of the answer is that such teaching involves imponderable evidence; but another part of the answer is that we cannot detach the expression of genuineness from that which expresses it. The content of genuineness, we might say, is in the face that expresses it. This means that Thoreau cannot

ment of 'in'...has impoverished and caricatured philosophy into lopsided monism, impossible dualism, etc. ("Kripke on Wittgenstein on Regulation", pp.380).

20. "Philosophy has always turned on grammatical particles." William James ("A World of Pure Experience", *Essays in Radical Empiricism* (New York: Longmans, Green and Co., 1943), pg.45).

21. Cf. Austin, J.L. "Intelligent Behaviour: A Critical Review of *The Concept of Mind*" in Wood and Pitcher, eds. *Ryle: A Collection of Critical Essays* (Garden City, New York: Anchor Books, 1970), pg. 48. Austin ends the section I am echoing by asking "Why, if there are nineteen of anything, is it not philosophy?"

22. As Kendall Walton observes,

...[T]here seems to be no reason to suppose that there are any limits at all to the kind of empirical facts that can be known directly. Contrary to traditional philosophical doctrine...our knowledge of other people's minds is not usually inferred from their behavior and facial expressions...Which information we receive directly from sense experience and which must be inferred...does not depend on an intrinsic difference between two kinds of empirical facts, but on the practical conditions of ordinary life which determine our perceptual dispositions. ("The Dispensability of Perceptual Inferences", pp.363 and 368).

Walton's argument is strikingly like that of Austin's in *Sense and Sensibilia* (Austin makes his point in connection with language, not facts):

...[T]he question of truth and falsehood does not turn only on what a sentence is, nor yet on what it *means*, but on, speaking very broadly, the circumstances in which it is uttered...[F]or much the same reasons there could be no question of picking out from [a] bunch of sentences those that are evidence for others...What kind of sentence is uttered as providing evidence for what depends, again, on the circumstances of a particular case; there is no kind of sentence which *as such* is evidence-providing... (Austin, J.L. *Sense and Sensibilia* (Oxford: Oxford University Press, 1962), pg.111.

Aldrich is fond of reminding himself and his reader of a line from Aristotle:

...[I]t is important to notice that, for such matters, the decision rests with perception, to use Aristotle's phrase, though it is just as important to remember that perception is decisive *in context*. ("Behavior, Simulating and Nonsimulating", *Journal of Philosophy*, Sept. 1966), pg.457).

Note, too, the opening lines of Wittgenstein's remark quoted on pg.14: I can be as *certain* of someone else's sensation as of any fact.

23. Of course, after repeated uses, some expressions-for can become an expressions-of, although there is no algorithm available for capturing just what "after repeated uses" comes to. In some cases, after repeated uses, I no longer conclude (that, say, you are in pain), but see.

Discussion Note

When Avoiding Scholarship is the Academic Thing to Do: Mary Midgely's Misinterpretation of Ayn Rand

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Grounds for Exclusion

Contemporary academia is a long way from being a free marketplace of ideas. The customs of discipline, speciality, and faction closely regulate who is allowed to participate in the intellectual disputes of the day. Those deemed unworthy are preferentially ignored. When they can't be ignored, they must be dismissed - the quicker the better.

Ayn Rand conducted her entire career outside the university, and preferred to present her ideas in novels. That is already a huge strike against her; taking the popular road excites distrust (if not envy) in most academics. Some labor is needed to trace the genealogy of Rand's ideas, and her closest living relatives in academia, the neo-Aristotelians, are distinctly *déclassé*. Her rejection of altruism and advocacy of *laissez-faire* capitalism are about as welcome in most Departments of Philosophy, as calling for the disestablishment of public schools would be in Colleges of Education.

Though the grounds for blackballing, and total exclusion from academic discourse, are overwhelming, Rand can't always be ignored; novels like *The Fountainhead* were and are too widely read. Pre-emptive swipes are necessary on occasion. One of these swipes is taken by British philosopher Mary Midgely, in a little book titled *Can't We Make Moral Judgements?*¹ Though Midgely is a career academic, her book is not, on the face of it, an insider's exercise. Written in plain language and directed toward a lay audience, it aims to combat the tendencies Midgely sees at work in contemporary Western societies, in which "Relativism and subjectivism tend to be used together as constituting a muddled, composite kind of immoralism..."² Though her project wouldn't agitate most of her fellow moral philosophers, it's unlikely to win her popularity in other branches of the humanities.

Why, one might naively ask, aren't Mary Midgely and Ayn Rand natural allies? Rand, after all, had zero regard for subjectivism, relativism, or any kind of moral excuse-making. She would have applauded Midgely's deft dissection of cultural relativism.³ And among her memorable statements is "Judge, and be prepared to be judged."⁴

On the contrary, *Can't We Make Moral Judgements?* has Rand marching right up front in the anti-judgment brigade. In a chapter titled "Varieties of Subjectivism," two quotations from *Anthem*⁵ nestle hard by utterances from those other "prophets of individualism," Friedrich Nietzsche and Jean-Paul Sartre. Indeed, we're told that Rand's "influential novels convey a quite extraordinary exaltation of moral solipsism - of a willingness to live as if one were the only conscious being in the universe."⁶

Where on earth did Midgely get this interpretation? Her reasoning runs as follows:

What Midgely has completely missed is that Rand's view of self-interest derives ultimately from Aristotle, not Hobbes. Just as for Aristotle, the person who practices the virtues is the true "lover of self,"¹⁴ so for Rand it is the person who practices the virtues who is truly furthering his or her self-interest.

Incomprehension of the Aristotelian view of the self is widespread in contemporary moral philosophy, and in moral psychology, as well.¹⁵ Such incomprehension shows up in Midgely's commentary, not just in her casual assumption that individualists must be Hobbesians, but in her taken-for-granted phraseology. She, like so many others, has absorbed Immanuel Kant's diremption between prudence and morality; consequently, behaving in any but the most narrowly "self-interested" way is automatically imprudent. Whereas for Aristotelians, prudence is a virtue.¹⁶

Social Darwinism?

Midgely's second argument is not so fundamentally important, but equally wide of the mark. She wonders whether Rand was primarily inspired by Friedrich Nietzsche or Herbert Spencer. "There is surely a great deal of Nietzsche in [Rand's ideas], notably much from the crowd-hating Nietzsche."¹⁷ Indeed there is, but Midgely fails to notice Rand's rejection of key Nietzschean ideas in *The Fountainhead*. It is not Rand's hero, Howard Roark, who exemplifies the Nietzschean will to power. It is Gain Wynand, the newspaper publisher who delivers his paper, and ultimately himself, "body and soul, to the mob."¹⁸ Midgely is too busy derogating Rand's characters to make any attempt to understand them: Roark is "simply a comic-book hero," and the tragic Wynand doesn't rate a mention, since "the alleged strugglers after integrity are a most unconvincing bunch."¹⁹

At any rate, a passage in Roark's courtroom speech, which in Midgely's words praises the United States of America "quite uncritically, in the spirit of a flag-waving presidential candidate,"²⁰ alerts her that something non-Nietzschean is going on. Midgely thinks she knows what it is. It must be Social Darwinism, "the extra element that distinguishes most English-speaking individualism today sharply from its Continental forerunners."²¹

This is a strange attribution. Rand's rejection of so-called Social Darwinism is a matter of public record: "Herbert Spencer, another champion of capitalism, chose to decide that the theory of evolution and adaptation to the environment was the key to man's morality - and declared that the moral justification of capitalism was the survival of the species, of the human *race*; that whoever was of no value to the race, had to perish; the man's morality consisted of adapting oneself to one's *social* environment, and seeking one's own happiness in the welfare of society; and that the automatic processes of evolution would eventually obliterate the distinction between selfishness and unselfishness."²² Spencer is mentioned exactly once in *The Fountainhead*; it is not Howard Roark who reads him, but Gain Wynand.²³

Midgely describes Social Darwinism as "The myth that glorifies commercial freedom by viewing it as a part of a huge, self-justifying cosmic evolutionary process, and exalts it as the model for all social life."²⁴ What's more, she blames Adam Smith for making

secondary sources were already available, such as *The Philosophic Thought of Ayn Rand*.³¹ Deeper delving has taken place in works published after Midgeley wrote, but there's no need to rummage through Rand's correspondence or plumb the Russian milieu from which she sprang to correct errors so elementary.

In the end, I think Midgeley deferred to some of the worst customs of her academic world. Because Ayn Rand maintained ethical and political views that Midgeley and other philosophers regard as obnoxious, she could not have made any reasons for those views worth analyzing. Because Ayn Rand was outside the mainstream, her ideas could have had no background or history worth researching. Because Ayn Rand was a novelist, she could not have written any philosophical essays worth reading. Midgeley did not try a scholarly treatment and fail. She never tried. From the start, she presumed that nothing in Rand was worth being scholarly about.

Beyond Unscholarly Criticism

From a strictly intellectual standpoint, nothing more should have to be said. If you set out to refute someone you regard as a crank, you ought to be giving that crank a more careful reading than Midgeley deigned to give to Rand.³²

From a sociological or institutional standpoint, much more needs to be said than there is room for in a short essay. Scholarship improves in a hurry when lapses are sure to get picked apart in the pages of academic journals. Naturally, then, it's important for those who do have a scholarly understanding of the ideas in question to respond in print to all misinterpretations, no matter how crude or poorly reasoned. But whether such responses will get past the gatekeepers at the more prestigious academic journals, and be seen by those who badly need to see them, is another matter. It's fair to say that so long as unscholarly criticism is professionally rewarded, academics will continue to practice it. Only basic changes in the customs that prevail in their workplace, and the incentives to which they are subject, will discourage academics from using bad scholarship for strategic purposes.

Nietzsche's ethics. It doesn't matter in this regard whether Rand's prior development included a distinct Nietzschean phase: Merrill argues that it did, whereas Chris M. Sciabarra, *Ayn Rand: The Russian Radical* (University Park, PA: Pennsylvania State University Press, 1995), pp.100-106, contends that it did not.

19. Midgely, p.115.

20. Midgely, p.117. She quotes a passage from p.715, wherein Roark refers to the United States as a country founded on the ideal of "a man's right to the pursuit of happiness. His own happiness. Not anyone else's." Will Bill Clinton or Bob Dole say any such thing in this election year?

21. Midgely, p.117.

22. Ayn Rand, "For the New Intellectual," in *For The New Intellectual: The Philosophy of Ayn Rand* (New York: Signet, 1961), p.37. How much first-hand knowledge of Spencer's writings this verdict was based on is unclear. A more temperate response by a philosopher of Randian sympathies is Tibor R. Machan, "Herbert Spencer: A Century Later," in Herbert Spencer, *The Principles of Ethics* (Indianapolis: Liberty Press, 1978), Vol. I, pp.9-19. Unlike Rand, Machan does regard Spencer as a genuine ethical egoist, and one of a non-Hobbesian variety, his sharpest criticisms are reversed for Spencer's determinism (cf. Rand's objection to Spencer's reliance on the "automotic processes of evolution").

23. *The Fountainhead*, p.419. When Wynand, then a teenage gang leader from Hell's Kitchen, sets out on a program of self-improvement, he begins by stealing a book from a wealthy lady on Fifth Avenue. It turns out to be by Herbert Spencer!

24. Midgely, p.117. Midgely evidently regards Spencer's ideas (and Adam Smith's) as even less worthy of scholarly attention than Rand's. On the distortive and exclusionist treatment that contemporary academics have meted out to Spencer, see George H. Smith, "Will the Real Herbert Spencer Please Stand Up?", in *Atheism, Ayn Rand, and Other Heresies* (Buffalo, NY: Prometheus Books, 1991), pp.239-250. Smith points out that Spencer was a Lamarckian, who believed in the inheritance of acquired characteristics, so the term "Social Darwinism" is a misnomer.

25. Midgely, p.118.

26. Midgely, p.118. When was the last time that the epithet "plutocracy" figures in any serious discourse about capitalism? Issues of substance *could* have been raised in Midgely's treatment, notably the lack in Rand's writings of an explicit "social philosophy" covering human conduct in voluntary organizations such as corporations (see, for instance, Roger Donway, "Responsibility without Duty," *IOS Journal*, 6(2), June 1996, pp.11+).

27. Midgely, p.150.

28. Midgely, pp.5-6, quotes three statements made by characters in *Devices and Desires* (New York: Knopf, 1990). Similar passages can be found in James's other novels.

Review Essay

Tara Smith, *Moral Rights and Political Freedom*, (Rowman and Littlefield, 1995)

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Imagine that you are a rational egoist trying to persuade other rational egoists to accept a conception of individual rights that proscribes initiatory coercion and justifies a "libertarian" political regime. Assume for argument's sake that these rational egoists know their present economic condition, and have a "thick" Aristotelian conception of the good. What sorts of arguments would you make to them? In particular, how would you persuade the least well-off egoist to accept your theory, especially if she were inclined to associate her self-interest with a State-guaranteed right to sustenance, welfare, or regulatory protection? Paradoxical as it may seem, is it possible to persuade someone to accept a minimal or libertarian State on *self-interested* grounds?¹

Though she doesn't put the issue this way, such questions set the agenda for Tara Smith's *Moral Rights and Political Freedom* (hereafter *MRPF*), an Ayn Rand-inspired attempt to marry an Aristotelian theory of value to a classical liberal theory of individual rights. Arguably, Rand's polemical and often hastily-argued writings present a promising sketch of such a theory. Unfortunately, as I shall argue, *MRPF* does not deliver on this promise. In section I below, I discuss Smith's justification of rights, and argue that her Aristotelian ethical commitments underdetermine her argument for a general right to freedom. In section II, I criticize Smith's theory of (political) freedom and suggest that its inadequacies stem from an oversimplified understanding of "positive freedom."

I. Individual Rights and Human Flourishing

Moral rights, Smith argues, are the rights that persons possess qua persons (16). But what exactly are these rights? How is the concept of "rights" to be defined? Smith aptly notes that methodological confusion prevails on this issue in contemporary Anglo-American political philosophy. One can read the premier work on rights in this tradition - the major writings of Dworkin, Feinberg, Gewirth, Meyers, Nozick, Rawls, Raz, Thomson, and Waldron - without encountering anything like a univocal definition of the concept of rights by genus and differentia.² What discussion there is about definition trades on loose metaphors about "claims," "side-constraints," and "trumps," which are at best attempts to identify the *genus* of rights. But very few authors, whether advocates or critics of rights, have gone further than this.

By contrast, Smith insists on the need for a definition by genus and differentia. Unfortunately, however, she ends up giving us two of them. On p.18, she offers the following definition: "Rights are individuals' moral claims to freedom of action." Later on, rights become "authoritative claims that individuals are entitled to in virtue of the particular moral principle governing freedom of action in social contexts" (26-27). I prefer the first to the second of these definitions on grammatical grounds, but the second includes material not mentioned in the first, so as a working definition, I propose the following as

Applied to the human case, this entails that moral norms are rooted in an agent-relative theory of value, a fact which explains both the individualistic emphasis of rights and their normative authority. To be justified teleologically, a norm has to be shown to be conducive to some valuable *goal*. On the Aristotelian view, what is valuable is valuable *to* particular agents *for the sake* of their flourishing by standards defined by their membership in the natural kind HUMAN. So rights are individualistic because they are to be justified in terms of an agent-relative theory of value, and they are authoritative because that theory of value has a desire- and inquiry- independent basis in human nature.

What about our third question? What is the connection between flourishing and *freedom*? According to Smith, we need freedom of action because flourishing requires "productive effort" on the part of each agent, productivity requires "reasoned action", and this "reasoned action" requires "freedom of action." This "freedom of action" is violated by "physical force," and rights are defensive norms that protect freedom from force through the rule of law. Smith elaborates on this in what she calls a "straightforward" argument:

1. Human life requires productive effort.
2. Productive effort requires reasoned action.
3. Reasoned action is individual and self-authored.
4. Reasoned action requires freedom.
5. Thus if we seek a society in which individuals are to have a chance to maintain their lives, we must recognize individual rights to freedom.

As we'll see, this argument is much less "straightforward" than Smith suggests. For one thing, it is unclear what *kind* of argument it is supposed to be. What is the intended relation between the premises and the conclusion? The argument looks as if it were set up as a deductive proof, but I don't see how the premises entail the conclusion. At most, what 1.-4. prove is that human life requires a form of freedom which is individual and self-authored. That's perfectly true, but cursory attention to what Smith means by "rights" suggests that quite a lot is packed into this innocuous-looking claim. Smith seems to think that we need quite *a lot* of freedom of a very distinctive sort, and that this freedom can only be secured in fairly controversial ways. Unfortunately, very little of what makes Smith's argument controversial finds its way into her "straightforward" statement of her argument.

Smith thinks that rights protect freedom of action and justify a stringent ban on initiating force or coercion. That suggests that 4. is doing a lot of work in the above argument. In fact, to get from 4. to 5. Smith needs at least two intermediate premises of the following sort:

- 4.* Freedom requires protection by means of a contextually absolute prohibition on initiatory coercion that, among other things, overrides a right to sustenance and all forms of paternalistic legislation, and without which, society would be led to anarchy or tyranny.
- 4.** Anarchy to tyranny would undermine the conditions of social life.

How does Smith demonstrate this? As far as I can see, she simply begs the question by arbitrarily building the requirement of respect for rights into the conditions of flourishing. So she vigorously asserts that human flourishing just *does* require a principled commitment to freedom, that freedom requires a ban on initiatory coercion, and that this principled commitment is the *only* route to flourishing. She supports this by vigorous assertions to the effect that this principled commitment requires rights, and that the absence of "contextually absolute" rights will undermine the conditions for rationality and productivity for everyone, needy and able alike. This is a good *sketch* of an argument, but in the end, what Smith gives us is really no argument at all. It is easy enough to "prove" that some norm *N* is a "contextually absolute requirement" for bringing about goal *G* in context *C* if you simply assert that a principled commitment to *N* is the "select route" to *G* in *C*. This is just to repeat what we already knew: on an Aristotelian view, it's almost always true that a commitment to genuine moral norms will be part of the identity-conditions for the realization of flourishing. But the relevant question here is: why *is* a commitment to *N* part of the identity-conditions for the realization of *G* in *C*. Why *is* a commitment to an absolute ban on initiatory coercion part of the identity-conditions for the realization of human flourishing in human society? Apart from a few *ad hominem* arguments, Smith provides no credible attempt to answer this question.

I do not mean to deny that rationality and productivity are essential to flourishing, nor to deny that they require a principled commitment to freedom of action. I do not even mean to reject the ban on initiatory coercion. My point is that Smith seems unaware of the burden of proof required to establish these conclusions. We need to know why the freedom that is normatively connected with human flourishing is identical with the freedom that permits people to practice non-coercive injustices which are depraved and may lead to problematic social consequences. To put the point concretely: why is the freedom of action that is required for reasoned action and productivity *identical* with the freedom of action that allows people to waste their property, to become drug addicts, to engage in racial or sexual discrimination, to deny sustenance to the poor, orphans, and the disabled, and in general to be *irrational* and *unproductive*? Smith tells us that such irrationality and unproductivity are "byproducts" of freedom's teleological justification. But she overlooks the fact that if this "byproduct" entails serious costs for the survival and flourishing of some members of society, it is worth showing *why* the costs (to them) are worth the benefits of living by the norms Smith defends. To fail to do this is to open oneself up to the justifiable accusation that one's theory is a convenient ideological device to keep people in their place. Aristotelians have heard that accusation since Aristotle's justification of natural slavery in the *Politics*, and libertarians hear it every day. There is no way to put the accusation to rest but to tackle it headfirst.

Smith does not tackle the issue at all, in part because she never gets around to making the crucial connection between flourishing, productivity, and *justice*.⁵ So she never raises the question whether a ban on initiatory coercion that denies people their means of sustenance is *just*, e.g. that it serves the common interests of all agents in a system of reciprocity that cannot otherwise be attained. The result is a theory of "moral rights" that dismisses the concerns of what I have called the "least well-off egoist" without having an entry for "justice" in its index.

Shackled by obligations to ensure positive freedom, individuals' productive capacity would be crippled...It is no accident that there was no Ritz in the Soviet Union, or that the Soviet "equivalent" of a luxury hotel struggled, by Western visitors' accounts, to match the amenities of a Holiday Inn. (170).

The footnote corroborating this assertion reads: "Among my grounds for saying this are reports from J.B. Schneewind, who was one of a group of American philosophers who visited the Soviet Union as part of an exchange program in 1986" (183n.10). Presumably, the Soviet regime was moved by a principled adherence to the ideal of positive freedom found in the works of Isaiah Berlin and Charles Taylor, and we are supposed to regard a second-hand accounting of Prof. Schneewind's hotel experiences as an *a posteriori* proof against a substantive philosophical position.⁶

The caliber of Smith's discussion of these issues forces us to look elsewhere for a fair statement of the case for positive freedom. One of the clearest I know comes from the British journalist and philosopher L.T. Hobhouse. In his 1911 book *Liberalism*, he writes:

May we not say that any intentional injury to another may be legitimately punished by a public authority, and may we not say that to impose twelve hours' daily labour on a child was to inflict a greater injury than the theft of a purse for which a century ago a man might be hanged? On what principle, then, is the line drawn, so as to specify certain injuries which the State may prohibit and to mark off others which it must leave untouched? Well, it may be said, *volenti non fit injuria*. No wrong is done to a man by a bargain to which he is a willing party. That may be, though there are doubtless cases. But in the field that has been in question the contention is that one party is not willing. The bargain is a forced bargain. The weaker man consents as one slipping over a precipice might consent to give all his fortune to one who will throw him a rope on no other terms. This is not true consent. True consent is free consent and full freedom of consent implies equality on the part of both parties to the bargain.⁷

It is worth noticing that, like Smith, Hobhouse accepts the classical liberal ban on initiatory coercion and takes the promotion of freedom to be "the heart of liberalism." He also accepts a conception of liberalism based on an egoistic ethic of self-realization that is similar to the one that Smith invokes. Hobhouse differs from Smith, and from contemporary advocates of free market capitalism ("market liberals"), principally because he offers a stricter interpretation of the conditions of consent than they do; he is skeptical about the market liberal's claim that the conditions of a free market "track" the conditions of consent. So his conception of coercion is wider than the market liberal's. Like the market liberal, he opposes paternalistic legislation and the common law felonies (murder, rape, mayhem, robbery, kidnap, larceny, etc.). But he goes further. On Hobhouse's view, "full freedom of consent implies equality" because the conditions of consent must include a *rational* response to a *reciprocal* trade to count as *informed* consent. Since the conditions of genuine consent are sensitive to (some forms of) economic duress, conditions of duress can render consent null and void. In such cases, State action is required to protect victims of economic duress against fraud or exploitation precisely because these phenomena constitute coercion. Hence State action on behalf of the "least advantaged" can be justified *without* violating the ban on initiatory coercion in a way that stands a better chance of persuading the "least well of egoist."

conditions coincide: rape requires penetration, which meets the first condition (physical pressure), but it also requires the denial of consent, which meets the second condition. But there are many cases in which these two conditions diverge, and a theorist has to make a decision as to which of the two conditions is *fundamental* to the nature of coercion.

Smith clearly takes physical pressure to be fundamental, arguing that paradigmatically criminal actions like armed robbery, murder, and rape are instances of force because they involve "the direct application of physical contact against a person's will [that] destroys that person's control over her actions" (148). Oddly, she thinks that *threats* of force can be understood similarly. I found her main discussion of threats unclear (pp. 150-155), but I understand her argument to be as follows. Threats of force can be assimilated to direct applications of force by means of counterfactual conditionals establishing the similarity between the two cases: a threat is a state of affairs in which, if certain morally irrelevant features of the circumstance were to change, the aggressor *would* directly apply force. Apart from the unclarity in Smith's exposition and defense of this view, the problem with her analysis as a whole is her use of the metaphor of physical pressure, which conceals rather than clarifies the nature of force. No one ever literally comes into "physical contact" with anyone else's "will" or any other feature of their consciousness: at most, an aggressor comes into *direct* contact with the agent's *body*. The only entity that can, in the nature of the case, come into "contact" with an agent's consciousness is the agent - and even that is a roundabout way of saying that consciousness is one of the agent's *capacities*.

The equation of force with physical pressure, I think, represents a misdirection from the start. Even *if* we could assimilate threats to the case of physical pressure, it seems obvious that physical pressure is neither sufficient nor necessary for the sort of force that qualifies as a criminal act of coercion (much less the concept of 'political freedom'). It is not sufficient because there are many cases of physical pressure which are consenting and therefore benign: contact sports provide an obvious example. It is not necessary because even if we put aside cases of economic duress or exploitation, there are many criminal acts that are impossible to construe in terms of physical pressure. If I work at a bank, I can ask a subordinate to remove funds from clients' accounts and put them into my own by means of a computer. In this case, I don't have to apply physical pressure to anything or anyone, or threaten anyone. I just need to employ sufficient stealth. Nonetheless, my action qualifies as a case of larceny.⁸ Indeed, if Hannah Arendt's depiction of Adolf Eichmann is correct, Eichmann committed *mass murder* without himself applying physical pressure to anyone.⁹ Such cases could be multiplied many times over from the criminal law, not to speak of cases of slander, libel, or duress, none of which Smith mentions in her book. Smith's data and analysis are simply too sparse to deal with such cases, and her insistence that coercion be construed as physical pressure produces a crude and impoverished theory of freedom that does little to respond to the arguments of advocates of positive freedom.

The final chapter of *MRPF* contains an account of the rights we hold, and a two-page "refutation" of welfare rights. Smith's basic claim here is that since welfare rights require intrusions into freedom, they are incompatible with a right to freedom as she understands it. Since the claims of this final chapter depend on the claims of its predecessors, the criticisms that apply there apply here. Smith's discussion of welfare rights is further

Endnotes

* I thank Hilary Persky for helpful comments on the issues of this review.

1. This thought-experiment, of course, derives from John Rawls' procedure in *A Theory of Justice* (Harvard, 1971), substituting Rawls' Kantian presuppositions with Aristotelian ones, and minus the "veil of ignorance."

2. For a good discussion of definitions, see David Kelley, *The Art of Reasoning*, Second Expanded Edition, (W.W. Norton, 1988), ch. 3.

3. Cf. Geoffrey Sayre-McCord, "Introduction: The Many Moral Realisms," in Sayre-McCord ed., *Essays on Moral Realism*, (Cornell, 1988), pp.1-23; David Brink, *Moral Realism and the Foundations of Ethics*, (Cambridge, 1989), ch.2. The *locus classicus* of the argument below is Aristotle *Nicomachean Ethics*, I.1-7 and III.4.

4. I adapt this argument from David Brink, "Rational Egoism, Self, and Others," in Owen Flanagan and Amelie Oksenberg Rorty ed., *Identity, Character, and Morality*, (MIT, 1993), p.340. See also Ayn Rand, "The Conflicts of Mens' Interests," in *The Virtue of Selfishness*, (Signet, 1964).

5. "The moral justification of capitalism lies in the fact that it is the only system consonant with man's rational nature, that it protects man's survival *qua* man, and that its ruling principle is: *justice*." Ayn Rand, "What Is Capitalism?" in *Capitalism: The Unknown Ideal*, (Signet, 1967), p.20, emphasis in original. It is worth adding that Smith offers no discussion of procedural rights or rectificatory justice, despite the prominence of these issues in the literature, and their centrality to issues of justice. Cf. Robert Nozick, *Anarchy, State, and Utopia*, (Basic Books, 1974), pp.96-101, 152-153, 230-231.

6. *MRPF* is the latest installment in Rowman and Littlefield's "Studies in Social and Political Philosophy," edited by James Sterba. I note in passing that I find the use of empirical evidence elsewhere in the series problematic. For a similarly cavalier anecdotal claim about the philosophical significance of events in the Soviet Union and Eastern Europe, consider the following: "Five months of travelling and lecturing in the Soviet Union in 1990 and 1991 have convinced me that what was rejected in Eastern Europe in 1989 and being rejected in the Soviet Union is widespread corruption and authoritarian control over everything by local bureaucrats and ultimately by Moscow." James Sterba, "Liberalism and a Non-Question-Begging Conception of the Good," in C.F. Delaney ed., *The Liberalism-Communitarianism Debate*, (Rowman and Littlefield, 1994). I do not understand why we should take such anecdotal evidence seriously in light of the volumes of genuine empirical studies of these issues.

7. L.T. Hobhouse, *Liberalism* (Oxford, 1964), pp.49-50. Hobhouse's commitment to the ban on initiatory coercion is not consistent throughout the book; my point is that *this* passage evinces such a commitment. I thank David Kelley for bringing Hobhouse's book to my attention.

Book Reviews

Julia Kristeva, *Nations Without Nationalism*, trans. Leon S. Roudiez (New York: Columbia University Press, 1993), 108 pp.

Ronald Hamowy, *University of Alberta*

Those readers familiar with modern literary theory and criticism will be acquainted with Julia Kristeva's writings. Born in Bulgaria, Ms. Kristeva, currently Professor of Linguistics at the University of Paris, did her studies in French literature in Paris and there became much influenced by Jacques Lacan. Like Lacan, Ms. Kristeva became a trained psychoanalyst and both her interest in semiotics and in psychoanalysis inform all her work. To these influences she has, from time to time, added Marxist political philosophy and, more important, a firm commitment to feminist theory, which crucially differentiates her literary theory from that of Lacan. In sum, Ms. Kristeva's credentials are such that her writings embody almost every currently fashionable approach to literary analysis. Like many modern theorists, she writes on a wide range of social issues and she has recently turned her attention to the question of nationalism, first in a more extended treatment of the subject in *Strangers to Ourselves*, and in this collection.

Nations Without Nationalism is a slight volume, comprising four essays or, more properly, a letter to the leader of the French anti-nationalist organization "S.O.S. Racisme," - "Open Letter to Harlem Désir" - and two essays (one of which serves as an introduction to the rest of the book) - "What of Tomorrow's Nation?" and "The Nation and the Word." The final selection is an interview with Ms. Kristeva on her novel, *The Samurai*, which bears only the most tenuous connection to the rest of the book and in which Ms. Kristeva and her interviewer, in language so abstruse and pretentious as to be painful, analyze the structure and purpose of the novel. Mercifully short (it is less than twenty pages long), the interview at least serves the purpose of warning prospective readers of what is in store for them in the novel itself should they wish a more extended treatment of the themes touched on in these pages.

The main portion of *Nations Without Nationalism* is devoted to a discussion of the problem of nationalism in the modern world. While Ms. Kristeva's essays were written with a French audience in mind and while she writes with specific reference to events in France, they are of course meant to have wider application. Despite this, however, there is very little of substance to this collection and the three entries that deal with the topic suggested by the book's title offer nothing in the way of serious historical or philosophical analysis of the idea of nationalism nor how one might cope with the dangers it poses either for present-day France nor for the rest of the world. To the extent that Ms. Kristeva offers an argument in these essays, it is that it is possible to reconcile nationhood with a respect for disparate values and that Europe is fortunate in being heir to certain universalist philosophies that, while acknowledging and accepting cultural variety, underscored the brotherhood of all men. Stoicism, the Augustinian notion of *civitas peregrina*, and Enlightenment conception of humankind, Ms. Kristeva contends, all upheld a universal, transnational principle of humanity which, while consistent with the existence of distinct nations, preached tolerance for social diversity ("confessional, linguistic, behavioral,

It is, I think, important to underscore that what most people today object to - despite much of the rhetoric to the contrary - is not differences in language, dress, cuisine, or culture, but rather the refusal by some groups of immigrants to both adopt the prevailing rules of courtesy (without such social life becomes impossible) and to respect the boundaries that demark the private sphere of others, including their property.

Equally important, and thoroughly neglected in these essays, is the direct contribution made by governments themselves to the more virulent manifestations of modern-day nationalism. Much of what passes for nationalist sentiment today is contrived by governments for immediate political ends. Nothing binds a group together more than common hatreds and no institution is better able to animate these hatreds than the state, whose control of the media, at least among third-world nations, is almost total. And even when the propagandistic efforts of governments are comparatively benign and seek only to create a common heritage with which to bind the nation's citizens together, the ultimate effects are pernicious since these efforts rely on a falsification of history and appeal to enthusiasms that themselves encourage a distrust of the foreign.

Yet, despite these weaknesses and Ms. Kristeva's almost impenetrable prose, her discussion of nationalism occasionally touches on a point that strikes the reader as insightful. For example, she notes that women have a particular predilection for nationalist sentiments and the hatred of foreigners, which she relates to "the biological fate that causes us to be the *site* of the species" that chains women "to *space*: home, native soil, motherland." Women are by nature conservatives, Ms. Kristeva contends, who distrust change and seek to perpetuate prevailing social arrangements, no matter how oppressive. "The very recent studies that are beginning to be published," she writes:

show to what extent a society based on the rudimentary satisfaction of survival *needs*, to the detriment of the *desires* for freedom, could encourage the regressive sado-masochist leanings of women and, without emancipating them at all, rely on them to create a stagnation, a parareligious support for the status quo crushing the elementary rights of the human person (p.34).

Equally illuminating are her remarks on the nature of French nationalism. Ms. Kristeva observes that, more than any other nation, the French tend to equate the national and the cultural and notes that "foreigners experience more strongly than elsewhere the scorn and rejection that is inflicted upon them by a civilization sure of itself" (p.38). This notion is certainly confirmed by impressionistic evidence. No one who has spent any time in France can have failed to notice that the French tend to regard the rest of Western society, and particularly American society, with disdain, if not contempt, in part, no doubt, because they cannot accept with good grace the fact that the United States, as crass and materialistic as it is, is the dominant world power. American supremacy above all rankles because Americans appear to have only minimal sensitivity to the things associated with living well. And shouldn't those who know what the good life is and how to live it rule the world? That France is a second-rate economic power and that she has, three times in the last hundred and fifty years, proved herself militarily inferior to her eastern neighbor only adds to her humiliation. In light of this, it is no wonder that so many of the French are offended and incensed by the invasion of immigrants from the Maghreb.

John Christman, **The Myth of Property** (New York: Oxford University Press, 1994) [pp. ix + 184, + Notes, Bibliography, Index].

Jan Narveson, *University of Waterloo, Canada*

In this interesting but irritating book, John Christman sets out to attack the thesis of "full liberal property rights," which - oddly - he seems to think is the prevailing theory of property nowadays. This bundle or package includes rights to do many distinguishable things, and these things can be not only distinguished conceptually but actually held distinct in practice. The list is old and familiar: rights to use, possess, control, sell, rent, manage, hold as capital, hold the income from, and so on.

Here is how Christman sees the task of his book:

The new understanding I will put forward says that ownership can involve a kind of control over the thing owned, or it can involve a right to income from trade or rent of the thing owned. The interests that these two (sets of) rights protect are different in character and weight... Thus the set of property rules adopted by a society...must be considered as separate packages. The contrast between each of these pairs is so stark that principles of distributive justice must deal with them as completely separate normative structures. (7-8)

On one understanding of the main analytical purpose of this work, the first several chapters are devoted to arguing for this last point. Christman believes he has met his task and says: "I conclude...that liberal ownership ought to be rejected as the paradigm of individual property rights in a just society." (10) If so, that's puzzling, since the distinguishability of these things, on which he rests this sweeping conclusion, is something nobody would or can deny. Obviously there are people who rent but do not own, people who collect income without owning, people who use in some ways without controlling in various other ways, and so on. If Christman's purpose were to show us that, the book would be pointless - it's old hat. What needs arguing, of course, is the second thesis: that there is a strong normative case for treating the supposedly two sharply different aspects of property so differently as to amount to two radically different theories of justice. Does he succeed in this? Not in this writer's judgment.

Christman's central concern is with a thesis he calls "liberal ownership." Just what is that thesis? Roughly, I guess, it's that all of the various rights enumerated hang together in some sense. What sense? Presumably that if one has some of them, then one has the rest? But that can't be it, because property rights are "alienable" - that's one of their main attractions. The man who owns can rent, if he wants to; and if he does, then he relinquishes, for the time being, certain rights over his property in return for the rental payment. So the "liberal thesis" clearly cannot be that if you have one right, you necessarily do have them all. What is it, then? Plainly it has to be a normative idea: that people *should* have, by virtue of some kind of initial acquisition, all the rights in the package, unless and until they voluntarily relinquish some or all to someone else on mutually agreeable terms.

Is there anything about the property rights package that suggests this? Yes. There is a basic right in the package such that, if you have that, then there is a good fundamental

Whether this makes good conceptual sense is the question. I think not, and am completely unconvinced by any of the author's often intricate arguments. Possibly in contrast to some who might hold egalitarian thesis, Christman wants to accept the rights of individuals to use and possess and control material objects in their own interests, even when the resulting patterns of possession and use will be highly "unequal" in whatever intelligible sense one can apply the notion of equality here. That provides a good point of departure. For the question now is: where is the rationale for segregating these rights of possession and use from the rest, involving income and exchange?

Christman claims (1) that these various rights fall neatly into two sets, and (2) that highly plausible normative bases exist for distinguishing between them along the lines indicated. I find both of these claims problematic in the extreme. Consider, for instance, the general idea of "income rights." Suppose that Robinson, all by himself, ingeniously plants a garden, resulting in a very generous table in the future. Isn't this *income*, in any reasonable sense of that term? It's a return on that individual's investment of his own resources, physical and mental in a bit of the natural world. If Christman thinks that's OK, as he apparently does, then why does the addition of just *one* other person make so much difference?

Note that the maker or original user and possessor of anything will thereby have powers of the interpersonal "income" type, as soon as he's in touch with one or more others who have the same powers of use over other things. So long as neither the possessor nor those he is dealing with are hampered, say by gangsters or by governments, they will engage in trade, on terms mutually agreed: that is, those who work on material objects, transforming them intentionally in certain ways, are simply carrying on from where they are if they then go ahead and proceed to make trades of those items with others. Logically, the situation would seem to be straightforward. If I genuinely *have* the right to *control* the disposition of some item, then obviously I am thereby in position, and thus would by that token have the right, to give it to someone, or sell it to him, or rent it to him, or whatever, so long as he too has the same initial right of control over the objects I wish to obtain, or the services I wish to have him do for me. We need but lay down conditions on which we will relinquish these objects from our own control, and make those conditions include the taking into our possession of the items previously controlled by the other. And, of course, once I can do that, then I can also, if I like, rent it instead of selling it, and so on; or direct that all the rental income go to my favorite niece, or my favorite charity, or whatever. That is because I have *control* over the items. So the question is, Why not? Christman needs to supply specific good reasons for forbidding activities which are naturally engaged in by people having the kind of rights he wants to agree they have. I don't think he's found any.

Under the circumstances, Christman's thesis looks remarkably arbitrary. In his view, *One* person, working by himself, has, the right to whatever increase he can get from *his* labor - yet as soon as there are *two* or more, they do *not* have the right over *their* labor: "society" gets to intrude on the proceedings, collecting taxes and so forth, and using the income to redistribute the cooperative surplus of their activity to any number of other people - fellow Americans, say - even though none of them had anything whatever to do with the creation of that new wealth - only the joint work of the two did that. This, it seems

and perpetuated by people who haven't done their homework. There is no longer any excuse for maintaining any of them - and therefore, in reality, for this book. Despite its considerable learning and elaborate analyses, it is a book with nothing basically new to offer; and what is old is, in all normatively significant respects, wrong, and certainly not argued for.

- (5) a "revolt against formal dualism" - a commitment to treat only fundamental alternatives as being "mutually exclusive or exhaustive" and to seek to transcend the limitations of the half-truths in traditional, false dichotomies, and
- (6) radicalism in theory and practice - a commitment both to strive for a fundamental, critical understanding of a system and to advocate and work toward fundamental, revolutionary changes in the system.

Although this description of dialectics seems to reveal quite clearly both its nature and its value, it is also, in this reviewer's opinion, a rather unwieldy checklist. But, then, the subject of methodology is not a simple one either. Eventually, one hopes, once the differences and similarities between dialectics and other methodological orientations are more fully sorted out, Sciabarra will zero in on a more elegant, concise (dare it be said: genus-differentia?) statement of what dialectics is. In the meantime, one other specific concern about his existing set of criteria should be addressed: the point about dualism appears to be overly one-sided (almost monistically so!) in its emphasis.

Sciabarra provides ample illustration of Rand's "revolt against formal dualism," i.e. her policy of consistently rejecting false alternatives in every branch of philosophy: e.g. materialism vs. idealism in metaphysics, rationalism vs. empiricism in epistemology, altruism vs. hedonism in ethics, and statism vs. anarchism in politics. She discovers the common false premise in each pair of "ism's" and projects the truly opposite alternative view. Or, as in the dichotomies "between mind and body, reason and emotion, fact and value, theory and practice," she clarifies the common ground, usually overlooked, that ties the two phenomena together in an integral whole. (p.17)

Yet, Rand's approach is not, strictly speaking, the "transcendence of opposites," but rather the transcendence of, or moving beyond the limitations of, *false* opposites. Indeed, she was all for legitimate polarizing, for insisting that certain basic distinctions be recognized: e.g. identity vs. the supernatural, reason vs. irrationality, individualism vs. collectivism, sacrifice vs. the "trader principle," individual rights vs. the initiation of force, and capitalism vs. statism.

In other words, Rand was just as adamant in opposing "monistic reductionism," the attempt to reduce one of two coequal principles to being a mere spinoff or disguised version of the other. Private property is *not* a form of theft, nor shouting "fire" in a crowded theater a form of free speech. Freely chosen acts between consenting adults are *not* a form of sacrificial exploitation, nor benevolent giving a form of self-sacrifice. Rational conviction is *not* a form of faith, nor reason a mere rationalization of one's underlying emotions. Non-existence is *not* a special kind of existence, nor consciousness a mere epiphenomenon of matter (or vice versa).

Although Sciabarra notes many such points and correctly states that "dialectical method is neither dualistic nor monistic" (p.16), a glance at the index of his book reveals a staggering disparity in the amount of treatment he gives to dualism (references covering 1-1/2 columns) compared to the three lines he gives monism. If, as it seems, Objectivism is just as much a revolt against the latter - and if, as Sciabarra says, "the best way to

"internal" relations between, for instance, existence and consciousness and identity and causality; between reason and emotion, cognition and evaluation, conscious and subconscious processes; between life, the rational, and the good; between the moral, the practical, and the happy; etc. Such a vista of conceptual connections, composed of elements in relations of "reciprocal causation and mutual reinforcement" actually seems more consonant with Rand's discussions of the various ideas than the standard hierarchical "strict logical dependence, or one-way causality" model we are more used to seeing from Objectivist writers.

Packed into the three chapters of Part III, "The Radical Rand," is the most original and challenging part of Sciabarra's thesis and the strongest part of the book. One of the key aspects of dialectics, and the major consequence of the "revolt against formal dualism," is the commitment to radicalism: the refusal to bifurcate human life into two hermetically sealed domains of theoretical, abstract, ivory-tower knowledge and practical, concrete, real-world action. The impulse to radicalism was prominent in Russian intellectual history and was fully expressed in Rand's philosophy. Sciabarra's acumen as a political theorist is highly impressive. He seems not to miss a single opportunity to weave together the many seemingly unintegrable aspects of Rand's thought into a highly compressed microcosm of Rand's own radical outlook.

Sciabarra identifies three levels of analysis of the power relations that underlie and sustain statist social systems: the personal (relating to ethics and mental function), the cultural (regarding language and ideology), and the structural (economics and politics). Rand had much to say about each of these distinct, but inseparable aspects of social systems, and she saw a thorough, deep-seated parallel between the political trends, culture, and lifestyle of the "social sphere" and the individual life path, conscious convictions, and subconscious of the "individual sphere." Sciabarra's tightly integrated treatment of Rand's radical social philosophy must be read to be fully appreciated.

Notwithstanding the engaging qualities of the main part of the book, it would be a sad oversight not to mention Sciabarra's excellent Notes, References, and Index. The Notes, in particular, give a fascinating peek at some of the behind-the-scenes work Sciabarra had to do in preparing his book.

Note 20 on p.408 is particularly noteworthy, since it concerns the concept of "objective" itself. Sciabarra points out the Peikoff, in his original course on Objectivism in 1976, referred to perception as "objective," as an application of the trichotomy of objective-subjective-intrinsic. Rand corrected him, on the assumption that "normative terms such as 'objectivity' cannot be applied to automatic processes such as perception." This reviewer finds Peikoff's unfortunate recanting of his original, illuminating discussion of the metaphysical status of sense data to result in a conflation of the normative sense of "objective" with the *relational* sense pertaining to the three kinds of phenomena focused on by the trichotomy.

In conclusion, it is interesting to note that, despite the overwhelming evidence and logic Sciabarra offers in his book, certain Objectivists have spoken out in rather caustic terms against his perspective. They vehemently resist identifying Rand's philosophic

Rand's most important contribution to twentieth-century radical social theory." (pp.319, 381) And, this reviewer would like to add, with *Ayn Rand: The Russian Radical*, as well as *Marx, Hayek, and Utopia* (SUNY, 1995), now under his belt, Chris Matthew Sciabarra has emerged as one of the most provocative, and enjoyable, writers on the history of ideas of the twentieth century.

controversy. But, as Lefkowitz points out, this response is unsatisfactory, because it promotes the idea that any theory can be an equally plausible alternative to any theory. This attitude undermines such useful tools as reason, history, and scientific method. So her objection is on two levels: not only is the theory false, and in ways that are easily demonstrable, but that the theory is even tolerated as an "alternative interpretation" threatens to undermine the entire project of historical research. It undermines the very notions of truth, reason, objectivity.

Lefkowitz is eloquent and forceful about these points without seeming shrill. The book does not read like a jeremiad, but rather as an earnest plea for a return to honest inquiry and respect for the truth. "Appealing mythologies about the past bring satisfaction in the short run, but in the end they damage the very cause they are intended to promote," she writes, referring to the idea that black self-esteem can be raised if they are taught the "stolen legacy" theory. "The events of this century have shown that it is dangerous to allow propaganda to usurp historical truth. Even if [a group's cause] is noble, by substituting myth for history they open the way for other groups to invent their own histories." (p.155-6)

Lefkowitz further notes that emphasis on fake African history prevents students from learning real African history, which would be a beneficial study. So in addition to creating a generation of students who have no understanding of scientific method, logic, and historical method, the movement is creating a generation of students who know mostly falsehoods about both Greece *and* Africa. Is all of this really necessary for black empowerment?

Lefkowitz concludes with some ruminations on the tenure system and the purpose of academic freedom. She points out that academic freedom cannot protect outright incompetence. No university should tolerate a mathematician who teaches that the value of pi is 3, or a geographer who teaches that the earth is flat. This is fairly straightforward, but in some humanities courses it is harder to set rigorous standards for what would count as incompetence. One philosopher might think that anyone who subscribes to, say, utilitarianism (or Marxism) must be incompetent, but clearly this is the sort of thing that academic freedom is supposed to protect. Where is the line drawn between these clear cases? Lefkowitz does not offer a cure-all. But the problem with the "stolen legacy" theory is not just that it is false, but that it is always taught in an atmosphere of contempt for the very practices of historical research and logic. So while reasonable people may disagree over whether, for instance, Plato abandoned or merely modified the theory of Forms in the late dialogues, or even over whether we can really know which ones were late, Lefkowitz shows that the *Black Athena* controversy is so devoid of a reasonable basis that it is unjustifiable. Nevertheless, she recommends a cautious approach, and does not make any intemperate proposals about purges. But she urges university administrators to ask themselves whether it really serves the best interests of the students to offer courses in flat-earth theory, or the stolen legacy theory, even if someone is ready to teach them. "...[D]eans and curriculum committees also have [the authority to]...request an explanation of why instructors choose to ignore and/or suppress evidence." (p.175) Academic freedom does not exist to protect deceit and irresponsibility.

Hans-Hermanne Hoppe's Austrian Philosophy

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Hans-Hermann Hoppe, **Economic Science and the Austrian Method**. Auburn, AL: Ludwig Von Mises Institute, 1995, pp.85 + index.

Hans-Hermann Hoppe has long been engaged in an effort to extend Austrian economics by developing its philosophical assumptions and consequences, some already present in Ludwig Von Mises' occasional excursions into epistemology. The results not only separate the Austrians from other free market schools but open new lines of philosophical inquiry quite independent of their application to economics.

What distinguishes the Austrian school is its *method*, which attempts to deduce an entire system of thought from a few logically incontestable propositions: incontestable because their denials are either self-contradictory or meaningless.¹ Logically incontestable propositions refer to necessary truths or axiomatic facts, completely general features of reality (or a particular class of items in reality). The logically incontestable proposition Mises isolated is: *man acts*. Since the denial that man acts would constitute an action, any such denial is self-contradictory and thus self-invalidating, confirming that *man acts* is a necessary truth. Accordingly, *praxeology* - the term Mises used for the logic of human action - is a fundamental discipline. According to the Austrian economist, propositions such as "Whenever two people, *A* and *B*, engage in voluntary exchange they must both expect to profit from it" (p.14) are equally incontestable, since they follow as immediate deductive consequences of *man acts*; it makes no sense for one who understands them to deny them, or to submit them repeatedly to empirical test.

The epistemology this implies has been dismissed as dogmatic and simplistic. Mises, as Hoppe notes (p.9), encountered such dismissals. Yet whether the method is sound - whether alternatives are really as good as they are made out to be - is a viable question that can only be answered by developing Austrian reasoning. Accordingly, Hoppe observes that Mises spends the first hundred pages of *Human Action* on logical and epistemological issues. As Hoppe sees matters, praxeology stands as the foundation not just of economics but also epistemology, permitting an integration of the two into a single system. Though Hoppe only uses the term once (and with a rather pejorative connotation), a substantial metaphysics is in the works here as well - a brand of essentialist realism: being an *actor* is, after all, essential to being *human*, and this is not a mere linguistic, conceptual, or social convention but necessary to our being the kind of entities we are.

So Hoppe is, in the end, an Aristotelian. He observes that Aristotle's principle of identity and noncontradiction stand as the cornerstones of logic and therefore of praxeology. At this point, following Mises, he veers in a new direction. Proceed to Kant. Kant was a rationalist in the sense that he believed there were synthetic truths knowable *a priori*. Mises agreed. Kant is viewed with hostility by some defenders of free markets, especially followers of Ayn Rand, because his epistemology suggests an idealist reading: reason constructs nature via forms of intuition (space and time) and categories of the under-

constraints imposed on knowledge qua knowledge of actors, must indeed correspond to the nature of things. (pp.69-70)

Hoppe is therefore an unapologetic apriorist. The reality of actions has been proven *a priori*: "this axiom is not derived from observation - there are only bodily movements to be observed but no such things as actions - but stems from reflective understanding." (p.61)

A priori arguments show (1) that neither empiricism nor historicism are possible since each is mired in self-contradiction; and that the categories of explanation appropriate to the physical sciences are different from those appropriate to human action. Empiricism rejects the existence of synthetic *a priori* truths: synthetic statements are subject to the tribunal of empirical-scientific verification or falsification; analytic ones are empty tautologies. Reflection on these statements themselves shows that if *they* are analytic they are empty tautologies and hence unhelpful; if they are synthetic they offer only a psychological, sociological or conventional justification of knowledge as opposed to a logical one. The trajectory of empiricism beginning with Quine's "naturalizing" of epistemology and proceeding through the historicism of Kuhn, Feyerabend, and others to the brazen irrationalism of the "postmodernists" dramatically confirms the existence of something self-destructive in empiricism. If Hoppe's position is sound, this trajectory, the working out of the internal logic of empiricism by generations of analytic philosophers, was unavoidable, for empiricism is logically self-destructive. While one might question the self-application of empiricism's basic statements, all efforts to block the self-application argument have failed - these generally became entangled in the very difficulties they sought to eliminate.²

Historicism, on the other hand, conceives of events as subjectively understood historical products unconstrained by objective factors such as time-invariant relations in reality. This position, too, turns out to be logically self-destructive. In this case, the historicist proposition itself is only a subjectively understood historical product and, on its own terms, can offer no time-invariant truths about history or culture - having denied that there are such things. It follows that even if one could validly claim that historicism offered a true account of our epistemological condition today, contingent historical changes could render it false at some point in the future. Historicism, too, is therefore vitiated by its own internal logic.³ Apriorism, in this case, wins by default! There are synthetic truths - truths about reality - knowable *a priori*!

Categories of explanation in a discipline such as economics are therefore *necessarily* different from those in the physical sciences, for from the nature of actions one can infer the impossibility of their being governed by time-invariant causes.

In so understanding causality as a necessary presupposition of action, it is also immediately implied that its range of applicability must then be delineated *a priori* from that of the category of teleology. Indeed, both categories are strictly exclusive and complementary. Action presupposes a causally structured observational reality, but the reality of action which we can understand as requiring such structure, is not itself causally structured. Instead, it is a reality that must be categorized teleologically, as purpose-directed, meaningful behavior. (p.78)

for something larger than this; it seeks to articulate and defend propositions applying to all rational agents. So Hoppe's apriorism is not yet ready to use the language of rights. He has not yet crossed the bridge between the subjective valuation familiar in Austrian economics and a moral view of the human condition; he hasn't yet shown us how to proceed from *subjective choices* to *rights*. Thus, he hasn't shown that praxeology in its current state of development offers a foundation for ethics as well as epistemology and economics.⁶ Until he (or someone) does, the kind of project he is attempting is invariably incomplete.

Is this a solvable problem? One possible line of inquiry might run as follows: the same reflective cognition that grounds our essential nature as actors informs us of our status as moral subjects: we immediately recognize some actions to be better or worse for us prior to detailed analyses of *better* and *worse*. Other subjects are recognized *as* subjects like ourselves in essentials but different in a wide variety of contingent matters regarding their personal ends, hopes, etc., which are known only to the subjects themselves except to the extent they communicate them to others. This alone suggests an individualist ethic of personal autonomy and noncoercion. By itself, however, it still does not deduce *rights*.

Be all this as it may, this slim volume is intentionally streamlined, making it impossible for Hoppe to have taken us down every path or pursued every lead his discussion opens. The above complaints aside, Hoppe's tract is clear, concise, and very suggestive (if a bit repetitive). Though there is no space to elaborate here, Austrian philosophy developed in the context of a moral view of the world suggests a larger philosophical synthesis that would not only offer an antidote to the irrationalism permeating today's academic environment but on its own terms constitute one of the great positive achievements of the near future. I recommend this monograph highly as a step toward such an achievement.

Notes

1. To my mind *logically incontestable proposition* is a philosophically superior term to *self-evident axiom* (p.18) since *self-evidence* has a psychological aura about it that is best avoided: what is self-evident to person *A* is not self-evident to person *B* and might even seem downright absurd to person *C*. Self-evidence by itself, that is, does not connote truth but only very strong belief. *Axiom*, too, has an unfortunate association with positivistic interpretations of geometry which saw axioms as arbitrary postulates on which alternative geometric systems can be built up (e.g. Euclidean vs Reimannian). Introducing *logical incontestability* suggests demonstrability that goes beyond the merely psychological. Recognizing that a logically incontestable proposition is a proposition corresponding to a completely general fact of reality (or the central class of entities in some domain of reality to be studied such as human beings in the human sciences) is inescapable; to *understand* such a proposition is *immediately to grasp its necessary truth*, and this goes beyond self-evidence. The person who insists in denying a logically incontestable proposition can justly be convicted of either intellectual confusion or mere pigheadedness.

Murray N. Rothbard, **An Austrian Perspective on the History of Economic Thought**, Vol. i & ii (Cheltenham, UK: Edward Elgar Publ., Ltd., 1995), pp.576 & 544; Index; \$99.95 each.

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I have always enjoyed Professor Rothbard's talks at various Austrian conferences and seminars, especially the ones on the history of economic thought. That subject itself, I think, brought out all the qualities that made Professor Rothbard such a loving and towering figure in Austrian and libertarian circles; his incredible breadth of knowledge, diligent scholarship, disarming sense of humor, perspective coalescing of personal with social and intellectual history, genuine respect for a worthy adversary, and yes, his unwavering dedication to praxeology and liberty. Professor Rothbard's two volumes on the history of thought more than meet the expectations; they encapsulate all those unique qualities of his. It makes it all the more unfortunate that the volumes cover the period only up to about 1870.

Taking his cue from his mentor Joseph Dorfman, Professor Rothbard eschews the "Few Great Men approach" (talking about the already anointed), and focuses on the "lesser' figures...emphasizing the importance of their religious and social philosophies as well as their narrower strictly 'economic' views" (1, p.xii). With Thomas Kuhn's realistic appraisal of the path of progress in science in terms of paradigm shifts, Professor Rothbard dismisses the Whig theory of history and works with no presumption that "later thought is better than earlier" (1, p.x). The acceptance of the zig-zag path of the progress of the discipline promises us "far more human drama than is usually offered in histories of economic thought." (1, p.xiii).

The volumes are subtitled *An Austrian Perspective on the History of Economic Thought*. Expectedly, Professor Rothbard uses the Austrian benchmark of methodological individualism and subjectivism to grade past contributors to economics. Professor Rothbard thought of history as black and white and wrote of history in black and white. (The politically correct may choose other appropriate colors.) For him, history is a battle between liberty and tyranny and he wrote (and spoke) of history in terms of good guys and bad guys. With this view of history, one can venture that a radical theme runs through these volumes.

What the American Revolution accomplished by overthrowing the British power in politics could have been achieved by a French revolution against British economists in economics. What a peaceful and prosperous world it would have been if the French had succeeded in throwing overboard the tea leaves of British economic theory. A banner hangs over these volumes: Tea with Adam Smith, David Ricardo, and John Stuart Mill; Champagne with Richard Cantillon, R.J. Turgot and J.B. Say. (Cantillon was born in Ireland but spent his scholarly life in France). What is the evidence for hanging this banner?

One of the chapters is titled "The founding father of modern economics: Richard Cantillon." The standard history maintains that modern economics was created by Adam

In summary, "he originated nothing new that was true, and...whatever he originated was wrong; [and] even in an age that had fewer citations or footnotes than our own, Adam Smith was a shameless plagiarist, acknowledging little or nothing and stealing large chunks, for example, from Cantillon." (1, p.435)

Richard Cantillon's *Essai* was called by W. Stanley Jevons 'the first treatise on economics', and Hayek called him "the first person who succeeded in penetrating and presenting to us almost the entire field which we now call economics." (1, p.347) Cantillon delineated the subject matter of economics from that of ethics and politics, and used the techniques of thought experiments and *ceteris paribus* in economic analysis. He refined the scholastic value theory based on subjective utility and scarcity of supply and introduced entrepreneur as a linchpin of the market process with pervasive uncertainty. He explained how a change in the quantity of money would have differential impact on prices depending on who receives and spends new money (now labelled as the Cantillon Effect). The effect of new money on interest rates and investment would depend on whether it comes first into the hands of lenders or consumers. Cantillon "was the first to show in detail that all parts of the market economy fit together in natural, self-regulative, equilibrating pattern... And if the market economy, despite the 'chaos' it might seem to superficial observers, is really harmoniously self-regulating, then government intervention as such is either counterproductive or unnecessary." (1, pp.359-60)

Turgot, "the most brilliant economist in history," continued the path-breaking work of Cantillon by adding the law of diminishing returns and the idea of time preference and discount in the determination of interest rate. He was the first to systematically challenge usury laws.

Say and Ricardo both set out to refine and popularize Smith. "Ricardo's logical bent was offended at the basic confusion of mind, the chaos that J.B. Say also saw in the Smithian canon... Unfortunately, and in deep contrast to Say, Ricardo simplified by taking all the most egregious errors in Smith, throwing out all qualifications and contradictions, then building his system upon what was left. The worst of Smith was magnified and intensified...[O]n top of that, Ricardo...was undoubtedly one of the worst and most turgid literary stylists in the history of economic thought." (11, p.82)

In a letter to Malthus, Ricardo states: "Political economy, you think, is an enquiry into the nature and causes of wealth; I think it should rather be called an enquiry into the laws which determine the division of the produce of industry amongst the classes who concur in its formation." (11, p.82) Ricardo focused on the distribution of income among macro-groups with the expected conclusion of inherent class conflicts among workers, capitalists, and landlords. His labor, or labor-hour, theory of value gave rise to a group of Ricardian socialists demanding that all of the product should go to labor. "Despite the deep pessimism of Ricardo about the nature and consequences of the free market, he oddly enough cleaved strongly, and more firmly than Adam Smith, to *laissez-faire*. Probably the reason was his strong conviction that virtually any kind of government intervention could only make matters worse." (11, p.92) Alexander Gray summed up: "Such is the Ricardian scheme of distribution; in place of the old harmony of interests, he has placed dissension and antagonism at the heart of things." (quoted in 11, p.93) Ricardo's defense

Ricardian apparatus." (11, p.278). Mill succeeded through the strategy of "practical eclecticism," by being all things to all people. "It is impossible to estimate how much of John Stuart Mill's inveterate and eternal contradictions, qualifications and alterations were due to honest muddle-headedness and how much due to devious and evasive intellectual broken-field running." (11, p.279) Mill's *Principles* was praised by people across the political spectrum; from classical liberals to Owenite and Christian socialists and "agitators for cooperative movement in Britain." (11, p.281)

Could a successful French revolution have ushered in a new era in economics? Professor Rothbard has no doubts. The banner still hangs: Tea with Smith, Ricardo, and Mill; Champagne with Cantillon, Turgot and Say.

If one ventures to think in terms of a revolutionary war, one might as well pick a battle cry. The French would of course thunder Bastiat's triad: Wants, Efforts, and Satisfaction (11, p.446). The British, one may surmise, would mutter: Goods, Labor, and Production. The battle cries accurately summarize two different visions of economics. The French stress on wants immediately brings the focus on people who have wants, desires, and goals. Methodological subjectivism and individualism follow quite naturally. The British emphasis on goods makes the subject matter impersonal and points to the difference between use value of goods and their exchange value, the abyss of value paradox. The focus on labor, originally due to religious reasons, must eventually lead to some form of labor theory of value and to rather bizarre distinctions of productive and unproductive labor. Efforts, on the other hand, imply effort of any type and by any one. It highlights contributions of all; workers, capitalists, landlords, and entrepreneurs. At least initially they all seem to be on the same playing field, exerting efforts to satisfy their wants. The emphasis on production as opposed to satisfaction may lead to full-employment schemes by public works and deficit financing, and to Petitions on the Candlemakers. "Satisfaction" reminds us that the ultimate goal of economic activity (production) is consumption. It steers our attention towards the utility we derive from consuming goods and services and tells us how much we value them. The battle cries do capture the essence of the difference between the French and British visions of economics.

Now we can visualize completely the post-French revolution era: Champaign with Cantillon, Turgot and Say chanting Wants, Efforts, and Satisfaction. The only question is with whom among the three Professor Rothbard is sitting?

On a more mundane level, in reading these volumes one is curious to find out Professor Rothbard's position on some old and recent divisions and controversies among the Austrians; free vs. 100 percent reserve banking, Austrian vs. Monetarist theory of business cycles, pure time preference vs. productivity theory of interest, natural rights vs. utilitarianism, and Misesian calculation vs. Hayekian knowledge. In most cases, one is unable to conclusively discern Professor Rothbard's personal views; one is struck by the absence of a clear advocacy of his views. He provides the best interpretations of the views of the competing Austrians and treats them fairly and respectfully. Only on the issue of free vs. 100 percent reserve banking, Professor Rothbard details his critique of Professor White's narration of the free banking experience of Scotland. This, however, is done largely in a long footnote. (11, p.273) He does dispute Professor White's three-way

The Ethics of War and Peace: An Introduction to Legal and Moral Issues. By Paul Christopher. Englewood Cliffs. Prentice-Hall, inc. 1994.

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When Paul Christopher first presented the manuscript for *The Ethics of War and Peace* to the publisher, one anonymous evaluation offered the following appraisal: "Before reading these pages I was suspicious about the intellectual defensibility of just war theories. Upon completing the work I am even more suspicious." Christopher is understandably troubled by this response, since "it is the Just War Tradition that holds moral nihilism at bay and provides some guidance for when nations may resort to arms and how." Yet there are times when merely causing people to confront certain issues is no small victory. For in our age the preferred method of dealing with difficult questions is not to raise them at all, so much so that we may well wonder whether we have entered that phase of history predicted by Marx, where on the plane of socialized humanity "it becomes practically impossible to ask if there exists a being outside of man, a being placed above that of nature and man."

Christopher's intention is "to demonstrate that if the Just War Tradition is going to be a viable factor today and in the future, certain ambiguities in its formulation, especially as it is currently reflected in international legal documents, must be resolved." The modern documents of which he speaks, foremost among them the charter of the United Nations and the documents emanating therefrom, all bear the unmistakable stamp of one man, Hugo Grotius (1583-1645), the founder of modern international law whom Christopher places at the head of a tradition stretching from Plato and Aristotle to St. Thomas Aquinas. At the same time, Christopher cannot dispute the fact that "the Just War Tradition is a real oddity in our social world of moral and legal constraints." How is it that the western world has arrived at the point of manufacturing even more documents and precepts constraining the behavior of states on all points of the globe, even as it no longer finds the suppositions on which its rulings are based to be intellectually defensible?

The explanation for this schizophrenia lies in a crucial factor Christopher fails to appreciate in its entirety: Grotius bases his law of nations on natural law theory - as all of the major thinkers before him had - but his understanding of natural law breaks decisively with the tradition on matters of substance as well as method. We catch glimpses here and there of the revolution in the region of intellect effected by Grotius, such as when he denies to the individual any right of rebellion against tyranny, but reserves to the ruling elements the right to hand over an innocent citizen to an enemy power in order to avert conflict. But Christopher never quite grasps the radical significance of Grotius' work, even when he observes, "Readers will not find traditional natural-law values such as life, procreation and knowledge in Grotius' work." Nevertheless, Grotius assures us, the ethical constraints established by his system of international law would obtain even if, *per impossible*, there were no God - indeed, they are said to be binding on Him too. The contrast with the tradition of natural law is striking if we consider the position of Aristotle, the founder of the tradition, who insisted that the first principle of the natural law is the Prime Intellect, upon which "depends the heavens and the world of nature" (*Metaphysics* 12.1072b13.) In short, Grotius' reasoning on *jus ad bellum* and *jus in bello* prescind entirely from the

Christopher is scarcely aware of the grave consequences of the fact that the only identifiably natural element in Grotius doctrine is found, as in the study of inanimate phenomena by the new laws of physics, in the material and efficient causes by which man achieves his substantial nature as a rational animal, a social being. Every other mode of life becomes, as it were, an operable social construct related to this nature by expediency. The older tradition, in line with common sense, distinguishes in man that by virtue of which he is a man (his substantial nature) from that which he is in view of what he ought to be, since it is possible to be a man without being a good man. It is by natural virtues added to one's substantial being that one is said to be a good man absolutely, possessed of qualities which are acquired by action in accordance with our nature for the sake of ends known to be good. The ends of life are the true first principles for the sake of whom we codify ordinances of reason in laws, and in relation to which we know such laws to be good or bad. What is first in the order of logic, the substantial nature, is in itself vague and indeterminate in comparison with what is first and best in the real order of practical action: the exemplar, the perfect, the hero. Because of his truncated acceptance of the term "natural principle," Grotius is led to argue confusedly that life as such has priority over liberty. Grotius' doctrine thus ends its relation to nature at the point where the *Ethics* and the *Politics* properly begin: with an inquiry into man's nature in view of what he ought to be, where the ultimate end is first and best. The peculiar absence of "traditional natural-law values" Christopher mentions but does not explain is due to the fact that "to be" rather than "to be good" in the absolute sense is made the essential value, to which all other traits are related in a purely adventitious manner: thus gender itself, as well as the differing roles by which the perfection proper to each is realized, nowadays is spoken of mindlessly as a social construct.

We know our nature poorly indeed if our knowledge is restricted to the first logical principle by which we distinguish man from rest of nature, by the specific differentia "rational" in "rational animal." "Rational animal" is predictable of anyone who is any sense a member of the species. A more penetrating knowledge of what it means to be a rational animal in the ultimate sense requires us to seek all of the elements in nature by which a particular being is distinguished. For each of the characteristics discovered, we seek to know the active role whereby this potentiality is realized, as intended, with a view to its perfection. Honest inquiry understands that the reasons written into our nature from the beginning are not sufficiently accounted for on the basis of "manifest and clear" generalities presented to the first glance of the senses. The natural distinction between men and women is not beside the point in moral or political matters even though they doubtlessly share the essential trait of rationality, unless our desire is to ignore the intentions discoverable in nature for the simple reason that they are not our intentions, but those of "a being outside of man, a being placed above that of nature and man."

So it is that the trend towards androgyny, in the military and in society at large, is a sign of decline with which our contemporary ethicists appear unable to quarrel. In truth, man's real being is not a logical principle, but a complex composition in time, so that if procreation of the species is of any value, it should be clear from a basic biological standpoint that a woman cannot be both a good warrior and a good mother simultaneously. Obviously, what it is to be a real person in the proper and final sense, which includes such things as what a person should be insofar as one is a male or a female, entails much more

Luck: The brilliant randomness of everyday life by Nicholas Rescher (Farrar Straus Giroux, New York, 1995)

Thomas J. Radcliffe

Luck is an underrated phenomenon in Western thought. The religion of the New Testament has no place for luck at all, because it has no place for the underlying engine of luck. Nicholas Rescher is therefore to be commended for tackling luck in a full-length philosophical treatise. But sadly, while he lays many worthwhile foundations, the conclusion one draws from the work is that luck is so pervasive and important that in this case the author has lost his battle with the subject. Rescher has produced a valuable starting point for future enquiry, but failed to bring luck under any comprehensive theoretical canopy. His central thesis is that luck is a pervasive aspect of human life, and he explores several important consequences of this while failing to recognize a few of the most significant.

Rescher begins with a lengthy discussion of the nature and definition of luck, settling on the notion that "Luck is a matter of having something good or bad happen that lies outside the horizon of effective foreseeability." He contrasts this with fortune, which while it may bring things good or bad, does so "in the natural course of things" and not by wild chance. For those of us with a more mathematical bent, this is an unsatisfactory distinction: while our perception of chance is discontinuous, the fact of the matter is that the probability distributions underlying all the faces of chance are continuous, and the quantitative distinction between "the natural course of things" and "against the odds" is not clear. In a world where many starve and still more are poor, am I fortunate or lucky to have been born to well-off parents in a prosperous nation? The qualitative distinctions Rescher makes are inadequate for this determination.

The three necessary features of luck for Rescher are: a subject, an event that brings good or ill to that subject, and the unpredictability of that event. As Rescher clearly recognizes, this implies that luck embeds a normative standard: a socialist may have felt herself lucky to be born in Russia in the early years of this century. A libertarian would not have. The unpredictability of luck implies that the good or bad thing is not the intended and rationally expectable result of the subject's own choices (although such choices may be contributory factors in some cases) and so the normative standard is not strictly speaking a moral standard. Rather, any object that can experience loss or gain may be said to be lucky. To experience loss or gain one must have an interest in the future, and the only objects that have such an interest are living things. Luck is therefore the province of life (all life, not just conscious life as Rescher argues).

The sources of luck Rescher identifies are fourfold: chance, chaos, ignorance and volition. By chance he means the sort of apparently ontological unpredictability that we find in quantum events; by chaos the exponential growth of uncertainty with time in some non-linear systems; by ignorance our limited knowledge of this complex and strongly interacting world, and by volition our inability to see inside the souls of our fellows, and thereby predict their choices. Rescher rightly notes that the specific cause of chance is irrelevant to luck: for someone whose DNA has been malignantly re-arranged by a passing cosmic-ray it makes no difference if quantum mechanical laws are an expression of an

be judged in terms of the worst possible result rather than the weighted average of results that applies in the case of cardinal values, simply because the weighted average of ordinally valued outcomes is undefined.

Rescher's subsequent discussion of moral luck is the most deeply flawed section of the book. By taking the view that morality is an intrinsic property of individuals (so that a person may be said to be inherently dishonest, for instance) he requires that there be a god-like observer who is capable of seeing into one's soul and determining one's moral status independently of one's actions. This requirement is clearly both uninteresting and unnecessary if one takes the view that morality is no different from any other property of human individuals. There is no such thing as an inherently strong man: just a man who trains to lift heavy weights versus one who does not. It is true that one's genetic endowment will ultimately determine the maximum weight one can lift. But no one would describe a person who has the genetic endowment of a Hercules and the muscles of a parlour-maid as strong, and it makes no more sense to describe someone who has the intent to steal but not the ability as dishonest. At worst we could say that such a person is potentially dishonest, or more likely than average to become dishonest (just as a genetic Hercules may be more likely than average to become strong).

Rescher never asks: why-ever would one want to judge someone's morals independently of actions? I cannot offhand think of any empirically justifiable reason why this would be important. Nor can I think of any way I could possibly form such a judgment: actions - including for the moment words - are all that are available to me in forming any moral judgment of my fellows. Some clue to Rescher's position may be found in the rather odd moral standard he adopts, in which morality is apparently for some reason identified with "benign self-sacrifice" and is strictly a matter of one's relations with others (Rescher is unaware, for instance, that Robinson Crusoe is more in need of morality than anyone else, for if he is dishonest, he can only misrepresent reality to himself, with very probably fatal consequences). Such a quaintly antiquated view of morality is all very well for third-rate television dramas, but is a little surprising coming from someone described on the flyleaf as one of America's "most eminent philosophers."

There is no more reason to decry the moral condition of the man who behaves morally for lack of opportunity to do otherwise than there is to respect the strength of the genetic Hercules who is, through lack of exercise, a weakling. Gray was correct to elegeize "Some Cromwell guiltless of his country's blood" as more worthy than the original. Those who are by circumstance "Forbad to wade through slaughter to a throne, And shut the gates of mercy on mankind," are innocent of these acts, and in justice must be judged as such. To make his case, Rescher must show that morality is different in kind from all other properties of individuals - it simply won't do to assume it without argument, no matter what the historical precedents for doing so.

The book closes with some advice on how to cope with the pervasiveness of luck - a nicely Aristotelian call for prudence - and a summing up that tries to integrate some of the themes of the book into a broader social, epistemological and evolutionary perspective. There is no doubt that luck is central to the human condition, to the extent that everyone reading this comes from a very long line of lucky organisms. But the relationship between

the luck of the individual and the statistically iron laws that arise from it is only touched upon, here and elsewhere in the book with regard to thermodynamics. For most of the past three hundred years a misbegotten notion of Newtonian determinism has set the framework for philosophers' attempts to understand the world. Today we are seeing the rise of evolutionary biology as a new framework that is perhaps better suited to the task: the operation of chance within law, and law via chance, is fundamental to both the biological and social realities of human life. One hopes that others will follow where Rescher has lead, and explore the role of luck in our lives even more broadly and deeply.

underlying causal structure or if the molecular transitions that will result in a tumour a few years hence are indeed due to ontologically irreducible acausality. In either case, the person is unlucky.

After a pair of chapters on manifestations of luck in life and history, Rescher turns toward the relationship between luck and gambling and the growth of mathematical thinking about probability that he sees as being a result of "...the gambling mania of the soldiers of the Thirty Year's War." In his chapter, Rescher propagates a common and fundamental error regarding the role of luck in human life: he fails to distinguish between cardinal and ordinal values.

Probability calculus deals only with cardinal values: with numerical quantities that have an absolute magnitude and therefore can be manipulated arithmetically. Monetary values are cardinal: four dollars is twice as valuable as two dollars. Moral values are on the other hand ordinal: my wife is more valuable to me than any one of my cats, and all of my cats, and indeed all the cats that could ever be. There is no multiplicative relationship between the value of a cat to me and the value of my wife to me. This difference means that the probability calculus simply does not apply to moral values, and as luck is simply a matter of good or bad happening unexpectedly it is as often a matter of an ordinal good or bad as a cardinal one. This explains why the probability calculus is of so little use in ordinary life, and is a far more fundamental objection than the simple difficulty of knowing the underlying probability density functions in many of life's choices. It also makes clear that Pascal's wager is incoherent. When Pascal adjures one to "Be consistent and do the same in matters of religion" as one does when "evaluating wagers by blending the chances of an outcome with the gain to be realized" he is in fact advocating a gross mathematical inconsistency: that of using a cardinal calculus on ordinal values.

The same error - failing to distinguish cardinal and ordinal values - is made by those who see the marketplace as the model for all human interactions; for instance those who see the relationship between parents and children as fundamentally a contractual one. The market deals with monetary value, a strictly cardinal quality. Moral behaviour deals almost exclusively with ordinal values, and the two are simply not commensurable. The interface between ordinary life and the market is therefore always likely to be a source of friction, as we try to accommodate two incompatible value systems with each other.

To take a trivial example: suppose one of my cats is ill, and the veterinary fee is equal to one month's fees as at my son's school. Furthermore, there is only a 50% chance the cat will be cured by the procedure. On the other hand, there is only a 25% chance that one particular month at school will have any impact on my son's education. Is the money better spent on the cat or my son? Probability calculus cannot help us here, because my son's education is not "X times as valuable" as my cat. It is simply more valuable. How much more cannot be expressed as a multiplicative factor because the values are ordinal. If I were to take my son out of school for a month and take the cat to the vet, the odds favour the cat getting well and my son not being harmed. But in the worst case, which only occurs 12.5 percent of the time, the cat will die and my son will be harmed by the missed schooling. There is no sensible way of quantitatively comparing this outcome to the more positive outcomes, yet in a sense it must be the ruling factor. Moral outcomes often must

than elementary distinctions. Our postmodern mania for effacing distinctions at their root indicates less a desire to be informed, before we declare a natural world order intended to be realized, than a desire on the part of homogenized humanity to be the sufficient formative cause of a new world order, where man in his indeterminacy is the principle of all things humanly significant, which becomes the totality of significance. This latter preference assumes in our time the status not merely of a perverse possibility but of a moral imperative, before which everything natural must fall. Christopher is not a cognizant participant in this mission; but having given pride of place to Grotius in the center of his book, in the final chapters he is compelled to apply a fundamentally unsound doctrine to the major problems confronting international affairs today. Even so, because a journey is specified above all by the destination, Christopher's raising of certain principles, however tentative or incomplete, is of inestimable value as the point of entry to a just war tradition our new world order regards as something to be exorcized.

One of the crudest realizations of our time, placing women in combat arms, is a contradiction of every life-giving impulse of nature. When just war theory has nothing to say about employing women as combatants, or even leads us to the experiment, it is a sign that the just war tradition needs to be re-examined from the very beginning.

cardinal distinction American patriots such as James Otis were forever at pains to emphasize: "The supreme power in a state, is *jus dicere* only: - *jus dare*, strictly speaking, belongs to God alone. Parliaments are in all cases to *declare* what is for the good of the whole..."

Christopher does not see that if the just war tradition is no longer found probative, this is due in large measure to a theory of natural law which does not argue in the light of any ends of action commonly recognizable as natural in the sense of given, ends such as "life, procreation and knowledge." To take one example, Grotius' qualifies his categorization of persons who ought to be immune from direct attack in warfare, as Christopher points out: "Women, he adds, have immunity *unless they are employed as soldiers*." Whether or not Grotius understood the employment of women as combatants to be entirely natural or to be merely a perverse possibility is unclear. However that may be, the United States now seems determined to take the lead placing women in combat roles in the most advanced armed forces on the planet, and does so precisely on the grounds that service in such a role is a natural right. Somehow, the suppositions of our contemporary thinking appear to forbid any serious inquiry into the conformity of such a practice with the kinds of values that seem most natural to us, the ones with which Grotius and Christopher precipitately dispense. The crux of the matter regarding the placement of women in combat is indeed a question of principle.

Since the central thinker this book relies on is Grotius, we need to elaborate on some important points of argument Christopher mentions only in passing. Christopher writes that Grotius explains the laws of nature "in the same way a scientist explains phenomena concerning inanimate bodies in terms of the laws of physics... These universal laws are the first principles from which human reason deduces *moral truths*." Grotius also compares the natural law to mathematics. And like the principles of mathematics, those of Grotius' natural law are likewise clear and distinct: "The fundamental principles of the law of nature are as manifest and clear as those things we perceive through the senses." We would add that Aristotle too had compared the principles of the natural law to those of mathematics, but only insofar as both are fixed and inoperable; otherwise, he warned, the comparison is highly misleading. In the mathematical order, the definable nature first known in the logical order of our intellect is also the formal reason or principle of properties that may be deduced therefrom: in geometry, for example, the absolute nature of a triangle is both the logically first point of departure for constructive reasoning as to its properties - since we extend the base and so on to discover that it has interior angles equal to two right angles, etc. - and the sufficient formal reason for the properties predicated necessarily of the subject. This is exactly the mode of being Grotius ascribes to the principles of the natural law. Man's substantial nature is defined by him from an observed innate propensity for social grouping. The original acts of consent, the Grotian "pacts" by which we oblige ourselves in contractual submission to one another follow as moral requirements directed to the formation of ourselves as specifically human. Grotius deduces all secondary laws and precepts, including ultimately those of international law, on the basis of their expediency in relation to this very basic observation of man's essential nature as a social animal. By consent to the deductions of such reasoning, man thus gives himself the laws by which he becomes specifically human.

classification into currency banking, and the free-banking school (11, pp.252ff, 490-91). By and large Professor Rothbard deals with each theorist just as he had promised, within "the cut-and-thrust of history itself, [within] the context of the ideas and movements, how people influenced each other, and how they reacted to and against one another..." (1, pp.viii-ix)

This is a masterly performance and a seminal contribution to the Austrian scholarship. One cannot but feel indebted to Mark Skousen for persuading and supporting Professor Rothbard in this endeavor. May the 'lesser' figure in these volumes command urgent attention of young Austrian scholars.

* The author would like to thank Don Warmbier for helpful discussions and comments.

of *laissez faire* without a supporting theory can't be expected to last long. The French interpreter of Smith however took a rather different route.

Say's (1803) *Treatise* was an instant best seller and became a standard text on the Continent and in the United States because, in Thomas Jefferson's appraisal, the *Treatise* was "shorter, clearer, and sounder than the *Wealth of Nations*." (quoted in 11, p.12) Say was "decidedly" 'French' non-Smithian, and 'pre-Austrian'" with "logical clarity and emphasis on the praxeologic axiomatic-deductive method, on utility as the sole source of economic value, on the entrepreneur, on the productivity of the factors of production, and on individualism." (11, p.3) Unfortunately, Say does not even mention Cantillon, dismisses Turgot as more of a political theorist than an economist and declares Smith the founding father of economics. In attempting to claim the mantle of Smith, Say undermined the subjectivist tradition in the long run.

The apparent denial of the Cantillon-Turgot lineage was a strategic move on the part of Say. Turgot, ousted from the controller-generalship in 1776, was seen as a close ally of the physiocrats who were dedicated to absolute monarchy in the era of the French Revolution. Napoleon created difficulties for Say and his *ideologues*. But after the Restoration period, Say was able to publish a second edition of his *Treatise* and expand his influence with the help of able disciples like Charles Comte (*A Treatise on Legislation*, 1827) and Charles Dunoyer (*On the Freedom of Labour*, 1845) and with his son and grandson. He was fortunate to have as a follower Frederic Bastiat, who was "indeed a lucid and superb writer, whose brilliant and witty essays and fables [for example, the 'Petition of the Candlemakers'] to this day are remarkable and devastating demolitions of protectionism and of all forms of government subsidy and control." (11, p.444)

By the mid-nineteenth century, the theoretical foundations of *laissez faire* in France were built to the point where Gustave de Molinari advocated "free and unhampered competition in what are generally called uniquely 'public' services: in particular, the sphere of police and judicial protection of person and private property." (11, p.453) The traverse was complete: *laissez faire* had reached anarcho-capitalism, "So dominant was the *laissez-faire* school in France...that its teaching permeated the popular culture. Popular writers, journalists, and novelists expounded on the harmony of interests, and on the mutual benefit and the general prosperity brought about by the free market. Thus no more lucid and inspiring an economic primer and paean to the workings of the free market has ever been written than the lectures to French workers, formed into the *Handbook of Social Economy: Or the Workers' ABC*, written by the popular novelist Edmond About (1828-85)". (11, p.444)

The influence of the French theoreticians was spreading rapidly on the Continent and in the United States. But any hopes of a complete French economic revolution against the Smith-Ricardo paradigm were summarily dashed by the new British giant: John Stuart Mill. Mill re-established "Ricardianism on the throne of British economics, a feat he accomplished through the enormous popularity and dominance of his *Principles of Political Economy* (1848)... Indeed, the great advances of the anti-Ricardians...were truly forgotten in Mill's re-establishment of the cost, and indeed the labor, theory of value, the Ricardian rent theory, Malthusian wage and population theory and the remainder of the

Smith "much as Athena sprang full-grown and fully armed from the brow of Zeus" (1, p.vii). Professor Rothbard persuasively argues that Smith's economic architecture left out some crucial bricks laid by his predecessors which led to the increasingly shaky structures of Ricardo and Mill with its ultimate collapse in Karl Marx. "Before Smith, centuries of scholastic analysis had developed an excellent value theory and monetary theory, along with corresponding free market and hard-money conclusions." It was "elaborated still further into a veritable science by Cantillon and Turgot in the eighteenth century. Far from founding the discipline of economics singlehanded, Adam Smith turned his back...on the scholastic and French traditions..." (1, p.501)

Professor Rothbard faults Smith on both counts; analytical and political. Smith's economic theory as well as his commitment to *laissez faire* are seriously challenged. In value theory, Smith left aside the subjective utility-scarcity theory of value and sought "the cause of value not in frivolous consumers but in real cost, or labor pain, embodied into the product. Hence Smith's crucial shift in economic theory away from consumer demand and actual market prices, and towards unrealistic, long-run equilibrium. For only in long-run equilibrium does a labor pain, or cost, theory of pricing take on even superficial plausibility. But the exclusive attention to long-run equilibrium led Smith to toss out the entire entrepreneurship-and-uncertainty approach that had been elaborated by Cantillon and Turgot... Smith's labor theory of value led to Marxism and all the horrors to which that creed has given rise; and his exclusive emphasis on long-run equilibrium led to formalistic neoclassicism, which dominates today's economic theory." (1, p.501) Following Emil Kauder, Professor Rothbard charges Smith's Calvinism for his contempt for consumption and consumers and his celebration of hard work and toil.

Smith's famous discussion of the division of labor "placed far too much importance on the division of labor *within* a factory or industry, while neglecting the more significant division of labor *among* industries." The motive for specialization and exchange was generally understood to be increased productivity and mutual benefit. But Smith shifted "the main focus from mutual benefit to an alleged irrational and innate 'propensity to truck, barter and exchange' ... As Edwin Cannan pointed out, Smith took this tack because he rejected the idea of innate differences in natural talents and abilities, which would naturally seek out different specialized occupations. Smith instead took the egalitarian-environmentalist position...that all laborers are equal, and therefore the differences between them can only be the *result* rather than a cause of the system of the division of labor." (1, p.442) This deduction gave support to socialist gripes about alienation.

The conventional view of Smith as a champion of *laissez faire* is suspect because he supported usury laws, heavy tax on distilleries and luxury carriages, tariffs on import of manufacturers and export of raw wool, compulsory building of fire walls and registration of mortgages, and he advocated government-run education, infrastructure projects, and the post office (the latter on the grounds that it has been profitable). Moreover, Smith spent his last 12 years as a commissioner of Scottish customs. He did not use his position to bring about reforms to promote free trade or to mitigate deadweight loss due to tariffs. Instead he asked for "compulsory automatic warehousing of all imports, which would have made inspection and enforcement far easier for customs officials, at the expense of the smugglers, international trade, and the nation's economy." (1, p.468)

2. See, for example, Paul Weiss's "The Theory of Types," *Mind* 37 (1928): 338-48; or see the recent account in my "Self-Referential Arguments in Philosophy," *Reason Papers* 16 (1991), esp. pp.140-43.
3. For an extraordinarily clear development of this argument see Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953), ch. 1.
4. Murray Rothbard excepted; cf. his *The Ethics of Liberty* (Atlantic Highlands NJ: Humanities Press, 1982), which supplements Austrian economics with a natural rights approach rooted in an Aristotelian view of human ends.
5. Hans-Herman Hoppe, *A Theory of Socialism and Capitalism: Economics, Politics, and Ethics* (Dordrecht: Kluwer Academic Publishers, 1989), p.132.
6. Cf. Danny Shapiro, Review of *A Theory of Socialism and Capitalism*, *Reason Papers* 15 (1990): 154.

This distinction is knowable *a priori* because any attempt to undo it to establish, e.g. the universality of physicalist monism within the constraints of causal explanation, would be an instance of an action with a distinct end and means, teleological in structure, and vitiating physicalist monism from within.

Hoppe develops this point further to show that no social science can yield exact predictive knowledge, since exact predictions require causal explanations appropriate to the physical sciences rather than teleological ones. Human beings, including explainers, learn from experience; hence their state of knowledge changes. Learning is a process whose outcome is not knowable in advance; hence one's state of knowledge at some future time *t* is not inherently predictable given one's state of knowledge in the present. The ends of one's actions being predicated on one's knowledge at a given time, these therefore cannot be predicted as if akin to phenomena studied by physical science. Thus economic forecasting is constrained not by empirical predictions by rather *a priori* knowledge of actions generally which restricts the range of the possible. This, of course, implies the *a priori* impossibility of central economic planning. Though empirical evidence does tell us that all social-engineering efforts to date have failed, empiricism permits them to continue given the empiricist approach to economics that "nothing can be known with certainty to be impossible in the realm of economic phenomena." (p.52) Applying Hoppe's apriorism to economics, we *can* know, *a priori*, that certain states of affairs, e.g. a prosperous socialism, are impossible, this knowledge being deducible from propositions following necessarily from the logically incontestable one that *man acts*. Thus efforts to bring them about should be discontinued.

There are some problem areas in Hoppe's efforts. For example, he occasionally lapses into transcendentalism (as did Mises himself occasionally); e.g. he observes (p.37) that the unpredictable aspects of human actions imply a conception of free will which could be illusory from the point of view of a superintellect such as God. But if *man acts* is a necessary truth, it isn't a necessary truth for us alone but a necessary truth for *any* mind. It follows that *temporal becoming* is mind-independent and that important aspects of the future are unwritten - for a superintellect no less than a human one; not even God can know the unknowable on pain of self-contradiction! So Hoppe's hesitation seems unwarranted, a sign that he hasn't quite purged his thought of the antimetaphysical bias infecting the epistemological theses he has inveighed against.

Many libertarian philosophers will sense a more serious lacuna - this tract, and Austrian economics generally⁴ lack an account of the *rights* of actors, or for that matter, any overt *normative* dimension, Mises having eschewed ethical pronouncements as outside the scope of praxeology. In earlier work, Hoppe took up the problem of the ethical grounding of laissez-faire capitalism and saw its moral superiority as knowable *a priori* no less than the axiom of action itself, bypassing the kinds of defenses we find in natural rights theorists. The necessity that argumentation is sound, also knowable *a priori* (cf. p.65), has immediate ethical consequences in the implication of a "right of exclusive control over [one's] own body as [one's] instrument of action and cognition."⁵ However, given the machinery Hoppe has given us, which is just the machinery Austrian economics provide generally, what follows deductively from an actor's use of argument is the subjective, personal choice of rational persuasion over coercion. Ethics, however, reaches

standing (e.g. causality). Kant, of course, lends himself to such a reading with his famous opening of the first *Critique* (quoted by Hoppe, p.20), "So far it has been assumed that our knowledge had to conform to observational reality"; instead it should be assumed "that observational reality conforms to our knowledge." In which case, *why should any of our mental categories fit reality?* is a question which has haunted epistemology ever since and one which generations of epistemological pessimists have answered by saying, in effect, *there is no reason they should*, or, following logical positivism, *the question is meaningless*.

Hoppe finds in Mises a reading of Kant which resolves the dilemmas, one missed by both orthodox Kantians and Randians. The key is in Mises' "sid[ing] with Leibniz when he answers Locke's famous dictum *nothing is in the intellect that has not previously been in the senses* with his equally famous one *except the intellect itself*" (p.59), and then reasoning that Kantian categories are not as categories of abstract intellect but of the minds of acting persons. As Hoppe explains this:

We must recognize that such necessary truths are not simply categories of our mind, but that our mind is one of acting persons. Our mental categories have to be understood as ultimately grounded in categories of action. As soon as this is recognized, all idealistic suggestions immediately disappear. Instead, an epistemology claiming the existence of true synthetic a priori propositions becomes a realistic epistemology. Since it is understood as ultimately grounded in categories of action, the gulf between the mental and the real, outside, physical world is bridged. As categories of action, they must be mental things as much as they are characteristics of reality. For it is through actions that the mind and reality make contact. (p.20)

The logically incontestable proposition *man acts* therefore constitutes the missing link between the Kantian synthetic *a priori* and realism. Consider the category of causality:

Causality, [Mises] realizes, is a category of action. To act means to interfere at some earlier point in time in order to produce some later result, and thus every actor must presuppose the existence of constantly operating causes. Causality is a prerequisite of acting, as Mises puts it. (p.21)

And:

Without such an assumption regarding the existence of causes as such, different experiences can never be related to each other as confirming or falsifying one another. They are simply unrelated, incommensurable observations. (p.36)

This, in Hoppe's view, establishes realism as logically necessary:

Recognizing knowledge as being structurally constrained by its role in the framework of action categories provides the solution... Understood as constrained by action categories, the seemingly unbridgeable gulf between the mental on the one hand and the real, outside physical world on the other is bridged... [I]t is only through actions that the mind comes into contact with reality, so to speak. Acting is a cognitively guided adjustment of a physical body in physical reality. And thus there can be no doubt that a priori knowledge, conceived of as an insight into the structural

Lefkowitz has written a timely and important book, which is clear and well-argued. It is at the same time calmly rational and urgently plaintive. It is essential reading for all philosophers, classicists, and historians, as well as for all those who are concerned about decaying standards of critical thinking skills. Socrates says in the *Gorgias* that the truth is never refuted, but if the very concept of truth is banished from the academy, it won't matter.

Review of Mary Lefkowitz, *Not Out of Africa*, NY: Basic books, 1995

Aeon James Skoble, *Southeast Missouri State University*

Martin Bernal's 1987 and 1991 volumes collectively entitled *Black Athena* brought to national prominence a controversy previously unnoticed by the mainstream academy, that of the allegedly "stolen legacy" of historic African culture. The controversy centers around two main theses. First of all, classical Egyptian civilization was populated not by what we would today call Arabs, but by what we would today call blacks. Second of all, all of classical Greek learning, especially philosophy and geometry, was literally stolen from (as opposed to merely influenced by) the (black) Egyptians. It turns out that there is no evidence for either of these two claims, and considerable evidence against them. But, as Mary Lefkowitz's new book explains, that's besides the point.

Lefkowitz wrote an article for *The New Republic* in 1992 debunking the "stolen legacy" theory, and was immediately, to her great surprise and dismay, branded a racist. She thought that by pointing out the historical evidence, and explaining how research in history is done, that the theory would be seen as unsupportable and dismissed. For example, one of the often-repeated claims is that Aristotle plagiarized his entire philosophy from books he plundered from the Library of Alexandria during one of Alexander's conquests. Lefkowitz pointed out that, even leaving aside the question of whether Aristotle ever went to Egypt, or anywhere with Alexander (he didn't), the Library of Alexandria, indeed the city of Alexandria, was not even built until after Aristotle's death.

But rather than causing the theory to be dismissed, Lefkowitz's article fanned the flames of controversy, and she was denounced by Afrocentrist academics. She found out that many more students than she had previously imagined were being taught the "stolen legacy" theory. So she set to work on two books, one a scholarly, point-by-point rebuttal to the claims in *Black Athena*, and the other *Not Out of Africa*, a book intended to serve a similar purpose for a non-specialist readership. This latter function is critical, because it is not so much professional philosophers and classicists who are swayed by the "stolen legacy" theory, but college freshmen, op-ed writers, and political activists.

Not Out of Africa presents a thorough survey of the controversy, including its origins in factually mistaken Masonic literature and the writings of racial separatists. Lefkowitz documents how she has been demonized by the Afrocentrist movement, and how reasonable inquiry has been discouraged by the hot rhetoric attaching to the charge of racism. Perhaps more importantly, she makes an eloquent plea for objectivity and reason in history.

Are there, can there be, multiple, diverse "truths"? If there are, which "truth" should win?... Diverse "truths" are possible only if "truth" is taken to mean something like "point of view." But even then not every point of view...can be equally valid... The notion of diversity does not extend to truth. (p.162)

Many philosophers, upon hearing about the controversy, respond by saying, "well, I really don't care what color Socrates was, I'm just interested in the *theory*." This response may be motivated by a desire to avoid being branded a racist, to avoid the entire touchy

method with the dialectic, mainly it seems because of their acceptance of the traditional assumption that dialectical method is equivalent to Hegelianism or Marxism. Rand is not Marxist, therefore (they reason), her method could not be dialectical.

Sciabarra, however, firmly lays to rest both this assumption and the false conclusion drawn from it. He points out that even Hegel referred in laudatory manner to Aristotle as the "Father of Dialectic" and that Rand herself said that the only intellectual debt she would acknowledge was to Aristotle: "Rand was profoundly correct to view her own system as the heir to Aristotelianism. Ultimately, it might be said that her debt to Aristotle concerns *both* the form and the content of her thought." (p.19)

In addition, Sciabarra shows just how thoroughly entrenched the dialectical method was in Russian culture - especially in her textbooks and in the minds of her professors - at the time Rand went to college. This argues convincingly for the strong likelihood that Rand absorbed the dialectical methodology from her milieu, even while emphatically rejecting the various religious and Marxist conclusions others derived with it. By this many-faceted approach, Sciabarra claims (and this reviewer concurs), he has offered "the best explanation yet published for the origins of Rand's unique approach to philosophic and social analysis." (p.19)

In this connection, it must be noted that certain Objectivists often voice another nagging concern (and, unfortunately, not always in a calm, civil manner), namely, that linking Rand and Objectivism in any way, even methodologically, with thinkers she so despised as Marx and Hegel, will ultimately cause serious harm to the Objectivist movement and philosophy. But as Rand herself was fond of saying about allegedly fragile situations, "It is obvious that a boat which cannot stand rocking is doomed already and that it had better be rocked hard, if it is to regain its course..." Surely this dictum applies no less to her own system of ideas. And aside from those with a vested interest in the pristine isolation of Objectivism from rigorous academic scrutiny, it is difficult to imagine who could find fault with Sciabarra's masterful efforts to garner more mainstream attention to (not to mention respect for) Rand's philosophy. The truth will out.

In any case, while Sciabarra's methodological insights place Rand's development and that of her philosophy much more clearly in historical perspective, these revelations, he stresses, need not in any way tarnish her reputation as a staunch anti-Marxist nor lessen her originality and importance as a thinker. They simply identify the fact that "Rand's use of dialectical method was as essential to her historic formulation of Objectivist principles, as was her original synthesis in the realm of content." (p.20) And although neither the various parts of its content, nor the use of dialectical method, is peculiar to Objectivism, when the method and content are considered together, they constitute Objectivism's fundamental distinguishing (i.e. defining) characteristic. It is their integration into a new system of thought that is unique, Sciabarra says, and therefore worthy of serious, deep study by scholars.

As Sciabarra observes: "Objectivism is a seamless conjunction of method and content - of a dialectical method and a realist-egoist-individualist-libertarian content." (p.381) This unique synthesis, linking "a multilevel, dialectical analysis to a libertarian politics...is

understand the dialectical impulse is to view it as a technique to overcome formal dualism and monistic reductionism" (p.16) - one would hope that this inequity would be addressed in any future editions.

As to the structure of the book itself, each of its three main sections explores Rand's philosophy from a distinct, important perspective and in a very smooth, readable style throughout. Not surprisingly, Sciabarra finds the dialectical method to be unmistakably implicated in each instance and supports his case with voluminous citations derived from a thorough knowledge of the Objectivist literature. (His task was made considerably more difficult, and his achievement all the more admirable, by the fact that so much of Objectivism exists not in printed form, but as taped lectures).

The four chapters of Part I, "The Process of Becoming," constitute a "diachronic" focus on the intellectual roots of Objectivism, i.e. on the historical process involved in "Rand's intellectual groping toward synthesis." (p.11) Sciabarra's talents as an intellectual historian shine forth as he delves deeply into both Rand's educational background and the cultural conditions in Czarist and Revolutionary Russia, and as he carefully traces the gradual development of her outlook and ideas after she moved to America. He finds much evidence to suggest that Rand, throughout her life, was "a profoundly *Russian* thinker" whose views were, in large part, "an evolved response to the dualities that [she] confronted in Soviet Russia." (p.10)

At times, due to handicaps such as the spottiness of academic records during Rand's college years and incomplete disclosure of Rand's early journals, Sciabarra was forced to resort to "argument from best explanation." The most intriguing examples of this approach were in regard to the questions about whether Rand actually studied, as she claimed, with Nicholas O. Lossky at Petrograd University during the 1921-22 academic year, and whether she might have gone through a Nietzschean phase, seemingly represented by certain colorful passages appearing in the 1933 edition of *We the Living* but removed from the 1959 revised edition (and which she referred to as "editorial line-changes," attributed to her earlier awkwardness in writing in English). In both instances, Sciabarra's "best explanation" ends up extending the benefit of the doubt to Rand, but questions remain.

Part II, "The Revolt Against Dualism," is a "synchronic" presentation, in six chapters, of the formal structure of Objectivism, beginning with the more abstract theoretical domains of metaphysics and epistemology and working on down through psychology and aesthetics to ethics and politics. Aside from Leonard Peikoff's recent book (*Objectivism: The Philosophy of Ayn Rand*, 1991, Dutton), this is probably the best overview of Rand's philosophy available. And it has the additional virtue of highlighting the important work done in epistemology by David Kelley, in psychology by Nathaniel Branden, and in ethics and value theory by Douglas Rasmussen and Douglas Den Uyl, names seldom written or uttered by Peikoff and those in his, the more "orthodox" faction of the Objectivist movement.

Throughout this section, Sciabarra's reconstruction of Objectivism shows repeatedly "how it is an inherently dialectical and nondualistic formulation that differs considerably from conventional alternatives." (p.11) Frequently, this entails elucidating the necessary

Dialectical Objectivism? A Review of Chris Sciabarra's *Ayn Rand: The Russian Radical*

Roger E. Bissell

Few works with the level of scholarship evidenced in historian and political theorist Chris Sciabarra's book about Ayn Rand's philosophy have generated such a visceral, polarized response: scathing hostility and scorn on the one extreme and glowing, enthusiastic praise on the other. While an examination of personalities and events surrounding the preparation and subsequent reception of this book would be a fascinating study in its own right, the present review will focus instead on the thesis that spawned the controversy.

Rand's philosophy of Objectivism was born in the aftermath of her final and most famous novel, *Atlas Shrugged*, though the spiritual core of its ethos apparently dates back to her adolescence in Russia. That Objectivism champions reality, reason, egoism, individualism, laissez-faire capitalism, and romantic art has been common knowledge to its supporters and enemies alike for several decades. What is new in Sciabarra's thesis, what has set everyone on their ears - with either delight or outrage - is his claim that the *methodology* by which Rand developed her philosophy is the "dialectic."

Although Sciabarra doesn't provide a one-sentence, genus-differentia definition of "dialectic," the description he gives (pp. 14-18) portrays dialectics as a methodological orientation with six basic, interrelated characteristics:

- (1) holism - a commitment to preserve "the analytical integrity of the whole," to see its essential parts as "distinctions within an organic unity...inseparable aspect[s] of a wider totality," which cannot be "fully understood in the absence of the other[s]".
- (2) contextualism - a commitment to perform both abstraction and integration when studying a "whole from the vantage point of any part," rather than reifying its parts and treating them atomistically as if they were independent of the whole;
- (3) synchronic, or structural, or systemic, internalism - a commitment to grasp the systemic, often reciprocal, interrelationships among the various parts that constitute a whole (and especially the various theoretical issues that together form a wider philosophic context);
- (4) diachronic, or dynamic, or historical, internalism - a commitment to recognize the historical, often conflictive, interrelationships among the various events in the origin, development, and modification of a whole (and especially the past, present, and future course of a system of ideas); and (as a consequence of the first four).

to me, makes no sense. Either society should have been able to step in right from square one and enslave the individual to any degree it likes; or it should not be able to do so just because there are now two, or five, or 867, or 122,000,000 cooperating persons instead of just one. But income rights are just that: income is got from exchanges with other persons, and whether those be one or a million, the situation is the same: the new wealth is created by precisely those people, and not by society in general. So either society has no claim on any of it, or else it had just as much claim to any single individual's non-cooperative production as it does to the groups.

Some transactions involve negative externalities of a significant kind; when that is so, property theory itself shows why those on whom they fall have a complaint. What to do about such situations is an important and interesting question, but it is also usually a sideshow. It is anything but a sideshow when there is up-front force or fraud, of course. The presence of those factors obviously mean that the "exchange" is not a free-market exchange at all. And it is precisely the unfreeness of the effects of pollution on the lungs or yards, or whatever, of those affected by it that is the basis of their complaints; such things obviously are relevant to any defender of the liberal market. Just as we must prohibit violence and fraud, so we need to enable genuine victims of side effects of transactions and processes to be correctly compensated. But things like that will not get us to socialism.

The trouble isn't just that socialist governments in the past have been, by very far, the world's worst polluters; rather, it's that the foundations of socialism simply have nothing to do with any of these things. Socialists fundamentally deny producers' rights to what they produce. The state will instead "direct" production, manage its sale if sale is involved, and in whatever other ways distribute the results to persons who have no obvious claim on it. Christman embraces what he terms 'egalitarian' ends, though they have no better claim to that term than do the proponents of general liberty rights as the fundamental principle of the social charter - actually a good deal less, some of us might say. But at any rate he embraces the familiar leftist agenda: let's take from the "rich" - a.k.a. the productive - and give to the "needy" - that is, those designated as such by the state planners, into whose hands the control of our purposes will go. Obviously this is possible - it happens all the time. But why *should* it?

Like every book to this general end, Christman's book actually contains no arguments whatever for its fundamental normative claims. He is an "egalitarian," - but why? We are not told; it's just *asserted*. Distributive claims, without paying attention to the wishes of the producer on that point, *need to be argued for*. But where is the argument? You can search the pages of this book exhaustively and you won't find one. Genuine arguments for property rights, on the other hand, exist; Christman even has some inkling of some of them. But not, as it turns out, much, since in each case they are distorted into irrelevancies. On the other hand, socialism has its share of real myths, or at least illusions: that private ownership of the means of production consists in some people taking things from others; that it is incompatible with the production of public goods; that it caters to and lives by racism or other such 'isms'; that it is a matter of "rewarding the hard-working" and paying according to "effort" - these are all, by now, exploded ideas, put into circulation by people, such as Marx and Engels, who offered no clear analysis of why we should expect them to be true, or made the criticisms in too vague a way even to be certain what the charge is,

liberal reason why you should have all the others, until you voluntarily relinquish them. It is, simply, the right to control, that is, to do what you like with - to have, in short, authority over the use or disposition of, the item in question. Once you have that, you are in a position to rent, lease, or sell it, or enter into a partnership with, any willing other person who has similar control over something you might want. According to the liberal *thesis*, individuals who have the first right ought not to be prevented from engaging in the other activities as well. To deny individuals the right to do those other things is, according to this moral thesis, to *violate* their rights.

But the liberal property thesis, it seems, is founded on a "myth", according to the author. Well, what myth? We aren't told, really. Feminists sometimes refer to the "myth of masculine superiority." Referring to that set of beliefs as a 'myth' makes some sense: we know what is meant, and intelligible options for discussion are opened by it. But nothing like that is claimed by Christman to be at the root of the idea of property. Individuals who own things are not thought, by liberal theorists, to be supermen, or to be engaging in magic. They're doing ordinary, recognizable kinds of things, and the liberal is the theorist who thinks there is good reason for allowing people to do those things - that we have no satisfactory general reason for disallowing any of them, so long as they obey the familiar constraint that none of them may violate the rights of others in the process. But those other persons' "rights" are not up for grabs either. Each and every person, on the liberal view, has a fundamental, negative right to his own person, and thus to his own activities. Positive rights, e.g. to a "social minimum" or to "equality," are not part of the liberal package. The main thesis of the book is that these many things that can be done with things should be separated into just two general classes: (1) rights of possession and use, and (2) rights to income - "these two notions, control and claims to income, must be completely separated in our understanding of what it means to own something" (p.26). Christman's view is that the second, but not the first, should be taken over wholesale by the state, to be used to promote the familiar agendas of the political "left". (See Ch. 9 entire).

Why? According to the author, "The interests that these two (sets of) rights protect are different in character and weight... Thus the set of property rules adopted by a society...must be considered as separate packages." (7) This is an old idea, distinguishable only in detail and in terminology from the main idea of Marxists, who want to deny "private ownership of the means of production" while affirming rights of individuals to use the products of those means, or of Proudhonists, from whom Christman may as well have got the idea. The question is whether there is any real basis for doing anything of the sort. That it in some sense *can* be done - or at least attempted - is obvious enough. But that it *can* be is, of course, not enough to show that it also *should* be. Yet the unwary reader might well get the impression that the analytical work here is supposed to support the normative theses all by itself. Of course it can do nothing of the sort. The analytical work doesn't show in the least that the people who make something, for example, do not thereby have any claim to the income they might be able to derive from its sale. All they show is that other people can take that power away from them if they want to - and, as I say, we already knew that: we know about socialism, just as we knew that it *can* also take the first one away - we know about slavery, for example. Christman agrees that slavery is a bad thing. But he wants to support the state's disallowing of individuals from uninhibitedly engaging in "capitalist acts between consenting adults," as Nozick so delightfully put it.

Barring the rare penetrating observation, however, *Nations Without Nationalism* is devoid of real interest. Readers with a genuine interest in the problems posed by nationalism in the modern world will find very little of value in Ms. Kristeva's conclusions on the nature of national loyalty and intolerance of cultural diversity nor on her superficial interpretations of French political life.

sexual, and so forth.") How can this reconciliation between the modern nation-state and a wide range of cultural differences be accomplished in the face of the bitter sectarianism that has polarized France in particular? Ms. Kristeva, who calls herself a "cosmopolitan," believes that tolerance of diverse values and the idea of nationhood are not incompatible if one has recourse to Montesquieu's notion of the *esprit général*, where one's loyalty is to the smaller grouping (in order of size, the individual, the family, the nation, the race, mankind) only if that loyalty doesn't conflict with ("is integrated into") loyalty to the larger. (I leave aside the fact that there are serious problems with this interpretation of what Montesquieu means by the term.) This entails, contends Ms. Kristeva, a respect for personal rights (by which Ms. Kristeva understands "personal values") and an appreciation of the interdependence of groups.

All this is well and good, but Ms. Kristeva never confronts the crucial questions raised by this claim. How is it possible to determine when such loyalties conflict? And what are the criteria for determining the costs and benefits that accrue to each of these groupings? Surely it is obvious that there is no clearer or more common instance of self-deception than the conclusions to which we are all prone, that what is best for the group, by a stroke of luck, happens to coincide with what is best for oneself and that all would benefit were one's values universalized. Nor are we told whether there is a limit to the diversity of values beyond which societies can no longer function. How "cosmopolitan" can one be? All these problems, of course, are, at least in principle, soluble were one to have recourse to the notion of a society based on individual rights, but Ms. Kristeva eschews this solution.

Ms. Kristeva seems to appreciate the fact that as our personal freedom becomes more and more restricted and our sense of self more fragmented, we tend to take refuge in identifying ourselves not so much as individuals but as members of some national or religious group. But she appears unable to translate this notion into a coherent theory of social diversity that is rooted in limiting the coercive powers of the majority. The extension of government activity into areas once considered distinctly private has transformed what otherwise would have been regarded as purely personal issues into those requiring political solutions. As a consequence, modern social democracies require far more homogeneity in the values embraced by their citizens than did the liberal regimes of the nineteenth century.

Finally, an ever-expanding social welfare system forces a nation's population to subsidize its immigrants, which encourages them to distrust those whose life-styles are markedly different and who espouse distinct values. Can there be any doubt that the primary reason why most Americans (I am not speaking of the more rabid nationalists, who never represented more than a small minority) were prepared to accept an open immigration policy a hundred years ago while today they overwhelmingly support strict limitations on immigration is that immigrants are immediately eligible for the whole range of government benefits, including welfare? And the provision of these benefits are themselves a reason for attracting some immigrants, who have no real wish to integrate themselves into their new home, but only seek to take advantage of its state-provided largesse. Nor do new immigrants need to adopt the values of the nation to which they are immigrating. Assimilating themselves to the prevalent value scheme is no longer necessary since governments now shield us from the costs of offending many of those values.

8. "Embezzlement can be defined as the fraudulent conversion of the property of another who has lawful possession of the property and whose fraudulent conversion has been made punishable by statute." Arnold Loewy, *Criminal Law*, (West Publishing, 1987), p.94 and generally, ch.6.

9. Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil*, (Penguin, 1964).

10. Cf. A.J. Simmons, *The Lockean Theory of Rights*, (Princeton University Press, 1992), ch.6; Robert Nozick, *Anarchy, State, and Utopia*, ch. 9; Jan Narveson, *The Libertarian Idea*, (Temple University Press, 1988), ch. 18; Roderick T. Long, "Abortion Abandonment, and Positive Rights: The Limits of Compulsory Altruism," in E. Paul, F. Miller, and J. Paul ed., *Altruism*, (Cambridge University Press, 1991), [pp. 171-178]. For a revisionist account of "initiating" a coercive action, see Jeremy Waldron, "Welfare and the Images of Charity," *Liberal Rights: Collected Papers 1981-1991*, (Cambridge University Press, 1993), pp.234-237. See also Horatio Spector, *Autonomy and Rights*, (Oxford, 1992).

The work just cited differs from that of theorists whose attempted reconciliations of libertarianism and welfare rights make no attempt to reconcile welfare with the ban on initiatory coercion. For an example of this sort, see James Sterba, "From Liberty to Welfare," *Ethics* 105 (Oct. 1994): pp. 64-98, who apparently takes initiatory coercion against "the rich" to be justified on the grounds that they have a different moral status qua persons than "the poor." Another example is Ted Honderich's *Violence for Equality* (Penguin, 1980), which denies, on consequentialist grounds, the moral importance of the distinction between initiating aggression and withholding assistance to the needy (ch. 2). A defender of a "hard line" conception of libertarianism which takes initiatory coercion to lead exclusively to a "minimal" state is Tibor Machan; see his *Individuals and their Rights*, (Open Court, 1990).

vitiated by the absence of any discussion of the proper function of the State, and for that matter, *libertarian* (or quasi-libertarian) justifications for a more-than-minimal State. And there are plenty of these in the literature. A.J. Simmons has argued, for example, that it is possible to justify a right to welfare by means of Lockean premises about the nature of property. Robert Nozick has argued that it is possible to justify a welfare state without invoking a *right* to welfare; Jan Narveson has made similar arguments. Finally, Roderick Long has made nuanced distinctions between pure and derived positive rights, and has argued that derived positive rights to welfare can be seen as compatible with rights to freedom. Many libertarians, of course, have disagreed with such apparent concessions to welfare liberalism, and have explained their reasons. By contrast, Smith has nothing to say about this literature, preferring to couch her case against welfare rights in terms of time-honored clichés like "money does not grow on trees" (201).¹⁰

Moral Rights and Political Freedom fails to meet the minimal standards of rigor for a work of professional political philosophy. The book's central claims are poorly argued and do not discharge their burden of proof. Further, Smith fails to discuss many issues that are crucial to her thesis, and her treatment of the secondary literature is on the whole cavalier and superficial. The lapses of rigor are especially problematic given the shrill tone of the work, and the sweeping nature of its assertions. I am sure that there is a good case to be made for libertarianism on Aristotelian grounds. Unfortunately, this book does not make it.

Smith has two arguments against this sort of view. First, she stresses that *only* physical force, not economic duress, can "nullify" reasoned action. Since reasoned action is the *raison d'être* of rights, whatever undermines it violates rights, but whatever doesn't undermine it is irrelevant to the issue of rights. Since economic duress *cannot* nullify reasoned action, it is irrelevant to the issue of rights. Second, she contends that political freedom is a concept with a very circumscribed meaning: it denotes the sort of freedom that is coercively enforceable. Proponents of positive freedom conflate this circumscribed concept with other normative concepts like autonomy and mistakenly conclude that the conditions of autonomy are coercively enforceable. But not only for autonomy and political freedom distinct concepts, it is impossible to enforce the conditions of autonomy, precisely because autonomy is something that is out of the State's control. Therefore it is a mistake to think that anything more than political freedom is enforceable, and that political freedom is anything more than physical force.

Do these arguments really respond to advocates of positive freedom a la Hobhouse? I don't think so. Consider the first argument. Extreme cases apart, it seems a gross exaggeration to say that force literally "nullifies" reasoned action in the sense of making it impossible or of destroying the conditions for its existence. An action is reasoned if it involves an intentional selection from among two or more alternatives which can, in context, be cardinally or ordinally ranked by some standard. A person who is the victim of another's coercion has three options from which to make such a selection: compliance, flight, or retaliation. In many though not all cases, it *is* possible in principle to rank a victim's selection of these options by standards of survival and even justice: police officers get judged on that basis every day. If that is so, force does not necessarily *nullify* reasoned action, and Smith's thesis is false as stated. Having said that, one can certainly concede the claim that force *undermines* the conditions of reasoned action. But then again, so does economic or physical duress, after a certain point. So with respect to reasoned action, Smith's first argument provides no grounds for opposing positive freedom.

To answer the second argument, the advocate of positive freedom could argue that Smith has begged the question. Smith complains that since values like autonomy are not part of what she calls "political freedom," and only political freedom is coercively enforceable, the conditions of autonomy are not coercively enforceable. Perhaps that is true of as fuzzy a notion as "autonomy," but is it true of informed consent? I do not see that Smith has any argument against the theorist who insists that the conditions of informed consent are undermined by economic duress, that productivity via informed consent is part of the "select route" to human flourishing, that this notion is part of any proper conception of political freedom, and that it should be coercively enforced. This sort of dispute can only be settled by a thorough account of the actualization-conditions of human flourishing and practical rationality. Smith offers no such account. Hence her second argument offers no sufficient argument against positive freedom.

Smith's own analysis of force is torn by two competing but irreconcilable demands. On the one hand, she wants to locate force within the genus of "applications of physical pressure" (142). She is emphatic at times that to qualify as force or coercion, an act has to be *physical*. On the other hand, she wants to tie her account of force closely with the denial of consent (145). This works well enough for cases like rape, where the two

II. Coercion and Positive Freedom

I do not think that Smith has given us sufficient reason to accept her theory of rights, but let us suppose that we accept a right to freedom of action and a correlative ban on initiatory coercion. The problem now arises that we need to know what "freedom" and "coercion" mean. As in part I, Smith places a great premium on definitions. She defines (political) freedom as "the absence of others' interference with a person's ability to govern her own actions" (134). I was not able to locate an explicit definition of the concept of force in the book, despite the index's contention that the term is defined on pp. 141-2. But Smith asserts in passing that, for her, "force" means "the initiation of physical force," where "physical force" is supposed to be a concept broader than "physical violence," but narrower than the conception of coercion at work in the writings of advocates of "positive freedom." The task of identifying some such concept as *the* ideal of political freedom is the task of part II of *MRPF*.

Since Smith asserts that freedom denotes an absence, the crux of her theory of freedom turns out to be her theory of its contrary, force. If force includes violence but excludes "positive freedom," it would help to have a clear account of both of these terms. Waiving deep philosophical issues, it would help to have a clear account of both of these terms. Waiving deep philosophical issues, we can define violence as "physical contact exerted against the person or property of another with the intent to harm or abuse." What about positive freedom? Smith devotes chapter 8 of *MRPF* to this concept, focusing on the conceptions of it defended by Isaiah Berlin and Charles Taylor. I found Smith's discussion of positive freedom, and indeed the whole of part II of *MRPF*, tendentious and sloppily written. Smith seems so opposed to the idea of positive freedom, and so intent on denunciation, that she can't stand the idea of letting the notion have its day in court, even to refute it. Consider, for example, her preface to the issue:

While many theorists spout the distinction between positive and negative freedom, its exact contours remain murky. (Perhaps this helps to explain its acceptance. Haze obscures errors.) (166).

I am not sure how this highhanded assertion made it past Smith's editors, but it shouldn't have. Unfortunately, it is not an isolated instance; claims like it are scattered liberally throughout part II of the book.

Smith's arguments against positive freedom are little better, and many of them involve textbook examples of fallacious reasoning. The following *virtus dormitiva* explanation is supposed to show us why positive freedom is a flawed ideal:

Freedom, by its nature, is negative. It denotes an absence. Like other concepts that are coined to denote the lack or inverse of something...freedom refers to a state of affairs in which something is missing: others are not using physical force against a person. (169).

As proof against the notion of positive freedom, Smith resorts to empirical arguments of the following sort:

Unfortunately, nothing in our explication of "flourishing" indicates why we should believe the truth of 4*. Neither does anything in Smith's very brief and somewhat crude analyses of the concepts of "reasoned action" and "productivity." So it stands, we are being asked to believe that the violation of 4* would entail social catastrophe. Perhaps it would, but on the face of it, it is a little hard to see how government funding for Aid to Families with Dependent Children or public libraries will lead to anarchy, tyranny, and the dissolution of society. Suffice it to say that Smith does little to make such claims plausible.

We should remind ourselves that the burden of Smith's argument is *egoistic*. So she must prove to the satisfaction of egoists - including the least well-off egoist - that they do not ever *need* to resort to initiatory coercion (whether directly or through the State) to achieve their flourishing. This is not an easy burden to discharge, at least if we assume that the deliverances of practical reason are consistent, and that there are no conflicts of interests among rational agents qua rational. How would one justify a State without guaranteed assistance to an (egoistic) orphan? How would one justify a State without a right of sustenance to an egoist with a debilitating physical condition? How would one persuade a victim of racial or sexual discrimination to forego laws against discrimination on grounds of self-interest? Every one of these agents, it would seem, has an objective interest in maintaining an order that can permissibly initiate force to secure the conditions of their sustenance or flourishing. It follows that every one of them has reason to reject an absolute ban on initiatory coercion by means of an argument like the following:⁴

- (i) An egoistic agent has reason to do x insofar as x contributes to that agent's flourishing.
- (ii) The conditions of a given agent's flourishing can be specified independently of the flourishing of other agents.
- (iii) Respect for rights requires that we not initiate coercion against other agents.
- (iv) Requirement (iii) often fails to promote some agents' flourishing.
- (v) Hence respect for rights detracts from some agents' flourishing.
- (vi) Hence some agents lack reason to respect rights.

At this point, we can either conclude that there is an ineliminable conflict between the objective interests of the needy and the able; or we can revise our conception of rights to eliminate the appearance of conflict; or we can deny (iv) outright and insist that the objective interests of the needy and able are consistent with a libertarian regime.

Smith denies (iv). So she has to show that respect for rights and the ban on initiatory coercion *invariably* promotes flourishing for an agent, no matter who the agent is, or what her circumstances. Since she rejects deontology, she has to show this in a way that avoids the deontologist's dogmatic reliance on "moral intuitions." Since she also rejects consequentialism, she has to show it in a way that offers an unequivocal denial of (iv), not the *prima facie* denial of it that we find in consequentialist theories. For Smith, there is an *inexorable* interpersonal connection between every agent's genuine self-interest and every agent's respecting a ban on initiatory coercion.

best capturing Smith's intent: "Rights are authoritative individual entitlements to freedom of action in a social context, justified in terms of some overriding moral principle."

This definition of rights, like any other, provokes controversial questions and therefore needs a justification. Among the questions that might conceivably be asked are: What justifies the emphasis on the rights of *individuals*, as opposed to the rights of social groups, or for that matter, of future generations or sentient creatures? Finally, why should we be exclusively concerned from individuals' rights to *freedom of action*, as opposed to, say, their right to need-satisfaction or equality of opportunity? Smith's answers to all three of these questions proceeds from a commitment to a teleological theory of value based on an Aristotelian conception of human flourishing. Though Smith does not argue directly for this theory of value in the book, her thesis depends heavily on it. The broad outlines of the Aristotelian view will doubtless be familiar to readers of *Reason Papers*, but a recapitulation should help focus our attention on those aspects of the view that are relevant to Smith's argument.

A teleological theory of value must both explain goal-directed action and generate moral norms that are "objective" in the sense of having truth-values that correspond to some inquiry - and practice-independent reality.³ Arguably, an Aristotelian theory of flourishing meets both of these criteria in an impressive way. First, "flourishing," as it is conceived in the Aristotelian tradition, explains goal-directed action because it provides the ultimate goal or terminus of intentional action. It is a descriptive truth about action on this view that we pursue goals *because* we believe the objects of our pursuits to be good: *omne appetitum appetitur sub specie boni*, as the Scholastic axiom goes. So our judgments of value provide the best explanation of *why* we do what we do. Further, it is a (complicated) truth about the semantics of "goodness" that for any x belonging to a natural kind K, x's flourishing as a K just *is* the good for x, whether x realizes it or not. So it turns out to be a descriptive truth about human beings that flourishing as a human is one's ultimate goal, which one either brings about or fails to bring about, depending on the state of one's character.

Second, flourishing generates objective norms because we can convert these descriptive truths into a prescriptive truth by means of the hypothetical imperative: if we are rationally obliged to seek the necessary and available means to our goals, and flourishing is our overriding goal, then we are obliged to seek the necessary and available means to our own flourishing in a way that overrides our *other* goals and desires. Since the requirements of our flourishing is set by our membership in the natural kind HUMAN, and claims about natural kinds take truth-values, claims about flourishing take truth-values. Finally, since virtue is among the means to flourishing, claims about flourishing are *moral* truths.

This very compressed account of objective value answers our first two questions. Since moral norms on this view are fixed by membership in a natural kind, there are few if any norms that apply *across* natural kinds. Hence claims about value are species-relative, and moral claims are anthropocentric - i.e. based on human nature. Further, since "flourishing" is individuated by organisms, items can only be valuable *to* particular organisms, not "intrinsically" or "agent-neutrally" valuable out of relation to their needs.

29. Midgeley, p.7.

30. New York: Warner Books, 1996.

31. Edited by Douglas J. Den Uyl and Douglas B. Rasmussen (Urbana: University of Illinois Press, 1984).

32. This particular judgment applies with equal force to some admirers of Rand's philosophy. Those who suppose that derogatory epithets are a satisfactory response to philosophical positions with which they disagree are not agents of intellectual progress. Neither are those who suppose that all would be right with the universities so long as they and their allies controlled them, and wielded the power to exclude their enemies.

Notes

1. New York: St. Martins, 1991.
2. Midgely, pp.94-95.
3. Midgely, pp.71-91.
4. Ayn Rand, "How Does One Lead a Rational Life in an Irrational Society?", in Ayn Rand (Ed.), *The Virtue of Selfishness: A New Concept of Egoism* (New York, 1964), p.72.
5. New York: New American Library, 1946. Midgely refers to this novel as "*The Anthem*."
6. Midgely, p.111.
7. Midgely, p.110.
8. Midgely, p.112.
9. Ayn Rand, *The Fountainhead* (Indianapolis: Bobbs-Merrill, 1968), pp.710-717.
10. Midgely, p.116
11. Midgely, p.110.
12. Thomas Hobbes, *Leviathan* (Ed. C.B. Macpherson; Harmondsworth: Penguin, 1968).
13. See *The Virtue of Selfishness*, in particular Ayn Rand, "The 'Conflicts' of Men's Interests" (pp.50-56) and Nathaniel Branden, "Isn't Everyone Selfish?" (pp.57-60).
14. *Nicomachean Ethics*, 1168a 27-1169b2.
15. In philosophy, see Henry B. Veatch, "Is the Kant the Gray Eminence of Contemporary Moral Theory?", *Ethics*, 90, 218- 238 (1980); Tibor R. Machan, *Individuals and Their Rights* (LaSalle, IL: Open Court, 1989); Douglas B. Rasmussen and Douglas J. Den Uyl, *Liberty and Nature: An Aristotelian Defense of Liberal Order* (LaSalle, IL: Open Court, 1991); and Terence H. Irwin, "Prudence and Morality in Greek Ethics," *Ethics*, 105, 284-295 (1995). For the psychological issues, see Robert L. Campbell and John Chambers Christopher, "Moral Development Theory: A Critique of its Kantian Presuppositions," *Developmental Review*, 16 1-47 (1996), along with the commentaries and the reply contained in the same issue.
16. See Douglas J. Den Uyl, *The Virtue of Prudence* (New York: Peter Lang, 1991).
17. Midgely, p.115.
18. *The Fountainhead*, p.423. See Ronald E. Merrill, *The Ideas of Ayn Rand* (LaSalle, IL: Open Court, 1991), pp.47-55, for an analysis of the novel as Rand's repudiation of

Herbert Spencer possible.²⁵ It isn't the self-justifying evolutionary process against which Midgely's animus is primarily directed; it is *laissez-faire* capitalism. "Ayn Rand seems...to see no difficulty at all in fitting her officially very demanding ideas of personal freedom into the framework of that very corporate thing, modern Western-style plutocracy."²⁶ Midgely provides no reasons for regarding "commercial freedom" as wrong; naming it suffices to condemn it.

How Ayn Rand Metamorphosed into a Subjectivist

Midgely's overall method in *Can't We Make Moral Judgments?* makes it difficult for her to hear what Rand was saying. Her own moral conception is moderate communitarianism, emphasizing continuity of moral discourse within the linguistic community. There is more than a trace of the moral sentiment school, as well - the only moral philosopher to be quoted favorably, anywhere in the book, is Bishop Butler.²⁷ Appeals to intuition are never far away: "we all" know that our own interests are naturally in conflict with those of others; "we all" know, not only that we have duties to others, but by and large what those duties are and to whom we owe them. For Midgely, any moral philosopher who asks too many fundamental questions, wants too many reasons, or rejects too many received beliefs, is dangerous and antisocial.

Moreover, Midgely listens for moral themes in contemporary fiction with a tin ear. The noted mystery writer P.D. James often features characters who seek to deflect other people from rendering any moral judgement in their actions.²⁸ "I have the impression," Midgely comments, "that P.D. James takes these amoralist manifestos fairly seriously, and that she is anxious to get them a serious hearing by showing the people who speak them as honourable and high-principled characters."²⁹ It is hard to believe that James intended any of these characters to be especially sympathetic. For she portrays their lives as self-deluding, pathetic, wretched, and vicious. That "honourable and high-principled" character Caroline, for instance, builds a massive web of deception, including a manipulative relationship with a man she despises, to cover her ruthless service to a terrorist cell, then gives up her real lover to be killed by the leaders of the same cell - only to be summarily liquidated herself. I suspect that James' minute examinations of such people's actions and inner experience are motivated by a concern, not terribly different from Midgely's own, that they exhibit peculiarly modern moral pathologies, brought about by the loss of religious faith and traditional moral strictures. Did one of James' most ambitious novels just happen to get the title *Original Sin*?³⁰

But neither Midgely's brand of communitarianism, nor her suspicion that those who ask too many fundamental questions are closet amoralists, can explain how a normally thoughtful moral philosopher got Rand so wrong. What's striking to a reader with the most modest knowledge of Rand's work is how *unscholarly* Midgely's presentation is. Not only are Midgely's readings of the novels obtuse; she gives no sign of having read *anything* except *Anthem* and *The Fountainhead*. Her readers would remain unaware that Rand published *Atlas Shrugged*, or the tiniest shred of nonfiction.

By the time Midgely went to work on *Can't We Make Moral Judgments?*, such essay collections as *The Virtue of Selfishness* had been in print for 25 years. And quality

1. Rand is an individualist; therefore, Rand is a psychological egoist.
2. Rand is an *American* individualist; therefore, Rand is a Social Darwinist.

Psychological Egoism?

Midgely calls collectivists "lumpers" (those more extreme than herself regard society as an "ant's nest"). Individualists are "splitters" who wish to live in a "looser, more fragmented society." An extreme splitter would reduce society to a "collection of enlightened egoists, each of whom really cares about his or her own interest, and agrees only to co-operate with the others in cases shown by calculation to serve that interest."⁷

Splitters crave exemption from moral judgments by others, so nothing can obstruct their inviolate subjectivity. Attempts at rational persuasion are just as objectionable to them as coercion would be: "The wish of the splitters is to protect individuals from being subject to the judgement of others, and also from having their own judgement unduly influenced by the opinions of others."⁸

Having pigeonholed Rand (along with any other strong advocates of individual liberty) as an extreme splitter, Midgely professes puzzlement at all of the "positive moralizing" in Howard Roark's courtroom speech:⁹ "[T]here is a fatal clash of aims. The ideal of a world where nobody ever listens to anybody else is at war with an irresistible desire on the writer's part to be listened to while preaching that ideal, and to shape it so that other people use their freedom in the correct way."¹⁰

What splitters must rely on, according to Midgely, is psychological egoism - the doctrine that human beings always and invariably act in their self-interest. But psychological egoism, Midgely is convinced, is false: "[T]he very fact that we are often so imprudent - the fact that we devote ourselves to all sorts of non-interested ideals, from arts and warfare to mountain-climbing and motor-racing - shows plainly that our motives are not purely self-interested, but have a most complex variety of aims."¹¹

There have been sturdier refutations of psychological egoism. That "atomistic individualist," Thomas Hobbes, would have had no trouble encompassing the projects and concerns enumerated by Midgely within his conception of the self. For instance, the Hobbesian self is enamored of power and glory, so a devotion to the art of warfare could come quite naturally to it.¹²

Something, however, is much more deeply wrong here. Ayn Rand explicitly rejected psychological egoism! Psychological egoism identifies the self's interests with whatever it feels like doing at the moment; Rand considered the self's interests to be what is actually good for the self. Psychological egoism regards the pursuit of self-interest to be automatic and appetitive; Rand held that pursuing one's self-interest requires conscious thought and choice, and that identifying what is really good for you, and doing it, can at times be tremendously difficult. Psychological egoism presumes an unbridgeable gulf between the self's interests and those of other selves; Rand did not.¹³

24. This is the reason why an inability to enter into an activity in which words play a part renders the activity and those words (as used in the activity) pointless or unintelligible to the person with the inability. Activities in which words play a part cannot be explained to someone unable to enter them.

I owe the form of the remark in the text partially, of course, to Kant, and partially to Virgil Aldrich ("Kripke on Wittgenstein on Regulation", pg.377). Aldrich notes:

Maps and rules presuppose practices as their substrata but, on the other hand, there is no practice that is not gravid with rules or maps. Neither has ultimate priority.

Cora Diamond has said similar things: cf. "Rules: Looking in the Right Place" (in Phillips and Winch, eds. *Wittgenstein: Attention to Particulars* (New York: St. Martin's Press, 1989), pp.12-34). For more general thoughts in this connection, cf. John McDowell's *Mind and World* (Cambridge, Massachusetts: Harvard University Press, 1994), especially Lecture II, pp.7-9. What McDowell calls "The Unboundedness of the Conceptual", his contention that the reach of the space of reasons does not exceed the grasp of the space of concepts, forms a useful backdrop to what I have said.

25. At this point, someone might object: "Ok - I've let you get away with a bunch of sentences like this one until now. But now, I've had enough. This sentence is a tissue of equivocations." My response to this lines up with Wittgenstein's response to a similar objection.

Then has "understanding" two different meanings here? - I would rather say that these kinds of use of "understanding" make up its meaning, make up my *concept* of understanding.

For I *want* to apply the word "understanding" to all this. (PI 532).

Just so: I would rather say that these kinds of use of "measurement" make up its meaning, make up my *concept* of measurement.

This sentence, and its similar predecessors, are sentences that compact (at least part of) the complicated grammar of a word. Their point is to reveal the variety of inflections of a word. (Think of the variety of inflections of a word as, to borrow a Tractarian term, its internal properties).

provide, nor can we provide ourselves with an abstract, or a composite, sketch of genuineness - a sketch that we could carry around to help us out. (We could, of course, carry *Walden* around?) In other words, the expression of genuineness cannot be digested into a brief description. No matter how much someone says about the expression of genuineness, there is always something more to be said, something to be taken back, something to be qualified: about the expression of genuineness, there is something unsayable.

13. Since the coincidence of terms is of more than passing interest, compare this quotation with the quotation from Kant above (note 9).

14. Another, related, worry about my handling of the shutting of the eyes is this: Haven't I made the shutting of the eyes altogether too passive? Isn't Wittgenstein's point that he, for whatever reason, *decided to shut* his eyes - actively? I think the answer to both these questions is "No". Wittgenstein ends the remark that comes before the shutting of the eyes remark by saying that the differences among kinds of certainty are logical, not psychological differences. He glosses this in the remark following the shutting of the eyes remark by saying "The kind of certainty is the kind of language-game". I take these remarks to point out that my eyes are shut to doubts because I play certain language-games; my eyes are not shut because I have actively decided to shut them. And of course I typically did not actively decide to play the language-games I play.

15. And, in a way, they are. After all, it makes sense to say that humans have five senses. It is not clear what sense it makes to say that humans have only five senses. But this does not make philosophy Profound Science.

16. O'Shaughnessy, B. "The Origin of Pain", *Analysis*, June 1955, pg. 126.

17. Cf. *PI* II, xii: "Compare a concept with a style of painting. For is even our style of painting arbitrary? Can we choose one at pleasure?...Is it a mere question of pleasing and ugly?"

18. There is serious danger here in treating x and y as separate *things*, a danger that has as its parent danger the danger of treating x as a thing at all. As Wittgenstein notes, x, where y is an expression of x, "is not a *something* and not a *nothing* either" and this amounts to a rejection of the grammar of 'things' where x is concerned (*PI* 304).

For more, cf. Cook, J. "Human Beings" in Winch, P. ed. *Studies in the Philosophy of Wittgenstein* (London: Routledge and Kegan Paul, 1969), pp.117-151, especially pp.145ff; and, McDowell, J. "One Strand in the Private Language Argument" in McGuinness, B. and Haller, R. eds. *Wittgenstein in Focus* (Amsterdam: Rodopi, 1989), pp.285-304.

19. The little word 'in' can turn out a lot of philosophy, as Aldrich points up:

[Wittgenstein] is trying to do justice to the preposition 'in'. His whole philosophical psychology gravitates around this concern. The meagre, usually monolithic, treat-

7. Anscombe, G., trans. *Philosophical Investigations* (New York: The MacMillan Co., 1953), Third Edition. All quotations will make use of Anscombe's translations, unless otherwise noted.

8. I have changed Anscombe's translation of Wittgenstein's comment on *PI* 142 (pg. 56). Anscombe's translation runs: "What we have to mention in order to explain the significance, I mean the importance, of a concept, are often extremely general facts of nature: such facts as are hardly ever mentioned because of their great generality." Strictly speaking, there is nothing at all wrong with translating 'allgemeinheit' as 'general', but so translating is I think unhappy because of Wittgenstein's famous use of 'generality' in the *Blue Book*. There Wittgenstein upbraids philosophers for their "craving for generality". Anscombe's translation makes it sound as if Wittgenstein is now trying to satisfy the same craving. A better translation, one that avoids this problem and so clarifies the thought of the passage, is 'common': "What we have to mention in order to explain the significance, I mean the importance, of a concept, are often extremely *common* facts of nature: such facts as are hardly ever mentioned because of their great *commonness*." The same change would also clarify Wittgenstein's remarks at II, xii.

9. Since this may make recognitions of genuineness seem hopelessly dark, let me add a few relevant words, first from David Bell (*Frege's Theory of Judgement*, pp. 138-9), then from Kant, and then from Kendall Walton ("The Dispensibility of Perceptual Inferences", *Mind* July, 1963, pg. 362). Bell:

One's behavior can conform to a given rule - and this behavior can be learned - without its being the case that certain conditions are judged satisfied, or that certain behavior is called for on the part of the person acquiring the ability. Kant expressed this succinctly: 'judgement is a peculiar talent which can be practiced only and cannot be taught...Examples are thus the go-cart of judgement' (B171ff).

Kant continues the lines Bell quotes by saying:

[Judgement] is the specific quality of so-called mother-wit; and its lack no school can make good. For although an abundance of rules borrowed from the insight of others may indeed be proffered to, and as it were grafted upon, a limited understanding, the power of rightly employing them must belong to the learner himself; and in the absence of such a natural gift no rule that may be prescribed to him for this purpose can insure against misuse. [Footnote: Deficiency in judgement is just what is ordinarily called stupidity, and for such a failing there is no remedy.] (B172-3).

What is said about judgement here is true, I think *a fortiori*, of recognition. Walton:

We rarely make mistakes in recognizing our friends, but we could not begin to describe many of their facial characteristics, certainly not enough to enable another person to identify them with assurance. Is our inability due to language difficulties? Do you know what a friend's facial features are, but just do not know what words to use in describing them? If so, you could at least describe his features to yourself, i.e. you could make up completely arbitrary symbols to stand for them. But try to describe to yourself, say, an identical twin of one of your friends. Can you say much

would in fact tell me that you felt the need to grimace or whimper (or something) but that you succeeded in resisting it.

This is why expressions-of are not such as to fit or not fit what they are expressions-of. Fittingness or the lack of it is something that makes sense where the expressions that concern us are expressions-for. Expressions-for are tailored, as it were, to the things they are expressions-for. There is room between x and y , where y is an expression for x , room for us to move between x and y , to consider their fit. Where y is an expression for x , it makes sense to talk, e.g. of inferring x from y . But this does not make sense where y is an expression of x : Your cry "That hurts!" *reveals* your pain to me. I observe it (I can hear your pain in it). Waving a red flag lets me *conclude* that you are in pain.²³

10. If our concepts are expressions of our interests, our concepts neither fit nor fail to fit those interests, neither fit nor fail to fit our lives. Instead our concepts reveal our interests, our lives, show them to us. And our concepts enable us to direct our lives, to lead them and not merely live them. Living, like seeing and hearing, is not always only a state; it is also *sometimes* an achievement. Our lives are gravid with our concepts and our concepts gravid with our lives: lives without concepts are blind, directionless; concepts without lives empty, senseless.²⁴ Our concept of measurement reveals our interest in it, shows us that, as things stand, a human life is in part a life of measurement. The human predicament is a measurable predicament and leading a human life is often a matter of making measurements, of taking the measure of things.²⁵

11. This turn-of-philosophical-phrase brings me full circle. Thoreau understands a philosopher to be someone who, because of his knowledge of humankind, can recognize what is genuine and, in turn, solve some of the difficulties of life, both theoretically and practically. Recognizing what is genuine is no science. (Nor is it the result of science. Recognizing what is genuine is what is possible before all new discoveries and inventions (*PI* 126).) However, such recognizing is no nescience, either. It is part of knowing what to make of things. What Thoreau does in *Walden* is to set himself up as someone who is genuine and who can instruct others to recognize genuineness. There is throughout *Walden* a subtle, dialectical interplay between Thoreau's genuineness and his instructing: if Thoreau manages to get his student to recognize genuineness and the student recognizes that Thoreau is not genuine, then Thoreau's instructing becomes suspect, as well as the putative recognitions of genuineness to which his instructing led. If the student recognizes that Thoreau is genuine, then progress continues. Initially trusting Thoreau (and then continuing to find him trustworthy) is thus crucial to learning the lessons he has to teach. Think of this as Thoreau's way of meeting the Learner's Paradox.

lives. (This "not" (and the one to follow) is grammatical, not a confession of sartorial impotence). The fact that someone may pretend pain, may fool us, does not stretch the seam of the concepts in question, does not mean that our concepts are foolish, does not mean that they cannot render us good service. In fact, a central project of *Walden*, and of *PI*, is rejecting talk of concepts "fitting" things. The relationship, so to speak, between concepts and our lives is too tight for such talk to be comfortable. The relationship is too tight because concepts make up our lives, are the very stuff of them; this is the way I take Wittgenstein's comment that "to imagine a language means to imagine a form of life" (*PI* 19). But all this makes it sound as if our particular concepts were, somehow, indispensable, necessary.¹⁵ All this makes it sound as if "one could use one's mind to vouch for reality"; which would be strange.¹⁶ Still, our concepts are not just convenient, handy.

Language is an instrument. Its concepts are instruments. Now perhaps one thinks that it can make no *great* difference *which* concepts we employ. As, after all, it is possible to do physics in feet and inches as well as in metres and centimetres; the difference is merely one of convenience. But even this is not true if, for instance, calculations in some system of measurement demand more time and trouble than it is possible for us to give them.

Concepts lead us to make investigations; are the expression of our interest, and direct our interest. (*PI* 569-70).

The subject of these remarks is the tightness of the relationship between our concepts and our lives. Wittgenstein's notion is that our concepts are as necessary as our interests; and of course our interests can change. But it is easy to overestimate our own changeableness and hence the changeableness of our concepts. We could, for instance, change our system of measurement. But even such a change as that exacts its price in terms of time and trouble. And the time and trouble that such a change would cost is not something simply up to us, at least not as long as our interest in measurement remains constant. Our interest in measurement is not something we chose to have; our interests force themselves upon us (and hence so do our concepts; cf. *PI* pg. 204); we *find* that we have them; we *recognize* them. These findings and recognizing are what knowledge of humankind equips us for, are what knowledge of humankind comes to. Our interests can change, but we do not change them; or, *better*, we do not change them as we change our clothes.¹⁷

9. To understand Wittgenstein here, and to understand Thoreau (who is interested, remember, in the "*necessaries* of life"), we need to keep before us the fact that concepts are expressions of our interest, not expressions for it, and that the logic of *expressions-of* is not the logic of *expressions-for*: e.g. the logic of *expressions-of-pain* is not the logic of *expressions-for-pain*. If y is an expression of x, then I can observe x in y: e.g. I can see pain in someone's face or hear it in his words. (Note that I am assuming that we are certain of the truth of the antecedent; we are not always certain of it, as per above). There is no room for me to interpose something, like language, between x and y (*PI* 245). X is, as it were, wherever y is.¹⁸ The analytical or metaphysical philosopher's retort to this is that talk of, e.g. hearing pain in someone's words or seeing pain in someone's face is not literal talk - pain cannot be heard or seen, not *literally*. The pressure to talk about literal talk here is exerted, I think, by the analytical or metaphysical philosopher's assurance that the word 'in' is used in such statements in a way that is parasitic on the spatial use of the word.¹⁹

the certainty Wittgenstein and Thoreau think present in knowledge of humankind seems to the analytical or metaphysical philosopher *blinkered* certainty, certainty, at its highest, of low degree. Wittgenstein represents their complaint this way:

"But, if you are *certain*, isn't it that you are shutting your eyes in the face of doubt?"
- They are shut.

He then continues

Am I less certain that this man is in pain than that twice two is four? - Does this shew the former to be mathematical certainty? - 'Mathematical certainty' is not a psychological concept.

The kind of certainty is the kind of language game. (*PI*, II, xi, pg. 224)

Wittgenstein's point is that there is more than one kind of certainty. Many, if not all, of the kinds of certainty admit of degrees. However, there is no one kind of certainty that allows us to rank the other kinds relative to it or each other: there is no one Divided Line for certainty. So, the certainty we can have that a man is in pain is not, somehow, a lesser certainty than the certainty we can have that twice two is four. In each case I can be completely certain; neither complete certainty is more complete than the other. The language-game of pain is not the language-game of mathematics, and their respective certainties, while comparable with one another are not comparable to one another.

I can be as *certain* of someone else's sensation as of any fact. But this does not make the propositions "He is much depressed", " $25 \times 25 = 625$ " and "I am sixty years old" into similar instruments. The explanation suggests itself that the certainty is of a different kind. - This seems to point to a psychological difference. But the difference is logical. (*PI*, II, xi, pg. 224)

But what of the shutting of the eyes? Wittgenstein's seemingly abrupt, impolite "They are shut" makes it sound as if the person who claims that he is completely certain that a man is in pain is ignoring or trying to ignore doubts about the matter (like the person who tries not to hear a painful confession by singing and sticking his fingers in his ears). Is this what Wittgenstein is saying? Notice that Wittgenstein does not answer his interrogator by saying "Yes; I am shutting my eyes to doubt" or "Yes; I see that there is reason to be dubious, but I am going to ignore it." Instead he says - neither abruptly nor impolitely, but simply - "They are shut". I understand Wittgenstein to be saying that he is not, exactly, *ignoring* doubt, but rather that he is, as it were, *asleep* to it, that he is not awake - or, perhaps, alive - to it. (If you enter my room to lecture me and find, upon finishing, that I've been asleep the whole time, you cannot accuse me of ignoring you or of pretending you are not there). In other words, the doubt that the analytic or metaphysical philosopher is distressed by is doubt that we typically do not see, of which we are typically unaware. If this is correct, then Wittgenstein is not only saying that we do not ignore these doubts, he is also saying that we do not overlook or miss them either. Rather, just as it would be wrong to say that we overlook or miss the ticking of the alarm clock while asleep, it is wrong to say that we overlook or miss doubts about others being in pain.

