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ADAM SMITH AND THE PROBLEM OF NEUTRALITY IN CONTEMPORARY
LIBERAL THEORY

by

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ADAM SMITH AND THE PROBLEM OF NEUTRALITY IN CONTEMPORARY
LIBERAL THEORY

(Order No. )

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Abstract

Liberalism can be defined as that political system in which the state remains neutral on questions of the good life while providing a framework of rights that respects persons as free and independent selves capable of choosing their own values and ends. Neutrality is the priority of the right (political procedure) over the good (moral claims).

In Political Liberalism, John Rawls describes a liberal society in which political debate is based upon an overlapping consensus. An overlapping consensus consists in agreement about those principles of justice which are held in common by all reasonable citizens. While these principles may be justified by appeal to "comprehensive" doctrines, no such "comprehensive" justifications are permitted within the arena of political debate.

I examine the theories of Alasdair MacIntyre in order to show where Rawls fails. MacIntyre argues that a conception of the good is inherent in any decision-making procedure and the exclusion of that conception from political debate makes such debate impossible. I argue that traditions which justify conceptions of the good are after the fact constructs identified in light of a unifying theme. I also examine the work of William Galston which underlines liberalism's compatibility with a conception of the good, and argue that Galston's rejection of neutrality should be reconsidered.
Rawls' attempt to solve the problem of managing pluralism limits pluralism to an unacceptable degree. I offer a theory which widens the scope of freedom while avoiding a reliance on the exclusion of moral goods in political debate.

The foundation of my theory lies in the moral psychology of Adam Smith, a theory of social interaction and moral judgment that does not rely exclusively on rational deliberation. I argue that Smith's market model of competition should be understood as entailing neutrality between groups and not between goods. Neutrality is identified retrospectively by observing how newer or previously excluded members of society have influenced society's conception of the good. I conclude that if a society's conception of the good fluctuates over time in the ways and under the conditions described in my dissertation, then the society is appropriately neutral and liberal.
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Introduction

A major problem in contemporary liberal theory is to determine how a society can remain stable and efficient while allowing for a plurality of different conceptions of the good. Difficulties arise when groups with divergent conceptions of the good find that they are unable to agree on the rules of political interaction because certain beliefs held as true by some groups contradict beliefs that are held as true by others. Consequently, a problem of liberalism is a problem of how to manage pluralism. This problem concerns both the propriety of enforcing public policy decisions on particular belief systems, as well as the propriety of imposing particular beliefs on public policy.

Several different theories have been offered as possible solutions to this problem. The first depends on the ability of a state to remain neutral on conceptions of the good. The belief of neutralist liberalism is that by abstaining from committing to any particular conception of the good, the structure of society can allow for a wide range of divergent conceptions of the good to coexist. Unfortunately, liberal theorists have not, as of yet, been able to provide any type of adequate account as to the nature or function of this neutrality as expressed in public policy decision making procedure.

In structuring a society such that it allows for a wide range of divergent conceptions of the good, one is also faced with divergent conceptions of rationality since rationality depends on the nature of the good, or so I will argue. This plurality of rationalities prevents individuals from engaging in productive public policy debates because what constitutes good argument and good evidence under one system of rationality is not the same as what constitutes good argument and good evidence under another. This lack of common standards makes communication between adherents of divergent conceptions of the good problematic at best.
In response to the problem of pluralism, a second form of liberalism has been offered. John Rawls argues that liberalism can create a set of political rules for public policy decision making which is held in common by all (reasonable) members of society, and is fully justified by those members in such a way that those members are as fully committed to the political rules as they are to their own unique conceptions of the good.

In Rawls' conception of political liberalism, neutrality is achieved by devising one set of political rules which is compatible with all reasonable moral comprehensive doctrines because they all share and support this same set of rules. In political liberalism, the political rules which help adjudicate matters are not simply a matter of compromise (modus vivendi) and are therefore binding and satisfying for all involved.

Yet, this attempt to offer political rules which are acceptable to and supported by a wide range of moral comprehensive doctrines is problematic. As I will argue, political liberalism requires the separation of the right from the good as well as the exclusion of non-political matters from the arena of public policy, and, as a consequence, limits pluralism to an unacceptable degree. It is therefore necessary to discover a liberal theory which can allow for a wider range of divergent belief systems that does not require prioritizing the right over the good. It is this theory which I will attempt to offer.

This dissertation is divided into four chapters, an introduction and a conclusion. The first chapter focuses on Rawls' conception of a political liberalism with an emphasis on his portrayal of the overlapping consensus. In chapter one, I outline the history of the notion of overlapping consensus and highlight its roots in *A Theory of Justice*. I offer an explication of Rawls' distinction between the right and the good, a distinction he uses to separate the overlapping consensus from a comprehensive moral doctrine. I will also show how these components relate to "reasonableness" -- that criterion which Rawls uses to determine which groups should be permitted to engage in debate in a politically liberal society.
I use Rawls' newer work to show that an emphasis on an overlapping consensus limits those who are permitted to participate in a liberal society. Chapter one is meant to defend my claim that those theories which rely on a common set of political rules in order to allow for communication and agreement between divergent conceptions of the good create a mandatory core of common beliefs that limits pluralism to an unacceptable degree.

Chapter two focuses on the work of Alasdair MacIntyre and his theory of tradition-bound rationality. In chapter two, I reconstruct MacIntyre's argument for coexisting traditions as found in *After Virtue*, *Whose Justice? Which Rationality?*, and *Three Rival Versions of Moral Enquiry*. I defend his claim that non-contextual moral adjudication is impossible, and in doing so, I respond to numerous criticisms made against MacIntyre both in reviews and more recent scholarship. I conclude with a section outlining how MacIntyre's theory can be used as a further criticism of Rawls' later work - - the most recent formulation of which was published several years after MacIntyre's.

In chapter two, I will show that despite MacIntyre's claims to the contrary, a theory of tradition-bound rationality requires a liberal framework that ensures that all adherents of co-existing traditions are guaranteed their right to participate in political dialogue. I see chapter two as defending my claim that the cultivation of pluralism requires liberalism.

Chapter three focuses on Adam Smith's theory of moral psychology. It offers an explication of his concept of sympathy and elaborates on the role of the market-place and on education in moral development. It contains responses to recent Smithian scholarship and attempts to illustrate how Smith's project, although often ignored, is relevant to debates in contemporary political theory. Using Smith's work, I hope to show that even assuming no commonality at all (Smith presupposes a fundamental separateness of
human beings which must be addressed), the capacity to sympathize helps bridge gaps between people.

The goal of chapter three is to explore the role of dialogue and other forms of interaction in a liberal society as well as to examine the institutions which help foster them. I see it as contributing to my argument by illustrating how people with differing beliefs, can, without invoking neutrality, convince one another of the truths of their claims while still respecting, being open to, and learning about, the diverse experiences which individuals may not share. I emphasize the non-rational nature of sympathy because I hope to show that individuals can communicate and resolve political differences despite their divergent conceptions of rationality.

In chapter four, I seek to answer the question of whether or not Smith should be considered a liberal. I do so by challenging the traditional picture of Smith as put forth by many theorists. I focus on the objections made against Smith by Rawls and MacIntyre and attempt to show that these objections do not stand up to scrutiny. I turn to the work of William Galston in order to show that liberal theory does not require a commitment to neutrality (understood as non-contextual moral adjudication). According to Galston, liberalism has its own very specific conception of the good as well as a commitment to certain liberal virtues.

Also in chapter four, I offer a theory which I call liberalism of process. I argue that such a liberalism accepts the claim that neutrality as understood in terms of non-contextual moral adjudication is impossible. A liberalism of process is committed to a different type of neutrality, a neutrality between groups and not goods. I conclude chapter four by arguing that Smith is, on these terms, a liberal, and that liberalism can retain its goal of pursuing neutrality (albeit a fundamentally different understanding of what neutrality means) despite contemporary claims otherwise.
The goal of chapter four is to defend my claim that liberalism of process ensures neutrality over time. I hope to show that even if one accepts the claims that there is no possibility of non-contextual moral adjudication, that individuals may be so fundamentally separate that even their conceptions of rationality are different, and that members of a pluralistic society adhere to different conceptions of the good life, one can still cultivate a free and stable liberal society. I also seek to defend my claim that a necessary (but not sufficient) condition for liberalism is that it be understood as a political system which does not prohibit that its members converge on any one particular truth, but simply contains a permanent mechanism that allows for and accommodates plurality when it is encountered. I do not argue that liberalism of process solves all of the problems of liberalism. I simply argue that it solves some of those problems while preserving (and expanding) the freedom political liberalism provides.

A common theme which unifies the four chapters is my focus on human rationality -- the decision making faculty which allows individuals to adjudicate dilemmas. It is an assumption of mine that one of the major difficulties in political theory is that different people interpret evidence in different ways and that this interpretation is culturally influenced. That which constitutes good evidence is determined not only by the society as a whole, but by the various belief systems which parents, peers, religion, media, education and so forth, expose the individuals to throughout the different stages in their lives. This is one reason why pluralism is so problematic. The more diverse the society, the more standards of rationality are at play in any one time.

It is because of my focus on rationality that my dissertation seems to emphasize moral theory as much as (if not more than) political theory. For example, MacIntyre sees
himself as doing ethics and I focus on Smith's moral psychology instead of his theory of politics. It is my contention that competing moral beliefs are the greatest obstacle to the stability of society and it is to a solution of this problem which I hope to contribute.
Chapter 1: The Limits of the Overlapping Consensus

In this chapter, I will discuss a small but central aspect of John Rawls' new book *Political Liberalism (PL)* -- the 'overlapping consensus'. "Such a consensus consists of all of the reasonable opposing religious, philosophical, and moral doctrines likely to persist over generations and to gain a sizable body of adherents in a more or less just constitutional regime, a regime in which the criterion of justice is the political conception itself."¹ The discussion will have three parts: first, a comparison of the treatment of overlapping consensus in *A Theory of Justice (TJ)* with its treatment in *PL*; second, a discussion of Rawls' separation of the right and the good which lies at the foundation of the distinction between an overlapping consensus and a comprehensive moral doctrine; third, a discussion of *reasonableness*: the criterion which determines the compatibility of an overlapping consensus and a comprehensive moral doctrine.

I intend to argue that Rawls' conception contains three major flaws which undermine his attempt to develop a theory of a just liberal state. First, the separation of an overlapping consensus from a comprehensive moral doctrine requires the separation of the right and the good; two elements of practical reason that are inseparable and intertwined. Second, I will argue that the criterion of reasonableness is too limited in its scope. The overlapping consensus is static and does not allow for dissenters to modify the political conception of justice over time. This limits, to an unacceptable degree, the pluralism which is necessary for the maintenance of a just liberal state. Third, I will argue that Rawls' unwillingness to permit any tolerance of the intolerant is also too limiting of

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¹ It is clear that Rawls considers this to be the definition of an overlapping consensus. *PL*'s index refers the reader to this page, and the sentence which immediately follows the definition uses the phrase "overlapping consensus so defined."(John Rawls, *Political liberalism* (New York: Columbia University Press, 1993))
pluralism. Although I acknowledge that absolute tolerance of the intolerant may be impossible, I do suggest that Rawls' limits of toleration are too narrowly drawn.

1.1 The overlapping consensus in TJ.

John Rawls' conception of an 'overlapping consensus' as described throughout *Political Liberalism* is foreshadowed in *A Theory of Justice* in three different ways. First, the overlapping consensus is often used to guide his method of proof. In other words, he constructs his arguments as if he has presupposed that an overlapping consensus is possible. Second, the concept of an overlapping consensus is alluded to by description. Certain examples that he uses to clarify his claims rely upon reasoning which presupposes the possibility of an overlapping consensus. Third, but only once, the overlapping consensus is referred to directly by name.

Regarding the first type of foreshadowing (method of proof): Throughout *TJ*, Rawls tries to show that several different ideologies can support justice as fairness. As David Archard writes, "Rawls offers three defenses of his conception of justice. The most celebrated was contractarian. . . . The second defense rested on fundamental notions of the person, principally a Kantian conception of the individual as autonomous. The third defense, which appeared in Part III of *A Theory* appeals to the idea of a 'well ordered society'." Additionally, Rawls writes that "if we like, we can define a different variation of the initial situation in which the motivation assumption is that the parties want to adopt those principles that maximize average utility . . . the two principles of justice may still be chosen." Although Rawls does remark that this new formulation of the initial situation would not result in the principles being considered 'utilitarian', this new

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2 David Archard, "Fair Enough," *Radical Philosophy* 66 (Spring 1994), 47.
formulation does suggest that a fourth method of proof -- a utilitarian method -- could be used.

To elaborate: Rawls believes that there are four different ways in which "Justice as Fairness" can be defended. Each method, although calling on different arguments, will allegedly yield the same result. Conceivably, different people (or different traditions) with widely ranging beliefs can co-exist in a society governed by Rawls' two principles of justice. The outcome will be the same (justice as fairness) but the justifications for that outcome may differ radically. In other words, Rawls give us four different justifications all of which have the same result. For Rawls, overlap is a metaphor for justified commonality. His method of offering numerous justifications for one position is the first type of foreshadowing of the overlapping consensus in *TJ*.

Regarding the second type of foreshadowing, Rawls alludes to an overlapping consensus without directly referring to it by name three times. The first allusion is located in Rawls' criticism of Aquinas' justification for the use of the death penalty to punish heretics. Rawls' criticism of Aquinas is found embedded in a larger discussion regarding the rules for debate among members of a constitutional convention. The question at hand is how much liberty to allow in the society being governed by the constitution under construction. Rawls reports Aquinas as limiting religious freedom by arguing that "it as a far graver matter to corrupt the faith, which is the life of the soul, than to counterfeit money which sustains life."4 In rejecting Aquinas, Rawls argues that "the premises on which Aquinas relies cannot be established by modes of reasoning commonly recognized. It is a matter of dogma that faith is the life of the soul and the suppression of heresy, that is, departures from ecclesiastical authority, is necessary for the safety of the soul."5 According to Rawls, since Aquinas is referring to matters of dogma based on a particular

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4 Ibid., 215.
5 Ibid., 215.
faith as opposed to matters of shared reasoning (Rawls uses the phrase "forms of argument generally accepted"), Aquinas' justification can not be used in the context of the public debate. As will be discussed in detail below, exclusion of non-shared beliefs is an essential component of the overlapping consensus.

Rawls' second allusion follows shortly after the first. In his discussion entitled "Toleration of the Intolerant", Rawls tries to defend the freedoms which the intolerant (regardless of their intolerance) are entitled to. He argues that when a constitution is secure there is "no reason to deny freedom to the intolerant . . . [since] the liberties of the intolerant may persuade them to a belief in freedom. This persuasion works on the psychological principle that those whose liberties are protected by and who benefit from a just constitution will, other things equal, acquire an allegiance to it over a period of time."7

The third allusion is found within Rawls' discussion of civil disobedience. Rawls attempts to define civil disobedience in such a way as to preserve a citizen's right to engage in it should he or she feel it necessary. For Rawls, civil disobedience is "a political act". Consequently, "in justifying civil disobedience one does not appeal to principles of personal morality or to religious doctrines, though these may coincide with and support one's claims . . . Instead one invokes the commonly shared conception of justice that underlies the political order [italics mine]."9

Each of these three allusions -- rejecting the death penalty for heretics, demanding tolerance of the intolerant and a justification for civil disobedience -- contain a common assumption; namely, that it is possible for there to exist a body of principles which are shared by all members of a society and which is contained within their divergent theories.

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6 Ibid., 215.
7 Ibid., 219.
8 Ibid., 365.
9 Ibid., 365.
of the good. We are to infer that it is incorrect to use any justifications which do not rely on this common body of principles to defend any actions which are undertaken in the political sphere. At the foundation of this assumption is the belief that it is possible to find a body of principles which can be somehow severed from a dogmatic or ideological justification -- at least dogmatic and ideological justifications which are not shared by all.

There is an additional and exceptionally important claim alluded to in the second example (that the intolerant may be persuaded by freedom). Rawls believes that it is possible that members of a society who do not accept the shared body of principles can be persuaded to adopt them over time. These three characteristics -- that principles are common, that principles are political, and that principles can be adopted at some point in time -- are all essential to Rawls' notion of 'overlapping consensus.'

In *TJ*, Rawls refers to an overlapping consensus by name only once. He writes:

"There can, in fact, be considerable differences in citizen's conceptions of justice provided that these conceptions lead to similar political judgments. And this is possible, since different premises can yield the same conclusion. In this case there exists what we may refer to as an overlapping rather than strict consensus. In general, the overlapping of professed conceptions of justice suffices for civil disobedience to be a reasonable and prudent form of political dissent. Of course, this overlapping need not be perfect; it is enough that a condition of reciprocity is satisfied. Both sides, must believe that however their conceptions of justice differ, their views support the same judgment in the same situation at hand and would do so even should their respective positions be interchanged."10

The character of an overlapping consensus is such that different arguments and principles can justify the same action. It is also required of an overlapping consensus that all parties see the rationality of the other's arguments with such clarity that should the situation be reversed (for example, should the person in the better position find him or herself in the worse position and vice-versa) the two parties would still agree to the decision as formulated before the reversal took place. This is part of Rawls' requirement

10 Ibid., 387-388.
of reciprocity. Each side must believe that if they were on the other side, the same result would come about.

In order to convince the reader that an overlapping consensus is plausible, Rawls must show two different things. First, he must defend the conception that it is possible to separate political justifications from comprehensive moral doctrines. These political justifications must constitute a substantive and convincing body of principles which citizens who adhere to different comprehensive moral doctrines can uniformly accept. Second, Rawls must show that moral psychology is such that individuals who are committed to a particular belief will find a purely political argument convincing enough that they can be compelled to accept it even if their belief system initially opposes it. In other words, Rawls must show that an overlapping consensus is both able to support divergent theories of the good and is convincing enough that it can accept new theories of the good should they be encountered.

The location of Rawls' defenses for these claims was originally found in Part 3 of *TJ*. A discussion of moral education and moral psychology were two components within Rawls' description of a 'well-ordered society'. However, Rawls now rejects the third part of *TJ*, claiming that it is inconsistent with the first and second parts of the book. He argues that part 3 is "unrealistic and must be recast."12

1.2 Differences between *TJ* and *PL*.

Rawls' recasting of his theory of a well-ordered society is often quite different than the reader of *TJ* might expect. A striking difference can be noticed upon first glance at the second book. The title *Political Liberalism* lacks a definite article. Whereas *A*

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11 All of the above references from *TJ* are located in either parts one or two.
"Theory of Justice" might simply be one of many theories, *Political Liberalism* is more definitive. This is not simply a theory of political liberalism; it is how liberalism works.

By his own admission, Rawls is not interested in the moral justification of a comprehensive system of thought. Instead, he is interested in examining the element of public reason that all reasonable citizens could hold in common. Herein lies his new emphasis on overlapping consensus. Had Rawls conceived this new work as a comprehensive theory of justice he would have been forced (by his own standards) to treat it as one of many. However, since Rawls believes that *Political Liberalism* is a "module" which can fit in any and all "reasonable comprehensive doctrines" it is perfectly consistent to suggest, even in the title, that there is only one political liberalism. This conviction of Rawls must have been detected by Chandran Kukathas and Philip Pettit when they (somewhat derogatorily) wrote that Rawls has "an aspiration for the political philosophy to end all political philosophies" several years before *PL* was released.13

A second difference between the two books concerns the type of society Rawls chooses to analyze. There are, according to Philip Pettit's interpretation of *PL*, different approaches to pursuing the question of analyzing the just state. The choice of approach depends on whether one is considering fully or partially compliant citizens and whether one is seeking to establish a partial or full consensus. For Pettit, fully compliant refers to those who are "generally predisposed to exercise reciprocity."14 Pettit's example of those who are not fully compliant are potential free-riders. Full as opposed to partial consensus refers to societies in which there is no division among "relevant moral questions."15 A society in which there is a division regarding the relevant moral questions is categorized

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15 Ibid., 216.
as having a partial consensus. *TJ* is a presentation of a "conception of justice to be implemented by fully compliant citizens on a fully consensual basis . . . but the new Rawls downplays [this type of] theory on the grounds that no one comprehensive doctrine is ever going to attract a wide consensus . . . . [Instead,] we should concentrate on the question of what basic structure is best under conditions of full compliance and partial consensus.\(^{16}\)

In "building on some Rawlsian observations" as he does, Pettit seems to describe Rawls' project inaccurately.\(^{17}\) In *TJ*, Rawls appears to depart from a discussion of a full-compliance theory often. First, in his discussion regarding civil disobedience, and second, in his discussion regarding how individuals make room over time for the principles of justice in their comprehensive moral doctrines. Were all participants within society fully compliant there would be no need for the progression towards a consensus. Additionally, were all citizens fully compliant there would be no cases of civil disobedience to discuss. *Disobedience*, by definition, means non-compliance.

Is Pettit then incorrect in describing *PL* as focusing on a fully-compliant society? Well, yes and no. It depends on which aspect of the politically liberal society one analyzes. Full compliance would mean that everyone always acts justly. Consequently, Rawls' society is only fully compliant if one looks at the ideal society which is the goal of political liberalism and not at the society which exists during the process of achieving that ideal. The society which Rawls believes will develop over time is fully compliant, the process which it develops from is not.

Compliance must be distinguished from consensus building. Compliance means that individuals (1) have a sense of and abide by the rules of justice and (2) receive

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\(^{16}\) Ibid., 216.

\(^{17}\) Ibid., 216.
reciprocity (regarding fair treatment) by their fellow citizens if they themselves offer it to their fellow citizens.

"That the people have a sense of justice means that, provided an appropriate conception of justice is chosen, they will have the capacity to comply with it. The conception of justice chosen will be appropriate, so far as it takes account of the general facts of human psychology and the principles of moral learning . . . The assumption that people have a sense of justice goes with the further assumption, also characteristic of Rawls' theory, that if an appropriate conception of justice is chosen, then people will all comply with it."18

Rawls argues that the pluralism of a society lies in consensus and not in compliance. In Rawls' later work, pluralism is not found in the principles of justice (the substantive foundation of the overlapping consensus) but in the justification for the overlapping consensus. It is the nesting of pluralism in consensus-building and not in compliance which hides Rawls' deep difficulties. This nesting also makes Pettit's claim regarding the focus of PL difficult to verify. Rawls assumes what he must develop: a just society which consists of citizens who comply. If citizens shared a consensus, there would be no difficulty in imagining that they would comply to all of the rules of society. However, they do not. Therefore, compliance seems problematic and unlikely.

The theory of compliance claims to take into consideration human psychology and moral learning but it is these accounts which begin to unravel Political Liberalism. Public reason cannot divide political and comprehensive moral practical rationality. It is my claim that this artificial separation creates difficulties for Rawls which eventually force him to stray from the openness and true pluralism that liberal societies strive for. The next section of this chapter will be devoted to an analysis of this separation.

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2.1 The elements of Rawls' system.

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18 Chandran Kukathas and Philip Pettit, Rawls, 23.
Rawls makes a distinction between a "comprehensive moral doctrine" and a "political conception of justice." A comprehensive moral doctrine includes "conceptions of what is valuable in human life, as well as ideals of personal virtue and character, that are to inform much of our non-political conduct . . . "\(^{19}\) It is their comprehensive moral doctrine that people refer to when choosing how they should live, which religion to subscribe to, or other substantive life decisions.

A political conception of justice is described by Rawls as a "module, an essential constituent part, that in different ways fits into and can be supported by various reasonable comprehensive doctrines that endure in the society regulated by it."\(^{20}\) In other words, a political conception of justice is like a missing puzzle piece that can fit into and be the last piece needed for completion in a wide variety of different jigsaw puzzles.

As stated above, Rawls defines an overlapping consensus as follows: "Such a consensus consists of all of the reasonable opposing religious philosophical, and moral doctrines likely to persist over generations and to gain a sizable body of adherents in a more or less just constitutional regime, a regime in which the criterion of justice is the political conception itself."\(^{21}\) He writes in an attached footnote that this is a wider sense of the overlapping consensus than the one introduced in *TJ* but that the intent is the same. The purpose of an overlapping consensus is to create a publicly accepted pool of information and standards which can be used to adjudicate competing claims in a publicly accepted way. This publicly accepted pool of information and standards is the overlapping consensus itself and the publicly accepted method of using that information Rawls calls "public reason." As Richard Arneson writes, we need an overlapping consensus because:

\(^{19}\) Rawls, *Political Liberalism*, 175.
\(^{20}\) Ibid., 12, 145.
\(^{21}\) Ibid., 1.5.
"in the absence of morally intolerable state coercion, there will be no tendency for citizen's beliefs in a liberal democratic order to converge toward any one comprehensive world-view or philosophical or religious morality and guide for life . . . citizens will remain sharply divided. Given this inevitable pluralism in a diverse democracy, an important task of political philosophy is to articulate a public understanding of fair treatment of individuals by individuals and institutions that can provide a morally acceptable basis of social unity, despite stable deep disagreements among citizens . . . Rawls observes that if liberalism in our time is to be more than just another sectarian doctrine then it must succeed in defining a point of convergence beyond itself on which (virtually) all reasonable citizens can agree."\(^{22}\)

Rawls has implemented what William Galston calls a *democratic teleology*:

"Individuals will seek, first and foremost, to create circumstances in which they can realize and express their moral powers. In addition, we as observers will appraise social institutions in light of their propensity to promote the realization and facilitate the expression of these powers. From the standpoint of both participants and observers, moreover, these goals will take priority over other concerns . . . ."\(^{23}\) The overlapping consensus is necessary to allow for moral teleology. All individuals choose to pursue (at least some of) their goals. They will require institutions which can accommodate their attempts towards realization. If there exists a body of laws which can accommodate all reasonable doctrines then the political requirements of society will be satisfied. Rawls believes that the goal of political philosophy is to form such laws and that the overlapping consensus "is the minimum sufficient for stable unity."\(^{24}\)

Public reason is defined as "the reason [in a democratic society] of equal citizens who, as a collective body, exercise final political and coercive power over one another in enacting laws and in amending their constitutions."\(^{25}\) Public reason, since it is the ultimate source of legislation and legitimate coercive power in a liberal society must also

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be the location for the securing of tolerance. Any lack of tolerance of reasonable views is a fault of the public reason and a flaw in the structure of the liberal society.26

The theoretical blueprint of Rawls' political liberalism consists of the four parts outlined above. Given the fact that modern society is pluralistic, one must organize society so that the pluralism does not destabilize the society itself. The pluralism of a well-ordered society lies in the diversity of comprehensive moral doctrines. Pluralism accounts for (among other things) varying beliefs in God, what the good life is and what human beings should strive for. Since the modern state is a representative democracy, the various people, all of whom may hold different opinions on fundamental matters, must interact in order to make decisions (i.e. what the laws of society are, who should be punished and how, what public goods require public funding). The people engaged in deliberation must have some common ideas, otherwise interaction would be impossible, unproductive and chaotic. That which citizens share is the overlapping consensus and it defines the standards by which citizens qua citizens actually interact. This arena is called the public conception of justice and the actual process of it is the public reason. To simplify: individuals with different beliefs (comprehensive moral doctrines), interact using a common frame of reference (overlapping consensus) to discuss common laws and political standards (political conception of justice) through a process of rational deliberation (public reason). For Rawls, diversity and freedom are maintained by prohibiting non-overlapping justifications from entering the political conception of justice. Justifications which are defensible and coherent within a comprehensive moral

26 “Lack of tolerance” here refers to de jure tolerance; insuring de facto tolerance is a different problem altogether. De facto tolerance is not (necessarily) a part of the public reason. In a truly liberal society intolerance is the result of individual prejudice or small group action which is not sanctioned by the state. No society is perfect. A society will always have members who think intolerant thoughts. The idea behind liberalism is to create a society where de jure intolerance is prohibited in such a way that it discourages de facto (or personal) intolerance as much as possible.
doctrine are not permitted to become part of political debate if they contain elements which are not themselves part of the overlapping consensus.

"A crucial point here is that while the public justification of the political conception for political society depends on reasonable comprehensive doctrines, this justification does so only in an indirect way. That is, the express contents of these doctrines have no normative role in public justification, citizens do not look into the content of others' doctrines, and so remain within the bounds of the political. Rather, they take into account and give some weight to only the fact -- the existence -- of the reasonable overlapping consensus itself."\(^{27}\)

It is important to note that this blueprint begins with a public political culture.\(^{28}\) According to Rawls, individuals in a society share certain beliefs and develop political philosophies based upon what they already hold in common as a society. For example, a case might be made that American citizens believe, almost uniformly, that a constitutional democracy is the proper and ideal basic structure for society. Any development of any theory which came out of this public political culture would (according to this theory) inevitably begin with the forming of, or the intent to form, a constitution (Rawls' work, obviously, is no exception).

### 2.2 How political liberalism functions.

To illustrate the relationship between these various part of Rawls' political liberalism let us imagine that a group of children are deciding upon which rules to abide by in a game of Hide And Seek. One of the children suggests that the rules should prohibit the use of the basement as a hiding place. The child suggests this rule because he is afraid of the dark but this same child is afraid of being laughed at because of his fear so he just suggests the prohibition without a justification. A second child agrees with the new rule, not because he is afraid of the dark but because he is wearing new clothes and doesn't want to get dirty. A third child also agrees; she has asthma and is worried about


climbing up and down the stairs. The fourth child also agrees because the basement (in her mind) is so large that she is worried that she would get lost and not be found. Each child has his or her own motivation for agreeing to the rule but does not share it with the others. This is analogous to Rawls' political liberalism. The rule which prohibits hiding in the basement is analogous to the political conception of justice -- it creates a "module" which all individuals can fit into their comprehensive moral doctrine. For the children in this example, their comprehensive moral doctrines might contain their beliefs that "it is not a good idea to get lost," or "climbing stairs is bad because it promotes wheezing."

Using the connector 'because', each child can insert the "we should not use the basement." module at the beginning of their sentence and connect it to their personal justification. Consequently, "we should not use the basement because it is dark and scary" is perfectly compatible with "we should not use the basement because it is dirty and I have new clothes", "we should not use the basement because the stairs are difficult to climb", and "we should not use the basement because I might get lost and never find my way upstairs again." They are each compatible with all of the other justifications regardless of their vastly different justifications.

Stuart Hampshire writes:

"A complete human being has two faces, one a communicative consensus-seeking, politically active, reasonable face, in the sense of 'reasonable' that is opposed to fanatical, the other a private and autonomous, perhaps detached and secretive, uncompromising face of a person pursuing his own distinctive good, perhaps guided in this by a comprehensive morality."29

The importance of public reason can be shown by returning to the Hide and Seek example. Let us suppose that during the course of the game all but one of the players are found. The three players search and find (eventually) that the remaining player was hiding under the boiler in the basement. We can easily imagine one of the children

exclaiming "you can't hide under the boiler, its too scary!" The fourth child may respond, "no its not!" and the interlocutors are at an impasse. However, rather than invoking the fear which was the motivation for the first child's suggestion of prohibiting hiding in the basement, the three players, as a result of the earlier agreement, can challenge the fourth with the accusation that "we all agreed that we wouldn't go in the basement -- you cheated." This accusation references a clearly defined and public rule which all individuals share an understanding of and agree to by consensus. The child who was hiding under the boiler must acknowledge that he or she has cheated. All of this interaction took place without the invocation of any special moral beliefs -- it used only the overlapping consensus. Furthermore, it is understandable that each child would be unable to predict that the fourth child would cheat. Since the overlapping consensus is justified by the moral comprehensive doctrines, a person is as unlikely to break the overlapping consensus as he or she is to violate his or her own conception of the good. The overlapping consensus is justified by the moral comprehensive doctrine and is therefore as much a part of the moral comprehensive doctrine as any other good. This is what ensures that agreement to the rules is not a mere consensus (*modus vivendi*), but rather a moral commitment.

It is also imaginable that the fourth child might respond to the accusation by claiming "the boiler is not part of the basement, it is in my mother's workshop." In this instance, the children could debate whether or not the player was actually hiding in the area referred to by the term 'basement' but in doing so they would not be debating the rationalization behind the rules, or even if the rule is a proper one. They would simply be arguing about a particular interpretation of a particular rule. If it is determined that the boiler is located in the basement, then it is clear that the child broke the rule. If, however, the interpretation is that the boiler is not in the basement then the child has acted properly.
2.3 The right versus the good.

A difficulty one faces in a situation with a multiplicity of possible causes is where to classify this last disagreement. Is it a problem with compliance -- did the child cheat? -- or, is it a problem of consensus -- a disagreement about where the boundaries of the basement are? The debate as to whether Rawls analyzes a fully or partially compliant society flags the most important, perhaps the most questionable, and quite possibly the most controversial of all of Rawls' claims -- that one can separate reasoning into two discrete parts. For the children playing Hide And Seek it might be easy to see where fear of the dark is irrelevant to the physical layout of the house (where the basement begins). Suppose, however, that there is no clear division. Let us assume that the house is a ranch-style house and no stairway divides the living area from the boiler area. The parents just call that part of the house 'the basement' because it is a word that describes their normal identification of storage areas with basements -- perhaps it is not furnished or finished. Additionally, suppose the hallway which leads to the boiler area is also dark and the child who is afraid assumes that this area was also prohibited (because it is dark) but the others do not share this assumption. Then the clarity of the division of what is relevant and what is not becomes fuzzier. Is it the original intent of the prohibition which should be maintained, or is it the present day interpretation? If it is the present day interpretation, how does one discuss what possible interpretations to accept if one is prohibited from referencing those comprehensive moral doctrines which supplied the original intent?

For Rawls, rationality is divided along the border between the right and the good. "A conception of right is a set of principles, general in form and universal in application, that is to be publicly recognized as the final court of appeal for ordering the conflicting claims of moral persons." Rawls, A Theory of Justice, 135.
of rules, not facts. It is made up of the regulations which create the structures which people use to analyze and adjudicate a wealth of competing information and beliefs. In other words, distinguishing between the right and the good can be interpreted as distinguishing between procedure and substance.

Stuart Hampshire argues that one can convincingly maintain that such a division is feasible if it is looked at in a certain way. "If this distinction between procedural and substantial justice is understood, between fairness in the process and fairness in the result, the claims for political liberalism and public reason and for the duty of civility become plausible."31 Hampshire's interpretation of PL is charitable but inaccurate. Rawls does not want to define political liberalism simply as procedural justice. In his "Reply to Habermas" Rawls takes great pains to refute this over-simplified division of the right and the good: "It is a common oversight . . .to think that procedural legitimacy (or justice) tries for less and can stand on its own without substantive justice: it cannot . . . . I am not ready to change my mind and feel unmoved by the objection that justice as fairness is substantive and not procedural. For as I understand these ideas, it could not be otherwise."32

For Rawls, the division between the right and the good is not simply a question of fairness of process versus fairness of a result; it runs deeper than that. The division between right and good is a division between different kinds of rationality and different standards of relevance. The right and the good are distinguished with the difference between the 'reasonable' and the 'rational' in mind. The reasonable, which will be discussed in great detail later on, is the type of practical rationality which is used in connection with the "idea of fair social cooperation" in the confines of the right.33 "The rational is, however, a distinct idea from the reasonable and applies to a single unified

33 John Rawls, Political Liberalism, 51.
agent (either an individual or corporate person) with the powers of judgment and
deliberation in seeking ends and interests particularly its own. The rational applies to how
these ends and interests are adopted and affirmed, as well as to how they are given
priority." It is clear that both of these types of practical rationality must be substantive
since both require particular ends. The reasonable requires an understanding of the shared
end of social cooperation. The rational requires the understanding of the unique end
aimed at by the agent in question. It is how those ends are divided, categorized, and
where the motivation to pursue these ends comes from which creates the difficulty for
Rawls.

It is especially important to be aware that Rawls' conception of right is not
identical in the two books. In TJ, the procedures of right are found in the "original
position" but in PL, they are found in the political conception of justice. The right, as
defined above, is recognized as the final court of appeal. Whereas the principles of justice
which lay at the foundation of TJ's view of justice as fairness are justified by the original
position, in Political Liberalism there is no such justification.

There is also a fundamental difference between the TJ's and PL's conception of
the good. TJ has a specific substantive good in mind, whereas Rawls believes that PL
does not. David Archer writes: "The problem of A Theory was to understand and
explicate the character of the good -- that is, just -- society. For Rawls this is the fair
society governed by his two principles. The problem of political liberalism is: How is it
possible that there may exist over time a stable and just society of free and equal citizens
profundely divided by reasonable though incompatible religious, philosophical and moral
doctrines." Rawls argues that the citizens in his society see the overlapping consensus
as a good in itself. The conception of justice can only be defended within the confines

34 Ibid., 50.
35 Archer, "Fair Enough", 47.
36 John Rawls, Political Liberalism, 50.
of a comprehensive moral doctrines. Political Liberalism, and Rawls himself, attempt to make no comprehensive claims regarding what the nature of that justice is.

2.4 The political conception of justice.

To answer Archer's formulation of Rawls' question as just quoted (how is a stable society possible?): For Rawls, a stable society can only exist if it manages to exclude certain justifications from political deliberation. This method excludes Aquinas' reasoning regarding the execution of heretics as already discussed. It also excludes a great many other individuals. Rawls' political liberalism excludes anyone who does not already accept the universally-agreed-upon overlapping consensus.37

A political conception of justice may use as its justification the rationale offered by any reasonable comprehensive moral view but this justification is considered to be a part of the moral view and not intrinsic to the political conception of justice itself; the justification can change. Rawls argues that if the political conception of justice had its own moral justification it might clash with some of the other views and would therefore inhibit liberalism's goal of allowing a plurality of different conceptions of the good. This is why the lack of unique comprehensive justification is essential to political liberalism. The political conception of justice supplies the common ground which serves as the overlapping consensus that allows individuals to agree to the principles of justice that form the basis of the constitution and the laws. Therefore, it is the political conception of justice that allows individuals with different conceptions of the good to live together in tolerance.

37 Rawls might object to the term "universally-agreed-upon" seeing as he is only describing one particular "closed" society (a society which one can enter only through birth and exit only through death). However, in this context, "universal" should mean that all of members of this particular society agree upon these particular points; for Rawls, no one else is of concern. In my view, this is the central problem in Rawls' theory. The universally-agreed-upon nature of the deliberations within political liberalism is too exclusionary. I will return to this point below.
The "political" is the realm for a specific type of claim with a specific argument structure and a specific type of permissible justification. For example, the claim "we should not let people murder other people because it is against the constitution" is in a form which makes it perfectly relevant to the public reason. It exists purely in the realm of the political because it cites as its justification only those things which everyone in the society would agree to (the constitution). However, "we should not let people murder other people because it is morally wrong," or "we should not let people murder other people because it is against the will of God," or "we should not let people murder other people because it is not a human good to be killed," are all unacceptable and should be excluded from public debate. Claims that certain actions are immoral, or against God, or not a human good, are all parts of comprehensive moral doctrines which some people might not share. It is certainly conceivable that some reasonable people might oppose any or all of those three reasons. Consequently, they are inadmissible in those forms. It is important to note, however, that members of the society find the inadmissible nature of these reasons binding and satisfying because, as was remarked earlier, their moral comprehensive doctrines justify the exclusion of moral reasons from political debate -- the overlapping consensus is not modus vivendi. Although I argue that the division of political and moral is not defensible, Rawls does believe that, because of the modular nature of the overlapping consensus, the political claims are, in some sense, moral as well. The overlapping consensus is itself a good.

According to Rawls, there can exist a political person (or, at minimum, a political part of a person) who can detach their substantive moral beliefs from their deliberations regarding political institutions. "Justice as fairness is developed as a political conception of justice which must seek to free itself so far as possible from controversial
philosophical commitments of a sort that would preclude its attracting an overlapping consensus in a diverse democracy."38

The political conception of justice is "freestanding and expounded apart from, or without reference to, any such wider background."39 In other words, all political deliberation must withhold any reference to any facts or beliefs which are not part of the political sphere. Consequently, the division between the political conception of justice and any comprehensive moral doctrine must be total and clean in order for Rawls' political liberalism to function properly. There must be clear criteria as to which category a claim fits in and which does not. Rawls does not offer any such convincing criteria. This creates great difficulties when one tries to understand actual political discussion through the Rawlsian framework.40 He argues that the political conception of justice is that which is shared by all reasonable comprehensive moral doctrines. The only criteria for classification which Rawls presents is that procedures or beliefs fall under the political conception of justice if and only if such a belief is shared by all reasonable members.41 This criterion, as I will show below, is inadequate.

2.5 Political deliberation: Do Americans share an overlapping consensus?

It is easy to see Rawls' motivation for separating the political from comprehensive moral doctrines. A case can be made that, as discussed above, the distinction between "we should not let people murder other people because it is against the constitution" and "we should not let people murder other people because it is morally wrong" is an easy one to accept assuming that it is understood that the moral comprehensive doctrines

39 John Rawls, Political Liberalism, 12.
40 See the example of the deliberation of the United States Congress as described in section 2.5 of this chapter.
41 "The content of the reasonable is specified by the content of a reasonable political conception." (Rawls, Political Liberalism, 94).
justify this separation. It is also a somewhat easy example to see in action. Contemporary American democracy might be viewed as the workings of an overlapping consensus.\textsuperscript{42} The Executive, Legislative and Judicial branches all work within the confines of the overlapping consensus to form, test and execute laws. The existence of God or religious morality does not come into play once the laws are set. One does not arrest criminals, or give people government subsidies in the name of God -- or so it would seem.

However, it is inappropriate to look at the American overlapping consensus in a vacuum without analyzing the process which created or maintains it. Congressional debate is constantly mired in discussions of morality, decency and certain categories of values. For example, recent debates regarding federal funding of the NEA or AIDS education are buried deep within certain Judeo-Christian beliefs which reject "explicit" art and homosexuality. Prohibition of murder and other illegal acts are rooted directly in the ten commandments -- the moral code which forms the foundation for the three major monotheistic religions: Judaism, Christianity and Islam.

The individuals who engage in these debates are not intentionally straying from any pre-established rules. Jesse Helms is not acting improperly when he refers to "family values." It is simply impossible to engage in a purely political debate because there can be no clean division between the overlapping consensus and a comprehensive moral doctrine. It is impossible to evaluate any regulations in any substantive way (except -- perhaps -- efficiency) without examining the motivations which established the regulations in the first place. For example, Helm's defense of legal structures which encourage family values must include reasons explaining why family values are important in the first place. Family values are supposed to contribute to the moral development of a person. Unless one wants to argue that moral development is solely

\textsuperscript{42} Rawls himself calls the Supreme Court the "exemplar of public reason" (Ibid., 231). He then follows up on this comment with detailed discussion of actual supreme court case-law.
concerned with that which constitutes a good citizen (excluding those qualities which make a good parent, person or soul), that what constitutes proper moral development is a matter which requires reference to the comprehensive doctrine.

For example, suppose that one argues that federal money should be used for AIDS education and prevention. Individuals should be encouraged to use latex condoms to help the spread of HIV infections. This is certainly a public matter. AIDS is one of the most deadly diseases in modern times. It threatens large populations of tax-payers whom the government represents. AIDS threatens an individual's access to "life, liberty, and the pursuit of happiness," truths which are regarded as self-evident in the public political culture of the United States. Education regarding the proper use of condoms will help restore the possibility of a good life for a large segment of the population. Besides, the government puts aside money for health education, both preventative and responsive, in an attempt to maintain the public health. By this argumentation, it seems that a very strong case must be made for dissemination of educational materials advocating the use of condoms. Staying purely within the confines of the political, it would be hard to argue against this conclusion.

As it is well-known, however, the above argument is unacceptable to many. Indeed, to look at individuals from purely a political point of view is too limiting and is (intentionally) biased against those who have "wider" concerns. For example, certain religious groups forbid the use of latex condoms because they are against church teachings. Many doctrines (1) prohibit unnatural birth control methods and/or (2) prohibit sexual acts which are not engaged in for purposes of reproduction. They believe that to encourage individuals to use condoms is to encourage people to act immorally -- to act against the teachings of God. It is not simply paternalism which motivates the church to oppose AIDS education, it is something more powerful. It is a belief in righteousness that requires individuals to abide by the rule of God above all else and to ensure that others do
the same. According to this perspective, human laws are -- and should be -- subordinate to the laws put forth by God. To exclude discussion of such matters is to delegitimize the argument against condom distribution even before the matter is considered in public debate.

Consequently, to fund AIDS education with federal money is to break the overlapping consensus because it ignores the fundamental beliefs of a certain population -- a population that would reject the results of a public reason that would encourage condom use. Ultimately, this problem is unavoidable because the political conception of justice is irrevocably intertwined in certain conceptions of good and these goods must be discussed in order to maintain the overlapping consensus, even if it means discussing "comprehensive" matters which are not themselves agreed upon by all.

In reply, it may be argued that the overlapping consensus is not as limiting as I suggest. First, one might claim that the overlapping consensus is meant to be purely procedural and second, one might claim that when applied to actual examples the overlapping consensus would not disallow the more religious perspectives. Regarding the first argument, and as discussed above, Rawls does not see the overlapping consensus simply as procedure divorced from substance. Rawls writes explicitly that political liberalism cannot be without substance since "it springs from and belongs to the tradition of liberal thought and the larger community of political culture of democratic societies. It fails then to be properly formal and truly universal . . . ." Although Rawls is not clear enough on the nature of the overlapping consensus, he is clear that it contains more than just universal rules. Second, regarding the claim that the overlapping consensus will not be as limiting in practice as I suggest, I call attention to Rawls' comments on abortion in which he argues that political liberalism must adopt a pro-choice standpoint. He writes: "I believe any reasonable balance . . . will give a woman a duly qualified right to decide

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whether or not to end her pregnancy during the first trimester. The reason for this is that at this early stage of pregnancy the political value of the equality of women is overriding any comprehensive doctrine that leads to excluding that duly qualified right in the first trimester is to that extent unreasonable." The foundation of Rawls' argument is that the "political value of the equality of women is overriding." Yet, this is precisely what certain comprehensive doctrines would argue against. A critic of the pro-choice position could argue that no political value can override the God-given sanctity of human life. To exclude argumentation based on comprehensive moral doctrines is to delegitimize the very reasons that would demand one choose one particular political view over another. In practice, the overlapping consensus is quite limiting.

For Rawls, there are two possible solutions to this difficulty. The first is rooted in the idea that political mechanisms go awry when individuals vote from self-interested motives. Government representatives vote in the name of a specific group and individuals from that group choose representatives based on their own perceived need. If individuals voted for what they felt would be best for society as a whole instead of individual desire, society as a whole -- and the individuals within it -- would be better off. Typical of this perspective is Rousseau's General Will. The General Will solves the problem of self-interest because (Rousseau argues) the General Will objectively determines what is right and what is wrong. To vote against the General Will is to have a wrong opinion. To act with the General Will is to act correctly. Individuals might still vote according to the church's doctrine because they would believe that the church's doctrine is good for society as a whole, but there would now be an independent standard upon which to balance the results. If the General Will sided against the church then governmental action is clearly prescribed. The government need not be concerned about that segment of the population that disagrees with the General Will because the government is only

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concerned with acting correctly and, by definition, those dissenting are advocating improper action.

There are two problems with this view. The first is theoretical, the second practical. The first problem is that what is good for the whole may or may not be good for its parts. It may be true that it is good for the United States to have a railroad connecting New York and San Francisco. However, it might not be good for Mr. and Mrs. Smith whose farm exists on the land that the railroad must cut through.

The second problem is as follows: even if it were true that what is good for the whole is good for its parts, or -- to take the further step -- that the good of the whole has priority over its parts (which itself is controversial), it is exceptionally difficult (if not impossible) for individuals to always make all political decisions independent of their own self-interest. How does one learn to ignore one's own self-interest? How does one know when they are being objective? How does one balance their own hunger (for example) against the hunger of other people or the collective hunger of the community as a whole?

Rawls tries to solve both of these problem in *TJ* by proposing the original position and the veil of ignorance. In the original position, self-interested individuals would choose two binding principles of justice without knowledge of their individual situations in life. This would create a basic framework of justice which acknowledges the self-interested motives of political actors and harmonizes these motives with their desire for the impartiality which fosters good decision making, or so Rawls argues. However, after *TJ*'s release in 1971, the doctrine of the "original position" fell under heavy attack. The two principles of justice "cannot in fact be derived from the original position without adding question-begging stipulations, . . . the premises required to explain why the original position takes the form it does will generate their conclusions directly -- and
much more plausibly." Additionally, it is questionable whether agents in the original position have the ability to make well-thought out preferential decisions. Rawls does not place a great deal of emphasis on the Original Position in his second book. Instead, Rawls' new proposal is firmly rooted in the second possible solution to the unclear division between the political conception of justice and moral comprehensive doctrines as exemplified in the problem of AIDS education: avoidance.

However, before we discuss how Rawls justifies this avoidance, it is important to register a complaint regarding this particular controversy. The only way to avoid the issue of AIDS information is to not discuss it. This results in the de-facto decision not to disseminate AIDS education material at all. Consequently, by taking no stand at all, one is granting the wishes of the church while denying the wishes of the other groups that see AIDS education as a public good. Avoidance here results in the de-facto choosing of one side over the other and -- ironically -- the winner in this particular battle is the side which Rawls is most likely to consider to be unreasonable because it is the side which uses certain moral doctrines as the basis of its argumentation. This comprehensive moral doctrine which the church advocates must, by Rawls' own definition, be declared unreasonable. In fact, most religious doctrines must be declared as such. As Brian Barry writes,

"'Reasonableness' is intended . . . to be a low hurdle that can be cleared by, for example, every well-established religion, as well as secular views that are not manifestly dedicated to the interest of a certain class or race. But what chance is there of the 'reasonable comprehensive views' held in any society entailing the Rawlsian principles of justice? None whatsoever, I suggest. It is true that certain branches of Protestant Christianity incorporate a principle of toleration that would lead to the endorsement of some civil liberties; most religions do not . . ."  

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46 See Michael J. Sandel, Liberalism and the Limits of Justice (Cambridge: Cambridge University Press, 1982).
47 Brian Barry, "Good For Us, But Not For Them", 23.
It is Barry's contention that religions that should be viewed as legitimate participants in political debate are unjustly excluded from debate. Obviously, this was Rawls' intention -- he hoped to solve the problem of fanaticism by avoiding it. He limits those who could -- or should -- be taken seriously. "Of course, a society may also contain unreasonable, irrational, and even mad, comprehensive doctrines. In their case the problem is to contain them so they do not undermine the unity and justice of society."48 However, as Barry shows, many of the religions that would be disqualified are religions that the general population of the United States would like to see as part of the debate; religions that hold a very strong and respected place in the public political culture that formed and maintains American society and the individuals within it. For example, exclusion of the religious justification would result in the premature termination of the abortion debate -- a controversy which is far from resolved in the American mind. By refusing to take a position on the abortion issue, the government, by default, assumes a pro-choice stance. The religious belief in the sanctity of the life of the unborn child is declared unreasonable and not taken into account. Once again, to take no position on a particular issue is to resolve the issue in favor of one side and not the other.

Rawls attempts to address this problem. In distinguishing between two types of limits on public reason, he writes:

"A last question about the limits of public reason. I have often referred to these limits. To this point they would appear to mean that, on fundamental political matters, reasons given explicitly in terms of comprehensive doctrines are never to be introduced into public reason. The public reasons such a doctrine supports may, of course, be given but not the supporting doctrine itself. Call this understanding of public reason the "exclusive view." But as against this exclusive view, there is another view allowing its citizens, in certain situations, to present what they regard as the basis of political values rooted in their comprehensive doctrines, provided they do this in ways that strengthen the idea of public reason itself. This understanding of public reason we may call the 'inclusive view.'"49

48 John Rawls, Political Liberalism, xvi - xviii.
49 Ibid., 247.
Rawls distinguishes between an "exclusive view" of the limits of public reason which argues that no reference to moral comprehensive doctrines can be made use of in public reason, and an "inclusive view" which argues that "in certain situations" the moral comprehensive doctrines may be referenced. He favors the "inclusive view" arguing both that it is "more flexible" and that it "best encourages citizens to honor the ideal of public reason and secures its social conditions in the longer run in a well ordered society."\(^{50}\)

Rawls is attempting to be more flexible with the limits of public debate. He tests the inclusive view by using it to evaluate the propriety of comprehensive defenses for pro-equality positions in both the American Civil War and the American civil rights movement. He sees both as two "reasonable" examples of the use of moral comprehensive doctrines in public reason.\(^{51}\) The difficulty here lies in the post hoc nature of his defense. Within our contemporary public political culture there is a strong sense that race is not a relevant criterion to justify inequality and there is an overriding (although not universal) consensus that the Civil War and the civil rights movement were just causes in the pursuit of equal rights. To argue after-the-fact that such revolutionary activity was justified might be convincing to Rawls' present day readers but it is doubtful that it would be convincing to those who were choosing their actions at the time. One importance use of political philosophy is to be able to determine in advance which actions are proper and which are not. It is hard to imagine that this system would have been helpful in pre-civil war America since the argument was not simply one regarding legislation, but rather it was a debate over whether or not a certain type of human being was to be considered property.

Rawls argues that historical conditions determine whether the exclusive or inclusive view is correct and that the inclusive view, given certain conditions, is

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50 Ibid., 248.
51 Ibid., 249-251.
permissible "provided [citizens] do this in a way that strengthen the ideal of public reason itself." However, Rawls is unclear about exactly what these conditions are. He does suggest that the inclusive view is only permissible in a non well-ordered society and declares his own description of a well-ordered society to be a "highly idealized concept." Rawls writes:

To say that a society is well-ordered conveys three things: first (and implied by the idea of a publicly recognized conception of justice), it is a society in which everyone accepts, and knows that everyone else accepts, the very same principles of justice; and second (implied by the idea of effective regulation of such a conception), its basic structure - that is, its main political and social institutions and how they fit together as one system of cooperation - is publicly known, or with good reason believed, to satisfy these principles. And third, its citizens have a normally effective sense of justice, and so they generally comply with society's basic institutions, which they regard as just. In such a society the publicly recognized conception of justice establishes a shared point of view from which citizens' claims on society can be adjudicated.

Once again, the conditions for a just society presuppose universal agreement in that society. The notion of lack of order implies, at least on a certain level, the lack of an overlapping consensus and, as a result, in a non-well-ordered society, where no overlapping consensus exists, there can be no clear limitations of public reason because these limits are based on the existence of an overlapping consensus. Furthermore, he Civil War is not an appropriate example to use as a defense of an inclusive view. In essence, reason was not involved at all. The end of the debates which inspired the war came about when those holding one opinion killed enough people and destroyed enough property that they were able to force their view upon their opponents. In a war situation, public reason is irrelevant.

Rawls does offer the case of a "serious dispute in a well-ordered society" to illustrate a second instance in which the inclusive view may be permissible. The example

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52 Ibid., 247.
53 Ibid., 35.
54 Ibid., 35.
he uses is a debate regarding the nature of religious and public education. In this instance, Rawls argues, the inclusive view is permissible, yet in practice, Rawls rejects this notion. Given his claim that the only "reasonable" position on the abortion position is pro-choice, one sees that political concerns do, in fact, trump comprehensive concerns. It is an essential part of many religious beliefs that moral worth is more important than political worth. To accept the opposite is to exclude that view.

It is therefore my contention that Rawls offers us no way of determining in advance which situation allows for the exclusive view and which situation allows for the inclusive view. In determining in advance how to reason publicly, the only acceptable view of the limits of public reason appears to be exclusive. Consequently, Rawls is begging the question. In essence, he is saying that liberalism will be stable if it only permits those groups which do not conflict on issues that destabilize society to engage each other in discussion. Furthermore, he argues that liberalism will only be stable if it accepts his particular view of how to separate the political and the comprehensive. As I will continue to show below, liberalism avoids conflict by limiting in advance that which can be legitimately debated. This, I will argue, limits pluralism to an unacceptable degree and is therefore an unacceptable form of liberalism.

3.1 Reasonableness: What constitutes the overlapping consensus?

In PL, Rawls reexamines which decisions political philosophers should make. Traditionally, political theorists took a particular conception of how the state should be structured and sought principles to justify that. Rawls argues that this is backwards: "The problem faced by political philosophers is not to deduce conclusions from a particular

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55 Ibid., 248.
conception of the good, but to seek acceptable ground rules for adjudicating between different conceptions of the good."\textsuperscript{56}

Ultimately, at the foundation of the way Rawls structures his philosophy is the division between the right and the good. The sphere of the political is somehow fundamentally different from the sphere of the comprehensive. Different rules apply since one requires consensus and the other does not. Stephen Holmes explains that for Rawls, "the way the government should treat its citizens, and the way citizens should treat each other, is a question on which we all must more or less agree; but on the question of how people should live, what personal ideals they should pursue and what loyalties they should honor, individuals and not public authorities or democratic assemblies, must decide."\textsuperscript{57}

Obviously, the question of how the government should treat its citizens and how its citizens should treat each other is not a matter on which all individuals agree. There are conflicts regarding the extent of allowable governmental paternalism and the nature of the responsibilities neighbors have towards one another. There is even controversy regarding the morality of state-imposed taxes. Rawls must therefore develop criteria which (1) distinguish between the areas that must develop consensus and those which need not (what is the content of public reason?), and (2) indicate what to do with the individuals who do not partake in the consensus when it is required.

Rawls understands that how we treat others has, as its root, comprehensive moral beliefs. The difficulty arises when divergent beliefs come into conflict. Is charity a social responsibility? How about paying taxes to fund public assistance programs? Are they two forms of the same thing? Some would argue yes, others would argue no. Do individuals have the responsibility to intervene in other's domestic affairs (for example: if a woman is

\textsuperscript{56} Brian Barry, "Good For Us, But Not For Them", 23.
beating her child)? Again, some would say yes, others would say no. Both are dependent on an individual's definition of what "beating" might be. Many people object to the practice ofspanking their children while others believe it is the cornerstone ofchild-rearing and the adjudication of these two positions requires references to a wider range of claims than the overlapping consensus allows.

To require that such a matter be the subject of overlapping consensus is to subject the debate to the exclusive limits of public reason and consequently, to legislate one position over the other. It is to infringe upon how individuals view what is good for their own child -- yet protective government agencies still exist for the child's own good. Again, Rawls does not make this division clear. As Holmes himself writes:

"What is the political domain? Where does it begin and where does it end? And what does it exclude? Not even the most careful reader of PL will come away with a high-resolution picture of the boundaries between the political and the non-political. Churches fall into the nonpolitical category, at least some of the time, and for certain purposes. Companies and hospitals and universities, as well as professional groups and labor unions are sometimes included and sometimes excluded. The location of the family, that great playground and battlefield of personal intimacy, is equally uncertain."

Rawls is unclear about what issues are to be considered part of the overlapping consensus. Clearly, maintaining equality is part of it. So is freedom of abortion. The separation of church and state in regards to education is also part of the overlapping consensus, however it may require references to moral comprehensive doctrines in order to resolve that particular debate. Surprisingly, even though education can fall back on moral comprehensive doctrines, the debate over abortion cannot. As stated above, this perspective is problematic. Freedom of political speech may or may not be subject to the overlapping consensus, yet the time and place in which it is permissible is.}

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58 Ibid., 10.
59 John Rawls, Political Liberalism, 341.
is a matter for the overlapping consensus, yet the limits of this health care are undefined. Rawls writes:

"Thus, there is the problem of extending justice as fairness to cover our duties to future generations, under which falls the problem of just savings. Another problem is how to extend justice as fairness to cover the law of peoples, that is, the concepts and principles that apply to international law and the relations between political societies. Moreover, since we have assumed (as noted above) that persons are normal and fully cooperating members of society over a complete life, and so have the requisite capacities for assuming that role, there is the question of what is owed to those who fail to meet this condition, either temporarily (from illness and accident) or permanently, all of which covers a variety of cases. Finally, there is a problem of what is owed to animals and the rest of nature.

While we would like to eventually answer all of these questions, I very much doubt whether that is possible within the scope of justice as fairness as a political conception. I think it yields reasonable answers to the first two problems of extension, to future generations and to the law of peoples, and to part of the third, to the problem of providing for what we may call normal health care . . . In any case, we should not expect justice as fairness, or any account of justice, to cover all cases of right and wrong. Political justice needs always to be complemented by other virtues."61

As evident in the passage quoted, Rawls himself is unsure of what his scheme actually answers and what it does not. He leaves it ambiguous and suggests that "political justice needs always to be complemented by other virtues," yet he is unclear as to whether these additional virtues are themselves purely political or whether there may also be virtues found outside the overlapping consensus and in certain moral comprehensive doctrines. The former is probably more defensible than the latter since one would assume that if certain virtues are necessary then they will be shared. Yet the former once again succumbs to the difficulty in separating the right and the good.

Rawls does offer one direct (but not very specific) answer as to what is contained in the overlapping consensus. What constitutes the criterion for admission into public debate is whether or not it is reasonable.

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60 Ibid., 184.
61 Ibid., 21.
"Persons are reasonable in one basic aspect when among equals say, they are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so. Those norms they view as reasonable for everyone to accept and therefore as justifiable to them; and they are ready to discuss the fair terms that others propose. . . . Reasonable persons, we say, are not moved by the general good as such but desire for its own sake a world in which they, as free and equal, can cooperate with others on terms they can all accept. They insist that reciprocity should hold within that world so that each benefits along with others."62

3.2 Reasonableness as reciprocity.

The criteria for determining 'reasonableness' is reciprocity. Reasonable people regard with respect those principles which individuals in society hold in common and which all individuals are able to justify using the comprehensive doctrines they adhere to. They act according to the conditions that the law (or the political conception of justice) requires and they expect other people to do so as well. Rawls writes:

"If we ask how the reasonable is understood, we say: for our purposes here, the content of the reasonable is specified by the content of a reasonable political conception. The idea of the reasonable itself is given in part, again for our purposes, by the two aspects of persons being reasonable: their willingness to propose and abide by fair terms of social cooperation among equals and their recognition of and willingness to accept the consequences of the burdens of judgment. Add to this the principles of practical reason and the conceptions of society and person on which the political conceptions is based. We come to understand this idea by understanding the two aspects of the reasonableness of persons and how these enter into the procedure of construction and why. We decide whether the whole conception is acceptable by seeing whether we can endorse it upon due reflection."63

In essence, a reasonable person is someone who abides by the overlapping consensus, does not bring into public debate matters which are not themselves permissible in the realm of public reason, expects others to do the same, yet also understands that sometimes people have a different understanding of how the overlapping

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62 Ibid., 49-50.
63 Ibid., 94.
consensus is to be interpreted. Unreasonable people, therefore, are individuals who do not abide by the political conception of justice. They stray from that which is held in common and/or do not act reciprocally.

Let us return to the above example of the children playing Hide and Seek. The problem we were confronted with was that one child broke (or misinterpreted) the rules and hid in the basement. There were two possible causes. First, the child might not have had the same definition of 'basement' as the other children, and second, the child might not have cared about the rules and chose to hide in a place where he knew he wouldn't be found -- perhaps he wanted to win at all costs.

Given the first instance, that the child might have had a different definition of 'basement', there is not enough information to determine whether or not the child was acting reasonably. (This may simply be a problem due to the burdens of judgment. In this case, discussion will help clear up ambiguities.) The second option, that the child might not have cared, would be an example of unreasonableness. He agreed both to abide by a set of rules which all of the players held in common and not to bring in additional information which, although not "against" the rules, was also not included within the rules. Presumably, he expected that the others would follow the rules even though he chose not to. He was not reciprocating -- he was not acting the same way that he wanted others to act. Consequently, he was not being reasonable whereas the other three players were.

One must remember that reciprocity does not stand alone. As quoted above: "Reasonable persons, we say, are not moved by the general good as such but desire, for its own sake a social world in which they, as free and equal, can cooperate with others on

64 Misunderstanding is a result of what Rawls calls the burdens of judgment which he defines as: "the sources, or causes, of disagreement between reasonable persons so defined." See, especially, PL section 1:2:2 (ibid., 55).
terms they can all accept . . . “65 Rawls believes that reasonable people value reasonableness as well as a world where individuals regard reasonable as a good in itself. In our example, this is analogous to claiming that reasonable players value the game of Hide and Seek as a good in itself. Any desire to win is subordinated to the desire of the players to have a good game; a game where all people have the possibility to win.

In addition to violating the rules of reciprocity, the child, if he deliberately broke the rules, would also lack the desire for the good that is the game itself. But here, again, the boundaries of the right and good are blurred. Who is to say that winning is not more important than the game itself? Isn't that a conception of the good life? (i.e. "Winning isn't everything, its the only thing.") Isn't that just the type of thing that liberalism is not supposed to make claims about? When faced with this objection, Rawls might remind us (as stated above) that political liberalism does not concern itself with regulating and permitting any view of any and all members of society. It is concerned only with regulating the actions of reasonable persons (those who wish to abide by the limits of reasonableness). He argues that lunatics who hold "unreasonable and irrational and even mad comprehensive doctrines" are legitimately expelled from the debate.66 In the above example, the child that wanted to win at all cost is "unreasonable and irrational" because the comprehensive moral doctrine which he adheres to (1) does not allow him to value the game in itself, and (2) does not contain the module of the political conception of justice which constitutes the overlapping consensus; and because he is not reciprocating.

It would be perfectly acceptable for the children to refuse to play with that fourth child any more. But on what grounds? Should the reason be that the child did not value the game in itself? That is doubtful, or at minimum, that is a question for comprehensive moral doctrines and not for the political conception of justice. To deny the child access to

65 Ibid., 50.
66 Ibid., xvii.
the game because he lacks the will to reciprocate is one thing. The game would destabilize into Hide-and-Seek-Anarchy if there were no binding rules. But to deny the child access to the game because he does not value the game in the same way as the other children do -- as an end in itself -- that is another thing altogether. It denies the child access to the game because he has a different system of values than the other players. It is anti-pluralistic and illiberal.

Now, one might object that the *reason* for expelling the child was not that he didn't value the game in itself but that he broke the rules. Fair enough. But if so, why include valuing reasonableness-in-itself as part of the criteria for determining reasonableness? Why not ignore all questions of motivation? In response, one might also argue that the issue is not rule-breaking versus anarchy, but instead, it is a question of reasonable action versus non-reasonable, non-reciprocal action. Yet, this division is a false dichotomy. As already discussed (and as I will discuss in great detail in Chapter 2) the separation of the right from the good is an insupportable division. Rawls writes:

"To be sure, people do not normally distinguish between comprehensive and public reasons; nor do they normally affirm the ideal of public reason, as we have expressed it. Yet people can be brought to recognize these distinctions in particular cases."\(^{67}\)

It is true that there are instances when the division between moral and political seems clearer than others. However, the issue is not the simple cases. Instead, the issue for political philosophy is how to solve the difficult ones. As argued above, Rawls gives no clear method for determining either during or before the fact, whether or not the instance is appropriate for an inclusive view of public reason. People do not normally separate the moral from the political (as Rawls points out) because this separation is somehow artificial. The right and the good are so intricately intertwined that the mere act of separating the two makes the political seem somehow less legitimate. The overlapping

\(^{67}\) Ibid., 251.
consensus must be a module in a moral comprehensive doctrine because without that context, the political conception is not justifiable.

Finally, it must be acknowledged that the above example of the child breaking the rules of Hide and Seek is simplistic in that willful rule breaking without regard for others is simply an analogy for crime. It does not account for the intricacies of political dilemma. When individuals quarrel over family values, abortion or equality they are not intentionally breaking the rules, they are disagreeing about the nature of the rules. Furthermore, when certain citizens demand moral or religious components in public education they are doing so because they believe that it is best for everyone involved; they do not regard themselves as encouraging rule breaking. I contend, however, that a simplistic example such as children playing Hide and Seek can suffice to show how Rawls' system functions since, as I have pointed out, its ambiguities prevent it from functioning in any of the more difficult cases. I have used the examples of abortion, AIDS education and the separation of church and state in order to illustrate this failure of political liberalism.

3.4 Reasonableness limits pluralism.

I wish to make clear that Rawls' definition of reasonableness undermines the liberal character of his theory. Certain demands which are made upon citizens in the Rawlsian society force them to have particular conceptions of the good which Rawls claims they are free not to have. Rawls claims that the separation of the political and non-political sphere allows people to share certain things in common while still preserving pluralism. In every example so far, however, pluralism has not been preserved. There is not enough room for much of traditional religion as people understand it; many religions which are deemed as acceptable by today's standards are not acceptable under Rawls' system. Additionally, there is no room for different conceptions of the good which do not
value the capacity for reasonableness as a good in itself. As will be discussed throughout (especially in chapter four), I accept the claim that liberalism must have some dominant account of the good. In itself, that doesn't make a system illiberal. My objection is that liberalism must contain a mechanism for dealing with pluralism when it is encountered and Rawls does not provide this mechanism except in terms of after-the-fact analysis, and that too is problematic. Those who do not share the dominant good are excluded and, as will be discussed below, those who are excluded are prevented from influencing change within the society. By excluding people from introducing different conceptions of the good into the debate, Rawls is putting *too much* emphasis on the his conception of the liberal good.

A case can be made that Rawls limits freedom to a certain degree but that his society is freer than most. He establishes a system of basic liberties and there is a plurality of reasonable comprehensive moral doctrines. We need only to understand the different comprehensive doctrines as he describes them to see where liberal freedom lies. To do this, we must now examine the relationship between reasonable people and their moral comprehensive doctrines to see how Rawls believes that a truly just society is organized.

A reasonable comprehensive doctrine is one that reasonable people would hold. It is a doctrine that:

"is an exercise of theoretical reason: it covers the major religious, philosophical, and moral aspects of human life in a more or less consistent and coherent manner. It organizes and characterizes recognized values so that they are compatible with one another and express an intelligible view of the world . . . [and] . . . in singling out which values to count as especially significant and how to balance them when they conflict, a reasonable comprehensive doctrine is also an exercise of practical reason . . . . Finally, a third feature is that while a reasonable comprehensive view is not necessarily fixed and unchanging, it normally belongs to, or draws upon, a tradition of thought and doctrine. Although stable over time, and not subject to
sudden and unexplained changes, it tends to evolve slowly in the light of what, from its point of view, it sees as good and sufficient reasons."

There are nine characteristics which define a moral comprehensive doctrine. (1) It covers the major moral, religious or philosophical issues. (2) The way in which it covers these must be consistent and coherent. (3) The way in which it organizes its parts must be compatible and intelligible. (4) It must show how to balance its parts when they conflict. (5) It is an exercise of practical reasoning. (6) It draws upon a tradition. (7) It is moderately stable. (8) It evolves slowly. (9) It evolves in the light of what it sees (from its own point of view) as good and sufficient reasons. What is striking about this list is that only the ninth item is self referential, all the other characteristics require adherence to independent standards -- what constitutes slow evolution, a tradition, practical reasoning, conflict, intelligibility, coherence and the "major" moral and religious philosophical issues are all be subject to question themselves. Whose rationality should one call acceptable? What constitutes intelligibility? Different cultures have different standards for these ideas. For example, a tradition which accepts the possibility of direct communication with God cannot accept the requirement that a religion must change slowly. Perhaps God requires that the religion, which has run afoul, must change today, now, without hesitation. According to Islam, for example, the old testament was once correct but it was soiled by humanity. The Koran "[emanated] from a direct, unmediated revelation from God." Here we have another instance of one of the major monotheistic religions being deemed unacceptable by Rawls' own standards.

There are two separate questions at stake. The first is, has Rawls shown that a political conception of justice is coherent given the fact that it is separable from moral

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68 In both the text and the index, Rawls points his reader to this passage as the definition of a reasonable comprehensive doctrine. He makes a point (again, both in the index and in the text), of emphasizing the ambiguity of the definition. He believes that this ambiguity preserves flexibility and contributes to a more authentic relationship between moral comprehensive doctrines and the political conception of justice (ibid., 59).

comprehensive doctrines? A subordinate question must then be: Has Rawls shown us where these divisions lie? In both those instances the answers up to this point have been negative. A second question is whether or not it is possible to separate the right and the good at all. That is the subject of chapter two of this dissertation.

The criteria for whether or not a comprehensive moral doctrine is "reasonable" is problematic because it exists almost exclusively outside that doctrine; the interpretation of whether or not the criteria has been met is independent of the tradition. Its legitimacy is dependent on a standard which is not informed by the comprehensive moral doctrine despite the fact that it is justified by the comprehensive doctrine; the standard is external. A comprehensive moral doctrine is "reasonable" if it contains within it the module of the overlapping consensus and not the doctrine itself (despite the fact that the doctrine is structured in such a way as to justify the overlapping consensus).

In defending political liberalism, one might argue that this is exactly what Rawls desires. If the criteria for reasonableness are outside of comprehensive moral doctrines then one can draw objective lines between what is in the comprehensive moral doctrine and what is not. By extension, we should have objective criteria for determining what is within the overlapping consensus and what is outside it.

Yet, we are still faced with the question of what constitutes a reasonable comprehensive doctrine. Rawls explicitly assumes that reasonable persons will only affirm reasonable doctrines.70 Consequently, we need only to identify reasonable persons to clarify what a reasonable comprehensive moral doctrine is. It will be that doctrine which reasonable person adhere to.

How do we determine who is reasonable and who is not? The test to determine whether a person is reasonable or not is to ask if that person would recognize the unacceptability of using political power to suppress reasonable comprehensive doctrines? A subordinate question must then be: Has Rawls shown us where these divisions lie? In both those instances the answers up to this point have been negative. A second question is whether or not it is possible to separate the right and the good at all. That is the subject of chapter two of this dissertation.

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The criteria for whether or not a comprehensive moral doctrine is "reasonable" is problematic because it exists almost exclusively outside that doctrine; the interpretation of whether or not the criteria has been met is independent of the tradition. Its legitimacy is dependent on a standard which is not informed by the comprehensive moral doctrine despite the fact that it is justified by the comprehensive doctrine; the standard is external. A comprehensive moral doctrine is "reasonable" if it contains within it the module of the overlapping consensus and not the doctrine itself (despite the fact that the doctrine is structured in such a way as to justify the overlapping consensus).

In defending political liberalism, one might argue that this is exactly what Rawls desires. If the criteria for reasonableness are outside of comprehensive moral doctrines then one can draw objective lines between what is in the comprehensive moral doctrine and what is not. By extension, we should have objective criteria for determining what is within the overlapping consensus and what is outside it.

Yet, we are still faced with the question of what constitutes a reasonable comprehensive doctrine. Rawls explicitly assumes that reasonable persons will only affirm reasonable doctrines. Consequently, we need only to identify reasonable persons to clarify what a reasonable comprehensive moral doctrine is. It will be that doctrine which reasonable person adhere to.

How do we determine who is reasonable and who is not? The test to determine whether a person is reasonable or not is to ask if that person would recognize the unacceptability of using political power to suppress reasonable comprehensive doctrines? A subordinate question must then be: Has Rawls shown us where these divisions lie? In both those instances the answers up to this point have been negative. A second question is whether or not it is possible to separate the right and the good at all. That is the subject of chapter two of this dissertation.
doctrines.71 Here is the difficulty and the circularity: A reasonable doctrine is one whose adherents refuse to use political power to suppress doctrines held by people who refuse to use political power to suppress doctrines sharing the same values as their own. People are reasonable if and only if they are unwilling to suppress doctrines that can justify the module that they agree with. Reciprocity need not be circular, yet for Rawls it is. Reciprocity can allow for differing motivations, and additional information. Yet reasonableness as defined by Rawls demands that not only must a person agree to the demands of the overlapping consensus, but that a person can only use any justification or practice which has the overlapping consensus at its core. This characterization does not allow for substantive difference; reasonableness is not pluralistic enough to be liberal.

The test for whether a comprehensive moral doctrine itself is reasonable is (1) whether or not it is identifiable using the eight external criteria listed above and (2) whether or not it can incorporate the "module" of Rawls' political conception of justice within it. Consequently, the test for whether or not a doctrine is reasonable is whether or not it shares certain criteria in common with other reasonable doctrines and whether or not it has as its basis a "module" that is also found in all the other reasonable doctrines. For Rawls, pluralism is only possible when the members share the same kernel of views -- this is a rather limited form of pluralism.

In response, it may be argued that Rawls is allowing for toleration -- however he only allows for toleration of the tolerant. It is only the intolerant that are excluded. Is this true? Perhaps that is Rawls' intention. However, political liberalism, as it is designed, has much narrower limits than that. Take, for example, the abortion issue. As discussed above, political liberalism has excluded the religious perspective from inclusive debate within the public realm. One might argue that the pro-life perspective is intolerant and is therefore not worthy of reciprocal toleration, but to do this would be to confuse

71 Ibid., 61.
agreement with toleration. Disagreement must precede toleration. One need not tolerate that which one agrees with. Toleration, at root, contains a sense of disapproval. John Gray writes:

"Old fashioned toleration . . . sprang from an acceptance of the imperfectibility of human beings, and then from a belief in the importance of freedom in the constitution of the good life. Since we cannot be perfect, and since virtue cannot be forced on people but is rather a habit of life they must themselves strive to acquire, we were enjoined to tolerate the shortcoming of others, even as we struggled with our own.

Toleration . . . is unavoidable and inherently judgmental. The objects of toleration are what we judge to be evils. When we tolerate a practice, or a belief or a character trait, we let something be that we judge to be undesirable, false or at least inferior; our toleration expresses the conviction that despite its badness, the object of toleration should be left alone. This is in truth the very idea of toleration, as it is practiced in things great and small."

A defender of political liberalism might also argue that those who hold the pro-life view have consented to the rules found in the overlapping consensus. Since pro-lifers agreed to abide by the restrictions placed upon them, and since they have agreed to debate according to the rules of public reason and to only import those justifications that are found within the limits of the overlapping consensus, they are therefore not excluded from debate; they simply lost the debate. According to this argument, any exclusion that a person or group faces is imposed upon themselves by virtue of their own unwillingness to agree to the terms of debate (tolerance and reciprocity as defined by Rawls).

Here we must ask, what does it mean not to consent? To avoid consenting to political authority would be to leave the realm of influence that that authority governs. Political authority is a form of institutionalized force. To avoid such force, one must be outside of that institution's realm of influence. In the contemporary world, where can a person go to avoid the authority of the state? With the possible exception of international waters, there are no longer locations which are free from already established

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governmental authority. Certainly, it might be argued that one can choose between a wide range of regimes. Suppose, however, that none of these regimes fit the émigrés world view? Where is he or she to go? And even if one does find an acceptable location, immigration is not a guaranteed right in most societies. Even in the United States of America, a nation with a public political culture that values its own history of immigration, the regulations regarding immigration are exceptionally restrictive.

Let us suppose, however, that such a location were to be found. Let us suppose that all practical difficulties were solvable. Even so, the mere existence of the right of emigration does not make an unjust situation just. It only gives people the ability to leave an unjust situation if they so desire it. Rawls himself writes: "The right of emigration does not make the acceptance of political voluntary in the way that freedom of thought and liberty of conscience make the acceptance of ecclesiastical authority voluntary."73 He continues in a later chapter, "The attachments formed to person and places, to associations and communities, as well as cultural ties, are normally too strong to be given up, and this fact is not to be deplored. Thus the right to emigrate does not affect what counts as a just basic structure, for this structure is to be viewed as a scheme into which people are born and are expected to lead a complete life."74 For Rawls, a just society must contain those characteristics which allow individuals to lead complete and full lives. The desire to leave any given society only means that these characteristics do not exist.

Since there are no viable alternatives, the right to emigrate does not constitute consent -- emigration is not a genuine option. Furthermore, even if one society is the best of all existing societies, this does not mean that it is just. It only means that that particular society is the most just out of the available options.

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73 Ibid., 136f.
74 Ibid., 277.
Even the democratic process may not constitute true consent. If one votes and one's choice looses, does that mean the person consented? Under Rawls' system it does. According to Rawls, the person has consented to the electoral process and has agreed to abide by the majority decision. However, when did the person consent to this system? Certainly not during childhood. And once adulthood approaches, as Rawls himself points out, social bonds and cultural ties make emigration an even less viable option.

Consent implies the ability to dissent in a meaningful way. It implies that one has the ability not to consent if they see fit. It does not seem clear to me that individuals in either Rawls' society or in the contemporary world have that option. Consequently, the suggestion that people are only excluded from debate by their own unwillingness to be tolerant is not, in itself, convincing. A person who chooses not to abide by the rules of the society is still subject to that society whether they consent to it or not, they are simply not represented in the public reason. As a result, in the twentieth century, the problem of liberalism is not simply how we are to be tolerant of the tolerant. The problem of liberalism is how we are to be tolerant of the intolerant. It may end up that one cannot be absolutely so. We may come to the conclusion that there are certain intolerances which are so extreme that they can never be tolerated. On that question, for the moment, I remain agnostic. My contention, however, is that Rawls' category of who we should be tolerant of is too small.

We are forced to ask: are reasonable people reasonable because they affirm reasonable doctrines, or are reasonable doctrines reasonable because they are affirmed by reasonable people? In order to avoid circularity, Rawls has tried to give us independent definitions. A reasonable comprehensive moral doctrine is one that satisfies the three external criteria which Rawls lists in the passage quoted above. Consequently, reasonable people are reasonable because they support reasonable comprehensive doctrines. On the other hand, all of those criteria are subject to what the community defines those terms to mean.
mean -- the public political culture. Any community can refuse any moral comprehensive
doctrine entry into the debate simply by arguing that the doctrine does not correspond to
the community's idea of coherence or intelligibility. Therefore, a reasonable
comprehensive moral doctrine is reasonable because it is supported by reasonable people.

The independent definition of reasonable persons tells us that reasonable persons
don't use political power to suppress reasonable doctrines. What right does this preserve
if the definition of reasonable is subject to those same people who have the power to
suppress those rights which liberalism supposedly preserves? The difficulty with Rawls' political liberalism is that in seeking to avoid the problem of liberal neutrality (a term he calls "unfortunate"), he offers no solid normative claims at all.75 Worse, he justifies exclusion of certain ideas and individuals in the name of liberalism. A group of people can be denied entry into the debate in order to preserve the overlapping consensus. Therefore, a repressive society is just in so far as it defines the overlapping consensus as overlapping only those constituents that approve of the repression.

An even more unfortunate result of Rawlsian political liberalism is that its adherents cannot work to change the political rules if they disagree with them. To explain: a person (or group of persons) is only deemed relevant if he or she agrees with the overlapping consensus yet people who agree with an overlapping consensus will not have the desire to change it. The discovery that one does not agree with the overlapping consensus -- that which must precede any motivation to change it -- makes a person, by definition, unreasonable and the mere act of disagreeing disqualifies people from participation. How so? Rawls is only concerned with reasonable disagreement, or of "disagreement between reasonable persons so defined."76 Reasonable persons will only affirm reasonable doctrines.77 Reasonable doctrines have within them the module of

75 Ibid., 191.
76 Ibid., 55.
77 Ibid., 59.
political liberalism which serves as the overlapping consensus. To disagree with the overlapping consensus is to adhere to a system of beliefs which does not have the module of the overlapping consensus within it. Consequently, to disagree with the overlapping consensus is to affirm unreasonable doctrines and therefore to be considered by Rawls as unreasonable. There is no mechanism for discussion between the reasonable and unreasonable and therefore, disagreement results in exclusion. Although it is most likely an unintended consequence, for Rawls, there is no allowance for change regarding the overlapping consensus because any desire to change it immediately removes the legitimacy of the dissenter.

Rawls himself acknowledges that certain individuals are (legitimately) deemed irrelevant if they do not meet the publicly acceptable qualifications. He suggests (with Habermas) that such unfortunate facts about political society "set the aim of the long term political reform . . . it is a project to be carried out." Such a long term project, however, implies that the overlapping consensus will be modified over time. By whom? If the advocates of change are legitimately ignored then the overlapping consensus will remain unchanged -- regardless of outside protests. It is true that marginalized groups have often found different spheres in which to force their hand. However, the issue at this point is whether these attempts to be heard are deemed reasonable or not. It seems to me that they should be, and a system which does not allow this type of social protests to be considered reasonable is fundamentally deficient.

In conclusion, I have offered three objections to Rawls' theory as outlined in Political Liberalism. The first is that political liberalism neglects to outline to an

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78 Ibid., 12.
79 John Rawls, "Reply to Habermas", 152.
acceptable degree how liberal society is to be tolerant of intolerance. Although it remains to be seen to what extent such tolerance is possible, Rawls' answer, that we should only be tolerant of those who are reciprocally tolerant given a common definition of what tolerance is and of what the limits of debate should be, is too limiting. A certain amount of tolerating the intolerant is required to ensure that a liberal society retains its pluralistic nature.

Rawls' narrow tolerance leads directly to my second objection: by defining reasonableness as he does, Rawls precludes any possibility of changing the overlapping consensus. Those outside the debate have no ability to influence the public political conception of justice, whereas those within the debate have no desire to change it. The overlapping consensus is too static and does not allow for modification over time; this limits pluralism as well. It prohibits society from accommodating and representing new members unless they are already in agreement with the principles held to given the character of the overlapping consensus.

The third objection has not been dealt with in enough detail. In dividing public reason along the lines of a political conception of justice, and by excluding appeals to moral comprehensive doctrines, Rawls is relying on the ability to divorce clearly the right from the good. Although there may be individual cases in which the line between these two spheres is clearly drawn, the majority of political decisions cannot rely on this division for guidance -- the line between the two is too blury. It is to this topic which I will now turn. It is my contention that the project of separating the right from the good is inherently flawed; such a separation is impossible. To explore this claim I now turn to the work of Alasdair MacIntyre.
Chapter 2: The Coherence of a Plurality of Traditions

This chapter is meant to be a defense of the theory of tradition-bound rationality as put forth by Alasdair MacIntyre in his three books *After Virtue (AV)*, *Whose Justice? Which Rationality? (WJ)* and *Three Rival Versions of Moral Enquiry (TRV)*. It is divided into two main sections. The first section argues that it is possible to discuss MacIntyre's meta-theory separately from his historical analysis despite the fact that his meta-theory derives from that analysis. It then analyzes his meta-theory and attempts to prescribe modifications which I believe are necessary for his system to be coherent. The second section argues that MacIntyre, despite his statements to the contrary, requires a liberal political order to guarantee the realization of what we must assume would be his practical prescriptions (MacIntyre is not explicit in his recommendations). I conclude with a comparison between MacIntyre's work and Rawls' political liberalism which strives to be non-encyclopedic.

In this chapter, the term 'encyclopedic' should be understood as put forth by MacIntyre: practical rationality is encyclopedic when it is considered to be ahistorical and non-perspectival. In describing the motivations of the members of the Encyclopedic project he writes:

"They assumed the assent of all educated persons to a single substantive conception of rationality . . . . They understood the outcome of allegiance to the standards and methods of such rationality to be the elaboration of a comprehensive, rationally incontestable scientific understanding of the whole, in which the architectonic of the sciences matched that of the cosmos . . . . And finally, they saw their whole mode of life, including their conceptions of rationality and of science, as part of a history of inevitable progress."¹

According to MacIntyre, encyclopedic rationality is defined as the belief that individuals can deliberate rationally independent of context without compromising the coherence of rationality. This is in contrast to MacIntyre's theory that rationality is perspectival in nature and context dependent.

In this chapter, practical rationality is to be understood as both the process by which individuals determine whether or not an action or belief is morally correct and the process of determining the best way of achieving certain goals. This is an extremely general definition but must be so because, as MacIntyre argues, traditions themselves determine the actual nature of their own conception of practical rationality. It might be argued in response that the laws of logic are universal and will be shared by all rational traditions. On this point, I choose to remain agnostic because even if one were successfully to argue such a claim, traditions would still differ as to what constitutes evidence or good reasons and still disagree as to how these are to translated in order that such universal laws could be used accurately. As MacIntyre notes, the problem of practical rationality is "how to describe the relevant examples."²

1.1 Three levels of MacIntyre's theory.

In response to three different types of critiques against his theory, I would like to distinguish between three different levels of theory in MacIntyre's work. I will name them ground-level, comparison-level and meta-level. The ground level category refers to discussions regarding the content of one particular tradition. The comparison-level category refers to discussions comparing and relating two or more traditions. The meta-level category refers to discussions of MacIntyre's theory of rationality.

The separation of MacIntyre's work into these three levels is not meant to be more than an organizational principle guiding my discussion. The meta-level category, for example, is not meant to imply affirmation or denial of MacIntyre's claim that no rationality is possible without the historical background supplied by traditions. Additionally, the comparison-level category is not meant to imply the ability or inability of any one person actually to compare traditions.

The ground-level discussion in MacIntyre's work is essentially work in the history of philosophy. It asks questions regarding interpretation of canonical texts and the relationship of succeeding texts to their predecessors. The second level, the comparison-level, consists of discussions as to whether or not one tradition is superior to another. Can one tradition answer questions better than another? Or, does one tradition answer questions that a different tradition does not address at all? The third level, the meta-level, consists of discussions regarding the method of tradition based inquiry and its assumptions. For example, discussions regarding what a practice is, how one is to go about comparing traditions, or whether or not rationality outside of traditions is possible are all part of this meta-level conversation.

The distinction between the ground- and comparison-levels can easily become fuzzy; comparison depends first and foremost on interpretation. Consequently, I will utilize the term 'comparison level' when I refer to texts which discuss more than one tradition at the same time. For example, in Brian Barry's "The Light that Failed", when Barry remarks that MacIntyre, "in contrasting liberalism with other traditions . . . does not play fair", this is a question of a comparison-level discussion. However, in "MacIntyre and Aquinas", when Janet Coleman addresses MacIntyre's interpretation of Aquinas on his own terms, this is a question of ground-level discussion. She writes: "This outline is

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attempted because I want . . . to examine whether Alasdair MacIntyre adequately presents Thomism as it stands, not only as a theological philosophy written in the thirteenth century but as it was meant to be, a universal explanation of how things are for mankind throughout history."4

The ramifications of inaccuracy on the ground-level are not debilitating for MacIntyre. Although this approach is exceptionally important for understanding individual traditions and their history, charges of inaccuracy of this type made against MacIntyre have only minimal consequences for his theory as a whole.

1.2 MacIntyre's theory summarized.

MacIntyre's theory is as follows: There is no ahistorical conception of practical rationality independent of time, place, culture and enquirer. What is considered to be valid is dependent upon presuppositions found in traditions of enquiry. All questions and problems are posed given a particular picture of the way in which questions should be answered. Rational moral adjudication, the determination of right and wrong actions (or beliefs), is engaged in given a particular conception of enquiry and practical rationality at its foundation -- these presuppositions are inherent in and inseparable from the tradition which forms the context of the enquiry.

A tradition is the unified narrative of the history of a particular strand of debate based upon certain ideas and practices. It is that from which "the standards of rational justifications emerge . . . [and show themselves as a] . . . part of a history in which they are vindicated by the way in which they transcend the limitations of and provide remedies for the defects of their predecessors within the history of the same tradition."5

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"A tradition is constituted by a set of practices and is a mode of understanding their importance and worth; it is the medium by which such practices are shaped and transmitted across generations. Traditions may be primarily religious or moral (for example Catholicism or Humanism), political (for example Marxism), economic (for example a particular craft or profession, trade union or manufacturer), aesthetic (for example modes of literature or painting) or geographical (for example crystallizing around the history and culture of a particular house, village or region). The communal understanding embodied in such traditions is neither hegemonic nor static; on the contrary, in a healthy tradition that understanding will be the subject of continuous debate at any given moment across time.6

For MacIntyre, traditions are the intellectual description and justification of culture which allows its members to discover and frame problems, describe those problems in such a way that one can seek solutions, provide the methodology of the search for those solutions, frame possible answers, describe what are acceptable and unacceptable answers, and frame the answers in a suitable mode of presentation. Traditions develop out of texts and folklore which are believed to be central to a culture; stories which are themselves developed to explain the practices of members of that tradition.

MacIntyre defines practices as:

"any coherent and complex form or socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers are to achieve excellence, and human conceptions of the ends and goods involved are systematically extended."7

Practices provide the structures which are required for a self-understanding of a given culture. They provide a system of goods which are to be valued above other goods and also provide a way of systematically interacting with other individuals who are a part

of that same culture. They provide a system of excellence and also form the root of the decision making procedure for adjudicating between right and wrong.

Eventually, traditions develop a systematic moral system -- a conception of practical rationality -- but in order to do so MacIntyre believes that all traditions require two things: an understanding of the self as a narrative and a conception of the human good (*telos*) to direct it. By narrative, MacIntyre means that individuals must understand their life as having a beginning, a middle and an end, and then frame them with a particular goal in mind. This goal gives a sense of progress and movement in the individual life because it defines where or what the life is moving towards.

"In what does the unity of an individual life consist? The answer is that its unity is the unity of a narrative embodied in a single life. To ask 'What is the good for me?' is to ask how best I might live out the unity and bring to completion. To ask 'What is the good for man?' is to ask what all answers to the former question may have in common. But now it is important to emphasize that it is the systematic asking of these two questions and the attempts to answer them in deed as well as in word which provide the moral life with its unity. The unity of a human life is the unity of a narrative quest."8

MacIntyre has developed a system which extends out concentrically. In the center are practices. These practices contain internal goods which drive individuals to engage in them. Practices themselves necessitate the development of a story of justification which people use to develop a directionality in their own lives. The narratives are then unified to form a conception of a human *telos* which is itself the center and driving force behind a tradition-- a *cultural* narrative. Children are born into this tradition and look at these stories to justify their engagement of the practices.

"A central thesis then begins to emerge: man is in his action and practice, as well as in his fictions, essentially a story telling animal. He is not essentially, but becomes through history, a teller of stories that aspire to truth. But the key question for men is not about their own authorship; I can only answer the question 'What am I to do?' if I can answer the prior question 'Of what story or stories do I

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8 Ibid., 218.
find myself a part?" We enter human society, that is, with one or more imputed characters -- roles into which we have been drafted -- and we have to learn what they are in order to be able to understand how others respond to us and how our responses to them are apt to be constructed."^9

We can see now how traditions can develop a system of rational deliberation. There are certain goods which are internal to practices, which in turn inform individuals who direct their own conception of their life story. These conceptions must be consistent with the tradition that is used to justify the practices and narratives and consequently, actions are judged as right or wrong dependent on how they cohere with the larger system of goods internal to the tradition, the narrative, or, ultimately, the practices. A notion of rationality which is not grounded in goods, practices and a particular telos would, according to MacIntyre, not have any directionality and consequently, not be able to give a definitive answer as to what is right and what is wrong. Rational argumentation, when operating based upon descriptions of certain goods, is utilizing what MacIntyre calls the facts of tradition: "the presuppositions of their activities and enquiries."^10 When a tradition is in good working order the facts of tradition will remain "unarticulated presuppositions which are themselves never the objects of attention and enquiry."^11 But when the tradition itself is being questioned, these presuppositions will become the focus of debate.

According to MacIntyre, tradition-bound rationality is, in part, "a matter of the kind of progress which [a tradition] makes through a number of well-defined stages. Every such form of enquiry begins in and from some conditions of pure historical contingency, from the beliefs, institutions, and practices of some particular community which constitute a given."^12

The three stages of rationality are:

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^9 Ibid., 216.
^11 Ibid., 7.
^12 Ibid., 354.
"a first in which the relevant beliefs, texts, and authorities have not yet been put into question; a second in which inadequacies of various types have been identified, but not yet remedied; and a third in which response to those inadequacies has resulted in a set of reformulations, reevaluations, and new formulations and evaluations designed to remedy inadequacies and overcome limitations."\textsuperscript{13}

These stages are not to be confused with the larger development of the tradition over time. A tradition develops and changes by internalizing the answers given in stage three. Over time "standard forms of argument will develop, and requirements for successful dialectical questioning established . . . . Insofar as a tradition has constituted itself as a successful form of enquiry, the claims to truth made within that tradition will always be in some way less vulnerable to dialectical questioning and objections than were their predecessors."\textsuperscript{14}

MacIntyre's argument outlines a process by which goods internal to practices, through a process of cultural development, form the basis for a culture's conception of practical rationality because it forms the basis for describing what a good answer to a question is. Different cultures which developed simultaneously can have radically different conceptions of practical rationality because their initial starting point -- the practices and the goods internal to them -- are themselves radically different. Without a notion of practices there cannot be a conception of good. Without a conception of good one cannot outline the criteria which is to determine what constitutes a proper or convincing solution to a problem. Without such an outline there is no rational way to determine which answers to which questions are superior to the other answers.

MacIntyre writes:

"At any point it may happen to any tradition-constituted enquiry that by its own standards of progress it ceases to make progress. Its hitherto trusted methods of enquiry have become sterile. Conflicts over rival answers to key questions can

\textsuperscript{13} Ibid., 355.
\textsuperscript{14} Ibid., 359.
no longer be settled rationally. Moreover, it may indeed happen that the use of methods of enquiry and the form of argument, by means of which rational progress has been achieved so far, begins to have the effect of increasingly disclosing new inadequacies, hitherto unrecognized incoherences, and new problems for the solution of which there seems to be insufficient or no resources within the established fabric of belief.”

The above is MacIntyre's description of an "epistemological crisis." An epistemological crisis (which may be identified as such either at the time or retrospectively) is a situation in which a tradition cannot answer its own questions and, as a result, begins to see failures in the facts of traditions which it has not seen prior to that moment. When such an event occurs, MacIntyre argues, the solution requires

"the invention or discovery of new concepts and the framing of some new type or types of theory which meet three highly exact requirements. First, this in some ways radically new and conceptionally enriched scheme, if it is to put an end to epistemological crisis, must furnish a solution to the problems which had previously proved intractable in a systematic and coherent way. Second, it must also provide an explanation of just what it was which rendered the tradition, before it had acquired these new resources, sterile or incoherent or both. And third, these first two tasks must be carried out in a way which exhibits some fundamental continuity of the new conceptual and theoretical structures with the shared beliefs in terms of which the tradition of enquiry has been defines up to this point.”

Success results in a richer tradition which is more defensible. It allows one to "re-write history in a more insightful way," and it allows the tradition to answer questions which it could not previously answer while allowing adherent to see things about the tradition that they was previously unable to see. Ultimately, it means the endurance of the tradition.

Epistemological crises may come from the natural progression of the tradition or they may come from encounters with other traditions. Obviously, traditions that share certain texts or beliefs will find it easier to communicate and compare their answers.

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15 Ibid., 362.
16 Ibid., 362.
17 Ibid., 363.
Protests and Catholics, or Hasidic and Reform Jews, for example, may debate easily amongst themselves because they share certain foundational texts. In that sense, the most fundamentalist Christians and the most orthodox Jews may also communicate easily because of the place of the books of Moses in their cannon. However, the difficulties in communication between Buddhists and Fundamentalist Christians, for example, are more difficult to overcome since their cannons, and their histories, only begin to overlap well after both religions were formed. They have no common foundation.

It is possible that two traditions may have completely different conceptions of rationality since their root-practices are different, their canonical texts have no commonalties and their histories do not converge at any point. Such traditions are "incommensurable"; they have no common measure. They cannot compare, contrast or even adequately communicate because their notions of how you present a good answer, what a good answer is, what a good question is, or how you seek answers are themselves fundamentally different. In other words, as MacIntyre writes in his response in *After MacIntyre*, "Each party in these debates...succeeds by the standards internal to its own tradition of moral enquiry, but fails by the standards internal to the tradition of its opponents."18

MacIntyre offers a two step method of evaluating competing traditions: first, one must analyze each tradition on its own internal terms. Are all of its own claims compatible with each other? Are they consistent? Do the traditions answer all the questions that they themselves bring forth? Second, a member of a tradition must determine if certain questions which cannot be answered by their own tradition's claims can be answered by the claims of its opposing traditions. Can tradition A recognize that tradition B answers a question that A has been unable to answer in its history?19

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The process of analyzing one's own tradition from within is self-explanatory: one uses its own rules and guidelines to evaluate its own methods and conclusions. Understanding another's tradition from within one's own however, is a skill requiring practice. One cannot simply "translate" the ideas from one tradition to the other. To do so would be to look at a tradition "in detachment from all substantive criteria and standards of truth and rationality."\textsuperscript{20} To translate one tradition to another is to evaluate answers, questions and perspectives using a system of rationality which has no connection to the history, context, and practices which allowed the inquiry in the first place: "The particular history out of which the author wrote and which it is his or her purpose to carry one stage further also disappears from view as the presupposed context of the work and appears instead, if at all, as an explanatory appendage to it."\textsuperscript{21}

MacIntyre argues that a person must "learn" another tradition in the same manner that a person learns a second language. One must be able to understand idioms, assumptions and connotations. They must think in the new tradition as if it was their first tradition and not translate from the new to the old in order to facilitate understanding. Only when an individual has two or more "first traditions" (analogous to "first languages") can they compare and analyze the traditions in question.\textsuperscript{22} This requires:

"the acquisition of the language-in-use of whatever particular rival tradition is in question, as what I have called a second first language, and that in turn requires a work of imagination whereby the individual is able to place him or herself imaginatively within the scheme of belief inhabited by those whose allegiance is to the rival tradition, so as to perceive and conceive the natural and social worlds as they perceive and conceive them."\textsuperscript{23}

The competing traditions are pitted against each other by a person who can "test dialectically the theses proposed to him or her by each competing tradition, while also

\begin{footnotes}
\footnote{Ibid., 384.}
\footnote{Ibid., 385.}
\footnote{Ibid., 374 - 375.}
\footnote{Ibid., 394 - 395.}
\end{footnotes}
drawing upon the same theses in order to test dialectically those convictions and responses which he or she brought to the encounter [from his or her own tradition]."24 Such a situation is difficult to conceptualize because one wants to think of the procedure as translation but it is somewhat more subtle. In short, the person who can compare traditions needs to change from being a member of one tradition into being a member of a second while still retaining the knowledge of the previous tradition. He or she must test each belief of the second tradition using theses brought from the first tradition and then test these theses given the context of the tradition they are brought into. If there is no way to configure the new theses within the second tradition then the first tradition has conceptions which the tradition it is being compared to does not have. The question then remains as to whether these new theses are consistent and coherent within the second tradition (assuming they were consistent and coherent in the first). If they are, then a simple importation process analogous to the inclusion of a new word in a foreign language is possible (for example, the use of Weltanschauung in English, or Der Computer in German). If the theses are incompatible, however, then the examiner must determine if this new conception is necessary and if it is, determine what is it about the assumptions of the tradition that prevents the new and necessary theses from being accepted. Simultaneously, the person must ask if these new theses are necessary to the tradition from which they came from. Perhaps the incoherence of the theses in the new tradition represents an inadequacy of the tradition which they originate from.

The "post-enlightenment person" is the person who recognizes his or her own inability to see things independent of the perspectives which he or she is familiar with.25 This person recognizes the influences of tradition on enquiry and rationality. He or she knows that one can only compare competing claims by stepping into the cultural-identity

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24 Ibid., 398.
25 Ibid., 395.
of his or her competitors and judging the competitor's theses from both perspectives hand-in-hand with the internal rationality which justified them; this is a process which requires a close study of each tradition -- very few individuals are qualified to do this. This person, and only this person, can give a plurality of traditions a fair evaluation and can answer which of the traditions offers a more convincing answer to question A. The process involves an examination of internal consistency (being wary of epistemological crises) as well as a determination as to which, ultimately, is more convincing -- although it must be noted that the standards for what constitutes "convincing" is dependent upon which perspective the post-enlightenment person is using to evaluate the traditions in question.

1.3 An initial defense of MacIntyre's theory.

In summary: MacIntyre argues that traditions inform the way we see the world to such an extent that they determine how we identify problems, how we search for answers, how we propose them and how we evaluate them once they are proposed. Such differences may be so great that what may be recognized as a problem in one tradition may not be seen as a problem in the other. Only the person who can identify with two different traditions as if each tradition was his or her own native one can evaluate and compare two traditions fairly. This tradition-bound rationality is the product of the development of traditions from certain conceptions of practices which themselves frame how we tell the stories of our lives and how we tell the story of how these lives collectively form a tradition. Without these stories, and without these practices, practical rationality is impossible because practical rationality is the system by which we analyze whether or not an answer is good, a question is good, or a method or enquiry is good. Without the conception of good that comes out of practices, one would be unable to evaluate competing claims because no standard could exist.
I find this argument convincing. If one wants to evaluate questions in a systematic way, one needs a foundation upon which to do so. This foundation does not appear out of thin-air. It is developed and modified by individuals who themselves use works by other individuals to justify their own findings. Assumptions are passed down from one enquirer to the next, including, of course, assumptions regarding the form that the enquiry takes. If one did not share assumptions with others, even linguistic ones, one would not be able to communicate with the community of enquiry.

A tradition is a retrospectively identified picture of the progress of assumptions which share a unifying thematic language. It allows the enquirer to examine ideas by highlighting when and why they were formed while simultaneously illuminating the assumptions that were necessary to form them. The key to these assumptions are the texts and the language within them.

Practical rationality needs a context. It needs a history to form the concepts of good that are required at its core. Practical rationality without such a conception of the good would be useless because it is the very purpose of practical rationality to ask the questions "is X good and if so, how do we achieve X?" Without a conception of the good, one could have no conception of practical rationality.

One might object that it is specifically linguistic assumptions that show that continuity does not require historical understanding. This objection rests on the claim that language does not contain unarticulated knowledge. It would suggest that although many language-users may not be able to explain the grammatical structure of the language, (which is most often the case with native-speakers of a language), this does not mean that its users are not aware of it. This objection would continue by accepting that linguistic communication demands that all communicators share the same knowledge of the same structures; without common structure, communication would be impossible. However, the objection would continue, a community of inquiry need not necessarily pass on
anything other than easily definable words and universal grammatical structures in order to manufacture the required commonalty. According to this argument, Grammar is simply a form of logic independent of history or context, and words are simply easily definable variables. For example, one can exchange and substitute equivalent vocabulary from one language to the other as in the substitution of the English phrase "spirit of the time" for the German noun *Zeitgeist*.

It is certainly true that some words have literal or approximate equivalents but many others do not. Additionally, what is most often lost in translation are certain contextual connotations or historical references which give a word a whole meaning -- a feeling or color unique to that word. Take, for example, the German expression "bis zur *Vergasung*." *Vergasung* is the noun form of *vergassen*, a verb used by the German National Socialists to mean "to gas to death." Colloquially, one might use it in the sentence: "*Wir haben Karten gespielt bis zur Vergasung.*" Translated literally this means "We played cards until the gassing." To communicate its meaning, one must translate it as "we played cards until the end" or "we played cards until we couldn't play anymore." However, in translating this phrase in such a way it looses its descriptive quality. One must be aware of the history of the German Third Reich in order to make sense of the sentence and to understand why the use of such an expression could be considered offensive.

MacIntyre argues that one must "learn" a second tradition just as one "learns" a second language. It is for this reason that I focus on this particular example. One might be capable of translating the vocabulary and grammar of this German sentence into English, but like tradition translation, if one has not learned the context then one can never know the full meaning of the phrase. This example is analogous to MacIntyre's traditions because it contains numerous different layers of unarticulated knowledge -- knowledge which is dependent on context and history. Traditions contain historical facts
which are context specific -- unarticulated knowledge is somewhat analogous to
colloquialism in language use.

To continue: most German speakers (perhaps even all of them) do not speak
_Hochdeutsch_. They speak a variation of German infused with local colloquialisms,
idioms, connotations and grammatical alterations. Translation is not simply a matter of
substituting variables in a universal grammar. Translation requires transference from one
dialect to another and the translator is required to know the idioms and colloquialisms of
both the languages that one is translating from and the language that one is translating
into.26

Now, it may be argued that the noun _Vergasung_ changes meaning in the above
sentence. It has simply come to mean "the end" and any speaker does not have to know
its origins in order to use it. A ten year old child, for example, may use the phrase
without any understanding of the incidents which formed it. This is true, but such a case
highlights MacIntyre's argument well. Imagine, for example, that this phrase remained in
use for hundreds of years while German history fell into obscurity. (This suggestions
echoes, of course, MacIntyre's own portrait of a world in scientific chaos at the beginning
of AV.) Suppose that a linguistic scholar, for whatever reason, sought to seek the
etymology of the phrase _bis zur Vergasung_. In doing so, and in seeking to understand its
meaning, the linguist _must_ reexamine the long forgotten history of Germany, the third
Reich, the holocaust and its victims. The language points the linguist to this historical
period. The German-language tradition, in this example, has been carrying the history of
the German peoples within it and one need only to examine the former in order to be

26 To elaborate on this example, one might ask for an evaluation of the English phrase "the end" as in "we
played cards until the end." It is not clear what 'the end' means in this sentence, but should one say, "He
was in the hospital and we were at his bedside until the end" the message becomes quite clear. This requires
a certain cultural understanding and not simply a linguistic awareness.
forced to examine the latter. As long as the German language retains elements of its colloquialisms, it will contain the remnants of history and context with it.

1.4 Objections to MacIntyre's theory.

There are three major objections to MacIntyre's theory which must now be addressed. The first criticizes MacIntyre for being too ambiguous on what constitutes the unity of a tradition. The second argues that MacIntyre's historicism is unable to produce and discuss philosophical statements philosophically, that its claims only have historical value. The third argues that MacIntyre's perspectivism is simply relativism in disguise. In order to defend MacIntyre's thesis, I must show that these objections can be refuted. Or, if they cannot be refuted, I must show that they are not debilitating. In responding to these objections, I will try to reconstruct what I believe is the most likely and convincing answers given MacIntyre's framework.

1.4.1 First Objection - The unity of traditions is too ambiguous.

Often, in tradition evaluation, one is faced with texts, controversies or events that seem so divisive that one is forced to question whether or not there is a lack of continuity within the tradition. The analyst must ask how he or she is to identify the unity of traditions. Furthermore, even if one identifies a tradition in a certain way, couldn't another theorist argue that the traditions are otherwise? Is any one tradition a simple clear unity, or could there be more than one version of that same tradition?

John Haldane connects MacIntyre's ambiguity regarding tradition-unity with his ambiguity regarding culture-unity. He writes:

'What exactly . . . are the criteria of identity for cultures and societies? Where do we stop and others begin? Certainly, geography and time may separate communities but this empirical fact is, in itself, philosophically trivial. What has
to be shown is that there are points of separation beyond these spatio-temporal ones which constitute incommensurable differences."\(^{27}\)

Haldane claims that MacIntyre, in order to argue convincingly for the separateness of traditions, must show a clear incommensurability. He argues that what distinguishes between traditions is that one tradition has a quality or a belief which the other cannot have and cannot translate. I disagree. In order to identify discrete traditions, MacIntyre must only show that there exists a certain difference which is itself identifiable as a difference. For example, it can be convincingly argued that the Jewish and Christian traditions have become two separate traditions yet they are clearly not incommensurable. Translation is possible because they both share a common origin. They both believe in the same god, although they do differ as to how this god is to be represented. They both believe in prophets (often the same ones) and the messiah, although Christians believe that Jesus was the messiah and that he has already come whereas Jews do not accept this belief. Furthermore, among the more fundamental sects of both religions, the same texts -- the five books of Moses -- hold a unique position: they are still considered to be written by Moses himself. There are fundamental disagreements but these differences do not constitute incommensurability. Consequently, incommensurability is not the criterion for tradition separateness.

MacIntyre's fault lies in his inability to identify clear distinctions in this regard and not in an inability to identify incommensurability. In fact, an identification of separateness is necessary \textit{before} one can examine the possibility of incommensurability.

MacIntyre sees three criteria which establish tradition separateness. A tradition is separate and unified when (1) its members (or texts) have a core set of shared commitment to beliefs, (2) the tradition is situated in a particular context in a particular set of institutions and practices which require individuals to participate in these

institutions, and (3) it has an identifiable linguistic difference when compared to other traditions.28

R. Jay Wallace also argues that MacIntyre's explanation is inadequate:

"Several questions [still] remain. How much continuity of shared belief is necessary to define a tradition? How much doctrinal divergence can a single tradition tolerate? What exactly are the kinds of institutional and social practices that intellectual traditions require, and what degree of shared involvement in such practices is necessary for participation in a tradition? These questions would be difficult enough to answer, if we were to confine our attention to traditions of religious thought and practice... They become extremely intractable, however, when we broaden the concept of a tradition, as MacIntyre has done, to encompass continuities of philosophical thought and argument more generally.29

Wallace continues by arguing that the modern world has eliminated many of the conditions which MacIntyre uses to identify traditions. The world has grown larger and modern institutional arrangements are no longer localized and isolated. Wallace suggests that it has become more difficult to identify discrete traditions and the isolated regions which have sole influence.30

Wallace's objections are well-founded. MacIntyre's explicit identification of where the separateness lies is vague; the three criteria which he outlines are extremely flexible. I suggest, however, that such flexibility is necessary to MacIntyre's project but that his criteria are unconvincing because they hide what I believe MacIntyre should emphasize: the retrospective nature of tradition-construction.

Recall MacIntyre's comment that when a tradition survives an epistemological crisis it can "re-write history in a more insightful way."31 One does not actually rewrite history, one rewrites the interpretation of how history should be viewed (historiography). A tradition is an intentional reorganization of a narrative history; it is somewhat artificial.

29 Ibid., 347.
30 Ibid., 347.
It superimposes meaning on a series of events by linking them according to the presumptions of the person who is identifying the link. If it is true that a person cannot escape the perspective of a tradition for the purpose of rational inquiry, then it is also true that the history of a tradition is dependent on the picture of the tradition already existent in the tradition which influences the person drawing the picture. In other words, a tradition can only be defined in the terms that the tradition itself acknowledges. If a tradition sees itself as influenced by Adam Smith or by Kant then this is how the unity of the tradition must be described. If there are two competing histories of traditions which differ as to what constitutes the tradition, the most convincing one is the history which is best defended using the internal rationality and evaluative standards of the tradition being discussed.

MacIntyre comes to this conclusion himself. In *After MacIntyre* he writes "I . . . have to assert that the concept of a tradition, together with the criteria for its use and application, is itself one developed from within one particular tradition based-standpoint. This does not preclude its application to the very tradition within which it was developed."32 What MacIntyre writes is most certainly true, however, his mistake is in emphasis. By emphasizing the impossibility of precluding application, he does not adequately highlight the necessary role of self-identification in traditions. Self-reflexive application in tradition-identification is not precluded, but it is *demanded*. If one does not apply the standards of one's own tradition in describing the history of that tradition then, at root, one is using the very same incommensurable assumptions, beliefs and practices which challenge the tradition from outside. Internal pictures are necessary for self-description. Externally based descriptions can certainly be useful in highlighting aspects of a tradition which its members are blind to, but they also require acceptance of practices which the tradition may see as incompatible and inaccurate. We are now left,

somewhat paradoxically, with a picture of history defined by the history which we are trying to describe. This leads us into the problem of historicism.

It is important however, to make one final comment on the problem of the unity of traditions. The traditions which MacIntyre discusses throughout his work are intellectual traditions. Although their initial starting points are practices and institutions, over time the interaction between texts and debate become increasingly academic. It is therefore important to remember the distinction between the intellectual tradition and the culture from which it came. One culture may contain numerous intellectual traditions or only one; that is dependent on the culture. Within any given tradition it may be possible to identify may sub-traditions. There is no reason to think that this would not be true of cultures as well.

Indicative of the nature of intellectual traditions is the prescription which MacIntyre offers at the end of TRV and which will be discussed below: the interaction of tradition takes place predominantly in the university and not in larger society.33

1.4.2 Second Objection - Historicism.

Gordon Graham argues that when we define traditions retrospectively, "we are not letting history speak for itself but bringing to it a 'ready-made thought.'"34 In arguing that MacIntyre is essentially a Hegelian, Graham wants to show that MacIntyre is construing history as a "rational necessary course", that MacIntyre confuses history and

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33 The distinction between a cultural and intellectual tradition seems to be a problem for MacIntyre, it is not always clear which type of tradition he is referring to. I do believe, however, that this is a problem which MacIntyre became aware of. One sees a progressively stronger emphasis on the intellectual nature of traditions as his work advances. This is highlighted if one considered the closing recommendations of AV and TRV. In AV, MacIntyre concludes by offering a political analysis of the state which prescribes "the construction of local forms of community within which civility and the intellectual and moral life can be sustained through the new dark ages which are already upon us" (pg. 263). As stated above, however, the prescription at the end of TRV is more focused on intellectual traditions and is therefore solely concerned with the formation of a new university.

logic and that "to claim that some historical change or development had to happen is to go beyond anything history proper could establish."\(^{35}\)

Summarized, Graham's argument is that MacIntyre tries to fuse history and philosophy because "at any particular movement the rationality of a craft is justified by its history so far."\(^{36}\) Traditions therefore, and the truths therein, are justified solely by the existence of historical comment upon them. In making this observation, however, Graham both misunderstands MacIntyre's project and misquotes him. Rationality is not 'justified' by a tradition, it is formed by it. As summarized above, rationality is developed by the historical progression from practices, to institutions, to canonical texts, to the narrative of the tradition itself.

The quotation which Graham cites to illustrate MacIntyre's fusion of philosophy and history is misused. It is a part of a discussion which analyzes the notion of 'achievement' in tradition and does not refer to the evaluation of truth within any particular tradition as Graham would have us believe. It is used to emphasize the historical nature of the tradition because it is discussing how achievements in any particular tradition are to be measured and how their acceptance or rejection alters the tradition over time.

MacIntyre would certainly acknowledge that philosophical statements are logically separate from history but he would also point out that the two are complementary. Notions of questions, answers and enquiry are all necessary before one can make a philosophical statement and these notions are tradition-bound; they are formed by the progress which the tradition experiences. This is not to say that history and philosophy are the same thing, it is only to say that they are dependent upon one another.

\(^{35}\) Ibid., 162.
Graham attempts to further defend his perspective by arguing that MacIntyre sees the 'master of tradition' as the final arbiter for moral truth. But when he writes that "practical reason will be a matter of relying on the judgment of those well-versed in the moral traditions of specific times and places, and by emulation coming to be able to make judgments in our turn," he is once again misunderstanding the nature of MacIntyre's argument. It is not that moral decision-making requires the mastery (or embodiment) of the tradition, it is that understanding why moral decision-making takes the form that it does requires such a master. It does so because being aware of the assumptions within moral decision-making requires a superior knowledge of the tradition, just as being aware of MacIntyre's claims requires a superior knowledge of his work.

Graham comes close to the truth when he offers us the picture of a master-craftsman working on Gothic cathedrals without any knowledge of the history of art of this type. He argues that MacIntyre would object to such a situation because the "use of concepts requires reflection on a cultural reality and historical legacy, chiefly that of one's language." Graham defends this alleged objection by quoting from MacIntyre on the relationship between language and tradition, but again he takes MacIntyre's quote out of context.

What MacIntyre is arguing in the beginning of *WJ* Chapter XIX "Tradition and Translation" is that the person who wishes to translate from one tradition to another, or the person who wishes to self-consciously challenge his or her own tradition, must be exceptionally well versed in the details and subtleties of the tradition to do it properly. If every moral actor must always be consciously aware of every pre-suppositions of his or her own tradition then, (1) every individual who makes any type of moral decision must be educated in advance on a detailed (and often obscure) history of that tradition (in this

37 Ibid., 169.
view, uneducated individuals would be unable to make moral decisions of any kind), and (2) MacIntyre would be inconsistent in that he claims that the inherent and unarticulated assumptions of traditions are no longer obvious to their adherents. The study of traditions is useful because it helps to articulate these assumptions. When a tradition is in good working order, as I have already quoted above, the facts of tradition will remain "unarticulated pre-suppositions which are never themselves the objects of attention and enquiry." 

Graham, by challenging the "rational necessary course" of MacIntyre's history, seeks to challenge the "inevitable" quality of MacIntyre's traditions. However, nothing MacIntyre writes seems to indicate that anything is inevitable. As stated above, traditions are only after-the-fact constructs. They only appear inevitable because one is reading historically -- from the ending backwards. Thus we have Graham's objection that traditions are imposing a "ready-made" thought on history. To a certain extent this is true. In analyzing traditions with a particular picture of the tradition in mind one is imposing a "ready-made" thought on history. This is as it should be. MacIntyre is not arguing a deterministic view. He is not arguing what Hegel did (that history is the natural progression of freedom) or what Marx did (that history is the unfolding of class-struggle). Instead, he is claiming that if we look at a particular line of thought and seek to analyze its continuities with a particular conception of its unity in mind then, we will learn things about those continuities that we were previously unable to see. I see nothing wrong with such a claim. It is true that MacIntyre does argue that rationality is a product of history and is thus developed as a result of the interaction of traditions throughout time, but, once again, that is neither to say that something is inevitable nor that history should be understood as the progression of rationality. What is argued is that traditions of enquiry, in order to be considered rational, must develop a coherent conception of

rationality with certain characteristics and that such traditions do so with a certain three-stage process, and finally, that periodic epistemological crisis either strengthen or destroy traditions. If MacIntyre is unconvincing it is not because he confuses philosophy with history or because he imposes prefabricated pictures on history as if they were necessary; he does neither of these things.

1.4.3 Third Objection - Relativism and internal consistency.

One is now forced to ask whether or not MacIntyre is a relativist and if so, in what form. MacIntyre (and I) seem to be claiming that tradition-bound rationality is true in itself. Yet, if this claim is meant to be true for all conceptions of practical rationality, if it successfully proves that the encyclopedic conception of ahistorical rationality is impossible, then is not this claim itself ahistorical, encyclopedic, and subject to its own criticism? Is MacIntyre's own claim absolutist and not relative?

The beginning of the answer to this problem can once again be found in MacIntyre's response in *After MacIntyre*. He writes:

"... there is nothing paradoxical at all in asserting that from within a particular traditions assertions of universal import may be and are made, assertions formulated within the limits set by the conceptual, linguistic and argumentative possibilities of that tradition, but assertions which involve the explicit rejection of any incompatible claim, advanced in any terms whatsoever from any rival standpoint. So within every major cultural and social tradition we find some distinctive conception of the human good presented as -- true. And although these claims to truth are supported within different traditions by appeal to rival and often de facto incommensurable standards of rational justifications, no such tradition is or can be relativistic about the truth of its own assertions or about truth.39

MacIntyre's answer is that rival traditions are themselves necessarily committed to an objective notion of the good and that such a commitment is not a violation of the tradition-bound nature of the rationality which guides enquiry. Implicitly, MacIntyre is

distinguishing between ground-level and comparison-level discussions. The problem of relativism is a problem for the latter not the former. It comes into play only when two or more traditions coexist. Historical argument illuminates the unarticulated assumptions of a tradition and investigates how a particular tradition arrived at its conception of rationality and enquiry. One need only illuminate the unarticulated assumptions when one wishes to challenge the foundational claims of the tradition which are themselves rooted in the conception of rationality and enquiry which guides one's work, or when one wishes to argue that a particular adherent to the tradition has certain tradition-based assumptions which undermine their work.

Consequently, it is not inconsistent for MacIntyre (or myself) to claim that all rationality is tradition-bound even if this statement seems to appear encyclopedic in character. MacIntyre roots this claim in Thomism. In this dissertation, I am continuing that lineage by showing how lessons learned in Thomism can help bring light to numerous assumptions of the liberal tradition. This assertion is a particular view put forth by a particular tradition and if another tradition wishes to challenge it on either its own grounds or the grounds of the "tradition of traditions" then it can do so. The tradition offering the answer, that such a statement is either true or false, will itself be a universal claim and will itself be subject to the scrutiny of members of its own tradition and members of others.

The problem of relativism, then, is a problem of comparison-level discussion. The ground-level discussion is an internal argument. It uses internal standards and is self-contained in that members of the tradition are linked by the tools which they themselves would use to challenge philosophical assertions. Is this, as Jeffrey Turner seems to suggest, begging the question?40 One might argue that since the unity of any particular tradition is defined by the enquirer describing that tradition, then any individual could

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argue that he or she is remaining within his or her tradition and can make universal
claims even if that person is not remaining within that tradition. Furthermore, as Turner
argues, since MacIntyre is imposing standards of tradition-based conception of enquiry
upon non-tradition based methods then all non-tradition based attempts of enquiry are
doomed to fail.

There is an element of circularity in MacIntyre's theory. People define the
tradition which in turn define the people who describe the tradition which defined them.
But how else could it be? Humans create language which they then use to communicate
and modify the language which they are using in order to describe the modifications of
that very same language. This circularity is not begging the question. It simply illustrates
an intimate relationship which one cannot escape from. The search for a non-circular
linguistic pattern is the search for a correspondence theory of truth, an archimedean point
of observation which, it seems to me, has not been successfully defended. Additionally,
MacIntyre must look at all other methods of enquiry as if they were tradition-based
because not to do so would be to accept a method which his tradition sees as illegitimate.
It is the burden of these traditions to defend themselves on their own terms if they can.

Does this lead to relativism? Does this suggest that the self-identification of a
tradition as a tradition allows that any enquirer can portray any particular historical
lineage as a tradition no matter how far fetched the lineage may be since there are no
independent standards by which to disqualify such an attempt. It is true that there are no
independent standards in the "archimedean" sense. However, to argue that any tradition

If one were to randomly link any series of works and argue that they constituted a
tradition it would still be necessary to justify the linkage by illustrating the unity of the
alleged tradition. If these works are truly random then no coherent notion of rationality
could be deduced and consequently, the tradition could not be justified on its own terms;
therefore no tradition would exist. The burden of proof lies with the tradition itself to justify its lineage on its own terms. Once it can do that, the tradition exists and it is then pitted against other existing traditions for purposes of comparison.

A second accusation of relativism derives from MacIntyre's anti-foundationalism. MacIntyre's traditions are based upon practices which themselves may be regarded as constructs. In essence, MacIntyre's traditions are constructs based on constructs. Yes, in a certain sense this is relativism, but no more so than our contemporary conceptions of science which uses arbitrary degrees of measurement as objective references. Let us analyze the measurement of length. The foot is a measurement based upon an arbitrarily chosen object. It became the standard for measurement in a certain part of the world which then created a rational system based upon it. The foot was divided into inches and was multiplied to form a yard and eventually a mile. Is the world which was built upon the measurement "a foot" relativistic? Not in any damaging sense. Had the foot been divided into 16 inches, or had the foot been one and a half times the length that we now call a foot, the world could conceivably be exactly the same. For example, the George Washington Bridge which connects New York to New Jersey would still be the same length, the length would just have a different name.

MacIntyre is a meta-level relativist. According to his theory, without the conception of practical rationality which is derived from a particular tradition, one would be unable to rank traditions in terms of better or worse, true or false, even coherent and incoherent. According to MacIntyre, there is no way to resolve this relativism and one should not desire to do so. I agree. Traditions provide all of the tools necessary for rational adjudication of moral issues. To ask for more is to attempt to step out of the

41 In this example it is very easy to see an example of two rational coexisting traditions. A meter, which is an entirely different measurement of length has an equally stable world built upon it but to argue that a meter is "better" then a foot is to make a category mistake.
bounds of human capability. In many respects, this conclusion is reminiscent of Locke's remarks in his *Essay Concerning Human Understanding*:

> "When we know our strengths, . . . we shall not be inclined either to sit still, and not set our thoughts on work at all, in despair of knowing anything; nor on the other side, question everything and disclaim all knowledge, because some things are not to be understood. It is of great use to the sailor to know the length of his line, though he cannot with it fathom all the depths of the ocean. It is well he knows that it is long enough to reach the bottom at such places as are necessary to direct his voyage, and caution him against running upon shoals that may ruin him. . . .

> How short soever their knowledge may come of an universal or perfect comprehension of whatever is, it yet secures their great concerns that they have light enough to lead them to the knowledge of their Maker and the sight of their own duties. . . . The Candle that is set up in us shines bright enough for all our purposes."\(^{42}\)

There does remain the problem of a relativism on the comparison-level. If more than one coexisting tradition is deemed to be successful, then how is one to judge which is "better"? MacIntyre himself writes that:

> "I am strongly inclined to think that any contemporary philosophy which does not find this question inescapable and central must be gravely defective. How should we attempt to answer it? We need first to note that it is one significant mark of its being *truth* to which a given tradition is committed that its adherents find it difficult, when seriously confronted with claims to intellectual or moral allegiance advanced from within some rival traditions, to avoid raising the question of what the grounds are on which they themselves allege the falsity of those rival claims . . . ."\(^{43}\)

Each tradition is committed to a conception of truth. This conception is not relative because it is based upon a well-established theory of rationality and can be defended as such. This tradition, by adhering to its own standards, has a rational way of judging better from worse within its own tradition, and often, judging better from worse

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\(^{42}\) In offering this quote, I in no way mean to equate MacIntyre with Locke. I only hope to use it to help illustrate the claim that the limits imposed on knowledge by relativism are not necessarily unfortunate (John Locke, *An Essay Concerning Human Understanding* (New York: Dover Publications: 1959), 29-30).

\(^{43}\) Alasdair MacIntyre, "A Partial Response to My Critics", 296.
regarding answers and ideas imported from other traditions. When two traditions co-exist and each of the traditions have the tools with which to answer every question addressed successfully, then there is no rational way of determining which is "better" and which isn't. This is a further example of his meta-level relativism, and as we will see when we return to this topic in Chapter four, this should be seen as a positive rather than a negative result. The possibility of true pluralism which develops from the inability to rank truths is the key to a successful and inclusive liberalism, or so I will argue.

I will therefore end this section with a general observation. It is often a presupposition of philosophy that questions with more than one answer are not definitively answered -- that the process of enquiry is only to be terminated when there exists one unique solution to a problem. If two perspectives are irresolvable then it is considered to be an inadequacy when they are neither reconcilable nor capable of being ordered. When there is no clear rational way of adjudicating between claims then there is thought to be something amiss with either the theory or the theoretician. It seems to me that such an assumption must be reconsidered. There is often more than one correct way of answering a question, and more often than not, more than one good way of achieving a goal. What tradition-bound rationality shows is that truth can be pluralistic, perspectival and defensible and (to borrow a phrase from John Rawls) this is not to be deplored. It now remains to be seen how one can organize debate to allow for a plurality of truths. It is to this subject which we must now turn.
2.1 Conflict between traditions in a pre-liberal university

In the final chapter of *TRV*, MacIntyre is faced with the difficult task of prescribing a practical method of organizing debate which is consistent with his new theory. The nature of tradition-bound rationality is such that he is faced with a familiar dilemma: the problem of pluralist compatibility.

Tradition members adhere to their beliefs as if these beliefs are true because within the structure of the tradition they are taken to be true. These beliefs are defensible given a specific conception of rationality that coheres with the institutions of the world because these institutions are built upon the same assumptions found in the tradition which guided those who built them.

MacIntyre's meta-theory, however, is a theory of interaction. It creates a method by which tradition members can compare their traditions with competitors and, in many (but not all) cases, determine if one is superior to another. In *TRV*, MacIntyre's traditions are primarily academic narratives. Appropriately, he argues in *TRV* that traditions can conflict within the university -- an arena which, according to MacIntyre, may not as of yet be capable of structuring such a debate.

MacIntyre argues that the enlightenment assumptions of the university have lead to the "emasculaton" of debate.44 Debate is entered into only for its own sake and not for any larger goals. According to MacIntyre, the liberal university's goal is to prevent conflict and to structure debate in such a way that the university remains disassociated with its content. In doing so, real adjudication of truth is impossible, and those who have deep commitments to truths above and beyond the arena of debate are marginalized.

"... the institutional tolerance of limitless disagreement encounters in the area of morality and theology standpoints which by their very nature cannot accept the indifference presupposed by such tolerance, standpoints which invite rejection rather than toleration. And thus such standpoints have to be at best exiled to the

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margins of the internal conversations of the liberal university. For those who require sufficient resolutions of fundamental disagreements in morals and theology in order that rational enquiry in those areas may proceed, the liberal university can provide no remedy. And by providing no remedy it has successfully excluded substantive moral and theological enquiry from its domain.  

For MacIntyre, the avoidance of conflict is the avoidance of solutions; there is no real debate. Those who believe in an absolute truth which discredits other beliefs are subordinate to the university's need to allow all opinions into the debate and its claim that all opinions are as legitimate as others. However, such a claim is a violation of the absolute truth of the original claimants and consequently, those with committed beliefs are incompatible with the liberal university.

MacIntyre urges us to return to the pre-liberal conception of the university; a university of "enforced and constrained disagreements." He sees universities as a place of "imposed participation in conflict, in which a central responsibility of higher education would be to initiate students into conflict. In such a university those engaged in teaching and enquiry would engage in a double role... the first would be to advance enquiry from within that particular point of view... and the second would be to enter into controversy with other rival standpoints, doing so both in order to test and retest the central thesis of one's point of view... and to test and retest [them] against the strongest possible objections to them to be derived from one's opponents."

MacIntyre envisions a group of rival universities being created. Each university would adhere to its own tradition and indoctrinate its own students into that particular view. This plurality of universities would then push forth genuine debate resulting in genuine progress because the arena for debate would permit those with committed beliefs to openly adhere to their own beliefs without subordinating them to an unattainable neutrality.

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46 Ibid., 230.
47 Ibid., 231.
MacIntyre believes that only a conflict-based system of tradition-specific university debate would allow for those with committed beliefs to further advance their own traditions on their own terms while simultaneously allowing for differing opinions to flourish. In such a system, rationality would still be based within traditions but there would be ample opportunity for an individual to learn a second first-tradition and determine which one they, or which one their own tradition, would see as preferable. This adjudication would not see emotivism as its final recourse since each tradition has within it its own conception of rationality. As a result, MacIntyre believes that honest, genuinely sought after answers could be found.

"And thus the wider society would be confronted with the claims of the rival universities, each advancing its own enquiries in its own terms and securing the type of agreement necessary to ensure the progress and flourishing of its own enquiries by its own set of exclusions and prohibitions, formal and informal."48

For MacIntyre, there ought to exist a society which contains within it numerous universities of differing committed opinion. These universities would interact in whichever way the universities involved would deem as appropriate by nurturing students who share in these committed beliefs. "Systematically conducted controversy would itself contribute to systematically conducted moral and theological enquiry. . . ."49

MacIntyre attempts to destroy the liberal university. What his prescriptions do, however, is simply push the problem of tolerance one level higher and make a call, not for a liberal university, but for a liberal society; a society which can incorporate into it numerous different opinions (and universities) that can interact with one another according to their own conceptions of the good.

48 Ibid., 234.
49 Ibid., 231.
2.2 MacIntyre's call for liberalism.

R. Jay Wallace points out that traces of liberalism can be found as early on as *AV*.

In an early review, Wallace writes:

"For the very indeterminacy and open-endedness of the picture of life as a quest for the human good threatens to render MacIntyre's account of the virtues indistinguishable from the liberalism to which he is allegedly opposed. The danger may be expressed as follows. Suppose that no account can be provided of the objective good for human beings, beyond saying that those lives are good which exhibit the narrative form of the quest for the good. Then there would seem to be nothing to constrain individuals in their quests except their own particular and contingent preferences and tastes and talents; and we would not be very far at all from Mill's conception of social life as a context for individual 'experiments in living' each of which aims to refine the experimenter's private conceptions of the good."\(^{50}\)

MacIntyre has elaborated enough on his theory of rationality to prevent the slide into "tastes and talents" that Wallace describes, but the warning that MacIntyre's pluralism will slip into liberalism has proved prophetic. As Charles L. Griswold Jr. recognizes, *TRV* is a call for liberalism, whether MacIntyre chooses to call it that or not.\(^{51}\)

For MacIntyre, universities become non-liberal when they loose a commitment to a neutralist/encyclopedic education. But schools committed to particular traditions must also exist in some sort of pluralist society. MacIntyre's theory now demands a statement identifying how far universities can go in their disagreements. He must clarify how universities can retain the guarantee from the state that they will be permitted to pursue their own conception of the good as well as how to guarantee that faculty and student voices will not be silenced as a result of censorship forced upon them by a government which is not sympathetic to them. These concerns are all the purview of liberalism.

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For liberalism to be acceptable to MacIntyre it must not rely on the commitment to a neutrality -- but such a liberalism is not an unprecedented task. The writers which MacIntyre uses to describe the liberal tradition may have such a commitment, but many other liberal theoreticians do not. In *Leviathan*, for example, Thomas Hobbes does not focus on neutrality. Instead, he argues that the state is the result of a consensual act of individual humans who, in their natural condition, give up their rights to everything in order to escape a life that is "solitary, poore, nasty, brutish, and short." Only the sovereign retains his or her right to everything (by virtue of not giving away those rights) and, consequently, only the sovereign retains the legitimate power of life and death -- there is no commitment to neutrality. For Hobbes, the state is formed by the consent of individuals and is, without a doubt, part of the liberal tradition.

For John Locke, the state is created by individuals in order to protect private property. Locke himself defines political power as "the right of making laws with penalties of death, and consequently all less penalties, for the regulating and preserving of property, and of employing the force of the community, in the execution of such laws... and all this only for the common good." For Locke the state is not the preservation of neutrality, it is subject to specific moral rules. Richard Peters summarizes:

"Locke was maintaining . . . that morality, which is a system of rules discernible by reason, needs to be distinguished from custom and from law, and that the law itself must be subject to moral criticism. . . . The main feature, then, of John Locke's political philosophy was the determination to apply moral criteria to the institution and exercise of authority."

John Stewart Mill sees one of the primary goals of society as preserving the rules of self-regarding conduct but also breaches neutrality for certain societal goods. Even Rousseau, by accepting the authority of the General Will, is rejecting the notion of a

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neutral state. All four of these thinkers, each of whom is foundational for contemporary liberalism, are a far cry from the conception of encyclopedic neutrality which MacIntyre describes.

2.3 MacIntyre on Rawls.

A recent example of a liberalism which attempts to avoid the commitment to the idea of liberal neutrality is John Rawls' *Political Liberalism*.

R. Jay Wallace writes:

"There has emerged in recent years an interpretation of liberalism, not as a foundational conception of the comprehensive human good (in terms, say, of Kantian or Millian autonomy), but as a political conceptions, designed to frame terms of social comprehensive views about the good . . . . MacIntyre's tendentious discussion largely ignores the increasingly prominent 'political' interpretation of the liberal tradition, and this omission renders his critique of liberalism . . . less than compelling."

Stephen Mulhall writes:

"Rawls has explicitly developed a further response. In effect, he distinguishes between a purely political liberalism and what he calls a comprehensive liberal doctrine - something that would be called a broad conception of the good in the terms MacIntyre employs . . . To the best of my knowledge, MacIntyre has not addressed himself to this particular liberal response to charges such as his own, and in this sense, the argumentative ball remains in his court."

The critics charge that MacIntyre has neglected Rawls' "new" political conception of liberalism. If this were true, it would be, to a certain extent understandable. *TRV* was published in 1990, and *Political Liberalism*, the most comprehensive statement of Rawls' views, did not appear until 1993. However, three articles which form the basis of Rawls' new position appeared much earlier than *Political Liberalism*. "Kantian Constructivism

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It is important to repeat my observation that MacIntyre's direct responses to Rawls have always been brief and very rarely deal with his conception of liberalism directly. It is therefore not uncharacteristic for him to avoid addressing the newer theory explicitly. In spite of that, however, I see MacIntyre's books as a much more direct critique of Rawls' newer work rather than his old. Mulhall and Wallace are mistaken in arguing that MacIntyre ignores the new Rawls. MacIntyre has written a direct response to Rawls' separation of the political and the comprehensive: the collective arguments of all three books.

Briefly summarized from my description in Chapter 1, Rawls view is as follows: 57

Given the fact that modern society is pluralistic, one must organize society so that the pluralism does not destabilize the society itself. The pluralism of a well-ordered society lies in the diversity of comprehensive moral doctrines. These doctrines account for (among other things) varying beliefs in God, what the good life is and what human beings should strive for. Since the modern state is a representative democracy, citizens, all of whom may hold different opinions on moral matters, must interact using a shared conception of justice otherwise a society will be unequal and unstable. This shared conception of justice is justified by all (reasonable) moral comprehensive doctrines. Public debate is regulated by the common module in that debate regarding political matters contains only arguments which are justified by the public conception of justice.

57 It is important to note that this summary does not take into account my criticisms of Rawls as outlined in chapter one.
That citizens are willing to abide by these restrictions because the rules are considered as goods within their doctrines, and that citizens adhere to moral doctrines which justify this restriction make these citizens reasonable. The criteria for reasonableness which citizens share is the overlapping consensus. It defines the standards by which citizens *qua* citizens actually interact. The process of interaction is the public reason.

A political conception of justice may use as its justification the rationale offered by any reasonable comprehensive moral view but this justification is considered to be a part of the moral view and not intrinsic to the political conception of justice itself; the justification can change. Rawls argues that if the political conception of justice had its own unique moral justification it might clash with some of the other views and would therefore inhibit liberalism's goal of allowing for a plurality of different conceptions of the good. The political conception of justice supplies the common ground which serves as the overlapping consensus that allows individuals to agree to the principles of justice that form the basis of the constitution and the laws. Therefore, it is the political conception of justice that allows individuals with different conceptions of the good to live together in tolerance.

According to Rawls, there can exist a political person (or, at minimum, a political part of a person) who can detach his or her substantive moral beliefs from their deliberations regarding political institutions (this detachment is, however, justified by the person's own moral comprehensive doctrine). Additionally, this person can adjudicate between competing moral claims assuming that these claims justify themselves with arguments stemming only from the political arena. "Justice as fairness is developed as a political conception of justice which must seek to free itself so far as possible from controversial philosophical commitments of a sort that would preclude its attracting an overlapping consensus in a diverse democracy."58 The political conception of justice is

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"freestanding and expounded apart from, or without reference to, any such wider background." In other words, all political deliberation must withhold any reference to any facts or beliefs which are not part of the political sphere. Consequently, the division between the political conception of justice and any comprehensive moral doctrines must be total and clean in order for Rawls' political liberalism to function properly.

In a nutshell, Rawls believes that in order to have a successful liberalism individuals must only use common beliefs when they engage in debate. Since the common-ground is justified by a plurality of comprehensive moral doctrines, all individuals can have a fully committed relationship with their own beliefs while still supporting the beliefs which are held to be common in the society.

Compare this with MacIntyre's argument: every coherent set of beliefs has at its root a tradition of intellectual inquiry which stems from institutionalized practices with their own set of internal goods. These traditions develop, not only specific methods of enquiry, but specific conceptions of practical rationality upon which one bases moral adjudication. Coexisting traditions are often unable to communicate because (1) the mode of presentation is radically different (i.e. Genealogy vs. Encyclopedia) and (2) the acceptable justifications are different. Translation from one tradition to the other is an inadequate way of bridging the difference because it requires taking all of the assumptions out of context and looking at them in isolation.

For Rawls, many traditions can eventually create a place for the political conception of justice. For MacIntyre, there are certain aspects of certain traditions which will always remain incommensurable. For Rawls, the numerous comprehensive moral doctrines share an overlapping consensus which allows for communication despite the plurality of justifications. For MacIntyre, the existence of unique conceptions of rationality prevent communication because such communication would require that all

59 John Rawls, Political Liberalism, 12.
beliefs are taken out of their proper context. For Rawls, any view which is not held in common within the public conception of justice is prohibited from being used as a legitimate reason in the political sphere, whereas for MacIntyre, these beliefs and practices are necessary to allow for any rational argument whatsoever. Without the common foundation of beliefs and practices and the history which stems from them, individuals can not adjudicate rationally. Finally, for MacIntyre, the political prescriptions of his theory are such that he seeks genuine conflict which has no commitment to an over-arching neutral conception. For Rawls, conflict is avoided. The attempt to create an overlapping consensus is an attempt to limit conflict to its minimum. By excluding moral comprehensive particulars from public debate, Rawls attempts to limit conflict as much as possible.

In short, MacIntyre's criticism of Rawls' political liberalism is that it is designed to encourage the very act which, by design, traditions are incapable of doing while still remaining authentic: removing beliefs from the contexts which made them coherent beliefs in the first place. One cannot distinguish between the political and the comprehensive because it is the comprehensive which justifies the political. If one is not permitted to use the foundation as evidence in debate then the political conception of justice is irrational and based upon a lack of communication and understanding. Furthermore, Rawls' attempts to avoid genuine conflict perpetuate the "emasculating" of genuine debate. Plurality is based on incommensurable differences and a true pluralism would be one in which conflict was cultivated for the sake of evaluating and comparing competing traditions.

For Rawls, rationality is divided along the border between the right and the good. The good is defined by the various comprehensive moral doctrines as that which its adherents should strive for. The right, however, is common to all reasonable members of the society regardless of what good they pursue. "A conception of right is a set of
principles, general in form and universal in application, that is to be publicly recognized as the final court of appeal for ordering the conflicting claims of moral persons. It is those rules which can apply to all individuals and can be called upon to help make political decisions. The right consists of rules, not facts. It is made up of the regulations which create the structures which people use to analyze and adjudicate a wealth of competing information and beliefs.

The right, however, requires a particular good for its justification. Without such, any controversy regarding the rules of right is not solvable. Rawls recognizes the importance of the justification of the right by the good by describing the political conception of justice as a module which can fit into a plurality of moral comprehensive doctrines. There are inherent and necessary liberal goods -- this will be discussed in detail in chapter four. However, for Rawls, the emphasis is on the attachment of the overlapping consensus with a plurality of moral comprehensive doctrines so that the consensus can be justified by the plurality of goods found in reasonable doctrines. As I argued in chapter one, in presupposing a society in which everyone is already in agreement on the terms of tolerance, he side-steps the issue. He cannot offer a convincing picture of how controversies regarding the political conception of justice are to be resolved because in order to so one must invoke truths from moral comprehensive doctrines which are explicitly excluded from the debate. Where Rawls tries incorporate some excluded comprehensive moral doctrines -- where he attempts to distinguish between inclusive and exclusive public reason -- his method falls apart. There are no clear criteria which determine (practically) what is permissible in the public reason and what is not.

I agree with MacIntyre's claim that the political and the comprehensive spheres cannot be separated. The division between comprehensive moral doctrines and a political

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conception of justice destroys the possibility of rational adjudication. Although Rawls' attempts to offer a new standard, that of reasonableness, this new standard is still plagued with the original problem. The justification for the political conception of justice which is itself the criteria for reasonableness is found in the plurality of comprehensive moral doctrines. If the criteria of reasonableness is ever questioned there is no rational way of resolving conflict. This conflict is made deeper by the fact that the political conception of justice is not a *modus vivendi* (simply a matter of mere agreement for practical reasons). Instead, it is a central kernel in all reasonable comprehensive doctrines and to question the overlapping consensus is not simply to challenge a set of neutral rules, it is to challenge a plurality of moral comprehensive doctrines and many of their central tenets.

Rawls has no rebuttal to this argument. He may argue that the commonality of the political conception of justice makes communication possible and, in fact, may even define the tradition of the liberal society as one unified tradition. This doesn't answer the challenge. First, it is susceptible to the criticism as described in Chapter one: if all individuals in any closed-society share one and the same tradition, then there is no place for any real difference of opinion. As I have argued, this limits pluralism to an unacceptable degree. Second, an appeal to commonalty fails because it inverts the necessary process of the development of traditions. To argue that traditions share contemporary practices without sharing common justifications may allow for pluralistic traditions to engage in already agreed upon practices, but it does not allow for debate since the systems of rationality are still radically different and unable to communicate. A liberal political system is designed to foster and encourage debate because it allows for representation in the political process. If a system is no longer able to do this then it no longer fulfills its role -- it is no longer a liberal political system.
In conclusion, MacIntyre's system of tradition-bound rationality is defensible given certain modifications. It requires, most importantly, a clearer description of where the unity of tradition lies; one which I have tried to articulate. Yet, ambiguity is helpful in that it leaves room for the role of self-understanding in tradition identification.

MacIntyre has also shown that it is possible to avoid relativism in comparing traditions while still maintaining a pluralism of conceptions of practical rationality. Conceptions of rationality are neither objective nor unitary; coexisting conceptions may differ while still offering defensible and divergent belief systems. Ultimately, this makes MacIntyre a meta-level relativist. However, as I have argued, the fact of relativism at that level should not be regarded as unfortunate. Tradition-bound conceptions of practical rationality provide all the tools necessary for moral adjudication.

MacIntyre has attempted to describe a non-liberal university system which does not "emasculate" debate. A non-liberal university is one in which there is no commitment to neutral or ahistorical rational adjudication, and one in which genuine conflict is cultivated. The non-liberal university indoctrinates students into one particular tradition with the intent of pursuing truth in terms defined by that tradition. I have argued, however, that MacIntyre's prescriptions require a liberal state. A state in which, at minimum, pluralism and the right of universities and their communities to adhere to specific traditions are cultivated. As I argued in both chapters one and two, this liberalism can not be neutral in the Rawlsian sense but it must allow for a wide and true pluralism of traditions. Consequently, in redesigning the liberal university, MacIntyre has simply pushed the burden of liberal pluralism to a different level.

In examining Rawls' recent proposal of a liberalism which attempts to be non-encyclopedic, we saw that political liberalism was neither able to do justice to MacIntyre's system, nor was it able to diffuse successfully MacIntyre's critique of the separation between the right and the good. Ultimately, MacIntyre's criticism of Rawls is
that political liberalism divides traditions in ways which they cannot be divided, and
requires communication where communication is impossible. What seems to be required,
therefore, is a liberalism which is non-encyclopedic -- one which allows for coexisting
divergent conceptions of practical rationality -- but also allows for communication and
debate between traditions. Such a system, I propose, is found in a liberalism which
develops out of the moral psychology and free-market structure of Adam Smith.
Consequently, it is to his work which we will now turn.
Chapter 3: Education and the Cultivation of Moral Judgment: The Moral Psychology of Adam Smith

The focus of this chapter is Adam Smith's moral psychology. My intention is to show how *TMS* and *WN* work together to offer a coherent and credible moral psychology which is compatible both with modern claims regarding fundamental disagreement and with the possibility of numerous coexisting conceptions of rationality. I emphasize these two themes in order to build towards chapter four where I argue that Adam Smith's moral psychology creates an adequate foundation on which to build a truly pluralistic liberalism of the sort that addresses my concerns regarding Rawls' and MacIntyre's work as discussed in chapters one and two.

In this chapter, I intend to show that *TMS* and *WN* complement each other with respect to the relationship between moral judgment and education, that the latter is necessary to the former, and that Smith is committed to the belief that "behavior is rational in so far as it is based on knowledge which the individual has acquired through learning." I focus on education for several reasons. First, a study of Smith's recommendations regarding education is necessary to understand how the impartial spectator is accurately imagined. Second, Smith uses education to help minimize the injustices caused by inequality in a market-based system. And third, in chapter four I will

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show how freedom of and access to information is necessary to a successful pluralist liberalism. Education, in its widest sense, is the process of understanding the information one has access to. Since Smith's system forms the foundation for the liberalism I will propose, I must show how education is necessary to his work as well as mine.

Smith does not offer any explicit philosophy of education. He proposes very few specific educational methods and is even less explicit regarding what constitutes quality education. However, I shall argue that Smith does show that we can evaluate education retrospectively. Quality of education can be gauged by the quality of moral judgments which result.

This chapter is divided into four main sections; the first two are discussions of the mechanism of sympathy. In these sections, the term "education" is used in its widest sense to mean information which can be learned. In both of these sections, but especially in the first, I repeatedly respond to contrasting secondary literature on Smith.

The third section of this chapter focuses on Smith's remarks regarding educational institutions. In it, I argue that although the terminology is different, WN's critique of education is a consequence of Smith's belief that education is necessary for the cultivation of sympathy, and that Smith believes one can evaluate an educational system by examining the moral judgments of those who went through it. I conclude that section with a discussion of the importance of religious education which is also intended to be a preliminary discussion for topics which will be addressed in chapter four. The final
section is an attempt to offer a condensed and more explicit account of Smith's philosophy of education.3

The attempt to show a unity between TMS and WN should be read as a response to the "Adam Smith Problem", i.e. to the claim that the two works are inherently incompatible because the former bases human action on benevolence while the latter bases human action on selfishness. The "Adam Smith Problem" is often dismissed with only minimal comment. In two of the most influential (recent) studies on Smith and his work, any claim of incompatibility between TMS and WN is pushed aside almost without effort. For example, in *Adam Smith's Politics*, Donald Winch writes "I have implied what most scholars now accept, that there is no Adam Smith problem in the original sense of a fundamental incompatibility between the 'sympathetic' ethic of the *Theory of Moral Sentiments* and the 'selfish' ethic of the *Wealth of Nations*."4 In *Adam Smith's Science of Morals*, T.D. Campbell, mentions it explicitly only once, and that is in a footnote5

In contrast to Winch and Campbell's confidence, however, the "Adam Smith Problem" seems once again to be of concern. Sometimes, as in Peter Minowitz's *Profits, Priests and Princes*, the alleged contradiction is reformulated. Minowitz argues that the two works are incompatible because "in the *Theory of Moral Sentiments*, God is almost omnipresent; in the *Wealth of Nations* God is never mentioned."6 Other times, however,

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3 I have come across very few discussion regarding Smith's system of education. One of the few is E.G. West's limited remarks in the context of his larger discussion of the benefit of private versus public education. See West's *Education and The State* (Indianapolis: Liberty Press, 1994), 144-151. The place of Smith in that discussion is indicative of the way in which Smith's views are treated -- as a very small component of a much larger discussion. Smith is rarely the focus of such works.


the case for incompatibility remains based purely on the terminological dispute regarding the distinction between sympathy and self-interest which Winch and Campbell argue can be so easily resolved. A prime example of the resurrection of "The Adam Smith Problem" in this form can be found in Kenneth Lux's appropriately named Adam Smith's Mistake:

"As we have seen, between the first and second books Smith abandoned any reliance upon human benevolence or sympathy. Whereas these sentiments provided the central theme of The Theory of Moral Sentiments, they are not even mentioned in The Wealth of Nations, except disparagingly. So, by elimination, Smith is brought to self-interest, which he now has to turn into a positive force."7

Winch and Campbell's claim that the "Adam Smith Problem" is a pseudo-problem is certainly defensible given the fact that the traditional formulation of the problem is

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Lux offers very little textual evidence for his claim. His argument is an attempt to show, by historical context, what has happened because of the existence of WN based on the actions of others, instead of exploring what was actually written by Smith himself; yet Lux condemns the author as a result. When he does quote Smith, Lux cites the 1937 edition of Wealth of Nations as opposed to the Glasgow edition which is now considered definitive (he is aware that it exists; he refers to the Glasgow edition of TMS) and although WN and TMS are referred to for some textual discussion, the Lectures on Jurisprudence, Essays on Philosophical Subjects, Lectures of Rhetoric and Belles Lettres and Smith's Correspondence are not given even a token mention. Lux's citations, although ranging from Ayn Rand to Charles Dickens, rarely refer to secondary Smithitean scholarship. Winch and Campbell are not mentioned. Neither are D.D. Raphael, E.G. West nor A.S. Skinner. John Rae's biography is mentioned several times but Jacob Viner's remarks and corrections are not. Lux's mistake, it seems, is in not taking Smith, his work, or the scholarship which attempts to understand it, seriously in even the most superficial sense.

As part of the limited defense of his position, Lux returns to the often quoted selection from Rae that Smith "always considered his Theory of Moral Sentiments a much superior work to his Wealth of Nations." (John Rae, Life of Adam Smith (New York: Reprints of Economic Classics/Sentry Press, 1965) ,436.) He describes the sixth-edition rewrite as further proof that Smith was unhappy with WN and that Smith felt that he had to warn his reading public "against the morally dubious effects of the pursuit of wealth." (Lux, Adam Smith's Mistake, 107. However, Lux fails to acknowledge the possibility that the sixth-edition rewrite may not be a rejection of WN at all. Instead, it may be further proof that Smith's work can be seen as systematic. That the philosopher had chosen to reflect further on themes in WN (i.e. the pursuit of wealth) as late in life as he did might indicate that the two are complementary and not contradictory as Lux professes.

The quality of his work was obviously on Smith's mind to the last. Shortly before he died, he ordered sixteen volumes of manuscripts burned. These manuscripts constituted all of his non-published work (except the fragments found in Essays on Philosophical Subjects which were not burned). Yet, at the same time, Smith had spent what many suspected would be the last years of his life revising TMS. (Rae, Life of Adam Smith, 434.) It is pure speculation as to what Smith motives actually were. It is my intention, however, to suggest that Lux's interpretation of the events is not the sole possible one.
indeed inaccurate. Differences of terminology do not entail contradictions. Campbell, however, does little to challenge the more detailed attempts to resist systemization of Smith's work and Winch's emphasis is on uncovering Smith's theory of politics and not an explicit reconciliation of WN and TMS. In highlighting the relationship between sympathy and education I hope to show one area in which the two works are not only compatible, but necessarily intertwined.

The debate concerning "The Adam Smith Problem" reveals a deep controversy regarding how one is to evaluate moral psychology as presented by Adam Smith. Campbell, for example, focuses primarily on questions of interpretation and seeks to evaluate Smith solely in terms of consistency; relevance to contemporary debate seems to be of little concern. In contrast, Lux focuses almost entirely on Smith's alleged impact on the contemporary world yet he never examines the possibilities that the exploitation and oppression often associated with capitalism is neither found in, nor justified by, Smith's work. By ignoring detailed examination of what Smith himself wrote, Lux falls into a most superficial formulation of the Adam Smith Problem.

One might infer from Smithean scholarship that Smith is interesting given the history of philosophy but that he is either irrelevant or oppressive (in that he supports the inequality which people argue is inherent in capitalism). I would argue that both views, the irrelevance and the oppressive character, are inaccurate. Smith's "irrelevance" is a

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8 Smith does not intend sympathy to mean altruism. Instead, Sympathy is defined as any fellow feeling with any sentiment whatsoever. (TMS I.i.1.5) Additionally, there are several instances in WN where Smith explicitly addresses non-egoistic concerns for others (such as the funding of education for the poor). TMS is not a purely altruistic theory and WN is not purely self-interested. As Charles L. Griswold writes: ". . . if there is a tension in Smith's position between the altruism/egoism debate, it recurs within each of his books not between them. This means that his analysis of capitalism (a word Smith does not himself use) unfolds within the framework of a moral theory . . . ." (Charles L. Griswold Jr. "Adam Smith on Virtue and Self-Interest," The Journal of Philosophy Vol. 86. No 11 (November 1989), 682).
direct result of several factors: the incorrect belief that Smith's moral theory is identical to that of Hume or other Scottish philosophers; the general silence about Smith in contemporary ethical work; and the emphasis recent political theorists has placed on Kant who, as a contemporary of Smith, is seen as following Hume in the historical succession of philosophers.\(^9\) Chapter four, more than chapter three, will show why I believe that Smith is relevant to contemporary debate. Regarding the charge that Smith's free-market structure is oppressive, it is my intention to show that Smith sees education as a method which can remedy the harm that results from inequality that is an outgrowth of the division of labor and free-market activity.

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1.1 "Knowing" the sentiments of others: The role of the imagination.

The first sentence of *TMS* reads:

"How selfish soever man may be supposed, there are evidently some principles in his nature, which interest him in the fortune of others, and render their happiness necessary to him, through he derives nothing from it except the pleasure of seeing it."

It contains both an allusions to other philosophers and to a conception which would have been familiar to his readers: the second word of the body of the text is "selfish."

However, Smith mentions this perspective only to reject it, as he also rejects Hobbes' and

\(^9\) For examples of this exclusion consider: Charles Taylor, *Sources of The Self* (Cambridge: Harvard University Press, 198) as well as most of MacIntyre's and Rawls' work. Where he is mentioned in the latter works, he is equated with Hume and Sidgewick. (A citation by citation account of MacIntyre's and Rawls' equating the three philosophers will be found in chapter 4.) For detailed discussions of the differences between Hume and Smith see: Knud Haakonssen, *The Science of A Legislator* (Cambridge: Cambridge University Press, 1981) and V.M. Hope, *Virtue by Consensus* (Oxford: Clarendon Press, 1989), especially pp. 83-88.

\(^{10}\) TMS I.i.1.1
Mandeville's social theory which one can presume he is referring to. Smith is asking: "Why, if people are presumed to be selfish, do they receive pleasure by observing happiness in others when it is obviously of no clear benefit?"

The second term of note in the first sentence is "evidently," meaning "apparently" or "clearly." This can be read as a pun. Smith, as is illustrated by his numerous graphic examples, is concerned with evidence that is both visually and inductively established and not simply "supposition" which he associates with the Hobbesian claim. The first sentence of *TMS* continues: "... and render their happiness necessary to him, though he derives nothing from it except the pleasure of seeing it." Consequently, the action of seeing, that which one must do to observe phenomena, is combined with his argument and must be juxtaposed with the Hobbesian claim of selfishness which is still only to be considered a supposition. It is through the comparison of supposition with evidence that we are introduced to the scientific, or Newtonian, nature of Smith's work ("evidence" is found in the same clause as the term "principles", "supposition" stands alone without further qualification). As Campbell shows, Smith, believes that in order for a theory to be superior to another it "must accord more exactly with observed phenomena than any alternative theory." If a Hobbesian theory of selfishness does not accord with

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11 Smith refutes Hobbes explicitly at TMS VII.iii.2.2. The rejection of Mandeville is more complex being the subject of almost all of TMS VIIi.4. The crux of his rejection is at TMS VIIi.4.12, where he writes, "It is the great fallacy of Dr. Mandeville's book to represent every passion as wholly vicious, which is so in any degree and in any direction."

It is important to note that when referring to philosophers mentioned in Smith's work I am referring to what Smith reports them to have written. This may differ from what was actually written.

observable phenomena, and Smith clearly believes that it does not, then it must be rejected.\textsuperscript{13}

Evidence is necessary to remedy an essential tension within Smith's appraisal of the human condition. He writes: "As we have no immediate experience of what other men feel, we can form no idea of the manner in which they are affected, but by conceiving what we ourselves should feel in the like situation."\textsuperscript{14} Individuals can never know what it is other people feel and must therefore rely on their imagination to inform them of the sensations of others. Imagination is the first technical term Smith offers, and that we must use it is the first positive claim of his system.\textsuperscript{15} He uses the imagination to overcome the difficulties which are generally associated with the problem of other minds. According to Smith, we cannot access direct or privileged experience of others. We can only imagine what the experiences of others might be based upon observable signs. As I hope to show, for Smith, sympathy -- the process of fellow-feeling which inspires individuals to investigate the sentiments of others, which encourages them to temper their own sentiment to standards informed by the community, and which gives birth to the impartial spectator -- is, in part, the repeated act of gaining more and more information in order to be better informed as to what the sentiments of an agent are and ought to be.\textsuperscript{16}

\textsuperscript{13} Throughout this part of the discussion I place great emphasis on individual words as having large importance for Smith. However questionable it may be to rely on specific formulations in the case of other philosophers, it is more than justified when discussing Smith. As mentioned above, TMS went through six editions, many of which constituted both large and subtle rewrites. Work which Smith did not feel was ready for publication was burned before his death. He taught Rhetoric, Belles Lettres and according to Griswold, emphasized them as opposed to Aristotelian Logic. For a detailed discussion of the relationship between Smith and the use of language see: Charles L. Griswold, "Rhetoric and Ethics: Adam Smith on Theorizing about the Moral Sentiments", Philosophy and Rhetoric Vol. 14, No. 3, 1991. pp., 213 - 232.

\textsuperscript{14} TMS I.i.I.2.

\textsuperscript{15} Smith never defines "imagination." He only explains it by describing its uses.

\textsuperscript{16} The definition of sympathy contained in this paragraph incorporates much of the first book of TMS. It is intended as a guidepost for the discussion of the imagination.
Imagination does not accurately inform us of others' sensations. "It is the impressions of our own sense only, not those of his [the person being observed], which our imaginations copy." Smith continues:

"By the imagination we place ourselves in his situation, we conceive ourselves enduring all of the same torments, we enter as it were into his body, and become in some measure the same person with him and thence form some idea of his sensations, and even feel something which, though weaker in degree, is not altogether unlike them . . . so to conceive or to imagine that we are in it, excites some degree of the same emotion, in proportion to the vivacity or dullness of the conception."17

Notice Smith's language. The above quote highlights that through the imagination spectators only *conceive* themselves as enduring the same passions as the agents they observe. The spectator enters *as it were* into the body of the agent. Smith does retain some ambiguity regarding just how unlike each other analogous sentiments might be, but, for the most part, Smith's language is filled with qualifiers that are meant to inspire doubt regarding how much one can know about the sentiments of others. For Smith, to have immediate or direct knowledge of the sentiments of another person is an epistemological impossibility.18 A person can only base comparison on those sentiments which they themselves have direct access. As a result, the sentiments which are created through the imagination are not determined by the sentiments of others. Instead, they are based on the sentiments of the person who imagines them; he or she infers them to be equivalent sentiments to those of the person being observed. Campbell argues that "the activity of comparing sympathetic and real sentiments does presuppose that we can have some awareness of the sentiments of others, for, if this were not the case, we could not know

17 TMS I.i.1.2.
18 David Marshall, *The Figure of Theater: Shaftesbury, Defoe, Adam Smith and George Elliot* (New York: Columbia University Press, 1986), 172.
the actual feelings of others and so we could not compare them with our own feelings."^{19}

It is certainly true that people have "some awareness" of the sentiments of others. However, any determination of sentiments is an inference based upon the observable effects of the sentiments and does not constitute definitive or direct knowledge of the causes themselves.

An observer determines the sentiments of others by observation and by the process of falsification. Sympathy, as will be shown, is subject to falsification in that inappropriate moral judgments are corrected by the community in conjunction with (in later stages of moral development) the moral actor him or herself. To claim, as Campbell does, that a spectator could know directly the actual sentiments of an observed agent would be to offer a different conclusion regarding the problem of other minds than Smith does. If the capacity of direct acquaintance of the sentiments of others is introduced, the faculty of the imagination would be made unnecessary because the imagination is only necessary to remedy a gap in knowledge. For example, if one needed to determine whether a particular couch matched the color scheme of a room, one need only imagine the couch to be in the room if it was not already so or if the couch and the room were not visible. If the couch were already in the room, and the person could see it, then the person would not need to imagine anything; he or she could observe it. The same is true of sympathy. If one had direct knowledge of the sentiments of others, then one need not imagine what those sentiments might be -- one would know through other means.

For Smith, human beings are, in at least one important way, fundamentally separate from one another. We are divided into spectator and agent and, according to

Smith, we know only our own sensations. Campbell himself writes that regarding
sentiments, Smith "implies that they can only be known by their effects . . . it would
seem that the spectator infers what must be the sentiments of the agent from the latter's
observable behavior . . . "20 Here Campbell emphasizes inference as opposed to direct
acquaintance, but his suggestion equating the two is misleading in this context. To know
from comparison that sentiments are identical would require an archimedean point which
allows the agent to independently confirm that the two sets of sentiments are identical
and then allows the agent to confirm that the independent sentiment used for the
confirmation is identical with the two originals. Then one must confirm that the new
confirmation is identical to the old confirmation, ad infinitum. Neither the agent, the
spectator, nor the impartial spectator has that capability: "In every passion of which the
mind of man is susceptible, the emotions of the by-stander always corresponds to what,
by bringing the case home to himself, he imagines should be the sentiments of the
sufferer."21 To know other sentiments for Smith is to understand how observable data are
to be interpreted through sympathy and to accept the ability of the community and the
impartial spectator to point out mistakes. He places great weight on emphasizing how
inaccurate imagination is and, as this chapter seeks to argue, how education is necessary
to help remedy the imperfections of the imagination and of sympathy.

1.2 The impartial spectator does not represent an archimedean point for moral
adjudication.

20 Campbell, Adam Smith's Science of Morals, 97.
21 TMS I.i.1.4.
The purpose of an archimedean point in epistemology is to provide an objective method which would permit individuals to confirm the truth of observations. The purpose of an archimedean point in moral and political theory is analogous: its role is to provide a foundation for an unbiased method which would allow moral actors or rulers to make morally correct decisions independent of what influence bias or ignorance has on the decision maker. I challenge the interpretation that the impartial spectator is meant to be an archimedean point of rational moral adjudication. The meaning of "impartiality" for Smith is subject to much debate. Knud Haakonssen writes that it connotes universality.\(^{22}\) Raphael argues that through impartiality we imagine ourselves as an ideal someone who is not personally involved.\(^{23}\) Marshall calls the impartial spectator a kind of "deus ex machina."\(^{24}\) It is Campbell, however, who takes the greatest of pains to investigate the supposed neutrality of the impartial spectator. In comparing the spectator with "the ideal observer theory", a view of Smith's spectator held by, among others, Roderick Firth and John Rawls, Campbell argues convincingly that impartiality means neither omniscience, omnipercipience, disinterestedness (that is, it is not true that the impartial spectator is not influenced by particular interests), nor dispassionateness.\(^{25}\) He writes;

"In consequence of his 'humanity', the impartial spectator is subject to all of the failings or irregularities which alter the usual operations of the moral sentiments. He feels the 'irregularity' of sentiments due to the influence of fortune, and enters

\(^{24}\) David Marshall, The Figure of A Theater, 190.
into the 'fallacious sense of guilt' associated with such cases. He too is 'blinded by success' and shares in the admiration of the mass of mankind for wealth and greatness. Far from always representing the judgments of 'cool reason' he embodies the principles by which a 'weak and imperfect being' actually does approve of actions. There is, therefore, nothing docetic in Smith's image of the impartial spectator: all his characteristics are fully human, and he possesses these only to the degree that is common in the average person."

It is curious that Campbell is the most clear (and convincing) regarding the nature of impartiality and so unclear regarding the ability to know the sentiments of others since it is also Campbell who is the most adamant about the fallibility of the impartial spectator. It is the inability to know other's sentiments which makes the impartial spectator so human in character. The impartial spectator is a creation of the imagination. It is subject to the imperfections of the imagination and is only as reliable as the person whose imagination it is. It is "by imagination only" that one person can place themselves in the situation of another person. It is only an "analogous emotion" which "springs up . . . in the breast of every attentive spectator." And, furthermore "every faculty in one man is the measure by which he judges the like faculty in another. I judge of your sight by my sight, of your ear by my ear, of your reason by my reason . . . ." Once again, Smith is emphasizing the separation of individuals and the inability of people to share direct and privileged experiences. The impartial spectator is therefore the result of a process which is imperfect. There are numerous specific cases in which the observer is unable to gather

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26 Campbell, Adam Smith's Science of Morals, 136-137.
27 TMS I.i.1.2.
28 TMS I.i.1.4. The phrase 'attentive' is only one of the numerous synonyms which Smith uses as interchangeable with 'impartial' in order to describe the impartial spectator. It is through these synonyms that one can get a glimpse of the linguistic net which is meant to describe the imperfect neutrality which the impartial spectator represents.
29 TMS I.i.3.10.
enough information to determine the judgment of the impartial spectator.\textsuperscript{30} To expect that, given these limitations, an individual is capable of having access to universal and perfect judgments is unreasonable. It would be to take the burden of judgment away from the spectator him- or herself and to create something which may be more akin to the perfect result of Rousseau's General Will or the perfect reason of Kant's categorical imperative than to Smith's impartial spectator.

1.3 Sympathy.

The impartial spectator is an outgrowth of the instrument which allows individuals to share a certain sense of unity through their limited and imperfect parallel emotions. Smith's term for this process is sympathy and it should be understood as the mechanism which allows people to observe and adopt the fellow-feeling which corresponds to "any-passion whatever" that is observed in others.\textsuperscript{31} Sympathy makes it "seem" as if emotions are transferred from one person to another, "instantaneously and antecedently to any knowledge of what excites them in the person principally concerned."\textsuperscript{32}

Sympathy, as it is normally understood, is expressed as a type of compassion. A person in good-spirits is said to sympathize with a person who has experienced more unfortunate circumstances than the person who is sympathizing. For example, I may observe a person's grief over the death of a parent and as a result, I can feel and express sadness at that person's loss.

\textsuperscript{30} The best example of this is be the inability of the slave-owner to approve of the sentiments of the slave; this is discussed in more detail below.

\textsuperscript{31} TMS I.i.1.5.

\textsuperscript{32} TMS I.i.1.6.
As Haakonssen writes: "Smith's use of the word 'sympathy' is a prime example of the advantages and of the dangers in using ordinary language for theoretical purposes. On the one hand, we all understand it to some extent, but precisely because of this it is difficult for us to get at the technical twist Smith gives it."33 For Adam Smith, sympathy is no longer based on one type of sentiment. It is a compelling force which attempts to translate all human emotions. It allows one person (the spectator) to understand the emotions of a second person (the agent). The spectator and agent might share analogous emotions regardless of whether they are happy, sad, or somewhere in-between. Raphael suggests that Smith uses sympathy to mean "not just sharing the feelings of another, but being aware that one shares the feeling of another."34 Such a portrayal, although not inaccurate, de-emphasizes sympathy as a process. It implies that two people actually share one particular emotion instead of acknowledging that the spectator only believes, based on observation, that he or she shares a similar emotion with the person being observed.

Through sympathy, a person creates an analogous emotion using his or her imagination. Given the outward and observable signals from the agent, a person imagines what he or she perceive the agent's emotions to be and then creates his or her own, less-perfect and less intense version of it. There is no actual transfer of emotions from one person to another. It is simply an imperfect carbon copy.

Why is attention to detail so crucial? Because, writes Smith, the spectator does not create analogous emotions by only looking at the agent's emotions, the spectator

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34 D.D. Raphael, Adam Smith, 29.
looks primarily at the cause and context of the agent's emotions and then determines how they themselves would react given the same context.

"Sympathy, therefore, does not arise so much from the view of the passion, as from that of the situation which excites it. We sometimes feel for another, a passion of which he himself seems to be altogether incapable; because, when we put ourselves in his case, that passion arises in our breast from the imagination, though it does not in his reality."\(^{35}\)

This is the vital point for Smith. If the spectator were just making a determination based on the observation of a particular emotion, hermeneutics would not be a problem. Although there would be room for empirical failure (i.e.: what the spectator thought was anger was really frustration, etc.) this would be rare, and should it occur, it would be easy to overcome by either extending the conversation or the period of observation. Instead, the spectator is making a judgment based upon the facts of the case. What happened to the person is ultimately more important than the emotion that the person appears to be expressing.\(^{36}\) It is because of this, Smith believes, that people can sympathize with the dead even though the dead do not themselves express emotions. He writes:

"We sympathize even with the dead . . . we are chiefly affected by those circumstances which strike our senses . . . It is miserable, we think, to be deprived of the light of the sun; to be shut out from life and conversation; to be laid in the cold grave, a prey to corruption and the reptiles of the earth; to be no more thought of in this world, but to be obliterated, in a little time, from the affections, and almost from the memory of their dearest friends and relatives . . . ."\(^{37}\)

The ability to sympathize with the dead is also further evidence that sympathy is not selfish. Smith writes:

"How can that be regarded as a selfish passion, which does not arise even from the imagination of any thing that has befallen, or that relates to myself, in my own

\(^{35}\) TMS I.i.1.10.

\(^{36}\) This division between what the emotion is determined to be by the spectator, and what the emotion actually expressed by the agent proves, as we shall see, to be the core of moral judgment for Smith.

\(^{37}\) TMS I.i.1.13.
proper person and character, but which is entirely occupied about what relates to you. A man may sympathize with a woman in child-bed; though it is impossible that he should conceive himself as suffering her pains in his own proper person."38

That a person can, through no selfishness, learn enough relevant facts about other individuals independent of whether or not they share similar experiences, and that a man might sympathize with the pain of child-birth which he can never experience, offers hope that the fundamental separateness of individuals can be, at least in part, bridged.

It might be argued that Smith's example of a man sympathizing with a woman giving birth is inaccurate. A man might think that he knows the pain of childbirth, but he does not. A man will never experience the true pain endured, only a woman can. If a man thinks otherwise, the objection would conclude, then he is simply fooling himself.

Once again, the root of a difficulty lies in people's lack of access to other's direct experience. The above objection forgets that all sympathy is imperfect, not just the fellow-feeling between man and woman. That a man attempts to sympathize with a woman giving birth and fails to do so to an exact degree is typical of every other act of sympathy any spectator engages in. Women who engage in easier deliveries are also unable to have direct knowledge of difficult childbirth since they did not have the same experience. What is notable about this example is that the fundamental separation which humans experience is no different between genders as it is within a particular gender; sympathy is capable of bridging that particular difference as well as most others.39

38 TMS VII.iii.1.4.
39 In his 1993 publication The Autonomous Male of Adam Smith (USA: Oklahoma University Press, 1995), Stewart Justman devotes an entire volume to exposing gender stereotypes and contradictions within Smith's work. His main conclusion is that Smith, in trying to tone down sentiments, is making men much more like the traditional eighteenth century view of what a woman should be. He writes: "As I have tried to show, the prudent man whose small virtues steadily -- irresistibly -- advance the wealth of nations and the
Smith repeatedly emphasizes that until the exact cause of the emotion is clear to the spectator, the sympathy will not even approach a measure considered analogous. More so, in order to sympathize accurately with the agent, the spectator must be aware of the most minute details extending as far back in time as one is able, as well as making oneself aware of any possible consequences not yet experienced.

"in all such cases there must be some correspondences of sentiments between the spectator and the person principally concerned, the spectator must, first of all, endeavor as much as he can, to put himself in the situation of the other, and to bring home to himself every little circumstance of distress which can possibly occur to the sufferer. He must adopt the whole case of his companion with all its minutest incidents; and strive to render as perfect as possible, that imaginary change of situation upon which his sympathy is founded."41

However, sympathy does not require that the spectator simply put him or herself in the situation of another person. The impartial spectator should determine the appropriate sentiments based on how, given the facts of the agents life, this particular agent should act in this particular situation. "In the substitution of sympathy, then, my improvement of society corresponds to the dutiful wife habitually performing the small duties of sympathy..." (p. 83). His attack assumes numerous forms including poisoning the well with a false accusation of anti-Semitism (pp. 86-87) and the claim that Smith approves of the belief that rape "dishonours' the victim, no matter how innocent she may be" (p. 87). The charge of anti-Semitism is a case of guilt by association. It is based upon the remarks of another writer who wrote 145 years after Smith's death and is meant to show Smith's "dark side of irrationalism." The charge that Smith equates rape with dishonor is clearly taken out of context. Smith is distinguishing casuistry from jurisprudence. The comment about rape is enclosed within his remarks on casuistry and is (somewhat ambiguously) discredited (TMS VII.iv.13).

Justman's is forced to admit that "in a sense, all Adam Smith is doing in the passages just cited is playing out the old language of gender, which makes courage male and vanity female. Without doubt he is stuck in traditional gender categories." (p. 53), and that "The distinction between men and women in the thinking of Adam Smith is wholly specious and artificial, prefiguring 'the artificiality of binary logic' of Victorian thinking about the sexes." (p. 19) It should come as no surprise to anyone that the Victorian age was, by contemporary standards, sexist. That Smith's writing is couched in such language is unfortunate but not particularly damaging since the essence of his theory is not dependent on it. As I have argued, and as Justman admits, there is nothing inherent in Smith's work that either demands a distinction between the genders or must be sexist. Smith's theory of sympathy has the potential of overcoming the cultural biases of his time.

40 "Even our sympathy, with the grief or joy of another, before we are informed of the cause of either, is always extremely imperfect." TMS I.i.1.9.
41 TMS I.i.4.6,
assumption of your sentiments and person does not mean that you become me (in my eyes); it means, rather, that I become you . . ."\textsuperscript{42} Or, as Smith writes:

"When I condole with you for the loss of your only son, in order to enter into your grief I do not consider what I, a person of such a character and profession, should suffer, if I had a son, and if that son was unfortunately to die: but I consider what I should suffer if I was really you, and I not only change circumstances with you, but I change persons and characters. My grief, therefore, is entirely upon your account, and not in the least upon my own."\textsuperscript{43}

For Smith, sympathy is not simply a question of understanding the facts of a particular situation. To determine the cause, the context, and the possible ends of any situation, the spectator must also evaluate the agent. He or she must investigate the agent's reactions to other similar situations and to the consequences that resulted from them. Familiarity then, joins attentiveness as necessary conditions for sympathy since any case study -- which this has become -- demands a close (but unbiased) relationship between the recorder and the facts recorded. Put simply, the farther removed the spectator is from the agent, the more difficult a true understanding of the situation and the agent becomes:

"We expect still less sympathy from an assembly of strangers, and we assume, therefore, still more tranquillity before them, and always endeavor to bring down our passions to that pitch, which that particular company we are in may be expected to go along with. Nor is this only an assumed appearance: for if we are at all masters of ourselves, the presence of a mere acquaintance will really compose us, still more than that of a friend."\textsuperscript{44}

An added dimension is now attached to the concept of spectator attentiveness: self-knowledge. It is not only the agent's personal experience which is relevant to accurate sympathy, it is the spectator's as well. Since, as has been pointed out several

\textsuperscript{42} David Marshall, \textit{The Figure of Theater}, 179.  
\textsuperscript{43} TMS VII.iii.1.4.  
\textsuperscript{44} TMS I.i.4.10.
times, there is no direct acquaintance of emotions but only a sympathetic creation of
emotions based on inference, the spectator must have a distinct personal framework in
which to create the analogous emotion and an understanding of the limits of that
framework. It should be clear then, why education -- or an understanding of other
situations which we have not, as of yet, experienced -- is so important. Learning helps us
create a wider framework from which we can create analogous emotions. With a wider
range of knowledge, we have a wider range of sympathy. It is also clear why sympathy
is, at least in part, a rational process. If sympathy were purely emotive, education or
learning could have no influence. In order for education to have some effect, there must
be some component of rationality.

For Smith, sympathy forms the foundation of moral judgment. If one wants both
to make correct judgments and to act in a way that will be deemed proper by members of
society then one must refine and cultivate their capacity to sympathize. Moral judgments
are created by the interaction of the spectator, the impartial spectator which the spectator
and actor imagine, and the agent who is the focus of attention. When a spectator observes
an agent acting a certain way, he or she may assume the role of the impartial spectator in
order to determine what, given the nature of that actor and that situation, the proper act
should be. It is from this act that commentators infer the notion of impartiality as
universality. However, the anyone perspective of the spectator should be associated with
the act of observing and not with the act of impartiality. Raphael, in his 1975 essay "The
Impartial Spectator" writes:

"There are many passages in the *Moral Sentiments* which appear to me to come
from an early draft and which, like the manuscript lecture on justice, speak of
moral judgments as expressing the feelings, not of a 'spectator' but of 'us' or
'mankind' or 'other people' or 'the company' or 'strangers'. ('We' and 'mankind' are especially common.) The theory . . . begins from the spectator's point of view, but it does not need to stress the word 'spectator' at that stage. Nor does it need Adam Smith's special concept of the impartial spectator so long as it is confined to judgments made in the second or the third person. The spectator is 'indifferent' in the sense of not being an interested party, and he expresses a universal point of view in being a representative of any observer with any normal human feelings.45

Universality, then, is meant to refer to a type of equality of perspective, and not to a kind of neutrality. The spectator position can be adopted by anyone and given the human limitations of the spectator -- the limitations of a particular conception of rationality, any particular community based perspective and the various prejudices of a society -- the spectator will try to be as impartial and as unbiased as possible. Sympathy, in conjunction with impartiality, is not an attempt to find a universal conception of reason. "It does not claim to eliminate the arbitrariness of a decision but [simply] to limit it as much as possible."46

1.4 Moral judgment.

Smith uses sympathy to "explain two different kinds of moral judgment or approval. The first is a judgment about the 'propriety' of an action . . . the second is a judgment about an action's merit or demerit."47 If the impartial spectator, after entering into a situation from the perspective of the agent, shares similar sentiments or would act in the same manner as the agent, then Smith says that the spectator approves of the action -- the spectator sympathizes with the agent. If, however, the agent and spectator differ, then the spectator disapproves. The spectator also looks at the consequences of the action

47 Raphael, Adam Smith, 29.
and investigates who is affected by it and how they would react as a result. Based upon this, the spectator determines whether or not the agent should be rewarded or punished.

"The sentiments or affections of the heart from which any action proceeds and upon which its whole virtue or vice must ultimately depend, may be considered under two different aspects, or in two different relations; first, in relation to the cause which excites it, or the motive which gives occasion to it; and secondly, in relation to the end which it proposes, or the effect which it tends to produce.

In the suitableness or unsuitableness, in the proportion or disproportion which the affection seems to bear to the cause or object which excites it, consists the propriety or impropriety, the decency or ungracefulness of the consequent action.

In the beneficial or hurtful nature of the effects which the affection aims at, or tends to produce, consists the merit or demerit of the action, the qualities by which it is entitled to reward, or is deserving of punishment."48

In other words, Smith's spectator is both concerned with the rightness of an act in itself (the propriety) and the considerations of its consequences (merit and demerit). Shades of deontology (which is normally couched in terms of duty) can be seen in the concern of the impartial spectator as to whether, independent of the result, such an act was appropriate given the context which gave rise to it. Consequentialism, which is most often associated with utilitarianism, is represented by the effect which the action eventually has on those who are effected by it.

Smith is often categorized as a utilitarian but *TMS* is clearly not a utilitarian theory. In fact, Smith writes that utilitarian concerns play a very small role in moral judgment:

"The utility of those qualities, it may be thought, is what first recommends them to us; and, no doubt, the consideration of this, when we come to attend to it, gives them new value. Originally, however, we approve of another man's judgment, not as something useful, but as right, as accurate, as agreeable to truth and reality: and it is evident we attribute those qualities to it for no other reason

48 *TMS* I.i.3.5-7.
but because we find that it agrees with our own . . . . The idea of the utility of all qualities of this kind, is plainly an after-thought and not what first recommends them to our approbation.\textsuperscript{49}

"In the same manner as our sense of the impropriety of conduct arises from a want of sympathy, or from a direct antipathy to the affections and motives of the agent, so our sense of demerit arises from what I shall here too call an indirect sympathy with the resentment of the sufferer."\textsuperscript{50}

Smith argues that human beings, by nature, are endowed with:

"an original desire to please, and an original aversion to offend his brethren. She taught him to feel pleasure in their favourable, and pain in their unfavourable regard. She rendered their approbation most flattering and most agreeable to him for its own sake; and their disapprobation most mortifying and most offensive."\textsuperscript{51}

Human beings, therefore, want to sympathize with others and will act in accordance with those norms which society deems appropriate in order to enjoy the pleasure of mutual sympathy. Consequently, if an agent sees that spectators do not approve of his or her actions, then the agent will modify those actions to meet the approval of the spectators.

"The person principally concerned . . . longs for that relief which nothing can afford him but the entire concord of the affections of the spectators with his own. To see the emotions of their hearts, in every respect, beat time to his own, in the violent and disagreeable passions, constitutes his sole consolation. But he can only hope to obtain this by lowering his passion to that pitch, in which the spectators are capable of going along with him. He must flatten, if I may be allowed to say so, the sharpness of his natural tone, in order to reduce it to harmony and concord with the emotions of those who are about him."\textsuperscript{52}

An agent acts in a manner such that he or she will be accepted by the spectators of society because it is pleasing to do so. Members of society are conditioned to act in such

\textsuperscript{49} TMS I.i.4.4.
\textsuperscript{50} TMS II.i.5.2.
\textsuperscript{51} TMS III.2.6.
\textsuperscript{52} TMS I.i.4.8.
a way as to not only respond to negative or positive reinforcement, but to anticipate societal judgments in advance. A properly socialized agent, then, will anticipate or observe his or her own actions as an attempt to govern, in the place of society, those actions by imagining that he or she is the spectator and is impartially watching someone else act even though the action is his or her own:

"When I endeavour to examine my own conduct, when I endeavour to pass sentence upon it, and either to approve or condemn it, it is evident that, in all such cases, I divide myself, as it were, into two persons and that I, the examiner and the judge, represent a different character from that other I, the person whose conduct is examined into and judged of. The first is the spectator, whose sentiments with regard to my own conduct I endeavour to enter into, by placing myself in his situation, and by considering how it would appear to me, when seen from that particular point of view. The second is the agent, the person whom I properly call myself, and of whose conduct, under the character of a spectator, I was endeavouring to form some opinion. The first is the judge; the second is the person judged of. But that the judge should, in every respect, be he same with the person judged of, is as impossible, as that the case should, in every respect, be the same with the effect."53

In order to see ourselves, we must look through other people's eyes. However, in order to see through others, we must look through our own imagination. Consequently, we indirectly use our own imagination to judge ourselves. This connection has led V.M. Hope, in Virtue by Consensus, to claim that Smith's view of sympathy is both inconsistent and "overly egocentric."54 He writes:

"In the seventh part . . . arguing against self-love as a basis for moral-sentiment, he abandons this view. He there says correctly that sympathy ignores what one would oneself feel. But he makes no attempt to go back to revise his first original idea of becoming 'possessed', as it were, by the sentiments one thinks someone feels or must be feeling."55

53 TMS III.1.6.
55 Ibid. 90.
Hope argues that Smith is inconsistent in two ways. First, according to Hope, Smith argues in the first section of TMS that the agent's emotions possess or replicate the spectator and in book VII they do not. Second, Hope argues that Smith, in the early sections of TMS, describes the role of the spectator as putting him or herself into the agent's situation and then reacting as the spectator, whereas in the later sections, the spectator acts as if he or she were the agent.

Regarding the first charge of inconsistency (that of replication of emotions), Hope misunderstands Smith's claims. Smith does not argue in the early sections that the spectator is "possessed" by the emotions of the agent, he only argues that the imagination makes it "seem" as if it is so.56 As I have already shown, the emotions are simply analogous, they are the product of a comparison of similar emotions felt by the spectator, not the agent. Hope, in the above quote, must include the qualifiers "as it were," or "one thinks someone feels." These qualifiers are necessary because Smith is only referring to the appearance of an instantaneous transfusion of emotion and not any actual transfer.

It may be argued that Smith does imply some sort of possession or transfer of sentiments because he seems to claim that certain emotions can, in themselves, inspire sympathy in spectators. Smith does write, for example, that regarding grief and joy, "upon some occasions sympathy may seem to arise merely from the view of a certain emotion in another person. The passions, upon some occasions, may seem to be transfused from one man to another, instantaneously, and antecedently to any knowledge which excites them in the person principally concerned."57 Does this imply that grief and

56 TMS I.i.1.6.
57 TMS I.i.1.6.
joy are replicated in the spectator? No, it does not. According to Smith, it is only the "general idea of good or bad fortune" which "creates some concern for the person who has met with it . . . " and not the individual person's emotions regarding the good or bad fortune which an agent sympathizes with.58 Reacting to the general idea of a type of emotion and sympathizing almost instantaneously is not the same as being possessed by the emotion of the agent; it is still a result of the imagination which responds to the general idea of good or bad fortune and is still a product of the spectator's reason.

Regarding Hope's second charge of inconsistency -- that Smith only claims that the spectator sees things from the agent's perspective in book VII -- Smith does write that "the anguish which humanity feels therefore, at the sight of such an object, cannot be the reflection of any sentiment of the sufferer. The compassion of the spectator must arise altogether from the consideration of what he himself would feel if reduced to the same unhappy situation . . . ."59 This might make it appear as if the spectator was being affected and not just the agent. However, this comment is in the context of a discussion regarding both the role of the imagination and the imperfection of sympathy. Its goal is to highlight a particular aspect of sympathy and in doing so may appear more confusing than it should. It is preceded by the comment that we feel embarrassed for people even when they themselves do not feel embarrassed, and is followed by Smith's discussion about the possibility of sympathizing with the dead. The selection is meant to emphasize that sympathy is dependent on the imagination and is not meant to claim that the spectator does not enter into the situation as if he or she were the agent. The phrase is followed, in

58 TMS I.i.1.8.
59 Hope does not use this quote. I have chosen it because it seems to say what Hope is arguing. It is my contention that no quote could be chosen to completely represent Hope's position because it is, in fact, a misinterpretation (TMS I.i.1.10).
the same sentence, by the clause "and, what is impossible, was at the same time able to regard it with his present reason and judgment." "Reason and judgment," in this clause, refers to thoughts of the spectator and not those of the agent. It is a nod towards the rational impartiality which the spectator attempts to preserve. What constitutes that reason and judgment is the very ability to take on the role of the agent. If Smith is unclear about this, it is a result of leaving-out more specific details until later on and not inconsistency.

1.5 Smith's epistemology.

Is Smith, as Hope suggests, overly egocentric? Obviously, if Smith is right then he is not overly egocentric, he is accurate. Clearly, Smith is attempting to discuss the facts of how moral judgment are made and does not intend to offer normative claims regarding the justification of such judgments. Smith's philosophical enterprise is scientific in nature. Smith's conception of what constituted philosophy was somewhat different from today's understanding which is more of a clearly delineated discipline. As Campbell explains:

"In the eighteenth century, the term 'philosophy' and 'science' had a more general significance than they have today. These words were then used almost interchangeably of any systematic attempt to understand the world and man's place in it, whereas nowadays they tend to be taken as denoting distinct types of study with differing aims and methods. To ask of any piece of work 'is this philosophy or science?' is thus a question which would have been unintelligible to an eighteenth-century person."\(^{60}\)

There are two strands of *TMS* which Smith saw as distinct. The first is a discussion of the nature of virtue, the second is an inquiry asking "by what faculty in the

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\(^{60}\) Campbell, *The Science of Morals*, 25
mind is it, that this character, whatever it be, is recommended to us? Or in other words, how and by what means does it come to pass . . . "61 Most of TMS focuses on the second strand, the moral psychology of humans. It is only chapter VII, the part which Hope uses to charge inconsistency, which deals directly with normative moral theory. Regarding the rest, Smith writes:

"Let it be considered too, that the present inquiry is not concerning a matter of right, if I may say so, but concerning a matter of fact. We are not at present examining upon what principles a perfect being would approve of the punishment of bad actions; but upon what principles so weak and imperfect a creature as man actually and in fact approves of it."62

Nevertheless, due to the role of the imagination, Smith's attempts to describe moral psychology as it is, may appear, at first glance, to be overly egocentric. This is a direct result of the inability of individuals to share direct or privileged experiences and the resulting separation which Smith sees as fundamental: that of spectator and agent. As discussed above, human beings cannot have direct acquaintance with the sentiments of others, we can only infer what they might be. Any theory based upon the idea that we can not have any direct knowledge of the sentiments of others must be somewhat atomistic and egocentric in foundation. The person must filter his or her experience through that mechanism which he or she possesses that allows him or her to make sense of it. For Smith, we filter emotions through sympathy. Is this really more egocentric than other epistemologies which have been treated with more respectful consideration? For example, there are similarities between the role of Smith's individual imagination and the

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61 TMS VII.i.2.
62 TMS II.i.5.7.
role of Kant's categories of space and time which the mind uses to imposes order on sensory experience. This does not condemn us to solipsism.

1.6 Propriety and community standards.

Smith sees society as necessary to the moral development of any individual as well as any sense of self. He writes:

"Were it possible that a human creature could grow up to manhood in some solitary place, without any communication with his own species, he could no more think of his own character, of the propriety or demerit of his own sentiments and conduct, of the beauty or deformity of his own mind, then the beauty and deformity of his own face . . .

Our first idea of personal beauty and deformity are drawn from the shape and appearance of others, not from our own. We soon become sensible, however, that others exercise the same criticism upon us . . .

We begin, upon this account, to examine our own passions and conduct, and to consider how these must appear to them, by considering how they would appear to us in the same situation . . ."63

The natural progression from not seeing ourselves, to seeing others, to seeing ourselves through other's eyes, mixed with the realization that we are not always under constant view by another, leads Smith to claim that we do not merely desire praise and the self-satisfaction which arises from it. Instead, we desire praiseworthiness, and this idea of praiseworthiness is what humans strive for. If we were to desire only praise then any action, even if virtuous, would be, in our minds, worthless if no other person was present to praise us for it. Consequently, if we act towards praiseworthy actions, even if we are alone, we know that our actions are the proper ones.

"But the desire of the approbation, and this aversion to the disapprobation of his brethren, would not alone have rendered him fit for the society for which he was made. Nature, accordingly, has endowed him, not only with a desire of being

63 TMS III.I.3-5.
approved of, but with a desire of being what ought to be approved of; or of being what he himself approves of in other men. The first desire could only have made him wish to appear to be fit for society. The second was necessary in order to render him anxious to be really fit."

Our moral judgments are based upon our taking the role of an impartial spectator who represents the anyone who may be looking at us at any particular time. Our notion of duty arises from what we think this person would think and not from an abstract notion of absolute morality which is true for all, in all situations, regardless of the specific context.

Our ability to make rational, moral and accurate decisions is based upon our identification with the impartial spectator, with how clearly we can see through the spectator's eyes. When we have difficulty separating ourselves from our emotions, the spectator's vision is fuzzy, but when we are clear headed the spectator's vision is also clear. This distinction between seeing clearly and not seeing clearly is, once again, dependent on, among other things, education.

Smith argues that there are two points at which we examine our own acts, before we act and after we act. We tend to be biased in both cases but unfortunately we are the most biased when we need to be the least so (for example, when we are forced to make an important but highly charged decision). Consequently, our determination of the propriety of our actions is a result of an examinations of actions after the fact, when we are able to distance ourselves from the emotions and situations which caused them, and can be the most impartial. We compare our actions with the actions of others and we compare their respective outcomes to determine which was appropriate at the time and

64 TMS III.2.7.
65 TMS III.4.2.
which wasn't. This repeated observation of ourselves and others allow us to form general rules of conduct.

"It is thus that the general rules of morality are formed. They are ultimately founded upon experience of what, in particular instances, our moral faculties, our natural sense of merit and propriety approve . . . . We do not originally approve or condemn particular actions because upon examinations, they appear to be agreeable or inconsistent with a certain general rule. The general rule, on the contrary, is formed, by finding from experience, that all actions of a certain kind, or circumstance in a certain manner are approved or disapproved of."66

For Smith, general rules of conduct arise from examination of our actions and the reflection upon appropriate and inappropriate conduct, not the other way around. Only after the general rules are formed do we use them to judge actions. The general rules are constructs of earlier actions and are context dependent. This is a blatant rejection of the notion that there exists absolute, contextless *a priori* standards in which to judge ourselves, and would, if taken further, reject the notion that general rules of conduct are handed down, through revelation, by God or that they must necessarily apply equally, in the same manner, in every case, to every agent.

To summarize: Sympathy is the mechanism which allows individuals to share analogous emotions. A spectator cannot know the emotions of an agent. He or she can only observe the situation and determine what, given an understanding of the specifics of the situation and the predisposition of the agent, the agent would probably feel in a rational and unbiased moment as judged by the spectator. If the spectator approves of the agent's actions then the agents actions are proper or meritorious (or both).

When an agent acts, he or she is able to judge his or her own emotions by attempting to become the impartial spectator and evaluating whether or not this spectator

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66 TMS III.4.8.
would find the agent's actions or sentiments appropriate. The agent assumes the role of the impartial spectator in order to guide him or herself toward appropriate activity. After some time, and after observing the spectator's responses to repeated actions, the agent develops moral rules which will help guide all future actions.

Given Smith's system, an immediate objection comes to light. There are numerous instances when individuals act in a certain way and believe certain things which go against public opinion. If sympathy is a product of socialization, does that make moral rules relative? Furthermore, does this mean that people who go against society because of their own moral conviction deemed to be acting improperly?

Regarding the claim of relativism, to a certain extent moral rules as constructed by the agent are relative in so far as they are based upon community standards which may fluctuate. They are not relative in the sense that they are arbitrarily determined without any type of framework, nor are they irrational. Sympathy is an integration of both rational and emotive elements. It is emotive in so far as it is based upon the fellow-feeling of individuals and the pleasure of mutual sympathy. In part, it is rational because it is based on induction and education. Induction is required to determine the cause of the sentiment. Education is necessary to determine what properly constitutes relevant facts, especially what the agent would consider relevant facts even though an agent might have had an altogether different life-experience and appeal to an altogether different conception of rationality than the spectator. As discussed in Chapter two in regard to the work of Alasdair MacIntyre, although the foundations of any moral judgment may be based upon

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67 Luigi Bagolini, "The Topicality of Adam Smith's Notion of Sympathy and Judicial Evaluations", 102. Also, TMS part V.
relative community standards, this does not mean that the system is necessarily relative in any damaging sense.

While the public may regard an agent who holds different standards as acting inappropriately, it must be emphasized that Smith's moral psychology is a discussion of how moral judgments are made, and not what makes actions moral or immoral. A person acting against community standards is deemed to be acting inappropriately by the spectators of that community. Whether that person will always be viewed as acting improperly or not is dependent on how community standards change and how convincing that particular actor is in influencing the public. Smith is realistic. He knows that changes are difficult and hard, he also knows that the population is not always malleable:

"When he cannot conquer the rooted prejudices of the people by reason and persuasion, he will not attempt to subdue them by force; but will religiously observe what, by Cicero, is justly called the divine maxim of Plato, never to use violence to his country no more than to his parents. He will accommodate, as well as he can, his public arrangements to the confirmed habits and prejudices of the people; and will remedy as well as he can, the inconveniences which may flow from the want of those regulations which the people are averse to submit to. When he cannot establish the right, he will not disdain to ameliorate the wrong; but like Solon, when he cannot establish the best system of laws, he will endeavour to establish the best that people can bear."68

Society may disagree with the impartial spectator for numerous reasons. Perhaps the spectator is aware of information that the general public is not.69 Or perhaps "the spectators who surround us are not to be trusted to view us in a disinterested light or to sympathize with the most moral sentiments."70 As discussed above, the capacity for moral adjudication requires a process of socialization. A person who is raised in isolation

68 TMS VI.ii.2.16.
69 V.M. Hope, Virtue by Consensus, 101.
70 Marshall, The Figure of Theater, 189.
from all human contact would have no moral rules which would guide his or her actions. Yet even in society, each person's experience is unique. Since the moral rules which the agent observes are context dependent and based upon particular experiences, the impartial spectator which the agent imagines may have a different perspective than the community as a whole. In this case, it is the imagined spectator which is considered, by the person that imagines it, to be more of a reliable witness than the general public. It is the strength of the impartial spectator which gives those who challenge society's opinion the strength to do what they determine is virtuous in the face of adversity.71

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2.1 Commonality and the efficacy of sympathy.

In this section, in discussing the barriers to sympathy, I begin to focus explicitly on education (still in its widest sense). My method for doing so is to introduce the concept of inequality in order to show how some types of inequality and oppression are the result of the lack of sympathy and can be remedied through its cultivation.72 My ultimate goal (see chapter four) is to use Smith's moral psychology as a foundation for an inclusive liberalism. It is therefore essential that I begin to focus on political relationships which are damaging to a just society.

71 TMS III.2.32-33.
72 By "oppression", I mean the inappropriate violation of one party's liberty by another (as in the slave/slave-owner relationship).
The ability to sympathize is the hinge of Smith's system and its cultivation is necessary for good moral judgment. T.D. Campbell lists what he calls "the laws of sympathy." They are:

"(1) Passions which take the origin from the body are less easy to enter into than those which take their origin from the imagination . . . .
(2) It is difficult to sympathize with those 'passions which take their origins from a particular turn or habit of the imagination'. . . .
(3) It is easy to sympathize with pleasant emotions, difficult to sympathize with unpleasant ones . . . .
(4) Passions which are closer to the natural, that is to the normal state of the person sympathizing, are easier to enter into those which are far removed from it . . . ."74

Laws 1 and 2, are indicative of the role of education in Smith's system. Passions of the body (physical sensations such as pain, or being nauseous or ticklish) and passions of habit of the imaginations (emotional sensations such as love, or camaraderie) are more difficult to learn and passions of the body are extremely easy to forget. They are, therefore, much harder to sympathize with. Regarding bodily passions Smith writes:

"The true cause of the peculiar disgust which we conceive for the appetites of the body when we see them in other men, is that we cannot enter into them."75

"Nothing is so soon forgot as pain. The moment it is gone the whole agony of it is over, and the thought of it can no longer give us any sort of disturbance. We ourselves cannot then enter into the anxiety and anguish which we had before conceived."76

Regarding passions of the imagination, Smith writes:

73 The term 'hinge' is David Hume's. He uses it in the process of exposing an apparent contradiction between Smith's point that all sympathy is agreeable and that there are disagreeable types of sympathy. Smith addresses this contradiction in a footnote which appeared in the second and all subsequent editions (TMS I.iii.1.9.& Letter #36, from David Hume, 28 July, 1759. Adam Smith, Correspondences of Adam Smith Ed. E.C. Mossner and Ian Simpson Ross (Indianapolis: Liberty Press, 1987), p. 43).
74 T.D. Campbell, The Science of Morals, 98-101; the italics are found in the original.
75 TMS I.ii.1.3.
76 TMS I.ii.1.8.
"The imaginations of mankind, not having acquired that particular turn, cannot enter into them; and such passions, though they may be allowed to be almost unavoidable in some part of life, are always in some measure ridiculous. This is the case with the strong attachment which naturally grows up between the two person of different sexes, who have long fixed their thoughts upon one another. Our imagination not being run in the same channel with that of the lover, we cannot enter into the eagerness of his emotions."77

In rule number 4 ("by those passions which are deemed unusual"), Campbell is referring to the fact that for Smith, happiness is the natural state of humanity and is considered to be the "normal condition for most men." Sadness is, therefore, more difficult to sympathize with.78 If, for example, to be anxious would turn out to be the normal state as well, then, according to Smith, it would be more difficult to sympathize with calm people.

Smith may or may not be right in claiming that happiness is the natural state of human beings; on that I remain agnostic. However, the importance of the fourth law is seen when one examines its more general claim that people sympathize more easily with those with whom they share certain traits, or with those things which are deemed by the spectator to be "normal". The ease of sympathizing with cultural norms, and with those traits which people share, is indicative of the role of understanding which, in turn, allows spectators to enter easily into the context of the agent. Any lack of commonality must be balanced by the willingness of the agent to learn that which he or she does not know. Thus, we see the connection between the fourth law and education.

Consequently, I would like to propose an addendum to law number four which would serve as a more explicit account of its importance. It reads as follows: (4a) While it

77 TMS I.ii.2.1.
is more difficult to sympathize with those situations of which the spectator has no immediate experience, commonality (and the understanding which results) can often be learned.

In law (4a), "no immediate experience" means that the spectator has no personal knowledge, or has never lived through either the agent's situation or something similar enough to make the relevant concerns immediately clear. For example, if the agent is experiencing famine and the spectator has always experienced prosperity, it may be difficult for the spectator to enter into that particular situation to sympathize because the spectator may have difficulty in understanding a profound want of food or charity. Or, if the agent's child is in the army and the spectator has no children, then it may be more difficult for the spectator to understand the agent's fear for his or her children which may even surpass the person's patriotism or willingness to support the foreign policy which has created the war.

That "experiences can be learned" is meant to imply that facts and situations can be passed on through education, although different agents' conception of what constitutes education and what form that education might take may also differ. Education may either be through formal educational institutions, or it may be through informal channels (discussions with the agent, observation of the agent or others who would help to offer information about the agent not previously known), or it may contain elements of both. For law (4a), education should be taken at its widest meaning -- that things can be learned.
2.2 Class difference: the slave/slave-owner relationship.

For Smith, there is no "original difference" between individuals which would demand that talents be distributed unequally among them. Inequality of talents is primarily a social function which is fueled by class difference and the division of labor:

"The difference of natural talents in different men, . . . is not upon many occasions so much the cause, as the effect of the division of labour. The difference between the most dissimilar characters, between a philosopher and a common street porter, for example, seems to arise not so much from nature, as from habit, custom, and education. When they come into the world, and for the first six or eight years of their existence, they were, perhaps, very much alike, and neither the parents nor play-fellows could perceive any remarkable difference. About that age, or soon after, they come to be employed in very different occupations. The difference of talents come then to be taken notice of, and widens by degree, till at last the vanity of the philosopher is willing to acknowledge scarce any resemblance."

Smith also argues that the apparent class difference is as much a consequence of the day to day experiences which the different classes may (or may not) share than the product of sheer wealth inequality. Conceivably, if the upper classes and lower classes mingled in day to day life, the difficulties could be overcome.

"A man of great fortune, a nobleman, is much farther removed from the condition of his servant than a farmer. The farmer generally works along with his servant; they eat together, and are little different. The disproportion betwixt them, the condition of the nobleman and his servant, is so great that he will hardly look on him as being of the same kind; he thinks he has little title even to the ordinary enjoyment of life, and feels but little for his misfortunes. The farmer on the other hand considers his servant as almost on an equal with himself, and is therefore the more capable of feeling with him. These persons must excite our compassion and are most apt to affect put sympathy who most resemble ourselves, and the greater the difference the less we are affected by them (the same will be the case with slaves)."
Smith uses the example of slave/slave-owner to develop his concept of class difference. The slave owner, according to Smith, is much too far removed from the day to day life of a slave to sympathize with the emotions felt by the slave. In addition, any attempt to sympathize would only lead towards pain and self-condemnation for the slave owner. How can a person possibly understand the pain of oppression if they themselves are the oppressor? Wouldn't that involve hating oneself? This would seem necessarily so especially since "when we see one man oppressed or injured by another, the sympathy which we feel with the distress of the sufferer seems to serve only to animate our fellow feelings with his resentment against the offender."\textsuperscript{82}

Smith claims that any fellow-feeling towards those who are suffering will naturally result in disapproval of the cause of the suffering if the suffering is unjustly caused. The slave owner is the person causing the suffering. If the slave owner acted as spectator towards a slave, the slave owner would adopt the attitude of the slave and would subsequently feel animosity towards him or herself.\textsuperscript{83} Smith takes this further by explaining that acceptance of emotions through sympathy is a form of adoption and approval towards the agent's emotions:

"To approve of another man's opinion is to adopt those opinions, and to adopt them is to approve of them. If the same argument which convinces you convince me likewise, I necessarily approve of your conviction, and if they do not, I

\textsuperscript{82} TMS II.i.2.4.

\textsuperscript{83} There is a potential difficulty given this view. Since analogous emotions are always imperfect, the self-hatred would necessarily be of a lesser degree than the original hatred felt by the slave. It is therefore necessary for those who wish to convince the slave-owner to change his or her practices to ensure that the information which the slave-owner learns is powerful enough that the slave-owner will feel enough self-hatred to change his or her ways. This should be taken as a general observation regarding all oppressive relationships. The greatest difficulty is rarely liberation. Escape, or violence are often mechanisms in which to achieve freedom (although they do not guarantee permanence). It is much more difficult to convince the oppressors to understand the oppression and to change their ways. With this shift in attitude comes both liberation and prevention of further oppression.
necessarily disapprove of it: neither can I possible conceive that I should do one without the other.84

V.M. Hope disagrees with Smith on this point. That Smith argues that approval and adoption of opinions are the same is, according to Hope, "plainly silly." He writes:

"To approve of someone's opinion for the truth is not to approve of its coincidence with one's own, as if truth and such coincidence were the same. Moreover, one can approve of someone because one takes a sympathetic interest in him, though he has different tastes and beliefs. Members of different political parties can approve of each voting according to his convictions. What is right for a brave man may not be for a timid one. This is no reason for a timid man not to approve of or judge appropriate a brave man's actions, nor conversely, for a brave man not to approve or judge appropriate a prudently timid one."85

Hope is mistaken in citing the counter-examples he does; his explanations are too simplistic. When political opponents approve of each other's voting according to their conscience despite their opposition on specific issues or candidates it is because they are approving of what they share (and what they both have adopted): the belief that one should vote following one's conscience. That the two consciences represent two different opinions is shown by their inability to adopt the political position of the other. Often, such disagreement is a matter for not only lack of sympathy, but also for disgust, contempt and hatred. The proverbial agreement to disagree is simply the adoption of mutual tolerance and such tolerance, by definition, includes a certain degree of disapproval.

The same is true of the view of the brave towards the timid although given the nature of Smith's spectator theory, it is a bit more complex than the previous example. Many brave people look down upon timid people with contempt, and certainly many

84 TMS I.i.3.2.
85 V.M. Hope, *Virtue by Consensus*, 91.
timid people wish they had the self-command to be brave and look towards themselves with disgust. The latter is the process of self-examination, of splitting oneself in two and taking-on both the role of impartial spectator and agent.

It is certainly possible, as Hope suggests, that a brave spectator could approve of an agent not acting with the same disregard for the consequences that the spectator him or herself had because the agent's situation in life is different. However, this is the product of the spectator entering the situation of the agent and being aware of the complexities which may define the agent's situation. That a person with dependents (i.e. spouse and children) forgoes the role of "hero" and still feels no public- or self-reproach is a product of understanding that sometimes it is more appropriate to give up certain types of acclaim in order to fulfill the responsibility of serving one's family. In this instance, the unattached spectator approves of the actions of the family-oriented agent without appearing to adopt this view because he or she knows that if the situation were reversed, if the spectator did have family commitments and did share the context of the agent, then the spectator would also not take the risk involved. The spectator did adopt the sentiments of the agent, only he or she adopted it in a hypothetical, rather than actual, situation.

Once again, the clue leading us towards this criticism of Hope is found in Hope's own writing. To be 'prudently timid' (as he calls it) is not to act out of cowardice. It is to examine the situation and to determine that the situation is such that acting rashly is not appropriate. If the spectator does agree with this solution, then he or she does adopt a shared sentiment; the spectator approves of the agent's prudence. For Smith, adoption and approval are the same thing. When two people appear to sympathize yet not adopt the
same sentiments, it is because the spectator understands the context of the situation which
the agent finds him or herself in. The spectator and agent are adopting analogous
sentiments although sometimes, which sentiment they share may not be immediately
obvious.

As a result of the relationship between approval and adoption, the slave-owner
cannot possibly sympathize with the slave. Even if the difference in experience were
reconcilable, the self-hatred which would be imposed on the slave-owner would act as a
motive against any further sympathetic attempts. Smith describes a vicious circle:
"Dislike and hatred harden us against all sympathy . . . "86 and lack of sympathy causes
dislike and hatred:

"But if you have either no fellow-feeling for the misfortunes I have met with, or
none that bears any proportion to the grief which distract me, or if you have either
no indignation at the injuries I have suffered, or none that bears any proportion to
the resentment which transports me, we can no longer converse upon these
subjects. We become intolerable to one another. I can neither support your
company, nor you mine. You are confounded at my violence and passion, and I
am enraged at your cold insensibility and want of feeling."87

However, there is an even more fundamental cause for the lack of sympathy
between slave and slave-owner. Analogous emotion springs up from the context and
cause of the emotion and not simply the presence of the emotion in the agent. Therefore,
in order to have analogous emotions, the spectator and the agent must feel similar in
regards to the cause:

"Before we can adopt the resentment of the sufferer, we must disapprove of the
motives of the agent, and feel that our heart renounces all sympathy with the
affections which influence his conduct."88

86 TMS II.i.1.2.
87 TMS I.i.4.5.
88 TMS II..i.4.3.
and

"That wherever the conduct of the agent appears to have been entirely directed by motives and affections which we thoroughly enter into and approve of, we can have no sort of sympathy with the resentment of the sufferer how great soever the mischief which may have been done to him."89

Consequently, for the slave owner to understand the slave's situation, the slave-owner must either hate slavery or understand what it means to hate it. The slave-owner must hate or understand the hatred of oppression, and once again, if the slave-owner hated the very acts which he or she engages in, the slave-owner would be compelled to hate him or herself.

We have seen that the spectator's analogous emotion springs not from the agent but from the cause of the emotion, and regardless of how capable the spectator is of understanding the sympathy, the analogous emotion will always fall short of the emotion of the agent:

"After all this time, however, the emotions of the spectator will still be very apt to fall short of the violence of what is felt by the sufferer. Mankind, though naturally sympathetic, never conceives, for what befallen another, the degree of passion which naturally animates the person principally concerned."90

In addition, any common emotion between the spectator and the agent must be based, at least in part by what each regards as a common feeling and understanding between spectator and agent:

"The man who resents the injuries done to me, and observes that I resent them precisely as he does, necessarily approves of my resentment. The man whose sympathies keep time with my grief, cannot but admit the reasonableness of my sorrow . . . On the contrary, the person who, upon these different occasion, either

89 TMS II.i.3.3.
90 TMS I.i.4,
feels none that bears any proportion to mine, cannot avoid disapproving my sentiments on account of their dissonance with his own." 91

It is worth noting to the American reader that Smith does not equate the slave/slave-owner relationship with any particular racial configuration. That history is such that in early America the African black was the slave and the European white was the master is simply a detail. It is perfectly appropriate for the reader to use the slave/slave-holder relationship as a particular of the more general oppressor/ oppressed relationship given the role of sympathy in rectifying oppression. Smith is extremely clear about the conditions for subordination. He explains that there are four conditions which determine a person's place in the social hierarchy:

"The first of these causes or circumstance is the superiority of personal qualities, of strength beauty, and agility of body; of wisdom and virtue or presence, justice, fortitude, and moderation of mind. The second of the circumstance is the superiority of age . . . the third . . . is the superiority of fortune (authority of riches) . . . the fourth is the superiority of birth."92

It is certainly arguable that in contemporary American society some of these qualifications are denied to certain classes; superiority of fortune and superiority of birth especially. However, should the availability of those qualifications change, it is easily conceivable that those who are now denied such qualifications could be responsible for denying them to others.

It is not the condition of particular racial or gender lines that determines oppression, it is the hierarchy of society which does so. In turn, it is not the racial or gender differences which interfere with sympathy, it is the hierarchy of society. Political bias towards or against any particular race, class, gender, etc. may change as politics

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91 TMS I.i.3.10.
92 WN V.i.b.
does. Furthermore, in light of Smith's comments regarding the inability of the slave owner to sympathize with the slave, it can be concluded that given people's propensity towards mutual sympathy, cultivating sympathy between oppressor and the oppressed would help reduce the amount of oppression because the oppressor, in an effort to avoid hating him or her self, would lower the pitch of their oppressive action.

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3.1 Synthesizing *WN* and *TMS*.

In this section, I will argue that for Smith, the solution to mending the harm inherent in the divisions of (what he believes to be) the necessary hierarchy of society is the cultivation of sympathy through education. My goal is to show that the seemingly distinct view of education in *WN* (to rectify the boredom and ignorance forced upon laborers as a result of the division of labor) is identical to the role of education in *TMS* (the cultivation of sympathy) even though the language and context are different. It is important to make clear that at this point in my discussion, the emphasis will now be placed specifically on the institutions associated with education as opposed to the more general sense in which I have been using the term 'education' since the beginning of this chapter. This is in no way intended to negate my earlier claim that the attempt to understand and learn the situation of others as well as the attempt to look at situations from a different and impartial perspective are both aspects of education. It is only to remark that many of these methods may not be, explicitly, institutionalized.

Compared to other aspects of his work, there is almost no discussion regarding Smith's view of education in the secondary literature. Although virtually every study on
Smith's moral theory attempts to offer a detailed account of sympathy and conscience, very few of the works address the necessary connection between the cultivation of sympathy and institutionalized education. I can only presume that a major reason for this neglect is that Smith's discussion is found in *WN* and not in *TMS* whereas discussions of sympathy must focus on the latter not the former.

Smith's discussion of the institution of education in *WN* is divided into two parts, the first of which is a discussion titled "Of the Expense of the Institution for Education of Youth", the second of which is titled "Of the Expense of the Institutions for the Instruction of People of all Ages." The two main differences between the discussions are that the latter type of education has a wider range of influence than the former and that the latter focuses on education regarding the after-life, whereas the former focuses on more secular themes. There is certainly overlap regarding the two. Both systems maintain the main responsibility of the cost of education to be primarily (but not exclusively) deferred among those who are the most obviously effected. Both see education as essential to moral development which, although there is no explicit reference, relates the practice of education to the process of sympathy. It is this lack of reference to sympathy throughout *WN* which makes the "Adam Smith Problem" appear believable. Peter Minowitz writes that "Smith's two books are not easily synthesized, and there is not a single word in *The Wealth of Nations* which would lead the reader to *The Theory of Moral Sentiments". Minowitz is correct. There are very few words which

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93 *WN* V.i.f.
94 *WN* V.i.g.
95 *WN* V.i.g.
demand cross-referencing (two exceptions are Smith's references to Solon, and to the invisible hand). The language of sympathy is well camouflaged in WN; sympathy is never mentioned. However, this does not necessitate a contradiction. I hope to make clear in the remaining portion of this chapter that by analyzing WN with the concept of sympathy in mind, the reader is easily led from one work to the other. Not only are the two not mutually exclusive, but they are inter-related, inter-dependent, and require an understanding of each other in order to fully appreciate the individual works themselves.

*WN* has one paragraph which deals explicitly with the institution of education. It reads:

"The education of boys at distant great schools, of young men at distant colleges, of young ladies in distant nunneries and boarding-schools, seems in the higher ranks of life, to have hurt most essentially the domestic moral and consequently, the domestic happiness, both of France and England. Do you wish to educate your children to be dutiful to their parents, to be kind and affectionate to their brothers and sisters? put them under the necessity of being children; educate them in your own house. From their parent's house they may, with propriety and advantage, go out everyday to attend public schools: but let their dwellings be always at home . . . Surely no acquirement, which can possibly be derived from what is called a public education, can make any sort of compensation for what is almost certainly and necessarily lost by it . . . ."\(^{97}\)

The above selection is from book VI of the *TMS* which first appeared in the sixth edition rewrite published in 1790. *WN* had already been written -- it was first published in 1776 -- and also has a passage which shares this perspective:

"In England, it becomes every day more and more the custom to send young people to travel in foreign countries immediately upon leaving school, and without sending them to any university. Our young people, it is said generally returns home much improved by their travels . . . . In the course of his travels, he generally acquires some knowledge of one or two foreign languages; a knowledge which is seldom sufficient to enable him either to speak or write them with propriety. In other respects he commonly returns home more conceited, more

\(^{97}\) TMS VI.ii.1.10.
Smith observes that education in public schools, as well as studying abroad too early, makes children lose their sense of family, become conceited, more unprincipled and incapable of serious application. In essence, they lose their power of self-command which, according to Smith, is one of the most important virtues. "Self-command is not only itself a great virtue, but from it all the other virtues seem to derive their principle lustre." Without self-command one is unable to temper their own action to meet the sympathy of the impartial spectator. One is thereby unable to make accurate moral judgments. It is Smith's argument that education is the security which ensures that students remain virtuous; an inadequate education results in the deprivation of moral capabilities. Separation from the educational institution, in combination with separation from the familial structure which also enforces virtuous activity, is often too much for young people and they begin to lose hold of the lessons that they have learned regarding

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98 WN V.i.f.36.
99 TMS VI.iii.2.12.
100 In LJ(A) Smith writes: "During all this time the child being dependent on the parent is obliged in many instances to yield its will to theirs, to bring down its passions and curb its desires to such a pitch as they can go along with, and by this means in its very infancy a chief and most essential part of education, without which being first implanted, it would be in vain to attempt the instilling of any other... This lesson is learned by all children, even by those of the most profligate and wicked parents." (LJ(A) iii.5-6) The tone of this selection is quite different in the second set of lectures, education is couched in utility. He writes: "We may observe an utility in this constitution of our nature, that children have so long a dependence upon their parents, to bring down their passions to theirs, and thus be trained up at length to become useful members of society. Every child gets this piece of education, even under the most worthless parent." (LJ(B) 102.
moral behavior. Education solidifies the moral lessons which stem from our judgment which, of course, are the result of our capacity to sympathize.

3.2 Evaluating the quality of education through moral judgment.

Education is so fundamental to the development of moral judgment that one can judge the quality of the educational system by examining the moral activities of those who participated in it. Smith highlights this relationship by comparing the ancient Greek and Roman methods of education: two cultures which are used to represent excellence for Smith, so much so, that "our prejudice is perhaps rather to over rate them." According to Smith, every citizen in ancient Greece was educated in the study of gymnastics, music, reading, writing and "account" according to what was known of mathematics at the time. Rome educated its youth in reading, writing, "account" according to what was known of mathematics at the time, and gymnastics -- leaving out music.

"Among the Romans there was nothing which corresponded to the musical education of the Greeks. The morals of the Romans, however, both in private and public life seem to have been, not only equal, but upon the whole a good deal superior to the Greeks . . . it seems probable that the musical education of the Greeks had no great effect in mending their morals since, without any such education, those of the Romans were upon the whole superior." Smith does not compare the capacity of the two societies to sympathize even though he is comparing their moral development, yet the reader should already know that sympathy is the foundation of moral development. Each society is presumed to have the capacity to sympathize because such a potential is universal. What makes the difference

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101 WN V.i.f.45.
102 WN V.i.f.39 & 42.
103 WN V.i.f. 40 & 42.
104 WN V.i.f. 40.
between inferior and superior moral systems is not sympathy but the tool which cultivates and allows sympathy to act to its full potential. Here Smith is arguing that this tool is education.

In the context of the history of education, Smith reminds us that "In every age and country of the world men must have attended to the characters, designs, and actions of one another, and many reputable rules and maxims for the conduct of human life, must have been laid down and approved of by common consent." There are two points in this selection which find their origin in TMS, first that morality is based on approval, and second that moral rules were laid down and approved -- that moral rules are context dependent. As Raphael and Macfie, the editors of the Glasgow edition of the TMS, write in a footnote:

"One of the main features of the TMS is the interest shown in the question of the way in which we form judgments concerning what is fit and proper to be done and avoided. Smith went on from this basis to argue that our ability to form judgments in particular cases enables us to form some notion of general rules of morality. Smith indicated that the content of general rules was a function of experience, and that they would be found in all societies. See TMS III, especially 4 and 5."

Smith explains that writing, immediately upon its invention, was used as a tool to enumerate and elucidate the rules of morality but that it was the philosophers who attempted to systematize them. He elaborates on the ancient division of philosophy into three sections (natural philosophy, moral philosophy, and logic) then laments the mistake of the Europeans universities in extending that division to five (adding ontology

105 WN V.i.f.25.
106 WN p. 768ff.
107 WN V.i.f.25.
and metaphysics). He concludes with a scathing indictment of the European university then counters with his history of Greek and Roman education as described above. By highlighting historical development, Smith once again shows how changes in education have resulted in changes of moral standards. Without proper education, moral development is severely impeded.

According to Smith, the lack of education is as much a barrier to being sympathized with as being able to sympathize. Those without education are both looked upon with contempt and are denied happiness. Comparing two individuals, one who is "mutilated of the mind" and one who is "mutilated of the body", Smith writes that the one who is mutilated of the mind "is evidently the more wretched and miserable of the two, because happiness and misery, which reside altogether in the mind, must necessarily depend more upon the healthful or unhealthful, the mutilated state of the mind, than upon that of the body." The person who is denied education is denied ease of sympathy. Campbell's fourth law of sympathy has already shown that it is much more difficult to sympathize with unusual rather than usual sentiments. Since Smith considers happiness to be the "normal condition for most men," and those who are denied education are denied happiness, then those who are denied education are denied the ease of mutual sympathy and the opportunity to live life as a normal person.

Smith advised against sending students abroad immediately after university. It seems clear that, at least in the present day, parents' motivation for doing this would be to

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108 WN V.i.f. 25-29.
109 WN V.i.f.28-37.
110 WN V.i.f.61.
111 WN V.i.f.60.
expose their children to different perspectives and a wider range of information. Travel abroad helps students to learn languages and look at the world with a more critical eye. It can be supposed that many parents believe that by remaining in one location or one occupation from very early on, a child will develop prejudices which he or she will be unable to see through. Even though Smith is critical of the schedule and method of countering such prejudices, he certainly agrees with the belief that motivates a parent to send their children abroad. Smith argues that most people are surrounded by the same experiences day after day. Industrialization and regular employment only complicate matters:

"... the understandings of the greater part of men are necessary formed by their ordinary employments. The man whose life is spent performing a few similar operations, of which the effects too are, perhaps, always the same, or vary nearly the same, has no occasion to exert his understanding, or to exercise his invention in finding our expedience for removing difficulties which never occur ... But in every improved and civilized society this is the state in which the laboring poor, that is, the great body of the people must necessarily fall, unless government takes some pains to protect it."\(^\text{112}\)

Smith argues that in less advanced societies -- those which "precede the improvement of manufactures, and the extension of foreign commerce"\(^\text{113}\) -- institutionalized education was not as necessary as in his own time. In earlier societies, each person did a wide variety of activities and cultivated numerous different skills. Consequently, in these societies, "invention is kept alive and the mind is not suffered to fall into that drowsy stupidity, which, in a civilized society, seems to benumb the understanding of almost all the inferior ranks of people."\(^\text{114}\) Each person in these societies

\(^{112}\) WN V..i..f.
\(^{113}\) WN V.i.f.51.
\(^{114}\) WN V.i.f.51.
is part warrior and part statesman and can "form a tolerable judgment concerning the interest of the society, and the conduct of those who govern it."\textsuperscript{115} According to Smith, although there is variety in the lives of the individual in this society, there is not much variety in the lives of the various members of society as compared with one another. "Every man does, or is capable of doing, almost everything which any other man does, or is capable of doing."\textsuperscript{116} It is easy for a spectator to sympathize with an agent whose situation he or she is familiar with.

In non-commercial societies, mutual sympathy is much easier since, in these societies, the spectator need not face wide gaps in experience, beliefs or actions. Compare this with the structure of commercial society: "In a civilized state . . . though there is little variety in the occupations of the greater part of the individuals, there is an almost infinite variety in those of the whole society."\textsuperscript{117} The infinite variety of situations makes sympathy much more difficult and it makes education that much more necessary.

As discussed above, the class differences in commercial society are great barriers to mutual sympathy. People of the upper classes have time for leisure, education and speculation, yet the lower classes "have little time to spare for education."\textsuperscript{118} Their lives are a struggle. Their parents barely have enough money for subsistence and their occupation is monotonous, simple, and gives "little exercise to the understanding."\textsuperscript{119} People of the upper classes, due to fortune and leisure, have the ability to cultivate their capacities to sympathize, yet the lower classes have no such opportunity. Consequently, it

\begin{thebibliography}{99}
\item \textsuperscript{115} WN V.i.f.51.
\item \textsuperscript{116} WN V.i.f.51.
\item \textsuperscript{117} WN V.i.f.51.
\item \textsuperscript{118} WN V.i.f.53.
\item \textsuperscript{119} WN V.i.f.53.
\end{thebibliography}
is the burden of class difference which Smith hopes to ease without abandoning either the
market-system or the class difference which he claims are necessary for civil society by
advising that the society as a whole pay for the education of the poor.\textsuperscript{120} He writes:

"But though the common people cannot, in any civilized society, be so well
instructed as people of some rank and fortune, the most essential parts of
education, however, to read, write, and account, can be acquired at so early a
period of life, that the greater part even of those who are o be bred to the lowest
occupations, have time to acquire them before they can be employed in these
occupations. For a very small expense the publick can facilitate, can encourage,
and can even impose upon almost the whole body of people, the necessity of
acquiring those most essential parts of education."\textsuperscript{121}

\textit{WN} is, first and foremost, a book concerning itself with the maintenance of a
capitalist society (not Smith's term); a society which allows perfect liberty for
individuals.\textsuperscript{122} By perfect liberty Smith means, freedom from restraint, freedom of
contract and freedom to "change his trade as often as he pleases."\textsuperscript{123} In other words, each
person is free to pursue their own interest in their own way as long as they don't violate
the laws of justice.\textsuperscript{124} Perfect liberty should also be understood as including religious
liberty since, although Smith does have a heavily qualified discussion regarding the
control of fanaticism (as we shall soon see), he does argue that "articles of faith, and
other spiritual matters . . . are not within the proper department of a temporal
sovereign."\textsuperscript{125}

\textsuperscript{120} "Civil government supposes a certain subordination. But as the necessity of civil government grows up
with the acquisition of valuable property, so the principle causes which naturally introduce subordination
gradually grow up with the growth of that valuable property" WN V.i.b.3. "Where there is no property, or
at least none that exceeds the value of two or three days labour, civil government is not necessary." WN
V.i.b.3.
\textsuperscript{121} WN V.i.f.54.
\textsuperscript{122} WN I.vii.6.
\textsuperscript{123} WN I.vii.6.
\textsuperscript{124} WN IV.ix.51.
\textsuperscript{125} WN V.i.g.18.
WN is concerned with political economy: the efficient means of financially promoting and upholding the society which allows for perfect liberty. The propagation of a state must be maintained by the sovereign, the ruling body of the state. However, ensuring that political liberty and efficient political economy are achieved will necessarily make the sovereign more powerful than the average citizen and may infringe upon that citizen's choices. Consequently, the citizen's natural liberty must be protected by limiting the role of the sovereign and insuring true fluctuations of the market which, in turn, produces perfect liberty.
3.3 Education as a public good.

Smith sees the sovereign as having only three duties, (1) to protect the society from violence and invasion by other societies; (2) to protect every member of the society from the injustice or oppression of every other member ("administration of justice"), and, (3) the duty of erecting and maintaining public works institutions whose cost is too great and whose benefit is too small for an individual or small group. These goods include armies, police, public works, public schools and religious education.

The defense of society and the chief magistrate should both be publicly funded through taxation. Their existence affects everyone so each person should contribute. Although this argument may also apply to the administrator of justice, the main financial burden should fall upon those who "make it necessary to seek redress or protection from the courts of justice," and "those whom the courts of justice either restore to their rights, or maintain in their rights." Only in those instances where those convicted do not have the available funds to pay should society as a whole carry the burden.

Cost incurred by local towns and provinces should be paid for by the members of the town or province which incur them and not the general community. The maintenance of roads and communications should be contributed to by the community as a whole but more so by those who use them "directly and frequently". Smith does make one interesting qualification. It would make sense to assume that since one pays taxes to repair wear and tear, and that since Smith recommends those who use the roads most

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126 WN IV.ix.51.
127 WN V.i.i.1.
128 WN V.i.i.3.
129 WN V.i.d.
should pay the most, then Smith would recommend that tolls and taxes should be based upon weight. The heavier the weight of the cargo, and the more wear and tear on the road, then the more the cargo should be taxed. However, Smith argues explicitly against this method. Since, ultimately, it is the consumers who pay the taxes on cargo when they purchase the goods, cargo should be charged according to value not weight. Light but precious goods should be charged more than heavy but inexpensive goods otherwise more of the burden of repair would be placed on the poor rather than the rich even though the poor are the least able to pay for it.\footnote{\textsuperscript{130}}

It is a mistake to consider \textit{WN} as purely \textit{lassez faire} without regard for economic inequalities.\footnote{\textsuperscript{131}} Smith does, throughout the work, provide prescriptions which help reduce the increasing divisions between classes. In both instructions for taxation listed above, maintenance of the court system and maintenance of the road, Smith offers a method which allows the burden of cost to be lifted from those who are unable to contribute. Smith's recommendations regarding dispersal of the cost of education for the poor is neither inconsistent nor should it be surprising.\footnote{\textsuperscript{132}}

\footnote{\textsuperscript{130}} WN V.i.d.13. One might also argue that road taxes should be based on frequency of use. Smith's response could still be the same.
\footnote{\textsuperscript{131}} For example, West in \textit{Education and the State}: writes: "State education, [Smith] contended, was required mainly as an antidote to this new environment [the factory system and division of labor]. This case is put forward in Book V of \textit{The Wealth of Nations} where he examines the several duties of government... The passage has often been referred to by historians of education, and they are naturally more interested in this particular part of \textit{The Wealth of Nations} than in others. To economists, however, who are just as interested in many other sections of the work and especially in Book 1, [this] comes as a strange surprise. For all the many references to the division of labour elsewhere in the work are made with abundant enthusiasm and optimism. Indeed a careful comparison with certain phrases in Book 1 reveals an obvious inconsistency..."
\footnote{\textsuperscript{132}} Smith does offer an extended discussion regarding the cost of education for particular professions as compared to the salary of that education (as well as the variety of subjects of study required for several specific occupations). The expense of much trade-education, he argues, can be covered by the employer or the apprentice with an eye towards the future and will, in many cases, by returned to those who are willing to make the expense. See LJ(A)vi.60-67. This discussion is also present in a much more abbreviated form in WN. Smith writes: "When any expensive machine is erected, the extraordinary work to be performed by
The two remaining public goods are institutions for education and institutions for religious study, although they are both considered to have educational purposes. Ensuring education is not simply ensuring any education, it is to ensure quality education, and to do such a thing, Smith feels incentives are necessary. Therefore, rather than be salaried or tenured, Smith believes that educators should be paid per student or per achievement and that each student should have the opportunity to choose the educator whom they wish to study under. Educational liberty, as I choose to call it, or opening the educational sphere to the free market, will weed out, Smith believes, the less able educators and ensure that each person gets the best education that he or she desires. Educators must engage in work of a "known value" among free competition with others competing for the same employment and will, as a result, be motivated to "work with a certain degree of exactness."  

Furthermore, public education is, according to Smith, of much lesser quality than private education. In ancient Rome, unlike in Greece, there was no public law school yet the Roman system proved itself much superior. Additionally, in Smith's time, since there was no public education for women, and since women were to be educated in the it before it is worn out, it must be expected, will replace the capital laid out upon it, with at least the ordinary profits. A man educated at the expense of much labour and time to any of those employments which require extraordinary dexterity and skill, may be compared to one of those expensive machines. The work which he learns to perform, it must be expected, over and above the usual wages of common labour, will replace him the whole expense of his education, with at least the ordinary profit of an equally valuable capital. It must do this too in a reasonable time, regard being had to the very uncertain duration of human life, in the same manner as to the more certain duration of the machine." (WN I.x.b.6. It is important to note that this type of education is of a very specific character and should only be viewed as a small component of education as I have defined it.  

This point -- that quality education can be ensured by the free-market -- is important to emphasize. Smith avoids any adherence to any explicit philosophy of education. For the most part, he leaves the judgment of what constitutes quality up to the consumers of the free-market and society as a whole. Those teachers who are deemed to be of high quality will continue to have students who are willing to pay their fees, the teachers of poor quality will drop out.  

WN V.i.f.4.  

WN V.i.f.44.
home by their parents and guardians, there is "nothing useless, absurd, or fantastical in the common course of their education . . . . In every part of her life a woman feels some conveniency or advantage from every part of her education. It seldom happens that a man, in any part of his life, derives any convenience or advantage from some of the most laborious and troublesome parts of his education."\textsuperscript{136}

It is the state's obligation to protect the "great body of people" and to help them "exert their understanding." To fulfill this responsibility, the sovereign must educate the masses. Smith believes, therefore, that the state should provide incentives to encourage study. He recounts (without commitment, but also without criticism) ancient Rome's state requirement that independent of the lack of public schools, the "citizen should fit himself for defending [Rome] in war."\textsuperscript{137} He also writes (again, with no explicit commitment yet with a certain sense of approval) of the "law of Solon" that those children who were not educated were released from the responsibility of caring for their parents during their old age.\textsuperscript{138} Education seems to be some sort of continuity between generations; a contract, if you will, that represents the responsibilities of parent to child.

Smith mentions Solon twice in his published works, once in \textit{WN} (at the location above) and once in \textit{TMS} during a discussion of how the statesman, when unable to provide a perfect system of laws, should still aim to provide the best possible laws he or she can.\textsuperscript{139} In both instances, the use of Solon highlights an imperfection. It is an indication of Smith's belief that although his system is not perfect, by maintaining some

\textsuperscript{136} \textit{WN} V.i.f.47.  
\textsuperscript{137} \textit{WN}. V.i.f.41.  
\textsuperscript{138} \textit{WN} V.i.f.43.  
\textsuperscript{139} \textit{TMS} VI.ii.2.16.
semblance of an education for all, the quality of society will always push towards the better as opposed to the worse.

For Adam Smith, education helps bridge the gap between the classes. It is a necessity which both the wealthy and the poor should have access to. The wealthy will be compelled to educate themselves and their children by status and reason. They should pay their own way (and the way of their children). In contrast, the poor will be paid for by the state: "For a very small expense the public can facilitate, can encourage, and can even impose upon almost the whole body of the people, the necessity of acquiring those most essential parts of the education." The cost of education for the poor will be balanced. The society, as whole, will contribute money but in order to ensure competition and quality of education, those who attend school will also be required to pay a small fee to their teachers:

"The publick can facilitate this acquisition by establishing in every parish or district a little school, where children may be taught for a reward so moderate, that even a common labourer may afford it; the master being partly, but not wholly paid by the publick, because if he was wholly, or even principally paid by it, he would soon learn to neglect his business."

Smith seems to be of mixed feeling regarding mandating that education be required for all. Although he speaks of imposing education on the poor with positive language, his prescriptions have a tone of voluntariness to them. He speaks of offering the poor "small premiums" and "little badges of distinctions" as well as instituting an educational requirement before permitted either freedom of corporation or trade in any

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140 WN V.i.f.54.
141 WN V.i.f.55.
142 WN V.i.f.57 & V.i.g.14.
village or town.\textsuperscript{143} It is the last recommendation which seems the most questionable given Smith's definition of perfect liberty as freedom to choose a profession. However, this apparent willingness to compromise the perfection of his system of liberty should be seen as an indication of just how important he regards education to be.

For Smith, funding of public educational institution for the young is a well regarded trade-off. The cost of educating the poor is small. The logistics behind "establishing in every parish or district a little school" are simple and easy. In return, the state receives no small benefit:

"The state, however, derives no inconsiderable advantage from their instruction. The more they are interested, the less liable they are to the delusion of enthusiasm and superstition, which, among ignorant nations, frequently occasion the most dreadful disorders. An instructed and intelligent people besides are always more decent and orderly than an ignorant and stupid one. They feel themselves, each individually, more respectable, and more likely to obtain the respect of their lawful superiors, and they are therefore more disposed to respect those superiors. They are more disposed to examine, and more capable of seeing through, the interested complaints of faction, and sedition, and they are upon that account, less apt to be misled into any wanton or unnecessary opposition to the measures of government. In free countries, where the safety of government depends very much upon the favourable judgment which the people may form of its conduct, it must surely be of the highest importance that they should not be disposed to judge rashly or capriciously concerning it."	extsuperscript{144}

Smith sees education as a tool for equality, stability and self-respect. He sees factionalism, superstition and low self-image as a burden on society. Educational institutions can help instill the proper knowledge and self-image on children at a young age, but as children grow they are more susceptible to different and even more dangerous forces. It is for that reason that Smith believes the sovereign has no small interest in supporting and guiding religious education as well.

\textsuperscript{143} WN V.i.f.56-57.
\textsuperscript{144} WN V.i.f.61.
3.4 Religious education and quelling fanaticism.

Smith's recommendations for the funding of religious education are similar, if not identical, to his recommendations regarding secular education. Clergy members are like teachers whose rewards should depend partly on salaries but mostly on fees in order to ensure quality because that their jobs depend on "industry and reputation."\textsuperscript{145}

There are three aspects in which religious education differs from that of secular education: aim, breadth of influence and depth of influence. First, the aim of religious instruction is, according to Smith, not to create good citizens in this world but to prepare them for another and a better world in the hereafter.\textsuperscript{146} Second, religious education is education, not only for the youth, but for all ages. Third, religious education has a depth which traditional secular education does not have. In fact, it is believed that "the authority of religion is superior to every other authority."\textsuperscript{147}

By highlighting the supreme authority of the church, Smith is cautioning the reader in regard to its distinctness from the sovereign. The goal of the church is to maintain its authority and not to cultivate sympathy. The authority of religion is deemed of more importance than the judgment of the impartial spectator. It is not based upon experience and judgments, nor on the moral rules which stem from them, but instead on the authority of the church, its doctrines and its leaders. Fanaticism is the inability to see the impartial spectator correctly. Violence, conflict, faction and fanaticism are the impartial spectator's greatest enemy.\textsuperscript{148}

\textsuperscript{145} WN V.i.g.2.  
\textsuperscript{146} WN V.i.g.1.  
\textsuperscript{147} WN V.i.g.17.  
\textsuperscript{148} TMS III.3.43.
Smith paints a history of competition between the church and educational institutions. In concluding his history of the church from Rome onward, Smith illustrates that endowed with large benefices, churches drain the universities of their scholars "before they can have acquired experience and knowledge enough to be of much use it."\textsuperscript{149} This should be contrasted with Greece and Rome (once again the measure of excellence for Smith) where the vast majority of "men of letters" have been "either publick or private teachers; generally either of philosophy or rhetoric."\textsuperscript{150} Smith does acknowledge that the church can attract great names, but only when the church can ensure that they are "the most useful to the publick" and not because of the truths which church doctrine espouse.\textsuperscript{151}

False religious claims not only corrupt education, they corrupt the political process as a whole. When religious influence is too great, the sovereign must cater to the fanatics (even though spiritual matters are outside the proper department of the sovereign), possibly pushing the good of the society aside for the alleged good of the sect. In order to remain in power during times of political conflict, the politician must cater to the sect even more so by aligning him- or herself to a particular sect and by espousing their particular views. The sovereign retains authority and in return, the politician grants the sect certain demands, the first of which is generally the destruction of their adversaries.\textsuperscript{152}

\textsuperscript{149} WN V.i.g.39.  
\textsuperscript{150} WN V.i.g.39.  
\textsuperscript{151} WN V.i.g.41.  
\textsuperscript{152} WN V.i.g.7.
The sovereign, as one would expect, finds it very difficult to compete with religion since theology promises rewards that the state cannot offer. Many people give loyalty to their own sect before they give it to the society in which they live. This loyalty takes all forms and as the members grow more loyal, the mundane aspects of the religion become exponentially more important than even the largest concern of the state.

A member of the clergy, like an educator, should be subject to appointment and re-appointment by the people in his or her sect. In order to keep this appointment the clergy member must show superiority over all other candidates. The people must be convinced that this candidate is the best candidate for the job and is representing the best religion available. However, in campaigning for support, both for themselves and for their religion, Smith believes that the clergy and the religion necessarily breed fanaticism. In order to preserve their influence in popular elections, clergy must appear fanatical and must therefore encourage fanaticism in order to retain loyalty for themselves.153

The religious sect which backs the winning party has more influence than any other sect. It grows stronger and richer. It may, in turn, force non-believers to abide by their religious doctrines (thereby violating a non-believers natural liberty) and declare the clergy as being exempt from the secular jurisdiction. The more people exempt from secular jurisdiction, the more insecure a society is, and the worse off its citizens are since liberty, reason and happiness exist only under the able protection of civil government.154

This system is very different from that of the system of perfect liberty which Smith had designed. It is a system where one faction has more power than all others,

153 WN V.i.g.36.
154 WN V.I.g.24.
where one group of individuals has advantage politically and economically over others, where the perfect liberty inherent in the capitalist system is at risk, where education is denied or repressed under false doctrines, and where the impartial spectator is not deemed a moral authority.

How does Smith suggest that we prevent such a breakdown of the political system? First, he suggests that politicians avoid allegiance with any religious party. If politicians avoid the initial appeal to religion, fanatics will not achieve the foothold which begins the downward spiral to injustice. In addition, this political neutrality toward religion will insure a level playing field and will encourage competition among religions and increase the number of sects, reducing each individual sect's size and power.

"The interest and active zeal of religious teachers can be dangerous and troublesome only when there is, either but one sect tolerated in society, or where the whole of a large society is divided into two or three great sects; the teachers of each acting by consort, and under a regular discipline and subordination. But the zeal must be altogether innocent where the society is divided into two or three hundred, or perhaps into as many thousand small sects, of which no one could be considerable enough to disturb the basic tranquillity."

The above sects, being as small, weak, and marginal as they are would necessarily moderate themselves to protect their own interest and standing in a community. A group of five fanatics does not have the same security or power as a group of five thousand. Consequently, fanatics would either be motivated towards more centrist activity, or at worst, be a harmless nuisance that would still be subject to, and punishable by civil laws.

An additional method which discourages fanaticism is to encourage frequent public events. Smith believes that the desire for religion arises in those without

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155 WN V.I.g.8.
156 WN V.I.g.15.
recreation or without an outlet for creativity. Religion provides a sense of community for those who feel that their own community is too large for them to have a sense of belonging. In large cities, for example, there are no groups which watch and applaud an individual's moral conduct. Public festivals, gatherings, and events would offer an arena for such an opportunity as well as allow for public scrutiny of the newest religions. The new sects, by virtue of their newness, offer more excitement and appeal. Public gatherings would make them open to public ridicule. Like the process of toning down one's sentiments in the search for approval, the religious sect would tone down its claims and activities in order to attract more members.

A third method for the reduction of fanaticism is the instruction of the masses in science and philosophy. Every religion, "except the true", is "highly pernicious" and will promote superstition and delusion which scientific education can counter. Smith argues that the more fanatical religions base themselves upon the most absurd claims, and that an educated populace would not be as susceptible to inflated boasts. Once again, Smith relies on education to remedy the deformities of moral action.

Religion, however, is also necessary for civil society. Even though it is easily corrupted, it is not a purely negative force. Religion does two things. First, it provides a sense of community and meaning for individuals who feel lost or alienated. Second, it is a further incentive which demands that people abide by the moral rules of conduct established through repeated sympathy.

157 WN V.I.g.6,14.
There is an innate sense in all human beings that the rules of conduct are not just the result of personal deliberations but the laws of the "deity".\textsuperscript{158} To encourage religion is to give the general rules of conduct an added boost of authenticity which urges fanatics to abide by them even though they are neither susceptible to peer pressure nor to the judgment of the impartial spectator. This innate sense of the authority becomes the crudest form of religion.\textsuperscript{159} For Smith, it is much more important that moral actors consider such rules to originate from God than whether or not they actually do. The general rules of conduct are social rules; their purpose is to govern people's behavior and to ensure justice.

It seems that according to Smith, organized religion is a human construct.\textsuperscript{160} It is a rationalization and justification for the general rules which tie societies together. Each sect is equal, and each system of beliefs should be subject to the market because each religion is as equally valid as the next one -- there appears to be no divine revelation for Adam Smith. However, Smith cannot destroy religions by fiat, this would be a violation of a person's natural liberty "to pursue his own interest in his own way . . . ."\textsuperscript{161} Therefore, religious sects and their members must be subject to the scrutiny of competition. Consumers will decide if the religion is right for them and if it is right for the community. If they are in favor of it, like any other good product the religion will prosper. If they are against it, then the religion will disband and be replaced by something else. That which guides individuals in deciding which religion to accept is their ability to

\textsuperscript{158} TMS III.5.3.
\textsuperscript{159} TMS III.5.4.
\textsuperscript{160} This is a very controversial claim. The nature of religion is subject to much debate among Smith scholars.
\textsuperscript{161} WN IV.ix.51.
judge what constitutes absurd or unreasonable claims: their education in science and
religion. That which provides the motivation to seek out religion is the desire for a sense
of community and approval -- the natural tendency towards fellow-feeling and approval -
- the mechanism of sympathy.

4.1 Smith's philosophy of education.

I have remarked repeatedly that Smith offers no explicit philosophy of education.
He both refrains from defining what quality of education is and from explicating what
method constitutes the best pedagogy. Most of his explicit remarks regarding education
are concerned with the expense or history of education and, as a result, what remarks he
does make regarding the purpose of education are limited in scope. In this concluding
section, I hope to clarify what I believe to be Smith's philosophy of education in a more
condensed and ordered way.

Sympathy is that faculty which allows society to overcome the fundamental
separateness of human beings. Human beings, despite their metaphysical distance, are
social and interdependent. The economic progression of society is the progression of that
interdependence, and in helping ourselves we help each other. As Smith writes: "It is not
from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner,
but from their regard to their own interest."162 According to Smith, society progresses
through four economic stages. The first stage is "the lowest and rudest." It is that stage

162 WN I.ii.
which "we find among the native tribes of North America [in which] every man is a warrior as well as a hunter." The second stage, that of pasture, is the society in which people are predominantly shepherds. The third stage is the coming and going of feudal society which itself contains several sub-stages, and the fourth stage is that in which "all goods and services command a price."

The nature of the fourth stage is such that although it is a system which has the most potential for perfect liberty, certain characteristics of commerce hinder the ability of individuals to sympathize. Class divisions and the uniformity of experience imposed by the division of labor makes it ever more difficult for individuals to understand each other's context and to sympathize with one another as a result. Individuals may seek solace and meaning in religion, but religions themselves constantly seek both new members and greater loyalty among their adherents and thereby breed fanaticism. This further tears the fabric of society because it asks people to place their allegiance to their religion above their allegiance to the state.

Smith sees education as a means for restoring or cultivating an individual's ability to sympathize. For Smith, there are two different forms education might take, I will call them general and institutional. General education is meant to refer to the process of social development which occurs in the home and in a non-formal way throughout one's lifetime. This includes exposure to other people's opinions and ways of life as well as the social norms and pressures which are imposed by one's own culture. Institutional education is that education which is deliberately and formally structured, more
purposeful, and has clearer boundaries. This form of education includes tutors, grammar (or parish) schools and university education. Apprenticeships and other specialized job-training should be included within institutional education although it is not as directly connected to the public good as what are now considered to be the core subject areas (i.e. language, science, mathematics, etc.). Religious education may take both the form of general or institutional education. As it is a lifelong process, it is not confined to either a formal grammar/parish and university education, nor is it confined to sermons or other wholly formal religious activities. Unfortunately, Smith is not even as explicit about the form religious education is to take as he is about secular institutional education.

According to Smith, education is essential to the development of an individual's moral judgment. A poor education will prevent people from developing their own capacity for self-command and this, in turn, prevents them from tempering their own sentiments and gaining acceptance (and accepting others) in society.

Also according to Smith, education is that process which ensures equality in a system of perfect liberty. It mends the damage imposed by hierarchy. The role of the sovereign is to ensure that those who seek institutional education, regardless of their economic class, can receive it. Smith argues that the state should levy taxes which will, at least in part, help defray the cost of study for those are unable to afford it. However, Smith seems to believe that the state should remain, as much as possible, separate from the question of what constitutes quality education. This is a value judgment which is best adjudicated through the free-market. Educators in an institutionalized setting should be of obvious quality and should compete with other educators in order to attract students. For Smith, the quality of education can be determined after the fact by evaluating the
student's capacity for making accurate moral judgments. If a student is virtuous, then his or her capacity to sympathize has been cultivated and his or her education has been of high quality. However, if the students are unable to sympathize, if they lack self-command, then the education has not served its purpose.

Smith does remark that regarding education, economic considerations do play a role. For apprenticeships and other such job-training programs, the return should equal the investment plus an average amount of profit in a reasonable amount of time. Consequently, education fulfills both the needs of the self-interested economic sphere, and the more social needs of society as a whole.

Smith offers no explicit remarks on pedagogy except his comment on traveling early. He also expressed a preference for private (as opposed to public) schools because they are more subject to the free-market, although both the arguments against traveling abroad and public education are consequentialist. If one could prove that other methods better cultivated the moral sentiments and still preserved perfect liberty, there is nothing inherent in Smith's theory which should prevent a Smithean from changing his or her position.

For Smith, although he does not address this subject specifically, education is the key to a successful pluralism of classes, religions, and perspectives. I have tried to make this clear in regard to general education. For Smith, institutional education is a way of ensuring that one's general education is adequate; that it supplies individuals with

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166 See page 142 in this chapter.
167 An important distinction must be made between the pluralism referred to here and the pluralism referred to in chapters one and two. Rawls and MacIntyre are concerned with pluralism of cultural or religious groups. Smith, although he does focus somewhat on class-identification and religious sects, is, for the most part, concerned with the liberty of distinct individuals. Regardless of the difference, I believe that a great deal can be learned from Smith's example.
specific tools to bridge gaps in education which may be found (most importantly, science and philosophy). Consequently, although Smith himself is not clear about this, institutional education is essential for pluralism as well. It helps ensure that the poorer classes have variety in their lives which, in turn, gives them more in common with others and allows them to become familiar with facing the unfamiliar.

Smith's discussion of the effect of education on moral judgment in WN is a discussion of the history of institutional education. For Smith then, institutional education is yet one more vehicle which helps moral judgment develop. Smith makes no distinction between the minimum education requirement of the poor and rich. As a result, the two classes will, even if they never share other experiences, have at least one thing in common: basic education. I use Smith's distinction between poor and rich as a generalization in the same way that I use his discussion of the slave and slave-owner. By generalizing from these two particular differences (wealth and slavery), I hope to have shown how both levels of education permit individuals of different backgrounds and experiences to sympathize. Education allows individuals to understand the context, experience, and, ultimately, the differing conceptions of rationality of others. As long as people cultivate their capacity to sympathize, and as long as individuals attempt to understand the experiences of others and temper their sentiments to the impartial spectator, Smith believes that individuals will respect others and resist any tendency toward oppression.

I take Smith to be proposing a system in which education-based understanding helps to bridge gaps between people. Smith's discussion of education highlights a sense of respect which is inherent in all liberal theories. Yet, this sense of respect is defined in a
particularly Smithean way: in order to bridge the gaps which exist, people need to respect one another enough to be motivated to learn about the perspectives which they do not share. If we continue to allow our prejudices to stop us from entering the experiences of others, we will not only be isolating others, we will continue to isolate ourselves.

We have now reached the point in the discussion where we must return to more general questions about liberalism: questions of the meaning of neutrality and of religious freedom. Smith makes positive claims about the good-life and about the metaphysical truths of religion. Does that prevent him from founding a truly liberal society? It is that question which I intend to address in chapter four.
Chapter 4: The New Liberalism: Neutrality of Process and the Substantive Good

The purpose of this chapter is to present a new theory of liberal neutrality based on the work of Adam Smith. The chapter is divided into three main sections. The first section introduces the question of whether or not Smith was a liberal. It returns to the work of Rawls and MacIntyre and investigates both their portrayal and their criticisms of Smith's work. In this first section, I argue that Rawls' and MacIntyre's interpretations of Smith's project are both misleading and often times inaccurate.

The second section of this chapter focuses William Galston's *Liberal Purposes* (1991). Galston argues that an account of the good has always been present in and is necessary to liberal theory. I detail his work in order to show that liberalism is compatible both with an account of the good and with the virtues that stem from it. I continue with a discussion of the similarities between Galston's work and that of Smith, but I conclude that liberalism as portrayed by Galston is indistinguishable from civic-humanism. I conclude section two by suggesting that what distinguishes liberalism from civic-humanism as put forth by Galston is the liberal commitment to the ideal of neutrality which Galston rejects.

In the third section of this chapter, I argue that liberal neutrality should not be understood in its traditional formulation. Instead, I offer a theory that I call liberalism of process. While focusing on the Smithian free-market structure, Smithian moral psychology and Smith's conception of the invisible hand, I suggest that neutrality is achieved by the concern about the potential for diversity and not the ordering of social opinion at any one particular moment in time. I argue that a necessary (but not sufficient) condition for liberalism is that it be understood as a political system which does not prohibit that its members converge on any one particular truth, but simply contains a
permanent mechanism that allows for and accommodates plurality when it is encountered.

1.1 Adam Smith as a liberal.

Many writers have explicitly addressed the question of whether or not Adam Smith should be classified as a liberal. For example, in the 1988 collection *Traditions of Liberalism*, William Letwin and Donald Winch debate, not only the question of whether or not Smith was a liberal, but also whether or not it makes sense to pose that particular question in the first place.¹⁶⁸

In *Adam Smith's Politics*, according to Letwin, Winch argues that to ask about Smith's liberalism is to "force an 18th century man into a 19th century mould" but Winch also concludes that given those categories, Smith was more of a "civic humanist" and a "skeptical Whig" than a liberal. Letwin summarizes the distinction between liberalism and civic humanism as follows: "one holds that individuals should shape the state to be their minimal agent, the other that the good state should shape its individuals to be at least minimally virtuous citizens."¹⁶⁹ According to Letwin, Smith believed "that the possibility of good government rests on the 'civic virtue' of citizens and that good government must therefore seek to inculcate virtue in the citizens."¹⁷⁰ Given this interpretation, Smith would not be a liberal.

In an essay published alongside Letwin's, Winch responds by "rejecting the simple binary choice" of the two options. "Why should 'civic humanism' and 'liberalism' be considered not only mutually exclusive, but as the only viable alternatives, such that if

¹⁷⁰ Ibid., 79.
Smith can be shown to occupy one position he cannot possibly be having any truck with the other?"\textsuperscript{171} Winch continues:

"Taking for granted (as most students of 18th century political thought . . . manifestly do) the continuing reality of a style of political thinking that is usefully captured by some such term as civic humanism, why should we expect everything Smith or Hume wrote to be a flat contradiction of this mode of thought? They are frequently to be found opposing its conclusions and methods of reasoning; but it is part of the evidence for the continuing strength of those ideas that they should have found it both necessary and useful to engage in debate with them. Nor should we be surprised if in the course of debate they adopted categories and sometimes endorsed republican values, even when doubting or ultimately rejecting their widespread application to modern monarchies and commercial societies."\textsuperscript{172}

Winch's point is well taken. Liberalism is too ambiguous a concept to be clearly separated from its sister philosophies in the way Letwin proposes. As I will address in more detail below, many writers are now identifying "liberal virtues" which are required for a stable liberal society. This move away from liberal neutrality towards an elaboration of the liberal good further muddies distinctions that would be necessary in order to defend Letwin's approach.

It is unfortunate that Letwin never defends his assertion that the question of Smith's liberalism is "admissible and important."\textsuperscript{173} Such a position appears to me to be highly defensible if for no other reason than identifying Smith as an important component of the liberal tradition may help clarify the very ambiguities in defining liberalism that make the debate about Smith's (alleged) liberalism so controversial. By looking for Smith's liberal qualities, and by identifying the important influence that he had on later liberal thinkers, one might be able to further isolate those claims which, over time, become identified as essential to any liberal theory.

\textsuperscript{172} Ibid., 89.
\textsuperscript{173} William Letwin, "Was Adam Smith A Liberal?", 80.
Smith's place in the liberal tradition is difficult to assess. His name almost always appears in any comprehensive study of liberal ideas but is rarely discussed in any substantive or detailed manner. Furthermore, on those occasions in which he is discussed, he is packaged with other thinkers and is very rarely referred to on his own as an original contributor to the debate. For example, Kenneth L. Schmitz, in the essay "Is Liberalism Good Enough?" invokes Smith's name to contrast his economic theory with more recent theories of liberal social conscience. The reference is two sentences long with an attached footnote that is simply a reference to Rawls referring to an "oft-quoted" section of WN. In "The Permanent Structure of Anti-Liberal Thought." Stephen Holmes cites Smith to counter the claims that liberals are either "anti-statist" or are welcoming of instrumental uses of individuals. Each citation is one sentence long and is simply a component of a list of other thinkers who shared Smith's opinions. John Gray, in Liberalisms, refers to Smith in conjunction with Hume (almost in passing) on the second to last full page of text. A more detailed account of Smith's influence via WN (approximately four pages long) can be found in J.G. Merquior's Liberalism Old and New, but even this is found in a chapter titled "The Roots of Liberalism" and is not located within the main discussion of those theorists Merquior feels one should consider to be liberal.

177 J.G. Merquior Liberalism Old and New (Massachusetts: Twayne Publishers, 1991), 28-32. Obviously, the list of works I have compiled to illustrate the superficial use of Smith in liberal scholarship is purely anecdotal and does not prove my point. I have chosen these particular works because I think they are indicative of two types of publications, 1) well-regarded collections of well-respected philosophers and 2) comprehensive histories of liberalism that claim to be as inclusive as possible. With this list I hope to represent liberal scholarship enough to illustrate how Smith is used. I am certain that there are works which are more representative of the importance of Smith. I do suggest, however, that these works are the vast minority.
Two possible implications might be deduced from Smith's name being invoked in such a manner. The first is that Smith was simply not as important to liberalism as other writers. To a large extent, and from a certain perspective, this is true. The works of Locke, Kant and Mill, for example, are often more illustrative of what is considered to be the ideal liberal polity today. However, this conclusion would not explain the ubiquitous nature of Smith's name in almost all studies. If he is not so important, why invoke his name at all?

Smith is important in that his theories of natural liberty, free-trade, and the relationship between economics and politics are present in almost all liberal theories to date. For example, Hayek, Friedman and Nozick all build heavily on Smith. The notion of a limited government, religious pluralism, and interdependence of individuals -- core characteristics of the liberal state and concepts found in most liberal thinkers from Rawls through Galston -- are all found in Smith's work. Even those theorists who believe that they differ radically with his conclusion almost always refer to Smith in such a way as to reject him as if they felt it necessary to do so. I contend, therefore, that although the traditional picture of Smith may not necessarily be in perfect concord with the more recent liberalisms, he is regarded by most to be an influence which must be reckoned with.

I use the phrase "traditional picture of Smith" in order to foreshadow the next possible implication one might deduce from the prevalent but superficial references to Smith's work that exist throughout liberal scholarship: Smith is referred to in passing because most authors seem to assume that Smith's work is both clear to understand and clearly understood. They seem to accept that a few minor comments will put to rest any difficulties caused by the Smithian enterprise. However, the traditional picture that most theorists seem to have of Smith is both over-simplified and (often) inaccurate. Take, for
example, the two philosophers whom I have already discussed in Chapters 1 and 2: John Rawls and Alasdair MacIntyre.

1.2 Rawls on Smith.

Rawls refers to Smith only once in PL and that is on the second page of the introduction. In this citation, Smith's name is found in a list of utilitarian writers who "built up a body of thought truly impressive in its scope and depth." The reference is meant to be a summary of a position Rawls' held in TJ that the predominant view in the English speaking world has been "some form of utilitarianism." Smith is then forgotten for the rest of the book. In TJ, Rawls refers to Smith seven times, four of those references are in footnotes.

Three claims stand out from Rawls' references to Smith. The first is that Rawls seems to equate Hume and Smith. The implication in the repeated pairing of the names is that the two philosophers are identified as holding the same position and any response to one can serve as an effective response to the other. A second claim is that Smith is a utilitarian and can be addressed using the same comments that one would use to address the theories of Mill, Bentham or Sidgwick. A third claim is that Smith is an advocate of what Rawls calls the ideal observer theory.

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178 John Rawls, Political Liberalism, xiv; the index mistakenly places the reference on pg. xv.
179 Ibid., xiv.
180 Ibid., xiv.
181 John Rawls, A Theory of Justice, 22f, 57, 184, 263, 479f, 521f, 525f. One footnote reference, on page 22, is simply a list of names, this time it is those whom Rawls reports Sidgwick to cite as advancing the utilitarian tradition -- Sidgwick's definition of utilitarianism is intended to account for all other theories on the list; page 57 contains a one sentence reference to the invisible hand which is to be contrasted with ideas put forth by Bentham; page 184 contains a definition of the ideal-observer theory which Rawls claims is "reminiscent of Hume and Adam Smith"; page 263 is a second reference to the ideal-observer discussion and once again cites Hume and Smith in tandem; page 479f refers to Smith's discussion of the moral sentiments. It cites TMS as the origin of the phrase "self-command" but Rawls uses a secondary work as his main source; page 521f is simply a reference to Hegel's reading of WN; 525f is a parenthetical citation located at the end of an over one-page long list of works that illustrate social cooperation.
Regarding the pairing of Hume and Smith: it is true that Hume was a great influence on Smith. As discussed in the previous chapter, the two were best of friends, they commented on each other's work and Smith is often found responding to Hume in *TMS*. However, that Hume influenced Smith is not to say that they shared the same philosophies. In fact, according to D.D. Raphael and A.L. Macfie, "Smith rejects or transforms Hume's ideas far more often than he follows them."\(^{182}\)

First, their language use was quite different. Whereas Hume attempted to create a language which molded to his theories, Smith attempted to use everyday terminology to describe what he seemed to believe were everyday occurrences (this, of course, is the cause of some of the major difficulties in understanding Smith's technical notion of sympathy). Haakonssen writes:

"While one could say that Hume is constructing an abstract theory with its own language, and trying to accommodate common experiences and their linguistic expression within it, Smith is trying to accommodate an abstract theory within the conceptual framework of ordinary language - or at least with a minimal stretching of it . . . . Nor is this difference confined to language and style. For it is precisely Smith's complaint against Hume that his theory of morals was a philosopher's construction which did not catch human morality as it is."\(^{183}\)

Second, the two philosophers define sympathy differently. According to Haakonssen, Smith broadens and generalizes Hume's ideas and despite certain structural similarities that Haakonssen wishes to highlight, Smith's concept of sympathy is "radically" different. He explains:

"[For Hume:] when a man perceives the expression of a passion in another man, he forms an idea of this passion on the basis of his own earlier experience, and this idea is turned into an impression, that is, into a passion similar to the original one in the other person, by the enlivening presence of the impression of the spectator's self. This psychological process is the starting point for the evaluation, but in order to create a proper moral or aesthetic evaluation, the sympathetically


\(^{183}\) Knud Haakonssen, *The Science of A Legislator*, 45. My brief discussion of the differences between Smith and Hume follows Haakonssen. For another account I would also suggest: V.M. Hope, *Virtue by Consensus.*
created passion has to be 'corrected' in the light of the *situation* in which the original passion and its expressions occurred.

[For Smith, however] the cause of sympathy is, rather, the whole set of circumstances in which the passion occurs: 'Sympathy ... does not arise so much from the view of the passion as from that of the situation which excites it.' This is extremely important for it shows a distinction between the *object* of sympathy, which is another man's passion, and the *cause* of sympathy, which is the whole situation that gives rise to the original passion. And this again shows that the original passion is only a contingent part of the whole process"\(^\text{184}\)

This difference between Hume and Smith, the difference that Rawls seems to ignore, is precisely that point which I placed so much emphasis on in the previous chapter. For Smith (but not for Hume), sympathy arises from an *understanding* of a person's situation. The process itself demands that spectators learn about the experience and context of others. What is merely a corrective device for Hume -- an awareness of the situation of another -- is the necessary factor which allows for sympathy as put forth by Smith.

There are numerous other differences between Smith and Hume's moral theory as well. As a result, those ideas which are built upon Smith's concept of sympathy are different from those which are built upon Hume's. For example, although there are "anticipations" of the idea of the impartial spectator in Hume, the development of this concept was an important contribution of Smith's.\(^\text{185}\) He added a "more distinctive concept of an imagined 'impartial spectator' to explain conscience."\(^\text{186}\)

Rawls' second claim is that Smith is a utilitarian. This also highlights a difference between Smith and Hume. Despite Rawls' homogenous grouping of Hume and Smith (and others) under the title 'utilitarian', Smith does not see himself as continuing Hume's use of utility. Instead, he wishes to challenge and correct it.

\(^{184}\) Knud Haakonssen, *The Science of A Legislator*, 46
\(^{185}\) Ian Ross, *The Life of Adam Smith*, 165.
Smith believed that Hume did not distinguish between two types of utility: means-utility and ends utility. For Smith, the final end of any action is never clear; individuals cannot see the future. Consequently when one does invoke utilitarian considerations it is, according to Smith, the "goal-directedness" of the act -- the efficiency and the appreciation of the system meant to achieve the goal and not the goal itself. To place utilitarian considerations as the end itself (which Smith sees Hume as doing) would be to deliberate using evidence observers can never know.

Rawls' third claim is that Smith put forth some form of the ideal observer theory. I have addressed this point in detail in chapter three, showing that the impartial spectator is not meant to be an ideal, abstract, universal, omniscient person. Instead, the spectator is subject to all of the failings of the human perspective. The spectator is meant to illustrate the process by which moral actors attempt to remove themselves as much as possible from any situation and to be as aware as possible of whatever biases might impair their rational deliberation. The impartial spectator is an essential component of Smith's theory of conscience which allows individuals to hold opinions that differ from the community and encourages them to try to understand those people who also choose to hold opinions other than their own. Those who hold differing opinions, however, are not insulated from bad-feeling or from the possibility that they might be wrong. The impartial spectator represents human judgment and unlike the ideal-observer which Rawls associates with Smith, the impartial spectator is fallible.

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188 Ibid., 69-70.
1.3 MacIntyre on Smith.

MacIntyre refers to Smith only slightly more often. In MacIntyre's three book series which was the focus of chapter 2, MacIntyre refers to Smith 18 times.\(^{189}\) What is most interesting about this list is that out of 18 citations which span three volumes totaling 917 pages, only four might be considered substantive,\(^{190}\) and only two are more than one sentence long.\(^{191}\) For MacIntyre, as it is for Rawls, Smith is either ornamental or to be equated with Hume. Despite the numerous citations, very little is actually being said about Smith.

Of all three claims Rawls makes about Smith, not one stands up to scrutiny. The picture he paints is either inaccurate or superficial. By equating Smith with other philosophers, the reader is led to believe that Rawls successfully challenges Smith's claims when, in fact, they are not addressed at all. Much of the same is true of MacIntyre. It must be noted, however, that MacIntyre targets Hume as a major figure in the Scottish enlightenment in an attempt to discredit the entire group of philosophers contributing to

\(^{189}\) MacIntyre's citations are as follows: TRV pp. 32, 223; WJ pp. 252, 259, 280, 283, 296, 331, 372; AV pp. 10, 23 (the index indicates 22), 37, 51, 54, 61, 234-235, 236, 239. The references in TRV are purely ornamental; they make no substantive point. In WJ: page 252 pokes fun at Smith's picture of the progression of history; page 259 contrasts the urgency of economics for Smith as opposed to Hutcheson; page 280 contains two references, both of which seem to equate Hume and Smith and are meant to foreshadow the following chapter which focuses on Hume; page 283 refers to a letter Hume writes Smith about Lord Kames; page 296 states that Hume, as an assimilationist, was second only in influence to Adam Smith; page 331 refers to Stewart's using infanticide, an example as put forth originally by Smith; page 372 refers to English language use by Hume and Smith. In AV: page 10 is a reference to Smith being the grandfather of a particular tradition of a concept of justice; page 23 pairs together Hume and Smith to indicate that they, among others, saw sociology as part of philosophy, page 37 lists the most prominent members of the Scottish Enlightenment, page 51 contains a list of those philosophers who might have failed because they were subject to a "highly specific shared historical background"; page 54 pairs Smith and Hume together as the "least self-questioning" members of the Scottish Enlightenment, "presumably because they are already comfortable and complacent within the epistemological scheme of British empiricism" -- MacIntyre does not defend this claim further; page 61 lists Hume, Smith and Kant as philosophers whose conceptual changes motivated political change; page 234-235 contains a catalogue of Smithian virtues. The paragraph which follows immediately after this citation begins with the observation that "Smith's catalogue of the virtues is then not the same as Hume's."; page 236 refers to Smith's stoicism and Republicanism and his stand against casuistry; page 239 explains that when Cobbett speaks of philosophers he is, among others, referring to WN.


\(^{191}\) Alasdair MacIntyre, *After Virtue*, 234-235, 236.
what he calls the Enlightenment project. For MacIntyre, to pair Hume and Smith together is misleading, but it is indicative of a particular agenda. He wishes to claim that despite their differences, the ultimate goal of all the Scottish philosophers from this time period was uniform. As discussed in chapter two, MacIntyre sees the Enlightenment philosophers as searching for an archimedean point which he claims does not exist. Rational adjudication, according to MacIntyre, requires certain tools which can only be found in a tradition-bound rationality.

I defended MacIntyre's general approach in chapter two. My intention was to offer certain suggestions and modification in his theory which would make tradition-bound rationality more defensible. Consequently, in order to defend Smith, and in order to show that MacIntyre's portrayal of him is misleading as well, I must now show that Smith's theory is not dependent on an archimedean point of moral adjudication and that Smith can allow for competing traditions of thought and the contexts which create them.

To repeat (from chapter three), in Smith's moral psychology an individual is born into a system of pre-existing norms, habits and conventions. Without society, and without this context, no individual could develop the ability to make any moral judgments whatsoever. A person acts, then observes the feedback he or she receives from the community. If the community responds positively, then the actor continues to act in this way. If the community responds negatively, the actor adjusts his or her actions or passions to a pitch that the community finds acceptable. Over time, the actor is able to develop general rules based on the reaction of others and can anticipate, in advance, those actions which are likely to be deemed appropriate by the community of spectators.

The anticipation of community judgment is developed through a thought experiment. The individual attempts to act as if he or she was a spectator watching his or her own actions. The actor attempts to be aware of all of the biases and immediate emotions that impair rational judgment and uses the imagined spectator to gauge his or
her own actions. If the imagined spectator approves, then the actor will act in the way anticipated (or will approve of the way he or she has just acted). If the imagined spectator disapproves, then the actor will either act differently or disapprove of his or her own actions and try to act in an appropriate manner in the future.

Over time, the actor begins to develop a faith in his or her own ability to make moral judgments. The imagined spectator becomes a reliable gauge and, if the spectator does not agree with the actual spectators, the agent may, in fact, side with the imagined spectator as opposed to the real community. In this way, an individual is able to act against community standards as long as they are willing to stand up against the disapproval of society.

What would an archimedean point such as the one MacIntyre implicitly ascribes to Smith look like? The enlightenment project, MacIntyre has claimed, "promised a conception of rationality independent of historical and social context, and independent of any specific understanding of man's nature or purpose."192 Smith's moral psychology does not fit this description. First, for Smith, general moral rules are developed based upon the reaction of individuals who are educated to act in certain ways and believe certain things. In a homogeneous orthodox religious community, for example, the general rules might differ greatly from those in a pluralistic secular community. Smith's moral theory is explicitly social-context based.

Second, Smith's notion of sympathy demands that detailed information about the specific situation must be taken into account. As discussed in chapter three, a major purpose of education is the communication of information which allows for people to understand different contexts. To cite Smith's own example, if one is to judge the appropriateness of the pitch of the grief a father shows for the loss of his son, the spectator must not judge as if he or she had lost his or her own son, but rather if he or she

was this particular father and lost this particular son. This ensures that the spectator takes into account the history of the relationship, the interdependence of the two, and that the spectator does not judge propriety based on an abstract ideal of father/son relationships, but rather the reality of the relationship at hand.

Third, for Smith, the question of man's nature and purpose is essential to the deliberation of the impartial spectator. As I have shown in chapter three, Smith argues that there is an innate sense in all human beings that the rules of conduct are not just the result of personal deliberations but that they are the laws of the "deity".\textsuperscript{193} Society should encourage religion in order to give the general rules of conduct an added boost of authenticity. This urges fanatics to abide by them even though they might not be susceptible to peer pressure or to the judgment of the impartial spectator.

The discussion of Religion in \textit{TMS} is found under a subheading which includes the phrase "\textit{justly regarded} as the Laws of the Deity."\textsuperscript{194} For Smith, it is more important to ensure that individuals \textit{regard} the laws as coming from the deity than for Smith to clearly answer whether or not he thinks that the laws actually are passed-on from God. In essence, Smith's position on this point is similar to that of MacIntyre's. As discussed in chapter two, MacIntyre argues that the commitment to a traditions' \textit{truth} is essential to the self-image of that tradition.\textsuperscript{195} MacIntyre believes that adherents of any particular tradition must regard their notion of the good as the \textit{true} notion of the good -- Smith, ultimately, agrees. Both philosophers see moral judgments as being adhered to for the most profound and fundamental reasons.

\textsuperscript{193} TMS III.5.3, pg. 163.
\textsuperscript{194} The discussion in TMS is located in part 2, "Of Merit and Demerit; or of the Objects of Reward and Punishment," Part 3, "Of the foundations of our judgment concerning our own Sentiments and Conduct, and of the Sense of Duty," Chapter 5, "Of the influence and authority of the general rules of Morality, and that they are justly regarded as the Laws of the Deity."
\textsuperscript{195} See chapter two, page 79.
I have tried to make it clear that Smith's moral psychology is not archimedean in nature. Smith's project does not fit into the Enlightenment project as MacIntyre has described it. If Smith had put forth an ideal-observer theory as Rawls would have us believe, then he would have little hope of answering MacIntyre's challenge. An ideal observer, by definition, would be a contextless figure who would not have the tools that MacIntyre requires for rational adjudication. But Smith's theory is far from the archimedean ideal-observer that both Rawls and MacIntyre portray.

One question remains. I have used MacIntyre's theory in order to highlight the impossibility of clearly severing the right from the good as Rawls tries to do in both of his books. Unlike many liberals, Smith does not recognize the priority of the right over the good. Rawls defines the right as follows: "a conception of right is a set of principles, general in form and universal in application, that is to be publicly recognized as the final court of appeal for ordering the conflicting claims of moral persons"\textsuperscript{196} The priority of the right lies in its finality, it is to be recognized as a "final court of appeal" which, cannot change. The right in \textit{TJ} does not change because once developed in the original position the structure consented to by those who were once under a veil of ignorance is binding. The right in \textit{PL} does not change because, as I have already shown in chapter one, the nature of Rawls' criterion of reasonableness precludes it. Those who do not already incorporate the "module" of the overlapping consensus into their comprehensive moral doctrine no longer have the power to initiate or cultivate change. Those who have already included the "module" into their belief system would not want to.

For Smith, the rules of justice are not final. They are identifiable only after the fact, they are context dependent and consequently, just actions are not judged based upon a universal \textit{a priori} principle. The rules of justice are subject to modification and interpretation based upon community standards, the interpretation of the impartial.

\textsuperscript{196} John Rawls, \textit{A Theory of Justice}, 135.
spectator, and the context in which they are to be applied. For Smith, the right and the
good are not hierarchically ordered, they are intertwined and inseparable.

The question of whether or not to classify Smith as a liberal still remains. As
described above, Letwin draws the distinction between liberalism and civic humanism
along the lines of the relationship between the state and the minimally virtuous citizen.
According to Letwin, civic humanism is committed to certain ideas of civic virtue but
liberalism is only committed to the idea of forging the state into a tool with minimum
duties. More and more, however, liberal theorists are rejecting the notion that liberalism
is neutral to both particular conceptions of the good and the virtues which may stem from
them. They argue that even in liberal societies, certain notions of what constitutes the
good is passed on from citizen to state and back again. To explore this type of liberalism,
I turn to the work of William Galston.

2.1 The liberal good.

According to William Galston, "the virtues are by no means dead in liberal
society. Courage, justice, self-restraint, prudence, and many others are widely prized.
That they are more prized than practiced is not a problem confined to our own historical
which he argues have been neglected by liberal scholarship. According to Galston,
contrary to what contemporary theorists have claimed, liberalism is neither a neutral
political theory nor should it try to be. The dominant theories, he writes, attempt to
obfuscate the same conception of the good. He examines the theories of Kant, Dworkin,
Ackerman and Rawls and argues that they all share certain qualities.
"We can discern a recurrent pattern. Each of these contemporary liberal theories begins by promising to do without a substantive theory of the good; each ends by betraying that promise. All of them covertly rely on the same triadic theory of the good, which assumes the worth of human existence, the worth of human purposiveness and of the fulfillment of human purposes, and the worth of rationality as the chief constraint on social principles and social actions. If we may call the beliefs on the worth of human existence and in the worth of purposes and their fulfillment the root assumptions of humanism, then the theory of good presupposed by these neutralist liberals is the theory of rationalist humanism." 198

Galston argues that no form of political life can exist without some conception of the good 199 and that liberalism must have some sort of conflict because it cannot accommodate all goods at all times. 200 Dialogue is both the way liberalism adjudicates conflict and allows for a plurality of goods.

Galston's liberalism is based on several ideas. First, and most prominent, that a notion of the good is essential to liberalism and its presence should not be regarded as a failure of political theory. Liberalisms have always articulated some sort of good, albeit a rather specific one, and its nature should be made clear and embraced. Second, because there is no universal idea of the good found in all traditions, there must be some sort of conflict. It is the nature of liberalism to have pluralism and debate; resistance to liberalism should be expected. 201 Third, conflict is not a negative in itself; it is the nature of the conflict that is negative or positive. By accepting the world views of others, and by opening-up one's own world view for examination, dialogical conflict can be respectful and promote stability. According to Galston, the purpose of much dialogue is to "invite one's interlocutor to see the world the way you do, or at least to understand what it is like to see the world as you do." 202 Furthermore, according to Galston, "we show others

198 Ibid., 92.
199 Ibid., 79.
200 Ibid., 149.
201 Ibid., 149.
202 Ibid., 106.
respect when we offer them, as explanation, what we take to be our true and best reasons for acting as we do."

After exposing the goods present in liberalism, Galston attempts to explicate his own theory of an enumerated liberal good. He "proceeds in two stages, first presenting a series of background conditions an acceptable view [of liberalism] must meet . . . and then a list of 'key dimensions of . . . a liberal conception of the good.'" Galston's background conditions are those characteristics which he feels limit the nature of the good in order to ensure that whatever form it takes, it protects the capacity for pluralism inherent in traditional supposedly-neutral liberalism. Galston does not see himself as the creator of these conditions. In fact, his explicit purpose is to "assemble what I take to be the most fruitful insights of the moral and political theory of the 1970's and 1980's." The background conditions are as follows:

"First, individual well being is not the only morally basic consideration for liberal social policy. Desert, equality, and individual agency are plausible candidates for analytically distinct and equally basic conditions. Second, and again for the purposes of liberal public-policy, the account of human good must be deeply secular and this-worldly. Third, the account must be both general (e.g. based upon generalizations about common human experience) and sensitive to the diversity among particular human lives. Fourth, it must be an account of ends, not means. Fifth, it must be more than a theory of 'internal state feeling.' It must also included 'conditions, capacities, or functionings.' (We take this to mean that it must be Aristotelian as well as Epicurean.) Sixth, the account of the good must be an account of the ultimate or final goods. Finally, it must acknowledge that the elements of well-being are irreducibly plural, and cannot be reduced to a single common measure, a unique hierarchy, or a lexical ordering."

The background conditions, as one can see, place a special emphasis on pluralism. Their goal is to steer any liberal good towards as much inclusiveness as possible -- he does not strive for all-inclusiveness, governmental promotion and coercion are justified --
while ensuring that the liberal good still remains substantive enough to be informative and give its adherents direction.

Galston builds on these background conditions in order to explicate his own account of the good inherent in liberalism. However, he cautions his readers that "others have proposed comparable lists with somewhat different components, and I have no way of demonstrating the correctness of completeness of my own."207 Galston is aware that many people will challenge his particular goods and hopes that any "dissatisfied critics" will be able to propose a better account.208

His list consists of seven goods,209 they are: (1) Life. Liberals believe that "life itself is good but that the taking or premature cessation of life is bad."210 He qualifies this perspective by arguing that liberals believe that quality of life and self defense are important enough that situations may warrant the taking of life on certain occasions; (2) Normal development of basic capacities. Liberal society holds that the development of normal capacities is good and lack of development or activities which lead to lack of development is bad; (3) Fulfillment of interest and purposes. Galston argues that on the face of it, liberals believe that fulfillment of an individual's purposes and interests is good but society must be aware of and deal with the fact that goods sometimes conflict and that some individual's goods may not be reached because of this conflict; (4) Freedom. Galston argues that liberals see freedom as an instrumental good (as a means to develop specific interests), as a general opportunity for "self-assertion or self determination", and as an essential component of integrity;211 (5) Rationality: Galston writes:

"Liberal society is very far from giving philosophic reason the privileged status it enjoyed for Plato and Aristotle as the peak of the human good. Indeed, we see our

207 William Galston, Liberal Purposes, 173.
208 Ibid., 174.
209 Galston's discussion of the liberal good can be found on pages 177-174.
211 Ibid., 175.
society as providing space for ways of life that emphasize desire, passion, aesthetic apprehension, and faith. Nevertheless, there are elements of rationality that enter into our conception of the human good. Among them are (1) an understanding of means-ends relations sufficient to play an active, independent role in the economy and society; (2) each individual's understanding of himself or herself as similar to others for certain purposes, that is, as properly governed by general social rules; (3) the ability to respond to rational persuasion (as opposed simply to force and threats); and (4) when deliberating publicly in matters requiring collective action, the disposition to employ public reasons, open to inspection by others, whenever possible;"212

(6) Society. Liberal society welcomes the "network of significant relations we establish with others.213 It regards deprivation of association as "severe" and fearful; (7) Subjective Satisfaction. Liberal society regards "subjective experience (pleasure versus pain, fear versus security and so forth) as an important element of his or her good."214 Galston, however adds the qualification that the good is not meant to be satisfaction alone, but that those who are unable to achieve satisfaction from other accomplishments are willing to seek therapy or other means in order to achieve it.

Galston argues that the "liberal theory of the human good is intended to provide a shared basis for public policy."215 The account of the good can "serve as the basis for public education and persuasion -- for example, anti-smoking campaigns by government agencies in public schools -- [but that it does not] legitimate public coercion that seeks to make individuals embrace the good, so understood, in their own lives."216 In other words, Galston argues that liberal societies may coercively tax individuals to fund, for example, a public health system designed to prolong the life of the elderly but should not demand that individuals use this health system to prolong their own lives. Ultimately, for Galston, "the appropriate measure of liberal social policy is not the extent to which the human

212 Ibid., 175-176.
213 Ibid., 176.
214 Ibid., 176.
215 Ibid., 178.
216 Ibid., 178.
good is realized but, rather, the opportunity to afford individuals to strive and exercise that good."\(^{217}\)

Galston does not offer a definition of liberalism. The closest he comes is to explain that "it is not the absence of an account of the good that distinguishes liberalism from other forms of political theory and practice. It is rather a special set of reasons for restricting the movement from the good to public coercion."\(^{218}\) Nevertheless, this description is a radical departure from traditional liberal theories. Galston believes that liberal theories have tried to be non-informative (neutral) and non-coercive. He argues that such an attempt is self-deception and that all neutralist theories do adhere to a common good. Non-neutral liberalisms must be more coercive than ideal neutral liberalisms, but theorists should attempt to discover that non-neutral theory which is both informative and \textit{minimally} coercive.\(^{219}\)

With the introduction of a specific good, Galston believes the nature of what constitutes a good citizen becomes clearer. Throughout the history of the development of liberalism, members of the liberal polity have developed skills and excellences which allow them to live the best life possible yet still cultivate the liberal idea. He argues that:

"...there are distinctive political excellences and virtues; they are necessary for the success of all political orders, including democracies, and they do constitute one valid claim to political authority, because they contribute to needed cooperation and to the achievement of shared purposes. Without them, a political community will loose its bearing and its self-confidence."\(^{220}\)

The liberal virtues, as Galston calls them, are divided into separate categories.

They are:

\(^{217}\) Ibid., 178.
\(^{218}\) Ibid., 180.
\(^{219}\) "Informative" is my term. I use it in order to help express the special role of the good in any decision making process. The good acts as a guide for moral agents and spectators. Without a good, the spectator or agent lack criteria which allow him or her to decide one option is better than another. The good supplies information which serves as a foundation for moral adjudication, hence the term.

(2) *Virtues of liberal society*: independence, self-restraint and self-transcendence (the virtues of family solidarity), tolerance.

(3) *Virtues of the liberal economy*: imagination, drive, determination (the entrepreneurial virtues); punctuality, reliability, civility toward co-workers, and a willingness to work within established frameworks and tasks (the organizational virtues), the work ethic, the achievement of a means between ascetic self-denial and untrammeled self-indulgence ("a capacity for moderate delay of self-gratification"), adaptability -- the last few Galston calls "generic virtues of modern market economies".\(^{221}\)

(4) *Virtues of liberal politics* (which Galston further divides into three sub-sections):

(4a) *Virtues of citizenship* -- courage, law-abidingness, loyalty, the capacity to discern and the restraint to respect the rights of others, the capacity to discern the talent and the character of candidates vying for office, and to evaluate the performance of individuals who have attained office, liberal citizens must be moderate in their demands and self-disciplines enough to accept painful measures when they are necessary.

(4b) *Virtues of leadership* -- patience (the ability to accept, and work within, constraints on actions imposed by social diversity and constitutional institutions, the capacity to forge a sense of common purpose against the centrifugal tendencies of an individualistic and fragmented society, the ability to resist the temptations to earn popularity by pandering to immoderate demands, "while liberal leaders derive authority from popular consent, they cannot derive policy from the public opinion" therefore leaders must have the capacity to narrow -- insofar as public opinion permits -- the gap between public preference and wise action.\(^{222}\)

\(^{221}\) Ibid., 223.

\(^{222}\) Ibid., 226.
General political virtues -- the disposition and the developed capacity to engage in public discourse, the virtue to narrow the gap (insofar as it is in one's power) between principles and practices in liberal society.

2.2 Criticisms of Galston.

Surprisingly, the critics have been kind to Galston. Although not as widely reviewed as either MacIntyre or Rawls, those who have commented on Liberal Purposes have, almost uniformly, seen Galston as contributing very positively to the questions involved in articulating a liberal good. However, several criticisms do stand out. For example, Richard Kraut argues that much of what he writes is not very distinguishable from Rawls whom Galston criticizes heavily. Regarding Galston's list of virtues, Kraut writes:

"How different is this from a list that could be constructed in the original position? Just as Rawls does not rank familiar systems of ends -- it does not, for example, compare a religious and a nonreligious life, nor does it hold that a life of mental perfection, or intellectual accomplishment, or aesthetic appreciation, or creativity is better than one that lacks these achievements -- so too Galston puts forward only a minimal conception of a good life. And so one wonders why so much energy has been devoted to arguments against those who say that liberalism must be neutral as a matter of principle. In the practical results his minimalism looks like a very close cousin of the neutralism he opposes. Why then should one be preferred to the other?"

Kraut argues two separate points, first that Galston is too similar to the Rawls he criticizes, and second, that Galston's theory of the good is too thin. In response to the first

223 I write "surprisingly" not because Galston is not deserving of the praise he has received. Rather, I think it is noteworthy that such a radical departure should be so welcomed. It is interesting to compare the reaction of Galston's reviewers with, for example, those who reviewed Rawls' newer work. There seems to be no trace of the hostility which was present, for example, in Brian Barry's review article of PL in which he sees Rawls as abandoning the liberal project (Brian Barry, "Good For Us, But Not For Them", 23). Nor does there seem to be anything reminiscent of the somewhat derogatory claim that Rawls was seeking "the political philosophy to end all political philosophies" made by Kukathas and Pettit (Chandran Kukathas and Philip Pettit, Rawls: 151).

criticism, it should be noted that Galston's attack on Rawls' new work is in reference to the articles which formed the foundations of *PL* but not the book itself. In *PL*, Rawls de-emphasized the role of the original position. "Galston is pretty clear that there is a change for the worse between the universal and atemporal aspirations of *A Theory of Justice* and the much more diminished and chastened claims of Rawls' Dewey Lectures and subsequent papers in which he suggests that the philosopher cannot do much more than elucidate the beliefs of his or her own society and polity."225

It may seem odd at first to defend a non-neutralist liberalism by highlighting the proponent's preference for a neutralist version, but this similarity points out what appears to be an important motivation for Galston's work: normativity. In Rawls' later attempts to be all-inclusive he looses a great deal of the normative force of his earlier work. Given the choice between a neutral but forceful account of the good and a non-neutral non-binding account of the good, it makes sense that Galston would choose the former.

Kraut's second objection, that Galston's theory of the good is too thin, is more forceful but was anticipated by Galston. In the section which immediately follows Galston's account of the good, Galston writes:

"The liberal account of the good, to begin with, is deliberately thin . . . . It constitutes, intentionally, a kind of minimal perfectionism that both defines a range of normal, decent human functioning and falls short of defining a full way of life. This incompleteness is not, however, equivalent to vacuousness or useless abstraction. The liberal theory of the plural good is thick enough to rule out (1) secular nihilism - the belief that human life and purposiveness are without moral significance; (2) theological withdrawalism - the belief that what happens here on earth doesn't matter because the real action is in the afterlife; (3) moral monism - 'one size fits all' accounts of the good; (4) Nietzschean irrationalism; (5) barbarism - deliberate or heedless deprivations of minimal goods."226

In short, Galston's response is that it is true that the liberal theory of the good is thin, but it is not *too* thin. It can be used to rule out certain options and thereby can

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function adequately as a good. However, Galston does caution that the term "rule out" should only be meant to apply to public policy decisions. The state needs to follow the liberal good but individual members of society may follow whatever good they see fit (given the background condition that they may have to be altered in order to allow for the goods of others).

2.3 Galston and Smith.

Both Galston and Smith focus on dialogue. Both emphasize the perpetual nature of conflict within a diverse society, and both see the importance of context and understanding in reconciliation and commonality. Furthermore, both see the interdependence of individuals as necessary for society to function.

Both Smith and Galston offer long discussions of the importance of civic education. Galston sees the state as being justified in supporting educational policy indicative of the opinion expressed by the limited good which meets the background conditions he put forth. Smith, it seems, in seeing the connection between education and moral psychology -- that which ensures the cohesiveness of society -- would agree.

Regarding religion, Smith and Galston also share a common view. Galston, like Smith, argues that it is important for the stability of society that "religion moderate its most extreme (and least defensible) claims." However, he also argues that "religion provides both the reasons for believing liberal principles to be correct and the incentives for honoring them in practice. Freedom, unlike despotism, cannot do without faith."

Most noteworthy, Smith and Galston are united in their view of the discovery of the principles of justice. Galston argues that the liberal good is developed from its opposite. It arises, "at least in part, in response to a common experience of the bad, it

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227 See chapter 11, pp. 241-256.
228 William Galston, Liberal Purposes, 257.
229 Ibid., 265.
constitutes a less than full account of the good life. . . . We can agree that death, wanton cruelty, malnutrition, slavery, poverty, vulnerability, are bad without having a fully articulated, unitary account of the good. . . .”

This perspective seems directly linked to Smith's theory of justice.

Smith placed great faith in the belief that justice can be determined accurately and clearly. He describes it as a virtue which is "accurate in the highest degree, and admit[s] no exceptions or modifications." However, unlike the other virtues, justice is not identified in itself. For Smith, justice is a purely negative virtue. It is complied with simply by avoiding injustice. He writes:

"The man who barely abstains from violating either the person, or the estate, or the reputation of his neighbors, has surely very little positive merits. He fulfills, however, all the rules of what is peculiarly called justice, and does every thing which his equals can with propriety force him to do, or which they can punish him for not doing. We may often fulfill all the rules of justice by sitting still and doing nothing."

Since general rules are developed through a process of observation and reaction, it would be impossible to determine the exact nature of justice by watching a person "sitting still and doing nothing." Consequently, and herein lies the similarity with Galston, one determines the rules of justice by being made aware, through sympathy, of injustice. Haakonssen writes:

"The negative character of justice also implies that the general rules of this virtue arise somewhat differently from the rules of the other virtues. The latter arise from spectator approval of the practice of those virtues, but the rules of justice arise from spectator disapproval of justice, of the non-performance of the virtue. If nobody had ever been unjust the rules of justice would never have been thought of, for they are but a specification of mere propriety."
For both Galston and Smith, the injustices which people experience inform society of the nature of justice, not the other way around.

After pointing out the similarities between the work of the two philosophers, we are forced to return to Letwin's question of whether or not Smith is a liberal; this time we must examine Galston's theory as well. Galston believes that articulating a substantive account of a good, or demanding that a society adhere and accept certain liberal virtues, does not negate his self-identification as a liberal. The state can influence its citizens to be minimally virtuous and still preserve the freedoms and commitments that are inherent on the liberal ideal.

A major difficulty is that in examining Galston's theory, and in accepting Letwin's descriptions of the difference between civic-humanism and liberalism, there is nothing to distinguish one from the other; liberalism and civic-humanism become identical. It is one thing to argue, as Winch did, that the two are not mutually exclusive, it is another to suggest that there is no difference between the two at all.

Galston foresees this objection and identifies the difference as one of political participation. He writes:

"The liberal citizen is not the same as the civic-republican citizen. In a liberal polity, there is no duty to participate actively in politics, no requirement to place the public above the private and to systematically subordinate personal interest to the common good, no commitment to accept collective determination of personal choices."\(^{234}\)

But this is unconvincing. Liberal societies often justify conscription in the army, its members must pay taxes, and the virtues which require that people moderate their own goods to allow for the goods of the others are all demands that individuals subordinate themselves for the good of others. Furthermore, although many people do not vote in

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\(^{234}\) William Galston, *Liberal Purposes*, 225. I see the terms civic-republican and civic humanism synonymous enough to be equivalent in this context.
America (Galston's own example throughout the book) it is doubtful that people do not feel they have a responsibility to do so. They are simply negligent in that responsibility. Consequently, the difference between liberalism and civic-humanism (or republicanism) lies elsewhere. Whereas in civic republicanism the emphasis is on political participation and the cultivation of virtuous citizens, in liberalism the emphasis is on participation of citizens with divergent beliefs. In other words, the difference rests in the very type of pluralism which I have been discussing throughout.

What I intend to show is that the way of pursuing pluralism is to reaffirm a commitment to exactly that which Galston has attempted to discredit-- neutrality. I will argue that there is a sense in which neutrality exists in liberal society, although it is not found in the form or location which liberal theorists have traditionally thought. Contrary to Galston and MacIntyre's view, liberal neutrality is compatible with an articulated conception of the good. It is to this topic which I will now turn.

-3-

3.1 The goal of neutrality.

Neutrality is a means to an end; it should not be viewed as an end in itself. Its purpose is to allow for either objective moral adjudication or to ensure inclusiveness, by the latter I mean that it allows for a diversity and equality of goods in a society. The Enlightenment project, as MacIntyre described it, sought to adjudicate objectively moral decisions. It hoped to identify, and then master, the universal nature of human rationality. Using objective standards, MacIntyre's Enlightenment project hoped to resolve conflict through truth. As has been shown in great detail, MacIntyre discredits this attempt.

Recent moral theory seems to focus on inclusiveness. In diverse liberal societies with numerous different cultures and goods, a central goal of the liberal state is, in theory, to create as much freedom for individuals and groups as possible in order to allow for
these different cultures and goods to both coexist and have the highest quality of life as possible. This second type of neutrality, then, is a way of assuring coexistence and tolerance.

There is an important difference between the two types of neutrality. The former is committed to the idea of a single truth and assumes that this one truth is powerful enough to inspire people to abandon ideas which they discover to be false. Inherently, a neutrality which seeks objective moral adjudication leads to a homogenous society -- one which all members search for, and upon discovery, adhere to one particular good.\(^{235}\) The latter form of neutrality is committed to the likelihood of a plurality of goods. It assumes that individuals are willing or can be convinced to, at least for the most part, compromise their respective goods for the sake of those who may hold different opinions. Inherently, a neutrality which seeks all-inclusiveness seeks a pluralistic society -- one in which all members accept the diverse nature of the world around them. Although this latter form of neutrality accepts pluralism as a fact of life, it does not necessarily reject the idea that ultimately all of society will converge on one particular truth. It simply contains within it a permanent mechanism that allows for and accommodates plurality anytime it is encountered.

Rawls' early work, the theory in *TJ* which is dependent on the original position as the location for determining the rules of justice, contains elements of both types of neutrality. Rawls' position in *TJ* is that while under a veil of ignorance members of the original position will accept a particular ordering of society and not rebel against it even if, after the veil is removed, they find themselves in a worse-off situation than they would like. Neutrality based on an ideal of objective moral adjudication is the motivating factor found in the acceptance of the thought experiment which assumes that individuals can

\(^{235}\) I do not mean to suggest that such a goal will necessarily be achieved. I only mean to point out that a neutrality based on the ideal of objective moral adjudication has a certain inherent directionality towards a non-plural truth.
make moral decisions without knowing any substantive information related to the context. It is also found in the development of an ordering which cannot be changed despite the newfound disapproval of its members. The element of a neutrality geared toward all-inclusiveness is that which demands that individuals accept their position in society independent of whether or not they might be better off given a different ordering. Since objective moral adjudication has been discredited, and since TJ relies so heavily on it, Rawls' early work must be rejected.

Rawls' later work, his political liberalism, appears to be committed to all-inclusiveness, but, in fact, is committed to the ideal of objective moral adjudication as well. Political liberalism sees itself as allowing numerous different goods to live together in one society. It is structured so as to allow different traditions and belief systems to coexist without sharing truth claims that are, in their entirety, identical with each other. However, as discussed in chapter one, the pre-condition for inclusion is that over time traditions incorporate within themselves the module of common beliefs that is the basic structure of the overlapping consensus. As I have shown in chapter one, the nature of this demand is such that the overlapping consensus can never change. Only those who adhere to a particular formulation of what constitutes the political good are included within society. Political liberalism, therefore, is committed to a particular view and demands that all traditions incorporate this unchanging overlapping consensus into their core beliefs despite whatever other truths the tradition is committed to or the reasons which are used to justify that truth. As I have already shown, this limits plurality to an unacceptable degree. As a society which is based on the ideal of a neutrality of objective moral adjudication, his later work must also be rejected.

MacIntyre's theories claim exactly the opposite. Whereas Rawls sees himself as committed to plurality but is actually committed to truth, MacIntyre sees himself as committed to truth but is actually committed to plurality. As shown in chapter two,
regardless of the importance of truth within a particular tradition, MacIntyre calls for a liberal-type society which allows traditions to examine their own beliefs and cultivate their own practices. Tradition-bound rationality preserves truth but does so in a way that allows it to change over time. Traditions meet, compete, merge, die, flourish and coexist. However, because MacIntyre sees himself as committed to truth and not plurality, he offers no detailed prescription to help structure society in order to accommodate the coexisting traditions which he describes.

Galston's theories are the inverse of MacIntyre's. He offers detailed explanations as to how political life should be structured to accommodate a plurality of belief systems, but he does not offer any discussion regarding the nature of those truths. Galston is committed to inclusiveness as well. He articulates a good which he sees as thin enough to accommodate numerous competing conceptions but not thick enough to inhibit non-represented groups from making a place for themselves in that society in the future.

Together, MacIntyre and Galston form the basis of a liberalism which proves promising. Nevertheless, certain questions remain. First, how does one combine the two theories into a coherent whole? Second, what makes this coherent whole liberal?

3.2 What is liberalism?

Regarding the second question, "what makes a society liberal?", it is essential to understand that a society need not be all-inclusive in order to be liberal, it must only be directed towards all-inclusiveness. To repeat a formulation I used above, a liberal society does not prohibit its members from converging on any one particular truth, it must simply contain a permanent mechanism that allows for and accommodates plurality when it is encountered. Liberalism does not guarantee that at first encounter the newest

236 Directionality towards all-inclusiveness should not be regarded as a sufficient condition, only a necessary one.
members of the community have all of the privileges and status of the other members (to
do that would require forceful social and economic restructuring on the demand of any
one individual). It only promises that the newest members have the potential to acquire
those privileges and that no person, ethnicity or culture is legally and totally excluded by
virtue of their commitment to, or rejection of, a particular or specific good.

It is important to emphasize that liberalism does guarantee certain universal rights
such as (but not limited to) civic-equality, legal respect and a strong degree of self-
determination. It is the presence of these rights which creates the difficulties inherent in
the problem of pluralism. However, how these rights are to be understood is subject to
the changing understanding and interpretation of the ideas of the good which influence
the society.

This description of liberalism is already a departure from the prevalent view of
how to construct a liberal society. Many liberalisms postulate a time when the society
will be structured to allow all members to be satisfied at the same time and to coexist
with minimal or no conflict. My formulation assumes that liberalism is a never-ending
process in which equality is the result of, and compatible with at least certain types of
conflict (it is the range of permissible conflict which makes my system different from
Rawls -- my contention is that the spectrum of permissible conflict in political liberalism
is to narrow). To paraphrase a metaphor used by Galston, liberalism is a river, not a

237 The term "newest citizens" refers to immigrants, although conflict is most evident when the immigrant
is a member of a cultural or ethnic group whose belief system is very different from the dominant belief
systems in the liberal state. The problem of pluralism is also encountered when a person who is already part
of the society undergoes a radical belief change such as, for example, a religious conversion. If the
conversion is to a marginalized religious group, the person may be excluded. Liberalism must address this
problem as well. I use the term "members" instead of "citizens" because non-citizens also play a role in the
political dialogue (although it may not be formal). For example, resident aliens should be entitled to
guarantees of certain liberties as well (although the extent of those guarantees are up to the individual
society).
Liberalism should not be looked at in terms of one moment in time. Instead, it should be looked at in terms of its flow: where it is traveling and how it travels.

### 3.3 Liberalism of process.

Regarding the first question listed above, it is my argument that Adam Smith supplies the tools which allow me to combine Galston and MacIntyre's theories while still preserving a sense of neutrality that is inherent in the liberal ideal. This neutrality, however, is structured around my conception of liberalism as a process and not the traditional view of liberalism which sees itself as a being all-inclusive while guaranteeing minimal or no conflict at any one particular moment in time. Neutrality of process will not be instantly recognizable as the neutrality that has been sought since, in many respects, it is different from the ideal that the members of Enlightenment project or Kant or Rawls have envisioned (it does share many qualities as well). To paraphrase Galston's words once again (this time from a different source), liberal neutrality is neither Cartesian nor Kantian, it is Socratic. It is important to note that by using the term "process," I do not mean to infer that neutrality is found in political procedure; it is not. Instead, the process which I refer to is temporal. As I will argue, neutrality unfolds over time.

The basic structure for Smith's theory of an all-inclusive liberalism can be found in his moral psychology, specifically in his treatment of religion. For Smith, individuals are fundamentally separate from one another. To learn about each other, and to learn to make moral judgments, spectators must gain as much information as possible in order to attempt to understand the situation of the moral agent (independent of whether or not the spectator is also the moral agent). To limit information, or to rely on false information, is to prevent individuals from truly understanding the situation or the decision at hand.

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Religion (which is a tool both for social stability and moral motivation) influences individuals often more successfully than secular education or other forms of social influence. Often, however, the claims that religions make in order to retain or gain new adherents become magnified and dangerous. Smith's solution is not to limit religions or their activities. Instead, he argues that religions should remain as public as possible and that they should supply members of the society in which the religion is located with enough information to accurately judge the truths of the religion's claims. The spectators then choose which religion they are convinced by and individual sects become weaker or stronger depending on how many members they have. The more information the spectators are exposed to, and the more religions the spectators have to choose from, the more able to choose they are and the more constructive (as opposed to destructive) the religious presence in society is. Religions with overblown claims that cannot be defended will die-out or loose influence. Smith believes that in this way, society can control fanaticism without actually prohibiting any religious groups.

The inverse problem is also of concern. In the contemporary world, one of the great problems of liberalism is not simply finding a place for new religions, but rather to determine to what extent already recognized religious groups can direct political activity. Should religious groups be permitted to manipulate politics to such an extent that their own conception of the good overrides all other? The guarantee of the basic liberties offers a partial solution to this problem. Since liberalism does not prohibit its members from converging on any one particular truth, it would be a violation of the liberal idea to legally prohibit the religious groups from attempting to direct politics in so far as this involvement does not violate the current interpretation of those liberties. When a religion is deemed to be violating the basic liberties it is subject to the determination of the society at hand.
A supplementary response to the problem of religious political intervention is found in the competition of religions. It was Smith's contention that the more religious freedom a society has (and the more religions that exist), the less political power any one religion would wield. It was also Smith's contention that education would prevent the majority of individuals from accepting the more fanatical religions. Liberalism of process rests on that assumption as well. It assumes that diversity and education breeds sectarianism and that sectarianism insures an equal balance of power. Freedom of religion would prevent any individual religions from gaining so much power that their political influence would destabilize the system.

Smith's system of religious competition initiates a shift regarding the focus of neutrality. As opposed to being neutral regarding goods, Smith's system is neutral towards groups -- a collection of individuals with a unified or common identity. There is a good inherent in his structure: the stability and cohesion of a society is the primary good which defines the organizational structure of the plurality of religions. There is also a role for religion in politics. Each group is permitted to try to submit its notion of good for debate and if successful, to develop public policy based on that conception of the good. The only limitation is that whatever good is adopted, it can not infringe upon the neutrality between groups to attempt to submit for discussion other conceptions of the good (this limitation, in order to be met, demands a constant enforcement of a system of basic liberties). This shift from a neutrality between goods to a neutrality between groups will be discussed in greater detail in section 3.4 of this chapter.

A liberalism which is based on a competition of beliefs would shy away from prohibition and let members democratically choose goods, religions, or political positions which they deem appropriate. The more information people have, and the better the system of education, social influence, and culturation, the more citizens will be able to effectively adjudicate moral decisions given their own conception of the good. As a
result, freedom of and access to information (and the tools which they necessitates, i.e. freedom of speech, press, association) are essential for both the moral development and stability of any society. It is therefore essential that such freedom and access be preserved to their fullest extent.

With the guarantee of freedom of information comes a shift of responsibility. It is the responsibility of individual members of society both to consume and supply information (although the fulfillment of these responsibilities should not be coerced). Whereas a society that is geared towards prohibition looks towards the state for guidance, a society geared towards access looks towards itself. Each person who feels committed to any one particular idea should then take it upon themselves (or an association which they belong to) to convince other people of the ideas they support.

To elaborate: virtually all information will be protected against censorship (this includes the mechanisms which are required to disseminate this information, such as speech, press, etc.). Therefore, when an individual opposes a particular point of view or message, because of the state commitment to legal freedom of information, they would not try to convince the government to outlaw the message. Instead, they would attempt to convince citizens not to believe/regard/consume it. Take, for example, the case of hateful literature (such as anti-Semitic leaflets). In a society based on freedom each person has the right to put forth any information they so desire including that which even most people would find offensive or even painful. It is then the responsibility of those members of society who reject these negative ideals to challenge the ideas put forth by showing people why it is wrong (just as the purveyors of the original information attempted to show why it was right). It is in this way that numerous coexisting

240 "Why" in this sense, is a very large term. I do not mean to suggest that only rational persuasion is permissible. Emotional and aesthetic appeals, as well as other of communication are all part of persuasion. I only mean to emphasize the importance of convincing consumers to hold certain opinions using the marketplace of ideas; presentation is a major part of that process.
conceptions of rationality can govern particular decisions. People rely on arguments as well as the traditions which supply the evidence for those arguments to help them resolve problems.

The resulting society would be in a state of constant conflict -- but a conflict of information, not of violence. Each perspective would compete with other perspectives for an audience. The more members of society that find any one idea convincing the more influence that society has. In Smithean terms, the society would represent a marketplace of ideas. Just as religious adjudication takes place in a marketplace of sects, political adjudication takes place in a market place of candidates and proposals, and economic activity takes place in a marketplace of products and services, the sphere of decision making would exist in a marketplace designed to promote the exchange and cultivation of opinions and dialogue.

A general movement towards tradition-based decision making would allow individuals to change society with minimal governmental prohibition. Take, for example, the case of the pornography industry. Rather than ban the manufacture of pornographic material, it would be the responsibility of those who oppose pornography to address society as a whole (or at least the consumers of pornography) and convince them why pornography is harmful to both its participants and society at large. For example, information could be disseminated vividly explaining the pain and suffering of those who

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241 The term 'market' is meant to be a metaphor emphasizing the similarity between Smith's economic system and my liberalism of process. It should be defined as the cumulative competition of all elements of a certain type, where 'elements' should be understood to mean products, ideas, religions, etc., and 'competition' is understood as the intentional or accidental attempts of individuals or groups to inspire voluntary acceptance of those elements given the appropriate meaning of acceptance (i.e., belief in, consumption of, commitment to, etc.).

242 There are, of course, numerous technical issues which would need to be addressed in any one society. Laws and standards governing the prevention of or retribution due to the dissemination of false or libelous information would be of utmost importance. It would be up to the individual society to determine rules and regulation. However, with greater freedom also comes a sense of greater individual responsibility. Purveyors of information would be required to take responsibility for the material they disseminate. This would include reward or punishment as determined by law.
are forced into the industry as well as the damage it does to society as a whole. With enough time and effort, those who see pornography as a destructive force might convince the rest of a society which values respect and quality of life to stop consuming it. The fewer people who consumed it, the less money it would make and the less pornography that would be manufactured.243

The shift from convincing communities not to permit pornography to convincing consumers not to consume it is an important freedom-preserving shift. There is an important difference between legislating that one can not sell a particular product and convincing a consumer not to buy that same product. The former is a rejection of an individual's ability to make decisions for her or himself, the latter allows individuals to be respected as whole and capable agents.

I wish to emphasize that I do not mean to imply that convincing society or its members or groups to change their views is easy or a short term process. I only mean to suggest that it can be done. Liberalism is not easy. It requires effort, energy, commitment and sacrifice. It is an on-going process which evolves and changes and, most important, one which allows people to look back at its history and change laws or society as they learn from their own or other's mistakes. As John Philpot Curran wrote, "the condition upon which God hath given liberty to man is eternal vigilance."244

243 Obviously, a case could be made for the opinion that in this particular example, the dissemination of information is most likely not to be enough to stop an industry which preys on weakness. Many of those involved in the pornographic industry see themselves as having no other choice for survival than participating in an industry they neither approve of or value. This argument would suggest that other social structures would need to be maintained in order to give those who fall into the manufacture of pornography an opportunity to find other options if they find such employment undesirable. This means, for example, global equality of opportunity in employment practices, drug-treatment programs, inexpensive day-care, etc.. A liberal society geared towards freedom and access need not be libertarian. Ultimately, the structure or size of the government and the services which it provides would be based on the opinions of the citizens (or their representatives) who contribute to the debate about public policy.

Governments in liberal society may be as large or small as the society deems appropriate to preserve the goods that insure its liberal nature. However, just as in a capitalist society where a primary responsibility of the government would be to maintain the free-market and insure against monopolies, a primary responsibility of a liberal government would be to maintain the marketplace of ideas and insure against a monopoly of ideas or perspectives. It is the role of government to ensure freedom and access of information depending on how the society which it governs interprets those terms.245

3.4 Neutrality of process.

However, the question remains: wherein lies the neutrality? A government which is committed to freedom is committed to rejecting the claims of those traditions that do not value freedom and reject, for example, those that deem it necessary to protect children from certain influences by restricting their access to those influences. If an orthodox religious community wishes to have their children study only the fundamental texts of their religion and not be exposed to non-religious texts, but the government permits those who disagree with them to distribute opposing information on the corner in front of the school, then isn't the government violating its responsibility to be neutral to competing goods?

Under the traditional ideal of neutrality, any commitment to any particular good is a violation of that neutrality and it is for precisely this reason that the liberal tradition has failed to enumerate a successful account of it. Neutrality, defined as government abstention from any opinion or bias while making decisions or laws is impossible since

245 Obviously, the guarantee of access to information is itself a complicated issue. However, with the advancement of technological capabilities, freedom of information is much more within reach. Popular access to the World Wide Web, for example, can make vast amounts of government documents instantly available to people whom, for practical reasons, were previously unable to access these documents before. Additionally, each partisan group can set up their own information site explaining how they think their opponents are biased and why.
adjudicating decisions requires an acceptance of some sort of good which forms the basis of the criteria for adjudication.

MacIntyre has shown us that it is impossible to make any moral decisions without adhering to a concept of the good. Furthermore, as Galston shows us, the liberal ideal has a triadic conception of the good which guides public policy. It is my contention that neutrality will never be found in any one particular moment of time or in the unfolding of any one particular moral judgment. There can be no neutrality in any particular decision-making procedure because the ability to make decisions requires preferences which necessitate the acceptance of certain goods over others. The necessary presence of the good precludes the neutrality which liberals have sought.

It is at this point in which my description of a Smithian-based liberalism departs from more traditional views. Recall that I have suggested that liberalism is a temporal process. I suggest that one see the neutrality of a liberal society in the potential that individuals or groups have to enter the society and influence the idea of the good and not in the ability of the state to operate without substantive goods as its guide. Freedom of information, like neutrality, is not a good in itself; it is a means to an end. It is adopted as a means to ensure that all individuals have at least the potential to influence society as a whole regardless of whether or not they agree with most or any members of society or of the government.

To investigate whether or not a society is neutral then, one cannot look at any one decision or even the context in which that decision was made; there can be no neutrality.

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246 I submit that although the ability to enter a society is a necessary part of neutrality, right of exit no longer accomplishes its goal. It has been suggested that an essential part of liberalism is the ability to leave any one particular society if one disagrees with the policies or ordering of that society. As discussed in chapter one, in the twentieth century, there is no place left for anyone to go. Certainly, a person can emigrate from one country to another, but they must always enter the jurisdiction of some particular government. This is a strong limit to someone's freedom especially if the person in question does not find a country which suits her or him. Any liberalism which hopes to preserve its freedoms in the modern world must structure itself in such a way that its members are free within the society in question independent of the fact that they have nowhere else to go.
in any decision-making procedure. Instead, in order to locate neutrality, one must look toward the unfolding of the idea of the good, the dominant opinions held, and the public policy which evolve as a society changes. How the society changes over time, how the individuals have or have not been able to influence the idea of the good, and how the different interpretations of the good represent the newer influences that are introduced into society over time are all indicative of the success or failure of that society to reach an adequate level of neutrality.

Neutrality of process is not a neutrality between goods, it is a neutrality between groups. It is collectivist and historical. It is based upon the self-image of groups and includes the history which informed that self-image. All groups have the right to attempt to shape society based upon the teaching of their own historical experience. To permit this is to exclude the possibility of neutrality towards the good. The narrative of history highlights a good and any attempt to manipulate society has that good at its core. Consequently, a neutral society is a society in which all individuals have the potential to influence the idea of the good and that no person or group, regardless of their beliefs or actions, is totally excluded from steering society towards a certain direction. Biases will most likely exist, and political power will more often than not be found to a larger extent -- but not in its entirety, the basic liberties ensure that -- in certain groups as opposed to others. However, since no group is legally and totally excluded from influencing the idea of the good or the political process, those influences will motivate changes that alter the balance of power. Consequently, neutrality is identified by noticing that those ideals to which the society was once committed have shifted to represent, for example, the world-view of immigrants who had only entered the society several decades earlier. Neutrality is the potential for (and indicated by the ultimate realization of) change in a society that does not prohibit its members from converging on one particular idea of the good but that has a mechanism which can allow for and accommodate plurality when it is encountered.
I have indicated above that no person or group is "totally" excluded from participating in debate regardless of their "beliefs or actions." A possible objection might be that such a claim prohibits the punishment of criminals for violent acts, but this misreads the term "totally". Members of a society governed by liberalism of process do agree that although persuasion is permissible, violence is not. Consequently, members of society share an overlapping consensus regarding the limits of proper action similar, in some ways, to Rawls'. In liberalism of process, all citizens share a commitment not to violate the rights of others. Yet Rawls' political liberalism goes further than that. It excludes people from the political debate based on belief. Liberalism of process excludes people solely based on action and as a result, the scope of tolerance is wider in liberalism of process than in political liberalism. Furthermore, political liberalism totally excludes unreasonable people from participating in the debate whereas liberalism of process seeks to only exclude them from acting. To offer an example: Liberalism of process would find the fact that prison inmates in the United States are prohibited from voting to be a violation of neutrality. There is no reason why inmates should not be permitted to participate in elections or even try to influence elections as long as they do not present a danger to others while they do so. Voting from prison does not harm society, in fact, it allows for a silenced section of the electorate to be heard. Repealing this prohibition restores neutrality towards groups. A law stating that prison inmates are not permitted to vote is not group neutral -- it singles out one specific group from all others.\footnote{Requiring that all laws be group-neutral is problematic, it is not meant to be the criterion for permissible laws. It might be suggested that laws can only be non group-neutral if there is a compelling interest for purposes of restoring justice. Two examples of this might be affirmative action and laws requiring handicapped access to public buildings. Both instances, one argument suggests, are examples of the law bringing disenfranchised or excluded groups to a level of equality which other groups have. Further research on this topic is necessary.} Inmates who believe violence or criminal activity is wrong are not excluded as a result of that
belief -- they may espouse it or vote their conscience based on it -- they are simply
excluded from acting on it; they are confined to prison.

A possible response to my new description of neutrality is that it is still committed
to a particular good -- the good of process -- and is therefore not neutral. The good of
liberalism of process is the capacity for pluralism. What I suggest, however, is that given
this new conception of liberalism, the presence of a good does not negate my claim for a
different type of neutrality. Once again, it is a neutrality between groups, not a neutrality
between goods. It shares certain things in common with traditional neutrality. It learns
from the successes of theories such as political liberalism but it avoids some of their
mistakes. It attempts to widen the scope of traditional neutrality while recognizing that
there is no completely neutral society in the traditional sense, and it cultivates a neutrality
of process which unfolds over time. In order to explain this unfolding, I will return to the
moral psychology of Adam Smith. The neutrality of process, as I call it, is a direct
descendent of his most famous metaphor "the invisible hand", and is based upon the
relationship between the rational decision making procedure which is overseen by the
impartial spectator and the non-rational/emotive procedure which is captured by the
natural urge and capacity to sympathize with others.

3.5 The invisible hand is neutral.

Despite its notoriety, Smith uses the phrase "the invisible hand" only twice in his
published writings. Once in TMS and once in WN.248 In TMS, the phrase serves as a link
between Smith's moral psychology and political economy. It is found in a discussion
about the love of system and the affection people have for the utility of machines which
serves to respond to what Smith sees as Hume's false notion of utility. The explicit
purpose of the phrase "the invisible hand" in TMS is to indicate that despite people's

248 The phrase is located at TMS IV.i.10 and WN IV.ii.9.
predilection towards wealth, and despite the fact that a small portion of people own large quantities of land and commodities, ultimately, resources are expended as if everyone had equal share. Smith argues that everyone will ultimately get the share of necessities which they require. He writes:

"They are led by an invisible hand to make nearly the same distribution of the necessities of life, which would have been made, had the earth been divided into equal portions among all its inhabitants, and thus without intending it, without knowing it, advance the interest of the society, and afford means to the multiplication of the species."249

The phrase "invisible hand" is sandwiched in between a paragraph which emphasizes the strength of the human imagination and a paragraph which focuses on the human love of system. It is a metaphor meant to illustrate that despite the human desire to see reason and rationality as a motivational force, the movement and fluctuation of organizational structures are imposed on a person without he or she "intending it, [or] knowing it."

The use of the invisible hand metaphor in WN is found in a discussion regarding foreign trade. Smith details how, all else being equal, local trades-people would rather engage in local than foreign business because they can observe their profits and direct their affairs. Each person focuses on manipulating their own commerce and by focusing on only their own profits they, inadvertently, benefit the entire system. He writes:

"By preferring the support of domestick to that of foreign industry, he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intention. Nor is it always worse for the society that it was no part of it. By pursuing his own interests he frequently promotes that of the society more effectually than when he really intends to promote it. I have never known much good done by those who affected to trade for the publick good."250

249 TMS IV.i.10.10.
250 WN IV.ii.9.
Here too, as in TMS, the importance of the metaphor is to illustrate that when observing activity on the market level, human rationality and intention appear irrelevant to the progress of the whole. In fact, intentional attempts to manipulate the market are often less effectual and less beneficial to the common good than when someone focuses solely on their own interests.

My emphasis on "the invisible hand" is meant to illustrate that the rules which govern individual human interaction do not govern the fluctuations of the system as a whole. According to Smith, a love of system inspires individuals to postulate imaginary machinery that explain fluctuation of markets and of the progress of the human species. In reality, these things are not manipulable since if there is a guiding principle, we are unaware of what it is.

Herein lies the neutrality of Smith's moral psychology, his economics and, ultimately, of any political order which organizes itself around numerous different types of market structures. Individuals may attempt to manipulate the whole, governments may attempt to make public policy, consumers and entrepreneurs may attempt to guide economics, but none of these actions have mappable effects. The movement of the whole is not guided except as if by an invisible hand (the cumulative effect of all activity) which its members can only reconstruct after the fact. I do not mean to suggest that the movement of the system is irrational, random or arbitrary. There are certain principles which may help prediction in some instances (i.e. supply and demand). However, the cumulative effect is non-rational. The markets are guided both by rational and non-ration influences and move in such a way that may be neither absolutely predictable nor

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251 In "History of Astronomy", Smith takes great pains to point out the human love of system as a way of soothing our wonder and surprise (see especially Chap. 1 and 2). The History of Astronomy, which was never published by Smith, contains the only other reference to the invisible hand in Smith's writing. (Adam Smith, "History of Astronomy" Essays on Philosophical Subjects (Indianapolis: Liberty Classics, 1982)).
completely understandable. The fact that this level of market is non-rational allows for the claim that on this level, and this level alone, there is potential for neutrality. Over time, if the basic liberties are realized, if freedom of and access to information is protected, if there is freedom in the political market place and competition in the economic sphere, if religions are permitted to flourish and die as individuals in society support or reject them, then and only then is neutrality as process realized because despite the fact that at any one time any one person or group of people may have more power, a louder voice or more privileges than other people, the natural fluctuation of the system will ensure that whatever ideas of the good dominate will eventually give way to other less dominant ideas.

It might be argued that such a long-range view does little to help those who are in need at any one point in time (for example, the homeless). It is for this reason that one guarantees the basic liberties. Liberalism is not committed to all types of equality. That there will be economic inequalities may be unfortunate, but the assumption of the system is that the guarantee of political liberties will help rectify injustices which result. The system of basic liberties insures that individuals acquire enough necessities to propagate

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252 That market forces are guided by non-rational causes is not meant to imply that the "invisible hand" actually influences the market. The term invisible hand is meant to illustrate the non-mappable movement, not the cause of the movement. The invisible hand does not influence, it is the way we describe the effect of the cumulative influences.

253 Smith does not specifically offer this optimist view of the fluctuation of political power. However, as I have presented it, this view is an outgrowth of comments Smith makes in *TMS* regarding the role of the invisible hand and the distribution of necessities. As stated on page 206, the invisible hand insures that all resources are eventually divided into equal shares and, as a result, the needs of society are met. My view as expressed, is the political extension of this economic belief.

254 First, the desire to ease the burden of inequality was Smith's motivation to place such a strong emphasis on education. It is an analogous motivation which inspires me to continue the liberal guarantee of the basic liberties. Second, as explained earlier, a liberalism of process does not demand that society be libertarian. If the society determines that it is the community's responsibility to provide economic relief for those who require it, then that is perfectly compatible with my proposal.
and continue the species and, assuming that individuals continue to strive for changes, improve their own quality of life and others.\footnote{255}

It may be suggested that in an indirect way a neutrality of process is more "political" than political liberalism. Neutrality of process is a meta-level neutrality which seems separate from the day to day claims about the good -- it is an aggregate of procedures, claims and beliefs, and shares much with Rawls in that regard. In the sense that neutrality of process is found on a meta-level, liberalism of process is similar to Rawls' political liberalism. It has accepted Rawls' view that the method of maintaining the level of justice in a society must be somehow distinguishable from the particulars of society. However, in so far as it has been suggested that liberalism of process is separate from the day to day claims about the good, it is unlike Rawls' theory. Liberalism of process is neither separate nor political in the Rawlsian sense. Recall that for Rawls, political means divorced from unreasonable moral comprehensive doctrines. Only those views which are found in the overlapping consensus are permitted into debate. Recall also that I have argued (along with MacIntyre) that this separation makes it impossible for individuals to argue convincingly within the political sphere. Liberalism of process recognizes that political deliberation is made up of moral comprehensive debate and that no moral comprehensive doctrine can be excluded from that debate. The process of adjudicating between moral comprehensive doctrines is based on a moral psychology which is informed by the competing moral comprehensive views of society whether they be rational or not (sympathy provides the bridge between competing conceptions of rationality). Political debate in liberalism of process welcomes moral comprehensive debate and tries, more successfully than Rawls, to allow for as much plurality as possible.

\footnote{255} The phrase "assuming individuals continue to strive for change" is meant to indicate that since liberalism is a process which is influenced by its members, those who refrain from influencing the society will not necessarily feel the effects of the change. Oppressed groups who do not attempt to bring their own issues to the forefront may not experience change which is beneficial to themselves unless someone else chooses to act on their behalf. This cannot be guaranteed.
Liberalism of process also allows for a totality of beliefs to enter the debate, it only excludes from acting those who would act in a violent way. Rawls acknowledges the presence of a good inherent in political liberalism.\textsuperscript{256} However, he maintains that this good is not comprehensive in itself. It only pertains to the political sphere. Liberalism of process does not make that claim.

3.6 The market structure.

The relationship of the moral comprehensive doctrines which influence political adjudication is an example highlighting a continuum of markets which incorporate different levels of human and social experience. Each is analogous to the other, each is structured in much the same way and each contributes to the other -- there is no hierarchy of markets. A child develops as he or she experiences. He or she acts, accepts or rejects the emotional feedback of his or her observers. The feedback given to the child is a result of the process of sympathy. It informs him or her of the rational deliberations that spectators have engaged in to determine the propriety of his or her actions. Then, based on the feedback he or she receives, the child determines how to act in the future and develops, over time, general rules which will assist future rational deliberation. Each person, in all of society, in all societies, is understood to undergo the same process and is understood to be influenced in some way by every interaction and every piece of information.\textsuperscript{257} The more diversity in the information, the greater the possibility that a

\textsuperscript{256} Rawls lists five ideas of the good which are present in political liberalism's priority of right. They are: "a) the idea of goodness as rationality; b) the idea of primary goods; c) the idea of permissible comprehensive conceptions of the good (those associated with comprehensive doctrines); d) the idea of the political virtues; and e) the idea of the good of a well-ordered (political) society (Rawls, \textit{Political Liberalism}, 176).  

\textsuperscript{257} This is a universal claim about moral psychology. It is committed to its own truth and a society which structures itself on the liberalism of process may have to accept it as true as the basis for public policy regarding the governance of the market-place of ideas. Nevertheless, committing to a universal truth is not a violation of neutrality since any member or group within society may attempt to convince the other members of society that this claim is false. If society rejects this principle then society will change its structure. A danger of the liberalism of process is that it does allow for freedom which can lead to
child may develop different standards and influence others in different ways. The
influences that the child is subject to, and the influence the child wields contributes to
(among other things) the market-place of ideas, the purpose of which is to present
individuals with the opportunity for rational and informed choice. Just as Smith argues
that from an economic perspective "every man . . . becomes in some measure a
merchant," in the market place of ideas, every person becomes in some measure both a
student and a pedagogue.258

4.1 Adam Smith as a liberal.

MacIntyre's work has shown the importance of cultural influence, practices, and
the account of the good on rational moral adjudication; a Smitean system can account
for that. Galston has highlighted the importance of an enumerated conception of the good
in liberal political theory and the virtues which result from it; a Smitean system can
account for that as well. Together the two philosophers form a basis for a strong political
theory yet they seem to miss an essential element of liberalism -- the neutrality which, at
minimum, ensures that pluralism and diversity are always a concern of the political
system. A Smitean system, as I have tried to show, can account for that as well.

In section one of this chapter, I focused on Letwin's question of whether or not
Smith was a liberal. I hope to have shown successfully that he was. By focusing on
Galston's account of liberalism, I had hoped to show that (a) liberalism is a concept
which evolves as philosophical enquiry advances, yet (b) when one examines the changes

258 WN Liv.1.
one sees numerous persistent characteristics which stem from the earliest formulations of liberal theory.

Winch objects to labeling Smith as a liberal but he is mistaken in doing so. As I have discussed in chapter two, traditions are identified (and their legitimacy justified) after the fact. It is neither a disservice nor misleading to label Smith a liberal. It allows theorists to reconsider elements of the liberal tradition which may have been left behind for too long.

I hope to have shown that Smith succeeded in creating a theory which, although not couched in liberal language, is sophisticated enough to respond to some important contemporary of objections. If I have successfully done so, then perhaps liberal scholarship will be forced to re-examine Smith's theories.
Conclusion

Liberalism of process does not solve all of the problems of liberalism. It seeks to learn from the success and failures of other types of liberalism and solve as many problems as it can. Although far from perfect, liberalism of process is an improvement as compared to political liberalism. In short, its scope of freedom is wider than the freedom available in political liberalism and its theoretical foundation does not depend upon a questionable separation between political and comprehensive moral theories.

To elaborate: liberalism of process and political liberalism differ in several important ways. Rawls' political liberalism prioritizes the right by separating moral comprehensive doctrines from the political conception of justice and labeling the "political" as the final court of appeal. Political liberalism is structured such that only elements from within the overlapping consensus are permitted in political debate. Liberalism of process does not make those commitments.

Given the moral psychology which forms its foundation of political interaction, in liberalism of process the good is understood to be irrevocably intertwined with and inseparable from the right. It is therefore permissible to refer to unique or divergent conceptions of the good during debates about public policy. In liberalism of process, the Rawlsian right is not a framework which all individuals must share. Instead, individuals or groups attempt to convince others of the rightness of their actions or beliefs using all of the tools that their traditions (and/or belief systems) provide. Liberalism of process does require that individual share a commitment to non-violent persuasion, but even violators of that agreement are still permitted into the debate. Only some of their actions are curtailed.
In political liberalism, the spectrum of allowable divergent conceptions of the good is narrow. Only those moral comprehensive doctrines that share and can justify the module that is the overlapping consensus have a mechanism for communication and public influence. In liberalism of process, however, there is a much more minimal demand for commonality. Again, divergent groups need only share a commitment that persuasion and not force is the proper means for adjudicating public policy debate. A difficulty may arise when two parties engaged in debate have radically different conceptions of rationality. The solution to this problem is found in the moral psychology offered by Adam Smith. In chapter three, I argued that sympathy was able to function despite a fundamental separation of human beings. Sympathy, through a process of cultivation of the imagination and education, is able to bridge the gap between separate individuals, genders, classes, and ethnic groups. Sympathy does have a difficulty bridging the gaps left by lack of shared experience. However, given education and the desire to understand the perspective of others, sympathy is able to foster communication between others despite divergent conceptions of rationality. Sympathy, then, allows for debate about political matters as well as moral adjudication. The lack of an overlapping consensus does not prevent society from having productive debates regarding public policy.

Political liberalism is committed to a conception of neutrality based on an ideal archimedean point but does not achieve that goal. Its purpose is to design one standard of moral adjudication which is applicable to all reasonable moral comprehensive doctrines and has no concern for regulating the non-reasonable. Liberalism of process, however, is committed to the non-archimedean neutrality of process which unfolds over time. This neutrality recognizes that all moral adjudication is context-based and realizes that there is not one standard of moral adjudication. Neutrality is considered to consist in the potential of all individuals to influence the society as a whole, and it is witnessed in the
fluctuations of power and the idea of the good over time within a society. Neutrality of process has elements within it that are analogous to Smith's conception of markets. It is described in terms of competition within the market place of ideas. It does not suggest that there will not be biases at any one particular time, nor does it seek to find neutrality in any one particular decision at any one time. Instead, neutrality is found in the non-rational progression of the society. Liberalism of process is a neutrality between groups, not goods. It does not claim to be neutral in the latter sense. Like Rawls' political liberalism, liberalism of process is committed to a specific set of liberal goods such as described by William Galston. It recognizes that public policy is intertwined with divergent conceptions of good. The range of beliefs that can be used in public policy debates is much wider than the range in political liberalism.

The progression of a liberalism of process is reminiscent of Smith's metaphor describing the progression of economic activity in the free-market: the invisible hand. This metaphor emphasizes the non-rational, non-mappable, non-manipulable process which is the progression of the idea of the good in any given society over time. In that the cumulative effects of all individual actions are not subject to the rules which govern the individual action, there is no one overarching good which directs the progression of the society. The unfolding of liberalism of process is directed by the aggregate of all goods.

Both political liberalism and liberalism of process are committed to a conception of basic political liberties. For political liberalism, the basic liberties ensure that each agent respects the limitations of the reasonable, and, in turn, each citizen expects the reciprocal respect due to them. Furthermore, in political liberalism, the basic liberties allow enough freedom so that each agent is able to act on their own rational interest in so far as it does not violate the limitations of the reasonable.259

259 John Rawls, Political Liberalism, 324.
In liberalism of process, the basic liberties fulfill a similar role as in political liberalism. In so far as neutrality is a process over time, the basic liberties ensure that those who do not share in the dominant conception of the good are not denied those necessities required to fulfill their own needs. The basic liberties also ensure that individuals are able to act on their potential to influence society as a whole should they choose to.

As I have argued in chapter one, political liberalism's overlapping consensus is a static conception immune to change and external influence (where "external" means, influenced by those who are not deemed reasonable). There is a requirement of reciprocity which demands that all individuals share in the overlapping consensus and understand the consensus in the same way, but that the overlapping consensus also be compatible with divergent justifications. Rawls writes:

"[This] raises the question whether the principles of justice might change over time as the theory of human nature and knowledge of social institutions changed. I answered that the possibility of such a change is just that, a mere possibility mentioned to explain the nature of justice as fairness. . . . It is hard to imagine realistically any new knowledge that should convince us that these ideals are not feasible, given what we know about the general nature of the world, as opposed to our particular social and historical circumstances. . . . Such advances in human knowledge as may take place do not affect our moral conception.” [emphasis added]  

Rawls argues two separate points here. First, he argues that it is hard to imagine any substantial change in our world view which would affect the principles of justice. Second, he argues that such change, should it take place, will not affect our moral conception. However, it is precisely these two points which a commitment to liberalism of process recognizes as false. Certainly, it is true that it is hard to imagine what certain changes will be. It is always difficult to imagine radical change. To argue that we, now, in this day and age, have such certain knowledge that our world view will not change is

260 John Rawls, Political Liberalism, 70f.
unfounded. There is no compelling reason to assume that such changes will not occur in the future regardless of whether or not we can anticipate what those changes might be.

The reciprocity requirement of liberalism of process is slightly looser than that of political liberalism. Like any other liberal theory, it requires that each member respect the basic liberties of the other members. Both political liberalism and a liberalism of process have reciprocity requirements which prevent them from being all-inclusive. In that respect, liberalism of process has not met its goal of structuring itself to be completely tolerant of both the tolerant and intolerant. However, guarantees of freedom of and access to information allows citizens and non-citizens to attempt to influence a changing conception of the rules of political interaction in both formal and informal ways. This allows some who would not be deemed "reasonable" in political liberalism to have a voice in a liberalism of process that they would not otherwise have. Furthermore, the intolerant, although restricted in certain actions, are not restricted from trying to influence the debate because they are not excluded from it. Prison inmates, for example, would be permitted to vote and contribute to political debate despite the fact that they would remain safely separate from other citizens.

A liberalism of process is committed to particular goods, most notably to process and pluralism. It is also committed to the picture of moral psychology described by Adam Smith. In that respect, liberalism of process, like political liberalism, also has a static conception of the good. However, given that liberalism of process has within it mechanisms which allow for the influence of those who do not share this commitment to process, pluralism, or this particular moral psychology, and given that the good and right are not separated in such a fashion as to preclude the participation of those who have different methods of interaction, over time the rules of political interaction are not necessarily static. There is still potential for the society to determine a structure which allows an increase in the amount of toleration of intolerance. There is also still the
potential for the society to change its idea of the good as well as its structure or understanding of political interaction. Whereas political liberalism's static conception of right has neither the possibility nor the potential for new discoveries, a liberalism or process still leaves room for the optimistic belief that better structures may someday be discovered.

Over time, public opinion is never stagnant. Political structures which are informed by public opinion are in a constant state of flux. As a result, political conflict is perpetual and so is (to a degree) the potential for change. Liberalism of process wishes to foster that potential.

Liberalism of process assumes that that which is flawed can be fixed, even if such an assumption is, at times, unrealistic. It recognizes that at any one moment in time, numerous imperfections in the political structure may prevent a society from realizing its fullest potential or its stated goals. It also recognizes that in time, with effort and participation, those who constitute the society (as well as those who interact with it) can influence the political structure in such a way that society may be bettered. It does not guarantee such a result, it simply leaves that possibility open.

A market place of ideas is, in many respects, an ideal the maintenance and cultivation of which is fraught with difficulties. The disparity between those with and without money, those with and without power, and those with and without influence, creates an even larger disparity between people's access to those tools which are used to disseminate information. Those individuals or groups who have power over the media, for example, find it much easier to influence the masses than those who do not. Their opinions are more likely to be known and considered than the opinions held by the disenfranchised. As a result, it is much easier for those who have power over the media to retain their power than it is for those who do not have such power to acquire it.
It is an unfortunate fact that the Have-nots will always be required to work much harder to influence the society than the Haves. Part of the process of influencing is becoming -- to at least a certain degree -- a Have. A liberalism of process which is based upon a commitment to freedom of and access to information is designed to make it easier for the Have-nots to effectively make their voices heard. It is the challenge of liberalism of process to minimize the impact of social inequalities. Smith recognized that public supported education is one important way to remedy the damage caused by inequalities in a market-based system. I suggest that freedom of and access to information is yet another.

It can be objected that nothing prevents the Have-nots, after becoming Haves, to impose a good on society which violates the rights of other Have-nots; there is no absolute protection against unjust oppression in liberalism of process. To a certain extent this objection holds true and to a certain extent it does not. It does not hold true in so far as liberalism of process guarantees the freedom provided by the basic liberties. These are the same freedoms that are present in political liberalism and which are sought in contemporary America. However, this objection does hold true in so far as the population does have the ability to change the basic liberties if the basic liberties are no longer convincing. This is not just an unfortunate fact about liberalism of process, it is an unfortunate fact of human life. One cannot guarantee that the future will not bring oppression. One can only guard against it as much as possible. For example, compare the picture of liberalism of process with contemporary America. In liberalism of process, the political arena cultivates sectarianism and a wider range of competing groups. In contemporary America, although there is also a wide range of competing groups, most groups are subordinated under (or, at least, affiliated in some way with) the two large political parties. Although most often in opposition, at those times when the two parties act in concert, radical change is easy and virtually unchallangable. Laws against abortion, flag burning, immigrant rights and affirmative action are all quite close to being ratified -
- some of these issues are assumed to be important enough to warrant constitutional amendments. In liberalism of process, where large political groups are discouraged, radical change would be much more difficult. Again, no absolute guarantee of political freedom can be given. However, this is not only an imperfection of liberalism of process, it is an essential quality of all political theories which rest upon the participation of the governed.

It is against the background of a utopian ideal of neutrality that I ask its cousin -- a neutrality of process -- to be understood. Neutrality, in its traditional sense, is understood as a mechanism which describes government intervention which is neither biased -- the government is not committed to a particular conception of the good -- nor intrusive. However, government intervention is always biased and almost always intrusive. Consequently, traditional neutrality is a utopian fiction. Liberalism of process recognizes the existence of biases. It suggests that over time, competing biases will create a balance which results in equality. The intrusive nature of government will be countered with the freedom of criticism and influence that a commitment to freedom of and access to information can bring about.261

Liberalism of process is forward looking in its approach to history. It recognizes that history builds upon itself and that people in different time periods may look at past events in radically different ways. It is based on an understanding that one does not determine history but that one's goals are influenced by it. Liberalism of process recognizes that each society, as well as every sub-group within it, may understand history and its lessons differently, and that the lessons learned may influence public opinion and the political structure in numerous unforeseen ways.

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261 It is important to note that although government intervention is almost always intrusive, intrusiveness is not always a bad thing. It is intrusive for police to corner off a road which is regularly used by commuters. However, if the road is unsafe and may collapse under the weight of cars, such intrusiveness is necessary and should be welcomed.
Compare this perspective on history with that of Rawls' in *PL*. According to Rawls, the structure of political liberalism is such that decisions made today will force themselves upon the world view of tomorrow. The overlapping consensus is designed so that comprehensive moral doctrines will, over time, develop a place for the "module" which all will share. As I have shown in chapter one, this module cannot and will not change. A society is expected to accept as absolutely true and constant the ground rules which they all share. Political liberalism attempts to govern ahistorically whereas liberalism of process watches history unfold and changes accordingly. Rawls seems to discredit the "mere possibility" of change as unworthy of focus. Liberalism of process, as I have described it, embraces even the most minute possibility of change as that which must be permitted.

The project described by liberalism of process is open ended. There are many problems which remain to be solved. First, I have not defended the claim that liberalism is to be preferred over other political systems (i.e. fascism, communism, etc.). This is a project for another time, and, in fact, would be, perhaps, a perpetual discussion within the market-place of ideas. Among the freedoms of liberalism is the freedom to convince others that liberalism is inadequate. Second, there is a self-referential difficulty. The commitment to the good of liberalism of process is a commitment to the belief that a liberal society should always allow for change, yet this belief itself is not subject to change. This is the same self-referential tension that MacIntyre faces in his claim that *all* rationality is tradition based. If that is the case, why isn't that claim the conclusion of one particular tradition?

The self-referential difficulty highlights the fact that the rules which apply to the day to day operation of liberalism of process do not apply to the meta-level in which neutrality is found. It forces one to examine the relationship between the process of the invisible hand and the unfolding of history. Does the fact that liberalism of process
results in a certain situation justify (as opposed to simply explain) the situation at hand? In other words, does historical accident have some normative quality? For the moment, I offer no answer to this question. The implication of my interpretation of Smith's invisible hand is that there is no overarching logic which guides the process of political consequence, yet it also acknowledges that the unfolding of history is the cumulative effect of numerous different rationalities, justifications, normative claims and non-rational influences. Is there really no logic to history or is it simply undiscovered? Again, this is a question which must continue to be examined after this dissertation is finished.

This dissertation has been guided by multiple aims, one of which is to isolate several core philosophical problems that ought to confront any understanding of contemporary liberalism. The issue of self-referentiality constitutes one such problem and is, perhaps, the most important and difficult one. No theory of liberalism will succeed until problems associated with self-referentiality are addressed and resolved. Having brought the analysis to this level, I must reserve that next large step of the inquiry for another occasion. I hope that in the course of my discussion of a number of leading figures and pressing themes, I have successfully located the problem of self-reference as a major and important topic for attention in the ongoing debate about liberalism and its foundation.

The project of designing liberalism of process is far from complete. However, the lack of answers to the questions listed above does not make liberalism of process deficient. It only indicates that there is much more work to be done.


