

Interpretation

A JOURNAL OF POLITICAL PHILOSOPHY

Summer 2005

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Strauss and Cohen: The Question of Enlightened Judaism

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Hermann Cohen is an “impassioned philosopher and an impassioned Jew” whose thinking interested Strauss from the beginning until the end of his life: from the early writings and talks “Cohen und Maimuni” (1931) and *Philosophie und Gesetz* (1935) till his Introduction to Cohen’s *Religion of Reason out of the Sources of Judaism*. Strauss took great care over the latter, published in 1972 with the English translation of Cohen’s book, and asked that the text be republished in the volume *Studies in Platonic Political Philosophy* that appeared after his death. The question of Cohen arises in his autobiographical Preface to *Spinoza’s Critique of Religion*, where he highlights the stakes of the interpretation of Spinoza for the contemporary crisis which he identifies as a theologico-political one. Strauss speaks about Cohen not only because he needed to place himself with respect to other Jewish thinkers sparking a movement of return to tradition, like Rosenzweig and Buber, nor with the sole aim of presenting opposing positions on assimilation and Zionism, but also because he is at once very close to Cohen and also very distant from him.

Cohen is unquestionably distant from Strauss and from all the young Jewish philosophers born in Germany who experienced Russian Communism and Hitler’s Nazism, that is to say the repeated collapse of liberal morality, of religion and politics. This shock was contemporaneous in the philosophical landscape with the fascination for Heidegger. It is expressed in Strauss’s perplexity for Cassirer’s efforts to take the side of reason during the *Entretiens de Davos* in 1929. This shock led Strauss to suspect the ambiguous origins of the project of modernity. Strauss, more than Cohen, is aware that the challenge posed by Nietzsche to traditional notions of morality and to the role

of reason in human nature and in history is one of the major challenges of our time, both for a young philosopher and a Jew for whom the synthesis between religion and German philosophy is not compelling.

Strauss however does not stay on the defensive and does not seek to build a philosophy of return to tradition, a new orthodox thinking like Rosenzweig's. Strauss's thinking does not present itself as a modern Jewish philosophy. Nonetheless, he shares with the thinkers of his time a philosophical and metaphysical predicament: rationalism is no longer what it used to be. One can no longer believe in reason nor in the progress of history as one did before the critique of reason offered by Husserl's phenomenology and before the gap between rationalism and irrationalism that we experienced after Nietzsche. Finally, Strauss is the one who wonders whether modern rationalism has not killed off reason. But he does not say that reason is bad. He says that the modern conception of reason is false. And his return to premodern Enlightenment is a way to show there is another conception of reason—and of man—that can help *us* to be enlightened. His critique of Spinoza and his return to Maimonides are the steps of his critique of the modern Enlightenment, the critique that is also, to my mind, an introduction to another Enlightenment. And at each stage of Strauss's path, he meets Cohen: he follows him, because he has understood that the critique of Spinoza and the return to Maimonides were the main tasks of the present, but he rejects the interpretations of Cohen and shows the latter is still a man of the *modern* Enlightenment.

The question is: what notions of reason were held by the thinkers who ushered in the Enlightenment? Isn't in this separation between the truths of belief and those of science, between the Spinozist concept of a religion—which is essentially superstitious and cut off from the knowledge of God—and reason, a logic which leads inevitably to a deepening of the strains between the Enlightenment and orthodoxy? Therefore, in the twentieth century, the new terms for the alternatives become orthodoxy and atheism. But it depends on what atheism one speaks of, says Strauss, who was not a disciple of Nietzsche but one of those who took him seriously. It is atheism which is an obverse side of belief in the self-sufficiency of reason and in man's capacity to provide his own salvation and to take care of himself without any reference to any transcendent ideal. Religion is not only useless to be happy and free, but it is also an obstacle to these earthly aims. The rejection of God is a part of the conception of life which the modern Enlightenment got from Epicurus: men have to get rid of superstition and fear so as to think of human affairs, of the city, of happiness. But Strauss has been driven to this understanding of the

spiritual situation of his time when he was comparing his studies of Spinoza with Cohen's interpretations (Strauss 1924, 1926, 1930, 1932, 1965).

The core of the Spinozist critique of Revelation is not that Spinoza is possessed by a "demonic spirit," as Cohen says (1915). Spinoza makes the God of Moses a tribal God, but he is not more anti-Jewish than he is pro-Christian. Cohen fails to see the forces of persecution prevalent at the time of Spinoza. He reads the latter too literally because he does not read him literally enough: he does not grasp that the *Theologico-Political Treatise* was a political book and that Spinoza wanted to secure the political conditions for freedom of thought (Strauss 1965, 36–37). Cohen's critique of Spinoza is too psychological, as we can see when he says Spinoza's pronouncements were driven by hatred and revenge for the Herem to which he was condemned but which he deserved. But there is a second reason that explains why Strauss does not follow Cohen: Cohen does not see that the presupposition of the Spinozist critique of Revelation is faith in man's self-sufficiency. This faith in reason and in man comes *before* the critique of religion. And it is this disposition to express satisfaction with man's capacities that Calvin finds arrogant (Strauss 1930, 248–72). This conception of reason is the major obstacle to faith. It is the major obstacle to orthodoxy. But if Strauss shows that the critique of religion is based on a belief, he shows also that the modern Enlightenment has not destroyed the *interest* for Revelation. Atheism is a belief. Orthodoxy and atheism represent two opposite positions (Strauss 1930, 255; 1965, 51). They cannot understand each other. There cannot be a discussion between them nor a synthesis of them.

This critique of Spinoza's critique of religion drives Strauss to examine what happens in the medieval Enlightenment, and in particular in Maimonides' *Guide of the Perplexed* where we can see rationalism welcoming Revelation. Here, Strauss begins to be close to Cohen, not only because he follows the latter's intuition that Maimonides is more deeply in agreement with Plato than with Aristotle (Strauss 1931, 404–5), but also because he considers it necessary to articulate human affairs—politics to Strauss—and religion. But, as Strauss has suggested when speaking about Cohen's interpretation of Spinoza, the philosopher of Marburg shares with Spinoza this belief in reason. Cohen is a man of the modern Enlightenment, even if his reference is not the Spinozist reason, but the philosophy of Kant and his notion of autonomy. Cohen's concept of God is hard to distinguish from an Idea and his religion of reason out of the sources of Judaism makes religion a morality. He does not understand the Law as Maimonides understood it: according to Cohen, men

do not need the *fact* of Revelation, because their reason contains all that they need to be good and to build a world of justice that will exist in the future. Cohen does not help us to enter the Law and understand our tradition. Cohen's interpretation of Maimonides is a deformation of Maimonides.

Both Strauss and Cohen revisit Maimonides' thinking, being convinced that one must consider the strains between religion and politics (Strauss), or between religion and morality (Cohen). Their method and their responses are however very different because they belong to two different universes. Cohen is a man of the Enlightenment. But he is not a man of the Enlightenment in the sense of Strauss's contemporaries or in the sense of their successors. Amongst them, there are those who repeat the credo of the Enlightenment, who echo Voltaire without having read his work (Strauss 1931, 395). Cohen is not such a man because he does not think that the Enlightenment is obvious. That is the reason why Strauss says that Cohen is more enlightened than his successors. He can understand the link between Plato and Maimonides. He can also understand what it means to be Jewish and to be enlightened: the "enlightened Judaism" is a special way to understand the relationship between religion and philosophy. Enlightened Judaism means to apply Plato's Enlightenment to Judaism—for Judaism (Strauss 1931, 399: "aufgeklärtes Judentum bedeutet die im Namen und Auftrag des Judentums vollzogene Rezeption der Aufklärung philosophischer Herkunft in das Judentum"). Instead of saying that philosophy makes religion disappear, Maimonides shows that reason purifies Judaism from superstition or false beliefs, that is to say that philosophy "helps" religion. Cohen sees his own effort to fight against myths that corrupt our understanding of the Bible as a way to follow the enlightened Judaism of Maimonides. Nevertheless, Cohen is a man of the modern Enlightenment because he has confidence in man and in reason and believes in progress, the progress of history, as it is obvious in his interpretation of messianism.

Messianism is not a theologico-political notion in the view of Cohen. Like Rosenzweig, he is aware of the dangerous use of this religious notion in politics and he chooses the secularized interpretation: he will pay attention to the conception of time that it contains and to its dimension of hope. But whereas Rosenzweig has a metaphysical interpretation of messianism that does not cut off this notion from religion and assigns a specific mission to Judaism, Cohen understands messianism as socialism: it suggests the moral progress that we shall make in the future. Cohen, who has not experienced the shocks of Communism and Nazism, is a man of the

nineteenth century, says Strauss, because he believes that man is good and that history is the history of the progress of wisdom. Reason, for Cohen, is a way to be wiser, whereas Strauss, like Heidegger, thinks that reason is a weapon for good *and* evil and can lead us to a kind of tyranny characterized by the era of technique and the hatred of reason.

Of course, Strauss does not agree with Heidegger when the latter says that philosophy is the history of an error that began with Plato and Aristotle. Strauss thinks that the *modern* conception of man and reason is responsible for nihilism and that we have to return to the Ancients to understand what political philosophy is. We have to call into question a project of civilization linked to an ideal of mastering of man and nature that has led us to tyranny, but this situation is the heritage of modern Enlightenment. The crisis of our time is a crisis of political philosophy: it comes from the fact that the question of the human end has been excluded from politics and from reason, which is regarded as the instrument of passions. An actualization of classical rationalism and true Enlightenment is required but it is also necessary to study the relationship between reason and Revelation and the conception of man that are linked to the true Enlightenment. True Enlightenment supposes the appropriation of Maimonides' notion of Law and constitutes Strauss's positive contribution to political philosophy, the foundation of which is the decomposition of modern religious and political consciousness. This archaeology of nihilism is a way to reopen the quarrel between Ancients and Moderns. We have to show the presuppositions which prevent us to escape from the destructive dialectic of modern Enlightenment. And this enterprise needs to be more distant from the Moderns than Cohen was. But it does not mean that Strauss will be more and more distant from Cohen. Everything in this relationship between Strauss and Cohen is particular. It can be compared to the link between the son and his father: there is an heritage and there is also a break, but the heritage is present in the way the son finds himself and breaks with his father.

We wish to show that Strauss, though very distant from Cohen, is the one who has approached him most closely, and who understood perhaps best the force of his thought: the critique of Spinoza—the critique of him who represents the radical tendency in the Enlightenment—and the topicality of a return to Maimonides. Strauss is the one who has most closely approached the great philosopher and Jewish thinker Hermann Cohen. We disagree with those who say that in his youth, Strauss had been impressed by Cohen who seemed to be the man capable of resolving fundamental modern

dilemmas, but that later he abandoned the hero of his youth, finding a synthesis between Jerusalem and Athens impossible. Strauss's affinity for Cohen's philosophy would be one of youthful passion—to be forgotten, or viewed as an illusion more due to the admirer's naivete than to the genuine qualities of the admired one. We consider that this interpretation fails to see what is essential and philosophically strong in Strauss's interest in Cohen.

Strauss is quite different from the other philosophers who have developed the ideas of the philosopher of Marburg. But in a way, we can say that he has developed something that Cohen himself has not developed. He has not repeated him, but he has succeeded in overcoming him: instead of working with the same things in the same house as his father, he has chosen to exploit a field that has been suggested but not exploited by him and that the other heirs continue to neglect. And this field is the interpretation of Maimonides as being closer to Plato than to Aristotle (Strauss 1935, 66). Strauss thinks that Cohen, because of his misunderstanding of the Maimonides' notion of Law, because of a Christian scheme which he got from German philosophers, has missed the political message of the author of the *Guide*. He should have seen that the Platonic heritage of Maimonides was the reference to Socrates and his "way to ask what the true life is" (*Fragen nach dem rechten Leben*) which is "a way to ask together how to live together fairly, for the sake of living together fairly and of the true City" (*ein Zusammenfragen nach dem rechten Zusammenleben um des rechten Zusammenlebens, um des wahren Staates, willen*: Strauss 1931, 412). Cohen should have understood that Maimonides was a political philosopher. He only guessed it when saying that Maimonides' politics is in his prophetology, but he has not developed this intuition, because he thought that ethics was the most important thing for men and for politics. Strauss is the one amongst the Jewish thinkers of his time who pays attention to *this* aspect of Cohen's thought.

Rosenzweig and Lévinas are interested in the question of the double correlation, that lets us understand the link between our relation to God and our relation to others: the relations to others constitute the experience where God reveals himself. This revelation is not really the Revelation of God, but the Revelation of his commandment, that is a commandment of Love. According to Rosenzweig and Lévinas, love can be ordered, and this is rather original, when we compare it to Kant. The experiences of the fault and the pardon make us know who we are, who is behind the "I": we are not only a "cogito," but we are open to others. Our identity is this correlation with others. We are not self-sufficient. This heritage will drive Rosenzweig to the religious

philosophy of *Der Stern der Erlösung* and we can see both influences (of Cohen and Rosenzweig) in the books of Lévinas. On the contrary, Strauss abandons the moral philosophy of Cohen and considers this aspect of his thought to be responsible for the fact that he has missed the political message of Maimonides, which is, in Strauss's view, the core of the *Guide*.

The Jewish religion for Cohen is essentially moral. Thus he interprets Maimonides' doctrine of negative attributes as if they were attributes of action: we can know God only in his ways, only in his moral essence. God is a model of moral perfection and we have to imitate him (Strauss 1931, 417–19). Jewish monotheism is a source that leads continuously to its truth, which is morality—the morality of Kant. Cohen gives such an interpretation of Maimonides and of Judaism because he believes that one can understand the ancient texts better than their authors have done themselves. He has an idealizing interpretative principle which he got from Kant's *Kritik der reinen Vernunft* (Die Transzendente Dialektik, Erstes Buch, Erster Abschnitt A 314). For him, tradition is a source, a kind of treasure which only Moderns can exploit and, as Kant said, we can understand a writer better than he understood himself.

Tradition, according to Strauss, is not to be understood as a source that leads to a point which is its destiny, its truth. And we may have lost the keys of the tradition. We are not able to understand the Ancients as they understood themselves because we have too many prejudices, which are due to the Moderns and also to the fact that we repeat the credo of the modern Enlightenment. That is the reason why we are more and more distant from the truth that is in the books of Plato, Aristotle and Maimonides. We are not enlightened but blind. We are more blind than the prisoners described by Plato, as Strauss says when he speaks about a second cave: we continue to think the Ancients were naive, we believe that we have neither prejudice nor religion, but we share the most important prejudice, that is the religion of history—historicism in its worst form which is called by Strauss (1999) the modern astrology! This is the reason why one is condemned to return to the history of philosophy, in order to pay attention to special prejudices that prevent us from understanding the past. And the Straussian critique of Cohen will help us to discover that amongst our prejudices there is a scheme which we got from the Christian interpretation of the law. Cohen, who does not belong to those who share the credo of the Enlightenment but who is separated from Maimonides by Kant and by the Christians, is a very important chapter of Strauss's critique of the modern Enlightenment. It is also important to

understand that Strauss shows the interests as well as the limits of his idealizing interpretation of Maimonides.

Why does Strauss reject Cohen's interpretation of Maimonides? There are two reasons: one is visible and obvious, the second, which Strauss has expressed at the end of "Cohen und Maimuni," is the key of his return to Jewish and Arabic medieval philosophers. Thus it will help us to understand why Strauss thinks that the premodern Enlightenment does not share a scheme that is due to the Christian interpretation of law. For Strauss, Greek, Arabic and Jewish thinkers belong to the Ancients, whereas the Moderns are Christian, even if they fight against the Christian church. The quarrel between the Ancients and the Moderns is more complicated than we can imagine when using without reflecting the metaphors of Jerusalem and Athens. It is not only the tension between Jerusalem and Athens that has to replace the synthesis of philosophy and religion, but we have to examine the way we think about the link between politics, ethics and religion: we have to ask whether the main prejudice of the modern Enlightenment, which has led to liberal democracy and separation between religion and politics, is not the forgetting of the Law. Thinking about the responsibility between the Christian scheme and nihilism, Strauss seems to follow Nietzsche. But whereas the latter attacks the Christian morality that is, in his view, a denaturation of life that began with Judaism, Strauss emphasizes the difference between Judaism and Christianity. The main notion of the premodern Enlightenment is the notion of Law as a whole (Strauss 1931, 428–29; 1935, 61).

Strauss begins to show that religion is primarily a moral content for Cohen, and secondarily it is a need which allows the individual—the "I" and not the "He"—to relate to an absolute community in his effort at self-transformation. In monotheism, Cohen sees in the ideas of humanity and in idealized messianism a time and a history allowing an infinite progress of morality. For Strauss, religion implies the notion that reason is not sufficient to guarantee wisdom and human happiness. Revelation or divine Law, as we see it in Plato's *Laws*, does not necessarily mean that men believe in the God of the Bible. But there is a gap between the Ancients and the Moderns as regards their opinions concerning what is truth and what man can do by himself in order to build a good state. Both Cohen and Strauss understand revelation as law, but they do not understand the word "law" in the same way. For Cohen, a law is a regulation, a purely practical commandment of reason. To his mind, our relation to God is a moral relation which is experienced in the relation to other men, to the *Nebenmensch* considered as *Mitmensch*. Thus, the core of

philosophy, of the true philosophy is ethics. According to Strauss, the Law is a structure to be studied like the totality of social, religious and political life. That is the reason why he is closer to the Jewish and Arabic philosophers of the Middle Ages than Cohen: the latter sees in Maimonides' interpretation of the Law a means of motivating those laws, while understanding their rational value and making laws of submission and of ceremony but simple vestiges of a long-ago past. Strauss sees in the Law something that gives structure to a society, and that could be contrary to a theologico-political crisis. But does it mean that Strauss rejects the separation between religion and politics and that he wants us to return to medieval society and to theocracy?

Strauss's philosophy is paradoxical: he criticizes democracy and points out its inner dangers and drifts, but his critique of democracy is a constructive one. Moreover, he thinks that liberal democracy, which is the result of the theological-political treatises of Spinoza and Hobbes, could be saved by a way of thinking which comes from Maimonides and Plato, that is to say with a thought that has been fought by the Moderns (Strauss 1989, 98)! If we stopped thinking that politics is only a question of power or a mere way to manage people, if we thought, like the ancient political philosophers did, that political decisions cannot be cut off from the question of human excellence, we could ask what kind of society and what kind of man our decisions will create. If we stopped thinking that laws are mere political solutions to social problems, we could consider their symbolical value. We have something to learn *from* Maimonides' rationalism and from his own interpretation of the relationship between reason and Revelation.

As Strauss says, the crisis of our time is a crisis of political philosophy, that is to say that ethics is not the core of the true Enlightenment. Ethics is a result of modern political thought, a consequence of the death of political philosophy and of the fact that the question of human perfection has been excluded from politics and from reason. Ethics appears as a separated field because the essential questions, the *philosophical* questions concerning the Good and the end of man, whose answers were referring to the understanding of the Whole, have been excluded from politics. On the contrary, the core of ethics is the autonomy of the subject and the respect for human freedom. And ethics is used to condemn or to judge the consequences of politics in the modern sense of the word, that is to say of power and abuse of power. According to Strauss, Maimonides' notion of the Law and the reflections of Plato in the Laws are an invitation to think that the individual is not the *terminus a quo* and *terminus ad quem* of all. We have to think about the tension between the fight

for individual freedom and individual rights and the fact that man is to be understood in his link to nature and to what transcends nature. Each opposite term has to be thought about. There is neither synthesis nor *Aufhebung* that makes the contradiction disappear. The Straussian critique of the modern Enlightenment leads to a philosophical revolution, where the modern conception of man and reason must be criticized—in order to save the spirit of democracy. The link between citizens and state is not only that the latter has to guarantee individual rights. Individuals should not only think about their duties, but they should also feel that freedom is not separated from the question of the end of man, that is to say we have to understand the link between man and what overcomes him, whether one calls it nature—in the sense of the essential and eternal character of a kind—or transcendence. The relation between reason and Revelation in premodern rationalism is a way to call into question the modern conception of man as a subject.

This shows “family ties” between Jewish thinkers who were fascinated by German philosophy but who thought something was wrong with modern reason and with philosophy of history: Rosenzweig, Strauss and Lévinas—although Strauss did not want to have any relationship with the latter, they share the same heritage: Judaism and Cohen. These philosophers wanted to find a way outside Kant and Hegel. Most of them were fascinated by Nietzsche and Heidegger but they could not be satisfied with these thoughts and the “return” to tradition helped them to find a way to solve the questions raised by Nietzsche and Heidegger without being trapped in irrationalism. They thought they had something to learn *from* tradition, be it Talmud, Bible or Philosophy, be it Maimonides or Kuzari. To my mind, it is the meaning of their “return” to tradition. But if the true Enlightenment supposes that we understand what Law means and if it does make political philosophy and not ethics the core of the true philosophy, we can see that this task—which gives Strauss’s work its unity—is not completely alien to Cohen’s intuitions. Isn’t Cohen the one who helps us to learn something from Maimonides in order to be enlightened?

Strauss is more faithful to an intuition of Cohen than is Cohen himself. Indeed, it is Cohen who puts Strauss on the path to Maimonides’ politics, politics he finds in his prophetology. But Strauss is the one who understood most deeply the expression which was used by Cohen to define Maimonides: “enlightened Judaism”. For Strauss, Maimonides is the one who can enlighten us, because the way he reads the *Torah*, using philosophy and science (Aristotle’s physics) and suggesting that there are

different levels of understanding, different steps that lead the good student to the perfection of the knowledge, is part of his involvement in Enlightenment. Cohen was aware of this involvement and it was part of his admiration for Rambam. Strauss thinks that the imitation of Maimonides, that implies the understanding of his political philosophy and his esoteric teaching, is the way to overcome modern impasses, be they political, religious or philosophical.

Instead of saying, like Rosenzweig, that our link to God is experience, Strauss says that sane and true opinions—also knowledge—are the way to be closer to God. Instead of thinking, like Scholem, that mysticism is the key to enter the tradition, he continues to refer to Jerusalem and to Athens, suggesting that the vitality of our civilization is in the way we claim the *tension* between reason and Revelation. He does not say, like Heidegger, that we have to wait for the return of the divine and he prevents us from irrationalism. Instead of building, like Nietzsche and his philosophy of the Eternal Return, a kind of atheistic religion (Strauss 1973), instead of telling us that the human is something that we have to overcome, he says that man has to accomplish his own nature, just as the Ancients said when they spoke about the wise, which is not the superman, but a man who knows he is neither the core of the universe nor its greatest member.

I think that this reference to enlightened Judaism, which he got from Cohen and whose model was Maimonides, is the strongest reason that explains why Strauss was unsatisfied with the thoughts of Nietzsche and of Heidegger. Cohen helped Strauss to escape from nihilism and to build his own philosophy, beyond Humanism, Existentialism, Neo-Kantianism. Developing more than Cohen himself the intuition of the latter, that is to say the Platonic heritage of Maimonides' Enlightenment, Strauss overcame the phenomenology of Husserl, whose bracketing-out was not radical enough: one has to return to the opinions of the man in the City, just as Socrates and Maimonides did. Political philosophy will be the core of the Straussian Enlightenment and the way Strauss will continue to be faithful to enlightened Judaism *and* to Cohen.

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On Michael Zuckert's *Launching Liberalism*

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In *Launching Liberalism*, Michael Zuckert establishes or re-establishes himself as the preeminent living expositor of Locke and Lockean political thought. I believe Zuckert worthy of this honor not merely by virtue of his longevity in this particular battlefield, although the essays in *Launching Liberalism* span a career of nearly thirty years. Nor is his place secured merely by virtue of his productivity, although in the sheer volume of his output on Locke, he has very few rivals. A good Locke scholar, like a good Lockean, is not only industrious but also rational. Over the past thirty years, and especially over the past ten years with the publication of two major books, Zuckert has advanced the cause of rationality in the debates surrounding Locke's political thought more thoroughly and effectively than any other single scholar. A bit more specifically, I suggest that Zuckert's main contributions and achievements are the following: (1) he has done more than any other to narrow, if not to heal, the major breach between opposing schools of thought in Locke scholarship; (2) he has done more than any other to settle some longstanding controversies about Locke's historical roots and relations; and (3) he has developed an original and powerful reading of Locke's political thought in itself, along with a powerful defense of that thought against some influential objections. In the brief discussion that follows, I will explain a bit further the significance of these contributions and achievements. I will also raise a few questions concerning some of Zuckert's most important interpretive claims.

I say that Zuckert has done much to narrow a major breach between schools of Locke scholarship. This requires some explanation, as in the Introduction to *Launching Liberalism*, he declares his intention not to smooth things over and move on but rather to revisit the controversy (1–3). As is well

known, Locke scholarship for decades has been mainly, excepting a few independents, a two-party system. The two majors are the Straussians and the Cambridge school, and their differences concern both method and substance. The dispute over interpretive method or approach has suffered at times from a preoccupation with issues of secondary importance, but at its center it concerns a matter of permanent, paramount importance. Adherents of the Cambridge approach seek at all costs to avoid imposing the prejudices of the present upon the past. They tend consequently to insist upon reductively historical readings of the great names of political thought, treating them as relatively ordinary participants in local and ephemeral debates. Zuckert's careful and persuasive defense of the Straussian approach against this view is a defense of the discipline of political philosophy against the encroachments of intellectual history. At the risk of sounding grandiose, it is, at bottom, a defense of the possibility of understanding political matters philosophically, against the reduction of all political thought to ideology or partisanship.

Even with respect to interpretive approach, however, some ground for rapprochement between the two schools comes into view. There is no necessary incompatibility between properly understood philosophical and historical treatments of political thinkers. As Cambridge school readings could often be strengthened by a greater openness to their enduring, philosophic significance, so Straussian readings could often be strengthened by greater attention to the historical relations of their subjects. Here we see the first of Zuckert's major contributions converge with the second. In full agreement with the Cambridge insistence upon understanding political thinkers within their proper historical contexts, Zuckert produces (in this book and in its 1994 predecessor, *Natural Rights and the New Republicanism*) historically and philosophically illuminating discussions of Locke in various significant contexts, even as he clearly demonstrates Locke's distinctiveness from other natural-law writers such as Grotius, Pufendorf, and above all, St. Thomas Aquinas.

In important respects, Zuckert defends the Straussian reading on grounds of substance as well as interpretive approach. He does so most generally by reaffirming and advancing the case that Locke is decisively a rationalist and a modern. *Launching Liberalism* contains reprints of early essays in general accord with the original Straussian reading, highlighting Locke's critical, rationalist approach to Biblical religion and his problematic attempt to reconceive that religion according to the needs of civil society. Even more important is a later essay epitomizing the 1994 book's extended demonstration

of Locke's radical divergence from St. Thomas Aquinas. In my judgment, Zuckert's developments of this argument in the earlier book and in *Launching Liberalism* provide a conclusive refutation of persisting Cambridge readings of Locke as a kind of Thomist or Christian Aristotelian. More than that, they stand as the best discussion ever written of Locke's *Questions Concerning the Law of Nature*. Also worth noticing, on the subject of Locke's modernity, is a passing, tantalizing characterization of Locke as adumbrating a comprehensive critique of the premodern consciousness anticipating the more systematic accomplishment of Hegel.

With respect to interpretive findings, too, however, a possible rapprochement appears. Reading the Introduction to *Launching Liberalism*, one quickly notices a significant fact: although it begins in a determination to defend the Straussian approach in a renewed debate, it proceeds almost immediately to launch a critique of Strauss's reading of Locke. The critique occupies over half the chapter and is further developed in later chapters. The main, general point of contention is this: Strauss affirms and Zuckert denies that Locke's political thought is, at the level of fundamentals, identical to that of Hobbes. The convergence with Cambridge readings lies especially in the theological aspect of Zuckert's reading, especially in more recent essays. Distinguishing Locke from Hobbes as Zuckert does means, among other things, that Locke is less dogmatically materialist and more open to the possibility of an immortal soul than is Hobbes (15). Locke is therefore less utopian, more realistic, than is Hobbes with respect to the likelihood that reason or science could fully absorb or supplant religion as the sustaining basis of public morality. Largely for this reason, Locke, much more than Hobbes, could succeed in claiming (what both sought) the allegiance of many liberal Protestants. The "exoteric" Locke whom the American Founding generation found so appealing is not so distant after all, in Zuckert's account, from the real Locke. If we can trust the survey data about religious belief, Locke remains America's philosopher in this respect, while Hobbes appears as a founding philosopher of an increasingly secularized, nonreligious Europe.

This theological openness represents a particularly important instance of a general quality of Locke's political thought. Taking some license with Zuckert's terminology, we find in much of *Launching Liberalism* an explanation of perhaps the most remarkable growth story in modern political history. More successfully than any other commentator, Zuckert here explains how the Lockean enterprise could expand its market far beyond England and the seventeenth century, could continue through the present day making

important acquisitions, creating subsidiaries, taking on new shareholders, authorizing franchises—could become Amalgamated Locke. But in laying the foundation for a natural history of Locke’s political thought, Zuckert shows Locke acting as both a “syncretist” and a “splitter,” in his words. He shows the powerfully absorptive quality of Locke’s thought, or its affinities with the likes of Blackstone, the English and American republicans, and the aforementioned Protestant dissenters. Equally illuminating, he shows what Locke’s thought is not: Locke is not Hobbes, not St. Thomas Aquinas, not Grotius, not even Descartes, and not fully persuaded by his own stated arguments concerning revealed or natural theology. So what *is* Locke’s thought, considered in itself?

The most important point upon which Locke diverges from Hobbes is also the point of greatest originality and the cornerstone of Zuckert’s argument: the distinctiveness of Locke’s political philosophy resides fundamentally in Locke’s understanding of the nature of the *self*. Their common employment of natural-law language notwithstanding, Locke and Hobbes agree that the primary moral concept is not law or duty but rather subjective or individual rights. But Locke differs sharply from Hobbes, in this reading, in holding that rights are to be understood *not* as inferences from the passions, as Hobbes has it, but rather as inherent in the fundamental fact of individual self-consciousness. Locke emphatically conceives of natural rights in terms of *property*; natural rights are properties of individuals, or modes of individuals’ fundamental property in *themselves*. The individual’s claim of property in himself is inseparable from his self-consciousness. To be properly, lucidly self-conscious—conscious of *one’s* self, of one’s *own* self—is already to be self-owning. The hard core of the antislavery argument, in Frederick Douglass’s compact formulation, consisted in precisely this principle: “every man is *himself*.” I am an owner by virtue of *being* a self, holding an exclusive right to my actions and freedom and necessarily concerned for my happiness or misery. To conceive of myself in this way is necessarily to claim for myself certain rights, or certain proprietary powers and immunities, in relation to others. Correspondingly, to conceive of oneself as an owner by virtue of being a self or person is necessarily to conceive of all other selves as bearers of rights equal to one’s own. So the recognition of oneself as a rights-bearer entails as well a self-recognition as the bearer of at least certain limited, negative obligations to like others. The rights- and obligations-grounding reciprocity argument that Zuckert attributes to Locke is nicely represented by Lincoln’s summary idea of democracy: “As I would not be a slave, so I would not be a master.” To know oneself as a self, as an “I,” is to reject the legitimacy of either.

Zuckert's reading of Locke's foundational argument has the important effect of fortifying Lockean liberalism against several common objections that tend to deter many later liberals and nonliberals from taking it seriously. Perhaps the most common of such objections is the charge, pressed by followers of Hume, that Locke's rights argument derives Ought statements from Is statements. To the contrary, Zuckert argues, Locke commits no such illegitimate inference; he does not attempt to *derive* Ought from Is but instead clarifies the Ought that is already *immanent in* the Is. More concretely, Locke describes the moral significance that properly self-conscious persons are compelled to affirm as immanent in the fact of personhood. Of greater practical importance is the status of justice, enhanced in several respects, in Zuckert's reading of Locke. The notion of a natural property in oneself means, first, that for Locke in contrast to Hobbes, there is genuinely natural justice and therefore the ground of a sharp distinction between natural and conventional justice. But beyond that, Zuckert's particular reading of the basis of Lockean rights in the structure of the self rather than in the passions means that justice for Locke is not grounded in consequentialist or utilitarian considerations and so not vulnerable to charges that it must inevitably collapse into mere egoism, relativism, or willfulness. Described in the language of later moral philosophy, Locke's argument seems to be fundamentally deontological. It yields a conception of the Right as independent of the Good in a manner similar to, if less formalized than, later forms of liberalism, most notably Kant's, and it conforms clearly with Locke's own critique of teleological natural science in the *Essay Concerning Human Understanding*. More concretely, Zuckert's reading shows Lockean thought to be resistant to lately fashionable attacks by "bourgeoisophobes," indirect epigones of Rousseau and Nietzsche, against the contemptibly sordid, self-miniaturizing concerns for personal security and comfort that they take to be the ruling spirit of the original liberalism. By identifying self-ownership rather than self-preservation as the founding, ruling principle, Zuckert's reading renders explicable on Lockean principles the spirited, indignant, courageous defense of liberty that characterized Locke's own life and that nations inspired by Lockean liberalism, especially our own, have repeatedly displayed in response to threatening adversaries.

Although he pointedly declines to call for a "Lockean originalism," Zuckert clearly intends by his work not only to teach his readers how to read Locke but also, by revitalizing the study of Locke, to teach us to think more soundly about the fundamental questions and issues of liberalism and of political philosophy in general. With pardonable oversimplification, one could say in summary that Zuckert holds that in contrast to the Cambridge

school, it makes good sense to ask whether Locke's liberalism remains defensible, and in contrast to the original Straussian reading, it makes good sense to answer in the affirmative.

For present purposes, I confine my critical attention to Zuckert's foundational interpretive argument, locating the basis of Lockean rights in the fact of self-consciousness. I begin by confessing that the more I consider this argument, the more powerful it seems to me. Locke's various discussions of the self supply impressive evidence for Zuckert's reading—especially his references to self-ownership in the *Second Treatise* and, in *An Essay Concerning Human Understanding*, his insistent affirmation of the possibility of a demonstrative moral science and his related explanation of *self* as a forensic term denoting, above all, responsibility for actions, a capacity for law, and a concernment for happiness. I think that the preponderance of evidence does support Zuckert's defenses of Locke against the Hobbesian, utilitarian, and Humean objections. Natural rights for Locke are not simply inferences from the passions, not even from the strong desire to preserve oneself; they are not grounded, at least not in any familiar or straightforward way, in utilitarian motives; and they are indeed immanent in the structure of the self. Self-ownership, not self-preservation or the merely subjective pursuit of happiness, is *a*, if not *the*, fundamental moral fact.

Nonetheless, acknowledging its impressive success in resolving so many important controversies and in addressing so many challenging objections to Locke's political thought, I think that a few significant questions and challenges remain for Zuckert's reading of Locke.

My first question is impossibly large for the present forum and perhaps somewhat naive, but not for those reasons less important. Zuckert persuasively holds Locke's political thought defensible against several objections often taken to be decisive. Does he hold it defensible against *all* fundamental theoretical challenges? As we consider *Launching Liberalism's* account of Locke's "absorptive" qualities—Locke as the Great Amalgamator—should we think that Lockean political philosophy *needs* to amalgamate with other corporations of moral and political thought to correct some deficiency, some partisanship or oversimplification, peculiar to itself? In short, is it Zuckert's position that Locke's political philosophy is fundamentally *true*—even that it is *the* true political philosophy?

Two further lines of questioning are more directly challenging. First, is this seemingly deontological argument really Locke's argument?

Second, does the argument constitute a compelling justification of natural rights?

With respect to Locke's intention, questions persist in my mind as to whether the relevant evidence finally establishes Locke's argument as a deontological argument, and even as to whether Zuckert himself means to affirm this. Zuckert recognizes and incorporates into his reading the prominence of the concept of happiness in Locke's argument. As noted, Locke says that a concern for happiness is a constituent element of the self. He also says in the *Second Treatise* that law would vanish as useless if it did not serve human happiness, and he says in the *Essay* and other works that morality is necessarily directed by the pursuit of human happiness. The extent to which Zuckert means to attribute to Locke a nonteleological argument, conceiving of rights as prior to, if not independent of, goods, seems to me questionable particularly in light of a passage in *Launching Liberalism's* final chapter. In that chapter, Zuckert elaborates an argument rejecting Alasdair MacIntyre's contention that all successful moral reasoning must be teleological. He cites Locke's as an example of a successful nonteleological argument for natural rights. But near the close of that chapter, a brief, largely tacit suggestion of an alternative line of argument appears. Zuckert says that the self is a self, for Locke, by virtue of its developed rational faculty, and that its rationality is a *good* for the self—not merely instrumentally but somehow intrinsically good (362). Is rationality merely one among numerous substantive goods that the self may enjoy, in this reading? Or is it somehow the good of goods, occupying a position of primacy such that rights must be understood teleologically, as the indispensable conditions for the rational pursuit of happiness—of happiness understood not subjectively but rather rationally, as *happiness-in-rationality*?

These questions about the identification of Locke's argument seem especially important to me because they are closely related to another persisting question about the soundness of the seemingly deontological argument that Zuckert attributes to Locke. As I consider this argument, I remain unconvinced of its power to silence the likes of Hobbes or Thrasymachus, moral conventionalists, who would advance something like the following objection. Is a property claim in the full sense, a claim of *right*, really immanent in or rationally entailed by our consciousness of selfhood? That is, why couldn't my awareness of *my* self, *my* actions, *my* freedom, *my* concern for happiness engender not a claim of right, as Locke conceives of right, but rather an assertion of mere power or possession? Why couldn't this sort of awareness constitute only a recognition of ownership of whatever actions, freedoms,

possessions, I am powerful enough to claim, against or from others? Perhaps the response would be that such a limited, contingent recognition is irrational, so far as it would entail a right of powerful others to subject oneself to tyranny. In Lincoln's argument, no rational being would be a slave. But many people certainly would be masters, if they believed they could get away with it. So how can we respond to those who conceive of human relations exclusively and necessarily as a mere struggle for power—who freely renounce all claims of obligatory right and thereby affirm the rationality of *risking* their own subjection to the greatest evil, enslavement, as the price of justifying their striving for the greatest good as they understand it, mastery? It is not yet clear to me that an appeal to the meaning of the pure fact of self-consciousness suffices to demonstrate the irrationality of such assertions of the right of the stronger. The question persists in my mind whether Locke can overcome this sort of argument by any other means than an argument showing the *unhappiness* of the tyrannical life for any rational being—or in other words, by an argument in which claims of right depend on claims about the good to a greater degree than a strictly nonteleological or deontological reading of Locke could allow.

As I have indicated, I believe that Zuckert makes a vitally important contribution in arguing that self-ownership, in Locke's theory, is immanent in the structure of the self. But I believe that the claim of self-ownership and rights is made rationally necessary, in Locke's argument, not by the self's capacity to own actions in itself but rather by that fact in conjunction with the second main element of the self's natural constitution, its necessary concern for happiness. Lockean self-ownership is not independent of or prior to a proper conception of the substance of the happiness for which the rational self is naturally concerned. In short, self-ownership for Locke is both an instrumental condition and a central, indispensable constituent element of happiness. The alternative argument that I believe Zuckert touches upon in his critique of MacIntyre represents, in my view, the soundest reading of Locke and the soundest explication of natural human rights. We most rationally understand ourselves as self-owners and rights-bearers, not as actual or would-be tyrants, because the rational pursuit of happiness ultimately signifies the pursuit of happiness-in-rationality, i.e. of happiness in the life of rational self-ownership.

But whatever the power of my persisting questions and proposed alternative, it is fitting for me to close on a more definite and affirmative note. All in all, *Launching Liberalism* seems to me the single best guide available to the historical and contemporary meaning of Lockean

liberalism. With this book, together with *Natural Rights and the New Republicanism*, Zuckert has produced the most significant work in the field of Locke scholarship over the past ten years and perhaps longer. He has done more than any other to illuminate Locke's thought both in itself and in its relation to others, and he has done more than any other to defend Locke's cause—which remains a very good cause. For these reasons, he deserves our expansive praise, together with our thanks.

On Michael Zuckert's Locke

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(Note: Since this essay was revised and expanded just before the publication deadline, I unfortunately did not allow Michael Zuckert time to respond in his essay to the additions. But the core of my argument remains as he originally received it.)

I.

Michael Zuckert is one of the most distinguished Locke scholars of our time and, indeed, of all time. The essays brought together in *Launching Liberalism* (University Press of Kansas, 2002), in conjunction with Zuckert's two earlier books, constitute a major contribution towards recapturing the unifying intention underlying Locke's writings, demonstrating the continuing plausibility and relevance of Locke's teaching, and explaining its connection to American constitutionalism. Among the most valuable facets of *Launching Liberalism* is Zuckert's clear distinction between Locke's politic natural-rights doctrine and the more dogmatic, less realistic variants of rights-based liberalism subsequently developed by John Stuart Mill and (in our time) by such writers as John Rawls and Robert Nozick. Contrary to critics of liberalism like Alasdair MacIntyre, Zuckert demonstrates that the original Lockean doctrine of natural rights accepted by the American Founders does not entail the limitless extension of lists of supposed rights (as in the U.N.'s "Universal Declaration of Human Rights"), to the point of meaninglessness (363). And contrary to the Mill of *On Liberty* as well as contemporary liberal "neutralists" like Rawls, Nozick, and Bruce Ackerman, Zuckert shows that Lockean liberalism does not disempower government from giving generalized support and encouragement to the civic morality that its own preservation requires (21, 361–62). Finally, contrary to Nozick and

other libertarians, Zuckert demonstrates that the Lockean teaching does not forbid government from acting to provide such goods as public education, social security, and relief for the poor, as part of the “rights infrastructure” without which a liberal regime might not survive or prosper (283–84, 361).

Above all, Zuckert exhibits how the Lockean doctrine and its American offshoot, as expressed in the Declaration of Independence, rest on a plausible and carefully reasoned understanding of human *nature*—unlike the foundationless liberalism of today’s liberal theorists. He thereby disinters the natural-rights teaching from premature burial by “pragmatic” liberal historians like Carl Becker who, unaware of the questionable philosophical grounds of the historicism they presupposed, failed to take that teaching with the seriousness it deserved and therefore dismissed it as mythological (or as MacIntyre would have it, analogous to the belief in unicorns). (See Becker, *The Declaration of Independence*, repr. ed., New York: Knopf, 1942 [1922], 277–79.) Further, as in his book *Natural Rights and the New Republicanism*, Zuckert carefully distinguishes the liberal natural-rights teaching from other modern rights doctrines (such as that enunciated in the English Declaration of Rights of 1688) with which other scholars have confounded it (*Launching*, 276–87). And, summarizing the argument of his second book *The Natural Rights Republic*, he resolves the historians’ artificial debate about whether the Founders were “liberals” or “republicans” by explaining that they were both: far from seeing a tension between their commitments to natural rights and republicanism, they regarded republican government as the best (and only truly legitimate) *means* of securing those rights (290–91).

II.

Having singled out some of the many virtues of *Launching Liberalism*, I shall devote the remaining space to discussing a couple of issues on which I have reservations about Zuckert’s interpretation of Locke—and about the adequacy of the Lockean teaching itself as he articulates it. I begin with Zuckert’s intended correction of Leo Strauss’s account of Locke’s teaching. While agreeing with Strauss that Locke was an esoteric writer who concealed the sharp edges of his position and its implications from his broader audience, Zuckert takes issue with Strauss regarding “his identification of Locke as, in fundamental ways, a Hobbesian.” Although Zuckert believes that Locke can plausibly be interpreted as a Hobbesian up through his lectures on the law of nature in the 1660’s, he argues that even that work shows signs of a nascent “epistemological orientation” that ultimately drove Locke beyond Hobbes, enabling him to “launch liberalism” (3).

I shall question Zuckert's proposed correction of Strauss's interpretation of Locke in three respects. First, since Zuckert himself recognizes that Strauss did not reduce Locke to a mere Hobbesian, but acknowledged his major innovation in holding—on the basis of Hobbes's own premises—that government needed to be so structured as to protect the individual against oppression by government itself, as well as by other individuals (3), I suspect that Zuckert has (for rhetorical purposes of his own?) exaggerated the gulf between his interpretation and Strauss's. (Because Strauss was chiefly concerned to challenge the conventional wisdom of his—and our—time that viewed Locke as Hobbes's antagonist, and consequently focused more strictly than Zuckert does on the theoretical roots of Locke's position, rather than on Locke's specific political prescriptions, it isn't surprising that he dwells less than Zuckert on Locke's modifications of Hobbes.) Second, I believe that Zuckert's dichotomy between Locke and Hobbes underestimates the broadly “liberal” element that was already present in Hobbes's own doctrine, as well as exaggerating the difference between the two philosophers' psychologies. Third and most important, I am not persuaded that Zuckert's “moral” reconstruction of Locke's state-of-nature teaching makes as much *sense* in its grounding of natural rights as a more Hobbesian reading, such as Strauss suggested, does. I shall focus here on the second and third points.

Strauss himself identifies Hobbes as “the founder of liberalism,” understood as the political doctrine “which identifies the function of the state with the protection or the safeguarding” of people's natural, individual rights (*Natural Right and History* [University of Chicago Press, 1953], 181–82). (In his reply to James Stoner's critique, Zuckert distinguishes his claim that Locke “launched” liberalism, i.e., “sent it out into the world a far more palatable, attractive, and acceptable thing than Hobbes had left it,” from the view that he literally “founded” it. But he adds that since Hobbes “combines the emphasis on rights with many other political doctrines which are no part of the liberal tradition as normally understood,” Hobbes is perhaps more accurately described as liberalism's “proto-founder”: “Perhaps He Was,” *Review of Politics* 66 [Fall, 2004], 54–55).

Perhaps, in view of the “authoritarian” emphasis of parts of Hobbes's teaching, the term “proto-founder” is indeed more apt. But it is worth emphasizing just how many elements of “classic” liberalism that teaching contains. Let us first note that despite Hobbes's seeming imputation of absolute authority to the sovereign, in the very chapter of *Leviathan* where he

introduces that claim he also enunciates a doctrine of inalienable rights that no human being can ever be understood to have given up, and the protection of which is the very purpose of instituting a sovereign. The three rights Hobbes introduces here are precisely the Lockean triumvirate of life, liberty, and property (*Leviathan*, ch. 14, ed. E.M. Curley [Indianapolis: Hackett, 1990], par. 8; cf. James Stoner, “Was Strauss Wrong about John Locke?,” *Review of Politics* 66 [Fall, 2004], 56, citing Strauss regarding Hobbes’s recognition of men’s “natural property” in themselves and their thoughts). In the same and later chapters, Hobbes proceeds to add to that triad a list of legal prescriptions that the sovereign is also bound to respect, such as the presumption of innocence in a criminal trial, the prohibition of *ex post facto* laws, and the right not to be compelled to bear witness against oneself, that exemplify his intention of encouraging the reformation of English law on the basis of individual rights, and grounding common-law guarantees on his new teaching about sovereignty (*Leviathan*, ch. 14, par. 30, with Curley’s note 11, p. 87; ch. 16, par. 16; ch. 27, pars. 8–9; ch. 28, pars. 10–11; Joseph Cropsey, “Liberalism, Nature, and Convention,” *Independent Journal of Philosophy* 4 [1983], 21, and “Hobbes and the Transition to Modernity,” in Cropsey [ed.], *Ancients and Moderns* [New York: Basic Books, 1964], 213–37, at 226–29). These facts seem to me to call into question Zuckert’s denial that Hobbes provides for “a sphere of enumerated reserved rights” (302), as well as his assertion that Hobbes’s sovereign holds “the most plenary power: the right to everything that everyone had in the state of nature” (8).

Granted, in Hobbes’s doctrine it is up to the sovereign himself (or itself, in the case of a governing assembly) to decide how far to respect these rights in practice. But Hobbes encourages judges to assume in interpreting the law that the sovereign wills “equity,” in the sense of respecting all citizens’ equal rights—since this is the best means of ensuring that the sovereign holds on to his position (*Leviathan*, ch. 24, par. 7; ch. 26, pars. 14, 23–25, 28; note that this quasi-natural conception of equity is Hobbes’s effectual substitute for the natural justice that he nominally denies [ch. 13, par. 13]). (Nor does Locke himself, for his part, assert a list of enumerated rights that are to be enforced by the judiciary: the security of our rights ultimately rests, in on the people’s own watchfulness—in conjunction with the salutary tension Locke establishes between the legislative and executive bodies; cf. *Federalist* no. 84, ed. Clinton Rossiter with introduction and notes by Charles Kesler [New York: New American Library, 1999], 482–83. While outwardly encouraging a greater degree of deference to the sovereign’s judgment than Locke does, Hobbes’s account of the rights that sovereigns must secure serves

equally to educate citizens about what they may reasonably respect from a legitimate sovereign. Cf. Curley's discussion, in his Introduction to *Leviathan*, xxxviii–xl.)

Even when it comes to the right of resistance against oppressive government, one should be cautious about exaggerating the differences between Hobbes and Locke. Of course, there is no counterpart in Hobbes's teaching to the Lockean doctrine of "anticipation"—i.e., the people's right to overthrow a sovereign whose actions merely display a "design" to establish tyranny. But despite Hobbes's seeming assertion of the absoluteness of the duty of obedience, on more than one occasion he emphasizes that that duty is conditional on a sovereign's doing his job of providing the individual with security, including the security of his property and lawful liberty as well as his life (*Leviathan*, ch. 21, par. 21; ch. 29, par. 23). If the individual is freed from his duty to obey the sovereign when the latter is too weak to protect him against the depredations of other individuals (or factional bands), it surely follows even more directly that the obligation to obey the sovereign is rendered null when the sovereign himself is the source of the individual's insecurity. (It was precisely Hobbes's teaching that the individual's duty to obey the sovereign is conditional on the sovereign's securing his rights that caused his books to be burned at Oxford after his death—universities of that era being even more determined in their pursuit of "political correctness" than their counterparts today.) As Strauss observes, Hobbes is actually more emphatic than Locke in stressing "the individual's right to resist society or the government whenever his self-preservation is endangered" (*Natural Right and History*, 232; on how the logic of Hobbes's argument "practically demands" "a doctrine of anticipation, resistance, and revolution" as a check on tyranny, according to Leibniz, see Paul Rahe, *Republics Ancient and Modern* [Chapel Hill: University of North Carolina Press, 1992], 480–81).

Regarding Hobbes's and Locke's respective psychologies, it again seems to me that Zuckert pushes the differences between them beyond what the textual evidence supports. While Zuckert distinguishes Locke from Hobbes, in the first place, on the ground that Locke, like Aristotle, recognizes human action as oriented towards the goal of happiness (10–11), isn't Hobbes saying the same thing when he identifies the ultimate goal of people's striving as "felicity" (*Leviathan*, ch. 11, par. 1)? And isn't Locke's account of happiness as essentially a subjective matter, contrary to the debates of "the philosophers of old" regarding the "summum bonum" (*Essay Concerning Human Understanding*, ed. Peter Nidditch [Oxford: Clarendon Press, 1975], II.xxi.55),

such that government should refrain from imposing strict guidelines on how to pursue it, closer to Hobbes's view (*Leviathan*, ch. 11, par. 1) than to Aristotle's? After first asserting that the Lockean self is "far more 'positively' oriented than the Hobbesian person," I note, Zuckert himself concedes that Lockean happiness "is not fully positive either," but is rather "defined in terms of a negation—the absence of unease" (11)—thus bringing the two philosophers closer together in the end. Zuckert is surely correct to say that fear is less "privileged" in Locke's thought than in Hobbes's (11)—given Hobbes's identification of it as "the passion to be reckoned upon" (*Leviathan*, ch. 14, par. 31) in contrast with Locke's emphasis on the positive pursuit of property—but again, even the latter is impelled more by the negative desire to overcome unease than by the positive pull of an Aristotelian telos (cf. *Natural Right and History*, 249–51.)

III.

Turning to my third point, I begin by citing Zuckert's observation that Locke's assertion that every human being has a "property" in his own person contradicts Hobbes's contention that all individuals by nature possess a right to all things, including even one another's bodies, so long as they lack other (governmental) means to provide them with the security that is their utmost need. For Zuckert Locke's assertion signifies that our natural rights "are not pure liberties as they are for Hobbes," but are rather "moral entities of the sort that imply limitations or obligations on all" to respect *other people's* rights (4; cf. 193). Even here, I think that the contradiction between Hobbes and Locke is not so direct as Zuckert maintains: Hobbes doesn't *deny* that each person is by nature his own "owner," but simply extends that ownership to encompass all things, including all other human beings, in a way that brings our natural rights directly into conflict with one another. But Hobbes himself never maintained, of course, that the state of nature, in which men's rights remain unlimited, is at all *viable* or tolerable. Since Locke acknowledges that the right of self-ownership would be so insecure as to be without effectual status in the state of nature (*Two Treatises*, II, ch. 9; *Launching*, 192), while Hobbes holds that the individual's right to pursue his preservation is similarly of no practical value in that condition, how far is the disagreement between them on this point other than merely verbal or rhetorical? (As Paul Rahe observes, Locke's account of the "natural" executive power possessed by all human beings in the absence of government amounts to "a general hunting license" authorizing us to take whatever steps we judge necessary to secure ourselves against others—a condition in no way different from Hobbes's state

of nature [*Republics Ancient and Modern*, 500].)

Zuckert's most striking and important ground for distinguishing Locke's teaching (along with that of the Declaration) from Hobbes's is his representing the former as a "moral" one in a way that the latter is not. Hobbes derives people's natural freedom (and hence their natural rights) from the fact of their natural equality—i.e., their roughly equal vulnerability to being killed by other human beings, such that no one is naturally able to govern others without their consent, because no one is naturally related to his fellows as Gulliver is to the Lilliputians, or the queen bee to worker and drone bees (*Leviathan*, ch. 13, pars. 1–5; ch. 15, par. 21; ch. 17, pars. 6–12). By contrast, Zuckert attributes to the Declaration a derivation of men's natural equality from the fact of their equally having natural rights (224). But if natural equality derives from natural rights, rather than the other way around, what would be the ground of the natural rights themselves? Similarly, when Zuckert holds that for the great liberal jurist William Blackstone "natural rights are the source of the state of nature," rather than vice-versa, or rather, "the idea of the state of nature is a way of expressing the fact of natural rights and in this sense an inference from natural rights" (266), we must ask, what then is the source or ground of the natural rights? And why bother articulating the alleged state of nature at all? Contrary to Zuckert (7), doesn't Locke's identification of the "natural" human condition as a nonpolitical one entail an "individualism" that is more fundamental, with regard to understanding the nature of our duties and our lives, than the social characteristics of human life that nobody denies? And doesn't the idea of inalienable, equal natural rights follow more plausibly and forcefully from the sheer empirical fact of men's rough parity in physical strength and consequent natural freedom, as argued by Hobbes, rather than the other way around? (This, it seems to me, is the force of the "state of nature" doctrine – in contrast with Rawls's purely artificial "original position," which is based on the *presupposition* of people's being "equal moral persons," rather than on an attempt to consider what human life would be like without government, *given* our natures.) Hasn't Zuckert, as Stoner observes, illegitimately replaced the Lockean teaching with a proto-Kantian one that expects the individual to respect the rights of others merely on account of their similitude ("Was Strauss Wrong?," 572)?

Zuckert identifies the ground of natural rights in Locke's thought by reference to his doctrine of the "self," according to which human beings are "rights bearers by nature because they are self-owners" (193). "By using the term property to refer to the realm of natural rights," Zuckert

argues, Locke “meant that there is such property in or by nature,” and thus, in contrast to Hobbes, that “there is justice by nature.” In turn, Zuckert argues, Locke’s assertion of our natural self-ownership derives from his “discovery of the self,” which reflects his “critique of the typical ways the human person was understood in previous thought—as God’s created image, as rational soul, or as thinking substance” (194). Unlike all other animals, let alone inanimate objects, human beings not only “uniquely find their identity in self-consciousness,” which serves as the basis for the unity of each person’s “experience, intention, and action”; the “I” that “persists over time” also constitutes the human self as “a temporal entity” as no other being is (195).

As an aside, I observe that if the “self” in Zuckert’s sense had a single “discoverer,” that discoverer was Locke’s predecessor Montaigne, who in his *Essays* (which we know Locke read) articulates each of the attributes of selfhood that Zuckert attributes to Locke (see my *The Political Philosophy of Montaigne* [Ithaca: Cornell University Press, 1990], ch. 11). But although Montaigne also espoused a doctrine of natural human equality—not because he denied the existence of fundamental natural inequalities among human beings between the philosophic few and the unthinking many (*Essays*, trans. Donald Frame [Stanford University Press, 1957], II.12, 375) but because there is no inherent correlation between those inequalities and conventional inequalities of political authority (*ibid.*, I.42; III.5, 646–47; III.7)—he did not develop a full-blown doctrine of natural rights, let alone of the state of nature, as his successor Hobbes did. In other words, although Locke gave a more systematic formulation to Montaigne’s account of the self in the *Essay Concerning Human Understanding*, this doctrine by itself would not have sufficed to support Locke’s teaching about natural rights, without Hobbes’s contribution.

Zuckert explains his attribution to Locke of a doctrine of natural justice that sets his teaching about rights apart from Hobbes’s by referring to his earlier book *Natural Rights and the New Republicanism* (Princeton University Press, 1994), wherein he maintains, on the basis of Locke’s assertion of each individual’s self-ownership, that “even in the state of nature, Locke has grounds for saying certain actions are wrong.” He adds that even if in that condition “it is difficult, if not impossible, to distinguish rightful from wrongful violence in practice, it nonetheless remains true in principle that gratuitous harm to others is wrong,” so that “Locke has a clearer answer than Hobbes to the problem posed by the Marquis de Sade” (276–77).

Here again, I think that Zuckert is exaggerating the meaningfulness of the notion of natural rights in the state of nature in Locke's account, while being somewhat unfair to Hobbes. After all, the *ground* on which Hobbes attributed to each individual a right to all things in the state of nature was the limitlessness of the actions an individual might need to take on behalf of his own *self-preservation*—not the enjoyment of sexual pleasure at other people's expense. (The requirements of self-defense in a condition of limitless anarchy probably leave little time even for consensual sexual gratification, let alone the perpetration of sadistic orgies against unwilling but otherwise nonthreatening victims.) And since Hobbes, more overtly than Locke, stresses the unviability of the state of nature, and the urgency of our need to forego our "right to all things" for the sake of our security, it seems to me that he has no more difficulty in "answering" Sade than Locke does. (Hobbes contends that even when people have lived in "small families" rather than under a sovereign capable of enforcing the laws of nature, the "laws of honour" would lead them to abstain from gratuitous "cruelty," even as they endeavored to "rob and spoil one another" for gain: *Leviathan*, ch. 17, par. 2. Might not Sade, indeed, find more of an inspiration in the Lockean notion of life as an endless but never-satisfied pursuit of happiness or self-realization than in Hobbes's more sober, if less stimulating, emphasis on the need for security?)

Anyway, what good is a morality that simply forbids "gratuitous," i.e., useless, cruelty: is that the likeliest threat to justice or free institutions? (Not even Hitler, Stalin, or Saddam Hussein would regard their cruelty as "gratuitous," rather than as necessary instruments of enhancing their security or, in Hitler's case, of generating a superior world order.) And how far are even would-be sadists likely to be deterred by either Hobbes's or Locke's "answers"? Locke, I think, was too politic a thinker to engage in the activity so beloved of today's analytic-philosophy professors of finding ways to "prove" the case for morality. If, as he asserts in the *Essay Concerning Human Understanding* (I.iii.8), "Robberies, murders, and rapes are the sports of men set at liberty from punishment and censure," what use can it be to try to specify the rules for "justice" in an anarchic "state of nature"?

Locke, as both Strauss and Zuckert recognize, had solid rhetorical reasons for softening his outward account of human nature, given Hobbes's notorious reputation—and on the basis of Locke's formulation in the *First Treatise* [sec. 7] of what I call the "Mary Poppins" principle, discussed in chapter 3 of *Launching Liberalism* (a spoonful of sugar makes the medicine go down). However, I am less persuaded than Zuckert that the difference

between Locke's account of the state of nature and Hobbes's is in reality much more than a rhetorical one. In fact, I believe, the realism about human nature that Locke shares with Hobbes actually fortifies his position—even though Locke derives a more liberal and democratic consequence from his account than Hobbes did. Recognizing, as he remarks in the *Second Treatise* sec. 175, that his doctrine of the true foundation of government in the consent of the governed is insufficient by itself to engender justice in the world, Locke sought to arm what he calls “the weak hands of justice” by allying it with the potential power of popular majorities. (As Rousseau remarks, the key error in Hobbes's account of monarchy as the best form of government is that it erroneously assumes that kings are somehow more rational than other human beings, so that they will consistently use their sovereignty to advance their long-term interests by benefiting the country they govern, rather than pursuing short-term interests and pleasures, if left unchecked, at the expense of their country's good and the people's rights: *Social Contract*, III.6.)

It is not, I think, a disagreement with Hobbes about human nature or the moral rights that attach to it, but a greater realism about human nature (as well as a perspective at a greater remove from the anarchy from which England suffered during the latter decades of Hobbes's lifetime) that generates the most important non-institutional difference between Locke's political teaching and that of his predecessor. This Lockean innovation, which Zuckert has well articulated in the closing pages of his *Natural Rights and the New Republicanism* (317–19), is his appeal to, and awakening of, popular spiritedness. In contrast to Hobbes's encouragement of timorousness, as a way of discouraging civic controversy, Locke aims to advance justice by stimulating popular self-assertion: encouraging a spirit of resistance to tyranny *on behalf* of the notion that because all human beings are by nature equal and hence free, no one may legitimately be governed without his consent (as expressed by the guarantee of not being taxed without the consent of one's elected representatives, or governed by laws to which the lawmakers themselves are not equally subject). By appealing to human spiritedness or dignity, based on our natural resistance to arbitrary restraint, Locke makes it more likely that citizens will defend their rights against foreign as well as domestic threats. (The spiritedness of the American revolutionaries, expressed in such slogans as “Don't Tread on Me!” and “Liberty or Death!” can easily be derived from Locke's teaching, as Zuckert shows, as it could not follow from Hobbes's: consider the spirit of gutless compromise for the sake of safety that Hobbes encourages in the fifth, eighth, and ninth laws of nature enunciated in chapter 15 of *Leviathan*. Elsewhere, as Strauss observes,

Hobbes's remarks on the need to accommodate men's natural timorousness undermine "the moral basis of national defense" [*Natural Right and History*, 197].) But to repeat, contrary to Zuckert, I do not believe that this distinction between Locke's and Hobbes's teachings derives from any substantive difference regarding the state of nature.

Locke, as I understand him, was no less a theorist of "power politics" than Hobbes was. As Strauss observes, his decisive modifications of Hobbes's political prescriptions—the express enunciation of a right of resistance against (potentially) tyrannical government; the requirement of a system of elected representatives, along with the separation of powers—constitute a more consistent thinking-through of the practical implications of Hobbes's own doctrine. Although it is doubtless true that Lockean rights *within civil society* entail concomitant duties to respect the rights of one's fellow citizens, Locke relied far more (just as the American Founders did) on a system of government that unites people's duties with their interests (including their interest in freedom as an independent as well as instrumental good) than on the inculcation of a morality of duty as such. By contrast, I fear, Zuckert's reading of Locke, according to which natural rights derive from one's conception of the "self," leads us down the path to Rawlsism: why can't Rawls (or any other contemporary theorist) justify his broader and looser account of rights by simply saying that he conceives the self differently from the way Locke does? (Although Zuckert points out critical flaws in the endeavor to put so-called "positive" rights on the same footing as the core, Lockean "negative" ones [*Launching*, 359–61], Rawls would simply respond that whatever their difficulties, these positive duties are an essential part of the human self as he conceives it.) To resolve this issue, don't we need to go beyond mere "moral" assertions about what Zuckert calls the "self-constituting" self? [*Natural Rights and the New Republicanism*, 317; cf. Rahe, *Republics*, 293–94, on the anerotic, empty character of this "self," in contrast to its premodern counterpart, the soul].)

IV.

This leads me, finally, to express a different sort of reservation about Zuckert's enunciation of Locke's doctrine of the self. Here, I am not questioning the accuracy of Zuckert's account of that doctrine, but wondering about the doctrine's adequacy by itself as a foundation for liberal government or a meaningful human life. In the first place, the open-endedness, or potential mushiness, of the doctrine of selfhood—which points, in a more or less direct line, to Richard Rorty's trivialized view of human life as a

project of “self-fashioning”—threatens to undermine the sense of human dignity that makes people’s rights worthy of respect. (Here my concerns partly mirror those of Stoner: “Not So,” *Review of Politics* 66 [Fall, 2004], 571–73.) What is one to make of the self-absorbed “popular culture” of our time, characterized by unstable “relationships” in which the welfare of children too often plays second fiddle to their parents’ quest for “self-fulfillment”? How else to explain 2004 opinion surveys that showed voters expressing far less concern about the need to defend their country against terrorist attacks—less than three years after 9/11—than about relatively trivial issues such as obtaining lower prices for prescription drugs? While Zuckert represents the cause of civil and political freedom, “even at the risk of life,” as “the necessary completion or fulfillment of the Lockean philosophy of the self” (*Natural Rights and the New Republicanism*, 318), what ensures that people schooled in that outlook—as distinguished from 18th-century Americans, among whom the classical and Biblical elements of the Lockean “amalgam” were far stronger than they are today—will continue to accept the subordination of immediate self-interest to the cause of political freedom? (According to Rawls, hailed as the leading “philosopher” of contemporary liberalism, a free person is one who does not think himself bound to “the pursuit of any particular complex of fundamental interests,” but gives “first priority” to his right to “alter [his] final ends”: *A Theory of Justice* [rev. ed., Harvard University Press, 1999, 131–32]. This seems a perfect summary of the outlook of people whose loyalty to their family, their country, or their religion is always conditional.)

The foregoing caricature does not apply to all or even (I hope) most Americans. But I suspect that those who are best able to resist the temptations of “individualism” in the negative sense described by Tocqueville are those least inclined to view their lives in terms of the Lockean self. Although Locke’s liberal *political* teaching has been the source of infinite blessings to Americans and others influenced by it, I am far from the first observer to bear witness to the truth of Tocqueville’s suggestion that the prosperity of a liberal regime depends to a considerable extent over the long term on such elements as a stable family structure, civic associations, and moderate religious piety, which are not easily derivable from the Lockean notion of self-fashioning (much as Locke may have endeavored to support such elements through his prescriptions in *Some Thoughts Concerning Education*).

Zuckert does an excellent job of showing how Locke himself, along with the authors of the Declaration, in contrast to his more dogmatic liberal or libertarian successors, was far from mandating an attitude of gov-

ernmental neutrality with regard to the inculcation of the moral virtues on which freedom depends (*Launching*, 227, 361–62). At the same time he articulates with great clarity what he calls “the problem of civil religion, and thus of civil society...within the context of modern political philosophy” (166): in *The Reasonableness of Christianity* Locke suggests the need of a tolerant civil religion to support “an authoritative ethics” to guide the conduct of most human beings, who “lack the time and the ability to follow demonstrations,” yet his argument, when fully thought through, tends to “undermin[e] religion in any form” (160, 165).

Even though Locke was the decisive influence on the political thinking of 18th-century Americans who fought for independence, Zuckert shows, they were not simply “Lockeans.” In *The Natural Rights Republic* (University of Notre Dame Press, 1996), he alludes to the enduring tension in American history and culture “between the liberal and the Puritan sides of the American inheritance” (145), and joins Tocqueville in applauding the effect of America’s “civil religion” in engendering support for “an essentially secular political orientation” while providing “salutary aid” to “private and public morality” (200). Yet although Zuckert concludes that discussion by citing Locke’s own belief that liberal politics required religious support (201), in *Launching*, as just noted, he acknowledges that Locke’s influence, taken by itself, is ultimately corrosive of all religious belief.

Lurking behind the empty chatter of today’s philosophy professors about self-fashioning is a more threatening specter, that of Nietzsche, whose critique of liberalism in Strauss’s account initiated the “third wave” of modernity that followed inevitably from the deficiencies of the first two waves (the liberal and Rousseauian ones, respectively). Perhaps the deepest problem in Locke’s teaching concerns its potential encouragement to those individuals who seek a grander glory than what the competitive struggle for wealth or even for political honor in a liberal society affords to endeavor to transform the world on the basis of their own “projects” of self-realization. Once we have been taught that we owe no overarching debt—to nature or to God—for the goodness of life, but rather that our happiness is purely of our own making, have we not provided an invitation to political utopianism and fanaticism? Kant’s “moral” reconstruction of the liberal teaching, which Locke did not intend but perhaps invited, with its elevation of human self-assertion or will as the supreme good, ultimately tended in that direction. And while America was (fortunately) spared the direct influence of the Kantian-Nietzschean dialectic through the mid-twentieth century, its growing

challenge to constitutional liberalism can be seen today in the aspirations of our imperial judiciary to remake our institutions and our way of life on the basis of an abstract conception of autonomous “personhood.” (Consider the infamous “mystery clause” in Justice Anthony Kennedy’s opinion for a three-judge plurality in *Planned Parenthood v. Casey* [1992], grounding the right to abortion in a supposed constitutional right “to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life,” and consequently “the attributes of personhood,” with Justice Scalia’s acerbic remarks in dissent contrasting the Court’s Nietzschean vision of itself as “leading a Volk who will be ‘tested by following’” its guidance with “the somewhat more modest role envisioned for these lawyers by the Founders.”) Does the unadulterated Lockean teaching offer a sufficient response to this enterprise?

Zuckert himself clearly distinguishes Lockean politics, properly understood, with its mandate of religious toleration, from the fanatical secularism of today’s intellectuals and jurists who seek to root out all references to God from our public institutions (or even, following Rawls’s “idea of public reason,” from our public discourse). But he also supplies us with grounds for seeing how Locke’s teaching might generate such consequences. Near the end of his essay on “Locke and the Problem of Civil Religion” in *Launching*, Zuckert observes that Locke aims to overcome two attitudes characteristic of the Biblical orientation: “gratitude for the ‘provided world’ in which [human beings] find themselves,” and “guilt for falling short of what the good and provident God requires of them,” both deriving from “the affirmation of the primacy of the good” (164). There was good reason, certainly, for Montaigne, Hobbes, Locke, and other liberal philosophers to make war on the Christian doctrine of original sin or guilt, considering how political and clerical authorities had used that doctrine to justify inflicting endless abuse on the people they ruled. But I doubt that it is a good idea to undermine people’s sense of gratitude for the goodness of life, or therefore their recognition of the primacy of the good in human life.

According to a reminiscence I recently read of the late, great scholar of classical philosophy Seth Benardete, when asked by a student whether it didn’t make him angry to know that he would some day die, Benardete responded no, he was grateful to have lived. To affirm the goodness of life is also to affirm the goodness of the natural structure of life: that we are born to parents to whom we owe certain lifelong obligations (although not, as in preliberal societies, a duty of lifelong obedience); that we similarly owe

debts to our fellow citizens (past, present, and future) in return for the legacy we enjoy of living in a free and prosperous country; that a healthy human life consists in some combination of serious contemplation of the world, the performance of just and noble deeds, and concern for one's kin and progeny; that a free people should be more concerned, in President Kennedy's words, with what they can do for their country, rather than the reverse. On these themes, I believe, Aristotle's account of the virtues and of friendship has more to teach us than Locke's doctrine of the "constructed" self. So too, as Leon Kass has shown most recently, does the Hebrew Bible (*The Beginning of Wisdom: Reading Genesis* [Free Press, 2003]). I hope it suggests no lack of gratitude on my part for the great goods provided by America's constitutional, liberal system of government to hold that its continuance will require deeper draughts from the wellsprings of the greatest preliberal thought.

It is possible, of course, that in wishing for a combination of Lockean liberal politics with a restoration of something like the Aristotelian view of human life, I am demanding a theoretical impossibility. But actual political life, as Tocqueville documents, and as Zuckert demonstrates (both in his account of what he calls the Lockean and American "amalgams" and in his critique of MacIntyre) is never neatly reducible to the demands of theory. And it is worth recalling, as well, that Aristotle's political teaching is not inherently hostile either to the pursuit of wealth through commerce, so long as wealth-getting is not made the goal of life (cf. Abram N. Shulsky, "The 'Infrastructure' of Aristotle's *Politics*," in Carnes Lord and David K. O'Connor, *Essays on the Foundations of Aristotelian Political Science* [Berkeley: University of California Press, 1991], 74–111), even if Aristotle does not call for the technological conquest of nature; or to people's active, political self-assertion of their rights, in opposition to tyrannical or oligarchic oppression. While Zuckert himself has suggested that Locke's teaching leaves room for "a certain rapprochement with an older moral sensibility" that applauds public spiritedness no less than individual freedom (*Natural Rights and the New Republicanism*, 318), I am doubtful that it is possible to restore that older sensibility without adopting a more "positive" attitude towards nature than Locke espouses.

V.

I have dwelt on certain questions that Zuckert's interpretation of Locke compels me to raise. But I want to conclude by reemphasizing my admiration for his accomplishment in clarifying the structure of Locke's thought and defending Locke's liberalism against both the historicist interpretations that would belittle it and contemporary variants of liberalism that

claim to transcend it. Regardless of how far his articulation of Locke's teaching "corrects" Strauss's interpretation, Zuckert has certainly added enormously to our understanding of Locke through his analyses of the *First Treatise*, Locke's account of political language in the *Essay*, his comparison of Locke's "natural law" doctrine with that of Aquinas, and other themes in *Launching Liberalism* that I have not touched on. I am confident that our common teachers, including Leo Strauss, would be most proud to have produced such a student as Michael Zuckert.

Reconsidering Lockean Rights Theory: A Reply to My Critics

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Prefatory Note: The APSA Round Table that served as the origin of this symposium featured a statement by one author not represented here. Tom West joined the three of us but published his essay as a review of “Launching Liberalism” (LL) in the Spring 2004 issue of the “Claremont Review of Books.” However, since he was part of the original Round Table, I will reply to him as well as to Peter Myers and David Schaefer. (I will respond to the longer version of his essay to be found online at www.claremont.org/writings/040419west.html.)

It is hard to know whether to respond like a little boy in a candy-shop—so many juicy and tempting criticisms to reply to; or like a balloon at archery practice—so many sharply pointed projectiles to avoid. I do not have space to sample all the candy, so I will have to be selective in my replies. I will try, however, not to select only the easy and relatively dull arrows. That would, indeed, not be possible, for civil and even kind as they are, my critics are to a man armed with sharp projectiles and they are pretty good shots. Nonetheless, I do not believe any of them has made such a hit as to release all my helium.

The main issue between us concerns natural rights. In *LL*, I argued for a version of Lockean rights theory that, I said, was quite different from the Hobbesian rights theory, which Leo Strauss attributed to Locke. The central themes of my critics can be organized around different dimensions of the rights theory I presented as Locke’s: (1) Is my Locke really so different from Strauss’s? (2) Is it really Locke? (3) Whether Locke or not, is it viable as a theory of rights? and (4) Is the doctrine of the self, on which I argue Locke builds his

rights theory “[adequate] by itself as a foundation for liberal government or a meaningful human life” (Schaefer, 251)?

The first question is perhaps of particular interest to readers of *Interpretation*, but I am for the most part going to pass it over because I already attempted to answer roughly the same set of objections in a reply to James Stoner’s essay, “Was Leo Strauss Wrong About Locke?” (*Review of Politics*, Fall 2004, and my reply “Perhaps He Was” in *loc. cit.*). Schaefer adds some important points. He asserts that I overstate the difference between Hobbes and Locke in that I miss “the broadly ‘liberal’ element that was already present in Hobbes’s own doctrine” (Schaefer, 243). I have recognized, but also shown the limits of Hobbes’s liberalism compared to Locke in chapter 11 of *LL* and will do no more than recommend that to the interested reader. Schaefer also denies that self-ownership distinguishes Hobbes and Locke as I say it does. As Schaefer puts it: “Hobbes doesn’t deny that each person is by nature his own ‘owner’, but simply extends that ownership to encompass all things, including all other human beings” (246). Schaefer here is clearly missing Locke’s point in speaking of ownership. As Locke emphasizes, to own something, to have property in it, is to have an exclusive claim to it such that for another to infringe on it is a wrong, an injustice. It is this exclusive character of property that Hobbes’s doctrine of natural right denies. That is why I have argued that Hobbes’s doctrine of natural right affirms a liberty only, while Locke’s is and affirms a property. In other words, to “extend that ownership to encompass all things, including other human beings” is not to affirm but to deny ownership. If everybody else has as much right to take the car in my driveway as I do, I can hardly say I “own” it. Schaefer has, it seems, a remarkably socialist view of ownership. Locke does not.

The second question—“but is it Locke?”—is pressed explicitly by Schaefer and West and more gently by Myers. Ironically, Schaefer and West, having accused me of overemphasizing the difference between Hobbes and Locke, and thus between my interpretation of Locke and Strauss’s, also say that they do not find my “reconstruction” of Locke on rights and the state of nature to “make as much sense” as the reading “Strauss suggested” (Schaefer, 243). They are uncertain, it seems, either about what I am arguing or what Strauss argued, or about whether what we have argued is the same or not.

West, after restating a version of my argument, comments, “this reasoning, however, is not Locke’s” (3). Let me hasten partially to agree with him: the argument I attribute to Locke is meant to be an interpretation and explanation of Locke’s position, but it is not presented by Locke explicitly

as I present it. This is not a feature unique to my interpretation, however. West conceded it to be true of his own, and he nicely identifies the reason why *all* interpretations of Locke must go beyond what Locke explicitly develops. “Locke’s argument for natural law and natural rights is not easy to figure out, because he never presents it systematically in one place.” Indeed not. Locke’s text contains intimations that can plausibly be taken in several different directions, none of which is fully worked out or presented by Locke himself. Every version of Lockean rights theory (or anything else in Locke) is necessarily an interpretation, even the version that says Locke was confused or unable to work out a viable theory. To identify a reconstruction of Locke as an interpretation is not the end point of analysis, but of necessity only the beginning. The task facing Locke interpretation is indeed not an easy one, as West says, but it is the same task facing interpreters of any complex and reticent thinker. After many years at it, I have concluded that it is unlikely that any interpretation will gain general assent, for Locke’s texts are too complex and too reticent for that. My reading reminds West more of Kant than Locke (although I think there are many very important differences), but that does not lead me to think that I am mistaken. It rather heartens me, for I think it likely that Locke’s successors might well be led by Lockean thinking to develop accounts of the self, right, and so on that do indeed bear some resemblance to Locke’s doctrine.

Both Schaefer and West mean to reaffirm Strauss’s understanding of the ground of rights in Locke. Strangely, they disagree about what Strauss’s understanding is. Schaefer nicely focuses the question by pointing to the claim in *LL* that the Declaration of Independence and, I would say, Locke derive the idea of equality from the possession of natural rights. Schaefer would reverse that, in an argument that he apparently believes is Strauss’s. The key to Locke’s doctrine of equality and rights is to be found in Hobbes’s derivation of “people’s natural freedom [rights?]...from the fact of their natural equality—i.e., their roughly equal vulnerability to being killed by other human beings, such that no one is naturally able to govern others without their consent” (Schaefer, 247). Equality, says Schaefer, is equal vulnerability, and the implication of that is liberty. I do not think that this works as an interpretation of Locke, nor that it make sense in itself. According to Locke, equality of the important sort is not equal vulnerability but “equality of jurisdiction” or of “authority,” i.e. of rightful power to command or rule (see II.54). Equality is not an empirical fact; it is shot through with the notion of right from the outset. That is one reason I argued that rights are prior to equality: the fact that all possess the rights of life, liberty, property, pursuit of happiness by nature implies that by nature they are not subordinate to one another, for the basic

rights amount to a more comprehensive natural right of self-direction, which would be negated if some persons naturally possessed authority to rule over others (see *LL* 6–7, 213, 224).

On the other hand, Schaefer's version of Hobbes and Locke does not succeed in generating a "liberty," especially if understood as a right or a normative claim of some sort. The possession of rights does not follow from equality. Hobbes affirms natural equality—all are equally vulnerable to each other—but from that mere fact he does not and cannot generate rights of the Lockean sort, i.e., rights in the proper sense, rights which are property, complete with moral prohibition on infringement by others. Equality as equal vulnerability does not generate anything at all as to right. Schaefer seems to be of the view that it generates a doctrine of rights as a matter of prudence: since all are equally vulnerable, it is best for each to recognize the rights of all others, for that will produce most security for the self. But this does not follow in any way. If one group, say the lighter skinned, can band together to dominate the others without substantial risk to their own security, then the Schaefer view of rights theory supplies no ground for not doing so. But Locke is quite insistent that the stronger have no right to enslave the weaker, even if they can get away with it.

Tom West, too, "contrary to Zuckert, [agrees] with Strauss [about] Locke's doctrine of natural law," and presumably natural right as well. (Before I turn to consider West's account of Lockean rights I must enter a protest against many of the views he has attributed to me in his essay and in an earlier version of his critique. I do not say that Locke "repudiates nature." I do not say that Locke has a "conception of reality that is guided by nothing except arbitrary, wilful human projects that have no foundation in nature." The last passage quoted was inspired by a comparison I drew in one place between Locke and Heidegger. The passage quoted is meant by West to describe Heidegger's position, and while I think it very debateable as a statement about Heidegger, it most certainly does not fit my view of Locke. West suspects that "if Locke's teaching is as radical as Zuckert says it is, then perhaps the historicism and liberalism of our time grew out of the founding principles, as natural consequences of Locke's doctrine of self-ownership and willful conquest of nature." But this is to miss perhaps the central point of *LL*—that Locke's doctrine was not the same as and did not collapse into the "historicism and liberalism of our time.")

Apart from these important misrepresentations of what I said, I find much of West's counter-version of Locke to be puzzling. He claims

to agree with Strauss in his reading of Locke, but goes on to claim that “Locke is in the tradition of Plato, Aristotle, Cicero, [and] Aquinas.” He construes Locke as a mildly modified Aristotle; he even sees Locke as giving a “restatement of the old Socratic insight.” Admittedly, Locke shares some things with the classical tradition of natural right, but West goes out of his way to locate Locke within this tradition, where Strauss quite emphatically placed Locke among those who broke with the tradition of classical natural right. If he does indeed agree with Strauss about Locke, how can he so underplay Locke’s modernism? If he thinks Locke not a modern, why does he cloak himself in the name of Strauss?

West devotes much space to developing an interesting alternative account of Locke’s doctrine of natural law and natural rights. It is too long to follow out here, so I limit myself to a few comments. The most striking feature of West’s reconstruction is its attempt to combine two lines of argument, which, in my opinion, do not readily cohere. On the one hand, he attempts to develop a doctrine of nature as a guide of life. This is by far the largest part of his account. As he develops it, Locke looks to be a modified Aristotelian: nature directs us all to a natural good, which is happiness. His Locke makes a “qualified argument against the ‘teleological’ approach of Aristotle, who posits the philosophical life as the best.” Locke, says West, agrees—for those suited for philosophy. Others have other natural goods or paths to happiness, but many or even most human beings “make gross and frequent errors about what their happiness is and the best means to pursue it.” Although nature points different men to different kinds of happiness, there are common elements that make “possible a partial agreement among all or almost all men about the content or at least the conditions of human happiness.” The natural law consists of the rules securing or conducing to those common conditions. West, in effect, sees Locke, then, as a proto-Rawls, possessor of a “‘thin’ theory of the good” approach to natural law. One problem with West’s theory, however, is that it gives us a statement of natural law but not an account of natural rights; but as a political philosopher Locke is above all a rights thinker: governments exist for the sake of securing rights, or rather, as Locke more often puts it, property. Another difficulty is that West’s account resonates very little with most of what Locke actually says about the natural law in the *Second Treatise*; Locke emphasizes the so-called “workmanship argument,” which West mentions only to quickly dismiss (see II.6).

In order to remedy the first failing West refers to the important Lockean passage (I.86) said by him to be “the crucial passage in the

First Treatise where Locke addresses the ground of natural right.” Here is the passage where Locke sounds most like Hobbes, for he traces the right to “make use of the creatures,” i.e., to eat them among other things, to “the strong desire of preserving his life and being...as a principle of action” in him. But in introducing the “Hobbesean” ground of natural rights, West never explains how this correlates with his quasi-Aristotelian theory of natural law. (See *LL*, ch. 7.) Does not this grounding of natural right supply significantly different guidance from the quasi-Aristotelianism West also attributes to Locke?

More significantly, however, West points to this passage as grounding natural right very differently from the self-ownership grounding put forward in *LL*. I.86 would appear to be a most serious challenge to the self-ownership thesis. To emphasize the Hobbesean resonances in I.86 is, of course, also to come much closer to Strauss’s own approach to Locke than does the quasi-Aristotelianism of West’s natural law argument.

I.86 sounds very Hobbesean, because it is Hobbesean so far as it goes. It develops a right equivalent to liberty, but it is not an argument for right in the sense in which Locke deploys that term in the *Second Treatise*, i.e., right as property. I.86 establishes an important rights (liberty) claim against Filmer, who had argued, in effect, that Adam and his heirs were the only ones to have a right of any sort to the things of the world. Filmer affirms that Adam had a right of the sort Locke considers a genuine, i.e., exclusive, right (I.84). In I.86 Locke denies any such property in the entire world to Adam or to anybody. All human beings have a liberty right to appropriate what they need, so long as the world is “in common.” In this they are like all other living beings. This does not begin to establish the normative rights theory that Locke deploys in the *Second Treatise*, a theory that is, in the first place, limited to human beings, and in the second far more complex than what is presented in I.86. Thus in the very next section Locke summarizes the point of I.86 and makes clear that it is not the full rights doctrine he is promulgating.

Every man had a right to the creatures, by the same title Adam had, viz. by the right every one had to take care of and provide for their subsistence: and thus men had a right in common, Adam’s children in common with him. But if any one had begun, and made himself a property in any particular thing, (which how he, or any one else, could do shall be shewn in another place) that thing, that possession... (I.87)

Locke concedes then that the explanation in I.86 does not explain property proper (exclusive right), but only a sort of “common right to the things of the

world.” This admission is doubly significant and points us back to the doctrines of self-ownership (and the workmanship argument). First, the explanation Locke will give in that “other place” depends crucially on the premise of self-ownership to make the transition from the common right of I.86-87 to property proper: “Though the earth, and all inferior creatures be common to all men, yet every man has a property in his own person. This no body has any right to but himself.” (II.27). From this affirmation Locke moves to his later theory of the origin of private property. That theory of property in eternal things is, therefore, dependent on a prior kind of exclusive claim to the self, which is not established by the argument in I.86. That points to the second important way in which the Lockean theory of rights goes beyond anything in I.86: Locke insists that natural rights are property, i.e., the kind of exclusive claim that the Hobbesean liberty right is not. The argument of I.86 plays an important, but limited role in Locke’s political philosophy; it does not serve as “the crucial passage...where Locke addresses the ground of natural right.”

Peter Myers raises the more general question lurking beneath West’s objections to the self-ownership grounding of right when he asks whether the evidence presented in *LL* suffices to establish Locke as a deontological thinker: “is this...deontological argument really Locke’s argument?” Myers, like West and Schaefer, doubts that it is. He is very careful to be sure to get the argument of *LL* right, however, so he qualifies his question/objection by asking: do I in fact intend to attribute to Locke a deontological argument? Let me address that question first.

Locke wrote before the distinction between deontological and consequentialist arguments was formulated. The distinction as we know it is Kantian or post-Kantian. In its contemporary form it certainly bears the marks of the particular way Kant came to, raised, and attempted to answer the question about morality. Kant’s approach was shaped decisively by the convergence of two lines of thought, each of which can exist independently of the other, but which he put together. First, he draws a distinction between nature as the realm of deterministic cause and effect, and the realm of freedom. He draws a second distinction between inclinations and duties. He then maps these two sets of distinctions onto each other; inclinations are aspects of the realm of nature, and duty is a manifestation—the chief manifestation—of the realm of freedom.

Nature is the realm of the Is. Borrowing from Hume, Kant accepts the idea that the realm of the Is cannot generate Oughts, cannot provide the ground for duty. Oughts derive from freedom and in principle are different from, certainly not in the service of, the Is. Thus Kant develops a

deontological approach to morality, for morality is an expression of duty, an embodiment of Oughts. Morality is thus disjunct from natural inclinations, which point us toward the natural goods. Thus we can discern the grounds for Rawls's definition of deontological theory as theory in which right is prior to, or at least independent of, good.

It should be obvious that the Kantian/Rawlsian way of conceiving the moral things is neither necessary nor self-evident. Take the very important case of Thomas Aquinas, who builds his natural law theory, a strong theory of duty if there ever was one, on the basis of the natural inclinations.

I believe that Locke is closer to Kant than to Thomas Aquinas on this question, but the most significant fact is that Locke's moral and political philosophy predates the distinction and very organically contains important elements of both without any incompatibility. The hard and fast distinction between deontological and consequentialist came when Kant brought to moral and political philosophy the distinction between nature and freedom. Locke, in his own way a philosopher of freedom (see *Essay*, II.21) does not draw the kind of distinction between nature and freedom that Kant does.

In the context of contemporary, i.e., post-Rawlsian, political theorizing, I think one would classify Locke as a deontological thinker on account of one aspect of his doctrine in particular. He sees rights (in Dworkin's term) as a trump, or (in Nozick's term) a side-constraint on various efforts to seek the political good, and as in the decisive sense prior to the political good, for it is in terms of rights securing that the political good is chiefly to be understood. Moreover, Locke's position is the basis for the kind of view that Lincoln took when he opposed Douglas's doctrine of popular sovereignty. Popular sovereignty is the result or implication of the primeval possession of rights; it is not in itself an inference to the best way to secure the good. Given that Lockean-Lincolnian understanding, popular sovereignty cannot rightly be deployed to deny some their basic rights. It may be good for a society in some sense, as both Aristotle and Calhoun argued, for there to be slaves, but Locke counters that, except in very special and narrow circumstances, slavery is off the table as a matter of right. Likewise, he rejects imperialism, and arbitrary governmental confiscation of private property. These are matters of right, not of utilitarian calculation. So, in this sense, Locke is a deontological thinker as the current state of discourse on the subject classifies theories.

Lockean rights theory is nonetheless compatible with a concern for the good in various places in the theory. First, Myers is exactly right

when he says (and West echoes) that rights serve happiness for Locke. It is only Kantian rigidity that renders this problematical. Rights, on my reading derivative from self or divine ownership, create a sphere of moral immunity for individuals, that is, a sphere in which others may not, consistent with moral right, interfere with the life, liberty, property, or pursuit of happiness of the individual. This sphere of immunity is crucial for the individuals' pursuit of happiness, for it leaves them free and offers them protection in doing just that. To say this is not to say, however, that rights are constructed as means to happiness per se, as utilitarian rights theories would say. Rights do indeed serve happiness and its pursuit, but not everything that serves happiness is a right, and, therefore, serving happiness is not the basis of rights.

Another and perhaps deeper place where the good (and happiness) figures in the Lockean scheme is in the generation of the self: the Lockean self would not be a self, a self-owner, and rights bearer if it were not in a crucial sense free; that is to say, responsible for its actions and able to follow moral rules. But a human being could not be free and responsible, according to Locke, without happiness as a goal of action. Therefore happiness and its pursuit feature in a deep way in the construction of Lockean rights, and it is, in this important sense, primary. The Lockean doctrine connecting freedom and happiness also serves to save him from the Kantian dualisms, which underlie the contemporary distinction between deontological and consequentialist moral theories. Despite the central role of happiness in Locke's theory, one must be cautious, however, about what one infers from this fact. It remains the case that Locke remains rights-oriented in his approach to politics. Let us say (as Aristotle, or West, or Myers might) that some human beings have a rationally sounder notion of happiness and more of the tools to achieve or approximate that state; let us say that these individuals have excellences or virtues that others lack. Locke can in fact accept a good bit of this, but he would not agree with Aristotle that possession of virtue in this sense can translate into a right to rule others. Locke is insistent: so far as political authority is concerned, all men are created equal, whether they have a rational conception of happiness or not.

I therefore would not accept an inference Myers drew in an earlier version of his critique and which was also stated in much this form by James Stoner in his essay in the *Review of Politics*. As Myers put it originally, something I said in *LL* "seems to imply that a relatively specific substantive conception of happiness is a condition of the possession of rights." I do not think Locke believes this and I do not mean to attribute this view to him. Rights are grounded in selfhood, not in virtue, or in better or worse views of

happiness. The result of a more adequate notion of happiness is—more happiness, not differential rights claims.

The third question—“whether it is Locke or not, is it a sound rights theory?”—is pressed by all three critics. Unable to indulge the candy-store temptation I will address only Myers’ objection, for I consider it the most challenging of the three challenging objections. He is “unconvinced of its power to silence the likes of Hobbes or Thrasymachus.” He asks, “Why couldn’t my awareness of *my* self, *my* actions, *my* freedom, *my* concern for happiness engender not a claim of right, as Locke conceives of right, but rather an assertion of mere power or possession?” (Myers, 237). In the first instance, my awareness of my freedom, etc., is likely to generate just such a claim as Myers identifies, the kind of claim I have called in another place a “proto-right.” Nonetheless, that claim of right is logically untenable, for the basis on which one claims it for him- or herself is exactly the same basis all have for raising similar claims for themselves. I must not be understood to be arguing, however, that the logic of rights claiming is evident to all individuals; it is typical for human beings to raise claims for themselves without always noticing that these same claims apply to others. That is why for Locke *the* problem of rights has two quite different dimensions, which all three of my critics miss to a greater or lesser extent. The ground of rights is one thing; the means by which rights are effectuated is quite another. Rights are not effectuated automatically, in part because most men have not well thought through or understood the claim they raise for themselves, and are “no great respecters” of rights in any case. Locke, little less than Hobbes, affirms the need for law and coercion to effectuate rights. So that Thrasymachus or Callicles or Lincoln’s Rev. Ross do not recognize the rights of others is not a problem for grounding the Lockean theory of rights, no more than, say, Thrasymachus’ failure to recognize the Pythagorean theorem would jeopardize geometry. Both Locke and Lincoln recognize that moral reasoning is not in itself the effectual truth; among other things this means that morality must be supplemented by politics.

Myers pushes the argument to a deeper level, however, when he denies the logical as well as the practical force of the Lockean argument. The crux is that an aspiring master, a Thrasymachus or a Rev. Ross, need not, as Locke and Lincoln hold, affirm his or her own self-ownership, commitment to be free, to be free from violations of bodily integrity and so on, but may instead willingly trade-off the possibility of losing freedom or life in the contest for mastery with others. The simplest and most direct answer is to notice that the aspiring master is not waiving or failing to assert his rights, his ownership of

self, but is asserting those rights. He is claiming that as part of his pursuit of happiness, part of his liberty, part of his mastery of his own life, he can put himself at risk. But may he put others at risk in the same way? May he enslave others if he is willing to die or be enslaved himself? The answer is, no, for he is asserting a right to shape his own life as he wishes, a right which would allow him, say, to engage in a risky way of life like grand prix racing, but would not give him the right to put non-consenting others to the same risk. What he is affirming is the right to shape his own life project for himself and accept the risks thereof. Even if he were to waive all his other rights (which in practice such aspiring masters never do) he is still asserting his right of self-mastery, self-disposal. He is asserting himself as a self. The logic of his position depends on his implicit claim of self-ownership, with its attendant sovereignty over self and accompanying immunities. But logic requires that he recognize the same claims of self-ownership and immunities in others, even if he fails in practice to do so. His freedom, the freedom that grounds his assertion of himself in the struggle for mastery, is the bedrock he cannot not claim. All other things equal (which they well might not be in a well-ordered civil society) he is free to engage with consenting others in grand prix racing, but not to turn his nearby freeway into the Indianapolis Speedway.

David Schaefer presses the fourth question most vigorously: Is the doctrine adequate “by itself as a foundation for liberal government or a meaningful human life” (Schaefer, 251)? He sees that Locke’s doctrine is clearly superior to contemporary forms of liberal theory, such as promoted by Richard Rorty or John Rawls, in that Locke recognizes the need for institutions like the family, for moral restraints that support citizenship and social life, and for a notion of human dignity to ground rights and the sense of worth of individual lives. However, he fears that the Lockean theory of the self is too much like what Rorty and Rawls affirm and that this “mushy” foundation necessarily undermines the sounder superstructure Locke attempts to construct. Schaefer seeks instead to combine the Lockean state and society—tolerant, free, republican, commercial—with an Aristotelian moral foundation. He wonders, however, whether this represents more than a utopian hope.

He raises a great number of important and far-reaching questions. It would take a book to answer him adequately, but in lieu of that let me make three brief points. First, the Lockean doctrine of the self as I understand it is not the open-ended, unstructured invitation to complete relativism Schaefer fears that it is. From the point of view of self, self-ownership, and rights it is quite structured; the development of the “I” “me” “mine”

structure is not merely adventitious. The self is in this sense a fixed structure, and it culminates in rights-bearing selves. Does this conception of the self support or, as Schaefer fears, “undermine the sense of human dignity that makes people’s rights worthy of respect” (Schaefer, 252)? The Lockean self is free, rational, responsible, capable of morality and civic life. It can and does put itself on the line for what is dear to it. It can, although it need not, understand itself as created in the image of God. It is capable of knowledge and seeks both to understand and control its world. These seem to me to be predicates on which to affirm dignity.

Finally, Schaefer worries that the Lockean self can easily degenerate into a selfish, “individualistic” in the worst sense person, self-indulgent, self-absorbed, and indifferent to the common good. Yes, this must be possible, for if the Lockean theory of the self is to be an adequate account of the nature of human being it must be able to encompass all the possibilities of which human beings have shown themselves capable. And human beings have indeed at times (and not just in modern America) shown the unlovely traits Schaefer enumerates. Schaefer’s real concern, however, seems to be that understanding the self in the Lockean way will accentuate and encourage the development of the unlovely traits. In this context Schaefer mentions Tocqueville, who I believe is a very appropriate figure to invoke. Like Locke, Tocqueville understood humans to be very “flexible beings,” as his mentor Montesquieu put it, and capable in some social contexts of developing in ways consonant with liberty and dignity, and in others capable of developing in less healthy ways. Tocqueville attempts to develop a political science that will help structure our common life so as to encourage the one and discourage the other sort of development. Locke, I think, would heartily agree with Tocqueville’s concern, and if he wouldn’t he should. There is nothing to pre-guarantee that the Lockean understanding of the self will have only salutary effects, but it has within it the resources, as I have already suggested, for building a life of personal and political responsibility, freedom and toleration, comfort and rational industry, which can, and, by Schaefer’s own testimony, already has brought many blessings.

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Anne Norton and the “Straussian” Cabal: How *Not* to Write a Book

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I. INTRODUCTION

Professor Norton, as the title of her book suggests, claims that there is a connection between the political philosopher, Leo Strauss (d.1973), via some of his students, the “Straussians,” and what she considers the imperial foreign policy goals of the current Bush administration. “In this book, I will tell you how the teachings of Leo Strauss made their way from the quiet corners of classrooms...into the precincts of power and what became of them when they came there” (33). What became of them when they came there was a plan “to establish a new world order to rival Rome” (179) born of “an enthusiasm for empire.” (186). This is why, she says, we are currently at war in Iraq and Afghanistan (176).

At first glance, this would seem to be a doubtful proposition since none of those chiefly responsible for the Bush foreign policy—Donald Rumsfeld, Condoleezza Rice, Dick Cheney, Colin Powell, George Tenet, George W. Bush—would ordinarily be considered “Straussians.” One opens this book, then, expecting Professor Norton to connect the dots and make the case that seems to have captured the imaginations of so many Bush administration critics.

The author carefully avoids the usual kinds of evidence and argumentation that one would expect a university professor to use; and

instead, deploys a full array of gossipy tidbits, innuendo, *ad hominem* attacks, unattributed quotes, anecdotes, insults, crude psychologizing and the like. The sloppiness of its argumentation is reflected in the way the book is written: it is riddled with embarrassing typos, grammatical blunders, and syntactical lapses.

In the end, this book is so insubstantial that it only intermittently rises to the level of caricature, and in that sense, it falls short even of Shadia Drury's work on Strauss and the Straussians. It is not just a "missed opportunity," as another reviewer would have it, but its weaknesses are so obvious, its failures so comprehensive, that it inadvertently calls into question the whole enterprise. Not only are dots not connected, but the dots themselves become increasingly indistinct until many simply fade into the background.

The book might still be useful, however, as a kind of negative example. Such an approach raises a number of questions. What would a compelling case for Straussian influence look like? What issues need to be addressed to make such a case? Can they be addressed at all? If there is no case, then why do so many people want to believe in a myth of Straussian influence? What is gained by asserting the existence of a secret group acting behind the scenes when one can directly criticize the actions and actors themselves?

II. DEFINITIONS

The book starts off reasonably enough by asking a basic question contained in the first chapter title: what is a Straussian? Initially, Professor Norton seems to suggest that a "Straussian" is someone who studied under Strauss or one of his students. This is a problem since the author herself studied under Joseph Cropsey, whom she designates a Straussian, yet, like Paul Wolfowitz, she eschews the label. Other "Straussians" such as Harvey Mansfield never studied under Strauss or his students.

Early on she says that she will distinguish between disciples of Strauss, those who call themselves "Straussians," and political theorists interested in Strauss's work (6–7). This distinction is not maintained in the rest of the book perhaps with good reason since its application in specific cases is not helpful. Does Harvey Mansfield call himself a Straussian? Is he a disciple or a theorist interested in Strauss's work? What about Catherine Zuckert? Or Stanley Rosen? Or Laurence Lampert? Or Harry Jaffa? She says that she will refer to such people as "Straussians" because that is how they refer to themselves. No effort is made to support this claim, and in fact, some of those she refers to as "Straussians" do not refer to themselves as "Straussians."

A further refinement suggests that those in the first group, the disciples, have moved into government service, while the latter group, the theorists, have remained in the academy. This distinction quickly collapses. Leon Kass, one of Professor Norton's teachers at the University of Chicago, is now chairman of President Bush's Council on Bioethics. Is Leon Kass a disciple or an academic? Is Allan Bloom, who never held a government position, a disciple or an academic? What about Harry Jaffa? The very examples that Professor Norton uses to support her argument undermine the distinction that she makes in trying to identify those she is criticizing. In a way, it does not matter. This distinction disappears from the rest of the book.

We also get a quick and superficial primer on the differences between East Coast and West Coast "Straussians" (7–8). The latter, it seems, are more zealous in their political activism, but even this distinction quickly breaks down. We are told that Mansfield, a Harvard professor, belongs in the East Coast camp, yet he is also described as a "conservative activist" (7).

In the end, Professor Norton does not make a formal definition and instead relies on a website and a note in another book for lists of "Straussians" (see *Leo Strauss, the Straussians, and the American Regime*, xiv). This, of course, is a doubtful procedure since it is not clear that those so identified accept the label. In any case, those listed as being in government service are all underlings in a vast federal bureaucracy, or act in purely advisory capacities. None is in a position to determine a policy outcome. The list of "Straussian" teachers at the website (Straussian.net) includes some who do not accept the label.

By the end of her first chapter, Professor Norton has given us a doubtful list of Whos, and an equally doubtful list of Wheres, but the one thing she has not given us, the one thing we most need, is the What. The failure to provide a meaningful definition of what a "Straussian" is, or at least a meaningful discussion of the difficulties of such a definition, fatally undermines her "Straussian" influence claim.

The question that must be answered then is this: what are the intellectual commitments that "Straussians" share? What do Eve Adler, Harvey Mansfield, Zalmay Khalilzad, Catherine Zuckert, Allan Bloom, Ronna Burger, Leo Strauss, Francis Fukuyama, Susan Orr, William Galston, Nasser Behnegar and Harry Jaffa agree on? This question is never asked and therefore never answered. Any serious effort to connect Leo Strauss and the "Straussians" to the Bush administration foreign policy must answer this question. If no

answer is possible, then no connection exists.

By the end of the book, it seems clear that for Professor Norton, a “Straussian” is someone “I don’t like” (99). The label becomes a kind of empty vessel into which she pours her various hatreds and resentments. The basic illogic of the book seems to go something like this: I don’t like “Straussians”; I don’t like [fill in the blank]; therefore, “Straussians” are [fill in the blank]. In a general sense, the blank is always filled with “conservative,” and for Professor Norton, who often deals in broad stereotypes, “conservative” means racist, sexist and elitist. Though vaguely aware that there are “Straussians” associated with the left, such as William Galston or George Anastaplo (18–19), she never allows such a fact to get in the way of her broad-brush stereotype. “Straussians,” she says plainly, “are conservative” (161).

Another question that is never asked and never answered is: what is Strauss’s teaching? How do we get from Strauss’s lengthy discussion of Thrasymachus in *The City and Man* to the Project for a New American Century and the invasion of Iraq? From time to time, Professor Norton asserts that there is a distinction to be made between Strauss and his students, but she never really says what that difference amounts to. In fact, she never offers a clear account of Strauss’s thinking, or that of any of his students, so we simply cannot say how his students deviated from their teacher. But even if she had given such an account, she would undermine her claim. If the “Straussians” reject basic elements of Strauss’s thinking, then the connection between Leo Strauss and the Bush administration foreign policy cannot be maintained.

A compelling case for the influence of Leo Strauss and the “Straussians” must give a serious account of Strauss’s thinking and that of his more influential students; and it must provide a meaningful definition of “Straussian.” Without such an account, and without such a definition, there is no basis to evaluate the claim of Strauss’s influence or that of his students. Otherwise, we cannot know who they are and what they think, and we cannot determine how their intellectual commitments might predispose them toward particular policies.

III. CALUMNIES

Ms. Norton has sustained engagements with the works of three of Strauss’s students, Allan Bloom (47–73), Carnes Lord (64, 130–40, 208) and Leon Kass (75–90). Given what she says early on about the influence of Harry Jaffa and Harvey Mansfield, one would expect her to engage their thinking as well. Jaffa has written two well received books on Lincoln, and

published many essays and articles that reveal his views on the nature of the American regime. Mansfield has written on the meaning of the First Amendment, an interpretive essay on Tocqueville's *Democracy in America*, among other books, articles and essays some of which also deal with the nature of the American regime. His book, *Taming the Prince*, which Norton does not mention, would seem to offer an obvious comparison and contrast with Carnes Lord's book, *The Modern Prince*.

Ms. Norton has published a book on the antebellum South, *Alternative Americas: A Reading of Antebellum Political Culture*, so one would think she would have some basis to intelligently engage the writings of Jaffa and Mansfield that deal with a similar era in American history. One suspects that she avoids any serious commentary on these thinkers since they disagree in quite fundamental ways and this might undermine her "Straussian"-conservative stereotype.

Ms. Norton's least likely target is her former teacher at the University of Chicago, and current chair of President Bush's Council on Bioethics, Leon Kass. As far as I can tell, Kass has not written on the nature of the American regime or on foreign policy. His work does not seem directly relevant to Ms. Norton's claim. Her discussion of Kass, however, is introduced by one of the few substantive things she has to say about Strauss's thinking: "In most of his writings, Strauss is careful to present nature not as the realm of certainty, of 'pure and whole knowledge,' but as the unexplored, uncharted territory of a 'pure and whole questioning.' Nature was not the site of certainty, nature was the realm of the unknown, the inchoate, of that which might be known but was not yet [sic]. Nature was a riddle: a place of possibilities, a place of questions. Nature was a beginning, a resource, out of which people and worlds could be fashioned" (75).

It is certainly possible that I do not know Strauss's writings as thoroughly as Ms. Norton, but I have read several and I cannot think of a single place where Strauss says anything remotely like this. Quoted phrases are integrated into these statements, but there are no citations, so we cannot evaluate their accuracy or context. The last sentence seems closer to the views of Machiavelli and modern political thought and is thus likely at odds with Strauss's own thinking. Just before this passage, she had acknowledged that Strauss may in fact understand nature as a site of certainty, but she makes no effort to support her preferred reading. At a later point, she offers a brief account of a statement made by Strauss to Kojève that distinguishes between a first and second natures (121). It is unclear whether this is a faithful

paraphrase or Norton's own interpretation of Strauss. Earlier she had attributed this view to Socrates, Rousseau and "other philosophers" (76–77). Is this account meant to somehow reconcile the other two? Norton makes no argument one way or the other. She has at least three interpretations of Strauss: in one, nature is a site of certainty; in another, it is a site of uncertainty; and, in the third, it is somehow a little of both. She invokes whichever seems to fit the rhetorical purposes of the moment in her narrative. On balance, she seems to favor the second, least likely interpretation, but no argument is ever developed to support it.

Ms. Norton's preferred claim about Strauss's view of nature, at this point in her narrative, is an attempt to try and distinguish Strauss from some of his students for whom, so she claims, nature is the "realm of certain and self-evident truths" (76). The use of "self-evident" reminds one of Thomas Jefferson who, on this reading, would have to be considered a proto-"Straussian" (see 118–120). Norton does not name these "Straussians" and does not quote from any source to support her opinion. The discussion moves on to Leon Kass, and we assume the criticism applies to him, but Norton does not say so directly.

By Ms. Norton's own account, she was seduced out of the Straussian orbit by reading the "mostly male" postmodern theorists Lacan, Foucault and Derrida (99–100). This shift is on display here as she attributes a postmodern sense of "nature" to Strauss by way of criticizing his students for retaining some sort of absolutist sense of nature. Notions of certainty and self-evident truths are bugaboos to those with a postmodern sensibility. "Nature, in this form," Norton asserts, "authorizes totalitarianism" (87). Notice that even if we grant that Norton is right about Strauss's view of nature, and that of his students, her argument is still undermined. If Kass disagrees with Strauss on so fundamental a matter as the nature of nature then in what sense is he a "Straussian"? What is the connection then between Strauss and Bush administration policies?

She gives several good examples of the way she assimilates, without any evidence, her conservative stereotype to "Straussians." For example, she says, "Nature speaks to the Straussians in the dulcet sounds of mid-twentieth-century popular culture. Nature says that marriage (and what could nature know of marriage?) is between a man and a women [sic], and sex is for procreation" (77). This is the beginning of a discussion about marriage that goes on in this fashion for several pages. We assume these views apply to Kass, but she never quite says so and supplies no quotes from Kass on this

issue. She has taken a facile version of a conservative view of marriage and simply attributed it to “Straussians” in general. She also did not notice that Andrew Sullivan is listed as a “Straussian” on the website she mentions. Sullivan, by Norton’s criteria, would have to be considered a “Straussian,” yet he is one of the best-known advocates in the country for gay marriage. She quotes Hadley Arkes on nature and marriage (84), but is Arkes a “Straussian”? She asserts that he is, but how are we to know? She goes on to slay the conservative stick figure that she sketches out, but the reader is left wondering what any of this has to do with the purported subject of her book.

At least Carnes Lord’s book, *The Modern Prince*, seems apposite to her subject. Her reading of Lord’s book, however, is so perverse that to call it a caricature would be misleading since it in no way resembles what Lord actually says. The purpose of Lord’s book, as the final chapter heading suggests—“Saving Democracy From the Barbarians”—is to give advice to democratic leaders on how they might best defend democratic institutions in a dangerous world. Through a bizarre series of intellectual contortions, Norton claims that the purpose of the book is exactly opposite: to overthrow the Constitution and establish martial law (134 and *passim*). The possibility that we might learn something useful about leadership from Lee Kuan Yew or other non-democratic leaders never seems to occur to Norton. She simply makes the leap that any praise for a non-democratic leader means that Lord supports overthrowing democratic institutions in favor of authoritarian rule. The one thing simply does not follow from the other, but this is typical of the sort of non sequitur that Norton often deploys.

As with Kass, Norton attempts to separate Strauss from Lord by noting Strauss’s famous judgment that Machiavelli was a “teacher of evil” (131). According to Norton, “*The Modern Prince* is modeled on Machiavelli’s famous (or perhaps infamous) work *The Prince*” (131). This, despite the title of Lord’s book, may not be true, but the faulty implication seems to be that if Machiavelli is a ‘teacher of evil’ and if Lord modeled his book on Machiavelli’s book, then Lord is a ‘teacher of evil’ as well. But we return to the same two problems that came up in Norton’s analysis of Kass. If Lord disagrees with Strauss on such a significant figure as Machiavelli, then in what sense is he a “Straussian”? How does this example support the claim for Strauss’s influence on the Bush administration foreign policy? We also might ask exactly what the point is of her perverse reading of Lord’s book. If we suspend disbelief and take her reading seriously then one would have to conclude that “Straussians” are likely to support authoritarian regimes.

Yet, the criticism of the Bush policy in Iraq is that it removed a human rights abusing tyrant out of an overly optimistic notion that a democratic regime could take his place. If she had read Lord's book in light of its obvious meaning, her claim might have been strengthened. As it is, another dot becomes a blurry smear.

The third figure on Norton's hit list is Allan Bloom, whose book, *The Closing of the American Mind*, became an unlikely bestseller. There are those who claim that its publication marks the beginning of the so-called 'culture wars.' In a very broad sense, Norton's book is modeled on Bloom's in that it is part memoir, and part cultural and political commentary. Bloom's book, no matter how idiosyncratic, has many virtues: it is always thought provoking, it is beautifully written, and it is cogently argued. In that sense, Norton's book could not be more different.

Norton had tried, however unsuccessfully, to distinguish Strauss from Kass on "nature," and Strauss from Lord on Machiavelli, but as far as I can tell, she does not distinguish Strauss from Bloom. Are we to assume that there is greater continuity between Strauss and his student in this case than in the other cases? She had all but called Kass a sexist, and Lord both a sexist and a racist (64–65, 133), but in Bloom she has hit a kind of trifecta, for Bloom, on Norton's account, is a racist, a sexist and an elitist. He is a racist because he opposed the takeover of Cornell University by student thugs threatening violence against administrators and faculty. He is a sexist because he preferred men as erotic partners. He is an elitist because he thought universities ought to have standards. There is always something amusing about an elite criticizing elitism. Norton is a professor at an elite institution, the University of Pennsylvania. "I taught in the Ivy League then," Norton reminds us referring to the year Bloom's book was published, 1987, "as I do now" (70). She is quick to criticize the appointment of Peter Lawler and Diana Schaub to President Bush's Council on Bioethics because they come from "minor academic institutions" (90).

Her opinions on Kass and Lord seem substantive by comparison to her opinions on Bloom. She goes on for several pages, but not a single claim made in *The Closing of the American Mind*, not a single argument, is ever refuted. Instead, she invents an *ad hominem* smear that seems to be largely a product of her own imagination. In a remarkable display of homophobia, she describes Bloom's "queenly manner," and reports rumors of "houseboys in sexual servitude," "homosexual rites and rituals," "orgiastic toga parties" and "perverse practices" (62).

She gives us accounts of Bloom's desires and fears (67–70), but what could Anne Norton know of Allan Bloom's desires and fears? For example, according to Norton, Bloom desires "a world without women," so that the world that remains "is a world of men, and a world of homoerotic if not homosexual desire" (67). She goes on in this manner for several pages, but it should go without saying at this point in the review, that no evidence is adduced to support any of it. One has to wonder if Norton is not in some way projecting her own fears and desires onto her former teacher. Bloom's homoerotic inclinations, it seems, rendered him immune to the "evil eye of sexual rejection" (63). Norton has affectionate recollections of others of her teachers at Chicago, Cropsey and Lerner, for example, whose "soft white hands" she could accept. She has nothing kind to say about Bloom. Not all rejections are sexual.

Those of us who are suspicious of the political posture of postmodern thinking and wonder if the 'anything goes' ethos conceals a desire for power though violence, will not be reassured on reading Norton's book. Her account of the events at Cornell romanticizes student gangs who sought to seize through brute force, and the threat of force, what they could not win through persuasion. She supports this kind of activity yet criticizes "Straussian" truth squads for asking professors difficult questions in class. I will leave it to others to examine whether such truth squads ever actually existed, and if so, whether such activities were unique to "Straussians." Norton seems to be saying that an entire university can be violently seized, lives threatened, and property damaged or destroyed, on the basis of a political agenda she approves of, but a professor ought not be asked difficult questions in class.

Dr. Norton's analysis culminates in an account that would locate the source of Bloom's racist, sexist and elitist views in resentment that flows from being a Jew and a homosexual granted entrée into elite society. Once there, she suggests, he sought to prevent other outsiders from gaining similar entrée (68–73). This diagnosis amounts to little more than name-calling on stilts. Unable to address the substance of Bloom's arguments in *The Closing of the American Mind*, Norton falls back on psychobabble to try to discredit him. Precisely what any of this has to do with the Bush administration foreign policy remains unclear.

If one is going to try to argue for Strauss's influence on the Bush administration foreign policy, it makes sense to discuss in detail the work of some of his better-known students or colleagues who claim his influence. Harry Jaffa, Harvey Mansfield, and Thomas Pangle have published on the nature of the American regime and have had something to say about U.S.

foreign policy. Any serious account of this subject must address these thinkers. Such an account will not be easy since these are subtle and learned scholars who often disagree on fundamental matters. Anne Norton, on the evidence of this book, is not up to the task. A careful analysis by a thoughtful scholar might find a common thread that leads back to Strauss, and perhaps forward to figures like Carnes Lord or Abram Shulsky. If one were interested in domestic policy then Allan Bloom and Leon Kass might provide the starting point for a similar thread.

IV. BIGOTRIES

The claim of “Straussian” influence has been asserted in many quarters, but it has recently been forcefully expressed by Lyndon LaRouche and his followers. The claim ought to be taken on its merits and not simply dismissed by its association with LaRouche. Still, as the title of LaRouche’s tract, *Children of Satan*, indicates, as well as the frequent use of the word “cabal,” there is at times a trace, intended or not, of Jew-hatred in the claim.

One of the standard tropes of contemporary Jew-hatred, next to Holocaust denial, is to call Jews “Nazis.” This, of course, is nonsensical, but let us take a look at LaRouche’s version of the “Straussian” cabal claim: “Speaking in terms of epistemology, the ‘genetically’ Nazi-like ideology of a Strauss, was that of a figure whose own writings like those of his underling Allan Bloom, recall those of Nazi philosopher, Martin Heidegger, who influenced Strauss” (“Insanity as Geometry: Rumsfeld as ‘Strangelove II’”). This basic assertion is repeated in slight variations over and over again as if mere repetition of the words “Nazi” and “Strauss” in the same sentence will somehow establish a connection. Here is another version: “The point of the pamphlet...was the fact that a so-called ‘neo-conservative’ network...organized around the influence of Professor Leo Strauss—a follower of the Nazi existentialist Martin Heidegger, Nazi legal figure Carl Schmitt, and Hegelian Alexander Kojeve—are the core of the current pro-war faction inside the current Bush administration’s Defense and State Departments...” (“LaRouche Replies to Bartley Column”). At a campaign speech, LaRouche made his views clear: “What we did, is, we brought Nazi thinkers—I mean, Leo Strauss was a Jew. But he was a Nazi Jew!” (“Fight Fascism the Way Franklin Roosevelt Did”).

It is perhaps best to allow LaRouche’s statements to stand without further comment, but I think it useful to view the “Straussian” influence claim in its purest form. This then leads to another question: is

Jew-hatred a necessary part of the myth of “Straussian” influence? One has to wonder whether the claim of a “Straussian” cabal, like the claim of anti-Zionism, is just a new way to provide politically correct cover for old-fashioned Jew-hatred.

Norton is more circumspect than LaRouche but there is, nevertheless, a similar network of associations at play: “Leo Strauss entered the American academy from a particular place... Among the most important figures in this intellectual company are Martin Heidegger, Hannah Arendt, and Carl Schmitt.... They [Strauss and Arendt] were German Jews, educated in the German universities of the 1920s and 1930s” (35). A few pages later, she emphasizes that Strauss and Arendt, had both “regarded Heidegger as a philosopher of unquestioned brilliance” (37). Norton reports a rumor that Arendt rejected Strauss, “because he had initially admired Hitler” (38). “Leo Strauss,” she says, “joined Carl Schmitt and Alexandre Kojève in their critique of liberalism and liberal institutions” (109). She also tells us that Schmitt “was to become the leading jurist of the Third Reich. Before that he wrote a letter recommending Leo Strauss for the fellowship that would enable him to make his way out of Germany....” (38–39).

Norton’s version of the cabal thesis works through innuendo. Strauss had written a brief review of an early draft of one of Schmitt’s books and Schmitt in turn had recommended Strauss for a fellowship. Schmitt, like Heidegger, went on to join the Nazi party, therefore, Norton seems to be suggesting, Strauss must also have been a Nazi sympathizer or at least a rightwing sympathizer. We expect this sort of thing from LaRouche, but not from an Ivy League professor. Of course, if one takes Schmitt’s Nazi sympathies seriously, then the idea that he would help a Jew get out of Germany seems improbable. Schmitt, it is worth pointing out, has arguably been more influential on the left than on the right (see *Telos* 109, Fall 1996). Norton is less judgmental than LaRouche when it comes to Heidegger, the intellectual godfather of the postmodern movement, and the decisive influence on her own intellectual heroes.

Norton goes on to give facile accounts of Schmitt’s concept of ‘the political’ and Arendt’s distinction between public and private. She vaguely suggests that Strauss accepted these views, but never establishes this by reference to any of his works. A comparison between the thinking of Strauss and Arendt would make for a fascinating discussion. But whenever Norton has a choice between gossip and substance, she opts for gossip (37–42).

For Norton, Strauss, at times seems to be a sort of rightwing intellectual, at other times, a natural rights absolutist (75 and 120ff.), but most of the time, as we saw earlier, she seems to want to suggest a fuzzy postmodern Strauss. The first view is on display in the central chapter of her book. Her comparison of Strauss's work to that of the intellectual forefather of contemporary Islamic fascist movements, Sayyid Qutb, is so strained and ridiculous that in the end it is simply laughable (110–15). Laughable, that is, until one remembers that Strauss, a German Jew, left his country as it was being taken over by a fascist movement similarly guided by Jew-hatred.

The fundamental weaknesses of Norton's book reach a kind of climax in its final chapters. Here is one of Norton's more ludicrous statements: "At school, Straussian students told me that Arabs were dirty, they were animals, they were vermin. Now I read Straussian books and articles, in editorials and postings on websites, that Arabs are violent, they are barbarous, they are enemies of civilization, they are Nazis" (210–11). One expects a list of the books, articles, etc., that make this claim, but none ensues. All we get is a tepid quote from Jaffa that the Palestinian Authority, not Arabs in general, is a gangster regime, "like the Nazis." She does go on a bit about the book by Richard Perle and David Frum (*An End to Evil: How to Win the War Against Terror*), but Perle and Frum are not "Straussians" by any reasonable definition. Certainly neither calls himself a "Straussian." At a minimum, then, we expect an anecdote from her student days that might go something like this: "I was in class one day, and Lerner was going on about Farabi, when suddenly this Straussian student leans over and says, 'those Arabs sure are vermin!'" But, alas, Norton cannot even muster an anecdote. What is clear is that the denigrating language that Norton attributes, with no evidence, to "Straussians" vis-à-vis Arabs, is precisely the same language ("dirty," "animals," "vermin") that was, and continues to be used by European and Middle Eastern Jew-haters.

By the end of Norton's book, the claim of "Straussian" influence has a familiar if troubling ring. A secret cabal lead by men with names like Wolfowitz and Shulsky, bound together by perverse practices, is covertly guiding U.S. foreign and domestic policy in an effort to create a world empire.

Those who wish to make a compelling case for "Straussian" influence must be unusually sensitive to the possibility that the claim is merely a disguise for a re-emergent Jew-hatred. It may well be that a trace of such hatred is a necessary component of the claim regardless of the particular intentions of the person who makes it.

V. CONCLUSION

Much as Norton had diagnosed Bloom as a self-hating gay Jew racist with a serious case of status anxiety, an unfriendly critic, using her approach, might well diagnose Norton as a Jew-hating homophobic Ivy League snob with a serious case of castration anxiety. But this is just a way to don intellectual and moral pretensions while avoiding the difficult work of reading and criticizing a serious scholar's work. No reasonable person would accept such accusations, and would likely consider the person who made them a charlatan.

In the case of Norton's book, however, there is no substance, no serious scholarly work. Some may find her recollections from her student days evoke a certain nostalgia, and others may find her various asides and digressions of interest, but the main claim of her book is supported by exactly nothing.

It might be possible to claim that this book is intended for a popular audience so the usual standards of scholarship do not apply. I decided to look at how Professor Norton's scholarly books had been received. This is from a review of her book on the culture of the antebellum South: "The documentation that is provided is irregular, incomplete, and often inaccurate. No sources are given for a number of anecdotes and quotations, and what are represented as direct quotes are often, in truth, paraphrasings" (Jan Lewis, *The American Historical Review* 92:1274). One would expect that a book written for professional peers would have appropriate scholarly documentation. That does not seem to be the case here, so one must be concerned by a lack of proper documentation in a book intended for a popular audience where the standards are not as exacting.

When I looked at other reviews there was a clear pattern. Those who share Norton's postmodern sympathies use adjectives like, "impressionistic," "heterogeneous," "aphoristic," "unorthodox." Those who are being honest use expressions like, "unstructured," "perplexing," "distorted clichés," "willfully blinkered," and "jargon-laden." Much the same could be said of the book currently under review with one exception.

In her book on Strauss and the "Straussians," Norton has let her postmodern jargon fall by the wayside at the cost of revealing her serious limitations as a scholar and critic. It is not a pretty sight. Perhaps she was wise to leave the "Straussian" orbit.

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The Ass and the Lion

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I.

Some years ago, Yale University Press introduced a series called "Fastbacks." Although Anne Norton's book does not come with that label, it has some of the defining characteristics of the genre: relatively short, and composed with evident speed so as to respond to a timely issue. (Perhaps one should say "haste" rather than speed, given the author's failure to check the spelling of names she mentions like Bruno Bettelheim, Michael Malbin, and James Ceaser, the title of Burke's address on Conciliation with the Colonies, the school where Stephen Salkever teaches, and other details.) In fact, Norton reports that rather than proposing the book to the publisher, she was persuaded to write it by a Yale editor who had conceived it (xiii). So streamlined is the book that, unusually for the product of an academic press, it is devoid of footnotes. For evidence of her contentions, Norton relies on personal reminiscences, rumors or gossip she has heard, and occasional quotations of phrases (without page citations) from a few Straussian (or quasi-Straussian) books.

Despite her title, Norton explains that her concern is not with Leo Strauss (1899–1973), the great (and controversial) political philosophy

scholar, nor even with his “students,” i.e., “political theorists interested in his work,” but rather with Strauss’s “disciples,” “the people who call themselves Straussians,” even though those two categories have “some overlap.” While sometimes departing from Strauss’s own views, she maintains, the Straussians—notably such individuals as Paul Wolfowitz, deputy secretary of defense during President George W. Bush’s first term of office; Bill Kristol, television commentator, publisher of the *Weekly Standard*, and codirector of the Project for a New American Century; Leon Kass, chairman of the President’s Council on Bioethics; and the late Allan Bloom, author of the 1987 bestseller *The Closing of the American Mind*—“have made a conscious and deliberate effort to shape politics and learning in the United States and abroad” (6–7). It is because America is now at war, and Straussians like Wolfowitz and Kristol have achieved so much “power” in that context, that Norton concluded that she needed to write about them (xi).

Norton, who teaches political science at Penn, judges herself well-equipped to discuss the Straussians because she studied with some of the most prominent of Strauss’s students at the University of Chicago—including Kass, Joseph Cropsey, and Ralph Lerner—without ever becoming a Straussian (thus bearing witness to her intellectual independence). By Norton’s account, Cropsey and Lerner were remarkable teachers who “took your breath away with their honesty” (23). In addition, Cropsey and Kass were extremely generous with their time to her. But some of her teachers had an underlying agenda: they aimed to “seduce” her into becoming one of their “disciples” (25–26, 32). While Norton was able to resist their siren song, many of her classmates, hungry for “masters,” succumbed to it, forming a “cult” whose members “learned to like the taste of their [non-Straussian] professors’ blood” (13, 25). They formed “truth squads” who asked questions of “professors they disliked or distrusted...not to hear the answers but as a form of disruption and intimidation,” aiming, at least in their victims’ eyes, “to silence...all who disagreed with them,” like “intellectual brownshirts.” (Some students even went to the length of reading quotations from Strauss’s *Natural Right and History* to the professors they victimized, an obvious brownshirt tactic.) According to those professors, Strauss himself, during his years at Chicago, failed to discourage such behavior, and almost succeeded in an endeavor “to establish complete control over the department” (45–46).

Thus in Norton’s account the ostensible commitment to academic freedom of some of Strauss’s former students (including Bloom) who went on to teach at Cornell and resisted that university’s surrender to

armed black militants in 1969 “is marred by their past and future tolerance of tactics of intimidation on the right, by their employment of such tactics at Cornell,” and by their disgraceful (“totalitarian”) treatment of their colleague Clinton Rossiter, whose company they shunned after he endorsed the surrender. (According to Norton “Bloom and his allies” felt that those who were demanding black studies “were threatening them” by challenging their privilege of teaching “as they chose”; she does not mention the militants’ radio broadcast of death threats against them, which compelled at least one faculty member to move his family out of town for safety, as well as requiring a black student who had openly dissented from the militants to move out as well.) Underlying their rejection of the black students’ demands was a narrowly Eurocentric perspective that would have denied students the opportunity to study writers like W.E.B. DuBois (50–53). (Indeed, when Norton began studying contemporary French theorists like Lacan and Derrida after leaving Chicago, her Straussian teachers “sent messages” through her friends “that they were ‘very disturbed’ and ‘very unhappy,’” exhibiting their fear that she had “gone over to the dark side of the Force.” They were determined to “enforce” a “lack of knowledge” of postmodernism among their pupils [99–100]. Their narrowness was akin to the intellectual “laziness” of Bloom’s friend Saul Bellow, whose quip about the absence of a “Fijian Tolstoi” Norton refutes by mentioning Hegel and Lao Tzu to demonstrate the presence of great works in all cultures: 30.)

Bloom, to whom Norton devotes an entire chapter, exemplified the worst of the Straussian vices. His *Closing*, which even “the more philosophic Straussians ignored” or “deprecated,” was “meretricious,” just like his “loud suits.” Bloom held his Cornell students to a “conservative orthodoxy,” and even made his disciples (according to a friend of Norton’s) scurry to pick up pennies he had tossed down the hall. Once he moved back to Chicago to teach, Bloom “refused to grade the papers of a student who ‘had ‘listened to other professors’” (57–61; despite the quotation marks, Norton provides no source). But worst of all, this “defender of youthful innocence, family values, and traditional morality” was a hypocrite. While “the targets of Bloom’s attack were too kind, too scrupulous, or perhaps too puritanical” to mention it, Bloom was a “flamboyantly queenly” homosexual who reportedly held “houseboys in sexual servitude” and sponsored “homosexual rites and rituals” including “orgiastic toga parties.” Norton herself says she doesn’t “believe” the latter reports—although unlike Bloom’s “targets,” she feels obliged to repeat them (62). At the same time, she remarks Bloom’s “misogyny,” and the spectacle of “tiny little men with rounded shoulders” among Bloom’s

students proclaiming the superiority of the male sex, while others “with soft white hands...delivered disquisitions on manliness”—perhaps as a way of “warding off the evil eye of sexual rejection,” to say nothing of “the more troubling fact that women could read” (63).

Considerations of space dictate a briefer account of Norton’s remaining charges. It must suffice to observe that she believes the Straussians’ elitist, antidemocratic, antimodern, and hypocritical training to underlie their present project, now that they have attained positions of high political influence in the Bush administration and outside it, of waging wars without end (143), becoming “enforcers of virtue” like the Iranian mullahs (137), promoting “trickle-down economics,” and imprisoning and deporting aliens they dislike (172). According to one sociologist Norton consulted, “the world is currently divided between the followers of Leo Strauss and the followers of Sayyid Qutb” (the founder of contemporary Islamic “fundamentalism” whose writings reportedly exercised a decisive influence on Osama bin Laden), an observation she deems “worth exploring” (110). Moreover, even though America is far safer now (Norton believes) than it was when FDR said we had nothing to fear but fear itself, Americans generally (whether owing to Straussian influences she does not say) “believe they see enemies on every side,” using that paranoia as an excuse for policies that endanger Americans’ “lives, their liberties, and their honor” (158–59).

Although Norton has heard that there were once “liberal and left Straussians,” she reports that “those species have become extinct...in the aftermath of the cosmic events of the late sixties” (161–62). She depicts William Galston, a Straussian who served as campaign adviser to the presidential candidates John Anderson and Walter Mondale and then as domestic policy adviser to Bill Clinton, and was a forthright opponent of the Iraq war, as having “moved a short distance to the left, but farther than a good Straussian was permitted to go”; but then again, she remarks, the Democratic party to which he gained entry “had moved considerably to the right” as well, perhaps partly excusing his wandering from the reservation (18). Another prominent Straussian, Michael Zuckert, “took to the streets” to protest the Iraq war according to Norton—but he was only choosing a different path to “the same [unspecified] ends” (52). (Only a writer with a peculiarly academic or baby-boomer view of the world, we might observe, could in 2004—well after the fall of the Soviet empire, and following the events of 9/11—describe the turbulence of the sixties as “cosmic.”)

While Norton's assorted denunciations of contemporary, ostensibly Straussian policies read like an anti-Bush diatribe composed by Howard Dean or George Soros, she charges that the Straussians have actually betrayed authentic conservatism. "The American conservatism that embraced Strauss," she maintains, "had a clear commitment to certain simple tenets," revering "custom and tradition," believing in noblesse oblige, resisting change, distrusting "abstract principles, grand theories, utopian projects," having high regard for "education and the arts," and above all advocating "small government" (162). American conservatism was "largely an English tradition," deriving from the ideas of the eighteenth-century "country" party, but reformulating them into the Jacksonian slogan that "that government is best that governs least" (168). (The nostalgia Norton expresses for the good old days of American conservatism, when "Americans of wealth and power prided themselves on having a country life: hunting, fishing, riding" [168] could bring tears to the eyes of Simon Legree, if not to his slaves: the connection of Jacksonian limitations on Federal power to the slave interest goes unremarked by Norton.)

As late as the Reagan administration, this sort of conservatism, guided by "the limits of custom and precedent" and directed at "keeping things as they were" and "as their ancestors had been" "flourished." (Perhaps Norton should have run this observation by one of her sociologist friends before publishing it.) But "all this changed" at the turn of a new century, when the 9/11 attacks became an excuse for vastly expanding government's powers, "the old regard for manners" was undermined by individuals like Rush Limbaugh, and "respect for the ancient tenets of just-war theory and the norms of international order were [*sic*] set aside," in favor of a "strong state" that aimed to "make trouble' in the world" (171–79).

The Bush administration's so-called war on terror is in reality, according to Norton, a "*jihad*" that constitutes America's own "Sicilian expedition"—harboring a doom analogous to that which the ancient Athenians met. Defying the sobriety of Burke and the warnings of "hard-headed realists in the field of international relations," the neoconservative advocates of "expansive internationalism," including Straussians like Kristol, aim at "universal dominion." Only a few lonely voices, like that of West Virginia Senator Robert Byrd, remain to scold us for our disregard of the U.N. Security Council as well as our own Constitution (188–200). Today, American foreign policy is driven by an anti-Muslim bigotry that fantastically supposes that Muslims "are involved in shadowy global conspiracies" (212, 216; who woulda thunk it?). Of course, even back in her Chicago days, Norton recalls, Straussians made Arabs and

Muslims “the targets of unrestrained persecution” (210) (even while Strauss’s pupils Muhsin Mahdi and Ralph Lerner [225] were teaching Arabic political philosophy to future scholars of the subject like Charles Butterworth and Miriam Galston). A similar bigotry is evident in Straussian Harry Jaffa’s description of Yasser Arafat’s Palestinian Authority as a gangster-ridden, Nazi-like regime, and his representation of Islam as “the religion of the sword,” a claim the falsity of which is immediately apparent once one realizes that the literal meaning of “Islam” is “peace” (211). (Then again, *Pravda* meant “truth.”) In a manner that Norton curiously claims is reminiscent of “long-dishonored” anti-Semitic texts, two neoconservative (but non-Straussian) writers, David Frum and Richard Perle, have even called for “violence in the name of defense” against the sources of Islamic terrorism! (211).

II.

Given the anecdotal and rumor-based character of Norton’s account of Straussians’ personal behavior and characteristics, it is difficult for the reviewer to offer a comprehensive assessment of this aspect of her book, other than to observe that her description of the atmosphere that surrounded Strauss and Bloom, speaking as one who studied with both (at Chicago and Cornell, respectively) during the 1960’s, and knows a number of Bloom’s, Kass’s, and Cropsey’s students from the 1970’s, bears only the foggiest resemblance to reality. Since there were only two Straussians in Chicago’s political science department other than Strauss himself (Cropsey and Herbert Storing), and the department numbered more than twenty members, Strauss was never in a position to achieve “control” of it (though a particularly resentful chairman who took office in 1965 may have leveled such accusations: I heard him imply such things in a remarkably vituperative address to the assembled graduate students that fall, warning that no “factions” would be tolerated on his watch). (He himself might have profited from a rereading of *Federalist* no. 10’s account of how the consequences of the endeavor to stamp out faction are likely to be worse than the “disease” they purport to remedy.)

Far from representing himself as a champion of “conservatism,” Allan Bloom publicly boasted of never having voted for a Republican until Ronald Reagan’s 1980 presidential candidacy; as of the mid-1960’s he was still arguing that Adlai Stevenson would have made a better president than Eisenhower, and his two favorite national politicians at the time were the moderate Democratic senators Scoop Jackson and Ed Muskie. At Cornell, he was a friend and admirer of Frances Perkins, FDR’s Secretary of Labor and a fellow resident of the Telluride House. In 1976, demonstrating how philosophic

wisdom does not always guarantee sound judgment, he even espoused the presidential candidacy of Jimmy Carter. (And he ridiculed the notion that the great books he taught constituted a fixed “canon” of “sacred texts” [Norton, 30–32], a term taken from the discourse of religion rather than philosophy: see his “Western Civ,” in *Giants and Dwarfs* [Simon and Schuster, 1990], 13–31.) Anyone still inclined to regard Bloom as a political conservative should read the liberal journalist Jim Sleeper’s essay “Allan Bloom and the Conservative Mind” (*New York Times Book Review*, September 4, 2005)— though Sleeper himself exaggerates Bloom’s “mistrust” of “capitalism” and democracy, as distinguished from the belief that the university needed a certain insulation from these dominating tendencies of American life. Finally, regarding Bloom’s one-time colleague, the pathetic Clinton Rossiter, one will find a more reliable account of the circumstances that apparently led to his suicide in Alison Lurie’s *roman à clef* *The War Between the Tates*; suffice it to say that (to paraphrase Mae West) the Straussians had relatively little to do with it.

As for other assertions that I have been able to check, Michael Zuckert assures me that although he publicly opposed the Iraq war, he never “took to the streets” on behalf of that cause. Paul Wolfowitz, by his account, did not “condemn” the Vietnam war (51), only the way it was being conducted (see the interview with him in the *Cornell Alumni News*, 2004). Joseph Cropsey, whom Norton credits with giving her the “fullest and most critical account” of the so-called “truth squads” (45), denies knowing of, let alone describing, any such groups (as distinguished from sometimes overeager or partisan individuals among the younger graduate students, whose behavior he disapproved of: see below). Rather than opposing the study of African-American political writers, Herbert Storing was already teaching a seminar on African-American political thought in the late 1960’s and published two important articles on Booker T. Washington and Frederick Douglass, respectively; in the early 1970’s he published one of the first readers on the political thought of black Americans. Also in the 1960’s, another Straussian, Howard Brotz, published the first comprehensive one-volume reader on the subject, originally titled *Negro Social and Political Thought* (Basic Books). Other Straussians of the next generation, such as Diana Schaub, Peter Myers, and Leslie Goldstein, have continued this area of research. (It would not have been difficult for Norton to ascertain these bibliographic facts. But so little an acquaintance does Norton have with Straussian teaching and scholarship that she absurdly claims that Straussians read only a few books “over and over,” including only three Platonic dialogues but not the *Republic*, and Aristotle’s *Ethics* but not his *Politics*: 33.)

As for Derrida, the distinguished Straussian Catherine Zuckert devotes a considerable portion of her important book *Postmodern Platos* (University of Chicago Press, 1996) to a largely sympathetic account of his thought. She has never reported to me any warnings from her teachers not to undertake such a dangerous exploit. (And both Cropsey and Kass firmly deny ever having sent such messages to Norton. Being well acquainted with both men, I would have been amazed had they done so. Aside from the fact that neither individual was known for seeking such control over his students, Norton's vanity seems to induce her to exaggerate considerably their need of her "discipleship.") Finally, having known a number of Harvey Mansfield's Ph.D. students of various political orientations, I can attest that he by no means mandates that anyone who studies with him "be a conservative" (8).

One of the other anecdotes Norton recounts to illustrate some Straussians' laughable attempts at "seducing" her into joining their "*epigoni*" when she studied at Chicago concerns Kass's offering to let her read an unpublished Biblical commentary he had drawn upon in class only "in his office and under his eye," while Cropsey, by contrast, readily lent her a copy (25–26). Since (as Norton acknowledges) the commentary was subsequently published, what Kass's caution must have reflected was clearly not some cultish secrecy, but rather the author's own request not to allow an unpublished manuscript to circulate until the author had had the opportunity to put it into final form. (Norton's years of teaching in the Ivy League have presumably familiarized her with this custom.) (Robert Sacks's profound commentary on the book of Genesis, titled *The Lion and the Ass*, originally appeared in a series of issues of this journal, before being published as a book by the Edwin Mellen Press.)

Beyond this, what Norton describes as graduate-student Straussian "truth squads" might be said to have existed at Chicago (though not under that name, to my knowledge, and not with any sort of organization). In fact, the present author was a one-man truth squad all by himself. In other words, I and (I assume) some others were the sorts of eager youth who were eager to display our wit and learning at the expense of certain professors whose courses we were required to take for the sake of our comprehensive exams – professors who, if truth be told, were not infrequently dogmatic, dull, and narrow. We were, in other words, the types of youth who (as Allan Bloom once observed of me) got Socrates into trouble. It is lamentable that Norton, who presumably is aware that boys will be boys (there were rather few female graduate students in political science at all during the mid-'60s, and they did not characteristically engage in "boyish" behavior), uses the fact of our

misbehavior to justify the refusal of many political science departments to hire Straussians (12–13). (Norton’s hyperventilating account of the “truth squads” “derives from Strauss’s old enemies” as well as from “his students” [45]; while she does not identify those students, the subsequent recollections of those who regarded Strauss as an “enemy” and his students as “brownshirts” can hardly be trusted as a reliable source.)

III.

While it is inherently impossible to refute all the unsourced gossip Norton purveys on the basis of alleged personal experiences or the reports of her friends, one can assess her credibility by examining her use of written sources. The following samples do not inspire confidence. She mocks Carnes Lord for attributing “considerable courage” to Pakistani president Pervez Musharraf for collaborating in the American invasion of Afghanistan following 9/11 (131–32), when all that Lord says is that Musharraf displayed such courage “by cracking down on Islamic extremism in the army and the mosques and instituting major reforms of the madrassas” in his country (Lord, *The Modern Prince* [Yale University Press, 2003], 136). She attributes to Lord a proposal for instituting a governmental “moral police” to supervise the activities of American college students and a “constant supervision of opinions” (137–38), when his discussion simply concerns the need for universities to cooperate with the government in tracking *foreign* students “who are in the country illegally” or are pursuing courses of study like nuclear physics that have the potential for military use against the U.S. (Lord, 139). She likewise accuses Lord of praising Singapore’s prime minister and constitutional architect Lee Kuan Yew for resisting Western liberalism, i.e., “an emphasis on rights and the individual” (133), when Lord reports noncommittally on Lee’s championing of “so-called Asian values” as an alternative to liberal individualism, warns of the dangers of “the autocratic temptation” for statesmen like Lee or De Gaulle, and praises Lee for making greater provision than De Gaulle did “to create the institutions that would enable him to withdraw gracefully from power while preserving his larger political legacy of nation building and constitutional construction” (Lord, 101, 104–5).

According to Norton, Lord “can’t find a good word to say about the redoubtable Maggie Thatcher” because she was a “manly” woman (64). But in fact, Lord praises Thatcher’s “extraordinary leadership skills” as well as her resistance to nonsensical, “faddish approaches to education.” His only criticism concerns her confrontational and sometimes humiliating conduct towards her cabinet, in contrast with Ronald Reagan’s gentlemanly

behavior towards his associates and avoidance of personal confrontation, admirable tendencies that nonetheless caused “much unnecessary infighting and confusion within his administration” (Lord, 6, 10, 138). And when Lord warns of the danger that “unassimilated minorities” may pose in an age of terrorism—even while acknowledging that such minorities as “practicing Muslims” may also “have legitimate grounds for complaint about the West today”—and urges a greater endeavor to inculcate liberal constitutional principles in the citizenry as Lincoln did, rather than submit to the demoralizing ideology of multiculturalist relativism (Lord, 227-28), Norton reads this as an attack on Hasidim and “the rambunctious family of *My Big Fat Greek Wedding*” as “enemy aliens” (138).

Another example of Norton’s misuse of quotations is her attribution to Robert Kagan (not a Straussian to my knowledge) and William Kristol of the aspiration for the U.S. to “make trouble in the world,” when what they actually say in their prescient 2000 book *Present Dangers* (Encounter Books) is that we should “set about making trouble *for hostile and potentially hostile nations*,” such as the regimes of Saddam Hussein and the North Korean tyrants, “rather than waiting for them to make trouble for us” or their neighbors and our allies (*Present Dangers*, 7 [emphasis added]). (Had we overthrown Saddam at the end of the Gulf War, destroyed North Korea’s nuclear facilities in the 1990’s, and intervened against the Taliban before 2001, how many of our and the world’s subsequent troubles might have been avoided?) Elsewhere, Norton attributes to Strauss himself thoughts that he is paraphrasing from the book by Hermann Cohen that he is reviewing, and which it is unlikely Strauss shared (216–17).

As for Frum and Perle’s book *An End to Evil: How to Win the War Against Terror* (Random House, 2003), which Norton represents as a manifesto of “violence” and a “blood libel” against Islam comparable to “long-dishonored” anti-Jewish texts (211), the reader may be interested to learn that other than citing the potential need to strike at terrorist camps or North Korea’s nuclear weapons facilities, their chief recommendations concern such matters as strengthening democratic movements within Muslim dictatorships like Iran, telling the truth about (and endeavoring to end) Saudi financing of Wahabbist *madrassas* around the world, and cutting off aid to the North Korean tyranny. When it comes to the profiling of potential terrorists, they dismiss focusing on “people with Muslim-sounding names or Middle Eastern facial features” as “a divisive and humiliating waste of time,” arguing that “what investigators need to profile is not *ethnicity*” but “*behavior*” (80–81,

their emphasis). They also urge an increase in American aid to the Indian sub-continent (including Pakistan, Bangladesh, and Sri Lanka), focusing on the improvement of girls' education and the teaching of "marketable skills" instead of Islamist indoctrination, and a "comprehensive free trade agreement" with the U.S., contingent on these countries' signing the same agreement with one another (262–63). Somehow, none of this seems redolent of traditional anti-Semitism or of anti-Islamism, as Norton insinuates. Did she take the time to read beyond the dust jacket, and the one quotation she cites (211) in which Frum and Perle allude to widespread support among "mainstream" Muslim groups in America for terrorist organizations like Hamas and Hezbollah? (See Frum and Perle, 83–93, for the authors' documentation of this observation, and 94 for their recommendation that we "honor moderate and patriotic Islam as an important and respected element of American life.")

The skill at careful reading that Norton claims she acquired at Chicago (29–31) is not much in evidence in this book. Indeed, after a critic of the *Essays on the Scientific Study of Politics* that Herbert Storing edited in 1962 charged that the authors were attacking "pipsqueaks" rather than leading exponents of "behavioral" political science, as Norton reports, one of the prominent social scientists being criticized in the book understandably responded that "he preferred his Straussian enemies to his defenders" (44). Unfortunately, Norton misses the point of the remark—that the Straussians typically read the writings that they criticize with greater care, and take them more seriously, than the Straussians' critics do. As for Norton's own approach, it must be noted that misquotation is a far more egregious offense when one avoids even providing references to the pages one is borrowing from.

One must also note the deficiencies in Norton's convoluted account of the relation of Strauss's thought and contemporary American foreign policy to "conservatism." While Strauss was undoubtedly a practical conservative in contemporary political terminology—that is, he (unlike Bloom) generally favored policies advocated by the more conservative wing of the Republican party, and in his best-known book, *Natural Right and History*, gave qualified support to the "idea" of natural right—he consistently emphasized that philosophy can never itself be conservative, since its quest is for what is by nature true and good, as distinguished from the pre-philosophic horizon that identifies the true and the good with merely conventional standards. (Strauss's repeated references in that book to natural right as a "problem" obviously belie Norton's claims that Straussians view nature as "simple and certain, stable and secure" [76]—unless she believes that they somehow

overlooked these references. See Richard Kennington, "Strauss's *Natural Right and History*," *Review of Metaphysics* 35 [1981], 57–86.)

Without any textual support, Norton attributes to the Straussians a simplistic equation of the natural with the traditional which any acquaintance with their scholarship would belie. Contrary to her imagining that Straussians teach that "it is natural for men to have authority over women, and the final word on finances" [!] (77), Straussian scholarship on Aristotle, among other authors, has shown the error of attributing such prejudices to him – which caused all too many readers to deny his relevance to a modern, liberal regime. (See, e.g., Mary Nichols's fine commentary on the *Politics, Citizens and Statesmen* [Rowman and Littlefield, 1992].) While calling Kass's book *The Hungry Soul: Eating and the Perfection of Our Natures*, "elegant and charming," Norton mocks Kass's allusion to "the wisdom of repugnance" (regarding the potential scientific reconstruction of human nature through such means as cloning) by citing Dr. Seuss, who showed how easy it can be to overcome an aversion to green eggs and ham by trying the dish (77, 81). For Norton, sexual reproduction, as distinguished from cloning, is evidently no more inherent to human nature than a preference for one dish over another. Nor is marriage between a man and woman any more grounded in nature than same-sex "marriage"; to think otherwise, Norton suggests, is just a "mid-twentieth-century" prejudice (77). But Norton never supplies us with the grounds on which she herself distinguishes reasoned moral judgment from prejudice: one could just as easily infer from Dr. Seuss's tale a defense of the naturalness of cannibalism. (Don't knock it if you haven't tried it.)

To return to Strauss himself, he was far from the unequivocal opponent of modernity that Norton claims. In citing his *Thoughts on Machiavelli* to indicate that he regarded Machiavelli as a "teacher of evil" (131), she provides no evidence of having read beyond the first page of that difficult book. Had Norton given more consideration to the range of Strauss's thought, including his numerous writings devoted to modern political philosophy, she might also have been less "astonished" at his students' appreciation of *The Federalist* (30). (As for Norton's claim that Straussians like Bloom were cultural snobs who "could not see justice in democracy" [54], Bloom, as I recall him, loved poking holes in the cultural pretensions of the literati, once pointing out to a group of students, for instance, how the classic Hollywood thriller "Charade" far surpassed Roman Polanski's tedious "Knife in the Water," released around the same time and beloved of Cornell's *soi-disant* deep thinkers. Although he certainly cultivated a taste for fine food and dress, he

never to my knowledge lost an appreciation of the freedom and opportunity in America that enabled people like him and many of his students to rise from humble beginnings to participate in the enterprise of liberal education that had formerly been, and in much of the rest of the world remained, the purview only of a wealthy elite.) Strauss himself, Norton acknowledges, was reportedly “delighted by the (relative) equality of the American academy” in comparison with its German counterpart (26).

Nor is Norton aware of the fundamental distinction between admiring classical philosophy and idealizing classical political life. What is one to make of her claim that “many” Straussians admire “the Ancients” for being “brave and blond [sic] and wise, living in a city of public assemblies and white marble temples,” these Straussians being unaware that the Athenians painted their temples—and supposedly missing Aristophanes’ dirty jokes, since they “picture the Greeks as—restrained, virtuous, and lawful” (115–16)? (She offers not a single citation to justify these outlandish assertions. Then again, since Norton also thinks we need to be told that “sex—and the preservation of the species—can take place outside marriage” [83], perhaps she really did believe that Straussians were ignorant of those facts.)

Norton’s contention that the strong executive and pre-emptive defense policy favored by some leading Strauss-trained policymakers constitutes a betrayal of the traditional “conservatism” exemplified in her view by Burke and Hamilton, among others (193, 195) also exhibits a curious misreading of those statesmen-thinkers. How would she account for Burke’s early advocacy of British military intervention in France to curb the excesses of the Revolutionary regime before the bacillus of terror spread beyond its shores? Has she recently reread *Federalist* nos. 70–73, in which Hamilton makes the case for “energy in the executive” as a leading prerequisite of good government? Is she unaware of Hamilton’s program for active government stimulation of commercial and industrial development? What strand of “conservative” thinking, in America or elsewhere, ever held that a country is obliged to constrain its efforts to defend itself against attack by decisions of an unrepresentative international body like the U.N. Security Council? Is Norton unaware of the roots of the doctrine of pre-emption in the Lockean teaching (in his Second Treatise) that people have a right and duty to act to overthrow a would-be tyrant before he has effected his designs? What group of professed conservatives, other than the libertarian Right of quite recent vintage, has ever maintained that the best government is the one that governs least? (Contrast, e.g., *Federalist* no. 1).

(Memo to Norton: it is Democrats, not Republicans, who celebrate the agrarian-populist Andrew Jackson at their Jefferson-Jackson Day dinners. Republicans prefer Lincoln, who—as Allen Guelzo’s recent intellectual biography *Redeemer President* [Eerdmans, 1999] stresses—favored an active governmental program of infrastructure building so as to foster economic development—and, not incidentally, weaken the political power of the agrarian slavocracy. Norton herself identifies Lincoln as a Straussian “saint,” but questions whether he merits praise even as the “Great Emancipator” since he suspended the writ of habeas corpus in limited areas during the Civil War [130, 133–34]. She passes over the fact that the Constitution itself authorizes such suspension when “the public safety may require it” “in cases of rebellion or invasion,” the only constitutional issue regarding Lincoln’s conduct in this regard being whether the President may authorize the suspension on his own initiative when Congress is not in session.)

Since Norton accuses Carnes Lord (falsely) of contending “that American statesmen should take authoritarian leaders as their models, and that the American people should develop a taste for a more authoritarian regime” (208), we might digress briefly at this point to explore her own standards of political judgment as expressed in her first book, *Alternative Americas: A Reading of Antebellum Political Culture* (University of Chicago Press, 1986). There she applauds the Confederacy rather than the Union during the Civil War as representing (according to an early essay by David Donald) “the democratic forces in American life,” and for retaining the “inviolability” of “the enumerated liberties of the Bill of Rights” (242–43). By contrast, she cites Lincoln’s suspension of habeas corpus to illustrate his “indifference to legal niceties in matters of state” (298), disregarding his earnest efforts to demonstrate his adherence to the Constitution as a whole (see, e.g., his 1861 “Message to Congress in Special Session”). For Norton, the Civil War was simply a conflict of “paradigms” in which the North was no less guilty of “racism” than the South; citing Jefferson Davis’s history of the Confederacy, she observes the absence of “mentions of the preservation of slavery as an object of the Rebellion...from the writings and pronouncements of the Southern leadership” to show that slavery, “while it might have been the occasion, was not the cause of the war” (221).

Consideration of John Calhoun’s posthumously published writings, which did so much to harden Southern resistance, and Alexander Stephens’s influential “Cornerstone” Address delivered just before the war broke out, might cast a different perspective on Norton’s claim that slavery was

not the real cause of the Civil War. One can easily understand why Southern leaders, in an effort to win both American and foreign support for their cause, wanted to downplay the slavery issue during the Civil War itself—and, for other rhetorical purposes, to minimize it later on. Yet they were careful to insert into the Confederate Constitution a prohibition on their Congress's "denying or impairing the right of property in negro slaves."

But Norton also downplays the moral evil of slavery itself. She observes that that Southern archconservative John Randolph of Roanoke regarded his slaves "as members of his household," reflecting "the efforts of [Southern] society at large to integrate the slaves into the community" (194). And "the evident exploitation of workers in Northern industrial towns," she notes sympathetically, "enabled slaveowners to argue that their provision for the slave was superior to the industrialist's provision for the worker" (194). For Norton, the lasting significance of the Civil War lay not in the abolition of slavery but in "the firm establishment of industrial capitalism and the legitimation of an institutional military and of military conquest," which "served thereafter as powerful constraints on American politics" (16). Norton's enterprise of "cultural studies" works wonders, whether in assessing the cause of Southern slaveowners in the past or that of militant Islamists today.

But (to return to the book under review) while I have never known a Straussian who did not admire Lincoln, there is no necessary connection, contrary to Norton, between being a Straussian and being a conservative Republican. As the examples of William Galston, and of Michael Zuckert's position on Iraq, indicate, it is perfectly possible to differ with the Bush administration's policies and remain a Straussian in good standing. A prominent Straussian of an earlier generation, George Anastaplo, carried all the way to the Supreme Court his (self-argued) challenge to the Illinois Bar Association's refusal to accredit him on account of his unwillingness to answer questions about his possible membership in the Communist Party, on the ground that such inquiries violated his constitutional rights to freedom of speech and association. Anastaplo has long enjoyed telling of how his political activities on behalf of freedom got him expelled both from the Soviet Union and from Greece under the colonels' dictatorship. (A Straussian Marxist, however, is an oxymoron, precisely because both classical philosophy and the mainstream of its modern counterpart teach us to appreciate the limits of political life, grounded in human nature.)

Determining the policies that in particular circumstances will best advance the cause of justice and human well-being is a matter of

prudence, i.e., one that depends on circumstantial judgment (as Aristotle and Aquinas, among others, teach) as well as a knowledge of principles. Strauss himself was a great admirer of statesmen like Churchill and Lincoln, recognizing that philosophy could never supplant statesmanly judgment. (While future statesmen may learn from philosophy, political philosophy in turn stands to learn from the practice of statesmanship.) Following their teacher's example, Strauss's students continue to debate matters of public policy among themselves, no less than they do the interpretation of Plato, Rousseau, or Nietzsche.

But Norton thoroughly misreads the tradition of classical political philosophy by interpreting it as a mandate for a consistently cautious foreign and military policy. Not only does Aristotle legitimize wars undertaken to bring civilization to barbarians as well as for defense (*Politics* 1333b37ff.); Thucydides attributes the failure of the Sicilian Expedition not to its immoderation but to the Athenians' failure to stand by their brilliant commander Alcibiades—though Alcibiades himself was partly at fault for the un-Socratic *personal* immoderation that offended his fellow citizens' piety (*Peloponnesian War* II.65.11–12, VI.60). Nor, of course, would Thucydides have dissented from Kristol and Kagan's emphasis on the need to cultivate patriotism and the ability “to distinguish friends from enemies” in the international sphere, as Norton maintains (164). (She thinks that this emphasis links them with the proto-Nazi theorist Carl Schmitt [164], as if he had invented the friend-enemy distinction rather than making it the *central* fact of all politics, domestic as well as foreign, as Kristol and Kagan do not.)

The classical political philosophers were not blind to the varying necessities of international politics, in contrast to today's utopian so-called “realists.” Norton's own perspective on international affairs resembles not Thucydides' outlook, but that of his feckless and unworldly Melians. The foolish trust that the latter put in the gods and the Spartans for their own defense resembles the faith that today's liberal partisans place in the United Nations.

Norton also displays a striking ignorance of the content of traditional just-war theory, believing that it justified a resort to war only if a nation had been attacked, “or if the threat of an attack was clear and imminent in the present” (143). Al Farabi, for instance, to whom she attributes this doctrine, justifies offensive as well as defensive wars conducted by the ruler of a just regime, and treats the principle of peaceful coexistence, based on the supposition that the natural human condition is one of universal peace, as

an error (*Plato's "Laws,"* 126.1–13; *The Virtuous City*, 75.7ff.; see Muhsin Mahdi, *Alfarabi and the Foundation of Islamic Political Philosophy* [University of Chicago Press, 2001], 140–41). (For a broader corrective to Norton's account of just-war theory, see the nuanced account of major writers on the subject in Thomas Pangle and Peter Ahrens Dorf, *Justice Among Nations* [University Press of Kansas, 2001].) Needless to say, Norton omits to mention the core just-war prohibition against the direct, purposeful *targeting* of civilians, perhaps not wanting to condemn the tactics of those that most of us label "terrorists."

IV.

There is a remarkable double standard at work in Norton's judgment of America's response to Islamist terror, though she claims it is Americans who have a double standard in this regard. On the one hand, Norton laments that the American media have failed to "count" "alien casualties" in the war in Iraq. (She does not specify whether she means the number of insurgents killed by American troops, or the far larger number killed by Arab terrorists.) She implies that America now seeks to exercise a "tyranny" over the world, witness its use of force in "Grenada, Panama, Bosnia, and Somalia." (She does not pause to consider the reasons for these interventions: deposing a Communist tyranny in the first and a corrupt drug-dealing tyrant in the second; defending Bosnian Muslims against Serbian terror in the third, and seeking to overthrow the rule of warlords over a starving people in the last.) She also complains that American media gave scant attention to America's sporadic bombing of Saddam Hussein's military facilities during the 1990's. (Saddam himself, along with his massive atrocities against his own people, goes unmentioned: for Norton we were bombing "Iraq.") On the other hand, Norton complains that Americans have an insufficient "capacity for enduring violence" ourselves, so that we deploy it "at the mere prospect of an imminent threat." Her own students, for instance, "are afraid" of terrorist violence in the wake of 9/11, even though "they knew no one lost in the disaster" (how does she know?). The students she teaches "have no thoughts of going to war" themselves (would students inclined in that direction be likely to confide in Norton, or even take one of her courses?). "Sacrifice and heroism are reserved to the reservists," not to those who attend "Ivy League" colleges (156–58). (Could this have something to do with the exclusion of ROTC, as well as military recruiters, from Ivy League campuses?) Thus Norton invites us to feel the pain of Islamic terrorists, and that of innocent Muslims who she claims have endured unspeakable acts of discrimination in this country (literally unspeakable, it seems, since she never identifies

the mistreatment the Straussians allegedly inflicted on her friends), while learning to bear the effects of terror more stoically ourselves, instead of striking out against those we regard as our enemies. (What pains has Norton suffered?)

Admittedly, it is hard for anyone who has observed American soldiers being interviewed in Iraq and Afghanistan to deny their evident moral seriousness and maturity in comparison with their academic counterparts of the sort likely to be found in Norton's classes. Why, then, does she mock her onetime mentor Leon Kass's observation that the American response to 9/11 has exhibited "a palpable increase in moral seriousness" (153)?

Norton responds to Kass's remark as if he were exhorting us to fight more wars purely for the sake of character-building, and observes that war compels its participants to perform "dishonorable actions," as if terrorists and those who struggle to defend us against their assaults are morally in the same boat. She observes that "in war, men kill" not only "other soldiers," but noncombatant "men, women, children, the aged, and the infirm" (154), without pausing to note that it is Islamofascist terrorists, in contrast to the armies of civilized nations, that have made the targeting of civilians their distinctive *modus operandi*. She does not consider that what Kass meant is that the increase in America's moral seriousness is a sign of our being reawakened to the fundamental necessities of political life, necessities which the Clinton administration, with its focus on issues like universal health care (to say nothing of the President's personal "problems"), thought it could safely disregard by avoiding any serious response to Al Qaeda's repeated attacks during the 1990's. (See Richard Miniter, *Losing Bin Laden: How Bill Clinton's Failures Unleashed Global Terror* [Regnery, 2003].) The day of the 1993 World Trade Center bombing, shortly after Clinton's inauguration, his attorney general Janet Reno was preoccupied with achieving the bloody "liberation" of the Branch Davidian compound, as if weird but tiny and largely nonaggressive cults were the chief threat to our liberties. But no official of the Clinton administration ever displayed the moral frivolity, not to say downright slander, that Norton exhibits in implicitly equating the actions of the American military with the tactics of terrorists.

Perhaps the key to Norton's eagerness to distinguish Strauss from the "Straussians" lies in her last two chapters, respectively titled "Athens and Jerusalem" and "The School of Baghdad." In the former chapter, Norton claims that Strauss's students, not Strauss, are responsible for "the idealization of the state of Israel," as a result making "bigotry [against Arabs] the unacknowledged cornerstone of American foreign policy" (216). It would

waste the reader's time to quibble over Middle Eastern policy with an author so lost in Neverland that she thinks that American and Israeli "bigotry" (rather than Arafat, Islamic Jihad, Hezbollah, etc.) has been the chief obstacle to "democratic self-rule and national self-determination for the Palestinians"—and that America's "persecution of Arabs and Muslims" is the cause of the "dangers" now upon us (213, 215). But in response to her attempt to drive a wedge between Strauss and the Straussians on this issue, I should note that the only letter I believe Strauss ever wrote to an American periodical was one he sent to *National Review* in the 1950's, protesting that magazine's (then) unsympathetic posture towards the state of Israel (reprinted in Kenneth Hart Green, ed., *Jewish Philosophy and the Crisis of Modernity* [State University of New York Press, 1997], 413–14).

Strauss's youthful commitment to political Zionism, a cause he never renounced, goes unmentioned by Norton. (On the sense in which Strauss deemed political Zionism "problematic," which is not at all Norton's sense, see the discussion by Green, *ibid.*, 28–36.) As for Norton's wish to follow Hermann Cohen in reducing Judaism to a religion of "universalism" (217), denying the essential character both of the distinctive Jewish law and of its connectedness to the independence of Israel as a Jewish state, here she is simply following the fashion of contemporary European intellectuals who wish to absolve their own countries of complicity in the Holocaust as well as many centuries of anti-Jewish persecution by representing Israel itself as the latter-day root of injustice and "exclusion." (See Alain Finkelkraut, "The Religion of Humanity and the Sin of the Jews," *Azure* 21 [Summer, 5675/2005], 23–32.) Strauss foresaw this sort of danger as Cohen, for all his virtues, did not.

Leo Strauss and the Politics of American Empire is a book that exemplifies the faults and vices of intolerance, paranoia, and the willful misreading of texts that it wrongly attributes to the Straussians. In contrast to Shadia Drury's equally vitriolic attacks on Strauss and his students, it exhibits no evidence of serious study of the Straussians' writings, relying instead on a form of character assassination probably surpassing anything undertaken by Senator Joseph McCarthy, or by the pop biographer Kitty Kelley. Additionally, Norton denounces as if they were members of the Straussian conspiracy a considerable variety of non-Straussian scholars (e.g., Eugene Genovese, Daniel Pipes, Frum, Perle) who have no connection to Strauss to my knowledge, but are simply people whose views she disagrees with. Gradually one realizes, however, that these aren't merely the targets of guilt-by-association. Rather, what they or most of them have in common (along with George W. Bush,

Tom DeLay, and the Christian Coalition, 206–7, 228), and what irks Norton about them, is that they are defenders of Israel, support for which, Norton maintains, is responsible for making anti-Muslim bigotry the foundation of American policy (216; here Norton herself indeed sounds like a certain pompous, bigoted self-styled guru of 1950's American "conservatism"). Not even Shadia Drury would stoop to calling Strauss's students, many of whom were Jewish, "brownshirts."

In sum, this is a book guided entirely by extreme partisan passion and (it would appear) personal resentments, without any element of reasoned discourse, let alone scholarship. While Norton expresses "regret" for "any trouble that comes to anyone for their involvement with me" (xiv)—a strange *apologia*—the only trouble that her friends are likely to incur as a result of the book is embarrassment.

It is remarkable, but revelatory, that one of America's most distinguished university presses should have published a book like this. It is unthinkable that a comparable book lambasting a liberal icon like, say, John Rawls on the basis of rumor, innuendo, and misquotation (let alone one commenting on the alleged sexual deficiencies of his pupils) would ever see the light of day. What academic press would publish a book spreading gossip about, say, Barney Frank's sexual proclivities, as Norton does to Allan Bloom (whose homosexuality was an open secret among many of his students, but who did not make it a public issue as Norton apparently thinks he should have, and was certainly not flamboyant about it as she maintains)? What can Yale's editors have been thinking?

POSTSCRIPT

In order to get a better sense of Anne Norton's own view of what constitutes sound scholarship—to know, as they say, "where she's coming from"—I perused the other volume she published with Yale in 2004, *95 Theses on Politics, Culture, and Method*. The book, as suggested by its title, consists of 95 aphorisms on social-science inquiry, each given a brief (typically one- to two-page) elaboration. "Like their namesakes," she explains, "they were directed against an orthodoxy" and a "hierarchy," that of existing (presumably quantitative and "behavioral") political science. Here are a few samples from the list:

15. "The natural is a cultural category."

22. "All cultures are exceptional. No culture is exceptional." (This thesis is

intended as a response to the “unreasonable” but “lingering belief in ‘American exceptionalism.’”)

27. “Every identity is in reference to a collective.”

52. “Facts are made.”

79. “Systems of knowledge are systems of power.”

Perhaps these titles make more intelligible the reply by a sympathetic former University of Chicago political science professor (and possible contributing source of Norton’s claims about the Straussian “plot” to take over Chicago’s department during the 1960’s), Lloyd Rudolph, to a review of Norton’s Strauss book by Alan Wolfe in the *New York Times Book Review*. Wolfe (not known for Straussian sympathies) had dismissed the book as “a short, gossipy, polemical and unpersuasive sketch devoted mainly to telling second-hand stories” and lacking any documentation. Wolfe thereby betrayed, according to Rudolph, “a yearning for objective truth that misses Norton’s point” in writing the book. Norton’s “knowledge is subjective, what she knows; not objective, what the archive allegedly knows,” Rudolph explained, and thereby calls for no documentation. (Note the implied contrast between real but “subjective” knowledge and the merely “alleged” truth contained in archives. One might call this the Dan Rather approach to scholarship.) Rudolph described Norton’s book as reaffirming her status as “a great semiotacist and ethnographer,” and ended with the fitting wish (see thesis no. 79 above), “More power to her.”

The notion of semiotics (the study of “signs”) as a means to “power” may seem farfetched. But in fact, as Norton’s Strauss book indicates, there is a potentially powerful, three-step rhetorical trope at work here. First, deny that there is any such thing as objective truth. Second, launch an impassioned denunciation of your political opponents, making farfetched charges that you represent as if you certainly thought them true (just as Al Qaeda members are taught that if captured and tried in American courts, they should immediately claim to have been tortured). Third, when critics challenge your claims, revert to step one, explaining that you were only setting forth “your” truth, and that it would be unreasonable, perhaps boorish, to complain that you didn’t document them.

Politics has always been the sphere of rhetoric, and philosophers from Socrates onwards, as Strauss demonstrated, evinced their recognition of the need to practice rhetoric as a means of defending their

enterprise against corruption through vulgarization, as well as to defend politics itself against sophistical attacks on its moral foundations. What distinguishes Norton's enterprise and that of her "postmodern" sympathizers is the attempt to erase the very distinction between philosophy and rhetoric.

Aside from its deleterious effects on liberal education, postmodernism now threatens the integrity of democratic political discourse itself. According to news accounts, leading members of the Democratic Party have come to believe that their recent electoral defeats stem not from any substantive weaknesses in the positions they have taken (which might generate a rethinking of those positions), but from their failure to "frame" the terms of discourse properly. Since reasonable people could not *knowingly* favor the policies of the Bush administration, such as the war in Iraq and the Patriot Act, it follows that a majority of voters have supported them only because Democrats have made insufficient use of devices like "metaphor and narrative" to get their points across. Hence the new darling of party leaders is a hitherto obscure Berkeley linguistics professor, George Lakoff, who attributes the Republican victory of 2004 to its ability to foist labels like "flip-flopper" on John Kerry (who famously explained that he voted for the Iraq war before he voted against it), or to depict the tax cuts they favor as "tax relief" (implying that taxes are a painful burden rather than the price we should gladly pay for all the goodies that government bestows on us). Democrats, according to Lakoff, have wrongly assumed "that people are rational actors who make their decisions based on facts," rather than being "programmed to respond to the frames have been embedded deep in our conscious minds" by calculating politicians. To regain power, Democrats need only "frame" issues in a more effective way, without having to change their policy positions (See Matt Bai, "The Framing Wars," *New York Times Magazine*, July 17, 2005, 38ff.) This is an outlook far more patronizing to ordinary Americans, and far less democratic, than the moderate republicanism espoused by the American Founders, as seen in *The Federalist*, and applauded by most Straussians.

Leo Strauss rarely wrote anything about contemporary political issues. He represented the pursuit of truth, as Socrates did, as itself the highest human good, rather than an enterprise to be valued chiefly for its practical byproducts. But he also demonstrated how philosophy, properly understood, generates a sense of political responsibility. The philosopher suffers neither from an exaggerated, utopian faith in the power of unaided reason to triumph in political debate, nor from a disgust with his fellow citizens

for their incapacity to rise to his level.

Those Straussians, Republicans and Democrats alike, who chose to pursue public careers have demonstrated how the serious study of writers like Thucydides and Plato, Machiavelli and Hobbes, Lincoln and the authors of *The Federalist* can provide an appreciation of the possibilities and limits of political life that “semiotics” (a variant of historicism) cannot offer. In a manner akin to Thomas Jefferson’s hope that liberal education might nourish a “natural aristocracy” within modern democracy whose rise would serve to benefit their countrymen, Strauss and his students sought to restore the serious study of classic texts to the core of the American college curriculum, in a manner that would respond to students’ deepest longings as well as promote a thoughtful civic culture. (See Strauss’s essays on liberal education in *Liberalism Ancient and Modern* [New York: Basic Books, 1968], and Bloom’s in *Giants and Dwarfs*, as well as his *Closing*.) But as Socrates had his Critias (and his Meletus and Callicles), Strauss and his students will inevitably have their Nortons. (Meletus, for one, would heartily agree with Norton that one’s “identity” exists solely “in reference to a collective”; similarly, he shares her hostility to the philosophic endeavor to distinguish nature from convention, since it weakens attachment to the collective, i.e., in his case, the city.) Then again, even Callicles had a sense of shame (Plato, *Gorgias* 494e).

Nicholas Capaldi, *John Stuart Mill: A Biography*, Cambridge: Cambridge University Press, 2004, xx+436 pp., \$40.00.

A New Life of Mill

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Nicholas Capaldi's *John Stuart Mill: A Biography* is an exceptionally valuable book. It is the only life of England's greatest nineteenth-century philosopher that gives a complete and philosophically knowledgeable picture of his intellectual development. It takes account of an immense amount of scholarship on Mill and his contemporaries, which is helpful indeed to those of us who have not managed to keep up with this scholarship. It is eminently readable, as especially befits a book about a superb writer. It persuasively advances the thesis that *autonomy*, or what Mill usually calls *individuality*, is the key idea in Mill's mature positions on ethics, politics, and public policy. Capaldi shows how Mill's notion of autonomy was derived from classical sources (Aristotle, Cicero, Seneca); from the Augustinian tradition within Christianity; from Kant as mediated by Goethe, Coleridge, Wilhelm von Humboldt, and others; and from Harriet Taylor, who, Capaldi says, "helped Mill to realize and to feel...the supreme importance of that concept." After her death in 1858, Capaldi adds, "everything he wrote has autonomy, both its recognition and its preservation, as its object" (256).

By "autonomy" or "individuality," Capaldi says, Mill means the taking of responsibility for one's life and the cultivation in oneself of a many-sided excellence of character in keeping with an ideal that one has freely adopted after critical reflection upon alternatives, traditional and otherwise. Autonomy is in Mill's view "the *summum bonum*," Capaldi says (286), for Mill thinks that "the fundamental truth about human nature...is that human

beings can live fulfilling lives only to the extent that each individual takes responsibility for his own life” (Capaldi, 268). That one *can* take this responsibility implies that one has freedom of will; and Capaldi argues that, in *An Examination of Sir William Hamilton’s Philosophy* (1865), Mill provides “some of the resources to make sense of the conception of the freedom of the will” (315). These resources include a postulated “quasi-transcendental self” capable of achieving irreversible “emancipatory beliefs” such as Freud thought psychoanalysis could help us acquire (317-18). (Capaldi notes that Freud was a translator and admirer of Mill [317n40].)

Mill believed that autonomy for all is best promoted by the institutions of a “liberal culture,” as Capaldi puts it (267). Chief among these institutions are civil liberties and rights, a limited and representative government, and a completely entrepreneurial economic system. Thus Mill, in *On Liberty* (1859), argues that compulsion of any mature person, by either government or society, is legitimate only when it keeps him or her from harming others, by which, Capaldi plausibly argues, Mill means violating *their* autonomy (278). In *Considerations on Representative Government* (1861), Mill argues that representative government best protects and facilitates individual autonomy—self-responsible, active, mentally alive, public-spirited people who are, Mill says, “intrinsically the best” (Mill 1991, 74). In *The Subjection of Women* (1869), Mill argues that women are as capable of autonomy as men and should have the same civil liberties and rights. Harriet Taylor had argued in her *Enfranchisement of Women* (1851) that association between unequals is, for all concerned, incompatible with high character and intelligence. Mill follows up on this in *The Subjection of Women*, giving a “now-classic restatement of the Hegelian master-slave thesis” (Capaldi, 336). In *Principles of Political Economy* (1848; 7th ed., 1879) and elsewhere, Mill advocated workers’ cooperatives and profit-sharing in the interests of the autonomy of workers. Capaldi explains: “His reasons were to promote autonomy, to promote the cooperation that flows from autonomy, and to turn workers into entrepreneurs. The class distinction between employers and employees would disappear and be replaced not by a nationalized economy but by a completely entrepreneurial one” (212).

All of these positions of Mill’s are beautifully explained in Capaldi’s book, which features clear summaries of Mill’s views at all the right places. What, however, of Mill’s *Utilitarianism* (1861)? If autonomy is the *summum bonum*, if autonomous people are “intrinsically the best,” what becomes of the hedonistic utilitarianism that Mill seems to advocate in

Utilitarianism? Does not Mill say that “actions are right in proportion as they tend to promote happiness,” that by “happiness” he means “pleasure and the absence of pain,” and that “pleasure and freedom from pain are the only things desirable as ends” (Mill 2001, 7)? Here Capaldi offers an ingenious interpretation of Mill. He maintains that, notwithstanding the words just quoted, Mill regards pleasure as being just “a property of happiness, the empirical confirmation of its existence” (261) and that Mill (*pace* Bentham and James Mill) really conceives of happiness itself in terms of “personal independence,” “a sense of dignity,” and virtue or “nobleness of character” (expressions of Mill’s, quoted in Capaldi, 261). For Mill, Capaldi says, “happiness is defined as a state in which virtue becomes constitutive of it” (261), “dignity...is synonymous with autonomy” (262), and autonomy is “our ultimate end” (262). Mill’s ethics may be classified under the heading of “Romantic deontology,” Capaldi says, in view of the Romantic richness of Mill’s understanding of self-direction and self-creation—an idea of autonomy inspired by the Romantic notion of *Bildung* that Mill found in “Fichte, Kant, Humboldt, Novalis, Goethe, Coleridge, the Saint-Simonians, Cousin, Lessing, and Mansel, to name a few” (Capaldi, 252). As far as Kant is concerned, Capaldi says, Mill’s position is quite in line with the second formulation of the Categorical Imperative: “Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end” (Kant 1951, 91 [Ak. 429]; see Capaldi, 260). (“People should be treated as ends and never as means” is how Capaldi phrases it [260], but “never simply as a means” is what Kant says.)

There certainly are passages in *Utilitarianism* and elsewhere that support this interpretation. Capaldi cites them, and his analysis of them repays close study. It would be wrong to expect him to tackle in a biography all of the issues that arise for Mill’s position as he construes it, but one wonders what he would say about a particular issue that Kant would bring up. “Happiness,” Capaldi says, “is [for Mill] defined as a state in which virtue becomes constitutive of it,” pleasure being “a property of happiness” (261). One hears Kant saying that virtue or goodness of will (which implies autonomy) is one thing, and happiness (which involves pleasure) is another. Virtue and happiness are, Kant says, “extremely heterogeneous concepts,” unlike what both Stoics and Epicureans believed (Kant 1993, 118 [Ak. 111]). Goodness of will makes one worthy of happiness (Kant 1951, 59 [Ak. 393]), but it is not constitutive of happiness. That this is correct Mill seems to acknowledge in *Nature*, which he wrote during the years when he was writing *Utilitarianism*. (Capaldi says that *Nature* was written between 1854 and 1856,

Utilitarianism between 1854 and 1859 [Capaldi, 257, 346].) Mill says in *Nature* that “the order of things in this life” is such that people’s happiness is by no means always proportional to their virtue, “insomuch that the necessity of redressing the balance has been deemed one of the strongest arguments for another life after death” (Mill 1958, 26). It looks as if Mill is thinking of Kant’s view of immortality as a postulate of practical reason—a postulate necessary for “the hope...of someday participating in happiness in proportion as we endeavored not to be unworthy of it” (Kant 1993, 136 [Ak. 130]). In *Theism* and *Utility of Religion*, Mill himself countenances hopes of immortality as enabling us to deal with the “disastrous feeling” that life is “not worth while” (*Theism*; Mill 1957, 82)—a feeling that can be induced, for example, by the death of people dear to us, people whose loss is “beyond the reach of comparison or estimate,” “neither to be denied nor extenuated,” except insofar as “the hope of reunion” with them can extenuate or mitigate it (*Utility of Religion*; Mill 1958, 79). Such losses are among the worst ways in which persons of good will, such as Mill and Harriet, can be denied happiness of which they are worthy. When Harriet died, she and Mill had been married for only seven years. (Capaldi says that *Utility of Religion* was written during the same period as *Nature*, 1854–1856, whereas *Theism* was written in 1869 [Capaldi, 346, 348].) So the question really is whether Mill does or doesn’t, or both does and doesn’t, or in any case ought to, back away from the thesis that virtue is constitutive of happiness.

“Mill was the greatest of the English Romantics”—this is the rather startling final sentence of Capaldi’s book (365). One wants to protest. Let us grant that there are, as Capaldi fully establishes, distinctly Romantic elements in Mill’s thought, especially when it comes to his understanding of autonomy or individuality. Yet was not Shelley, say, about whom both Mill and Harriet were enthusiastic, a greater English Romantic than Mill? (By the way, Shelley’s *Prometheus Unbound*, a favorite of Harriet’s [see Capaldi, 103], concludes with famous lines in which “Joy” is said to consist in our maintaining “Gentleness, Virtue, Wisdom and Endurance” while we suffer “woes which Hope thinks infinite,” as if virtue and happiness were not “extremely heterogeneous concepts.”) Shelley, as a poet anyhow, was a creative genius. Mill, as Capaldi states, was “not a creative genius,” and “not a great scholar” either, for that matter (24); instead he had “a kind of genius” for explaining, criticizing, developing, and synthesizing others’ ideas (25). “What Mill, like Hegel and even to some extent Marx, could do,” Capaldi says, “was to synthesize all of the major intellectual and cultural factors of his time into a coherent narrative” (25). From many angles Capaldi explains how Mill

combines a reformist program of liberal culture, which he inherited from his father, with ideas derived from Romantic sources and reinforced, so to speak, by the spirit of Harriet. Capaldi says that Mill is important today because his ideas are the “logical starting point” (365) for our attempts to deal with issues in ethics, politics, and public policy that are basically the same as issues with which Mill dealt. “What actions promote and which inhibit autonomy? Of the ones which inhibit autonomy, is there a cure which is not a greater inhibitor?” (Capaldi, 365). These issues and related ones that Capaldi explains are big issues, and Mill provides no little food for thought about them. But do these philosophical achievements and contributions make Mill the preeminent English Romantic?

This brings us back to Mill’s relationship with Harriet. It is not explicitly mentioned at the end of Capaldi’s book, though there is an allusion to it on the penultimate page: “He [Mill] is a symbol of Victorian integrity, with its emphasis on character and delayed gratification” (364). These words are certainly apt as far as they go. They are weak, however, in respect of clear Romantic implication. One needs to reread Capaldi’s account of Mill’s relationship with Harriet in order to see that there is a good deal of truth, for all of one’s misgivings, in his final sentence.

There is an important side to Mill that is not often mentioned. Capaldi makes little of it. Isaiah Berlin was oblivious of it, or else he would not have said that in Mill there is a “total lack of humor” (Berlin 1969, 182). The fact is that Mill had a keen nose for the ridiculous and a rare gift for pointing it out with hilarious irony. The relevant sense of “irony” is well explained by Fowler: “The use of words intended to convey one meaning to the uninitiated part of the audience and another to the initiated, the delight of it lying in the secret intimacy set up between the latter and the speaker” (Fowler 1965, 306). Consider an example from *On Liberty*. In a discussion of “Sabbatarian legislation” (blue laws) against anyone’s working on Sundays to provide amusements for others, Mill comes out with this priceless sentence: “It remains to be proved that society or any of its officers holds a commission from on high to avenge any supposed offense to Omnipotence which is not also a wrong to our fellow creatures” (Mill 1978, 88). The initiated, Mill’s kindred spirits, will pick up on the absurdity of the idea (present in uninitiated minds) that working on Sundays, or anything else that happens, *could be* contrary to the wishes of infinite power. “If Providence is omnipotent,” Mill says in *Nature*, “Providence intends whatever happens, and the fact of its happening proves that Providence intended it” (Mill 1958, 38)—a sentence in

which “Providence,” in its second and third occurrences, is used ironically. This kind of thing is to be found throughout Mill’s writings. Sometimes his irony has an amusing air of noblesse oblige, as here: “Mankind are greater gainers by suffering each other to live as seems good to themselves than by compelling each to live as seems good to the rest” (Mill 1978, 12). “Suffering” is the *mot juste*—and reminiscent of the King James Version of St. Paul: “Charity suffereth long, and is kind” (I Corinthians 13:4).

Capaldi observes that Mill had a sense of humor, and he gives an example. It seems that Herbert Spencer once invited Mill to go fishing with him. Mill declined, saying, “My murderous propensities are confined to the vegetable world” (Capaldi, 304). (Mill was an amateur botanist.) Well, this is mildly amusing, but it is not in the same class as “a commission from on high to avenge any supposed offense to Omnipotence.” Mill is one of the greatest ironists in philosophy since Socrates. And speaking of Socrates, there is a delightful exchange between Socrates and Phaedrus that one ought to mention. Socrates says, “Anyone may see that there is no disgrace in the mere fact of writing.” Phaedrus replies, “Certainly not.” Socrates continues, “The disgrace begins when a man writes not well, but badly” (Plato 1937, 1:262 [258d]). In an era of much bad philosophical writing, it is a pleasure to report that this disgrace, as it was foreign to Mill, so it is to Capaldi.

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