Florida State University Department of Philosophy

Review: Liberalism and Pluralism
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Liberalism and Pluralism

[Review Essay: Stephen Holmes, *Passions and Constraint: On the Theory of Liberal Democracy* (Chicago: University of Chicago Press, 1995), xiii + 337 pp., $29.95 cloth; James Hunter, *Before the Shooting Begins: Searching for Democracy in America's Culture War* (New York: The Free Press, 1994), ix + 310 pp., $22.95 cloth; James Hunter, *Culture Wars: The Struggle to Define America* (New York: Basic Books, 1990), xiii + 416 pp., $25.00 cloth, $13.00 paper; David Johnston, *The Idea of* a *Liberal Theory* (Princeton: Princeton University Press, 1994), x + 204 pp., $29.95 cloth.]

Recent developments in liberal political theory have paralleled developments in liberal societies. With the collapse of the Soviet Union, the United States—as other liberal polities—has turned inward, as if in search of new enemies. Emerging as targets at different times have been such disparate groups as illegal aliens, homosexuals, ever popular welfare recipients—and more recently, the out-of-control Federal Government, and paranoid, overarmed citizen "militias." While the governments of liberal societies have experienced ever-diminishing public approval, the stability of the societies themselves is hardly in doubt. Unpleasant outpourings are perhaps a tribute paid by lack of deeper problems.

In liberal theory too, the dominance of the overall enterprise can hardly be questioned. Though unduly glorified in Francis Fukuyama's 1989 article,[1] the overall point is correct: at the present time, liberal theory has no serious rational competitors. But its ascendancy has brought forth its own outpouring of critique from various perspectives, including currently fashionable postmodernism and identity studies. In one respect, however, the position of liberal theory is more precarious than that of associated

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regimes. In recent years, the perennial question of justification has reemerged in a particularly daunting form.

In *A Theory of Justice*, John Rawls presented the method of "reflective equilibrium" as a means through which normative questions could be addressed without appeal to underived first principles.[2] According to reflective equilibrium, a coherent ordering of the moral convictions in which we have greatest confidence, on levels of both particular judgments and general principles, constitutes a satisfactory moral theory. Rawls argued that moral theory is "Socratic," in that both judgments and principles must be tailored to comprise a coherent system.[3] But the overall soundness of the judgments themselves he literally did not question:

> I shall not even ask whether the principles that characterize one person's considered judgements are the same as those that characterize another's. I shall take for granted that these principles are either approximately the same for persons whose judgements are in reflective equilibrium, or if not, that their judgements divide along a few main lines represented by the family of traditional doctrines I shall discuss.[4]

But as Rawls himself has realized, this problem can no longer be ignored. Throughout the late 1970s and 1980s, in a series of celebrated articles, he confronted the differences between principles that different people's considered judgments support.

In the Introduction to *Political Liberalism*,[5] perhaps the most notable contribution to liberal theory since *A Theory of Justice*, Rawls says that "all differences" between it and *A Theory of Justice* stem from attempts to deal with the irremediable pluralism of liberal societies, conflict between "incompatible yet reasonable comprehensive doctrines."[6] The central question of what Rawls calls "political liberalism" is how it is possible to have "a stable society of free and equal citizens, who remain profoundly divided by reasonable religious, philosophical, and moral doctrines."[7]

How well Rawls deals with pluralism in *Political Liberalism* is a subject to which I will return briefly below. Here we should note that the significant obstacles pluralism poses for liberal theory affect all books discussed in this essay.

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David Johnston's *The Idea of a Liberal Theory* is an inquiry into "the evaluative or normative bases of political and social criticism" (p. 12). Tackling perhaps the most basic question of political philosophy, Johnston explores criteria according to which societies should be assessed. His argument is developed in two stages. In the first, he surveys a series of familiar views: the rights-based liberalism of Robert Nozick; perfectionist liberalism, mainly in the works of Joseph Raz; and the political liberalism of Rawls. Building upon the weaknesses in these views, Johnston develops his own distinctive view, which he calls "humanist liberalism," which centers upon the value of human agency: "I suppose that agents are beings who are capable of conceiving values and projects that are not about their own experiences, and are capable of acting to realize those values and projects" (p. 23).

Nozick's view is found wanting because of familiar problems with his overly rigid conception of rights. To the extent that Nozick defends his view of rights at all, he argues that they are necessary for meaningful lives. But as Johnston shows, rigid adherence to the sanctity of rights can generate conditions destructive to meaningful lives for many people. Johnston also criticizes the view of James Buchanan along similar lines, but the vulnerability of these targets suggests that he might have been better served by taking up more nuanced defenders of rights-based liberalism.

If rights are a means to the realization of other values, perhaps the latter should provide the basis for social criticism. Johnston focuses on Raz and other proponents of autonomy. He carefully distinguishes different senses of autonomy to point up the undue narrowness of the conventional conception: "The fact is that some people just do not want to be personally autonomous" (p. 93).

The inadequacy of autonomy leads to the views of Rawls and Amartya Sen, which concern the provision of means to realize central values. Johnston criticizes what he takes to be unduly rigid aspects of Rawls's view, especially his over-emphasis of the value of liberty and failure to take into account variations in people's mental and physical capacities. Sen, who focuses on development of people's capabilities, on "the *extent* of freedom rather than just on the *means* to freedom" (p. 130), is vulnerable because his view requires general agreement on the goals people choose and poses

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impossible informational requirements concerning people's capability sets (pp. 128-35).

Johnston's examination of these and other liberal theories is an impressive feat of exposition. Material is presented clearly and concisely, while his criticisms are generally to the point. Moreover, his presentation unfolds with almost Hegelian logicality, as the shortcomings of each view call forth the next, culminating in humanist liberalism.

Though humanist liberalism is the book's main contribution, Johnston notes that his account is both "rough and rudimentary" (pp. 12, 137), and a revision of existing liberal theories rather than an entirely new theory. Johnston holds that societies should be assessed according to how well they provide means necessary for people to function as agents. His main innovations are two. First, he would broaden the category of means by adding people's mental and physical powers and the values of status and recognition to Rawls's list of primary goods. Second, like Michael Walzer in *Spheres of Justice*,[8] he proposes diverse distributive principles, that different means be distributed according to the specific principles most suited to them. In addition, humanist liberalism departs from other theories in being concerned primarily with the content of what is distributed rather than with principles of distributive justice. Because of the obvious dependence of the latter on the former, Johnston chides Rawls and Ronald Dworkin for developing sophisticated theories of distributive justice, while paying little attention to exactly *what* is distributed (pp. 141-42). But on the whole, Johnston devotes little space to his vision of complex equality.

Johnston's humanist liberalism is immediately attractive in important respects. Society A, which provides all the goods he discusses, should obviously be viewed as preferable to Society B, in which powers and abilities are not developed and all people do not receive adequate recognition. But as Johnston notes, goods that fall under the latter categories are often excluded from discussions of distributive justice, because, beyond a certain point, major social and political institutions do little to dispense them. A society in which all people were beautiful, healthy, and highly intelligent would doubtless be judged preferable to one in which

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they were not. But it is not clear that these indices should be prominently featured in the grounds of social criticism. To the extent that a society affects development of powers and abilities, how it does this is of course relevant. At one point, Johnston notes that humanist liberalism requires greater attention to education than other theories (p. 190). But because society plays a far greater role in the distribution of some means rather than others, it seems advisable to emphasize the former in working out the bases of social criticism.

In spite of the close relationship between his view and Rawls's, Johnston criticizes Rawls for excessive narrowness. Rawls's difference principle requires maximizing the position of the least advantaged, instead of, more reasonably, guaranteeing an adequate minimum for everyone (pp. 125-27). Similarly, Rawls's principles are intended to guarantee adequate resources to people because their ends are diverse. But, Johnston argues, following Sen, this does not take into account that people's needs will also differ, and so also what they require to attain the same ends. Rawls's first principle, the equal liberty principle, receives more detailed criticism. Johnston argues that Rawls's view of the priority of liberty is inconsistent with the fact that people also need things other than liberty to lead satisfactory lives (p. 120). In constructing his own view, Johnston devotes considerable attention to requirements that Rawls overlooks. Considerations of space preclude discussion of all these points. But clear responses are open to Rawls. For instance, in defending the priority of liberty, Rawls argues that, as long as a society is able to guarantee an adequate economic minimum for all members, liberty is more valuable than additional economic goods and so cannot be traded off for them. As for other necessary conditions for successful development, Rawls believes, first, that if people have adequate income, they will be able to purchase them. In addition, as I have noted, several of these additional requirements are not generally viewed as subject to distributive justice, because society's basic structures are not able to distribute them. To some extent, Johnston's criticisms of Rawls can be traced to different questions they address. Because Rawls's inquiry into principles of justice is

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more circumscribed than Johnston's search for criteria of a good society, it is not surprising that Johnston finds him unduly narrow.

Johnston's close relationship to Rawls is seen in the relative mildness of his criticisms. But Johnston's discussion of Rawls omits a central issue, the implications of which are damaging to both authors.

In discussing Rawls, Johnston mentions but does not explore the development of his views. He focuses on the "present form" of Rawls's theory (pp. 100-1). But it is striking that he devotes almost no attention to the problem of pluralism that *Political Liberalism* explicitly addresses. To some extent, Rawls himself is vulnerable to this criticism, as the range of views he deals with is strikingly circumscribed. In a trenchant review of *Political Liberalism*, Perry Anderson examines the conflicting doctrines encompassed in Rawls's "model case of an overlapping consensus."[9] Rawls presents three views: tolerant Protestantism akin to Locke's; comprehensive liberalism such as the views of Kant or Mill—or later, Bentham or Sidgwick; and a "pluralist view" that is not systematically unified. This model case is used to demonstrate that agreement on fundamental liberal principles is possible among adherents of different views.[10] But the problem with this model case is apparent: social conflicts of the kind Rawls intends his theory to address are not between proponents of *these* views. To quote Anderson: "it is enough to consider this list to see how trifling the claim of grand incompatibilities actually is." As Anderson notes, the only *substantial* conflicting comprehensive views in existing society are religious in nature.[11] The full extent of the clash between comprehensive religious conceptions is a subject with which Rawls does not deal.

Before leaving Johnston, we should note how damaging pluralism is to the form of liberal theory his work represents. Like other recent theorists, Johnston argues from people's considered judgments according to the method of reflective equilibrium, and so holds that a successful account must be generally accepted (pp. 33-39). But in view of the pluralism of liberal societies, it is highly unlikely that either Rawls's theory or his own could ever be accepted throughout society. A valuable aspect of *Political Liberalism* is Rawls's extension of discussion of disagreements in

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society from conflicting values of different groups—that is, *what* they think—to *how* they think. However, more informed appreciation of actual liberal societies would probably leave Rawls horrified at the distance between groups. James Hunter's work is therefore valuable in calling attention to a fundamental rift in liberal society and the radically disparate mindsets that underlie it.

Hunter's *Before the Shooting Begins* (hereafter "*BSB*") is a development of themes presented in his 1991 book, *Culture Wars*. The main subject of *Culture Wars* (hereafter "*CW*") is "America's uneasy pluralism" (*CW*, p. 39). Hunter describes conflict between religious conservatives or traditionalists and nontraditionalist members of society over controversial social issues: abortion, education, treatment of homosexuals, status of women, and so on. He holds that conflict is not between adherents of different faiths, for example, Catholics vs. Protestants or Jews, or between members of different denominations of single religions, as much as between orthodox adherents of different religions and essentially secular members of society. Strongly traditionalist adherents of different religions are similar in important ways, especially in their moral epistemologies. In spite of their other differences, all believe in "non-negotiable moral 'truths'" (*CW*, p. 122) and the need to reason from authoritative texts. Hunter describes this view as "commitment on the part of adherents to an external, definable, and transcendent authority" (*CW*, p. 44; italics removed). Opposed to this is the "progressivist" world-view, characterized by "the tendency to resymbolize historic faiths according to the prevailing assumptions of contemporary life" (*CW*, pp. 44-45; italics removed). Progressivists order their lives according to personal experience and scientific rationality (p. 45). Their central values include autonomy, the importance of individual choice, and toleration.

Hunter's main theme is that differences between these two views have created a fault line in contemporary society. Disagreements on cultural issues are signs of more fundamental underlying differences between how adherents of the two approaches view the world—literally, how they think. For instance, on the question of women's place in society and the

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family, claims concerning women's inherent equality and potential to develop are answered by Scriptural passages according to which women should be subordinate to their husbands. Exploration of policy disputes, then, uncovers "two fundamentally different cultural systems" (*CW*, p. 128; italics removed), "deeply rooted and fundamentally different understandings of being and purpose" (p. 131). As depicted by Hunter, the gap between traditional and progressive individuals is unbridgeable; attempts to communicate result in people talking past one another.

Cultural conflicts result when adherents of different world-views attempt to realize their values in the public realm. On many issues traditionalists and progressivists have views that are diametrically opposed. Membership or non-membership of certain religious groups correlates with an entire range of views on domestic and foreign policy priorities and goals. To advance their ends, adherents of competing views form alliances, with elites and intellectuals taking leading roles.

Hunter supports his thesis in *Culture Wars* with an accumulation of anecdotal evidence that suggests both the depth and the pervasiveness of the divide. The anecdotal approach is not without problems, as it is not clear what even a large number of anecdotes can prove in a society of 260 million people. But examples of the kind Hunter presents are familiar and ultimately add up to a convincing portrait of a society torn between conflicting moral and intellectual visions. At one point, providing figures to flesh out the divide, Hunter estimates that "perhaps 20 percent" of the population falls at each end of the scale, with the large majority somewhere in between (*CW*, p. 159). But it bears remembering that 20% of Americans are some *50 million people* confronting a like number of others at opposite ends of the cultural spectrum.

Hopes that differences between the two groups can be bridged by politics are bound to be disappointed. Not only are the two moral visions inherently incommensurable, but aspects of the American political system exacerbate tensions. Activists and interest groups benefit from inflaming social issues. Basic to the discourse of cultural adversaries is the need to vilify opponents. Techniques such as direct mail fundraising and advertising raise fears in order to generate financial contributions. These and other

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forms of "public discourse" drive out reasoned attempts to close cultural gaps. According to one direct mail consultant: "The message has to be extreme, has to be overblown; it really has to be kind of rough" (*CW*, p. 166). According to Hunter, communications technologies "must reduce sophisticated moral reasoning to simplifications; they must replace substantive moral argument with sloganeering." These media "*demand* superficiality," which contributes to polarization in public discourse" (p. 168).

Though Hunter asks in *Culture Wars* what can be done about this situation, practical remedies are addressed more directly in *Before the Shooting Begins*. More narrow than *Culture Wars*, this work focuses on abortion alone, exploring the attitudes of different segments of the American population through "the most comprehensive public opinion survey ever conducted on the abortion issue" (p. 38). Much of what Hunter reports is familiar from *Culture Wars*. Survey research supports his previous claim that some 20% of the population is strongly traditional, some 20% strongly progressive, with the majority in between, and that adherents of the extreme positions inhabit different moral universes (chap. 4). Obviously, any solution to the conflict between pro-choice and pro-life forces must rely heavily on the more moderate majority. But Hunter's research highlights general lack of knowledge about crucial aspects of the abortion-rights controversy. The majority's ignorance allows extremists and special interest groups to play on their emotions and so to manipulate them, contributing to the polarization described in *Culture Wars*.

Hunter's findings are of great interest to political philosophers. An immediate problem they raise concerns the authority of moral arguments from reflective equilibrium, rooted in "our" considered judgments. With society torn between adherents of different moral epistemologies, whose judgments should we accept? And to whose method of moral reasoning should we appeal to address this question? One of Hunter's central themes is that employment of reasoned argument—and rejection of authoritative texts—essentially settles such questions from the outset, delegitimizing the religious point of view. The philosophical community might

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have second thoughts about ignoring these questions when it is pointed out that *their* overall view of the world is shared by only 20% of the population. It is a trope that philosophical arguments might not be convincing to members of societies that view the world very differently—to Islamic fundamentalists, for example. But this objection becomes more troublesome when one realizes that an overall world-view closely related to that of Islamic fundamentalists is held by some 20% of the American population.

Questions concerning the foundations of ethics are not significant in the books under discussion, and I will set them aside. More important for our purposes are implications of Hunter's findings for contemporary liberal theory. Once again, in *The Idea of a Liberal Theory*, Johnston writes: "I shall assume in this book that the liberal premises I have outlined above . . . would pass the test of wide and general reflective equilibrium" (p. 39). According to Johnston, this condition would be met "if all the individuals in an association were to agree on a single theory, that is, if the same theory were to be the object of a wide reflective equilibrium achieved by each" (p. 35).

For present purposes, we need not look into exactly what Johnston means by "wide and general reflective equilibrium." However, it is clear immediately that, unless traditionalists are denied membership in the association that constitutes American society, no strongly liberal theory can pass this test.

Hunter's account of American culture is immensely damaging to the most influential current liberal theory, that of Rawls. In his recent works, Rawls pursues the ideal of "overlapping consensus." By putting aside their overall comprehensive moral views, inhabitants of liberal societies can achieve agreement on an essential core of moral precepts that are necessary for the stability of society, though different people will approach them from their own perspectives and accept them for different reasons. Rawls believes that the core of a suitable overlapping consensus can be worked up from "certain fundamental ideas seen as implicit in the public political culture of a democratic society."[12] The ideas Rawls discusses are a conception of the citizen as free and equal and possessing moral powers and of society as a fair system of cooperation.[13] The ideas implicit in liberal culture are to be

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developed and defended according to the important conception of public reason described in Lecture 6 of *Political Liberalism*. Accordingly, the overlapping consensus is rooted in "fundamental ideas of the public political culture as well as in citizens' shared principles and conceptions of practical reason."[14]

Hunter's work shows the hollowness of Rawls's claim to be constructing liberal theory on the basis of public culture.[15] Rawls's strongly Kantian conceptions of both basic ideals subscribed to throughout society and how one should go about reasoning from them to develop liberal principles are held by only some 20% of the population. If the aim of political liberalism is to construct a set of basic precepts that can be generally subscribed to throughout society and so provide a basis for resolving disagreements, justice as fairness falls wide of the mark.

Though Hunter's data are harmful to Rawls's political liberalism, he apparently accepts without question certain assumptions about the role of moral consensus in maintaining stable societies, from which Rawls also proceeds. The title, *Before the Shooting Begins*, is meant literally. Hunter sees the divide he explores as a possible prelude to the outbreak of large-scale political conflict. American society has of course witnessed acts of violence along this front, notably the shooting of abortion providers. But whether such cultural conflict betokens the descent of society into destabilizing social conflict is a difficult question. One thing that bears mention is overwhelming public revulsion at such outbreaks of violence. Perhaps horrible events have the unanticipated consequence of mobilizing the apathetic majority towards constructive action.

Many of Hunter's questions, though ordinarily the province of political sociologists, are important for political philosophers if political philosophy is to contribute to the stability of liberal societies. Hunter describes his aim as seeking "common ground in which rational and moral suasion regarding the basic values and issues of society" can be fruitfully addressed (*BSB*, p. 13). Not surprisingly in the light of the cultural situation he outlines, his practical suggestions are modest. Because of an ignorant, apathetic general public and committed minorities with diametrically opposed policy view arguing from incommen-

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surable moral premises, possibilities of meaningful dialogue are limited. Hunter is skeptical about purely political solutions (*BSB*, chap. 8). Rather than seeking to bridge the divide on abortion and other cultural issues, the political parties have become captive to their extremist wings. Politicians make blatant emotional appeals, inflaming passions and contributing to polarization. Responsible politicians who seek middle ground are branded as turncoats and targeted for defeat. But politicians alone cannot be held responsible for the political system's failure to deal constructively with cultural issues: "In the end, it is fair to say that we have in democratic practice what we have put into it" (p. 220).

If the aim is a more enlightened public and more elevated public debates, where does one turn? Hunter castigates the media for their superficiality and predisposition to dichotomize controversial issues, to portray cultural disputes as struggles for power (pp. 163-64). In addition, as Hunter notes, members of the press are overwhelmingly pro-choice, which contributes to biased coverage of the abortion issue (pp. 157-67). Professional associations, which could potentially exercise a mediating influence, have abdicated responsibility, taking up divisive advocacy positions, and Hunter believes that public education has similarly failed.

Although the presiding ethos in American education is multiculturalism, Hunter argues that religious-based views are systematically excluded. Preaching tolerance and respect for inhabitants of other cultures, theorists of multiculturalism actually flatten out differences. Reluctant to assess cultures against single, necessarily culturally specific norms, multiculturalists present all cultures as alternative outcomes of choice. Implicit in their views is a conception of the self as free and independent, unencumbered by constitutive moral commitments—as presented in the work of Michael Sandel (p. 202). Hunter believes that treating all cultures as essentially the same is a form of relativism. This approach is inimical to the traditionalist standpoint and its commitment to objective moral truths. Thus, multiculturalism contributes to the pro-choice bias in the culture while also undermining democracy, because bloodless values of individual choice do not provide a standpoint from which to criticize even odious cultures and practices (p. 211).

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Though there is much to disagree with in multiculturalism, Hunter's accusation of relativism can be criticized. Multiculturalism of the kind he depicts is neither relativistic nor value-neutral. Rather, its central values are tolerance and respect for other individuals in spite of differences. Odious practices that Hunter lists—of Hitler's Germany, the former Soviet Union, and so on—are clearly objectionable from this standpoint. Hunter is correct that liberal theory does present a view of the self as able to stand back from any specific value commitment and assess it. But he does not explore the social consequences of instituting alternatives to these values or this conception of the self. It is true that values of autonomy and tolerance do not rest well with "non-negotiable moral 'truths'" (*CW*, p. 122). But basing social policies in a pluralistic culture on the latter could have catastrophic consequences. Though Hunter decries the existing political system and has little hope for its ability to deal with cultural conflict, he does not undertake the arduous task of presenting an alternative moral basis for society. Along similar lines, he raises questions concerning public reason, without recognizing central issues involved. "For persuasion to be principled, private convictions would be translated into publicly accessible claims" (*BSB*, p. 239). But the reader is not informed about a mode of discourse that will be accessible to both progressivists and traditionalists, inhabitants of incommensurable moral universes. Rawls's magisterial efforts to explicate a practicable public reason is not acknowledged by Hunter, while he would undoubtedly criticize Rawls for ruling out religious modes of discourse.

What Hunter does propose is unobjectionable. His model of "substantive democracy" (*BSB*, p. 224) places greater emphasis on local communities as opposed to the nation as a whole (pp. 231-35). Improved education would inform citizens more fully about the true nature of their differences, including greater attention to religious dimensions of political life (pp. 235-38). Finally, he calls for more civility in public discussion, what he calls "genuine tolerance" (p. 239). Having exhaustively detailed forces pulling society apart, Hunter is skeptical about the likelihood that his proposed improvements will come to pass, but as he says, what is the alternative (pp. 225-26)?

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Assessment of Hunter's analysis depends heavily on one's view of the cultural tendencies he documents. Because of his use of the language of "culture wars" rather than more modulated "disagreements" or "differences," Hunter could be accused of engaging in rhetorical inflation akin to what he ascribes to interest groups. A crucial question is how seriously we are to take his metaphors. According to Hunter, "culture wars always precede shooting wars" (*BSB*, p. 4; italics removed). At one point he invokes the specters of Lebanon and Yugoslavia, though he is disinclined to believe such things will ever happen here (p. 227). So again, exactly what is at stake?

Hunter repeatedly disparages the possibility of political solutions. He dismisses the existing political system as "an arid proceduralism" that is incapable of solving cultural problems (*CW*, pp. 318-19; *BSB*, p. 224). But it is not clear if this criticism is justified. American society is a long way from being torn by literal culture wars. Hunter notes the absence of "large-scale civil strife and open violence" (*BSB*, p. vii). But this suggests that general agreement on cultural questions is not necessary for political stability. Belief that democratic society rests on a bedrock of general moral values is a myth that decades of empirical research have discredited, though it still shows up in Rawls's "overlapping consensus" and Hunter's alarm at cultural conflicts.

In practical terms, as long as cultural conflicts can be contained by the rules and procedures of a given society, it is not clear that they will bear unacceptable fruit. If this is true, then political philosophers should pay more attention to liberal society's institutions and the moral norms that directly support them. These elements constitute society's true "basic structure," as opposed to robust but elusive democratic values.

A great virtue of Stephen Holmes's "rethinking the liberal tradition" (p. xi) in *Passions and Constraint* is his attention to this side of liberalism. The book is a reworking of papers Holmes has written since 1987, all of which have been published previously. But these "thematically connected essays" (p. ix) open into a sustained argument that is both suggestive and rich. The only exception is chapter 6, on John Stuart Mill, which essentially repeats themes already broached.

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Holmes concentrates on liberal theory's paradoxes. Though freedom and political authority are often viewed as incompatible, the one beginning where the other leaves off, the latter is actually a precondition for the former. Constitutions are generally depicted in negative terms: by dividing and balancing political powers, government is constrained from destructive actions. But Holmes explores what he calls *positive constitutionalism*: "[R]ules are also creative. They organize new practices and generate new possibilities which would not otherwise exist" (p. 163). Variations on this theme include precommitments, through which democratic majorities prevent themselves from taking certain forms of action (chap. 5), and "gag rules," through which restrictions on free speech paradoxically increase the free exchange of ideas (chap. 7). Discussion of these devices is introduced with a brilliant analysis of the origins of the idea that human behavior is naturally self-interested (chap. 2). According to Holmes, this was originally a normative rather than an empirical claim. Self-interest is preferable to a range of irrational passions from which people all too easily act: "Cruelty arises more often from noncalculating passions than from calculating interests" (p. 3; italics removed). Belief in self-interest also serves to legitimize democracy. The fact that all men have interests of their own is a fundamental respect in which all are equal, and justifies restraints on royal power, as the King is a man with interests of his own, often opposed to those of the community.

Additional historical chapters concern Hobbes, whose *Behemoth* is analyzed to show the nonrational forces he believed to underlie the English Civil War, in spite of his reputation for viewing human behavior as rational and self-interested (chap. 3). Somewhat unusual in a study of the liberal tradition, the sixteenth century French theorist Jean Bodin receives extended discussion (chap. 4). Though a proponent of royal absolutism—and towards this end, an originator of the idea of "sovereignty"—Holmes's Bodin emerges as a positive constitutionalist. Bodin recognized that concentrated political power is a constructive force, necessary not only for preserving order but, paradoxically, for the emergence of religious toleration.

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Perhaps Holmes's main contribution to current controversies is his exploration of liberalism's essentially practical origins. Classical liberal theorists were often political actors, "reformers and social critics" (p. 40). Holmes calls attention to liberalism's "robust normative basis" (p. 16), though this centered upon what liberalism opposed. Ideal-typical liberals were "simultaneously anticlerical and antimilitaristic" (p. 14); liberalism's four "most disliked institutions and regimes" were "autocracy, aristocracy, theocracy, and collective ownership" (p. 16). Along similar lines, Holmes identifies as liberalism's psychological basis the need to oppose irrationality and its possible political costs. But aside from these points, Holmes shows little interest in liberalism's philosophical underpinnings, no doubt because of the "broad consensus on fundamentals" uniting the theorists he examines: Locke, Montesquieu, Adam Smith, Kant, Madison, and John Stuart Mill (p. 2). Though several of these figures were formidable philosophers, Holmes focuses on their political conclusions rather more than on how they supported them. Issues of justification are set aside so he can concentrate on institutional means through which the great liberal values of autonomy and personal security are realized in practice.

Indicative of Holmes's concerns is his discussion of the debate between Jefferson and Madison over the question of pre-commitment. Pressing the philosophical point that a group of people cannot bind themselves—as a person cannot be bound by his own promises, or a king by laws he makes—Jefferson argued that laws should expire with each generation. National plebiscites should determine the form of government and fundamental laws every twenty or thirty years (pp. 141-42). Holmes approves of the fact that, in responding, Madison refused to meet Jefferson on the plane of theory, preferring to focus on the impossible practical consequences of Jefferson's suggestion. Without the future guaranteed, things would be far more difficult for the present generation. Holmes rushes past the theoretical issue, though at one point he broaches a possible solution, in the difference between a constitution, ratified by the people, and particular laws, made and enforced by political bodies ordered under the constitution (p. 167).

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In incorporating Bodin into the liberal canon, Holmes shows how much the French absolutist has to offer. Writing in response to the Wars of Religion that wracked sixteenth century France, Bodin put forth the solution of the *politiques*. With rivers of blood having been shed and no end in sight, it had become clear that, just as Catholics and Huguenots were unable to agree doctrinally, one side would not be able to exterminate the other. The *politiques*' distinctive position was that unanswerable questions of religion are not worth the destruction of the state. Bodin believed that, all other things equal, it would be desirable to have a state with unified religion, even if this required persecution. But if persecution could not succeed, then toleration was the only *practical* alternative. As noted above, Bodin was clear about the essential connection between absolutism and toleration. Only if the state was strong enough to impose peace on all contending factions could toleration be achieved and other ends become possible.

Bodin's relevance is apparent in the fact that Rawls's political liberalism also begins with the French Wars of Religion, in which Rawls sees the chaos that can result when pluralism gets out of hand[16]—though Bodin's name is absent from the index to *Political Liberalism*. Bodin turned aside from religious truth in favor of what works. A single religious truth could not be imposed on all contending parties, and so a modus vivendi was the only recourse. Rawls identifies this political defense of toleration as the starting point for his own exploration of modus vivendi and "overlapping consensus."[17]

As Hunter's studies demonstrate, problems of the kind Bodin addressed are with us still. In calling attention to the opposed world-views that different religious groups bring to issues of public policy, Hunter shows how difficult it would be for them to agree. But Bodin demonstrates that the realization of liberal values does not depend on substantial moral agreement, whether freely arrived at or coercively imposed.

In spite of the theoretical quandaries that beset contemporary liberalism, the stability of liberal societies provides a theoretical premise of the first importance. Philosophical agreement is not necessary for acceptable societies. To liberal theorists, this must come as great good news, whether they seek secure foundations

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for their arguments or a political liberalism like Rawls's. In either case, however, pluralism poses a difficult challenge. To the extent that political theory is a practical discipline, theoretical problems of pluralism can be set aside—as long as means can be devised though which opposed groups can live together peacefully.

In *Passions and Constraint*, Holmes might be viewed as employing a gag rule of his own. The most prominent gag rules in recent years have concerned religion. By removing religious questions from the realm of public policy, western societies have freed themselves to pursue other questions. Religious issues are often too inflammatory to remain on the agenda without drowning out others. In Holmes's case, what is set aside are questions of philosophical truth. Bracketing these frees him to pursue liberalism's virtues. Recent critics have argued that liberal theorists' preference for social concord over religious truth is a value commitment that gives the lie to claims of liberal neutrality. But in spite of unresolved philosophical issues, liberalism's "robust normative basis" is apparent in this choice. The great figures in the liberal tradition were unanimous in upholding the need for the state and the order it provides. Opposition to violence and discord is another manifestation of liberal self-interest's suppression of the baser passions. As long as liberal theorists retain their interest in practical politics, they will defend the values of peace and prosperity over imposition of their truth, and so remain faithful to the legacy of Bodin, and the other figures Holmes invokes.

Notes

1. Francis Fukuyama, "The End of History," *The National Interest* 16 (1989): 3-18.
2. John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971) (hereafter "*TJ*").
3. *TJ*, pp. 577-81, 17-21, 48-51.
4. Ibid., p. 50.
5. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993) (hereafter "*PL*").
6. *PL*, p. xvi.
7. Ibid., p. 4.

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8. M. Walzer, *Spheres of Justice* (New York: Basic Books, 1983).
9. Perry Anderson, "On John Rawls," *Dissent* 41 (1994): 139-44.
10. *PL*, pp. 145-46, 169-72.
11. [Anderson title], p. 141.
12. *PL*, p. 13.
13. Ibid., pp. 13-15.
14. Ibid., p. 97.
15. Ibid., p. 8.
16. Ibid., p. xxiv.
17. See *PL*, p. 154.

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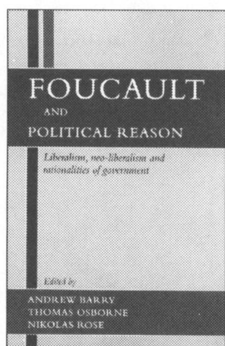

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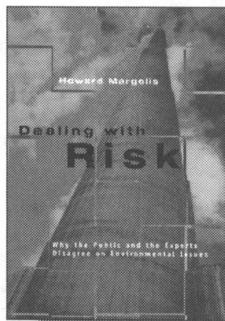

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